

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

**ORDINANCE NO. 1291**

Amending Multnomah County's Comprehensive Plan, Zoning Map, and Zoning Code to Incorporate Amendments to the City of Portland's Comprehensive Plan and Related Plan Documents, Comprehensive Plan Map and Zoning Map, and Zoning and Development Code to implement changes related to housing, Central City documents, and the COVID-19 pandemic and Declaring an Emergency.

**The Multnomah County Board of Commissioners Finds:**

- a. Pursuant to an intergovernmental agreement executed in 2002 (the "IGA"), the City of Portland, Oregon ("City"), provides, with certain exceptions, land use planning services for those areas of unincorporated Multnomah County located within the City's Urban Services Boundary (the "Unincorporated Urban Areas").
- b. Because the County retains legislative authority over the Unincorporated Urban Areas, the County assumed an obligation in the IGA to amend County land use policies and regulations as they relate to the Unincorporated Urban Areas to incorporate applicable City land use policies and regulations, and all subsequent amendments thereto.
- c. Through Ordinance No. 190000 (adopted by the Portland City Council 06-17-20, effective 06-18-20), the Portland City Council amended Title 33-Planning and Zoning code, the Comprehensive Plan Map, and the Zoning Map to implement the Expanding Opportunities for Affordable Housing project (EOAH). The overarching goal of EOAH is to further facilitate the development of affordable housing. The EOAH amendments have two components: map changes and code changes. The map changes include rezoning and changing the Comprehensive Plan map designations on 19 community-based sites to further housing opportunities. None of the 19 community-based sites are located within the Unincorporated Urban Areas. The EOAH code amendments provide additional flexibility to existing institutional Conditional Uses and school sites to add affordable housing without a Conditional Use permit review. Such flexibility relates to building demolition thresholds, floor area and parking requirements. The EOAH amendments will apply to any existing or future institutional Conditional Uses and school sites in the Unincorporated Urban Areas.
- d. Through Ordinance No. 190023 (adopted by the Portland City Council 07-08-20, effective 08-10-20), the Portland City Council readopted a remanded ordinance amending Title 33-Planning and Zoning code, the Comprehensive Plan,

Comprehensive Plan Map, Transportation System Plan, Willamette Greenway Plan, Scenic Resources Protection Plan and Zoning Map, authorizing adoption of administrative rules, and repealing and replacing prior Central City plans and documents. The prior Central City 2035 Plan that went into effect in July 2018 had been appealed to the Land Use Board of Appeals (LUBA) and then to the Court of Appeals. LUBA found, and the Court of Appeals agreed, that the City Council's findings were not adequate to show that proposed heights in the New Chinatown/Japantown Historic District complied with City Comprehensive Plan policy 4.48. Pursuant to the Court of Appeals' decision, the City readopted the Central City 2035 Plan with additional findings and evidence to demonstrate that the proposed heights in New Chinatown/Japantown comply with applicable goals and policies. While the project is focused in the Central City Plan District, which is located outside the Unincorporated Urban Areas, the ordinance does amend sections of the code that will apply within the Unincorporated Urban Areas related to environmental, river, greenway, and trails codes.

- e. Through Ordinance No. 190076 (adopted by the Portland City Council and effective 07-29-20), the Portland City Council amended Title 33-Planning and Zoning code to extend the expiration date for some land use approvals, maintain inclusionary housing rates outside the Central City and Gateway Plan Districts, allow for virtual neighborhood contact meetings, and postpone the effective dates of FY20-21 System Development Charges for the Bureaus of Environmental Services and Transportation. The project, referred to as the Expiration Date Extension Project (EDEP), was initiated in response to the COVID-19 pandemic. The amendments will apply within the Unincorporated Urban Areas.
- f. Through Ordinance No. 190093 (adopted by the Portland City Council 08-12-20, effective 09-11-20 and 08-01-21), the Portland City Council amended the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, Title 33 Planning and Zoning, and Title 30 Affordable Housing, to revise the Single-Dwelling Residential designations and base zones. The amendments provide opportunities for additional residential density, encourage a wider variety of housing options including affordable housing units, establish a housing size cap in certain zones, and rezone approximately 7,000 lots in an attempt to increase opportunities for homeownership. The project is referred to as the Residential Infill Project (RIP), which is applicable within the Unincorporated Urban Areas, except for the amendments to Title 30 (Affordable Housing), which are outside the scope of the IGA. The County therefore does not need to adopt the amendments to Title 30, which are covered in directive h of Ordinance No. 190093.
- g. The City has requested that the County amend the County's Comprehensive Plan, Zoning Map, and Zoning Code to incorporate the changes implemented in City Ordinance numbers 190000, 190023, 190076 and 190093.

- h. Pursuant to State and City notice requirements, as well as the terms of the IGA, the City provided public notice of City Ordinance numbers 190000, 190023, 190076 and 190093. The City provided an opportunity for the public to be heard at public hearings, culminating with hearings before the City’s Planning and Sustainability Commission and the City Council.

**Multnomah County Ordains as Follows:**

**Section 1.** The County’s Comprehensive Plan, Zoning Map and Zoning Code are amended to incorporate the following:

<b>Exhibit No.</b>	<b>Description</b>	<b>County Effective Date</b>
1	Ordinance to implement the Expanding Opportunities for Affordable Housing project - EOAH (Portland Ordinance 190000)	Upon signature of County ordinance
2	Ordinance to implement the Central City 2035 project (Portland Ordinance 190023)	Upon signature of County ordinance
3	Ordinance to implement the Expiration Date Extension Project – EDEP (Portland Ordinance 190076)	Upon signature of County ordinance
4	Ordinance to implement the Residential Infill Project - RIP (Portland Ordinance 190093)	Upon signature of County ordinance: directives a, c, e  August 1, 2021: directives b, d, f, g

**Section 2.** In accordance with ORS 215.427(3), the changes resulting from Section 1 of this ordinance shall not apply to any decision on an application that is submitted before the applicable effective dates of this ordinance and that is made complete prior to the applicable effective dates of this ordinance or within 180 days of the initial submission of the application.

**Section 3.** In accordance with ORS 92.040(2), for any subdivisions for which the initial application is submitted before the applicable effective dates of this ordinance, the subdivision application and any subsequent application for construction shall be governed by the County’s land use regulations in effect as of the date the subdivision application is first submitted.

**Section 4.** Any future amendments to the legislative matters listed in Section 1 above are exempt from the requirements of MCC 39.1210. The Board acknowledges, authorizes and agrees that the Portland Planning and Sustainability Commission will act instead of the Multnomah County Planning Commission for the Unincorporated Urban Areas by employing the City's own legislative procedures, including providing notice to, and facilitating participation from, property owners within Unincorporated Urban Areas. The Board will consider the recommendations of the Portland Planning and Sustainability Commission and City Council when legislative land use matters for the Unincorporated Urban Areas come before the Board for action.

**Section 5.** This ordinance being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and adoption of the amendments in City Ordinance No. 190000, 190023 and 190076, and directives a, c, and e of City Ordinance No. 190093, will take effect immediately upon being signed pursuant to Section 5.50 of the Multnomah County Home Rule Charter. The amendments in directives b, d, f, and g of City Ordinance No.190093 will take effect on August 1, 2021.

FIRST READING AND ADOPTION: January 7, 2021



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury, Chair

REVIEWED:  
JENNY M. MADKOUR, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By Katherine Thomas  
Katherine Thomas, Assistant County Attorney

**SUBMITTED BY: Jamie Waltz, Director, Department of Community Services**

Page 4 of 4 - Amending Multnomah County's Comprehensive Plan, Zoning Map, and Zoning Code to Incorporate Amendments to the City of Portland's Comprehensive Plan and Related Plan Documents, Comprehensive Plan Map and Zoning Map, and Zoning and Development Code to implement changes related to housing, Central City documents, and the COVID-19 pandemic and Declaring an Emergency.

## **ORDINANCE No. 190000 As Amended**

\*Amend Title 33-Planning and Zoning, the Comprehensive Plan Map, and the Zoning Map to implement the Expanding Opportunities for Affordable Housing project. (Ordinance)

The City of Portland Ordains:

Section 1. The Council finds:

### General Findings

1. Portland has grown by more than 75,000 households since 2000, but housing supply has not come close to meeting the demand. The resulting low vacancy rates and price increases have had severe consequences. Between 2006 and 2015 the Oregon Office of Economic Analysis estimated that the Portland housing market was under-built by approximately 23,000 units of housing - insufficient just to keep up with population growth.
2. The number of people experiencing homelessness in our community increased to over 4,000 according to the most recent 2019 Point in Time Count.
3. On October 7, 2015, the Council, declared a housing emergency for a period of one year, with Ordinance 187371. Council subsequently extended the emergency through Ordinances 187973, 188627, and 189387; through April 4, 2021.
4. Through the 2035 Comprehensive Plan the City Council established the goal to developing at least 10,000 regulated affordable housing units by 2035.
5. There are approximately 450 institutions regulated thorough the Zoning Code as “Conditional Uses” in residential zones. This includes many faith-based institutions (churches, synagogues, mosques, etc.), fraternal organizations, community services, and schools. Together these institutions occupy about 1,400 acres of land. A growing number of these institutions are exploring how they can use their available land on their properties to address the affordable housing crisis.
6. On April 4, 2018 the City Council accepted a grant from Metro in the amount of \$125,000 to partner with Ecumenical Ministries of Oregon (EMO) for outreach to faith communities, and to develop of a system to connect property-owning institutions with the developers that need access to affordable land. (Ordinance 188882).
7. With support from partner organizations, staff reached out to faith- and community-based organizations to identify the barriers to development. Besides financial barriers, the regulatory review process was identified as a major hurdle to organizations that are conditional uses.
8. A Stakeholder Advisory Committee was established in fall 2018, which worked with staff to develop recommendations for regulatory improvement, and refinement of zoning. Through outreach efforts, organizations that were interested in developing affordable housing on their properties were identified, and of those, several requested map changes to provide greater flexibility for future development.
9. The Expanding Opportunities for Affordable Housing Discussion draft was released for public review on October 28, 2019.

10. The Expanding Opportunities for Affordable Housing Proposed Draft was released for public review on January 2, 2020.
11. On January 2, 2020 notice of the Proposed Draft was mailed to the Department of Land Conservation and Development in compliance with the post-acknowledgement review process required by OAR 660-18-020.
12. On January 2, 2020 notice of the proposed draft was mailed to all property owners potentially affected by proposed zoning map and code changes as required by ORS 227.186.
13. On February 11, 2020 the Planning and Sustainability Commission held a public hearing on the Proposed Draft, and voted to forward the project to City Council on March 10, 2020.
14. On April 8, 2020 a revised notice of the recommended draft was mailed to the Department of Land Conservation and Development in compliance with the post-acknowledgement review process required by OAR 660-18-045.
15. On April 20, notice of the May 14, 2020 City Council public hearing was mailed to those who presented oral and written testimony at the Planning and Sustainability Commission public hearing.
16. On April 17, a revised notice of the Recommended Draft was mailed to all property owners potentially affected by proposed zoning map and code changes as required by ORS 227.186, including properties added to the proposal by the Planning and Sustainability Commission recommendation.
17. The recommended EOAH amendments allow institutions regulated through the Zoning Code as “Conditional Uses” to add regulated affordable housing without a new Conditional Use Review, if relevant conditions and standards are met. They also allow more flexibility for small increases in non-residential floor area, allow site area to be reduced, and allow removal of some parking for the development of housing, without a Conditional Use review.
18. The recommendation also includes rezoning and changing the Comprehensive Plan map designations on 19 community-based sites to further housing opportunities.
19. The Findings of Fact Report, attached as Exhibit A, includes additional findings demonstrating consistency with the Statewide Planning Goals, Metro Urban Growth Management Functional Plan, and the City of Portland 2035 Comprehensive Plan.

NOW, THEREFORE, the Council directs:

- a. Adopt Exhibit A, dated June 1, 2020 as additional revised findings.
- b. Adopt the commentary in Exhibit B, the Expanding Opportunities for Affordable Housing report as amended by City Council, dated June 1, 2020, as legislative intent and further findings.
- c. Amend Title 33, Planning and Zoning, of the Municipal Code of the City of Portland, the Portland Comprehensive Plan Map, and the official Zoning Map, as shown in Exhibit B, the Expanding Opportunities for Affordable Housing report, as amended by City Council, dated June 1, 2020.
- d. Direct BPS to prepare a recommendation for Council's consideration by September

2020 regarding the following sites, following appropriate notice to DLCD, property owners, and neighbors:

1. 120 and 130 NE Knott St
  2. 4515 N Mississippi Ave, and adjacent 4505 N Mississippi Ave
  3. 2800 N Vancouver Ave
  4. 6161 SE Stark St
  5. Property east of 6140 SW Boundary St
- e. Direct BPS to initiate a future mapping project that identifies, with community members, properties where a zoning change could create community benefits, centering on anti-displacement strategies, equitable wealth generation, addressing past harms, and furthering fair housing.

Section 2. If any section, subsection, sentence, clause, phrase, diagram or drawing contained in this ordinance, or the map, report, inventory, analysis, or document it adopts or amends, is held to be deficient, invalid or unconstitutional, that shall not affect the validity of the remaining portions. The Council declares that it would have adopted the map, report, inventory, analysis, or document each section, subsection, sentence, clause, phrase, diagram and drawing thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, diagrams or drawings contained in this Ordinance, may be found to be deficient, invalid or unconstitutional.

Section 3. Council declares that an emergency exists because of the significance of the code changes to projects that will benefit from the streamlined regulations; therefore, this ordinance shall be in full force and effect on and after June 18, 2020.

Passed by the Council: June 17, 2020

Mayor Ted Wheeler  
 Prepared by: Eric Engstrom and Nan Stark  
 Date Prepared: March 30, 2020  
 Revised: June 1, 2020

**Mary Hull Caballero**  
 Auditor of the City of Portland

By *Keelan McClymont*  
 Deputy

**ORDINANCE NO. 190000 As Amended**

Title

Amend Planning and Zoning Code, the Comprehensive Plan Map, and the Zoning Map to implement the Expanding Opportunities for Affordable Housing project (Ordinance; amend Title 33)

<p style="text-align: center;"><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Ted Wheeler</b></p>	<p>CLERK USE: DATE FILED <u>5/5/20</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p>
<p>Mayor—Finance &amp; Administration - Wheeler <small>Musafa Washington</small></p>	<p><small>Digitally signed by Mustafa Washington Date: 2020.05.05 14:30:46 -07'00'</small></p>
<p>Position 1/Utilities - Fritz</p>	<p style="text-align: center;"><b>Keelan</b></p>
<p>Position 2/Works - Vacant</p>	<p>By: <u>McClymont</u></p>
<p>Position 3/Affairs - Hardesty</p>	<p><small>Digitally signed by Keelan McClymont Date: 2020.05.05 19:42:44 -07'00'</small></p> <p style="text-align: center;">Deputy</p>
<p>Position 4/Safety - Eudaly</p>	<p><b>ACTION TAKEN:</b></p>
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p>	<p><b>May 14, 2020 Continued to May 21, 2020 at 2:00 p.m. Time Certain</b></p>
<p>Bureau: Planning &amp; Sustainability Bureau Head: <b>Andrea Durbin</b></p>	<p><b>May 21, 2020 Continued to May 27, 2020 at 2:00 p.m. Time Certain</b></p>
<p>Prepared by: <b>Eric Engstrom</b> Date Prepared: <b>4/8/20</b></p>	<p><small>Digitally signed by Andrea Durbin Date: 2020.04.21 11:28 -07'00'</small></p> <p><b>May 27, 2020 Passed to Second Reading June 10, 2020 at 11:00 a.m. Time Certain As Amended</b></p>
<p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	<p><b>June 10, 2020 Passed to Second Reading June 17, 2020 at 10:45 a.m. Time Certain As Amended</b></p>
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p><small>Lauren A. King 2020.04.17 10:30:35 -07'00'</small></p>
<p><b>City Auditor Office Approval:</b> required for Code Ordinances</p>	<p><i>Lauren A. King</i></p>
<p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter</p>	<p><i>Lauren A. King</i></p>
<p>Council Meeting Date <b>5/14/20</b></p>	

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input checked="" type="checkbox"/></p> <p>Start time: <b>2:00 PM</b></p> <p>Total amount of time needed: <b>1.5 hrs</b> (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

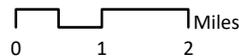
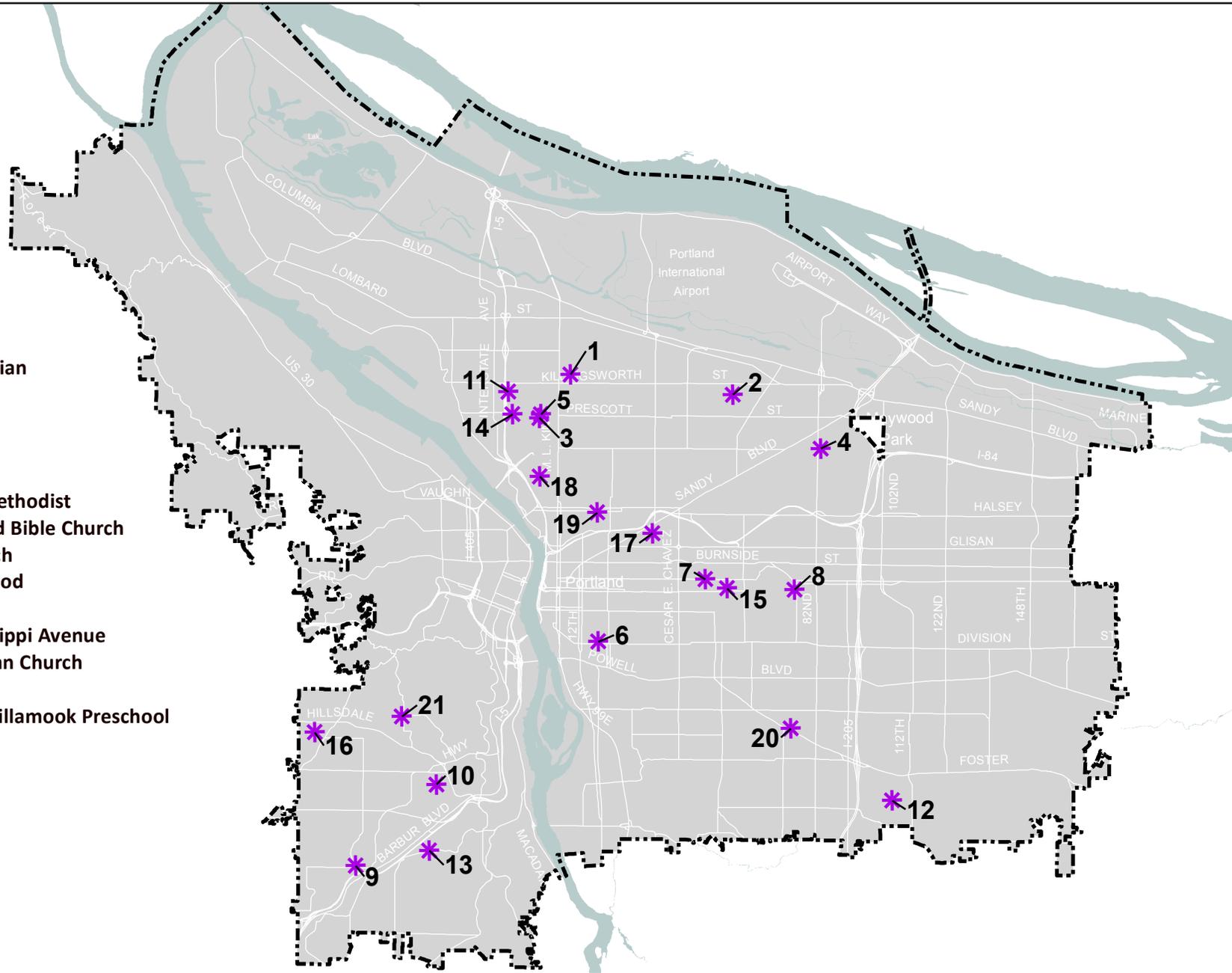
FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Vacant		
3. Hardesty	✓	
4. Eudaly	✓	
Wheeler	✓	

# Expanding Opportunities for Affordable Housing

Map#	Site Name
1	Bethel AME Site
2	Trinity Lutheran
3	Zion AME
4	First Orthodox Presbyterian
5	Gordly House
6	St. Philip Neri
7	Unity Church
8	Ascension
9	West Portland United Methodist
10	Habitat/Greater Portland Bible Church
11	Emmanuel Temple Church
12	Mount Scott Church of God
13	Habitat for Humanity
14	4515 and 4505 N Mississippi Avenue
15	Mount Tabor Presbyterian Church
16	Robison Jewish Home
17	Evergreen Community/Tillamook Preschool
18	Williams Russell Site
18	Grace Memorial
20	Chinese Christian
21	St. Andrews

## Legend

-  Site Location
-  City Boundary



# EXPANDING OPPORTUNITIES FOR AFFORDABLE HOUSING

Amendments to the Comprehensive Plan Map, Zoning Map, and Zoning Code



ADOPTED JUNE 17, 2020  
EFFECTIVE JUNE 18, 2020

Ordinance No. 190000



Bureau of Planning and Sustainability  
Innovation. Collaboration. Practical Solutions.  
City of Portland, Oregon



The Expanding Opportunities for Affordable Housing amendments streamline Portland’s zoning rules for the development of affordable housing on faith and community-based properties.

For more information, visit the project website: <https://portland.gov/bps/ah-grant>

The Bureau of Planning and Sustainability is committed to providing meaningful access. For accommodations, modifications, translation, interpretation or other services, please contact at 503-823-7700 or use City TTY 503-823-6868, or Oregon Relay Service 711.  
Traducción o interpretación | Chuyển Ngữ hoặc Phiên Dịch | 翻译或传译 | Письменный или устный перевод | Traducere sau Interpretare |  
Письмовий або усний переклад | 翻訳または通訳 | Turjumida ama Fasiraadda | ການແປພາສາ ຫຼື ການອະທິບາຍ | الترجمة التحريرية أو الشفهية  
503-823-7700 | www.portlandoregon.gov/bps/71701

Cover drawings: Carleton Hart Architects

# Acknowledgments

## **Portland City Council**

Ted Wheeler, *Mayor*

Chloe Eudaly, *Commissioner*

Amanda Fritz, *Commissioner*

Jo Ann Hardesty, *Commissioner*

Office of Commissioner Nick Fish

## **Portland Planning and Sustainability Commission**

Eli Spevak (Chair), Steph Routh (Vice Chair), Katherine Schultz (Vice Chair), Jeff Bachrach, Ben Bortolazzo, Mike Houck, Katie Larsell, Daisy Quinonez, Oriana Magnera, Chris Smith

## **Bureau of Planning and Sustainability**

Ted Wheeler, Mayor, Commissioner-in-charge

Andrea Durbin, Director

Joe Zehnder, Chief Planner

## **Project Staff**

Eric Engstrom, Principal Planner, BPS

Nan Stark, Project Manager, City Planner, BPS

Emily Benoit, Portland Housing Bureau

Shannon Buono, Senior Planner, BPS

Kevin Bond, City Planner, BPS

Marguerite Feuersanger, City Planner, BDS

Nikoyia Phillips, Community Engagement, BPS

Carmen Piekarski, GIS Analyst, BPS

## **Stakeholder Advisory Committee**

Jan Elfers, Ecumenical Ministries of Oregon

Ed McNamara, Turtle Island Development

Julia Metz, PCRI

Deb Meihoff, Communitas Planning

Travis Phillips, Catholic Charities

Sushma Raghavan, Unite Oregon

Nick Sauvie, Rose CDC

Caitlin Burke, Joint office of Homeless Services

Emily Benoit, Portland Housing Bureau

Tammy Boren-King, Portland Bureau of Transportation

Damian Crowder, Prosper Portland

Kim Moreland, Prosper Portland

Marguerite Feuersanger, Bureau of Development Services

Stephen Himes, Bur. of Environmental Services

Lisa Miles, Metro

## **Additional Community partners:**

LaVeta Gilmore Jones, Leaven Community

Joni Hartmann, Housing Development Center

Cameron Herrington, Living Cully

Rob Justus, Home First Development Partners

Julia Nielsen, Portsmouth Union

Melissa Reed, Leaven Community

Kathy Swift, Heritage Bank

Bill Van Vleet, NOAH

## **Consultants:**

Bill Hart, Carleton Hart Architects

Sharon Nielson, The Nielson Group



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# Section I: Introduction

## Project Summary

This report contains proposed amendments to the Zoning Code that will facilitate development of affordable housing on land in the ownership of community-based organizations. The proposed amendments remove regulatory barriers that institutions such as faith institutions, fraternal organizations and other organizations face because they are conditional uses in residential zones.

This proposal also includes Zoning Map and Comprehensive Plan Map amendments on sites where community development projects, including affordable housing developments, are planned; most of those sites are in the ownership of community-based organizations.

The major components of the proposed amendments include:

- Allow the following alterations to an existing conditional use site without a new conditional use review:
  - Development of affordable housing in compliance with base zone allowances and standards.
  - Removal of up to 50 percent of the existing parking spaces for the development of affordable housing.
  - Reduction to the conditional use site area when all standards and conditions of approval are met.
  - Additions of up to 2,000 square feet of floor area for non-residential uses or exterior improvement area; currently up to 1,500 square feet is allowed.
- Reduce the conditional use review procedure type for some alterations to an existing conditional use.
- Minor changes to the Schools and School Sites and Conditional Use Master Plan chapters (33.281 and 33.820) to reflect the change from 1,500 to 2,000 square feet of additional floor area or exterior improvement area allowed without conditional use review.
- Minor changes to the Property Line Adjustment chapter (33.667).
- Comprehensive Plan Map and Zoning Map amendments for a small number of community-based sites and properties adjacent to them.

Commentary describing each amendment can be found on the facing pages next to the zoning code amendments in this report.

## Evolution of this proposal

### Discussion Draft

The Discussion Draft served as the first opportunity for the public to review and comment on the draft zoning code and zoning map amendments. The public review period for the Discussion Draft was open from October 28 through December 2, 2019. In the Discussion Draft, the conditional use review exemption was tied to a housing affordability level, in which the only housing that would have been exempt based on the Discussion Draft proposal was housing that met an affordability level. The proposal also included a requirement that the Portland Housing Bureau administratively confirm and enforce the affordability provisions.

Staff received a total of 27 emails and 34 written letters commenting on the proposed amendments. All the public comments received were in support of the proposal. Several individuals specifically commented in support of the exemption's tie to affordable housing.

Staff also received comments from the Bureau of Environmental Services (BES), Portland Housing Bureau (PHB), and Bureau of Development Services (BDS). The most significant change between the Discussion and Proposed drafts was the elimination of the affordability requirement in the conditional use review exemption. The change reflects Bureau comments, and subsequent discussions with PHB and BDS. The primary concerns raised by the two bureaus were related to process.

After assessing the concept PHB suggested changes and provided an option to implement an affordable housing conditional use review exemption by linking it to existing affordable housing zoning bonuses and tax/fee exemptions. But this option would have required permit seekers to be certain of project feasibility, lest the permit must go back through conditional use review later if the affordability levels or financing changed. This potential for initial exemption based on specific affordability levels and time and subsequent rereferral back through conditional use review creating other issues in the permitting process. BDS raised concerns that these extra steps created additional barriers to development.

Additionally, BDS noted that the conditional use criteria are the same whether housing is affordable or not. Housing is allowed in residential zones by right regardless of whether the housing is affordable or market rate. The conditional use review is focused on the use that is allowed conditionally in a residential zone and should not be used as a tool to determine whether an allowed use should be approved or not.

BDS also noted that with the affordability requirement, they would need to create a new process to document how an organization would guarantee that the units would be affordable. This additional process would potentially be another barrier faced by organizations hoping to avoid the conditional use review.

The goal of this project is to streamline the path for approving housing in zones where housing is allowed and on sites where community-based organizations have expressed a desire to build housing, including affordable housing. The current zoning code regulations present time and cost barriers in the form of a conditional use review for housing that would be allowed outright on other sites in the zone. Consequently, by exempting housing from Conditional Use review, the code will better reflect that residential uses are allowed by right in Residential zones.

It is the assumption that most mission-based organizations that are conditional uses will be motivated to develop housing that is affordable. Without further restrictions set out in the Zoning code on levels of affordability, organizations will be less hindered by regulations while still benefiting from the conditional use exemption. Organizations will still be able to apply for financial support and incentives from the City that help to reduce the cost of development, but they will not be subject to specific requirements that could potentially limit or affect the ultimate project in ways not anticipated or desired (for example, an organization may wish to develop a project providing home ownership opportunities that may not meet Zoning code limits).

In addition to the comments by PHB and BDS, the Bureau of Environmental Services expressed that without a conditional use review, applicants will not receive information in advance of permit submittal about potential infrastructure requirements that will be made. While this is true, it can be assumed that most or all projects of this type will be done in partnership with developers who will seek this information from BES and the other infrastructure bureaus in advance of permit submittal.

#### Proposed Draft

The Proposed Draft was released on January 2, 2020 and testimony was open through the date of the public hearing before the Planning and Sustainability Commission (PSC) on February 11, 2020. The draft was amended on January 17, 2020 to incorporate the above summary from PHB about removing the affordability requirement.

During the testimony period, a total of 100 pieces of written testimony were submitted. All testimony about the zoning code changes (about 80) were in support. The remaining testimony included requests by 11 organizations or individuals for changes to their zoning, to allow for more flexibility or greater density, and from individuals and organizations supporting the requests. At the hearing, the PSC heard testimony from 33 individuals in support of the zoning code and map changes. The PSC extended written testimony to February 14. The PSC met on March 10, 2020 to deliberate.

At the March 10 PSC meeting, the Commission members were in support of the package of code changes, and added amendments which included:

- Expanding the allowance to use up to 50 percent of a site's parking area for the development of housing, regardless of proximity to frequent transit, rather than restricting the allowance to areas close to frequent transit as had been initially proposed.
- Exempting sites with institutional uses from several specific Property Line Adjustment regulations.

In its deliberation of the Zoning map amendments proposed, the Commission supported 20 of the 21 proposed map changes. The Commission discussed the one request by an individual property owner to change the zoning on their property, which is currently rented as unregulated affordable housing. While several Commissioners were sympathetic to the request, the majority voted against it because they did not want to make an exception for individual situations, which they felt is in the purview of City Council. Consideration of requests from

individual property owners was outside the project scope, which focused on community-based organizations. They also recommended to City Council that they allocate resources in the BPS budget for periodic zoning map updates, for specific areas of the city or with topical themes as appropriate. The high cost of quasi-judicial zoning and comprehensive plan map amendments is a barrier to many individuals and organizations. The PSC would like to see BPS bundle community-requested changes together legislatively on a periodic basis, where there is a public benefit.

The Commission's final recommendations were incorporated into the Recommended Draft, which was considered by Portland City Council in May 2020.

### Recommended Draft

The Recommended Draft was released on April 8, 2020 and the written testimony period opened on that date. Over the 6 weeks of testimony ending on May 20, total of 178 pieces of written testimony was submitted, the majority using the Map App. About 40 percent of testimony was in support of the code and map changes. Another 45 percent was to express support or opposition to map changes; two sites in particular received most of map-related testimony: the Robison Jewish Home/Cedar Sinai Park site on SW Boundary St, and the St Philip Neri site on SE Division St. Testimony about the Cedar Sinai site (35 written and 10 at the hearing) was almost entirely in opposition. Testimony about the St Philip Neri site included 30 letters in support and 14 opposed. There were letters of opposition or concern about 4 other sites. The remaining 15 percent of testimony was from individuals who advocated to increase the allowance for repurposing of parking areas from 50 percent to 100 percent, and requests made for map changes to 4 additional sites.

The public hearing before City Council was held in a virtual meeting on May 14, 2020. At the hearing, 41 people testified. The Council extended the written testimony period for an additional week. Following the public testimony, the Council requested that staff return with an amended version of the code language to include an affordability requirement. In working with the Portland Housing Bureau (PHB) and the Bureau of Development Services (BDS), an affordability requirement was drafted, requiring that at least 50 percent of units in projects receiving the new Conditional Use exemptions must participate in the Systems Development Charges waiver program, administered by PHB. This was presented and discussed at the Council meeting the following week, when Council also discussed the map requests made during the testimony period. At the subsequent May 27 meeting, Council voted to adopt the code package, with amendments that included the affordability requirement, and to adopt map changes for 19 of the 20 sites in the Recommended draft, excluding the Cedar Sinai site. Council directed staff to return in September 2020 to review the 4 additional requested map changes, following the required notifications for the legislative changes. Council also directed BPS to initiate a longer-term mapping project focused on community benefits through wealth generation and reparations for past harms caused by zoning, designed and led by community-based partners.

## **Addressing equity and housing affordability**

In creating the concepts on which this report is based, staff reached out to mission-driven community-based organizations (CBOs) through partnerships created by the Metro grant that was the inception for this project. Many of these groups want to utilize their land, or support organizations that have available land, to develop affordable housing. This work helped identify regulatory and other barriers commonly faced by CBOs, particularly those that are conditional uses on residentially zoned land.

The mobilizing efforts of these CBOs continues to grow as they focus on addressing the housing affordability crisis that disproportionately affects people of color, who are also disproportionately renters. By removing zoning-related barriers to the development of affordable housing on conditional use sites, this set of amendments can help capture the momentum and potentially expand development opportunities through community-based partnerships, which will result in more affordable housing units across the city over time.



# Section II: Zoning Code Amendments

This section presents staff proposed zoning code amendments. The section is formatted to facilitate readability by showing draft code amendments on the right-hand pages and related commentary on the facing left-hand pages.

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## Commentary

### 33.281.050.A.

These amendments streamline the review process for expanding development on a school site. Establishing a school requires a conditional use review, and expanding development on a school site requires an additional conditional use when the expansion adds more than 1,500 square feet of net building area (net building area is defined as +all floor area above and below grade minus parking areas). These amendments will allow a school to tear down and replace up to 25% of its existing net building area and/or add up to 2,000 square feet of new net building area to the site without a conditional use review. These amendments primarily address the type of development that the Portland Public School District has conducted over the past few years. PPS often adds portable classrooms to expand use of an existing school. A portable classroom is roughly 1,700 square feet in size. Increasing the threshold for new building area to 2,000 square feet will address this need.

PPS is also going through a process of rebuilding many of the high schools in Portland. The rebuilding often involves tearing down and rebuilding a portion of an existing building, and in some cases, expanding beyond the existing square footage. This amendment will allow PPS to tear down and replace up to 25% of an existing building without a conditional use review. If more than 25% of the existing structure is removed, or more than 2,000 square feet of new building is added to the site, a conditional use review will be required.

## 33.281 Schools and School Sites

281

### 33.281.050 Review Thresholds for Development

This section states when development related to schools and on school sites in the OS, R, and IR zones is allowed, when a conditional use review is required, and the type of procedure used. Recreational fields used for organized sports are subject to Chapter 33.279, Recreational Fields for Organized Sports.

- A. Allowed.** Alterations to the site that meet all of the following are allowed without a conditional use review.
1. The addition of new outdoor recreation areas, or changes to existing outdoor recreation areas;
  2. The demolition and replacement of up to 25 percent of the existing net building area on the site;
  - ~~3.~~ The addition of up to ~~1,500~~2,000 square feet of new net building area to the site;
  - ~~34.~~ Increases of exterior improvement areas up to ~~1,500~~2,000 square feet. Fences, handicap access ramps, on-site pedestrian circulation systems, Community Gardens, Market Gardens, and increases allowed by Paragraphs A.5 and A.8 are exempt from this limitation;
  - ~~45.~~ Changes that do not result in a net gain or loss of site area;
  - ~~56.~~ The alteration will not result in an individual or cumulative loss or gain in the number of parking spaces, except as follows:
    - a. On sites with 5 or more parking spaces, up to 1 space or 4 percent of the total number of existing parking spaces, whichever is greater, may be removed; however, the removal of more than 5 spaces requires a conditional use review. Parking spaces removed to create accessible spaces as specified in the Oregon Structural Specialty Code are exempt from this limitation;
    - b. Up to 1 space or 4 percent of the total number of existing parking spaces, whichever is greater, may be added; however, the addition of more than 5 spaces requires a conditional use review; and
    - c. Any cumulative loss or gain of parking allowed in A.5.a or A.5.b is measured from the time the use became a conditional use, or the last conditional use review of the use, whichever is most recent, to the present.
  - ~~67.~~ The alteration meets one of the following:
    - a. Complies with the development standards of this Title; or
    - b. Does not comply with the development standards of this Title, but an adjustment or modification to the development standards has been approved through a land use review;
  - ~~78.~~ The alteration complies with all previous conditions of approval;
  - ~~89.~~ The addition of roof-mounted solar panels that meet the requirements of the base zone, and ground mounted solar panels.

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## Commentary

### **33.281.050.B.2.**

This amendment reduces the review procedure type from a Type III to a Type II review when reducing site area that takes the site out of conformance or further out of conformance with a development standard. This change mirrors those proposed to the Conditional Use and Conditional Use Master Plans chapters on the following pages. The Type II review procedure still provides notice to neighbors, an opportunity to comment, and the ability to appeal the decision.

### **33.281.050.B.4-6**

This amendment increases the amount of change that can occur on a conditional use site through a Type II conditional use review rather than a Type III review. Increasing the percentage threshold aligns this chapter with amendments proposed for the Conditional Use and Conditional Use Master Plan chapters on the following pages.

- B. Type II.** A Type II review is required when the following individual or cumulative alterations are proposed. The increases in paragraphs B.3 through B.6, are measured from the time the use became a conditional use or the last conditional use review of the use, whichever is most recent, to the present.
1. When proposed alterations to the site will not violate any conditions of approval;
  2. When there will be a net loss in site area ~~that will not take the site out of conformance, or further out of conformance, with a development standard;~~
  3. When there will be an increase or decrease in the net number of parking spaces by up to 2 spaces or up to 10 percent of the total number of parking spaces, whichever is greater;
  4. When the alterations will not increase the net building area on the site by more than 1025 percent, up to a maximum of 25,000 square feet;
  5. When the alterations will not increase the exterior improvement area on the site by more than 1025 percent, up to a maximum of 25,000 square feet. Parking area increases that are allowed by B.3 are exempt from this limitation; or
  6. When the alterations will not increase the net building area and the exterior improvement area on the site by more than 1025 percent, up to a maximum of 25,000 square feet. Parking area increases that are allowed by B.3 are exempt from this limitation.
- C. Type III.** All other alterations to development on the site, including alterations not allowed by Subsections A. and B. are reviewed through a Type III procedure.

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## **Commentary**

### **33.667.300 A.4 Maximum lot size**

By exempting institutional uses from this standard, the process for moving a property line in order to sell or develop in a different ownership is streamlined. This is intended to remove a barrier to development faced by institutional uses.

### **33.667.300 B Regular lot lines**

By exempting institutional uses from this standard, they are not restricted in the length or regularity of lot lines when moving lot lines to meet development standards or to accommodate existing development.

## 33.667 Property Line Adjustment

667

### 33.667.300 Standards

The site of a Property Line Adjustment is the two properties affected by the relocation of the common property line. A request for a Property Line Adjustment will be approved if all of the following are met:

- A. Conformance with regulations.** Properties will remain in conformance with regulations of this Title, including those in Chapters 33.605 through 33.615, except as follows:
1. If a property or development is already out of conformance with a regulation in this Title, the Property Line Adjustment will not cause the property or development to move further out of conformance with the regulation;
  2. If both properties are already out of conformance with maximum lot area standards, they are exempt from the maximum lot area standard;
  3. If one property is already out of conformance with maximum lot area standards, it is exempt from the maximum lot area standard; and
  4. Lots with an institutional use are exempt from maximum lot size standards; and
  45. If at least one lot is already out of conformance with the minimum lot area standards and the site is in the R5 zone, the minimum lot area is 1600 square feet and the minimum width is 36 feet, if:
    - a. At least one lot is a corner lot;
    - b. The adjusted property line must be perpendicular to the street lot line for its entire length; and
    - c. New houses must meet the standards of 33.110.213. Existing houses are exempt from the standards of 33.110.213.

See Figure 667-1.

- B. Regular lot lines.** In the R10 through RM4, and RMP zones, the adjusted property line must be a straight line or up to 20 percent shorter or 20 percent longer than the existing lot line. Lines that are adjusted to follow an established zoning line or the boundary of the special flood hazard area or floodway are exempt from this requirement. In addition, if both properties are part of a site with an institutional use on it, this standard does not apply.

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## Commentary

### 33.815.040.B.1

The amendments to this Paragraph streamline the review process for conditional uses such as religious institutions and community-based organizations, in three ways:

1. First, the amendments allow an existing conditional use to change its site boundary without a conditional use review when the change does not affect or alter the remaining conditional use and the boundary change follows existing legal lot lines. In some cases, portions of a conditional use site remain unused. Requiring a review to sell part of an ownership has limited purpose. When the lot in question is unused, there are no impacts to the remaining conditional use site or the surrounding lots. The review is just a costly barrier to selling the lot for development that is allowed by the base zone. Creating a legal lot line will continue to require a Land Division.
2. Second, the amendments increase the square footage threshold for a conditional use. Currently, adding more than 1,500 square feet of floor area or exterior improvement area to a site with a conditional use triggers a new conditional use review. This amendment provides a little more flexibility for conditional uses by increasing the thresholds to 2,000 square feet. The new thresholds comport with the size of several conditional use expansions on park and school sites that have occurred over the past 2-3 years.  
This amendment also allows an institution to tear down and replace up to 25% of an existing building without a conditional use review. The redevelopment often involves tearing down and rebuilding a portion of an existing building, and in some cases, expanding beyond the existing square footage. If more than 25% of the existing structure is removed, or more than 2,000 square feet of new building is added to the site, a conditional use review will be required.
3. Third, the amendments eliminate the threshold entirely for expansions of floor area that include regulated affordable housing. With this change, a conditional use can add any amount of square footage (within the allowances provided by the base zone such as allowed housing type and maximum FAR) without triggering a conditional use review if the additional floor area is for housing that meets certain City affordability standards. This amendment is intended to remove a major barrier that institutions face when utilizing their land for the development of affordable housing.

The exemption from conditional use review is applied when at least 50% of the units in a project on a conditional use site has qualified for to the Systems Development Charges (SDC) waiver program. Once that qualification is met, the exemption from conditional use review permanently applies to the development.

## 33.815 Conditional Uses

815

### 33.815.040 Review Procedures

The procedure for reviewing conditional uses depends on how the proposal affects the use of, or the development on, the site. Subsection A, below, outlines the procedures for proposals that affect the use of the site while Subsection B outlines the procedures for proposals that affect the development or reduce the conditional use site boundary. Proposals may be subject to Subsection A or B or both. The review procedures of this section apply unless specifically stated otherwise in this Title. Proposals may also be subject to the provisions of 33.700.040, Reconsideration of Land Use Approvals.

- A. [No change]
- B. **Proposals that alter the development of an existing conditional use.** Alterations to the development on a site with an existing conditional use and reducing the boundary of a conditional use site may be allowed, require an adjustment, modification, or require a conditional use review, as follows:
  1. Conditional use review not required. A conditional use review is not required for alterations to the site and reductions to the conditional use site boundary that comply with Subparagraphs a through ~~h~~f. All other alterations and boundary changes are subject to Paragraph 2, below. Alterations to development and reductions to the site boundary are allowed by right provided the proposal:
    - a. Complies with all conditions of approval except as allowed by Subparagraphs B.1.d through B.1.h;
    - b. Meets one of the following:
      - (1) Complies with the development standards of this Title, or
      - (2) Does not comply with the development standards of this Title, but an adjustment or modification to the development standards has been approved through a land use review;
    - c. Either maintains the exiting conditional use site boundary or reduces the conditional use site boundary along a lot line. If the proposal reduces the conditional use site boundary along a lot line, the boundary reduction must not eliminate the availability of services to the properties and the properties must not move out of conformance with service bureau requirements for water, sanitary sewage disposal, and stormwater management;
    - d. Does not demolish and replace more than 25 percent of the existing floor area on the site;
    - ee. Does not increase the floor area by more than 1,500,000 square feet. Floor area for housing that is affordable is exempt from this limitation. For the purposes of this subparagraph, housing that is affordable means that at least 50 percent of the dwelling units in the additional floor area are participating in the Title 30 Systems

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## Commentary

### **33.815.040.B.1 (continued)**

The SDC waiver program currently requires units to be affordable to those earning no more than 60% median family income adjusted for household size, for 60 years, for rental units; or no more than 100% median family income for a family of four, with for-sale units.

Currently, housing proposed on a conditional use site requires the conditional use review. By exempting housing that is affordable from conditional use review, this code change will streamline the process for the affordable housing development.

### **33.815.040.B.1.f**

This amendment allows the removal of up to 50% of the existing parking spaces when affordable housing will be provided. Many conditional use sites have parking areas that were created when there was a greater number of users and are now underutilized, and/or standards for number of spaces needed do not reflect today's standards. Utilizing and repurposing parking areas for affordable housing may make development more feasible. This amendment is intended to provide more options and flexibility, and further streamline the regulatory process.

### **33.815.040.B.2.a(2) and (3)**

These amendments reduce the review procedure type from a Type III to a Type II review when altering the boundary of a conditional use causes the development on the conditional use site to be out of conformance with a development standard and when alterations to the site cause a reduction in parking spaces. A Type III review is costly and can present a barrier to adding development allowed by the base zone. The Type II review procedure still provides notice to neighbors, an opportunity to comment, and the ability to appeal the decision.

### **33.815.040.B.2.a(4)**

These amendments ensure that in the event a conditional use review is required in order to develop affordable housing on a site (e.g. when the proposal will affect a condition of approval of the existing CU), the review will be processed as a Type II rather than a Type III procedure.

Development Charges Exemption Program. See 30.01.095. If the additional floor area is in multiple buildings with multiple dwelling units, then the affordable units must be distributed among the multiple buildings. To qualify for this exemption, the applicant must provide a letter from the Portland Housing Bureau certifying which units are approved for the System Development Charges Exemption Program;

- ~~fd.~~ Does not increase the exterior improvement area by more than ~~1,500~~2,000 square feet. Fences, handicap access ramps, and on-site pedestrian circulation systems, ground mounted solar panels, Community Gardens, Market Gardens, and parking space increases allowed by 33.815.040.B.1.h, below, are exempt from this limitation;
- ge. Will not result in a net gain ~~or loss~~ of site area; and
- hf. Will not result in an individual or cumulative loss or gain in the number of parking spaces, except as follows:
- (1) Removing parking spaces is allowed as follows:
    - On sites with 5 or more parking spaces, up to 1 space or 4 percent of the total number of existing parking spaces, whichever is greater, may be removed; ~~however, the removal of more than 5 spaces requires a conditional use review;~~ parking spaces removed to create accessible spaces as specified in the Oregon Specialty Code are exempt from this limitation;~~or~~
    - Up to 50 percent of the total number of existing parking spaces may be removed when the removal is for housing that is affordable as defined by Subparagraph B.1.e.
  - (2) Up to 1 space or 4 percent of the total number of existing parking spaces, whichever is greater, may be added; however, the addition of more than 5 spaces requires a conditional use review; and
  - (3) Any cumulative loss or gain of parking allowed in (1) or (2) above is measured from the time the use became a conditional use, or the last conditional use review of the use, whichever is most recent, to the present.
2. Conditional use required. Conditional use review is required for the following:
- a. Minor alterations. Except as provided in Paragraph B.1 above, conditional use review through a Type II procedure is required for the following:
    - (1) When proposed alterations to the site will not violate any conditions of approval;
    - (2) When there will be a net loss in site area ~~that will not take the site out of conformance, or further out of conformance, with a development standard.~~
    - (3) When there will be an increase or decrease in the net number of parking spaces ~~by up to 2 spaces or up to 10 percent of the total number of parking spaces, whichever is greater;~~
    - (4) When there will be additional floor area on the site and the floor area is for housing that is affordable as defined by Subparagraph B.1.e;

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## Commentary

### **3.815.040.B.2.a(5)**

The proposed change from a limit of 10 percent to 25 percent of floor area better reflects the urban, compact nature of many conditional use sites, where an increase in floor area for expansions or additions can easily exceed both the 2,000 square-foot maximum for an exemption from review, and the 10 percent exemption. By increasing the allowance to 25 percent, smaller sites are less likely to be penalized with the higher level review for what is often a minor expansion relative to expansions on larger sites that would still meet the Type II threshold due to the allowance by percentage - thus providing more parity between smaller and larger sites. II threshold due to the allowance by percentage - thus providing more parity between smaller and larger sites.

### **3.815.040.B.2.a(6)**

The proposed change from a limit of 10 percent to 25 percent of exterior improvement area better reflects the urban, compact nature of many Conditional Use sites, where an increase in improvement area for expansions can easily exceed both the 2,000 square-foot maximum for an exemption from review, and the 10 percent exemption. By increasing the allowance to 25 percent, there will be fewer sites falling under the Type III threshold, and smaller sites will not be as likely to be penalized with the higher level review for what is often a relatively minor expansion compared to larger expansions on larger sites that would still meet the Type II threshold due to the allowance by percentage.

### **33.815.040.B.2.a(7)**

This amendment ensures that in the event a conditional use review is required in order to add affordable housing to the site (e.g. when the proposal will affect a condition of approval of the existing CU), the review will be processed as a Type II rather than a Type III procedure.

Language to be **added** is underlined  
Language to be **deleted** is shown in ~~strikethrough~~

- (5) When the individual or cumulative alterations will not increase the floor area on the site by more than ~~10~~25 percent, up to a maximum of 25,000 square feet. Floor area for housing that is affordable as defined by Subparagraph B.1.e. is exempt from this limitation;
- (~~6~~5) When the individual or cumulative alterations will not increase the exterior improvement area on the site by more than ~~10~~25 percent, up to a maximum of 25,000 square feet. Parking area increases that are allowed by 33.815.040.B.2.a.(3) are exempt from this limitation;
- (~~7~~6) When the individual or cumulative alterations will not increase the floor area and the exterior improvement area on the site by more than ~~10~~25 percent, up to a maximum of 25,000 square feet. Parking area increases that are allowed by 33.815.040.B.2.a (3) and floor area for housing that is affordable as defined by Subparagraph B.1.e. are exempt from this limitation; or
- (~~8~~7) The increases in subparagraphs 3 through ~~7~~6, above, are measured from the time the use became a conditional use, the effective date of this ordinance, or the last Type III conditional use review of the use, whichever is most recent, to the present.
- b. Major alterations. All other alterations to the site will be reviewed through a Type III procedure.

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## **Commentary**

Proposed changes to this chapter mirror those of Chapter 33.815, Conditional Uses, and are included to also apply to 33.820, Conditional Use Master Plans.

### **33.820.080 B.**

The amendments to this Paragraph streamline the permitting process for conditional uses. Refer to page 14 for detailed comments.

## 33.820 Conditional Use Master Plans

820

### 33.820.080 Implementation

- A. Conforming to the plan.** Uses and development that are in conformance with detailed aspects of the plan are not required to go through another conditional use review. Uses and development subject to less detailed parts of the plan are subject to the level of conditional use review stated in the master plan. They will be approved if they are found to comply with the master plan. Other required land use reviews must still be completed unless they were also approved as part of the master plan.
- B. Not conforming to the plan.** Uses that are not in conformance with the master plan require an amendment to the plan. Development that is not in conformance with the plan and does not meet the following requires an amendment to the plan. Development that is not in conformance with the plan and does meet all of the following is allowed:
1. All conditions of approval must be met except as allowed by Subparagraphs B.4 through B.8;
  2. One of the following must be met:
    - a. Complies with the development standards of this Title, or
    - b. Does not comply with the development standards of this Title, but an adjustment or modification to the development standards has been approved through a land use review;
  3. Either maintains the existing site boundary or reduces the site boundary along a lot line. If the proposal reduces the conditional use site boundary along a lot line, the boundary reduction will not eliminate the availability of services to the properties and the properties will not move out of conformance with service bureau requirements for water, sanitary sewage disposal, and stormwater management;
  4. Does not demolish and replace more than 25 percent of the existing floor area on the site;
  35. Does not increase the new floor area by more than 1,500,000 square feet. Floor area for housing that is affordable is exempt from this limitation. For the purposes of this paragraph, housing that is affordable means that at least 50 percent of the dwelling units in the additional floor area are participating in the Title 30 System Development Charges Exemption Program. See 30.01.095. If the additional floor area is in multiple buildings with multiple dwelling units, then the affordable units must be distributed among the multiple buildings. To qualify for this exemption, the applicant must provide a letter from the Portland Housing Bureau certifying which units are approved for the System Development Charges Exemption Program;
  46. Does not increase the exterior improvement area by more than ~~1,500,000~~ square feet, except that fences, handicap access ramps, on-site pedestrian circulation systems, ground mounted solar panels, and parking space increases allowed by 33.820.080.B.6 below, are exempt from this limitation;

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## Commentary

### **33.820.080 B.8 a.2**

This amendment allows the removal of up to 50% of the existing parking spaces when affordable housing will be provided. Many conditional use sites have parking areas that were created when there was a greater number of users and are now underutilized, and/or standards for number of spaces needed do not reflect today's standards.

### **33.820.080 B.8 b. and c.**

This amendment retains the current language, but the code citation has changed due to amendments to this section which separate out when increases to parking are allowed, and when reductions are allowed, and how reductions are measured.

### **33.820.090.A.3**

These amendments reduce the review procedure from a Type III to a Type II review when altering the boundary of a conditional use causes the development on the conditional use site to be out of conformance with a development standard and when alterations to the site cause a reduction in parking spaces. A Type III review is costly and can present a barrier to adding development allowed by the base zone. The Type II review procedure still provides notice to neighbors, an opportunity to comment, and the ability to appeal the decision.

### **33.820.090.A.6**

This amendment ensures that in the event a conditional use review is required in order to add affordable housing to the site (e.g. when the proposal will affect a condition of approval of the existing CU), the review will be processed as a Type II rather than a Type III procedure.

- ~~57.~~ Will not result in a net gain ~~or loss~~ of site area;
- ~~68.~~ Will not increase the net number of parking spaces by more than 1 space or 4 percent of the total number of parking spaces, whichever is greater. However, the individual or cumulative addition of more than 5 parking spaces is not allowed without an amendment to the plan; and Will not result in an individual or cumulative loss or gain in the number of parking spaces, except as follows:
- ~~a.~~ Will not result in a net loss in the number of parking spaces except as follows:
- ~~a.~~ ~~Sites may decrease the number of spaces as follows:~~
- ~~(1)~~ No reduction in shared parking spaces is allowed;
  - ~~(2)~~ Up to 50 percent of the total number of existing parking spaces may be removed when the removal is for housing that is affordable as defined by Paragraph B.5.;
  - ~~(3)~~ 1 space or 4 percent of the total number of parking spaces may be removed, whichever is greater; however, parking spaces removed to create accessible spaces as specified in the Oregon Structural Specialty Code are exempt from this limitation; and
  - ~~(3)~~ ~~An individual or cumulative removal of parking spaces in excess of 5 spaces is not allowed without an amendment to the plan. The cumulative loss of parking is measured from the time the use became a conditional use, July 16, 2004, or the last conditional use review of the use, whichever is most recent, to the present.~~
  - ~~(4)~~ Removal of parking from sites with 4 or fewer required spaces is not allowed without an amendment to the plan.
- ~~b.~~ Will not increase the net number of parking spaces by more than 1 space or 4 percent of the total number of parking spaces, whichever is greater. However, the individual or cumulative addition of more than 5 parking spaces is not allowed without an amendment to the plan; and
- ~~c.~~ The cumulative loss of parking is measured from the time the use became a conditional use, July 16, 2004, or the last conditional use review of the use, whichever is most recent, to the present.

### **33.820.090 Amendments to Master Plans**

Amendments to the master plan are required for any use or development that is not in conformance with the plan, except as stated in 33.820.080, above. The approval criteria of 33.820.050 apply. The thresholds and procedures for amendments are stated below.

- A. Type III procedure.** Unless the master plan specifically provides differently, amendments to a master plan that require a Type III procedure are:
1. Any proposed development on the site that is within 400 feet of the master plan boundaries, unless a greater distance is stated in the master plan;
  2. A proposed expansion of the approved boundary;

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## Commentary

### 33.820.090.A.5

The proposed change from a limit of 10 percent to 25 percent better reflects the urban, compact nature of many Conditional Use sites, where an increase in floor area for expansions or additions will easily exceed both the 2,000 square-foot maximum for an exemption from review, and the 10 percent of total floor area exemption. By increasing the allowance to 25 percent, there will be fewer sites falling under the Type III threshold, and smaller sites will not be as likely to be penalized with the higher level review for what is often a fairly minor expansion relative to larger expansions on larger sites that would still meet the Type II threshold due to the allowance by percentage.

### 33.820.090.A.6

This amendment ensures that in the event a conditional use review is required in order to add affordable housing to the site (e.g. when the proposal will affect a condition of approval of the existing CU), the review will be processed as a Type II rather than a Type III procedure.

The proposed limit from 10 percent to 25 percent better reflects the urban, compact nature of many Conditional Use sites, and the increasing use of transportation alternatives for all uses. By increasing the allowance to 25 percent, there will be fewer sites falling under the Type III threshold, which is more costly in time and money than the Type II review, with generally the same outcome.

- ~~3.~~ ~~A proposed reduction in the approved boundary that affects a condition of approval, or takes the site out of conformance, or further out of conformance, with a development standard.~~
  43. Proposals that increase the amount, frequency, or scale of a use over 10 percent of what was approved (Examples include the number of students, patients, or members; the number of helicopter flights; number or size of special events.);
  54. New uses not covered in the plan which will draw more people to the site, except for those which are replacing another use so that there is no net increase;
  65. Increases in the overall floor area of development on the site over 1025 percent. Floor area for housing that is affordable as defined by Paragraph B.5.
  76. Increases or decreases greater than 1025 percent in the amount of approved or required parking. Decreases for housing that is affordable as defined by Paragraph B.5 are exempt from this limitation; and
  87. Proposed uses or development which were reviewed, but were denied because they were found to not be in conformance with the plan.
- B. Type II procedure.** Unless the master plan specifically provides differently, amendments to a master plan not specifically stated in Subsection A. above are processed through a Type II procedure.



# Section III: Comprehensive Plan Map and Zoning Map Amendments

This section presents staff proposed Comprehensive Plan Map and Zoning Map amendments. The section is formatted to facilitate readability by showing draft map amendments on the right-hand pages and related commentary on the facing left-hand pages.

The changes proposed on the following maps originate from work of the BPS district liaison program, and district liaison work on the Expanding Opportunities for Affordable Housing Project, which was funded by a Metro grant. The proposed Comprehensive Plan Map and Zoning Map changes fall into one or more of these categories:

- The site is adjacent to the zoning that is proposed, or the proposed zone matches the sites underlying Comprehensive Plan map designation;
- The site is on a corridor or TSP-designated collector.
- The change rectifies a nonconforming use or split-zoning situation.
- The site is in the ownership of an institution or community-based organization.
- The change creates a pathway for providing community benefits.

The Comprehensive Plan and Zoning Map changes are primarily on land in the ownership of community-based organizations seeking to utilize some of their land for community benefits, specifically affordable housing. Addressing zoning-related barriers to the development of affordable housing will expand opportunities for such development.

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## Commentary

### Property information:

Owner: Bethel AME Economic Development Corp  
Address: 802 and 814 NE Jarrett St  
Tax Account #: R136487 and R136486

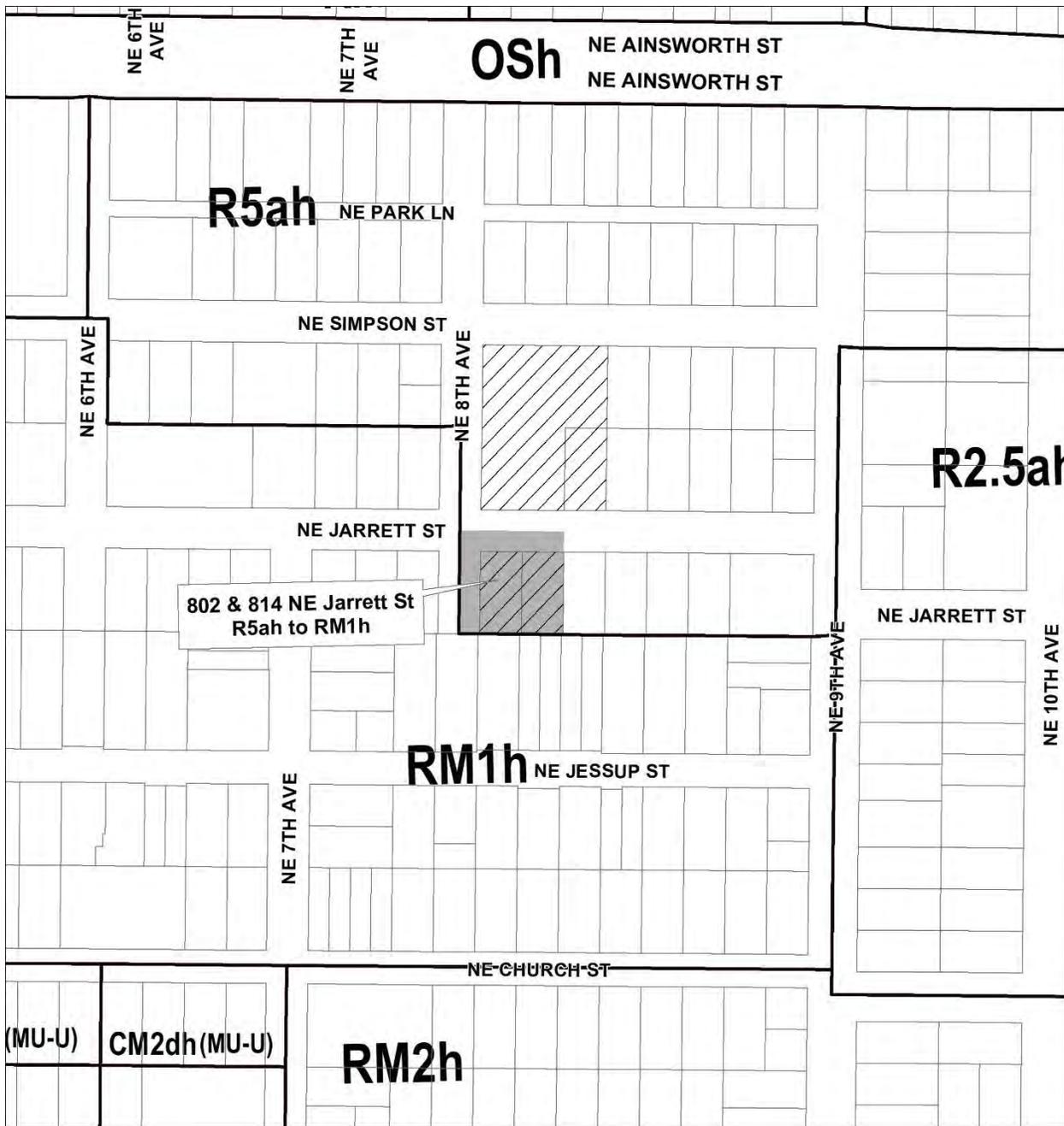
### Proposed change:

Comprehensive Plan Map amendment:  
from Single-Dwelling 5,000 to Multi-Dwelling - Neighborhood

### Zone Map amendment:

from R5ah to RM1h

Bethel AME EDC owns these two tax lots on the south side of Jarrett St, which they anticipate using to develop affordable housing and community service uses. Their adjacent property on the north side of Jarrett St contains worship and community service spaces, where no change to the current zoning is proposed. NE Jarrett St is a Local Service Street in the Transportation System Plan (TSP).



**Recommended Draft - Expanding Opportunities for Affordable Housing**

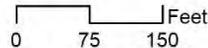
**Map 1: Bethel AME**

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**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



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## Commentary

### Property information:

Owner: Trinity Lutheran

Address: 5606 NE Killingsworth and 5555 NE Sumner

Tax Account #: R317953, R317692

### Proposed change:

#### Comprehensive Plan Map amendment:

5555 NE Sumner—from Single-dwelling 7,000 to Single-Dwelling 5,000

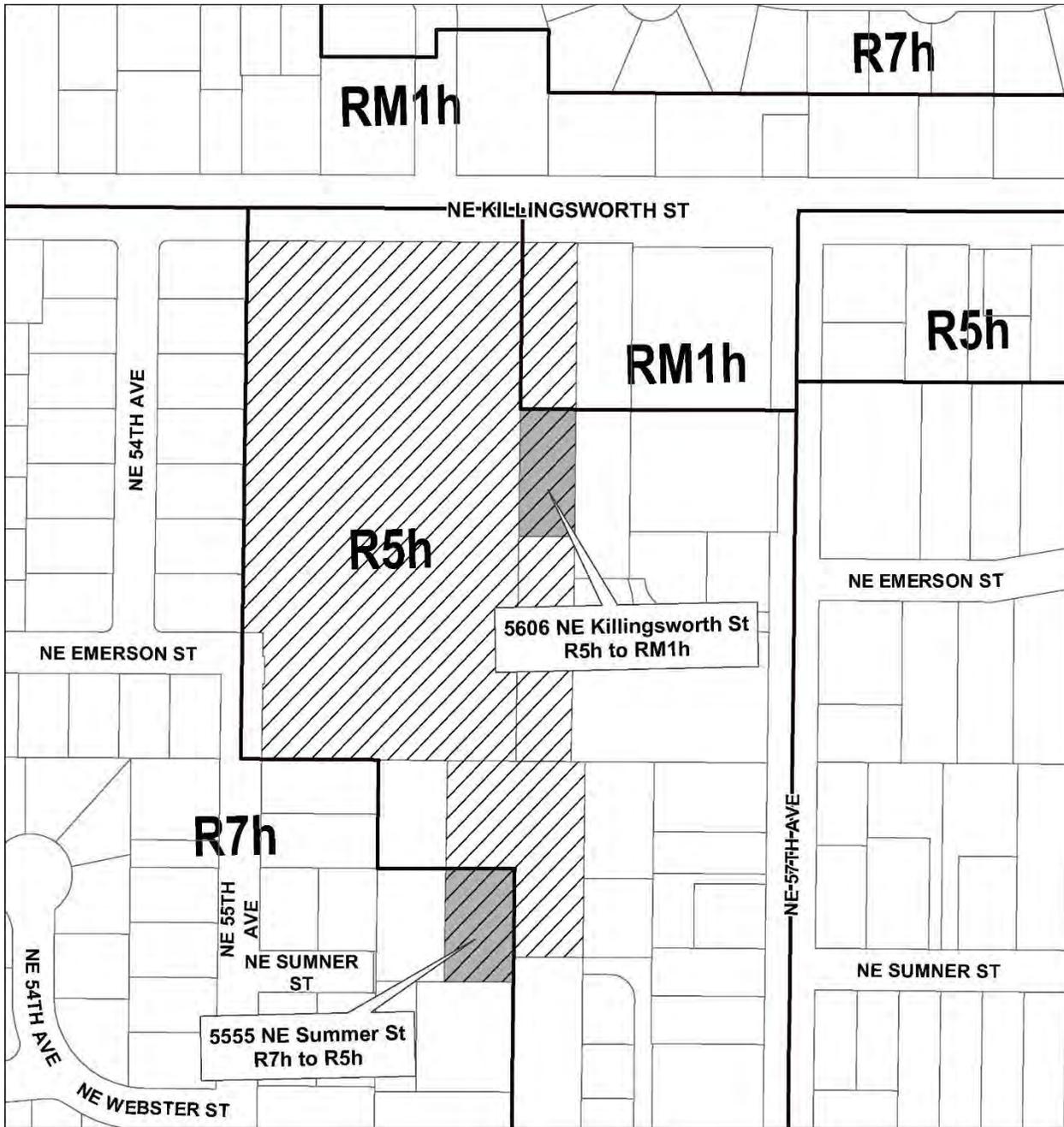
5606 NE Killingsworth—from Single-dwelling 5,000 to Multi-Dwelling - Neighborhood

#### Zoning Map amendment:

5555 NE Sumner—from R7h to R5h

5606 NE Killingsworth—from R5h to RM1h

Trinity Lutheran owns several tax lots that make up the site on which their worship, community service spaces and school are located. They anticipate using a portion of vacant land for the development of affordable housing. The site is currently in three zones. This amendment will rectify the split zoning for the lot at the northeast portion of the site, currently R5 and RM1, and split zoning on the south portion, currently R7 and R5. Eliminating split zoning on the lots will remove potential regulatory barriers during the development review process. NE Killingsworth St at this site is a designated District Collector street in the TSP, and NE Sumner St is a Local Service street.



**Recommended Draft - Expanding Opportunities for Affordable Housing**

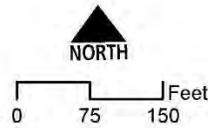
**Map 2: Trinity Lutheran**

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**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



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## Commentary

### Property information:

Owner: Zion AME

Address: 4304 N Vancouver and remainder of block currently zoned R2.5 (individual property owners): 4318-4322, 4324, 4406, 4418, 4424 N Vancouver

### Proposed change:

#### Comprehensive Plan Map amendment:

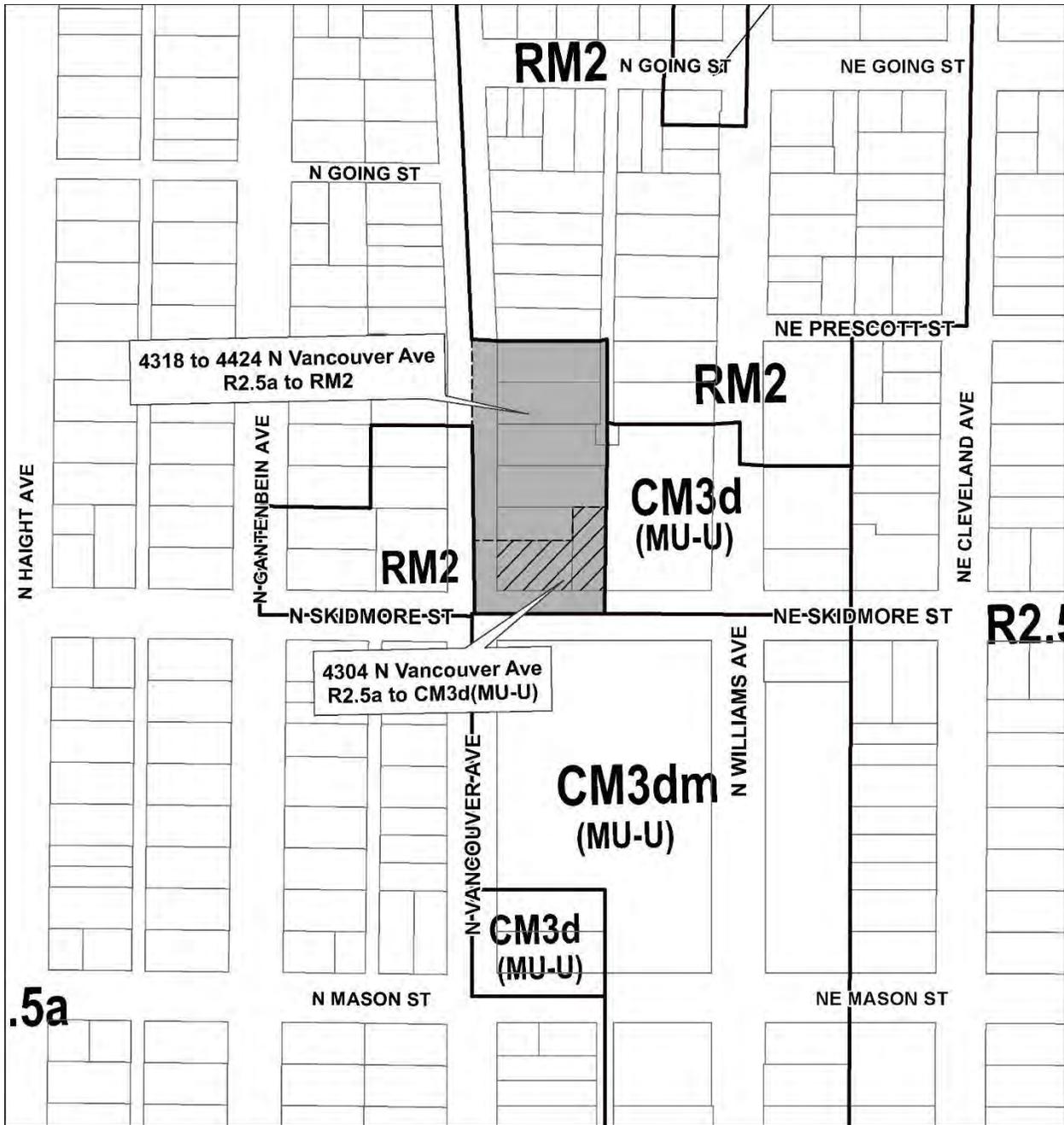
- Parcels R102895 and R102897 from Single-Dwelling 2,500 to Commercial Mixed-Use Urban Center (Zion AME lots)
- Parcels R102889, R102890, R102891, R102894, R102896 from Single-Dwelling 2,500 to Multi-Dwelling - Corridor (5 lots owned by individual property owners)

#### Zoning Map amendment:

- Parcels R102895 and R102897 from R2.5a to CM3d
- Parcels R102889, R102890, R102891, R102894, R102896 from R2.5a to RM2

Zion AME plans to redevelop their site in the future, and requests this change to match the zoning on the abutting and adjacent properties on Williams and Vancouver Ave. The change will allow for greater development options and a wider range of allowed uses for this site.

The five residentially developed lots to the north of Zion AME are proposed to change to RM2 to match the zoning on the remainder of the block, along the Vancouver corridor. N Vancouver Ave at this site is a designated District Collector street in the TSP, and N Skidmore St is a designated Neighborhood Collector street.



**Recommended Draft - Expanding Opportunities for Affordable Housing**

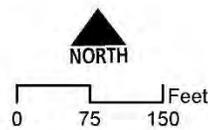
**Map 3: Zion AME**

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**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



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## Commentary

### Property information:

Owner: First Orthodox Presbyterian  
Address: 8245 NE Fremont St  
Tax Account #: R261007 and R261008

### Proposed change:

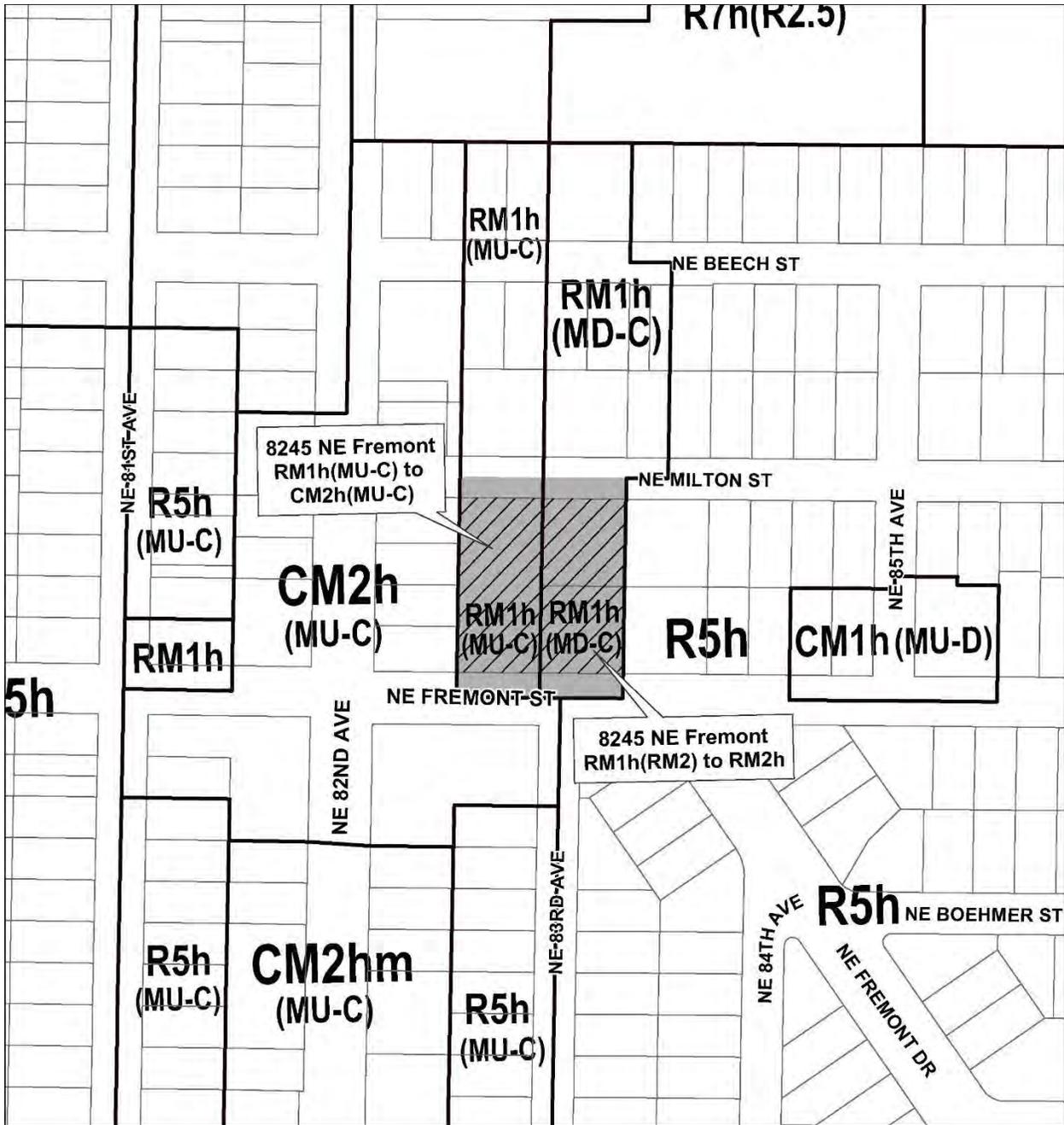
#### Comprehensive Plan Map amendment:

- East portion of R261007: no change necessary; this portion of the site currently has a Comprehensive Plan designation of *Commercial Mixed-Use Civic Corridor*
- West portion of R261007 and R261008: no change necessary; this portion of the site currently has a Comprehensive Plan designation of *Multi-Dwelling - Corridor*.

#### Zoning Map amendment:

- East portion of R261007 from RM1h to CM2h
- West portion of R261007 and R261008 from RM1h to RM2h

The proposed map changes will bring the zoning in conformance with the Comprehensive Plan map. The changes to CM2h and RM2h will provide greater flexibility and development options on the undeveloped portions of the site. NE 82<sup>nd</sup> Ave is designated a Major City Traffic street in the TSP, and NE Fremont St at this site is designated a Neighborhood Collector.



**Recommended Draft - Expanding Opportunities for Affordable Housing**

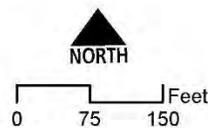
**Map 4: First Orthodox Presbyterian**

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**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



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## Commentary

### Property information:

Owner: Self-Enhancement Inc

Address: 4511 N Williams Ave (Gordly house)

Tax Account #: R211701

Owner: Overstreet Memorial Powerhouse Temple

Address: 4525 N Williams Ave

Tax Account #: R211700

### Proposed change:

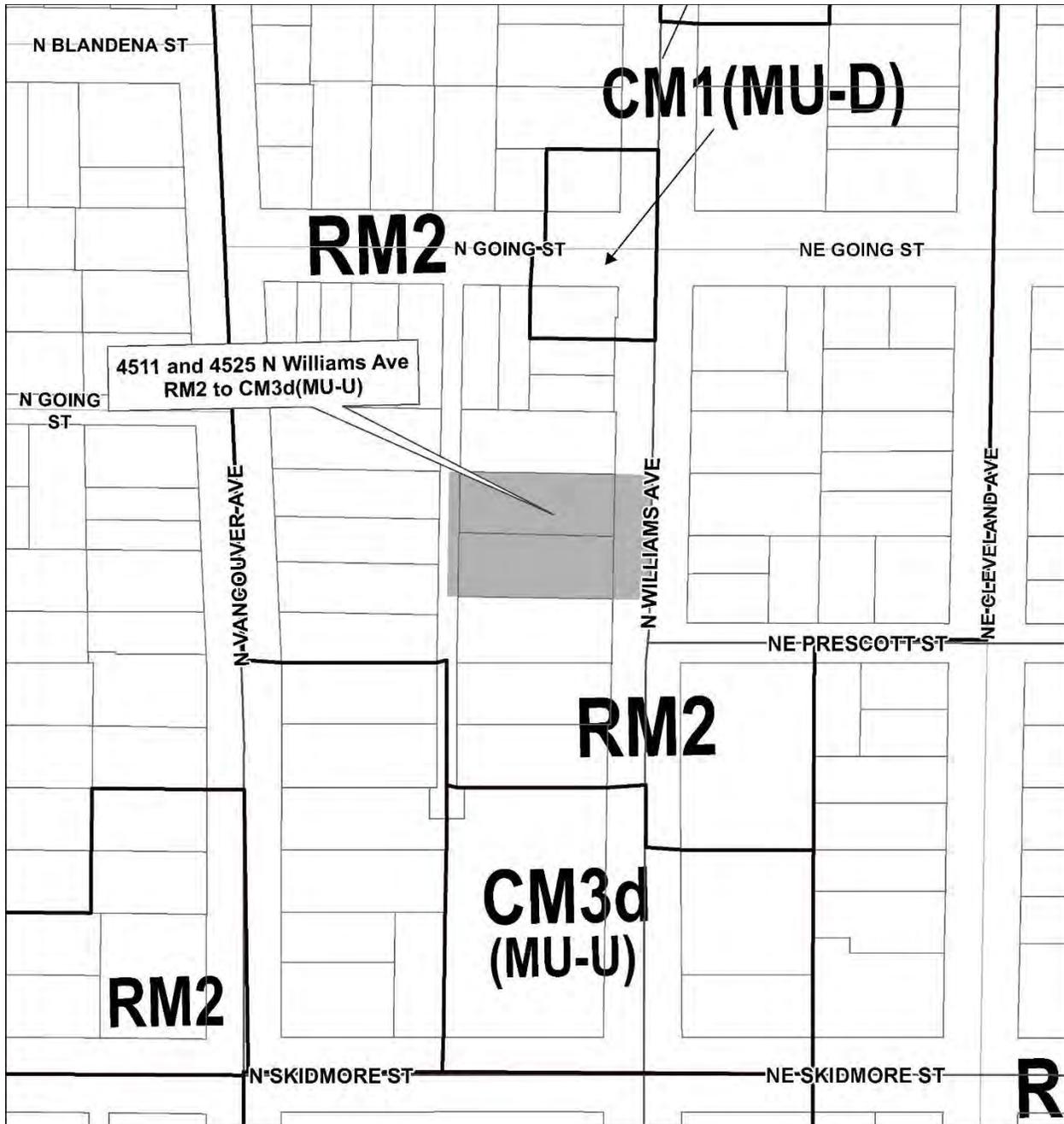
Comprehensive Plan Map amendment:

from Multi-Dwelling - Corridor to Commercial Mixed-Use - Urban Center

Zoning Map amendment:

from RM2 to CM3d

Portland African American Leadership Forum (PAALF) requests this change to allow for greater development options and a wider range of allowed uses for this site. The change to CM3 is consistent with much of the zoning along the Williams and Vancouver corridors. N Williams Ave at this site is a designated Neighborhood Collector street in the TSP.



**Recommended Draft - Expanding Opportunities for Affordable Housing**

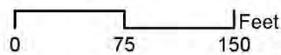
**Map 5: Gordly House**

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Legend

-  Existing Zoning
-  Proposed Change Area



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## Commentary

### Property information:

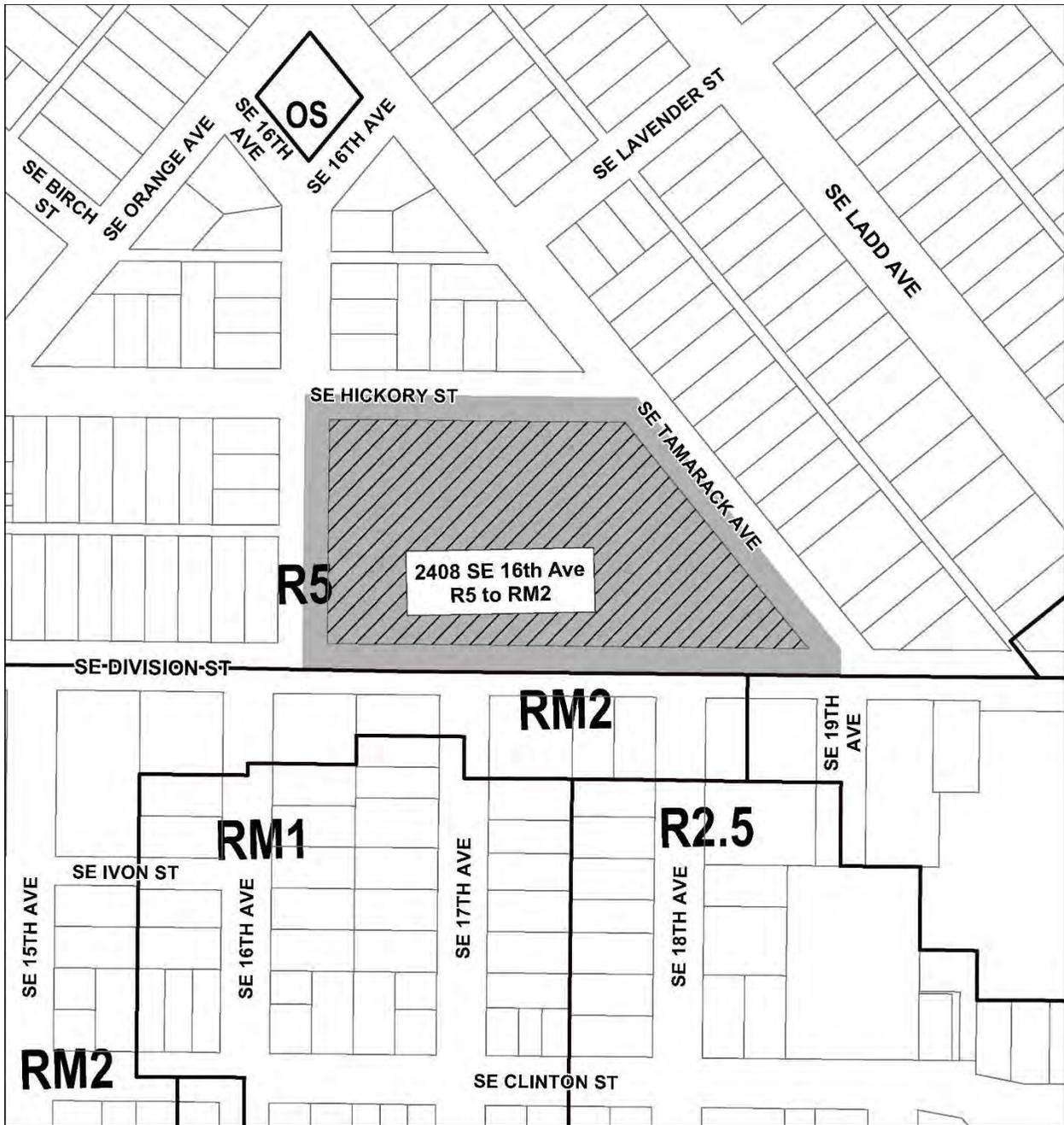
Owner: St Philip Neri  
Address: 2408 SE 16<sup>th</sup> Ave  
Tax Account #: R200722

### Proposed change:

Comprehensive Plan Map amendment:  
from Single-Dwelling 5,000 to Multi-Dwelling - Corridor

Zoning Map amendment:  
from R5 to RM2

St Philip Neri and Catholic Charities request this change to allow for greater flexibility in redeveloping portions of their site for affordable housing. The change to RM2 zoning is consistent with adjacent zoning along the Division St corridor. SE Division St at this site is a designated District Collector street in the TSP.



**Recommended Draft - Expanding Opportunities for Affordable Housing**

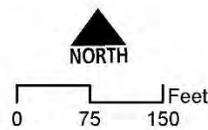
**Map 6: St. Philip Neri**

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**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



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## Commentary

### Property information:

Owner: Unity of Portland  
Address: 4525 SE Stark St  
Tax Account #: R111533, R319386

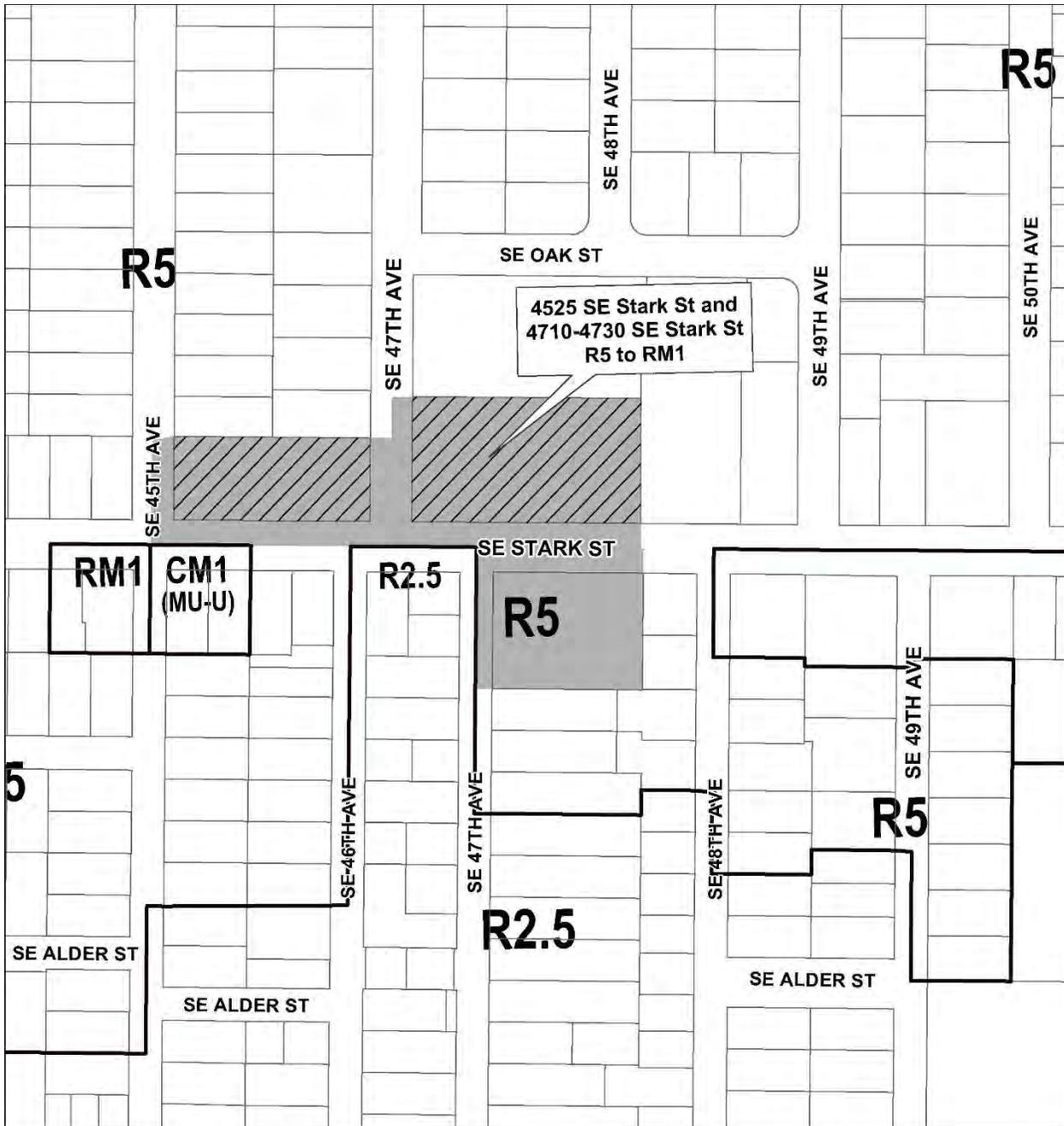
Owner: Stark Street LLC  
Address: 4710-4730 SE Stark St (nonconforming multi-plex)  
Tax Account #: R149801

### Proposed change:

Comprehensive Plan Map amendment:  
from Single-Dwelling 5,000 to Multi-Dwelling - Neighborhood

Zoning Map amendment:  
from R5 to RM1

The proposed map change on the Unity site will allow for greater flexibility in redeveloping portions of their site for housing. The proposed map change on the adjacent property on the south side of Stark St rectifies a nonconforming multi-dwelling development in the current single-dwelling zone. The change to RM1 zoning is consistent with nearby zoning along the Stark St corridor. SE Stark St and SE 47<sup>th</sup> Ave at this site are designated Neighborhood Collector streets in the TSP.



**Recommended Draft - Expanding Opportunities for Affordable Housing**

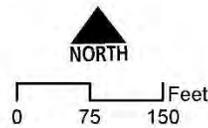
**Map 7: Unity**

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**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



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## Commentary

### Property information:

Owner: Ascension

Address: 743 SE 76<sup>th</sup>

Tax Account #: R332502, R332590, R332589

Owner: Sisters Adorers of the Holy Cross

Address: 7408 SE Alder

Tax Account #: R220211, R220212, R220213

### Proposed change:

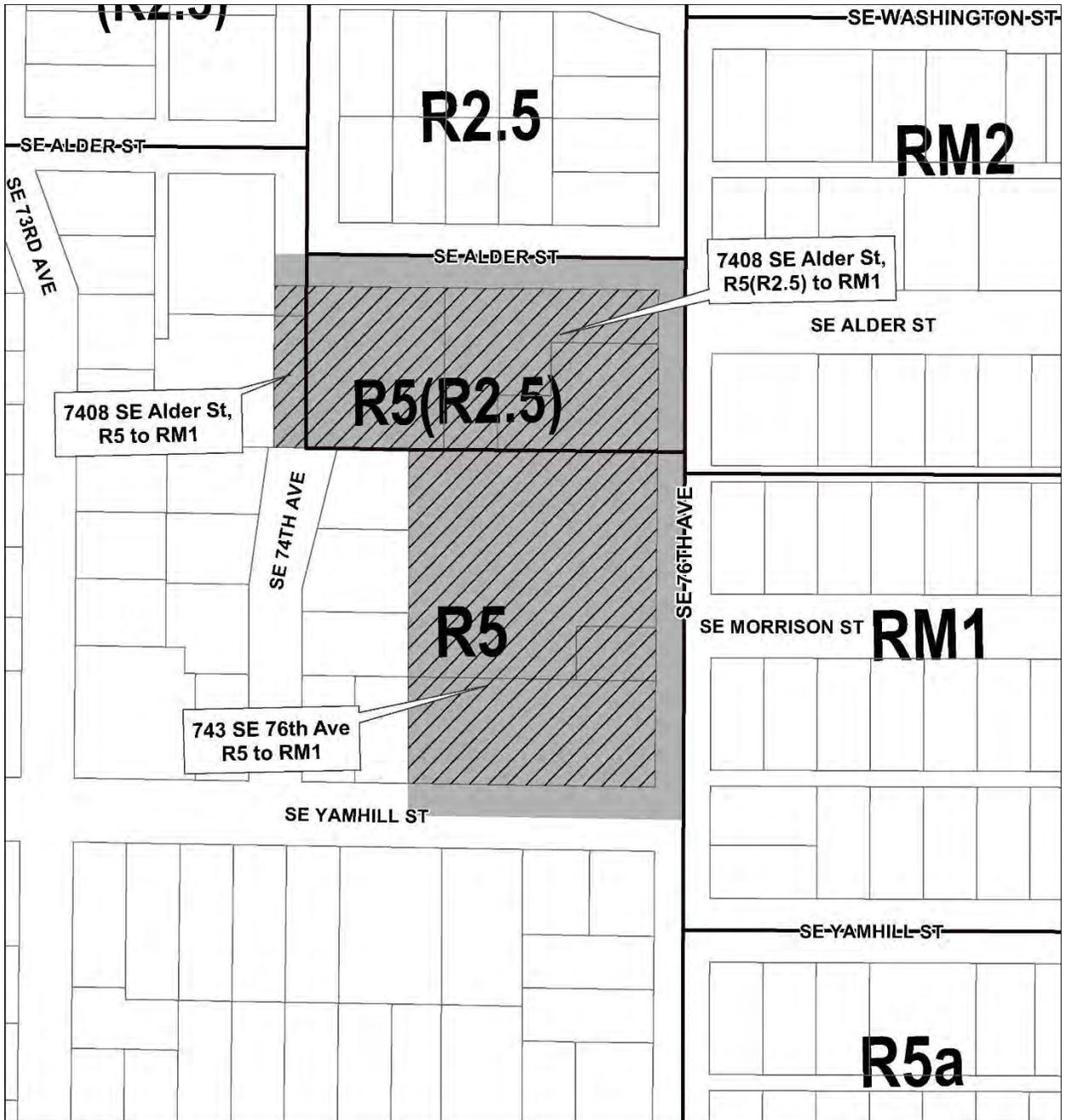
#### Comprehensive Plan Map amendment:

- R220211, R220212, and a portion of R220213—from Single-Dwelling 2,500 to Multi-Dwelling - Neighborhood
- R332502, R332590, R332589—from Single-Dwelling 5,000 to Multi-Dwelling - Neighborhood

#### Zoning Map amendment:

from R5 to RM1

Catholic Charities requests this change on the Ascension site to allow for greater flexibility in redeveloping portions of their site for affordable housing. The change to RM1 zoning is consistent with nearby zoning along SE 76<sup>th</sup> Ave. SE 76<sup>th</sup> Ave at this site is a designated Neighborhood Collector street in the TSP.



**Recommended Draft - Expanding Opportunities for Affordable Housing**

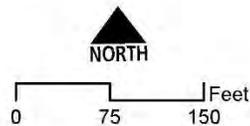
**Map 8: Ascension**

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**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



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## Commentary

### Property information:

Owner: West Portland United Methodist

Address: 4729 SW Taylors Ferry Rd.

Tax Account #: R302018, R302026, R302025

### Proposed change:

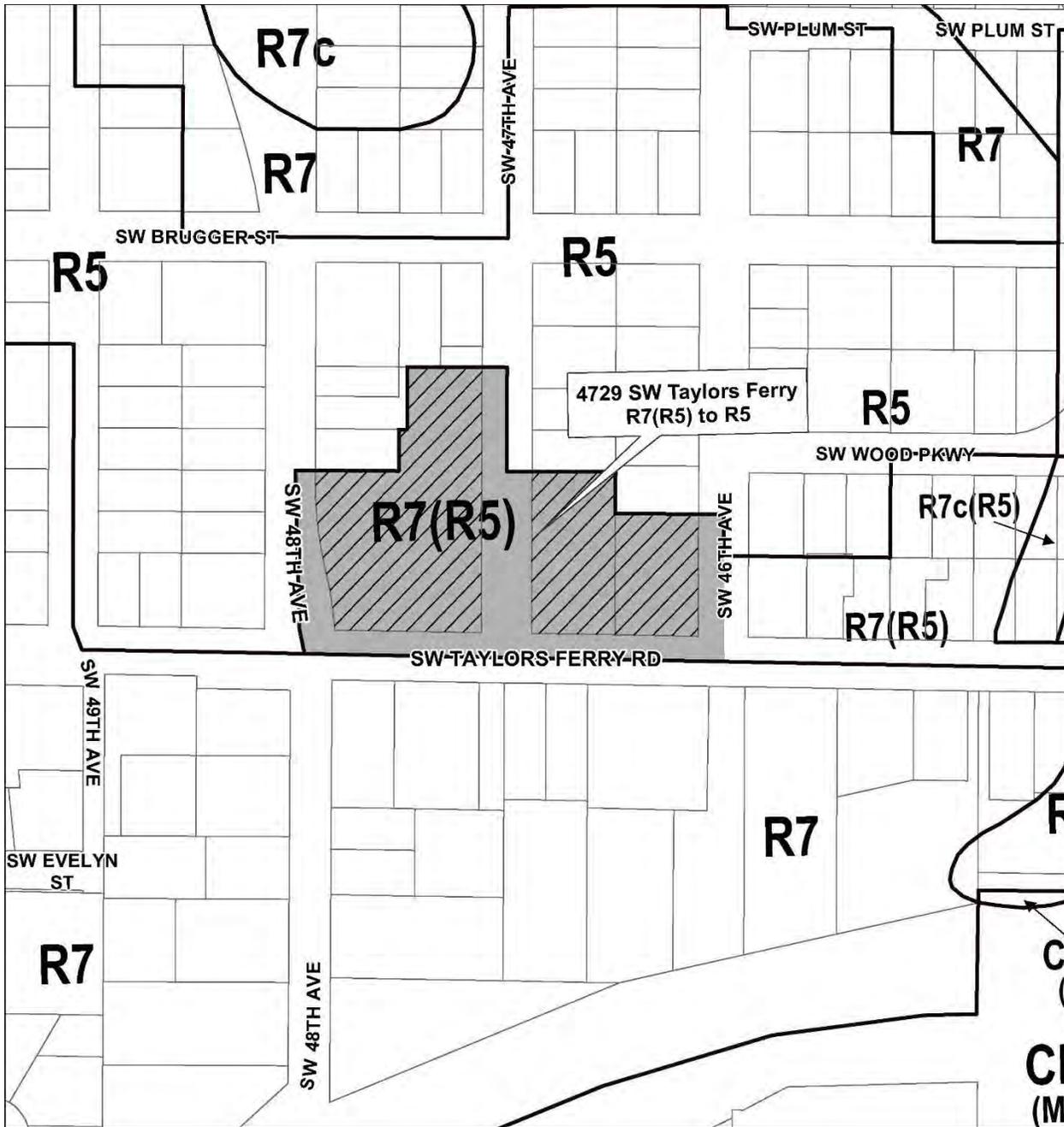
#### Comprehensive Plan Map amendment:

No change necessary; current Comprehensive Plan designation is Single-Dwelling 5,000

#### Zoning Map amendment:

from R7 to R5

The proposed map change will allow for slightly greater density if portions of the site are developed with housing. The change to the R5 zone matches the Comprehensive Plan map designation and is consistent with the abutting R5 zoning to the north. SW Taylors Ferry Rd and SW 48<sup>th</sup> Ave at this site are designated Neighborhood Collector streets in the TSP.



**Recommended Draft - Expanding Opportunities for Affordable Housing**

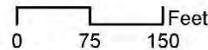
**Map 9: West Portland United Methodist**

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**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



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## Commentary

### Property information:

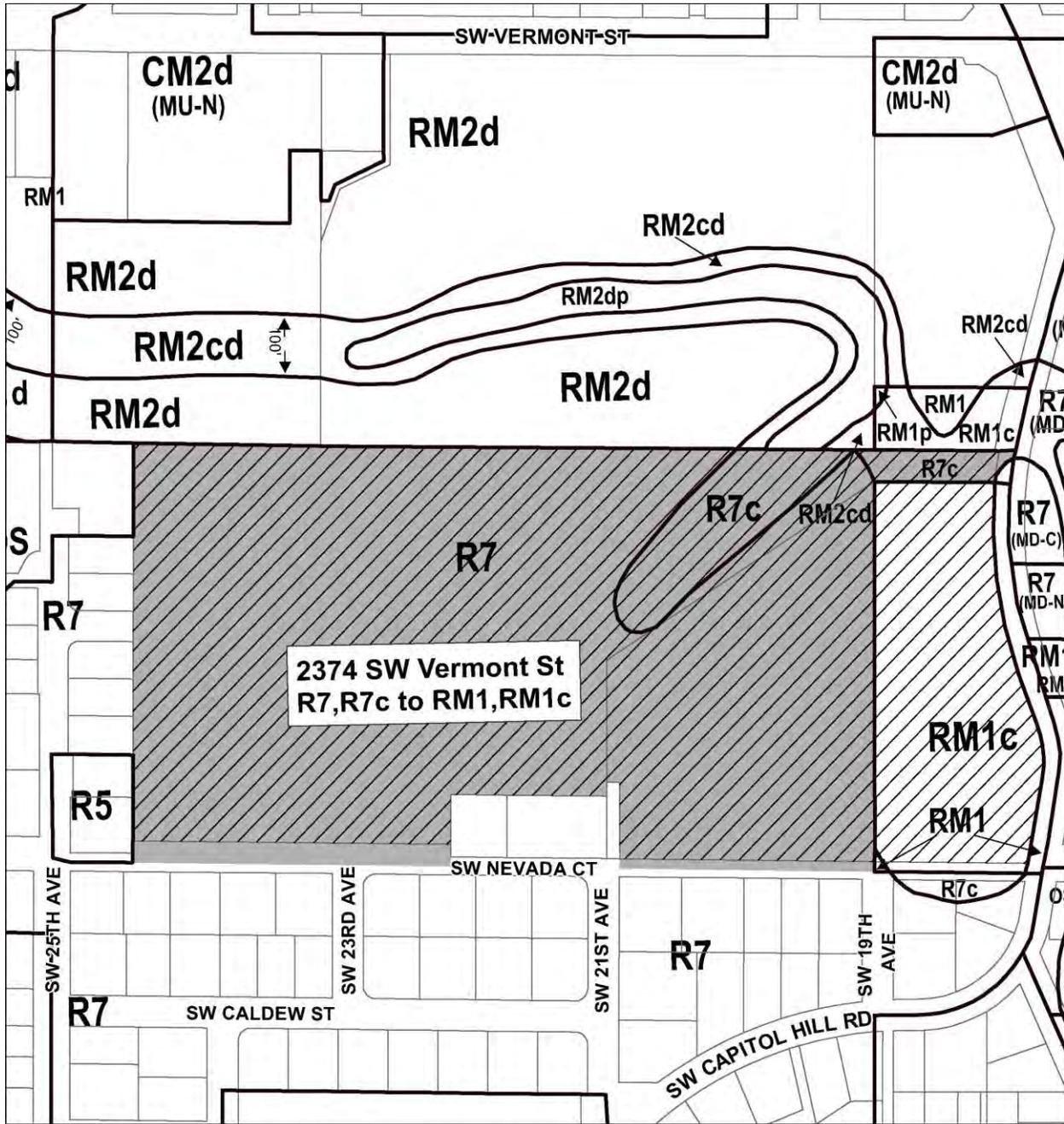
Owner: Greater Portland Bible  
Developer: Habitat for Humanity  
Address: 2374 SW Vermont  
Tax Account #: R330070, R330267

### Proposed change:

Comprehensive Plan Map amendment:  
from Single-Dwelling 7,000 to Multi-Dwelling - Neighborhood

Zoning Map amendment:  
from R7 and R7c to RM1 and RM1c

Habitat for Humanity requests this change to allow for greater density on portions of the site planned for development of affordable housing, and to streamline the regulatory process by rectifying the current split zoning on the site. The change to the RM1 zone matches the abutting RM1 zoning on the east portion of the site. SW Capitol Hill Rd at this site is designated a Neighborhood Collector street in the TSP.



**Recommended Draft - Expanding Opportunities for Affordable Housing**

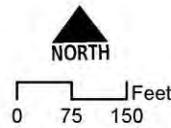
**Map 10: Habitat/Greater Portland Bible**

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**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



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## Commentary

### Property information:

Owner: Emmanuel Temple Full Gospel Pentecostal Church

Address: 1033 N Sumner St and 1032 N Sumner St

### Proposed change:

Comprehensive Plan Map amendment:

from Single-Dwelling 2,500 to Commercial Mixed-Use Urban Center

Zoning Map amendment:

from R2.5a to CM2

Emmanuel Temple plans to redevelop their site in the future, and requests this change to match the nearby zoning on Killingsworth St. The change will allow for greater development options and a wider range of allowed uses for this site, which is just over 1.5 acres in area.

The site is adjacent to the I-5 Freeway to the west. The streets abutting the site are local service streets. The site is two blocks from Killingsworth St to the north and Albina Ave to the east. Both streets are designated Major Transit Priority Streets; Killingsworth St is a District Collector street and Albina Ave is a Neighborhood Collector street. Both streets are Major City Walkways. The site abuts the Pedestrian District to the west and is one block south of it.



**Recommended Draft - Expanding Opportunities for Affordable Housing**

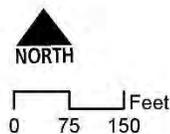
**Map 11: Emmanuel Temple Church**

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**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



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## Commentary

### Property information:

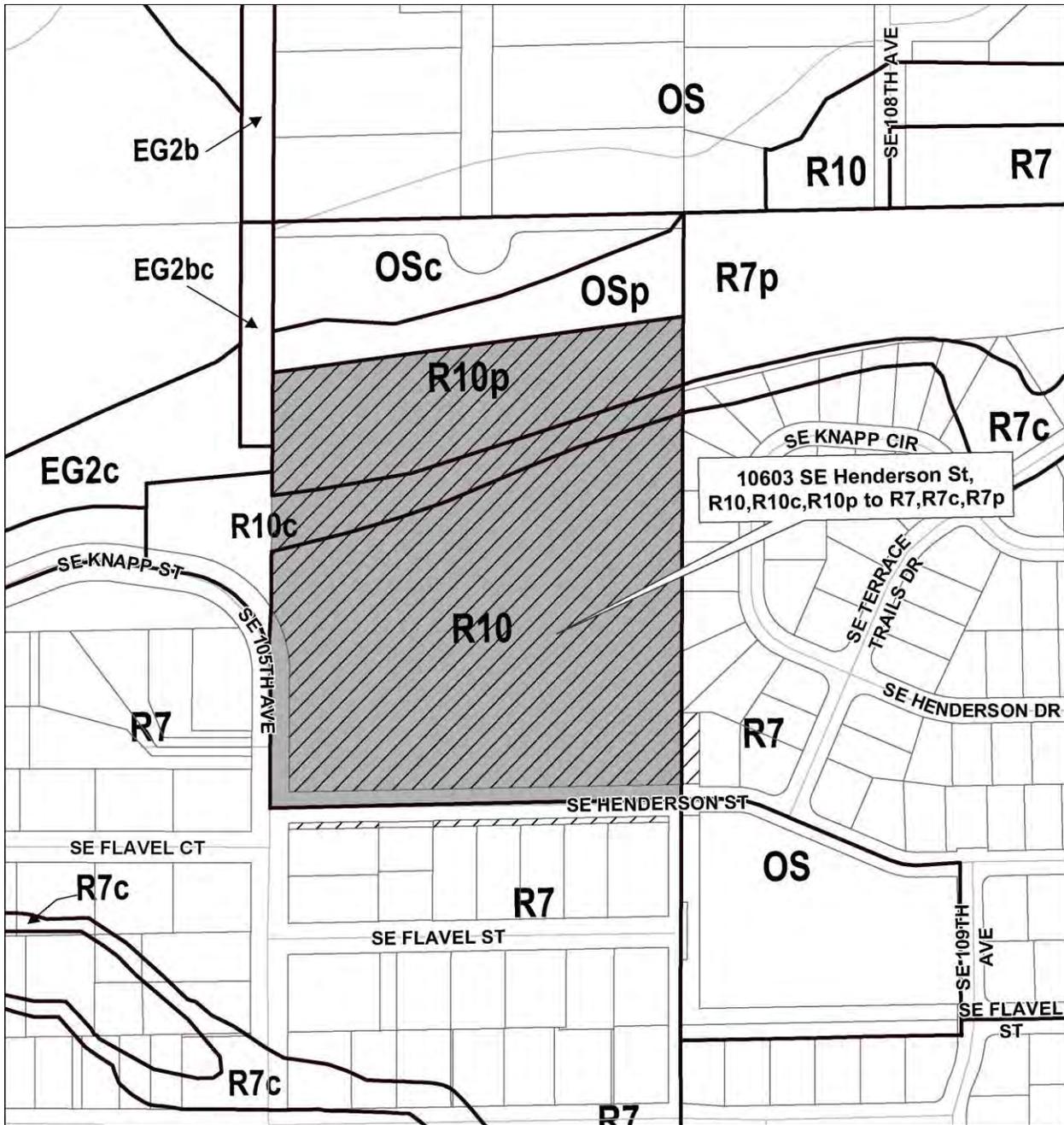
Owner: Mt Scott Church of God  
Address: 10603 SE Henderson St  
Tax Account #: R336867, 336872

### Proposed change:

Comprehensive Plan Map amendment:  
from Single-dwelling 10,000 to Single-Dwelling 7,000

Zoning Map amendment:  
from R10 to R7

The proposed map change will allow for slightly greater density if portions of the site are developed with housing. It will also rectify the split zoning on the site. The change to the R7 zone matches the small east parcel in this ownership, and is consistent with the abutting R7 zoning on three sides. SW Henderson St at this site is designated a local service street in the TSP.



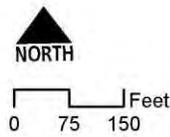
**Recommended Draft - Expanding Opportunities for Affordable Housing**  
**Map 12: Mount Scott Church of God**

April, 2020

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**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



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## Commentary

### Property information:

Owner: Habitat for Humanity

Address: 2401 SW Taylors Ferry Rd and 9134 SW 25<sup>th</sup> Ave

Tax Account #: 163067, R163068

### Proposed change:

Comprehensive Plan Map amendment:

from Single-Dwelling 7,000 to Single-Dwelling 5,000

Zoning Map amendment:

from R7 to R5

Habitat for Humanity requests this change to allow for slightly greater density and flexibility in redeveloping portions of this site for affordable home ownership. The change to R5 zoning on this 2-acre site is consistent with the street designations on the SW Taylors Ferry corridor. SW Taylors Ferry at this site is a designated Neighborhood Collector street, Transit Access street and City Walkway in the TSP.



**Recommended Draft - Expanding Opportunities for Affordable Housing**

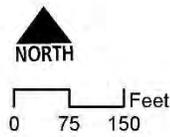
**Map 13: Habitat for Humanity**

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**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



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## Commentary

### Property information:

Owner: Mt Tabor Presbyterian Church

Address: 5441 SE Belmont St, 807 SE 55<sup>th</sup> Ave, SEC/54<sup>th</sup> and SE Morrison St

Tax Account #: R221878, R221879, R221880, R221881

### Proposed change:

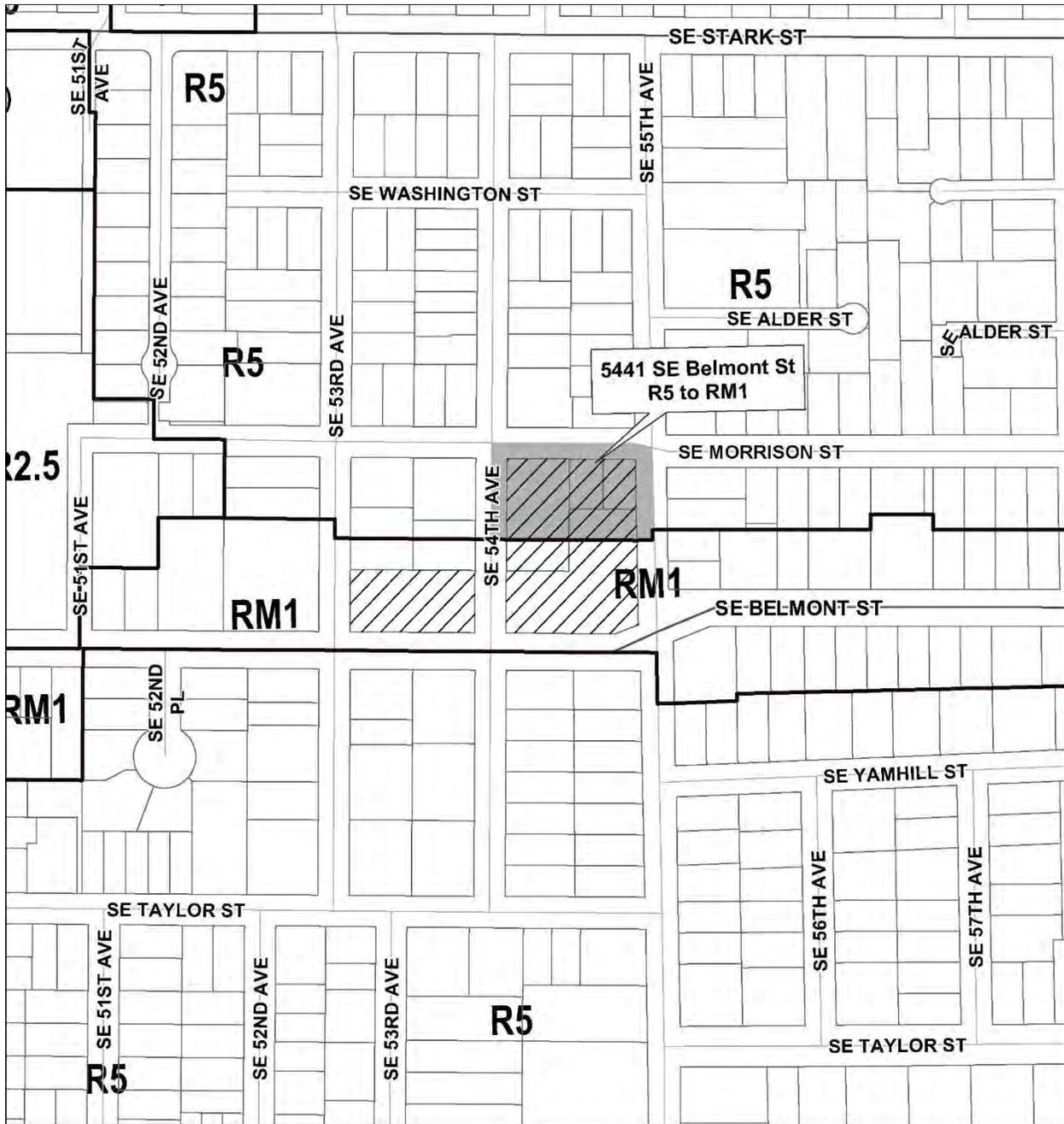
Comprehensive Plan Map amendment:

from Single-Dwelling 5,000 to Multi-Dwelling - Neighborhood

Zoning Map amendment:

from R5 to RM1

The proposed map change on the Mt Tabor Presbyterian site will allow for greater flexibility in redeveloping portions of their 1.3-acre site for housing. The change to RM1 zoning is consistent with zoning along the Belmont St corridor. SE Belmont St at this site is a designated District Collector and Major City Transit street, and Major City Walkway in the TSP.



**Recommended Draft - Expanding Opportunities for Affordable Housing**

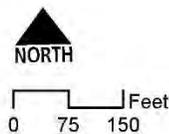
**Map 14: Mount Tabor Presbyterian**

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**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



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## Commentary

Property information:

Owner: St Andrews Presbyterian  
Address: 3228 SW Sunset Blvd  
Tax Account #: R328710, 328925, 211108

Proposed change:

Comprehensive Plan Map amendment:  
from Single-dwelling 10,000 to Single-Dwelling 5,000

Zoning Map amendment:  
from R10 to R5, and R10p to R5p

St Andrews Presbyterian proposes this map change to allow for greater density and flexibility in development on this site, which is 2.4 acres on the west side of SW Dosch Rd. The zoning on their property on the east side of Dosch Rd is not changing. Both streets adjacent to the site are Collector streets: SW Dosch Rd is a District Collector, and Sunset Blvd is a Neighborhood Collector street. They are also City Walkways and Transit Access streets.

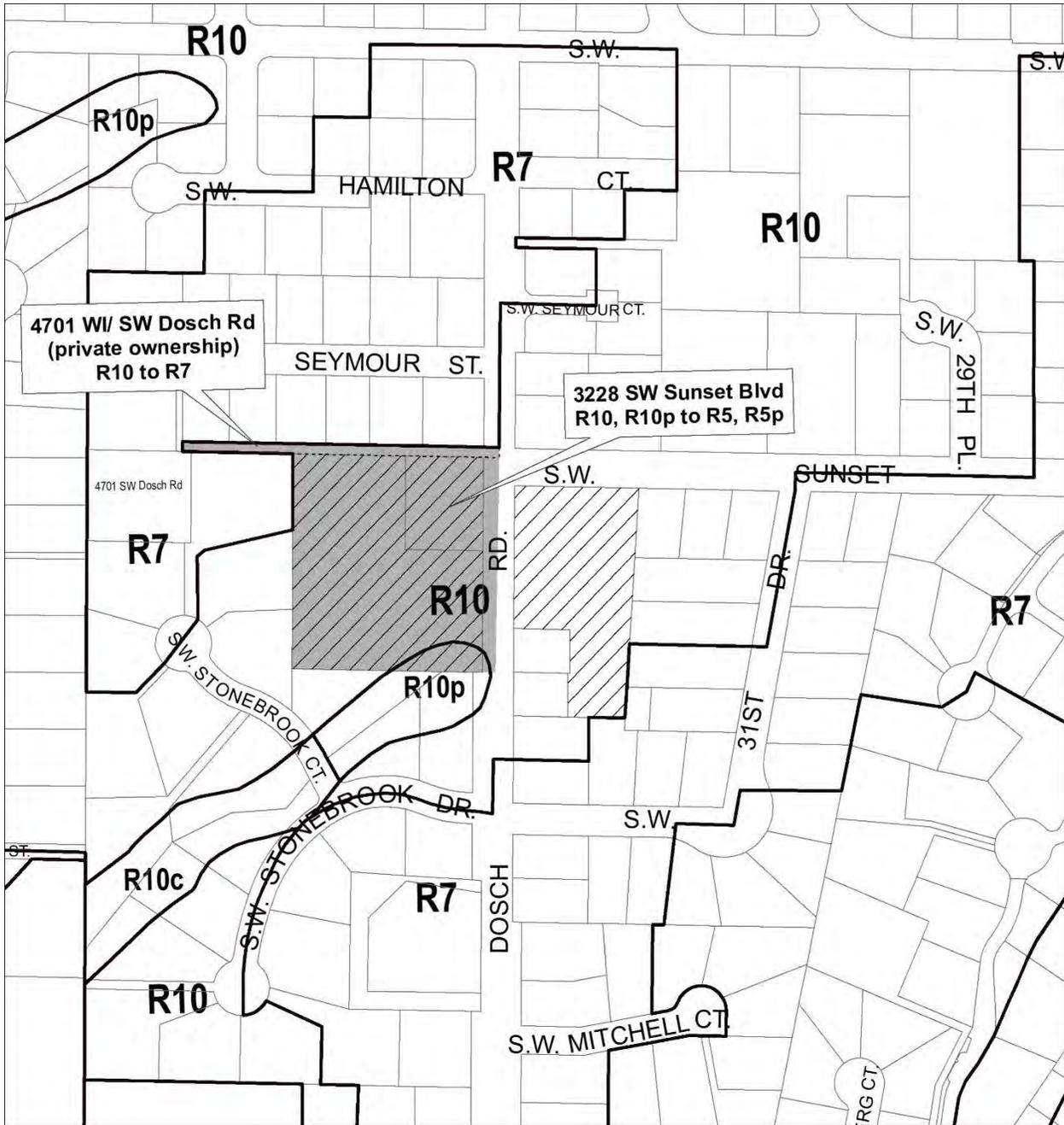
Owner: J Posner and L Rockower  
Address: 4701 WI/ SW Dosch Rd  
Tax Account #: R328728

Proposed change:

Comprehensive Plan Map amendment:  
from Single-dwelling 10,000 to Single-Dwelling 7,000

Zoning Map amendment:  
from R10 to R7, and R10p to R7p

This change abutting the St Andrews site is proposed to rectify the split-zoning on this residential property and to match the adjacent zoning to the north.



**Recommended Draft - Expanding Opportunities for Affordable Housing**

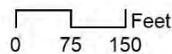
**Map 15: St. Andrews**

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**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



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## Commentary

### Property information:

Owner: Presbytery of the Cascades/use: Evergreen Preschool

Address: 935 NE 33<sup>rd</sup> Ave

Tax Account #: R316847

### Proposed change:

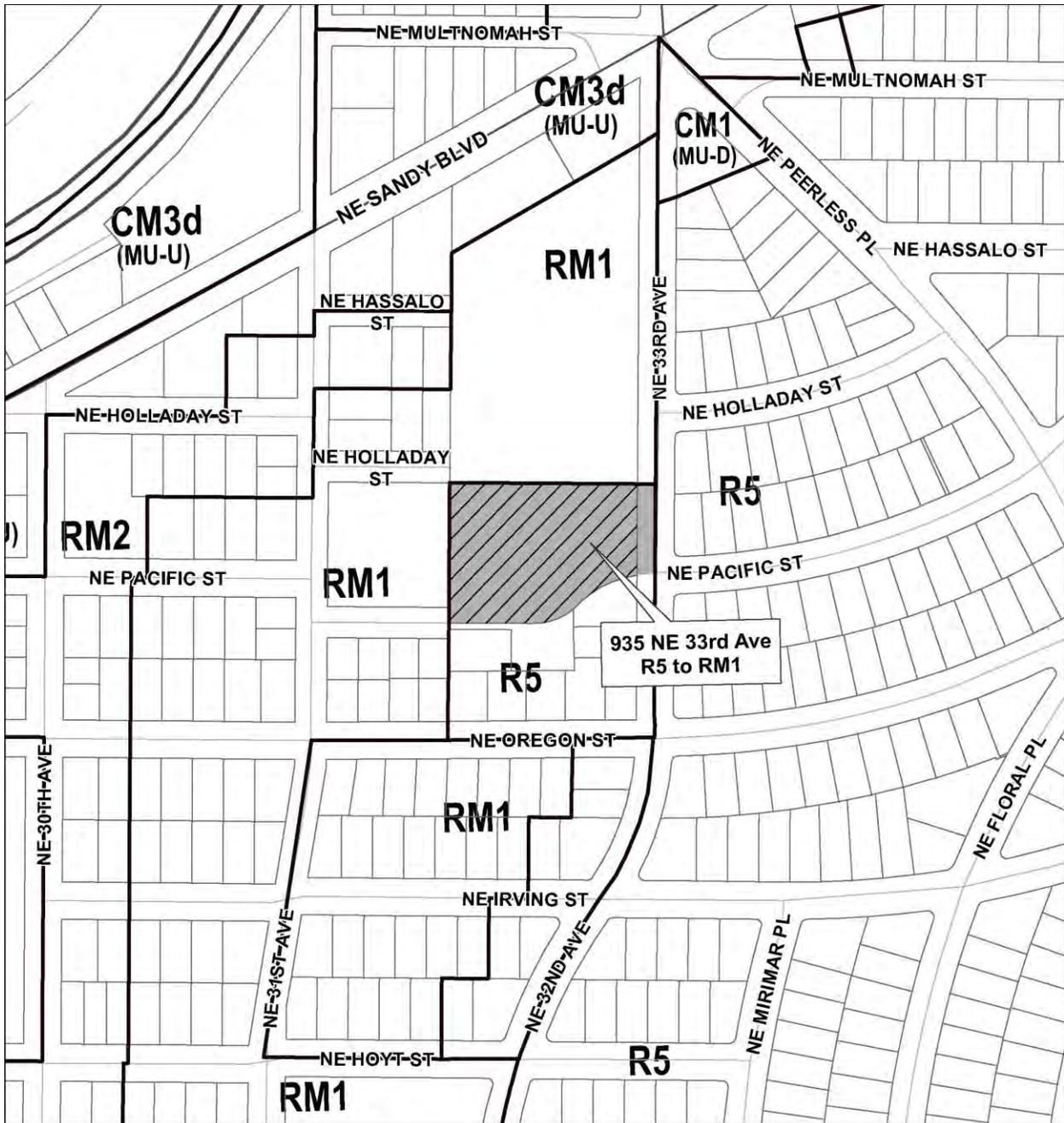
Comprehensive Plan Map amendment:

from Single-Dwelling 5,000 to Multi-Dwelling - Neighborhood

Zoning Map amendment:

from R5 to RM1

This change is proposed to allow for greater flexibility in potentially redeveloping portions of this 1.4-acre site for housing. The change to RM1 zoning is consistent with adjacent zoning to the north and west along the 33<sup>rd</sup> Ave corridor. NE 33<sup>rd</sup> Ave at this site is a designated City Walkway in the TSP.



**Recommended Draft - Expanding Opportunities for Affordable Housing**

**Map 16: Evergreen Community/Tillamook Preschool**

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**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



0 75 150 Feet



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## Commentary

### Property information:

Owner: Legacy Health System

Address: NW COR/ Williams & N Russell St; 122 N Graham St;

Tax Account #: R251391, 251393, 251394, 251395

### Proposed change:

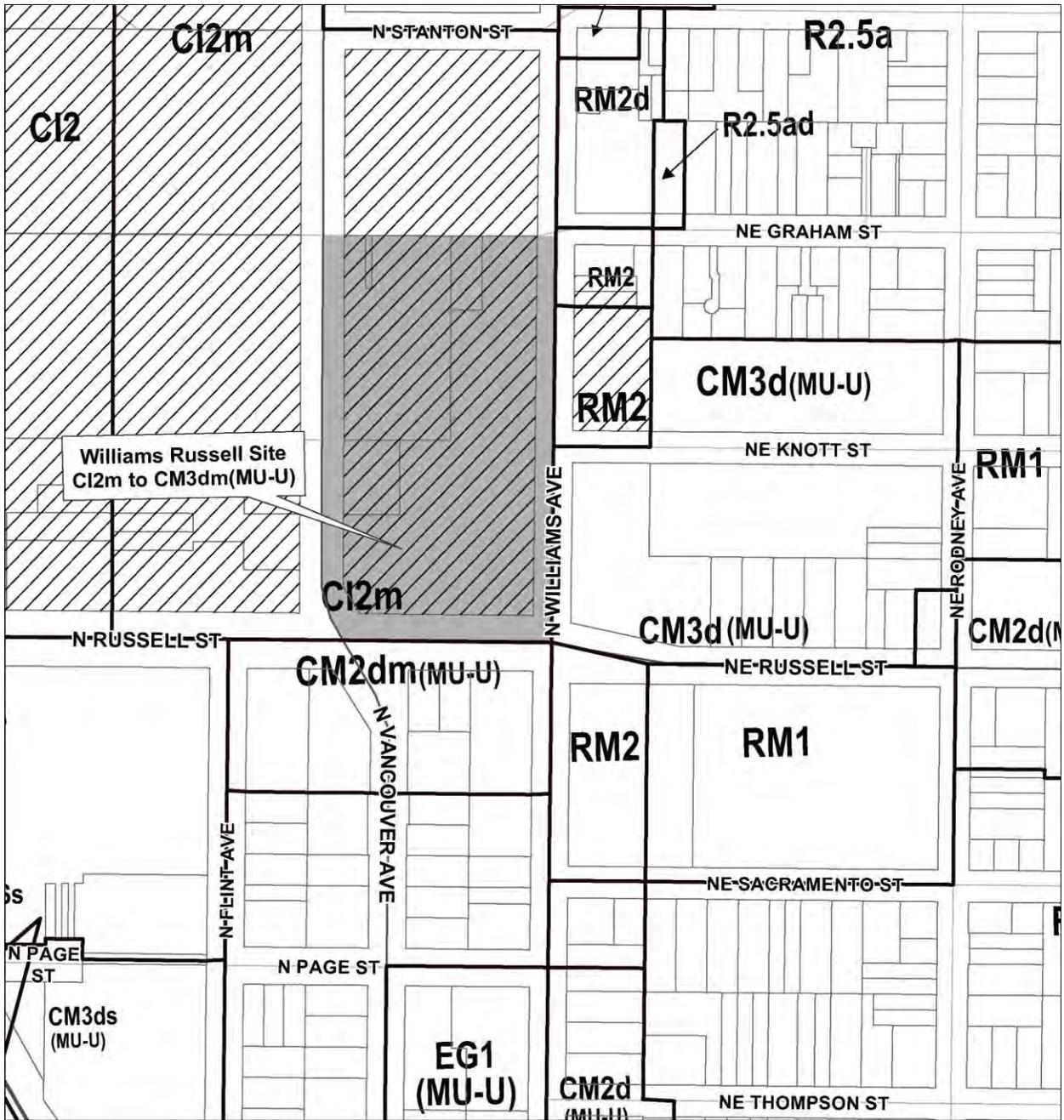
Comprehensive Plan Map amendment:

from Campus Institutional 2 to Commercial Mixed-Use - Urban Center

Zoning Map amendment:

from CI2m to CM3dm

The Project Working Group of the Williams and Russell project, in conjunction with Legacy Health System, requests this change to allow for greater development options and a wider range of allowed uses for this site. With this change, the 2-acre site would be removed from the Campus Institutional zoning that is on the remainder of the Legacy Emanuel campus. The change to CM3 is consistent with much of the zoning along the Williams and Vancouver corridors. N Williams Ave, N Vancouver Ave, and Russell St at this site are designated Neighborhood Collector streets in the TSP. N Vancouver is a Major City Walkway and N Russell St is a City Walkway. N Vancouver and N Williams Ave are Major Transit Priority streets, and Russell St is a Transit Access street.



**Recommended Draft - Expanding Opportunities for Affordable Housing**

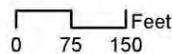
**Map 17: Williams Russell Site**

April, 2020

City of Portland, Oregon ||  
Bureau of Planning and Sustainability ||  
Geographic Information Systems

**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



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City of Portland, Oregon

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## Commentary

### Property information:

Owner: Grace Memorial Protestant Episcopal

Address: 1519-1535 NE 17<sup>th</sup> Ave

Tax Account #: R182306, R182307, R102308

### Proposed change:

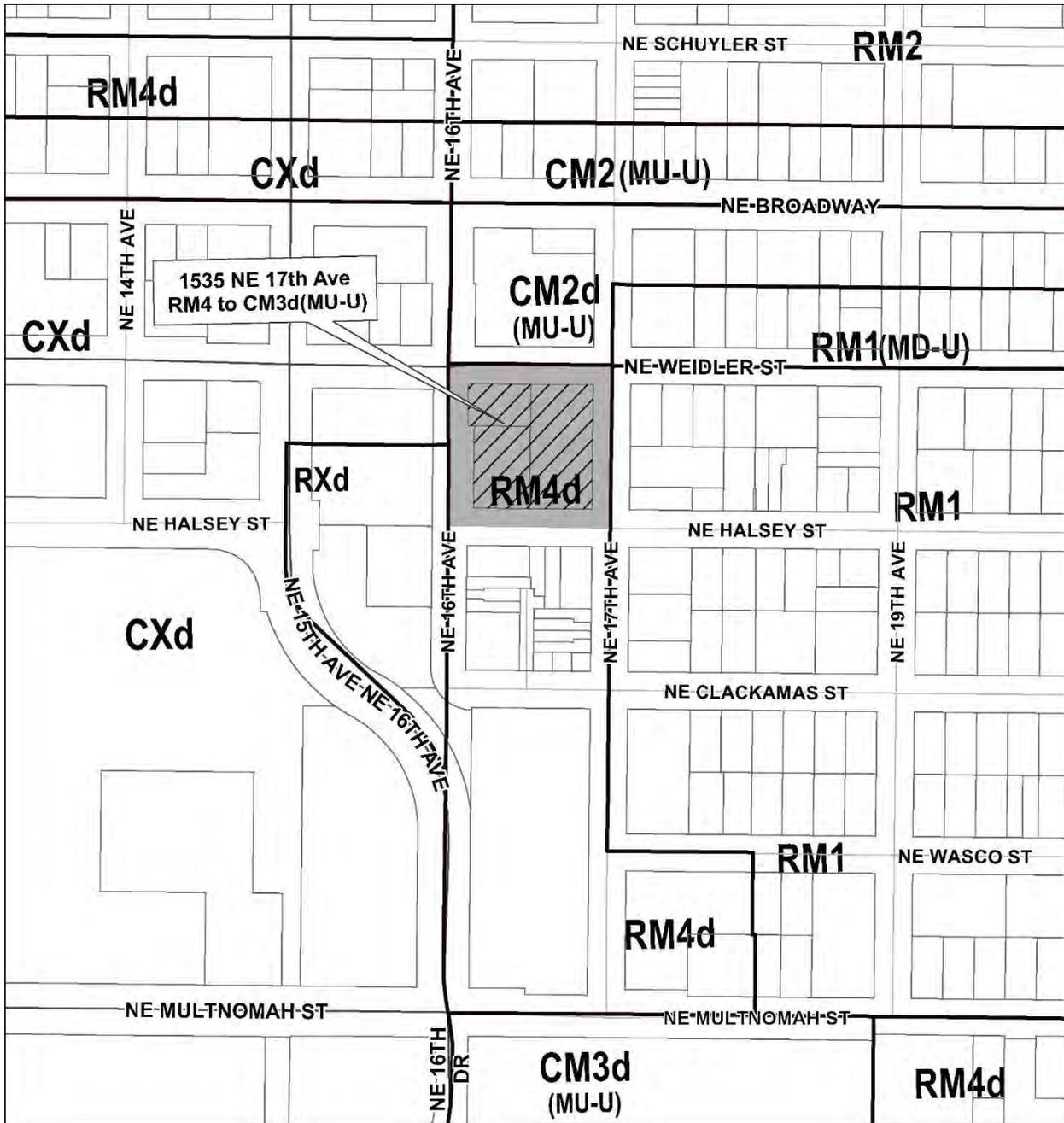
Comprehensive Plan Map amendment:

from Multi-Dwelling - Urban Center

Zoning Map amendment:

from RM4 to CM3

Grace Memorial requests this change to allow for greater flexibility and mix of uses in redeveloping portions of their .9-acre site for affordable housing and community service uses. The change to CM3 zoning is consistent with adjacent zoning to the west of 16<sup>th</sup> Ave, which is the Central City boundary. The site is located between NE 16<sup>th</sup> and 17<sup>th</sup> Ave, Weidler and Halsey St. NE Weidler St is a District Collector and Major Transit Priority street, and a Major City Walkway in the TSP.



**Recommended Draft - Expanding Opportunities for Affordable Housing**

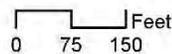
**Map 18: Grace Memorial**

April, 2020

City of Portland, Oregon ||  
Bureau of Planning and Sustainability ||  
Geographic Information Systems

**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



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City of Portland, Oregon

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## Commentary

### Property information:

Owner: Portland Chinese Christian

Address: 7407-7415 and 7435 SE Foster Rd, 5008 and 5016 SE 74<sup>th</sup> Ave

Tax Account #: R208870, 208871, 208872, 154238

### Proposed change:

Comprehensive Plan Map amendment:

No change

Zoning Map amendment:

from CE, Commercial Employment to CM2, Mixed Commercial 2

Portland Chinese Christian requests this change to allow for greater flexibility and mix of uses in redeveloping portions of their .95-acre site for affordable housing and community service uses. The change to CM2 zoning is consistent with adjacent zoning to the west on Foster Rd. The site is located between NE 16<sup>th</sup> and 17<sup>th</sup> Ave, Weidler and Halsey St. SE Foster Rd is a District Collector and Major Transit Priority street, and a Major City Walkway in the TSP.



**Recommended Draft - Expanding Opportunities for Affordable Housing**

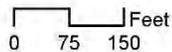
**Map 19: Chinese Christian**

April, 2020

City of Portland, Oregon ||  
Bureau of Planning and Sustainability ||  
Geographic Information Systems

**Legend**

-  Existing Zoning
-  Proposed Change Area
-  Common Ownership



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City of Portland, Oregon



**ORDINANCE No. 190023 As Amended**

Readopt remanded ordinance for the Central City 2035 Plan and amend the Comprehensive Plan, Comprehensive Plan Map, Transportation System Plan, Willamette Greenway Plan, Scenic Resources Protection Plan and Zoning Map, authorize adoption of administrative rules, and repeal and replace prior Central City plans and documents (Ordinance; readopt Ordinance No. 189000; amend Title 33)

The City of Portland ordains:

Section 1. The Council finds:

General Findings

1. In 1972, the Portland City Council adopted the *Planning Guidelines/Downtown Plan* as a policy statement to guide public and private decision-making in the Downtown area (adopted Motion on agenda item 3958, December 28, 1972). The plan addressed issues related to the loss of retail and housing, parking and the general character, livability and prosperity of Portland’s downtown core. The plan included provisions to enhance the pedestrian environment, preserve and develop new housing, improve air quality, reinforce the retail core, preserve historic landmarks and districts, protect views and vistas, develop public transportation infrastructure, and recapture and reconnect the urban environment with the Willamette River waterfront. In 1980, the City Council updated and retitled the plan *Goals and Policies/Downtown Plan* (Resolution No. 32772).
2. In 1979, scenic resources were first designated and protected through building height limits as part of the implementation of the *Downtown Plan*. Additional scenic resources were identified and protected through the adoption of area plans between 1979 and 1988.
3. Portland’s first *Comprehensive Plan* was adopted by the Portland City Council in October 1980 and was acknowledged as complying with Oregon’s Statewide Planning Goals by the Land Conservation and Development Commission (LCDC) in May 1981. The 1980 *Comprehensive Plan* was again deemed in compliance with the Statewide Planning Goals at the conclusion of Portland’s first Periodic Review in January 2000. The 1980 plan was incrementally updated by post-acknowledgement plan amendments through November 2011. In June 2016, as part of Task IV of Portland’s second Periodic Review, the Portland City Council completely replaced the 1980 plan by the adoption of Portland’s new *2035 Comprehensive Plan*, but delayed the effective date of the new plan to allow the LCDC sufficient time to review and acknowledge the new plan. During the delay between adoption and effect, the 1980 plan continued to serve as the City’s comprehensive plan. Portland’s *2035 Comprehensive Plan* was approved by the LCDC on March 15, 2018 and became effective on May 24, 2018. Because this ordinance is adopted after the effective date of the *2035 Comprehensive Plan*, its provisions are gauged against the applicable provisions of the *2035 Comprehensive Plan*, not the 1980 plan.

4. In 1988, the City Council adopted the *Central City Plan*, which expanded the approach of the *Downtown Plan* to areas north of East Burnside (the Pearl and Old Town/Chinatown districts), west and south of Interstate 405 (the Goose Hollow and South Waterfront districts), and to the east side of the Willamette River (Lower Albina, Lloyd, and Central Eastside districts) (Ordinance No. 160606 and Resolution No. 34417). This plan addressed the preservation and development of new housing, expansion of transit, and other multi-modal improvements, enhancement of the Willamette River waterfront, views, the role of social services and affordable housing and environmental health, among other critical issues.
5. In 1987, the City Council adopted the *Willamette Greenway Plan* (Ordinance No. 160237). This plan implemented and was consistent with Statewide Planning Goal 15, Willamette River, for the City of Portland. This plan included goals, objectives, mapped boundaries with an inventory of property characteristics, Zoning Code regulations and special design guidelines that apply to properties along the Willamette River, including the Central City, and a list of public acquisition areas. The plan also updated information and regulations for scenic resources along the Willamette River.
6. In 1991, City Council adopted the *Scenic Resources Protection Plan* (SRPP) (Ordinance No. 163957). The SRPP includes a citywide inventory of scenic resources and an Economic, Social, Environmental and Energy Analysis (ESEE) as required by OAR 660-16-000 through 660-16-025. The SRPP consolidated and updated information about scenic resources from previous plans, including the *Downtown Plan*, *Central City Plan* and *Willamette Greenway Plan*. The SRPP implemented new regulations (Zoning Code Chapter 33.480) to protect designated scenic resources. The SRPP also amended the environmental regulations (Zoning Code Chapter 33.430) to allow for scenic resource management when the scenic and environmental resources overlap.
7. Following adoption and implementation of the *Central City Plan*, subsequent plans amended the policy and regulatory framework of the plan. These plans include, but are not limited to: *University District Plan* (1995); *River District Plan* (1995); *Goose Hollow Station Community Plan* (1996); *Downtown's West End* (2002); *South Waterfront Plan* (2002); and *North Pearl District Plan* (2008). These plans also provided the opportunity to address new and emerging issues not addressed by the Downtown and Central City plans, such as stormwater management, the enhancement of endangered species habitat, green building design, family compatible housing supply, and the role of bike and pedestrian infrastructure to support active transportation alternatives.
8. In 1995, the City Council adopted the *Central City Transportation Management Plan* (Ordinance No. 169535 and Resolution No. 35472). This plan amended the Central City's transportation and parking policies and regulations in order to maintain air quality, promote economic development, support an efficient transportation system and encourage the use of alternative modes of travel.

9. Recognizing a need to create a new long-range plan for the Central City, the Bureau of Planning and Sustainability, in collaboration with other City bureaus and public agencies, initiated the *Central City 2035 Plan* project (CC2035) in 2010. The goal of the project was to create a comprehensive new policy and regulatory framework for the Central City, including the Central Reach of the Willamette River, taking into consideration new and emerging issues such as sustainable development, climate change, resiliency and equity.
10. The first product was the *Central City 2035 Concept Plan*, which provided an overarching policy framework intended to guide the development of subsequent, more detailed quadrant plans, as well as updates to the Portland Zoning Code, *Willamette Greenway Plan* and *Transportation Systems Plan* (TSP). The *Central City 2035 Concept Plan* contained a new vision statement identifying the Central City as a regional asset and a center of “Innovation and Exchange.” The plan also contained goals and policies addressing the following topics: Regional Center – Economy and Innovation; Housing and Neighborhoods; Willamette River; Urban Design; and, Health and the Environment. Lastly, the plan contained an Urban Design Concept and Framework. This plan was adopted by City Council on October 24, 2012 (Resolution No. 36970).
11. On October 25, 2012, Council adopted the CC2035 *N/NE Quadrant Plan* (Resolution No. 36972). This was the first of three quadrant plans that would identify more detailed and specific land use, urban design, and transportation policies and implementing actions, including potential zoning proposals, for specific parts of the CC2035 plan area. The *N/NE Quadrant Plan* covered the Lloyd and Lower Albina districts. This plan, created in partnership with the Oregon Department of Transportation (ODOT), also included the *I-5 Broadway/Weidler Interchange Improvements Facility Plan*, which identifies improvements to safety and operations on the Interstate 5 freeway and multimodal local transportation facilities in the vicinity of the Broadway/Weidler interchange.
12. In October 2014, the City Council adopted the *Willamette River Greenway Inventory* (Ordinance No. 186858). The *Willamette River Greenway Inventory* is an update to the inventory contained in the *Willamette Greenway Plan* and is consistent with Statewide Planning Goal 15. The updated inventory provides information about public recreation, historic and archaeological sites, significant natural and scenic areas, vegetative cover, fish and wildlife habitats, floodplains and flooding, hydrologic conditions, ecologically fragile areas, land uses and zoning, agricultural lands, timer resources, aggregate resources, property ownership and acquisition areas.
13. On March 5, 2015, Council adopted the CC2035 *West Quadrant Plan* (Resolution No. 37115). This plan identified more detailed and specific land use, urban design, and transportation policies and implementing actions, including potential zoning proposals, for the western half of the Central City. One of the outcomes of this plan was a reorganization of the area into seven districts, including: Downtown; West End; Goose Hollow; Pearl District; Old Town/Chinatown; South Waterfront; and, University District/South Downtown.

14. On July 29, 2015, Council adopted the CC2035 *Southeast Quadrant Plan* (Resolution No. 37147), which focused on the Central Eastside District. As with the other plans, it addressed land use, urban design, and transportation, and also expanded the Central City to include the new Clinton Station Area located on the far southeast corner of the plan area.
15. The *Concept Plan* and three quadrant plans also contained policy guidance and other recommendations for a comprehensive update of the *Willamette Greenway Plan* for the Central Reach of the Willamette River.
16. Guided by the policies, urban design diagrams, code concepts and other elements of the *Concept Plan* and three quadrant plans, the Bureau of Planning and Sustainability, in collaboration with other City bureaus, developed the *Discussion Draft Central City 2035 Plan*, released for public review on February 8, 2016. Additional guidance for the development of the *Discussion Draft Central City 2035 Plan* came from the *Central Reach Urban Design Concept* (2014), updates to the Natural and Scenic Resource inventories (2015), the *Central City Floor Area Ratio Bonus and Transfer Study* (2015), and other studies. A review period of approximately four months included open houses and presentations to interested groups, organizations, and appointed commissions. Written and verbal comments and proposed amendments were reviewed and considered by staff.
17. The *Proposed Draft Central City 2035 Plan* was released on June 20, 2016 for review by the public and the Portland Planning and Sustainability Commission (PSC). The PSC conducted an extensive review and plan revision process, including public hearings on July 26 and August 9, 2016 and work sessions on September 27 and November 16, 2016 and January 10, January 24, February 14, February 28, March 14, April 11 and May 23, 2017. The PSC voted on May 23, 2017 to forward to City Council their *Recommended Draft Central City 2035 Plan*.
18. On June 20, 2016 notice of the *Proposed Draft Central City 2035 Plan* was mailed to the Department of Land Conservation and Development in compliance with the post-acknowledgement review process required by OAR 660-18-020. A revised notice, reflecting Planning and Sustainability Commission and City Council amendments to the plan, was sent to the Department of Land Conservation and Development on March 13, 2018.
19. On June 24, 2016, a notice of the July 26, 2016 Planning and Sustainability public hearing on the *Proposed Draft Central City 2035 Plan* was sent to the project's mailing list, individuals and organizations who requested such notice, and other interested parties.
20. On June 24, 2016, approximately 21,000 notices of the *Proposed Draft Central City 2035 Plan* and Planning and Sustainability Commission hearing were sent to all property owners potentially affected by proposed zoning map and code changes, as required by ORS 227.186. Property owners received a separate notice for each property potentially affected by the proposal.

21. On June 22, 2017, BPS published the Planning and Sustainability Commission's *Recommend Draft Central City 2035 Plan*. The plan contains the following elements, some of which were amended by City Council:
- Volume 1, Goals and Policies. This document includes the policies and goals for the Central City as a whole, and each individual district within the Central City. The document also contains a vision statement and urban design concept diagrams. Volume 1, as amended by City Council and dated May 2018, is attached as Exhibit B. The urban design diagrams will be adopted by a separate Resolution.
  - Volume 2A, Zoning Code & Map Amendments, Part 1: Central City Plan District. This document includes amendments to Title 33, Planning and Zoning, that implement the land use and transportation policies of the plan. It also contains amendments to the Comprehensive Plan Map and official Zoning Map for the CC2035 plan area. Volume 2A, Part 1, as amended by City Council and dated May 2018, is attached as Exhibit C.
  - Volume 2A, Part 1 contains new Zoning Code provisions that require certain new development and alteration projects to use bird-safe glazing treatment patterns and application techniques (33.510.223, Bird-Safe Exterior Glazing) and register for an approved green building certification program (33.510.244, Low-Carbon Buildings). The Bureau of Planning and Sustainability will adopt, administer and periodically amend Administrative Rules that identify objective standards, including specific products or programs that can be used, to meet the code requirements.
  - Volume 2A, Zoning Code & Map Amendments, Part 2: Willamette River and Trails. This document includes amendments to Title 33, Planning and Zoning, related to the Central Reach of the Willamette River, along with miscellaneous citywide code amendments related to trails, definitions and measurements. It also contains amendments to the overlay zones shown on the official Zoning Map. Volume 2A, Part 2, as amended by City Council and dated May 2018, is attached as Exhibit D.
  - Volume 2A, Zoning Code & Map Amendments, Part 3: Environmental and Scenic Overlay Zones. This document includes amendments to Title 33, Planning and Zoning, and the official Zoning Map related to the environmental and scenic resource overlay zones. These amendments apply outside the Central City and will be adopted by a separate ordinance.
  - Volume 2B, Transportation System Plan Amendments. This document includes amendments to the *Transportation System Plan*, including amendments to policies, project and study lists, and street classification maps. The document also includes the *Portland Central City Multimodal Mixed Use Area Agreement between the City of Portland and the Oregon Department of Transportation*, dated June 15, 2016. Also included is a letter dated June 15, 2016 from the Oregon Department of Transportation to the Portland Bureau of Transportation providing written concurrence with the designation of the Central City as a Multi-Modal Mixed-Use Area (MMA), subject to

City adoption of the agreement. Volume 2B, as amended by City Council and dated May 2018, is attached as Exhibit E.

- Volume 3A, Scenic Resources Protection Plan, Part 1: Summary, Results and Implementation. This document includes a summary of the Scenic Resources Inventory, a summary of the Economic, Social, Environmental and Energy analysis, and a description of the Zoning Code changes and maps that implement the CC2035 Scenic Resources Protection Plan. Volume 3A, Part 1, as amended by City Council and dated May 2018, is attached as Exhibit F.
- Volume 3A, Scenic Resources Protection Plan, Part 2: Scenic Resources Inventory. This document is an updated inventory of views, viewpoints, view streets, scenic corridors, focal points and scenic sites in the Central City and an updated inventory of views and viewpoints surrounding the Central City for which buildings in the Central City could block the view. The inventory includes maps and descriptions of the location, geometry and relative quality of the scenic resources. Volume 3A, Part 2 is attached as Exhibit G.
- Volume 3A, Scenic Resources Protection Plan, Part 3: Economic, Social, Environmental & Energy Analysis. This document includes a trade-off analysis of the relative economic, social, environmental and energy consequences associated with different levels of scenic resources protection. This document includes maps and descriptions of the recommendations to protect specific scenic resources. Volume 3A, Part 3, as amended by City Council and dated May 2018, is attached as Exhibit H.
- Volume 3B, Willamette River Central Reach Natural Resources Protection Plan. This document presents an overview of the regulatory context for the river, an inventory approach and methodology, an analysis of protection options and recommendations, inventory results, and implementation tools. Volume 3B is attached as Exhibit I.
- Volume 4, Background Materials. This document references a number of background reports and documents used to develop the *Central City 2035 Plan*, including the *CC2035 Concept Plan*, the three quadrant plans, *Willamette River Greenway Inventory* and other studies and planning documents. Volume 4 is attached as Exhibit J.
- Volume 5A, Implementation: Performance Targets and Action Plans. This document includes performance targets that provide aspirational objectives by which to measure progress towards achieving the goals and policies of the *Central City 2035 Plan*. This document also includes action items that describe future projects and programs that will help implement the goals and policies of the plan. The performance targets and action items in Volume 5A will be adopted by a separate Resolution.
- Volume 5B, Implementation: The Green Loop. This document contains the Green Loop Concept Report, describing a proposed six-mile linear park that invites residents, employees, and visitors to experience the Central City by foot and by bicycle. The document includes key objectives, alignment options, design principles, and precedents

of how the concept could be realized. Volume 5B will be adopted by a separate resolution.

- Volume 6, Public Involvement. This document presents a summary of public engagement activities during the CC2035 planning process, an outreach activities log, and materials related to an ethics complaint regarding the *West Quadrant Plan*. Volume 6 is attached as Exhibit K.
22. A public notice of the September 7, 2017 Portland City Council public hearing on the *Recommended Draft Central City 2035 Plan* was sent on August 23, 2017 to the project's mailing list, those who testified to the Planning and Sustainability Commission, individuals and organizations who requested such notice and other interested parties.
  23. In addition to the public hearing on September 7, 2017 and its continuations on September 14 and 20, 2017, City Council held deliberations on the Recommended Draft Central City 2035 Plan on October 18, November 29 and December 6, 2017. A public notice of the January 18, 2018 Portland City Council public hearing on potential City Council amendments to the *Recommended Draft Central City 2035 Plan* was sent on December 29, 2017 to the project's mailing list, those who testified at the September 7, 2017 City Council public hearing and its continuations on September 14 and 20, 2017, and to property owners potentially affected by the amendments. Additional public hearings on potential amendments were held on March 7 and 22, 2018 and April 4, 2018. These additional hearings were announced on the CC2035 project web site and through the project's email distribution list. City Council held deliberations on the amendments on April 11, 2018 and deliberations and initial vote on May 24, 2018.
  24. The Central City 2035 Plan, Ordinance No. 189000, was adopted by City Council on June 6, 2018 and went into effect on July 9, 2018.
  25. Ordinance No. 189000 was appealed to the Oregon Land Use Board of Appeals (LUBA). LUBA issued a decision August 6, 2019 remanding Ordinance 189000 and upholding, in part, one assignment of error. LUBA held that "the city's findings [were] inadequate to explain why the adopted maximum height limits comply with PCP 4.48." Additionally, LUBA found that the city did "not point to any focused evidence that supports a conclusion that the 200-foot maximum height limit 'preserve[es] and complement[s]' District resources." Accordingly, LUBA held that remand was "required for the city to adopt findings that are adequate to explain why the 200-foot height limit complies with PCP Policy 4.48. That decision must be supported by an adequate factual base."
  26. LUBA's decision was appealed to the Oregon Court of Appeals, which upheld LUBA's decision and remanded Ordinance No. 189000 on March 16, 2020.
  27. Due to the COVID-19 pandemic, Governor Brown has issued a series of executive orders that impact local governments. Notably, on March 8, 2020, Governor Brown issued Executive Order 20-03 declaring a state of emergency due to COVID-19. Later, on March

- 23, Governor Brown issued Executive Order 20-12 declaring that non-essential gatherings outside of the home or place of residence are prohibited immediately, regardless of size.
28. On April 15, Governor Brown issued Executive Order No. 20-16 due to the COVID-19 pandemic requiring local governments to conduct public meetings by telephone, video, or other electronic means whenever possible. In order to move forward with city operations, the directive laid out instructions to conduct business virtually during this time. The Bureau of Planning and Sustainability proceeded with public noticing to readopt the CC2035 Plan following the guidelines outlined in the order, providing ample time for public input and participation. The potential economic consequences of delaying the readoption of the CC 2035 Plan would delay proposed zone changes, increased FAR allowances, new use allowances and development standards and bonuses, all of which are intended to facilitate new office, retail, housing development and increase job growth in the Central City in support of economic development policies in the Comprehensive plan and Central City 2035.
  29. A public notice was sent on May 1, 2020 for a City Council public hearing on the re-adoption of CC2035 to: parties to the appeal; parties that requested notice of the final decision; parties that received notice of Council's initial hearing on CC2035; the City's legislative list; and, people on the CC2035 mailing list.
  30. The record opened on May 1, 2020 allowing 27 days for the public to review re-adoption documents before the hearing and submit testimony via the MapApp tool on the project website or by mail to the City Council Clerk.
  31. On May 28, 2020, the Portland City Council held a virtual public hearing and received written testimony regarding the readoption of CC2035. The virtual public meeting was held using the Zoom platform. It was free to participants and it allowed them to provide testimony by phone or computer. Participants could also watch the hearing on YouTube with closed caption accommodations.
  32. On the Bureau of Planning and Sustainability's web site, the following link <https://beta.portland.gov/bps/cc2035/cc2035-documents> provides access to the legislative record. This link was available to the public and City Council during the public hearing process and continued to be updated with new information until the record closed..
  33. The Central City 2035 Findings of Fact Report, attached as Exhibit A, includes additional findings demonstrating consistency with the State-wide Planning Goals, Metro Urban Growth Management Functional Plan, and the City of Portland *2035 Comprehensive Plan*.

NOW, THEREFORE, the Council directs:

- a. Amend the *2035 Comprehensive Plan* to add the goals and policies of the *Central City 2035 Plan*, as shown in Exhibit B (Volume 1, Goals and Policies).

- b. Amend Figure 9-2 of the *2035 Comprehensive Plan* and Policy 9.51, Multimodal Mixed-Use Area, as shown on pages 32 and 33 of Exhibit E (Volume 2B, Transportation System Plan Amendments).
- c. Amend the *2035 Comprehensive Plan* to reflect the adoption of the *Central City 2035 Plan*, as shown in Exhibit L (Additional Amendments to the 2035 Comprehensive Plan), attached.
- d. Amend the definition of “Neighborhoods” in the Glossary of the *2035 Comprehensive Plan* as follows:
 

Neighborhoods: Broad areas of the city that typically include residential, commercial, and mixed-use areas. Neighborhoods are physical communities located outside of ~~the Central City and~~ large industrial areas. The term “neighborhoods” may, but is not always intended to, refer to specific Neighborhood Association geographies.
- e. Replace 2035 Comprehensive Plan Map CON-05, Significant Scenic Resources, with CON-05-A, Significant Scenic Resources, and CON-05-B, Significant Scenic Resources in the Central City, as shown on Exhibit M, attached.
- f. Amend the Comprehensive Plan Map as shown on page 493 of Exhibit C (Volume 2A, Zoning Code & Map Amendments, Part 1: Central City Plan District).
- g. Amend the official Zoning Map to apply base zones as shown on page 489 of Exhibit C (Volume 2A, Zoning Code & Map Amendments, Part 1: Central City Plan District).
- h. Amend the official Zoning Map to apply overlay zones as shown on pages 192 to 206 of Exhibit D (Volume 2A, Zoning Code & Map Amendments, Part 2: Willamette River and Trails).
- i. Amend Title 33, Planning and Zoning, as shown in Exhibit C (Volume 2A, Zoning Code & Map Amendments, Part 1: Central City Plan District) and Exhibit D (Volume 2A, Zoning Code & Map Amendments, Part 2: Willamette River and Trails).
- j. Amend the *Transportation System Plan* to add the policies, amend the transportation projects and studies lists, and amend the project and street classification maps, as shown in Exhibit E (Volume 2B, Transportation System Plan Amendments).
- k. Adopt the *Central City 2035 Scenic Resources Protection Plan*, contained in Exhibit F (Volume 3A, Scenic Resources Protection Plan, Part 1: Summary, Results and Implementation), Exhibit G (Volume 3A, Scenic Resources Protection Plan, Part 2: Scenic Resources Inventory) and Exhibit H (Volume 3A, Scenic Resources Protection Plan, Part 3: Economic, Social, Environmental & Energy Analysis).

- l. Adopt the *Willamette River Central Reach Natural Resources Protection Plan*, contained in Exhibit I (Volume 3B, Willamette River Central Reach Natural Resources Protection Plan).
- m. Adopt the *Portland Central City Multimodal Mixed Use Area Agreement between the City of Portland and the Oregon Department of Transportation*, dated June 15, 2016, as shown on pages 29 to 33 of Exhibit E (Volume 2B, Transportation System Plan Amendments).
- n. Adopt Exhibit A (Central City 2035 Findings of Fact Report), as amended by City Council and dated May 2020, Exhibit J (Volume 4, Background Materials), and Exhibit K (Volume 6, Public Involvement) as further findings.
- o. Adopt the Introduction section, commentary to the Central City Goals and Policies section, and the Central City Districts section of Exhibit B (Volume 1, Goals and Policies) as further findings.
- p. Adopt the commentary in Exhibit C (Volume 2A, Zoning Code & Map Amendments, Part 1: Central City Plan District) and Exhibit D (Volume 2A, Zoning Code & Map Amendments, Part 2: Willamette River and Trails) as legislative intent and further findings.
- q. Adopt Chapter 4: Analysis of Protection Options and General Recommendations, and Chapter 5: Results of Exhibit I (Volume 3B, Willamette River Central Reach Natural Resources Protection Plan) as further findings.
- r. The *Central City 2035 Plan* elements adopted by directives a. through q., above, repeal and replace the following:
  1. The *Planning Guidelines/Portland Downtown Plan*, adopted by City Council in December 1972, as updated.
  2. Ordinance No. 160606, as amended, which adopted the *Central City Plan* goals and policies.
  3. Resolution No. 34417, as amended, which adopted the *Central City Plan* action charts, functional maps and urban design plans.
  4. Ordinance No. 169535, as amended, which adopted the goals, policies and objectives of the *Central City Transportation Management Plan*.
  5. Resolution No. 35472, which adopted the action items and other components of the *Central City Transportation Management Plan*.
  6. Resolution No. 36970, which adopted the *Central City 2035 Concept Plan*.
  7. Resolution No. 36972, which adopted the *N/NE Quadrant Plan*.

8. Resolution No. 37115, which adopted the *West Quadrant Plan*.
9. Resolution No. 37147, which adopted the *Southeast Quadrant Plan*.
- s. Amend Ordinance No. 160237, as amended, to no longer apply the provisions of the *Willamette Greenway Plan* within the Central Reach River Overlay Boundary as shown on Map 475-1 on page 78 of Exhibit D (Volume 2A, Zoning Code & Map Amendments, Part 2: Willamette River and Trails).
- t. Amend Ordinance No. 163957, as amended, to no longer apply the provisions of the *Scenic Resources Protection Plan* to any and all scenic resources within the Central City Boundary or to viewpoints and view corridors within the Viewpoint Boundary as shown on Map 1 on page 6 of Exhibit F (Volume 3A, Scenic Resources Protection Plan, Part 1: Summary, Results and Implementation).
- u. Authorize the Director of the Bureau of Planning and Sustainability or designee to adopt, administer and periodically amend Administrative Rules for 33.510.223, Bird-Safe Exterior Glazing and 33.510.244, Low-Carbon Buildings. The adoption or amendment of these rules must include a public comment period.
- v. Direct the Bureau of Planning and Sustainability to update the 2014 *Willamette River Greenway Inventory* (adopted by Ordinance No. 186858) based on the adoption of the *Central City 2035 Plan*.
- w. Incorporate all documents and exhibits, identified on the Bureau of Planning and Sustainability's web site at the following link <https://beta.portland.gov/bps/cc2035/cc2035-documents> and all CC2035 re-adoption, written and oral testimony, into the legislative record.

## Section 2. Effect

The directives of this ordinance will take effect on and after August 10, 2020.

## Section 3. Severability

If any section, subsection, sentence, clause, phrase, diagram or drawing contained in this ordinance, or the map, report, inventory, analysis, or document it adopts or amends, is held to be deficient, invalid or unconstitutional, that shall not affect the validity of the remaining portions. The Council declares that it would have adopted the map, report, inventory, analysis, or document each section, subsection, sentence, clause, phrase, diagram and drawing thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, diagrams or drawings contained in this Ordinance, may be found to be deficient, invalid or unconstitutional.

Passed by the Council: July 8, 2020

Mayor Ted Wheeler

Prepared by: Troy Doss, Nicholas Starin  
and Rachael Hoy

Date Prepared: May 14, 2020

**Mary Hull Caballero**

Auditor of the City of Portland

By *Keelan McClymont*  
Deputy

Agenda No.  
**ORDINANCE NO. 190023 As Amended**  
 Title

Readopt remanded ordinance for the Central City 2035 Plan and amend the Comprehensive Plan, Comprehensive Plan Map, Transportation System Plan, Willamette Greenway Plan, Scenic Resources Protection Plan and Zoning Map, authorize adoption of administrative rules, and repeal and replace prior Central City plans and documents (Ordinance; readopt Ordinance No. 189000; amend Title 33)

<p style="text-align: center;"><b>INTRODUCED BY</b>                  Commissioner/Auditor:  <b>Mayor Ted Wheeler</b></p>	<p>CLERK USE: DATE FILED <u>5/19/20</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p>	<p style="text-align: center;">Mary Hull Caballero                  Auditor of the City of Portland</p>
<p>Mayor—Finance &amp; Administration - Wheeler</p>	<p><small>Digitally signed by Mustafa Washington                  Date: 2020.05.19 10:56:51 -07'00'</small></p>
<p>Position 1/Utilities - Fritz</p>	<p style="text-align: center;"><b>Keelan</b></p>
<p>Position 2/Works - Vacant</p>	<p>By: <u>McClymont</u></p>
<p>Position 3/Affairs - Hardesty</p>	<p><small>Digitally signed by Keelan McClymont                  Date: 2020.05.20 11:26:53 -07'00'</small></p> <p style="text-align: center;">Deputy</p>
<p>Position 4/Safety - Eudaly</p>	<p><b>ACTION TAKEN:</b></p>
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p>	<p><b>May 28, 2020 Continued to July 2, 2020 at 2:00 p.m. Time Certain</b></p>
<p>Bureau: Planning and Sustainability                  Bureau Head: <b>Andrea Durbin</b></p>	<p><b>July 2, 2020 Passed to Second Reading July 8, 2020 at 9:30 a.m. Time Certain As Amended</b></p>
<p>Prepared by: <b>Rachael Hoy</b>                  Date Prepared: <u>5/7/20</u></p>	<p><small>Digitally signed by Andrea Durbin                  Date: 2020.05.18 17:55:31 -07'00'</small></p>
<p><b>Impact Statement</b>                  Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	<p><b>City Auditor Office Approval:</b>                  required for Code Ordinances</p>
<p><b>Portland Policy Document</b>                  If "Yes" requires City Policy paragraph stated in document.                  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p><small>Lauren A. King                  2020.05.12 08:54:32 -07'00'</small></p>
<p><b>City Attorney Approval:</b>                  required for contract, code, easement, franchise, comp plan, charter</p>	<p><i>Clark</i></p>
<p>Council Meeting Date <u>5/28/20</u></p>	

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input checked="" type="checkbox"/>                  Start time: <u>2:00 pm</u>  <b>Total amount of time needed: <u>2 hours</u></b>                  (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/>  <b>Total amount of time needed: _____</b>                  (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz	✓
2. Vacant	2. Vacant	
3. Hardesty	3. Hardesty	✓
4. Eudaly	4. Eudaly	✓
Wheeler	Wheeler	✓

# Exhibit A:

## Central City 2035 Findings of Fact Report As Amended June 2020

### Findings on Statewide Planning Goals

State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with state land use goals. The Statewide Planning Goals addressing citizen involvement and coordination apply to all legislative reviews. Many of the other goals focus on the assembly of information, proper analysis, and policy decisions.

**The Statewide Planning Goals that apply to Portland are:**

- Goal 1, Citizen Involvement
- Goal 2, Land Use Planning
- Goal 5, Natural Resources, Scenic and Historic Areas, and Open Spaces
- Goal 6, Air, Water and Land Resource Quality
- Goal 7, Areas Subject to Natural Hazards
- Goal 8, Recreational Needs
- Goal 9, Economic Development
- Goal 10, Housing
- Goal 11, Public Facilities and Services
- Goal 12, Transportation
- Goal 13, Energy Conservation
- Goal 14, Urbanization
- Goal 15, Willamette River Greenway

There are approximately 560 acres of land both within Portland’s municipal boundaries and beyond the regional urban growth boundary that can be classified as rural land. In 1991, as part of Ordinance 164517, the City Council took an exception to Goal 3 and 4, the agriculture and forestry goals, in the manner described and authorized by state law and Goal 2. Because of the acknowledged exception, **the following goals do not apply:**

- Goal 3, Agricultural Lands
- Goal 4, Forest Lands

Other Statewide Planning Goals apply only within Oregon’s coastal zone. The Statewide Planning Goal Glossary defines “Coast Zone” as “The area lying between the Washington border on the north to the California border on the south, bounded on the west by the extent of the state’s jurisdiction, and in the east by the crest of the coastal mountain range, with the exception of: (a ) The Umpqua River basin, where the coastal zone shall extend to Scottsburg; (b) The Rogue River basin, where the coastal zone shall extend to Agness; (c) The Columbia River basin, where the coastal zone shall extend to the downstream end of Puget Island. (Formerly ORS191.110).” Since Portland is not within Oregon’s coastal zone, **the following goals do not apply to this decision:**

- Goal 16, Estuarine Resources
- Goal 17, Coastal Shorelands
- Goal 18, Beaches and Dunes

## Goal 19, Ocean Resources

1. **Goal 1, Citizen Involvement.** To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

Goal 1 applies to all legislative land use decisions. Administrative rules under Goal 1 further require cities to:

- Designate a committee for citizen involvement;
- Provide for widespread citizen involvement with an opportunity for citizens to be involved in all phases of the planning process (developing, evaluating, and amending plans; and in the development, adoption, and application of legislation to carry out the plan - the subject of periodic review Task V);
- Adopt and publicize a program for citizen involvement that is appropriate to the scale of Portland's *Central City 2035 Plan* process;
- Provide the opportunity for the public to be involved in data collection;
- To assure that technical information is available in an understandable form;
- Assure effective two-way communication with citizens, including feedback mechanisms; and
- Assure a sufficient level of funding and human resources are allocated to the citizen involvement program to make citizen involvement an integral part of the planning process.

Each of the three primary phases in the development of CC2035 involved a detailed approach to addressing the requirements of Goal 1. The entire public involvement process of CC2035 is detailed in Volume 6 – Public Involvement, and is also summarized in this ordinance as follows:

**Phase 1: Central City 2035 Concept Plan.** The development of the concept began by establishing an 18-member Advisory Group (AG) representing stakeholders and interest groups with experience in different issues related to the Central City and its future. This group, appointed by Mayor Sam Adams, served for one year, and participated in a series of public meetings, including workshops and topic specific symposiums, that included additional experts on different topic areas. These events, which approximately 425 people attended, were used to develop strategies and objectives in the creation of a new framework of goals, policies, and actions intended to guide the development of CC2035.

Next a 17-member Steering Committee met eight times over a year to guide staff in the development of policy and urban design framework presented by the Central City 2035 Concept Plan. As with the earlier efforts, these meetings were open to the public and attendees were provided an opportunity at each meeting to provide input to the committee as part of that process.

### Phase 2 – Quadrant Plans

**N/NE Quadrant Plan.** A 30-member stakeholder advisory committee (SAC) met 19 times and held an additional 14 subcommittee meetings. All meetings were open to the public and opportunities to provide direct input to the SAC were provided. In support of outreach on the plan, staff attended 100 community meetings attended by more than 1,100 people; hosted 10 public events attended by more than 600 people; and, used web-based tools that an additional 140 people used to provide input.

**West Quadrant Plan.** A 33-member SAC met 16 times. All meetings were open to the public and opportunities to provide direct input to the SAC were provided. In support of outreach on the

plan, staff attended 100 community meetings attended by more than 1,100 people; hosted 12 public events attended by more than 400 people; and, used web-based tools, mailers and surveys that an additional 700 people used to provide input.

**Southeast Quadrant Plan.** A 30-member SAC met 14 times. All meetings were open to the public and opportunities to provide direct input to the SAC were provided. In support of outreach on the plan, staff attended 93 community meetings attended by more than 500 people; hosted 15 public events attended by more than 500 people; and, used web-based tools and mailers that an additional 1,000 people used to provide input.

**Phase 3 – Discussion, Proposed, and Recommended Draft Development.** This phase of CC2035 involved several topic specific efforts conducted in support of CC2035 development. These efforts used a combination of committees, public open house events, and meetings with community-based organizations to provide additional opportunities to influence the final recommendations to CC2035. They included the following:

- **Central City Parking Policy Update** (30-member SAC, open house event, online surveys, community meetings)
- **Central City Scenic Resources Protection Plan** (Technical Advisory Committee, Panel of Experts, Public Review Draft, community meetings, open house events)
- **River Planning** (Central Reach Working Group, 2-Day Public Workshop, Public River Walks, community meetings, open house events)

Additionally, as a final version of CC2035 was being produced, additional opportunities to give input into the plan were provided as follows:

- **Discussion Draft.** Release on February 8, 2016, this draft of the plan presented preliminary zoning amendments and policy for CC2035. Open house events attended by more than 70 were held, and staff attended over 40 community meetings related to this draft. Public input on this first draft closed on March 31, 2016, and over 200 written comments were submitted.
- **Proposed Draft.** On June 20, 2016, the Proposed Draft of CC2035 was released in preparation for the PSC review of the plan. This draft of the plan was amended from the earlier Discussion Draft based on much of the public input provided during the review period of that draft. Prior to the first PSC public hearing, held on July 26, 2016, open house events were conducted to provide those who may testify before the PSC with more specific information about plan elements.

The PSC held public hearings and work sessions between June 2016 and April 2017. During these meetings, testimony was received on the Proposed Draft, amendments were proposed during work sessions, and an additional hearing was held to receive testimony on PSC proposed amendments before the PSC voted on the final Recommended Draft to be forwarded to City Council. The PSC held meetings for the plan on the following dates:

- Briefing:	June 28, 2016
- Hearing:	July 26, 2016
- Hearing:	August 9, 2016
- Work Session:	September 27, 2016
- Work Session:	November 16, 2016
- Work Session:	January 10, 2017

- Work Session:	January 24, 2017
- Work Session:	February 14, 2017
- Work Session:	February 28, 2017
- Work Session:	March 14, 2017
- Work Session:	April 11, 2017
- Work Session & Vote:	May 23, 2017

- **Recommended Draft.** On June 22, 2017, the Recommended Draft of CC2035 was released in preparation of City Council review of the plan. This draft of the plan was amended from the earlier Proposed Draft and presents the recommendation of the PSC to City Council.

City Council held public hearings and work sessions between August 2017 and May 2018. During these meetings, testimony was received on the Recommended Draft, amendments were proposed during deliberations, and additional hearings were held to receive testimony on Council proposed amendments before the Council voted on the final As Adopted Central City 2035 Plan. The Council held meetings for the plan on the following dates:

- Work Session:	August 15, 2017
- Hearing:	September 7, 2017
- Hearing:	September 14, 2017
- Hearing:	September 20, 2017
- Deliberation:	October 18, 2017
- Deliberation:	November 29, 2017
- Deliberation	December 6, 2017
- Hearing:	January 18, 2018
- Hearing:	March 7, 2018
- Hearing:	March 22, 2018
- Hearing:	April 4, 2018
- Deliberation:	April 11, 2018
- Deliberation & Initial Vote:	May 24, 2018
- Final Vote:	June 6, 2018

The events and outreach strategies summarized here, and detailed in Volume 6, Public Involvement of the Central City 2035 Plan demonstrate consistency with the requirements of Statewide Planning Goal 1.

As noted above, the process leading to the final Recommended Draft of Central City 2035 included the development of four initial concept plans (the CC2035 Concept Plan, North/Northeast, West, and South East Quadrant Plans) and included a detailed public engagement process that provided repeated and numerous opportunities for all interested parties to shape and influence the final recommended draft.

For instance, each of the four noted plans were initially developed with the assistance of a Stakeholder Advisory Committee (SAC), specifically developed for each plan area. These SAC's include a diverse membership, including representatives from under-represented communities who have been impacted by past planning decisions. SAC meetings were open to the public, and public comment periods were a part of each meeting.

In addition to the SAC's, open house events, meetings with neighborhood and business associations, and meetings with numerous interest-based organizations were held, to ensure all interested parties and organizations had a chance to learn about and provide input on the plan.

Further, the BPS website had pages dedicated to each plan effort, and tools such as a Map App page, and contact information for a Central City 2035 help line, each providing additional opportunities to learn about the plan effort, review back ground reports, meeting notes, and numerous ways to comment on the plan.

Once a SAC endorsed plan was created for the Concept Plan and all three quadrant plans, briefings were held with the Planning and Sustainability Commission (PSC), Design Commission, and Historic Landmarks Commission. These meetings were open to the public and PSC meetings were televised and available to review online. Then a public hearing on each plan was held with the PSC, who heard testimony and reviewed written testimony on each plan. These hearings were followed by a series of work sessions where the PSC revised the plan based on their and public input, and a formal PSC Recommended Draft was forwarded to the Portland City Council, where a similar series of briefings, hearings, and work sessions were held on each plan before Council adopted each after making amendments based in part on public testimony.

On June 12, 2015, the Portland Office of the Ombudsman received a complaint noting that West Quadrant Plan SAC members did not disclose conflicts of interest and asking that the SAC recommendations be invalidated. On October 21, 2015, the Ombudsman responded to this complaint by noting that the Oregon Government Ethics Commission makes a distinction between actual and potential conflicts of interest, stating:

*“An actual conflict of interest occurs when an action taken by the official would directly and specifically affect the financial interest of the official, the official’s relative or a business with which the official or a relative of the official is associated. A potential conflict of interest exists when an official takes action that could have a financial impact on that official, a relative or a business with which the official or the relative of the official is associated.”*

The Ombudsman found that SAC members did not face “actual” conflicts of interest, citing that the Oregon Government Ethics Commission, because “actual conflicts of interest cannot occur where an advisory committee makes non-binding recommendations (Advisory Opinion No. 07A-1001, page 3).” However, the Ombudsman indicated that SAC members could have faced a “potential” conflict, and although that “does not preclude anyone from being a member of the SAC or voting on a recommendation, the Ombudsman, prior to review of the CC2035 Plan by the PSC, recommended that BPS contact SAC members with a request to disclose any conflicts they may have had.

The public was then provided opportunities to discuss concerns and suggest amendments in front of both the PSC and Council in response to the potential conflict disclosures. Several members of the public took that opportunity.

The public engagement process conducted throughout the development of CC2035, provided numerous and repeated opportunities to address any input, concerns, or suggested amendments from all stakeholders of the plan.

The CC2035 Plan was appealed to the Oregon Land Use Board of Appeals (LUBA). LUBA issued a decision August 6, 2019 remanding Ordinance 189000 and upholding, in part, one assignment of error by Restore Oregon. LUBA concluded, a decision affirmed by the Oregon Court of Appeals, that:

*Remand is required for the city to adopt findings that are adequate to explain why the 200-foot height limit complies with PCP Policy 4.48. That decision must be supported by an adequate factual base.*

In response to the remand, the City is readopting CC2035 with additional findings and evidence, as requested by LUBA, that document how the proposed adjustments to maximum heights in the New Chinatown/Japantown Historic District comply with applicable goals and policies.

Due to the COVID-19 pandemic. Governor Brown has issued a series of executive orders that impact local governments. Notably, on March 8, 2020, Governor Brown issued Executive Order 20-03 declaring a state of emergency due to COVID-19. Later, on March 23, Governor Brown issued Executive Order 20-12 declaring that non-essential gatherings outside of the home or place of residence are prohibited immediately, regardless of size.

On April 15, Governor Brown issued Executive Order No. 20-16 due to the COVID-19 pandemic requiring local governments to conduct public meetings by telephone, video, or other electronic means whenever possible. In order to move forward with city operations, the directive laid out instructions to conduct business virtually during this time. The Bureau of Planning and Sustainability proceeded with public noticing to readopt the CC2035 Plan following the guidelines outlined in the order, providing ample time for public input and participation. The potential economic consequences of delaying the re-adoption of the CC 2035 Plan would delay proposed zone changes, increased FAR allowances, new use allowances' and development standards and bonuses, all of which are intended to facilitate new office, retail, housing development and increase job growth in the Central City in support of Comprehensive plan policies 6.5 Economic Resilience.

A public notice was sent on May 1, 2020 for a City Council public hearing on the re-adoption of CC2035 to: parties to the appeal; parties that requested notice of the final decision; parties that received notice of Council's initial hearing on CC2035; the City's legislative list; and, people on the CC2035 mailing list.

The record opened on May 1, 2020 and closed June 4, 2020 allowing ample time before and after the hearing for the public to review the re-adoption documents on the project website and submit testimony via the MapApp tool on the project website or by mail to the City Council Clerk. The Findings of Fact Report was made available to public on May 21, 2020, one week prior to the hearing.

On May 28, 2020, the Portland City Council held a virtual public hearing and received written testimony regarding the re-adoption of CC2035. The virtual public meeting was held using the Zoom platform. It was free to participants and it allowed them to provide testimony by phone or computer. Participants were given 2 minutes to testify. Participants could also watch the hearing on YouTube with closed caption accommodations.

At the May 28, 2020 hearing, 30 people testified and by the close of record on June 4, 2020, 147 written pieces of testimony had been received regarding the remand. Additional findings in response to the testimony can be found in the Comprehensive Plan, Community Involvement Goals 2A-G and numerous other policies throughout the report.

On July 2, 2020, City Council voted to approve these amended findings and to readopt the elements of the Central City 2035 Plan that were originally part of Ordinance 189000.

Therefore, the plan and this public engagement process are consistent with Goals 2.A – 2.G of the 2035 Comprehensive Plan.

2. **Goal 2, Land Use Planning.** To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Goal 2, as it applies to CC2035, requires the development of a process and policy framework that acts as a basis for all land use decisions and assures that decisions and actions are based on an understanding of the facts relevant to the decision. The amendments support this goal because CC2035 was developed consistent with State-wide Planning Goals, the Metro Urban Growth Management Functional Plan, and 2035 Comprehensive Plan, as detailed in this ordinance. Further, the Central City 2035 Concept Plan, created with a stakeholder committee and approved by the PSC and City Council, established an additional policy framework to guide the development of subsequent quadrant plans, and the Recommended Draft of CC2035.

The plan was also developed in consultation and in partnership with all applicable City of Portland bureaus, state agencies, such as the Oregon Department of Transportation, Department of Land Conservation and Development, and local agencies, such as TriMet, Metro, and Multnomah County. Lastly, two agencies, the Port of Portland, and Portland Public Schools, testified on different elements of the recommended amendments to the Zoning Code. Thus, CC2035 is consistent with the requirements of Statewide Planning Goal 2.

3. **Goal 5, Open Space, Scenic and Historic Areas, and Natural Resources.** To protect natural resources and conserve scenic and historic areas and open spaces.

#### Scenic Resources

- a) The plan includes an updated inventory of scenic resources in the Central City, which was developed based on the procedures and requirements for complying with Goal 5. The policies and development standards in the plan protect significant scenic resources identified in the adopted *Central City Scenic Resources Protection Plan*, Volume 3A, Part 1 and Part 3;
- b) The plan includes an economic, social, environmental and energy analysis (ESEE) for the scenic resources, Volume 3A, Part 2. The ESEE analysis was developed based on the procedures and requirements for complying with Goal 5. The ESEE includes identification of conflicting uses, determination of the impact area, analysis of the ESEE consequences of allowing, limiting, or prohibiting conflicting uses, and development of a program to protect and conserve specified resources identified in the inventory;
- c) Scenic resource (s) overlay zones have been applied to significant scenic resources and limit development and vegetation within views. The river overlay zoning regulations, found in 33.475, require that viewpoints associated with designated views be developed to provide public access to the scenic resource;
- d) Building heights in portions of the Central City, shown on Map 510-3 and 510-4, have been updated to preserve significant views of and across the Central City. Projections are prohibited above the height if in a scenic view corridor.

#### Historic Resources

Over the years, there have been regular additions and evolutions to how historic resources are conserved in the Central City Plan District. Several designated Historic and Conservation Landmarks and Districts were created – NW 13<sup>th</sup> Avenue, East Portland/Grand Avenue, Yamhill, Skidmore/Old Town, Halprin, and New Chinatown/Japantown Historic Districts and the Russell

Street Conservation Districts. Other historic districts were also established that are partially within the Central City, such as the Irvington and Alphabet Historic Districts.

Under CC2035, Historic Landmarks listed in the National Register of Historic Places and contributing buildings in Historic Districts will continue to be subject to discretionary Demolition Review. Also, development within all Historic and Conservation Landmark and District boundaries in the Central City will continue to be subject to discretionary Historic Resource Review. District-specific design guidelines have been adopted for most of the Historic Districts in the Central City, providing resource-specific Historic Resource Review approval criteria. This includes Skidmore/Old Town Design Guidelines adopted in 2016 and New Chinatown/Japantown Design Guidelines adopted in 2017, which were developed as an early deliverable of the CC2035 project.

Historic District design guidelines provide guidance to property owners, designers, architects, and developers related to the established urban fabric of the district as well as resource-specific Historic Resource Review approval criteria for alterations, additions, and new construction. These district-specific approval criteria conserve the specific architectural and cultural qualities that make the particular district significant.

The CC2035 Plan retains the design guidelines applicable to each district where they've been adopted. And, although the maximum heights have been adjusted in all or parts of four Central City Historic Districts, the design guidelines for each district will continue to serve as the Historic Resource Review approval criteria to determine if proposals for new development integrate with the established urban fabric of each district on a case by case basis. The City Council recognizes the Bureau of Planning and Sustainability memo, Historic Resource Review and Height Memo, dated June 3, 2020, as additional evidence supporting Historic Resource Review.

The CC2035 Plan also includes new incentives to encourage the preservation and rehabilitation of designated historic resources. Under CC2035, unused FAR on a site containing a Historic or Conservation Landmark or contributing resource in a Historic or Conservation District can be sold and transferred to another site in the Central City Plan District. This creates financial resources to support improvement of the historic building. An additional 3:1 FAR may be transferred if the historic building is seismically upgraded.

The CC2035 Plan generally maintains or reduces maximum height limits in Historic and Conservation Districts. This includes a reduction in the maximum height limit in all or part of four Historic Districts. The specifics of how this was applied varies by district in response to the historic, physical, economic, and planning context of the district.

In January 2017, the Land Conservation and Development Commission adopted a new State Administrative Rule (OAR 660-023-0200) implementing the historic resources provisions of Goal 5. This new Rule applies directly to resources listed in the National Register of Historic Places after January 2017. As of April 2020, the new rule would apply to only two individual resources in the Central City Plan District—Wheeldon Annex and Alco Apartments. The City is advancing a separate code project, the Historic Resources Code Project, to amend Chapter 33.445 to achieve consistency with the provisions of the new State Administrative Rule.

The findings for Comprehensive Plan policies 4.46-4.57 further describe programs for historic resources.

### Natural Resources

Per OAR 660-023-0240(2) Goal 15 supersedes the requirements of Goal 5 for natural resources also subject to and regulated under Goal 15. The only Goal 5 natural resources in the CC2035 Plan area are located within the Willamette Greenway and therefore are regulated by Goal 15.

### Open Spaces

See findings for Goal 8, Recreational Needs. Thus, CC2035 is consistent with the requirements of Statewide Goal 5.

4. **Goal 6, Air, Water, and Land Resource Quality.** To maintain and improve the quality of the air, water and land resources of the state.

Goal 6, Air, Water and Land Resource Quality, requires the maintenance and improvement of the quality of air, water, and land resources. The amendments are consistent with this goal because they:

- a) Maintain existing natural resource function by applying new River Environmental overlay zoning for identified natural resource areas in the Central City, including resources located on the land and in the water. The plan includes a natural resource inventory that identifies riparian and wildlife habitat resources and functional values, and special habitat areas. The environmental zoning will protect and conserve the identified resources by limiting development within natural resource areas, will encourage environmentally sensitive development, and will require mitigation when development has a detrimental impact on the functions and values;
- b) Clarify the City's regulations for the removal and remediation of hazardous substances. The clarifications will ensure that clean-up of hazardous substances in the Central City occurs in a way that meets City goals and policies including goals related to the conservation of existing natural resources, and the use of natural bank treatments in the final design of clean up actions;
- c) Existing regulations including City Zoning Title 10, Erosion Control, and the Stormwater Management Manual will remain in effect and are applicable to future development. These regulations will maintain and improve water quality;
- d) Reduce the maximum allowed parking ratios for most land uses and zones and prohibit new surface parking which improves air quality by encouraging less vehicle trips into the Central City;
- e) Improve air quality through identifying a public trail alignment for the Central City on the zoning maps, clarifying the Zoning Code regulations requiring development of the public trail, and identifying and prioritizing trail development capital improvement projects that the City should implement. The public trail alignment will connect the neighborhoods and work centers in the Central City to other parts of the city with a route that is safe and convenient and encourage energy efficiency using bicycles and walking as a transportation mode. Increasing the number of trips by bike or walking will reduce vehicle miles traveled and reduce air pollution;
- f) Require that new buildings larger than 20,000 square feet install an ecoroof. There was significant testimony provided in support of ecoroofs. City Council finds that ecoroofs are vegetated features that reduce heat island effects and filter the air, improving air quality.

City Council also finds that ecoroofs reduce energy consumption within the building, which reduces carbon dioxide emissions and improves air quality.

- g) Allow for increased building / landscaped setbacks in some part of the Central City, and new policies, actions, and development standards of the plan call for the expansion of tree canopy in the Central City, both of which will increase the amount of vegetation in the plan district which will help to improve air quality.
- h) Expand access of non-automotive and active transportation options, such as cycling, walking, transit, and the Green Loop, will help to reduce total miles traveled by car as well as single occupancy trips;
- i) Support the Broadway/Weidler (Rose Quarter) Interchange Project, Central Eastside Access and Circulation project, N River St Reconstruction, Yamhill & Water Traffic Improvements, I-405/Glisan Traffic Improvements, SW Broadway Traffic Improvements, and Southern Triangle Access Improvements. The Rose Quarter project was previously adopted by City Council; however, this project will improve air quality in the Central City by reducing idle times.

5. **Goal 7, Areas Subject to Natural Disasters and Hazards.** To protect people and property from natural hazards.

Goal 7, Areas Subject to Natural Hazards, requires the protection of life and property from natural hazards. The amendments are consistent with this goal because:

- a) City programs that are deemed in compliance with Title 3 requirements for flood management, and erosion and sediment control (i.e., Title 10 Erosion Control, and the balanced cut and fill requirements of Title 24), are unchanged;
- b) The Health and Environment Goal and related policies and actions provide for resilience to climate change impacts and natural hazards including flooding and earthquakes, through planning, design, education and implementation of green infrastructure and infrastructure retrofits;
- c) A new River Environmental overlay zone is applied to significant natural resource areas including areas subject to natural hazards such as steep slopes and portions of the floodplain. The overlay zoning will guide development away from these areas, thereby protecting public health and safety and property from natural disasters and hazards; and,
- d) Development that is not river-dependent or river-related is required to setback 50 feet from the top of bank of the Willamette River in the River General overlay zone. The setback will limit development within areas that are often subject to flooding thereby protecting people and property.

6. **Goal 8, Recreational Needs.** To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Goal 8, Recreational Needs, requires satisfaction of the recreational needs of both citizens and visitors to the State. The amendments are consistent with this goal by:

- a) The City's *Vision 2020 Plan* (2001) is a comprehensive long-range citywide assessment and plan of parks, recreation and open space land, facilities and services. It sets targets for land acquisition and services to be provided throughout the City including the Central City; and

considers existing and future population and corresponding recreational demands. The CC2035 Plan is consistent with and updates the *Vision 2020 Plan* for the Central City. The Housing and Neighborhoods and Willamette River goals, policies and related actions support meeting recreational needs in the Central City through establishing complete neighborhoods and a Willamette riverfront that provide park, recreation and open space opportunities. Specific actions include activities to develop a community center or neighborhood park, improve existing recreational facilities or make connections to recreational facilities like the Willamette Greenway Trail. Public-private partnerships are identified to develop recreational resources in the Central City;

- b) Retaining existing open space zoning in the Central Reach and allowing a limited amount of new retail development within Open Spaces in the Central City. Small retail, such as bike or kayak rentals, will enhance the recreational experience;
- c) Requiring developers who utilize a Central City Master Plan to include open space in development plans;
- d) Expanding a riverfront open space bonus option for more publicly accessible open space provided with new development/redevelopment;
- e) Identifying and facilitating the completion of the major public trail along the Willamette River (Greenway Trail), plus pedestrian paths connecting public rights-of-way to the trail. The trail will increase public access to and along the Willamette River and provide opportunities for active and passive recreation;
- f) Expanding the river setback to 50 feet from top of bank. The standard requires that non-water-dependent and non-water-related development in the River General overlay zone set back from the Willamette River. The setback will not apply to water-related or water-dependent uses (the City uses the term river-related and river-dependent and the definitions of those terms include the state definitions of water-related and water-dependent). Testimony was received that supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the purpose of the river setback is to reserve space for the conservation and enhancement of natural resources and to provide an opportunity for public access where appropriate;
- g) Designating viewpoints along the Willamette river and upland areas and allowing for maintenance of vegetation within the view corridors to protect visual access to the Willamette River and to surrounding natural features (e.g., Mt Hood). The river overlay zoning regulations, found in 33.475, require that viewpoints associated with designated views along the Willamette River be developed to provide public access to the scenic resource;
- h) Adding a new standard in the River Environmental overlay zone to allow up to four new floating structures (aka swimming platforms) within the Willamette River during the summer months;
- i) The proposed Green Loop will provide a new facility that is designed to provide active recreation, such as cycling, walking, and running, as well as passive recreation opportunities by provide seating and gathering places for people along the loop's alignment. Further, the loop is intended to provide a safe and direct path between the greenway and various parks in the Central City.

7. **Goal 9, Economic Development.** To provide adequate opportunities throughout the state for a variety of economic activities vital to health, welfare, and prosperity of Oregon’s citizens.

The recently adopted *2035 Comprehensive Plan* conducted extensive city-wide analysis, including the Central City Plan District, to demonstrate compliance with Goal 9. It should be noted that the intensification of industrial uses on industrial lands within the Central City, especially within the Central Eastside District, was an important part in meeting city-wide compliance with Goal 9, and Task V of *2035 Comprehensive Plan* made these changes to Central City Industrial Land prior to the adoption of CC2035. The findings below summarize the work relevant to CC2035 and add additional details specific to the Central City Plan District.

Summary:

Goal 9 requires cities to consider economic activities vital to the health, welfare, and prosperity of Oregon's citizens. Comprehensive plans for urban areas are required to include, among other things: an analysis of economic patterns, potentialities, strengths, and deficiencies; policies concerning economic development; and land use maps that provide for at least an adequate supply of sites for a variety of industrial and commercial uses.

Land needs for a variety of industrial and commercial uses are identified in the *Economic Opportunities Analysis* (EOA), which was adopted as Exhibits L1, L2, L3, and L4 with periodic review Task III (Ordinance 187831). How these needs are met is explained in the findings contained within Exhibit A of that ordinance.

A new *Comprehensive Plan Map* was adopted with periodic review Task IV (Exhibit C of Ordinance 187832). Exhibit A of Ordinance 187832 contains findings explaining how the various land use designations on the new *Comprehensive Plan Map* meet the categories of industrial and commercial uses identified as needed within the *Economic Opportunities Analysis*.

Changes to both the *Zoning Map* and *Zoning Code* resulting from the *2035 Comprehensive Plan* take initial steps to advance the goals of the plan.

- All zone changes were made to a base zone permitted by the new *Comprehensive Plan Map* as provided by Policies 10.1, 10.2, 10.3, and 10.4 of the *2035 Comprehensive Plan*, and as described in the “Corresponding and Allowed Zone” table, which is Figure 10-1 of the *2035 Comprehensive Plan*. These zone changes were adopted as Exhibit D-1 of Ordinance. The CC2035 zone changes will not go into effect until after the 2035 Comprehensive Plan goes into effect.
- The *Zoning Code* amendments adopted with Ordinance 188177, Chapters 33.130, 33.140, and 33.150 of the as-amended *Zoning Code*, each contain a table of various commercial, industrial, and institutional uses derived from the EOA, and each of these uses are identified as allowed, limited, conditional, or prohibited by the land use regulations within these chapters.

Supply of Industrial Employment Land

The question of employment land supply was addressed by the EOA adopted with periodic review Task III (Ordinance 187831) and acknowledged on April 25, 2017 and the land use designations on the *Comprehensive Plan Map* adopted with Task IV (Ordinance 187832). The purpose of Ordinance 188177 was to carry out the decisions made by the previous stages of periodic review, not to revisit them. This ordinance similarly does not seek to revisit the decisions of these prior ordinances but is

intended to put the final zoning proposals addressing Central City industrial and employment lands in place.

The acknowledged EOA analyzed adequate growth capacity for a diverse range of employment uses by distinguishing several geographies and analyzing growth capacity at each one. The relevant industrial geographies were Harbor and Airport, Harbor Access, Columbia East, Dispersed Employment, and Central City Industrial. Each of these industrial employment geographies represented a different mix of industrial and related employment sectors, building types, and densities. The EOA included a buildable land inventory and capacity analysis in each of the geographies. That capacity analysis specifically considered a range of site sizes, infrastructure and service deficiencies, and various other development constraints.

The EOA included a summary of how the new *Comprehensive Plan Map* provided at least a twenty-year growth capacity in these geographies (Exhibit L of Ordinance 187831 - Figure 2 of Volume 4). That table described the constrained supply of land, described how additional capacity could be made available through investments in infrastructure and brownfield cleanup (the “With Other Gains” column), and described the impact of an “Integrated Strategy”, which also accounted for anticipated additional environmental protections in the future. The conclusion was that on balance there was an adequate 20-year supply provided within the *Comprehensive Plan Map*.

Ordinance 188177 adopted *Zoning Map* amendments to begin implementing the recently adopted *Comprehensive Plan Map*, including changes to the IG1 zones of the Central Eastside District of the Central City, in advance of CC2035.

The tables below identify the how industrial lands within the Central City, and CC2035, contribute to meeting the requirements of Goal 9.

**Goal 9 – Table 1: Industrial Employment Demand and Supply Reconciliation**

<u>Employment Geography</u>	20-Year Land Demand (acres)	Land Supply (acres)			Short Term Land Demand (acres)	Surplus/ Deficit	
		Existing Comp Plan	2035 Comp Plan	With Other Gains	New Zoning		
Harbor and Airport	1013	774	900	1067	1011	659	+352
Harbor Access	192	113	136	167	144	82	+62
Columbia East	350	356	346	416	388	279	+109
Dispersed Emp.	130	121	146	146	369	109	+260
Central City Industrial	90	65	188	188	188 <sup>1</sup> +	75	+113

<sup>1</sup> In this geography, consistent with the EOA/BLI methodology used in Task II and IV, this figure includes both redevelopable and vacant land. In other geographies, the EOA/BLI assumes only vacant land as available supply. This was done because industrial employment uses often involve large outdoor storage and work areas, and formulas that are typically used to identify under-utilized land based on building coverage or improvement to land value ratios do not work well for those land uses. The 188-acre figure also includes the 123 acres of supply gained by expansion of the EOS zoning, as described in the EOA, Section IV, page 12.

Goal 9 – Table 2: Land Supply in Central City Industrial EOA Geography

	Occupied	BLI Redevelopment or Vacant	TOTAL
CENTRAL CITY INDUSTRIAL	422	65	487
CX	1	3	4
EG1	1	6	7
EX	135	40	175
IG1	266	15	281
IH	19	1	20

The supply in the Central City Industrial Geography (The Central Eastside Industrial District) is in-effect further increased by code changes made in the Central City Plan District to expand the Economic Opportunity Subarea (EOS) subarea to encompasses the broader district. This code change implements recommendations from Section 2/3 of the EOA, Chapter III (see Section 33.510.119.C of the Zoning Code), that change enables more intensive employment density in that district. Industrial Office uses are allowed in this expanded area, and Retail Sales and Service and Traditional Offices uses are limited. The changes are intended to provide a balanced approach that supports industrial retention and industrial office job growth.

The existing EOS area has been very successful at increasing employment densities, especially those in industrial office space, while retaining existing industrial operations. As described in the EOA, industrial office uses are limited primarily to information sector businesses, such as graphics and software. This zoning innovation helped accelerate job growth in the Central Eastside by reuse of underutilized second-floor space. The predominant industrial zoning in this geography has created an affordable environment for robust job growth by cost-conscious office tenants. Continued growth in this market appears to be reliant on hybrid zoning that retains industrial sanctuary cost levels while expanding development capacity of Class C office tenants. Expanding this allowance has the effect of allowing more intensive job density in the district because the types of industries that use an industrial flex format, rather than a traditional flex format, on average have much higher employment densities per square foot. Modeling estimated found that these allowances are equivalent to adding of 123 acres of industrial zoned land to the district.

#### Protection of Prime Industrial Lands

Statewide Planning Goal 9 is implemented by OAR Chapter 660, Division 9 (the Goal 9 Rule). In addition to requiring the identification and designation of an adequate supply of employment land, this rule has special provisions for the identification and protection of “prime” industrial land. The rule describes this type of land as possessing site characteristics that are difficult or impossible to replicate in the planning area or region, particularly lands having access to transportation and freight infrastructure “including, but not limited to, rail, marine ports and airports, multimodal freight or transshipment facilities, and major transportation routes.”

Subsection (8) requires the City to adopt zoning map amendments and land use regulations to identify and protect prime industrial land. The City has responded to these mandates by amending

the Official City Zoning Map to add an “I” (this is a lower case “L”) overlay zone, titled the “Prime Industrial Overlay” (Exhibit D-2). This overlay maps prime industrial land, and the regulations associated with the overlay prohibit the re-designation of prime industrial land to any other use through any quasi-judicial procedure, and reduces the number of non-industrial uses allowed in the overlay. These reductions are in addition to already stringent use restrictions associated with the also-applicable industrial base zones. The Central City Plan District contains lands with this designation in the Lower Albina District.

The I overlay and its associated land use regulations meet the requirements of the Goal 9 Rule for prime industrial land.

Adequate Supply of Commercial Land

Most the Central City is zoned as either Central Commercial (CX) or Central Employment (EX). Both zones allow for commercial uses, as is identified in the table below:

Use Categories	EX	CX
<b>Commercial Categories</b>		
Retail Sales and Service	Y	Y
Office	Y	Y
Quick Vehicle Servicing	N	N
Vehicle Repair	Y	L
Commercial Parking	CU	CU
Self-Service Storage	L	L
Commercial Outdoor Recreation	Y	Y
Major Event Entertainment	CU	Y

Y = Yes, Allowed

CU = Conditional Use Review Required (see Zoning Code for applicable conditions)

L = Allowed, But Special Limitations (see Zoning Code for limitations)

N = No, Prohibited

These zones combined with the relatively high floor area ratios set for the Central City provide for the highest density of commercial uses in Portland, as well as the State of Oregon. Thus, the amendments made to the IG1 zone, Central City Industrial Lands, and the continued allowances for higher density employment, commercial, and industrial zoned lands assure CC2035 is consistent with Statewide Planning Goal 9.

**8. Goal 10, Housing.** To provide for the housing needs of citizens of the state.

The recently adopted *2035 Comprehensive Plan* conducted city-wide analysis, including the Central City Plan District, to demonstrate compliance with Goal 10. The findings below summarize the work relevant to CC2035 and add additional details specific to the Central City Plan District.

Summary:

Goal 10 specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Goal 10 and its implementing administrative rules contain the following specific requirements:

1. Identify future housing needs by amount, type, tenure and affordability;
2. Maintain a residential *Buildable Lands Inventory* (BLI) with sufficient land to meet identified needs;
3. Adopt land use maps, public facility plans and policies to accommodate needed housing (housing capacity, as well as type, tenure and affordability);
4. Meet minimum density and housing mix requirements (including the Metropolitan Housing Rule); and
5. Adopt clear and objective standards for needed housing.

The findings below respond to these five requirements.

#### Identification of Needed Housing and Adoption of a BLI

The City satisfactorily completed the first two requirements of Goal 10 with its Task II periodic review submittal adopted by Ordinance 185657, and as updated and revised with Ordinance 187831 (Exhibits F and G of that ordinance) and acknowledged on April 25, 2017. The housing needs analysis adopted with these ordinances provided a specific estimate of the types of households (by size and income) likely to be in Portland by 2035, and provided additional facts describing housing need by type, tenure and affordability. The BLI identified the supply of land available to provide this needed housing. The first two parts of Goal 10 have been met for the reasons stated in findings prepared with those ordinances, which also pertained to the housing strategies for the Central City Plan District, as presented in CC2035.

#### Accommodation of Needed Housing

Ordinance 187832 addressed the third and fourth of these requirements by adopting a new *Comprehensive Plan Map* and new housing policies. In conjunction with the adoption of that ordinance the City documented that the new land use map and policies provide for needed housing. The findings below will review the relevant facts again, this time through the lens of the *Zoning Map* and regulations being adopted with this ordinance. The findings below address Goal 10 requirements that the *Zoning Map* and associated regulations accommodate 20-years of forecast growth at urban densities and provide the opportunity for a variety of housing types and tenures, with a variety of affordability levels. Several aspects of the Metropolitan Housing Rule are addressed directly.

First overall housing capacity is considered.

With Ordinance 187831 the City adopted a revised inventory of vacant and underutilized land (Exhibits F and G of Ordinance 187831). Using this revised inventory of land, and the same GIS methods acknowledged with LCDC Order No. 001850, the City estimated that the 2035 *Comprehensive Plan Map* provides a capacity of 247,000 additional units,<sup>2</sup> still well beyond the estimated need. Using the revised inventory of land adopted with Ordinance 187831, and the same GIS methods acknowledged with LCDC Order No. 001850, the City estimates that the *Zoning Map* provides a capacity of 201,000 additional units,<sup>3</sup> still well beyond the estimated need (123,000 units).

<sup>2</sup> Buildable Lands Inventory and Growth Allocation GIS Model (model run 5/24/16)

<sup>3</sup> Buildable Lands Inventory and Growth Allocation GIS Model (model run 9/07/16).

As for CC2035, the BLI found that the existing zoning in the Central City can provide capacity to meet the housing projections for the year 2035. However, the plan results in the rezoning of former employment land in the Central Eastside to a mixed-use land (EX) that has produced thousands of units in the Pearl and elsewhere in the Central Eastside. The plan also proposes rezoning Central Residential (RX) zoned land to Central Commercial (CX) which has produced far more housing than the RX zone over the last 25 years. Analysis demonstrated that these amendments will be sufficient to allow approximately 39,500 units to be developed through the life of the plan. Thus, both with the *Comprehensive Plan Map* and *Zoning Map*, this ordinance is consistent with the Goal 10 requirement to accommodate needed housing.

Second, allowed density is considered.

The Metropolitan Housing Rule (OAR 660-007-0035) states that cities “***must provide for an overall density of ten or more dwelling units per net buildable acre***”. This applies to land within the Urban Growth Boundary.<sup>4</sup> Buildable is defined to include vacant and re-developable land, excluding land constrained by natural hazards, steep slopes, or land subject to natural resource protection measures.

In practice, most residential development in Portland occurs on land designated for mixed use development. This is particularly true within the Central City Plan District. The rule also allows consideration of mixed-use areas as “residentially-designated” (OAR 660-07-0018 (1)). The findings on Title 1, Housing Capacity, found in the “Findings on Metro Urban Growth Management Functional Plan” demonstrate how mixed-use zones in the Central City produced more housing per acre than high-density residential zones have over the last 25-years. This analysis served as a basis for CC2035 amending the base zone of RX to CX in various location in the Central City.

The Metropolitan Housing Rule applies only to new construction on vacant and re-developable land. Including mixed use zoning, and residential zoning, the Buildable Lands Inventory contains about 9,888 acres of residentially-zoned vacant and re-developable land.

Regarding the Central City Plan District, this analysis found that the plan area contained 21,800 households in 2010, and the capability of producing an additional 32,773 units with the applied Comprehensive Plan and Zoning Map designations. Further, the total acreage of residential and mixed-use residential zoned land, as well as development bonuses for commercial and residential development that support the creation of affordable housing units, are projected to result in the development of 39,500 affordable and market rate units between 2015 – 2035.

For New Chinatown/Japantown Historic District, the housing potential remains the same even with changes to maximum building height. The maximum floor area limits remain the same; and the maximum FAR can be reached on all sites even those with reduced height maximums.

On the one site in the New Chinatown/Japantown Historic District with increased height maximums, the FAR is increased from 6:1 to 9:1 with the additional requirement to build housing above the ground floor on ½ of the block. This change increases the likelihood of housing development on the site, which is a prime site for housing, per Comprehensive Plan policies including 5.23 (higher- density housing) and 9.27 (transit service to centers and corridors) because it is adjacent to the neighborhood light rail transit station on the Central City transit mall. As explained in detail later in these findings, the maximum height limit for this block of 125 feet (east

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<sup>4</sup> Because Portland was incorporated before the creation of the UGB, there is a small area (about 440 acres) of residentially-zoned land in Portland that is outside the UGB, which is zoned for rural farm and forest uses with a 20-acre minimum lot size. This land has been excluded from the analysis of this section.

half of block) and 200 feet (west half of block) allow for full utilization of its FAR within the established urban fabric of the district and the approval criteria included in the New Chinatown/Japantown Historic District Design Guidelines.

#### Clear and Objective Standards

ORS 197.307(4) requires that jurisdictions “may apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable lands” ...and these provisions...” may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.” However, ORS 197.307(5) states that proposals for residential development “in a formal adopted central city plan, or regional center as defined by Metro, in a city with a population of 500,000 or more.” Therefore, the Central City Plan District and CC2035 are exempt from the requirements of ORS 197.307(4).

#### Goal 10 Conclusions

For the reasons stated above, CC2035 meets the applicable requirements of Goal 10. The 2035 *Comprehensive Plan Map* and *Zoning Map* provide a City supply of residential land that is sufficient to meet identified housing needs within the meaning of ORS 197.307(3), Goal 10 and OAR Chapter 660, Division 7. The *Zoning Map* provides a variety for allowed densities. Thus, CC2035 is expected to contribute to a city-wide housing mix that is more diverse than it is today.

9. **Goal 11, Public Facilities and Services.** To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

As part of the development of the 2035 *Comprehensive Plan*, Ordinance 187831, *Citywide Systems Plan*, was adopted. The plan, that also addressed the CC2035 plan area, ensures that CC2035 is consistent with the requirements of Statewide Planning Goal 11.

10. **Goal 12, Transportation.** To provide and encourage a safe, convenient and economic transportation system.

The Oregon Transportation Planning Rule (TPR) was adopted in 1991 and amended in 1996 and 2005 to implement State Goal 12. The TPR requires certain findings if the proposed [Comprehensive Plan Map amendment, Zone Change, regulation] will significantly affect an existing or planned transportation facility.

Section 660-012-0045 of the TPR requires local governments to adopt land use regulations that designate “types and densities of land uses adequate to support transit” and those that “reduce reliance on the automobile and allow transit-oriented developments on land along transit routes.” These amendments support these requirements because the proposed changes

Section 660-012-0060(1) of the TPR requires “amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation that would significantly affect an existing or planned transportation facility,” to ensure that allowed land uses are consistent with the identified function, capacity and performance standards of the affected facility. This requirement can be met by “adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.” These amendments support these requirements in the following manner:

- A. (1)(c). Significant transportation demand management, as defined in this rule, are present in the Central City 2035 Plan, including a rewrite of parking and transportation demand management policies and new zoning code regulations that significantly limit new parking

allowed to be built in the Central City. These changes eliminate the significant effect of the amendment by reducing auto trips because of the plan to below the number of trips in the "base case", which is the model run for the 2016 adopted Comprehensive Plan.

- B. (8)(a)(B). MMA's are required to be designated as a "central city, regional center, town center or main street in the Portland Metropolitan 2040 Regional Growth Concept." The Central City is designated under the Metro 2040 Regional Growth Concept as its own category, "central city", thus qualifying as part of this rules as a "mixed use, pedestrian-friendly center or neighborhood".
- C. (8)(b)(A). An MMA is required to "allow a concentration of a variety of uses." The Central City Plan district is largely designated as Central Commercial (CX) and Central Employment (EX). These two base zones allow for high density development that allows for commercial office, institutions, residential, and retail uses. Further, even the industrial portions of the plan district allow for high density employment uses. Thus, this MMA requirement is met.
- D. (8)(b)(C). To qualify as an MMA's the Central City Plan District should allow for "a commercial core area with multi-story buildings." Most the Central City is, or has major corridors, designated as Central Commercial (CX) and Central Employment (EX). These two base zones allow for high density development that allows for commercial office, institutions, residential, and retail uses. Thus, this MMA requirement is met.
- E. (10) (a)(A). The MMA Rule (OAR 660-12-0060(10) notes that a proposed amendment qualifies to be an MMA if the amendment is: "a map or text amendment affecting only land entirely within" a MMA; is consistent with the definition of an MMA; is entirely within an urban growth boundary with adopted plans and development regulations; in an area that does not require off-street parking; and, located in one or more of specific ODOT classifications regarding intersections and interchanges. The Central City qualifies as a Multimodal Mixed-use Area under this section of 060, and meets the definition stated in (10) (b) (A through E) as noted below:
  - 1) (10) (a)(A): Page 36 of Volume 2B contains a map of the MMA boundary
  - 2) (10) (a)(B): The study area is consistent with the definition of an MMA.
  - 3) (10) (b) (A:) MMA boundary provided in Volume 2B
  - 4) (10) (b)(B) MMA is located within the region's UGB.
  - 5) (10) (b)(D): Within an MMA "buildings and building entrances" are required "to be oriented to streets." The development standard of the Central City Plan District requires that buildings be oriented toward streets and contain main entrances and active ground floor uses to support a pedestrian and transit oriented public realm. Thus, this MMA requirement is met.
  - 6) (10) (b)(E)(i): There are several interchanges within one-quarter mile, including I-5, HWY 26, HWY 30, I-205 and I-84.
  - 7) (10) (b)(E)(iii): Within one-quarter mile of facilities owned by ODOT. The City has a letter of concurrency from ODOT for the Central City to designated as an MMA, found in Vol 2B, p38.
- F. (10) (c). Section (10) (c) of the MMA Rule required consideration of various safety factors. In response to this, regarding the Central City, there are several mainline facilities owned

by the Oregon Department of Transportation (ODOT) within and near, as defined in this rule, the study area. The City of Portland has worked with ODOT to designate the Central City as an MMA area. As such, analysis to address (10) (c) (A) has been conducted and the City and ODOT have addressed effects via an agreement (p 33-35) to manage interchanges in the future. The agreement is found in Volume 2B, along with TSP projects and studies (pp13-29) that improve safety for interchanges ringing the Central City, and an ODOT letter on p38 that provides written concurrence for the Central City to become an MMA.

- G. (10) (d) and (e). The MMA Rule states that “a local government may designate an MMA by adopting an amendment to the comprehensive plan or land use regulations to delineate the boundary following an existing zone, multiple zones, an urban renewal area, or other exiting boundary.” The Central City 2035 Plan (pp 36-7) as well as the City's Comprehensive Plan include language designating the Central City as an MMA by adopting an amendment to the City's Comprehensive Plan, including establishing a new boundary.
- H. (10) Under 660-012-0005 "Definitions" under "demand management" it lists "actions which are designed to change travel behavior to improve performance of transportation facilities and to reduce need for additional road capacity. Methods may include, but are not limited to, the use of alternative modes, ride-sharing and vanpool programs, trip-reductions ordinances, shifting to off-peak periods, and reduced or paid parking." The Central City 2035 contains a multitude of policies (pp.2-5), actions (in the form of TSP projects and studies (pp 13-29), and regulations (see parking regulations in Volume 2A pp.223-253). These address other transportation performance standards or policies that apply to safety for all modes, network connectivity for all modes and accessibility for freight vehicles of a size and frequency required by the development.

11. **Goal 13, Energy Conservation.** To conserve energy.

Goal 13 requires that land use plans contribute to energy conservation. The *Growth Scenario Report* adopted with periodic review Task IV of the *2035 Comprehensive Plan* (Ordinance 187831) contains information about how energy conservation was considered in the development of the comprehensive plan. The CC2035 plan includes zoning amendments that require new development to pursue certification from a low carbon building program, such as Leadership in Energy and Environmental Design (LEED), and an effort to create an urban form that reduced energy usage. This and other green building development standards, as well as new multimodal transportation elements of the plan intended to reduce single occupancy vehicle trips (SOV), and reduced parking ratios each contribute to creating and Central City consistent with Statewide Planning Goal 13.

12. **Goal 14, Urbanization.** To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Statewide Planning Goal 14, Urbanization, has several purposes, including:

- Providing orderly and efficient transitions from rural to urban land uses;
- Accommodating urban population and urban employment inside urban growth boundaries;
- Ensuring efficient use of land; and
- Providing for livable communities.

Goal 14 and its administrative rule assign most of these functions to Metro rather than the City. The City's role is limited to accepting the share of regional household and employment growth allocated by Metro and demonstrating that this growth can be accommodated in an orderly and efficient

manner that preserves and enhances livability. The template for this desired development pattern is the *Region 2040 Growth Concept*, which is carried out by Metro's *Urban Growth Management Functional Plan* (UGMFP). The growth concept emphasizes development within designated centers and corridors.

The Goal 2 analysis performed for the *Growth Scenarios Report* adopted by periodic review Task III (Ordinance 187831) provided substantial evidence that the spatial development pattern of urban jobs and housing allowed by the *2035 Comprehensive Plan Map* is compatible with the *Region 2040 Growth Concept*, ensures efficient use of urban land through infill and redevelopment opportunities, and will provide for more complete and livable communities.

CC2035 is consistent with the *2035 Comprehensive Plan* as the plan continues to manage the Central City Plan District as a high-density center intended for residential and employment growth in a manner consistent with the *2035 Comprehensive Plan* and Statewide Planning Goal 14.

13. **Goal 15, Willamette River Greenway.** To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

Goal 15, Willamette River Greenway, requires the protection, conservation, enhancement, and maintenance of the natural, scenic, historic, agricultural, economic, and recreational qualities of land along the Willamette River. The City's Willamette Greenway Plan was first adopted in October 1979 (Ordinance 148537). The Willamette Greenway Plan was acknowledged by reference when the Oregon Land Conservation and Development Commission (LCD) acknowledged Portland's Comprehensive Plan in May 1981. The Willamette Greenway Plan was updated in November 1987 (Ordinance 160237) and acknowledged by LCD as a post-acknowledgement plan amendment. The Central City 2035 Plan is a further update of the Willamette Greenway Plan for the area within the Central Reach boundary (Central City). The amendments are consistent with this goal because:

- A. The CC2035 Plan's Willamette River goals, policies and actions protect, conserve, enhance and maintain the natural, scenic, historical, economic and recreational qualities of land along the Willamette River in the Central Reach. Policies and actions promote the multifunctional river/riverfront that provides safe and enjoyable recreation, a prosperous and vibrant riverfront, supports river transportation, improves watershed health and native species recovery, encourages context-sensitive riverfront development and promotes improvements and activities that strengthen the physical, visual, and historic/cultural connections of the river to the rest of the Central City.
- B. Inventories: The *Willamette River Greenway Inventory* was completed in October 2014 and acknowledged by LCD in 2014. The inventory includes existing conditions information on agricultural lands, aggregate excavation and processing, public recreation and access, recreational needs, timber resources, industrial uses, commercial uses, residential uses, significant natural areas and vegetative cover, fish and wildlife habitat, hydrologic conditions, ecologically fragile areas, acquisition area, scenic area, and historic and archaeological sites.

Inventories of natural resource and scenic resources have been updated as part of Central City 2035. The *Willamette River Natural Resources Protection Plan* (June 12, 2017) includes information about the location, quantity and quality of identified natural resources for the Central Reach and for specified inventory sites. The *Central City Scenic Resources Protection Plan* (June 12, 2017) includes information about views and viewpoints, view streets, scenic corridors, scenic sites and visual focal points.

- C. Boundaries: There are no proposed amendments to the Willamette River Greenway boundaries in the Central Reach, which are shown on the City’s zoning maps. The boundary’s extent is land and river area designated with the River General overlay zone and the River Environmental overlay zone. The zoning ordinance also refers to the boundaries of the Willamette River Greenway and is the area that must be consistent with and implement the purpose and intent of Statewide Planning Goal 15. The Greenway boundary in the Central Reach includes all lands within 150 feet of the ordinary low water line on each side of the channel of the river in the Central Reach, and the total area within the boundary does not exceed, on average, 320 acres per river mile.
- D. Uses: Uses within the Willamette River Greenway in the Central Reach are managed as follows:
- 1) There are no agricultural lands within the Greenway in the Central Reach, therefore there is no exclusive farm zoning;
  - 2) There are no timber resources or no known aggregate deposits within the Greenway in the Central Reach;
  - 3) Open space areas continue to have Open Space (OS) zoning applied at these locations. Additionally, an expanded riverfront open space bonus provides opportunities for more publicly accessible open space within the Greenway. Another open space use allowance in the Zoning Code allows a limited amount of retail structures in the OS zone outside of the river setback to support riverfront recreation and enjoyment, such as bike or kayak rentals and cafes.
  - 4) The River General overlay zone will continue to include the river setback standard that requires all non-water-dependent and non-water-related development to be set back from the Willamette River. The setback is increasing from 25 feet to 50 feet from the top of bank of the river. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because a wider setback is needed to meet the purpose of the river setback to preserve space for the conservation and enhancement of natural resources and to provide the opportunity for public access and appreciation, where appropriate. The setback will not apply to water-related or water-dependent uses (the City uses the term river-related and river-dependent and the definitions of those terms include the state definitions of water-related and water-dependent), and non-conforming development can continue to locate within the greenway setback but cannot expand further into the river setback;
  - 5) Significant fish and wildlife habitats have been identified in the *Willamette River Central Reach Natural Resource Protection Plan* (NRPP). The NRPP includes:
    - An updated inventory with information about the location, quantity and quality of identified natural resources for the Central Reach and for specified inventory sites;
    - An evaluation of alternatives and recommendations for protecting significant natural resources. The evaluation includes identification of conflicting uses, analysis of the consequences of allowing, limiting, or prohibiting conflicting uses, and development of a program to protect and conserve specified resources identified in the inventory; and
    - Updates to the River General overlay zone include an increase in the width of the river setback to limit the impacts of development on natural resources;

- Application of a new River Environmental overlay zone to significant natural resources. The zoning regulations will limit or strictly limit development within the significant resource areas including rivers, streams, wetlands, flood areas and riparian vegetation. The regulations will encourage environmentally sensitive development that has fewer impacts on natural resource function than traditional development and will require mitigation for unavoidable adverse impacts on significant natural resources.
  - Goals, policies and actions in the plan provide guidance and specific actions for protection and enhancement of significant fish and wildlife habitat resources.
- 6) Areas subject to flooding and erosion are included within the River Environmental overlay zone, and/or the areas are subject to the City's balanced cut and fill requirements;
  - 7) Recreational needs have been identified, and zoning use allowances that require water-dependent recreational uses in certain locations have been maintained in the Central Reach. Public access opportunities will be provided through maintenance of the existing major public trail and development of connecting trail segments, as well as development of public viewpoints, in the Central Reach. The amendments identify and facilitate development of the trail and viewpoints which will provide public access to and along the Willamette River. Action items identify specific plans, park and open space and operational improvements to activate and improve the greenway area and connections to it, for in-water and on-land recreation;
  - 8) Protection and safety along the Willamette River greenway area is addressed through zoning standards and design guidelines that address building orientation to the river, ground floor windows and pedestrian access and connections to the greenway trail, activating the riverfront through recreational improvements and a limited amount of retail near riverfront will bring more "eyes on the riverfront", along with actions that support programs that increase safety including safety improvements through building and site design;
  - 9) The vegetative fringe along the Willamette River in the Central Reach will be protected and enhanced in the following ways by application of the River Environmental overlay to conserve and enhance natural vegetation and require a minimum amount of landscaping to be planted on all sites in the Central Reach. The purpose of the landscaping standard is to enhance the natural qualities of lands along the Willamette River in the Central Reach and will result in an increase in the quality, quantity and diversity of vegetation; and
  - 10) The regulations for removal and remediation of hazardous substances have been clarified, and they will encourage the use of biotechnical techniques for bank stabilization, and the planting of native vegetation on the riverbank.
- E. **Greenway Compatibility Review:** Intensifications and changes of use or development within the Central Reach Greenway boundary will be reviewed for compatibility with the Willamette River Greenway regulations established in the CC2035 Plan including compliance with River General and River Environmental overlay zone requirements, public trail development standards and other applicable regulations and design guidelines. In most cases, intensifications and changes of use or development will trigger a discretionary land use review with public hearings through a Type III Design review process. If certain Central Reach greenway regulations cannot be met, a Type II administrative River Review process may be required, with some public notice.

The development standards associated with the River General and River Environmental overlay zones in the Central Reach have been written to provide a landscaped riparian area, open space, or vegetation between the development and the river, and to provide necessary public access to and along the river. The standards are also compatible with the Greenway statutes. The Central Reach is primarily zoned for commercial mixed-use zoning that allows housing and open space zoning along with some mixed-use employment zoning. Most the riverfront is preserved for water-dependent and water-related uses. Development standards include:

- a) Greenway setback. OAR 660-015-0005.C.3(k) states that “A setback line will be established to keep structures separate from the river to protect, maintain, preserve and enhance the natural, scenic, historic and recreational qualities of the Willamette River Greenway, as identified in Greenway Inventories. The setback line shall not apply to water-related or water-dependent uses.” OAR 660-015-0005.C.3(j) states that “Developments shall be directed away from the river to the greatest possible degree; provided, however lands committed to urban uses within the Greenway shall be permitted to continue as urban uses...” Consistent with these requirements, zoning code 33.475.210, River Setback, requires that non-water-dependent and non-water-related development in the River General overlay zone be set back 50 feet from the top of bank of the Willamette River unless the development is a Historic or Conservation landmark, is approved through a Greenway Goal Exception or meets the Encroachment into the setback standards. This is an expansion of the current setback which is 25 feet from top of bank, Zoning Code 33.440.210. Testimony was received that both supported and opposed the expanded setback. City Council finds that to reserve space for the conservation and enhancement of natural resources and to provide an opportunity for public access where appropriate, expanding the setback is needed. The setback will not apply to water-related or water-dependent uses (the City uses the term river-related and river-dependent and the definitions of those terms include the state definitions of water-related and water-dependent).
- b) The definition of top of bank, which is the feature from which the setback is measured, is being updated to clarify that the top of bank is the first decrease in the slope of the incline that is greater than ten percent. A new measurement section is added to 33.930 providing direction to applicants when identifying the top of bank. The updated definition and addition of measurements in the zoning code ensure that the code is applied consistently and accurately to all riverfront properties. Testimony was received that supported the clarified definition and measurements and testimony was received that opposed the application of the measurements to the Willamette River North Reach. City Council finds that the definition of top of bank is a technical measurement and the clarifications are appropriate for all waterbodies in Portland. City Council also finds that the new measurements section, 33.930, provides the adequate direction regarding how to measure top of bank under and around structures and that the measurements are appropriate for all waterbodies in Portland. Specifically, top of bank should be measured from the ground surface underlying structures such as docks, wharves or bridges;
- c) Minimum vegetated area. A natural vegetative fringe along the Willamette River shall be enhanced and protected to the maximum extent practicable in accordance with OAR 660-015-0005.C.3(g). The planting or maintaining of vegetation will be required on all sites with river frontage in the Central Reach. The landscaping standard requires a mix of vegetation types and densities including trees, shrubs and ground cover. The purpose of the

landscaping standard is to enhance the natural qualities of lands along the Willamette River in the Central Reach, and application of the standard will result in an increase in the quality, quantity and destiny of vegetation within the greenway and improve the visual diversity along major public trails;

- d) Public access to and along the river. Intensification projects and changes of use or development must comply with the zoning code and the Central City Fundamental Design Guidelines (for most cases). Base zone and other development standards within the zoning code and design guidelines address public access and pedestrian connections to the riverfront and the major public trails are addressed. This is consistent with OAR 660-015-0005.C.3(b) and (c) which requires that local, regional and state recreational needs and adequate public access to the river be provided for, with emphasis on urban area. I;
- e) Major public trails. The public trail standards require that a trail easement be dedicated and possibly developed when the impacts of the new development are roughly proportional to the impacts on the adjacent trail system. The requirement for a trail easement dedication is consistent with OAR 660-015-0005.C.3(b) and (c). Council finds the requirement of rough proportionality is consistent with established case law and creates a standardized approach and methodology;
- f) River Environmental overlay zone development standards. OAR 660-015-0005.C.3(d) states that “significant fish and wildlife habitats shall be protected.” OAR 660-015-0005.C.3(f) states “the natural vegetation fringe along the River shall be enhanced and protected to the maximum extent possible.” Consistent with these requirements, the River Environmental overlay zone will apply to significant natural resources in the Central Reach. The overlay zone will apply to the Willamette River and to areas along the riverbank adjacent to the river that have medium or high ranked resources. Intensifications and changes of use or development will trigger compliance with standards aimed at maintaining the natural qualities of the Willamette River and riparian area by encouraging sensitive development, providing clear limitations on disturbance, and maintaining existing vegetation. The standards limit the amount of disturbance allowed in the overlay zone and require mitigation in form of replanting within or adjacent to the overlay zone.
- g) When intensifications and changes of use or development cannot meet the River Environmental overlay zone development standards, a discretionary land use review is required. As with the development standards described above, the discretionary approval criteria are aimed at maintaining as much of the natural quality of the Willamette River Greenway as practicable. The criteria require that alternative locations and construction methods that have fewer detrimental impacts on the resource area be evaluated, and that the most practicable alternative that has the least amount of significant impact be chosen. The criteria also require that any loss of resource area is mitigated by in-kind replacement of the lost functional values. The criteria will result in the maximum possible landscaping, vegetation or open space between the use and the river within the context of allowing water-dependent and water-related uses and continuing to allow urban uses. The City’s discretionary review procedures require that adjacent property owners and any individual or group requesting notification be notified of the proposal, allow for the possibility of a public hearing where any interested party can testify, and allow the imposition of conditions on the permit to carry out the purpose and intent of the review.
- h) Removal and remediation of hazardous substances. The regulations that apply to the removal and remediation of hazardous substances encourage the use of biotechnical

techniques for bank stabilization, and the planting of native vegetation on the river bank; and,

- i) The Oregon Department of Land Conservation and Development was notified of the Central City 2035 Plan and the plan has been the subject of more than one public hearing. Based on the findings in this subparagraph (Greenway Compatibility Review), the amendments are consistent with OAR 660-015-005.F.3.a-f.

## Findings on Metro Urban Growth Management Functional Plan

14. **Title 1, Housing Capacity.** The Regional Framework Plan calls for a compact urban form and a “fair-share” approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity except as provided in section 3.07.120.

This element of the regional plan limits down-zoning in the Central City and other 2040 places – specifically Regional Centers, Town Centers, 2040 Corridors, Station Communities, and 2040 Main Streets. There is a limited set of circumstances when down-zoning within these 2040-defined places may occur, including changes to address Title 4 (Industrial and Other Employment Areas), to add medical or educational facilities, and to protect natural resources.

For purposes of this title, Metro measures “minimum zoned capacity.” The title is clear that individual parcels may be down-zoned, provided the impact on the citywide minimum zoned capacity is negligible.

**Method of Analysis:** To evaluate compliance with Title 1, GIS analysis was performed to calculate the total acreage of rezoning from a “residential” base zone designation to another base zone that does not have a minimum zoned residential capacity. The total acreage of overlays applied to mixed-use zoning in the Central City was also calculated to determine the minimum housing projected within these overlays. Lastly, an analysis was conducted identifying the housing production within all the base zones applied to the Central City between 1990 and 2016, and analysis of production per acre of zone was conducted to compare housing production in zones with and without a minimum zoned residential capacity.

**Proposed Zoning Map Amendments.** CC2035 proposes a modest amount of amendments to the Zoning Map. With regards to Title 1 compliance, the plan proposes to rezone 41.4 acres of land zoned as Central Residential (RX) to Central Commercial (CX). The RX zone is highest density multi-family residential zone applied within the City of Portland and applied to the Central Residential Comprehensive Plan Map designation, described as follows by the 2035 Comprehensive Plan.

*Central Residential. This designation allows the highest density and most intensely developed multi-dwelling structures. Limited commercial uses are also allowed as part of new development. The designation is intended for the Central City and Gateway Regional Center where urban public services are available or planned including access to high-capacity transit, very frequent bus service, or streetcar service. Development will generally be oriented to pedestrians. Maximum density is based on a floor area ratio, not on a units-per-square-foot basis. Densities allowed exceed 100 units per acre. The corresponding zone is RX. This designation is generally accompanied by a design overlay zone.*

The rezoning from RX to CX will occur in the Goose Hollow, West End, and University/South Downtown Districts. However, the basis for this rezoning is in part to stimulate residential mixed-use development in areas where residential development has been slow to respond to the RX zone. An analysis of housing production between 1990 (the year the zoning implementing the 1988 Central City Plan became effective) and 2016 found that more housing has been created in the portions of the Central City zoned CX (62 projects containing 10,431 units) but that the density per project (most located on sites of an acre or less) is 168.24 units (see Table 1). In comparison, the RX zone over the same period produced 30 projects containing only 3,986 units, for an average density of 132.9 units per project.

It should be noted that 15.7 acres of RH (High Density Residential) land will also be rezoned to CX as part of CC2035 for the same reasons a cited for the RX rezones based on the analysis shown in Table 1.

**Table 1 - Housing Totals:** Total number of housing units by year and base zone since adoption of 1988 Central City Plan and implementing base zones.

Year Approved	CX Zone	EX Zone	RX Zone	RH Zone	All Zones
1990	110	0	0	0	110
1991	0	0	132	0	132
1992	60	42	0	0	102
1993	288	86	148	0	522
1994	0	121	0	0	121
1995	30	127	39	90	286
1996	151	199	114	0	464
1997	1,085	6	202	0	1,293
1998	85	257	326	0	668
1999	60	457	0	0	517
2000	74	610	0	0	684
2001	166	563	442	0	1,171
2002	0	894	569	0	1,463
2003	38	571	437	0	1,046
2004	864	0	2	0	866
2005	1,290	1,366	74	0	2,736
2006	794	0	354	0	1,148
2007	513	0	0	0	513
2008	176	152	0	0	328
2009	220	288	101	0	609
2010	0	0	283	0	283
2011	200	70	0	0	270
2012	187	177	0	0	364
2013	1,038	1,575	0	0	2,613
2014	587	487	649	0	1,723
2015	417	776	0	0	1,193
2016	1,998	755	114	0	2,867
<b>Totals</b>	<b>10,431</b>	<b>9,579</b>	<b>3,986</b>	<b>90</b>	<b>24,092</b>

CC2035 also results in rezoning that will add an additional 59.3 acres of Central Employment (EX) zoned land in the Central Eastside. The 2035 Comprehensive Plan describes the Central Employment designation as follows:

**Central Employment.** *The designation allows for a full range of commercial, light-industrial, and residential uses. This designation is intended to provide for mixed-use areas within the Central City and Gateway Regional Center where urban public services are available or planned including access to high-capacity transit or streetcar service. The intensity of development will be higher than in other mixed-use land designations. The corresponding zone is Central Employment (EX). This designation is generally accompanied by a design overlay zone.*

The EX zone is the same base zone applied to the Pearl District, the Central City's densest residential neighborhood, and since 1990 a total of 71 residential projects have been developed in this zone, containing 9,579 housing units, for an average density of 134.92 units per project.

Although Title 1 does not require that minimum residential densities be applied to residential mixed-use zones, Table 2 illustrates that the CX and EX zones have produced more housing, and housing projects at a greater density than the RX or other residential base zones applied to the Central City.

**Table 2 - Housing Production and Density:** Total average production and density by base zone.

Zone	Total Acres	Percentage of Central City Land Area	Total Number of Units	Percentage of All Units	Average Density / Total Acreage of Zone	Average Density / Project
CX	668.9	44.4%	10,431	43.28%	15.59 units/acre	168.24 units
EX	229.3	15.2%	9,579	39.34%	41.77 units/acre	134.92 units
RX	102.8	6.8%	3,986	15.22%	38.77 units/acre	132.9 units
RH	27.7	1.8%	90	0.34%	3.25 units/acre	90 units
RI	11.0	0.7%	16	0.06%	1.45 units/acre	16 units
R2	1.4	0.1%	0	0.0%	0.0 units/acre	0 units
<b>Totals</b>	<b>1041.1</b>	<b>69.00%</b>	<b>24,102</b>	<b>100.00%</b>	<b>NA</b>	<b>NA</b>

In addition to these the amendments noted above, CC2035 maintains approximately 12 acres of CX and RH zoned land within an overlay where Section 33.510.230 of the Zoning Code requires new development produce at least 15 units per acre. Thus, this development standard alone will require that at least 188 units could be developed if the entire area affected by this regulation were developed, which is well under the unit per acre average of development in the CX zone.

This analysis demonstrates that the rezoning of RX to CX, combined with the up zoning of land to EX, and the application of the "required residential development area" allows CC2035 to remain consistent with Title 1.

Testimony received in opposition to the proposed plan expressed that the readoption of CC2035 should be delayed considering COVID-19 and the potential for future pandemics. There were also suggestions that a new approach to urban planning be adopted that results in less dense development in the urban core, and less reliance on zoning that allows tall buildings that use high floor area ratios.

However, other testimony supported readoption because numerous projects were set in motion that used zoning provisions and standards put in place with the adoption of CC2035, that are no longer in effect due to the remand. This has had unintended consequences, stalling and stopping projects including senior housing, affordable housing and supportive housing. Others said new office, retail, and housing projects need the certainty of a readopted and effective CC2035, especially now, with so many other uncertainties brought about by COVID-19 that are beyond our local control. Council find that further delay in readopting the Plan could exacerbate this delay of projects that are sorely needed within the Central City.

15. **Title 2, Regional Parking Policy**, regulated the amount of parking permitted by use for jurisdictions in the region; however, this title was repealed and the former Title 2 no longer applies to this ordinance.
16. **Title 3, Water Quality and Flood Management**. To protect the beneficial water uses and functions and values of resources within the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas from development activities and protecting life and property from dangers associated with flooding.

Title 3 calls for the protection of the beneficial uses and functional values of resources within Metro-defined Water Quality and Flood Management Areas by limiting or mitigating the impact of development in these areas. Title 3 establishes performance standards for 1) flood management; 2) erosion and sediment control; and 3) water quality. In 2002 Metro deemed the City of Portland in full substantial compliance with the requirements of Title 3 based on adoption of Title 10 Erosion Control, balanced cut-and-fill standards in Title 24 Building Regulations, and the Willamette Greenway Water Quality Zone, or “q” overlay zone. The Central City 2035 amendments for the Willamette River Central Reach maintain and support compliance with Title 3 because:

- a) City programs deemed in compliance with Title 3 requirements for flood management, and erosion and sediment control (i.e., Title 10 Erosion Control, and the balanced cut and fill requirements of Title 24), are unchanged. The Central Reach amendments, including proposed River Environmental overlay zones, increased river setback, and updated landscaping standards will support goals for flood management and erosion control;
- b) The CC2035 Plan’s policy framework contains goals, policies and actions that achieve a Willamette River that is healthy and supports fish and wildlife and improves the quality, quantity, connectivity and overall function of the ecological system including upland, riparian and in-water habitat as well as improve the ability of floodplains to store water and provide habitat functions;
- c) The River General overlay zone amendments increase the river setback to 50 feet from top of bank on Central Reach properties that have river frontage. Only river-dependent and river-related uses may encroach into the setback without a Greenway Goal Exception. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback ensures that adverse impacts on river functions, including water quality, flooding and fish and wildlife habitat are minimized. Exterior lighting standards help to minimize the impacts of light, glare and spill on fish and wildlife and their habitats;
- d) The River General overlay zone also includes updates to the landscaping standards that apply within the river setback. The landscaping standard requires a mix of vegetation types and

- densities including trees, shrubs and ground cover. The purpose of the landscaping standard is to enhance the quality, quantity and diversity of vegetation in the riparian area. This will minimize the impacts of adjacent development on water quality and improve habitat for fish and wildlife; and
- e) The River Environmental overlay zone will be applied to high and medium ranked natural resources, which includes rivers, streams, wetlands, flood areas and riparian habitat, identified in the *Willamette River Central Reach Natural Resource Protection Plan (NRPP)*. The River Environmental overlay zone supports Title 3 goals to protect water quality, flooding and fish and wildlife habitat. The River Environmental overlay zone is designed to prevent adverse impacts on the features and functions of riparian corridors and the Willamette River by establishing new standards intended to encourage sensitive development while providing clear limitations on disturbance, including tree removal, and minimizing impacts on resources and functional values. Development that meets these standards may be approved without a review. Development that does not meet the standards would be subject to a River Review and where discretionary criteria are applied to ensure that adverse impacts on natural resource values and functions, including water quality, are avoided, minimized and/or mitigated.

17. **Title 4, Industrial and Other Employment Areas.** The Regional Framework Plan calls for a strong regional economy. To improve the economy, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region's transportation system for the movement of goods and services and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities. The Metro Council will evaluate the effectiveness of Title 4 in achieving these purposes as part of its periodic analysis of the capacity of the urban growth boundary.

The purpose of Title 4 is to maintain a regional supply of existing industrial and employment land by limiting competing uses for this land. Metro has not adopted a Statewide Planning Goal 9 economic opportunities analysis for the region, so Title 4 is not based on an assessment of the land needed for various employment types, nor do the Title 4 maps necessarily depict lands most suitable to accommodate future job growth. Rather, Title 4 seeks to protect the manufacturing, warehousing, and distribution of goods within three types of mapped areas by limiting competing uses. These three areas are Regionally Significant Industrial Areas (RSIAs), Industrial Areas, and Employment Areas. Each of these designations can be found in either the Lower Albina or Central Eastside Districts of the Central City. These areas were identified in 2004 from clusters of existing industrial and employment uses. Industrial clusters with multi-modal freight handling infrastructure were designated as RSIAs.

Identified competing uses include retail commercial uses (such as stores and restaurants), and retail and professional services that cater to daily customers (such as financial, insurance, real estate, legal, medical, and dental offices, schools, places of assembly, and parks). Limitations on competing uses are most strict within RSIAs, slightly less strict within the Industrial Areas, and least stringent within Employment Areas. Title 4 places no limitations on residential, farm, forest or open space uses in any of the three mapped areas, provided designated open spaces are not developed into parks, schoolyards or athletic fields.

Title 4 encourages the location of retail and commercial uses in Centers, Corridors, Main Streets and Station Communities, and thus works in tandem with Title 6 to support the desired future settlement pattern depicted in the *Region 2040 Growth Concept*. Title 4 was adopted in 2004 and required Portland to achieve initial compliance by 2007 and by 2010 for additional restrictions on parks and places of assembly.

All previous Metro compliance reports have determined that land in Portland within an “Industrial Sanctuary” *Comprehensive Plan Map* designation meets all Title 4 requirements for mapped RSIA Land and Industrial Land. Similarly, all land in Portland within a General Employment *Comprehensive Map* designation meets Title 4 requirements for Employment Areas. The annual Metro compliance reports for 2010 through 2015 were included in the record for periodic review Task IV (Ordinance 187832). The last report for 2015 was prepared in March of 2016. Each of these reports finds Portland’s *Zoning Map* and *Zoning Code* complies with Title 4, with its existing *Zoning Map* and *Zoning Code*.

A new *Comprehensive Plan Map* was adopted with periodic review Task IV. Exhibit A of Ordinance 187832 contained findings explaining how the various land use designations shown in the new *Comprehensive Plan Map* comply with Title 4, provided the zones adopted by this ordinance either correspond or are otherwise allowed by the designations on new *Comprehensive Plan Map*. The distinction between plan and zone designations was made in the earlier findings because the Metro compliance reports were based on zone rather than plan designations and on land use regulations rather than plan policy.

The Metro compliance determinations examined whether City land use regulations limited retail and certain commercial uses to the extent required by Title 4. Metro evaluated whether certain uses identified in Title 4 as competing or interfering with employment and industrial uses were sufficiently limited by land use regulations associated with the City’s industrial and general employment zones.

Like the *Zoning Map*, the land use regulations associated with the City’s industrial and employment zones were determined to comply with Title 4 in the annual Metro compliance reports for 2010 through 2015. None of the amended land use regulations for the industrial and general employment zones within the Central City allow uses that are either not allowed by Title 4 or allowed in amounts greater than those allowed by Title 4. In many cases the City’s regulations are more protective of industrial employment land than Title 4. For example, residential uses are not explicitly restricted in Metro employment areas (although arguably contrary to the purpose of Title 4). Under the City’s amended regulations residential uses in the general employment zones are explicitly no longer allowed. Similarly, retail facilities up to 60,000 square feet are expressly allowed in Metro employment areas, but under the City’s amended regulations for its general employment zones retail facilities larger than 20,000 square feet are no longer allowed. These changes were made, going beyond Title 4 requirements, to ensure an adequate land supply under Goal 9.

Although only a small portion of the Central City located within the Lower Albina District is designated as Prime Industrial Land, the recently adopted 2035 *Comprehensive Plan* exceeds the requirements of Title 4 by adopting a “Prime Industrial Land” overlay zone. The overlay regulations prohibit quasi-judicial *Comprehensive Plan Map* amendments in prime industrial areas and reduce the type and amount of non-industrial uses allowed in the prime industrial areas. These restrictions apply in addition to the regulations of the base zones. The additional overlay regulations restrict parks to no more than two acres, restrict commercial outdoor recreation to no more than 20,000 square feet, and prohibit major event entertainment and self-service storage. These overlay

regulations both exceed the requirements of Title 4 help assure that there is no inconsistency between the industrial zones and Title 4.

For the facts and reasons stated above, the *Zoning Map* and the *Zoning Code*, as amended by this ordinance, continue to comply with Title 4 of the regional *Urban Growth Management Functional Plan*.

18. **Title 5, Neighboring Cities**, addressed neighbor cities and rural reserves in the region; however, this title was repealed and the former Title 5 no longer applies to this ordinance.
19. **Title 6, Centers, Corridors, Station Communities and Main Streets**. The Regional Framework Plan identifies Centers, Corridors, Main Streets and Station Communities throughout the region and recognizes them as the principal centers of urban life in the region. Title 6 calls for actions and investments by cities and counties, complemented by regional investments, to enhance this role. A regional investment is an investment in a new high-capacity transit line or designated a regional investment in a grant or funding program administered by Metro or subject to Metro's approval.
 

Title 6 establishes eligibility criteria for certain regional investments, and the use of more flexible trip generation assumptions when evaluating transportation impacts. Title 6 also contains aspirational activity level targets for different Metro 2040 place types. Although there are no specific mandatory compliance standards in Title 6 that apply to this ordinance, The Central City is a designated center and the zoning, actions, and policy framework of CC2035 ensure the ability of plan area to remain the highest density center with the Metro 2040 Framework Plan boundary.
20. **Title 7, Housing Choice**. The Regional Framework Plan calls for establishment of voluntary affordable housing production goals to be adopted by local governments and assistance from local governments on reports on progress towards increasing the supply of affordable housing. It is the intent of Title 7 to implement these policies of the Regional Framework Plan.
 

Title 7 addresses housing choice. Metro adopted voluntary affordable housing goals for each city and county in the region for the years 2001 to 2006, but never updated them. Since this ordinance adopts implementation measures for the planning period of 2015 to 2035, Title 7 does not apply. Nevertheless, the recently adopted *2035 Comprehensive Plan* adopts city-wide affordable housing production goals that greatly exceed those adopted by the outdated Title 7 (Ordinance 178832).
21. **Title 8, Compliance Procedures**. Title 8 addresses compliance procedures. This Title requires the City to notify Metro of pending land use decisions by providing Metro a copy of the 35-day notice required by the DLCD for proposed completion of a periodic review task. This notice was provided to Metro. Title 8 also requires the City to provide findings of compliance with the *Urban Growth Management Functional Plan*. The findings in this ordinance were also provided to Metro. All applicable requirements of Title 8 have been met.
22. **Title 9, Performance Measures**. Title 9 addressed performance measures but was repealed. The former Title 9 does not apply to this ordinance.
23. **Title 10, Functional Plan Definitions**. Title 10 contains definitions. Whenever the City had a question about a term in the *Urban Growth Management Functional Plan*, the definition in Title 10 was applied. When the measures adopted by this ordinance use a term found in Title 10, either the term has the same meaning found in Title 10 or the difference is explained in these ordinance findings. All applicable requirements of Title 10 requirements have been met.

24. **Title 11, Planning for New Urban Areas.** Title 11 addresses planning for new urban areas. Since no areas added to the urban growth boundary or designated as urban reserves have been assigned to Portland by Metro for planning, Title 11 does not apply to this ordinance.
25. **Title 12, Protection of Residential Neighborhoods.** Existing neighborhoods are essential to the success of the 2040 Growth Concept. The intent of Title 12 of the Urban Growth Management Functional Plan is to protect the region’s residential neighborhoods. The purpose of Title 12 is to help implement the policy of the Regional Framework Plan to protect existing residential neighborhoods from air and water pollution, noise, and crime and to provide adequate levels of public services.

Title 12 addresses protection of residential neighborhoods. This title largely restricts Metro’s authority to plan and regulate but does allow City designation of “Neighborhood Centers.” The City has not exercised the option to designate neighborhood centers within the meaning of Title 12 but has employed the same term with a different meaning. The areas designated as a Neighborhood Center on the recently adopted *2035 Comprehensive Plan* map are functionally equivalent to a “Main Street” designation within Title 6. However, no Neighborhood Centers are located with the Central City, and, since the City has not employed any of the optional provisions of Title 12, the title does not apply to this ordinance.

26. **Title 13, Nature in Neighborhoods.** The purposes of this program are to (1) conserve, protect, and restore a continuous ecologically viable streamside corridor system, from the streams’ headwaters to their confluence with other streams and rivers, and with their floodplains in a manner that is integrated with upland wildlife habitat and with the surrounding urban landscape; and (2) to control and prevent water pollution for the protection of the public health and safety, and to maintain and improve water quality throughout the region.

Title 13 is expressly intended to provide a minimum baseline level of protection for identified Habitat Conservation Areas. Local jurisdictions may achieve substantial compliance with Title 13 using regulatory and/or non-regulatory tools. Title 13 also allows local jurisdictions to establish “district plans” to achieve compliance on an area-specific basis. Title 13 district plans may apply to areas within a common watershed or within adjoining watersheds that “share an interrelated economic infrastructure and development pattern.” Cities and counties must demonstrate that the district plan will provide a similar level of protection and enhancement for Habitat Conservation Areas as would be achieved by applying Metro’s model code or other regulations that meet Title 13 performance standards and best management practices.

The CC2035 Plan is intended to support and incorporate the basics of Title 13 and has been designed to serve as a Title 13 district plan for the Willamette River Central Reach. CC2035, Volume 3B, Willamette River Central Reach Natural Resources Protection Plan (NRP), and Volume 2A Part 2, Willamette River and Trails, will:

- a) Recognize and address the unique and interrelated ecological, economic, social, and recreational characteristics of the Central Reach using updated technical information and through the development of a customized combination of tools;
- b) Update the Title 13 Inventory of Regionally Significant Riparian Corridors and Wildlife Habitat for the Central Reach to address specific inventory sites and to incorporate more current, detailed data and refined analytical criteria. The NRPP includes an inventory of natural resources that better reflects the level of ecological function and relative quality of resources in the Willamette River Central Reach, such as the impacts associated with extensive riverbank hardening and vegetation removal;

- c) Supplement the Title 13 Economic, Social, Environmental, and Energy (ESEE) Analysis to address the consequences of conflicting uses for specific inventory sites in the Central Reach. Per OAR 660-023-0240(2) Goal 15 supersedes the requirements of Goal 5 for natural resources also subject to and regulated under Goal 15. The only Goal 5 natural resource in the CC2035 Plan area are located within the Greenway and therefore are regulated by Goal 15. Therefore, an ESEE Analysis is not required within the Greenway. However, the NRPP includes an evaluation of the trade-offs associated with protecting significant natural resources and addresses similar economic, social and environmental consequences as the Title 13 ESEE. The NRPP makes recommendations intended to optimize economic, social and environmental values in the Portland Harbor, watershed health, and neighborhood livability in the North Reach;
- d) Replace zoning code 33.440, Greenway Overlay Zones, with new 33.475, River Overlay Zones, for the Central reach. The new code establishes environmental overlay zoning on high and medium ranked resources in the Willamette River Greenway. These overlay zones will apply to the Willamette River and land within 50 feet of the top of bank, which are designated HCAs in Title 13. The overlay zone regulations meet the fundamental requirements of Title 13, including exemptions, clear and objective development standards, and discretionary criteria to avoid, minimize, and mitigate adverse impacts on Habitat Conservation Areas and water quality. The overlay zones provide a process for verifying the overlay zone based on site specific information provided at the time a development is proposed;
- e) Clarify the City's regulations for the removal and remediation of hazardous substances. The clarified regulations will reduce barriers to habitat-friendly development by encouraging the retention of existing natural resources and the use of natural bank treatments in the final design of clean up actions.

27. **Title 14, Urban Growth Management Plan.** Title 14 addresses the regional urban growth boundary. Since this ordinance does not require, nor initiate, a boundary change, Title 14 does not apply.

## Findings on Portland's Comprehensive Plan, Goals and Policies

### The Plan: Guiding Principles

The 2035 Comprehensive Plan adopted five "guiding principles" in addition to the goals and policies typically included in a comprehensive plan. These principles were adopted to reinforce that implementation of the plan needs to be balanced, integrated and multi-disciplinary, and the influence of each principle helps to shape the overall all policy framework of the plan. The Central City 2035 Plan furthers these guiding principles as described below.

28. **Economic Prosperity.** Support a low-carbon economy and foster employment growth, competitiveness and equitably distributed household prosperity.

This guiding principle of the 2035 Comprehensive Plan is characterized by the following key objectives that support a robust and resilient regional economy, thriving local businesses and growth in living-wage jobs and household prosperity.

- **Re-invest in Brownfields.** Although brownfield conditions likely exist at different sites within the Central City, these are not a constraint to redevelopment activities. Over the last two-decades significant brownfield remediation efforts were conducted at large redevelopment sites within the Pearl District and South Waterfront. Further, recent efforts at sites in the Central Eastside

and Lloyd have not found brownfield conditions to be a constraint limiting redevelopment activities, and where such conditions arise, the Zoning Code provides a high level of development potential to assist in cost recovery of cleaning or capping a site.

- **Increase sites for business and employment opportunities, especially in East Portland.** Much of the Central City is zoned for mixed-use commercial/employment uses, and several hundred acres are zoned for industry. Through base zone amendments, and increased floor area allowances, CC2035 increases the development potential for commercial and employment uses and adds some additional acreage into the Central City at the Clinton Station Area for these purposes. The plan further increases the maximum FAR ratios along the Transit Mall, and at key station areas, some specifically zoned for Employment Oriented Transit Development.
- **Preserve existing industrial sites and intensify the level of use and development of sites.** CC2035 includes use allowances that allowed for higher density industrial development within the Central Eastside District, while reducing the amount of non-industrial retail and traditional offices once allowed in the approximately 240 acres of IG1 zoned land in the district.
- **Provide for employment growth at colleges and hospitals.** The Central City is home to both Portland State University (PSU) and Oregon Health Sciences University (OHSU). CC2035 promotes continued growth at these and other health and educational facilities in the Central City by maintaining the development potential at key locations in the South Waterfront and University / South Downtown districts, as well as increasing the maximum FAR ratios at key station areas at PSU and the Oregon Museum of Science and Industry (OMSI). The plan also rezones RX properties within PSU to CX, to allow for more institutional as well as residential uses. The plan further supports the growth of the Innovation Quadrant that links PSU, OHSU, and OMSI with Portland Community College's CLIMB Center, and large developable parcels in the Central Eastside and South Waterfront.
- **Recognize prosperity is about more than job growth.** CC2035 includes elements to enhance and expand the amount of affordable housing, community assets and services, parks and open space amenities, access to public schools, the amount of green-infrastructure, and multimodal transportation options over the life of the plan. These efforts, as well as a focus on new civic, cultural, educational, retail, and entertainment options, will continue to support the Central City as the regional center for the Portland Metropolitan area, but as a location that is attractive for new development and investment.

29. **Human Health.** Avoid or minimize negative health impacts and improve opportunities for Portlanders to lead healthy, active lives.

Consistent with the 2035 Comprehensive Plan, CC2035 furthers the following objectives which are intended to avoid or minimize negative health impacts and improve opportunities for Portlanders to lead healthy active lives.

- **Increase access to complete neighborhoods.** Since the adoption of the 1988 Central City Plan, the city center has transformed from a downtown with housing dispersed unevenly, to a center with distinct residential neighborhoods. The Pearl, South Waterfront, Goose Hollow, University District, and West End continue to mature after 15 plus years of residential growth, while new significant housing growth is now occurring in the Lloyd and Central Eastside for the first time in decades. Despite this growth, and new inclusionary housing requirements, the Central City still needs greater access to family compatible housing, housing affordable at all income levels, and greater access to public amenities and services, such as schools, daycare, community centers, libraries, and grocery stores.

CC2035 addresses these continuing needs by expanding the pattern of mixed-use zoning that allows for neighborhood commercial retail and services, as well as institutional uses such as schools. The plan further recommends tracking the development of affordable housing and suggesting midcourse corrections should housing units supportive of the growing number of families with children not be produced in sufficient quantities. The plan also includes development incentives for affordable housing and the inclusion of neighborhood serving services and amenities as part of new development.

- **Strengthen consideration of environmental justice.** The 2035 Comprehensive Plan describes environmental justice as “the equitable treatment and meaningful involvement of all people in public decision making as it applies to who benefits and who bears the cost of development and growth.” The CC2035 Plan engaged neighborhood associations in and adjacent to the Central City, conducted numerous open house events, neighborhood meetings and events, coalition offices and staff, and conducted online surveys and outreach to engage as many Central City residents, and others effected by growth of the Central City, as possible. This outreach was critical in shaping and refining the Concept Plan, all three quadrant plans, and the final recommended Central City 2035 Plan.
- **Build City Greenways.** CC2035 contains many elements that address expansion and enhancement of the existing Willamette Greenway Trail, active multimodal transportation connections, and a new element, the Green Loop. The latter is designed to provide a new type of greenway that addresses the safety and skill level of curious, but cautious cyclists and pedestrians, and provides links to transit, the Willamette River, parks and open space areas, and major attractors within the Central City. This and other greenway proposals of the plan will result in an integrated system that helps to reduce auto trips, reduce associated pollution, and improve human and environmental health.

30. **Environmental Health.** Weave nature into the city and foster a healthy environment that sustains people, neighborhoods, and fish and wildlife. Recognize the intrinsic value of nature and sustain the ecosystem services of Portland’s air, water and land.

The objectives of this guiding principle are to expand the public space system, increase mobility and access to services through low-carbon transportation, and avoid, minimize, and mitigate the impact of development on natural resource systems. CC2035 responds to these objectives as follows:

- **Design development to work with nature.** CC2035 includes new development standards that require ecoroofs and the pursuit of green building certification for most new and redevelopment projects. The plan further encourages the use of living walls and other green elements to reduce energy usage and carbon output, improve air and water quality, and address heat island effect.
- **Support nature-friendly infrastructure.** The plan proposes an expanded use of green-infrastructure in the public right-of-way, new landscaped setbacks, expanded greenway setback, new open space features, and expansion of the tree canopy throughout the Central City to improve the health and function of the urban forest and ecosystem.
- **Preserve and enhance Urban Habitat Corridors.** Elements of CC2035, such as an expanded greenway setback, new parks and open space features, ecoroofs, bird safe glazing, an expanded urban forest, and the Green Loop, will help to improve conductivity and the amount of habitat for urban wildlife.

31. **Equity.** Promote equity and environmental justice by reducing disparities, minimizing burdens, extending community benefits, increasing the amount of affordable housing, affirmatively furthering fair housing, proactively fighting displacement, and improving socio-economic

opportunities for under-served and under-represented populations. Intentionally engage under-served and under-represented populations in decisions that affect them. Specifically recognize, address and prevent repetition of the injustices suffered by communities of color throughout Portland's history.

This guiding principle of the 2035 Comprehensive Plan provides a framework to ensure Portlanders more equitably share in the benefits and burdens of growth and development. CC2035 furthers these objectives in the Central City as follows:

- **Invest to reduce disparities and minimize burdens.** In 2008, 8,535 of the Central City's 22,994 households were affordable to people earning 80% of the median family income. This is equal to 37 percent of the housing stock of the Central City. Although the percentage of units affordable at these levels has dropped slightly in the following decade, new inclusionary housing requirements and a development bonus focused on affordable unit creation and retention will help to increase the overall supply of such housing through the life of the plan.

Residents of this housing, as well as market rate housing, depend on access to public schools, parks, community centers, and libraries to fulfill some of their basic needs. These residents also need access to safe and affordable transportation options. In response to these needs, CC2035 proposed incentives and strategies to increase access to these essential public services, and proposed multimodal transportation enhancements, such as transit and the Green Loop, to better connect people with limited access to a car to the services and amenities they depend upon.

- **Make infrastructure decisions that advance equity.** The infrastructure investments proposed by CC2035 will benefit all effected groups, but those more reliant on affordable transportation investment, may receive the most benefit. As noted, the Central City has a large and growing number of residents reliant on affordable housing. Many also have small children. Greater access to transit, as well as safe active transportation solutions, such as the Green Loop, will provide these residents with greater access between employment, housing, and neighborhood serving services and amenities.
- **Include under-served and under-represented populations in decisions that affect them.** CC2035 was developed over six years and the community engagement process contacted renters as well as owners of residential properties in and around the city center. The plan also made strides to seek input from employees as well as people who visit but may not live or work within the Central City. Great care was taken to do extensive outreach because the Central City is the region's center, not just Portland's.
- **Address displacement of residents to address and prevent repetition of injustices.** Unlike other areas of the city where there is a threat of redevelopment displacing lower density, new housing development in the Central City has a greater ability to displace those reliant on affordable housing, and rising housing costs combined with a lack of family compatible units and access to services and amenities that serve families with children, can combine to displace families that start in the Central City for other parts of the region where their needs can be better met. CC2035 contains elements to incent the creation of housing and neighborhood amenities and services to provide greater opportunities for residents to remain and thrive in the Central City.
- **Provide for on-going affordability.** Recently adopted inclusionary housing requirements, combined with new development bonus standards that will support the creation of affordable housing will help address on-going affordability issues regarding housing supply. Further, the plan will result in the ability to create higher density industrial uses and contains incentives to

create and retain traditional industrial space which should help to stabilize lease rates for industrial businesses in the inner city.

- **Create regulations that acknowledge that one size does not fit all.** CC2035 strives to address the different character and purpose of the unique districts within the Central City, and between the Central City and adjacent parts of the city, through policies, investments, use regulations, development standards, and design guidelines crafted to each area and how they intersect with other parts of the city.

32. **Resilience.** Reduce risk and improve the ability of individuals, communities, economic systems, and the natural and built environments to withstand, recover from, and adapt to changes from natural hazards, human-made disasters, climate change, and economic shifts.

The 2035 Comprehensive Plan describes resilience as “reducing the vulnerability of our neighborhoods, businesses, and built and natural infrastructure to withstand challenges – environmental, economic and social – that may result from major hazardous events.” CC2035 responds to these objectives as follows:

- **Prosperity, human health, environmental health and equity are all essential components of resilience.** The 2035 Comprehensive Plan notes that an integrated policy framework works to “improve Portland’s resilience – growth in compact centers and corridors, provision of City Greenways and Urban Habitat Corridors, expansion of living-wage employment opportunities, investments to fill the infrastructure gaps in under-represented and under-served communities, and responsiveness to the differences among Portland’s neighborhoods.”

It is in this context that the policy framework for CC2035 was developed. This approach began with the Concept Plan and followed through the quadrant plans and into final adopted version of CC2035. Further, the implementing volumes of the plan provide code amendments, new actions, and other measures intended to address multiple objectives and result in multiple outcomes to improve environmental and economic conditions and the quality of life for all Portlanders.

- **Portland faces many natural and human-caused risks, which can have environmental economic and social impacts.** The 2035 Comprehensive Plan notes that some of the most significant risks facing Portland are: floods and landslides; earthquake; climate change; extreme heat events; and economic and energy shocks. In response, the Comprehensive Plan identifies five key strategies to address these risks, which CC2035 responds to as follows:
  - **Direct growth in lower-risk areas.** Although no area of the city is immune to the threats facing the city, most of the Central City is located on fairly level terrain, is out of the flood plan of the Willamette River, and its built form is increasingly built to the latest seismic standards, incorporates green infrastructure, and energy efficient design in both the public and private realm.
  - **Invest to reduce risks.** The plan includes strategies to remap the flood plain, expand green infrastructure, retrofit buildings at risk to seismic activity, and other measures to address natural hazards and increase the resiliency of city center when disaster strikes.
  - **Neighborhood resilience.** CC2035 includes development incentives to incent the development of new schools, community centers, libraries, and other facilities that may provide shelter and emergency services in the event of a natural disaster.
  - **Low-carbon economy.** The green building requirements, parking reductions, and multimodal transportation elements of the plan, as well as the economic development

policies and actions, will help to further enhance and expand low-carbon businesses and technologies in Portland.

- **Resilience in Natural Systems.** Plan elements that address an expanded greenway setback, expanded tree canopy, new open space features, and greater use of green infrastructure in public and private development will allow the Center City to be more resilient to climate change and natural hazards threatening the city.

## The Plan: Goals

33. **Goal 1.A: Multiple goals.** Portland’s Comprehensive Plan provides a framework to guide land use, development, and public facility investments. It is based on a set of Guiding Principles that call for integrated approaches, actions, and outcomes that meet multiple goals to ensure Portland is prosperous, healthy, equitable, and resilient.
34. **Goal 1.B: Regional partnership.** Portland’s Comprehensive Plan acknowledges Portland’s role within the region, and it is coordinated with the policies of governmental partners.
35. **Goal 1.C: A well-functioning plan.** Portland’s Comprehensive Plan is effective, its elements are aligned, and it is updated periodically to be current and to address mandates, community needs, and identified problems.
36. **Goal 1.D: Implementation tools.** Portland’s Comprehensive Plan is executed through a variety of implementation tools, both regulatory and non-regulatory. Implementation tools comply with the Comprehensive Plan and are carried out in a coordinated and efficient manner. They protect the public’s current and future interests and balance the need for providing certainty for future development with the need for flexibility and the opportunity to promote innovation.
37. **Goal 1.E: Administration.** Portland’s Comprehensive Plan is administered efficiently and effectively and in ways that forward the intent of the Plan. It is administered in accordance with regional plans and state and federal law.

The CC2035 Plan is an amendment to the 2035 Comprehensive Plan. Yet, the plan operates as mini comprehensive plan for the Central City. The plan was developed consistent with the framework of the *2035 Comprehensive Plan*. CC2035 contains a policy framework, Comprehensive Plan Map and Zoning Map amendments, Zoning Code amendments, and list of actions and list of projects necessary to implement the plan over the life of the plan. As noted above, CC2035 is consistent with the guiding principles of the *2035 Comprehensive Plan*, and the plan was developed and will be implemented by a variety of public and private partners, including numerous bureaus of the City of Portland, ODOT, TriMet, Metro, Multnomah County, community organizations, and development entities. These agencies were represented on a Technical Advisory Committee (TAC) that met regularly during the development of the Concept and quadrant plans. As such, the plan is consistent with and furthers the objectives of Goals 1.A – 1.E of the *2035 Comprehensive Plan*. For further information regarding how the CC2035 Plan is consistent with and furthers applicable state and regional goals, see “Findings on Statewide Planning Goals” and “Findings on Metro Urban Growth Management Functional Plan” sections, located earlier in this findings report.

## The Plan: Policies

### The Comprehensive Plan

38. **Policy 1.1, Comprehensive Plan elements.** Maintain a Comprehensive Plan that includes these

elements:

- **Vision and Guiding Principles.** The Vision is a statement of where the City aspires to be in 2035. The Guiding Principles call for decisions that meet multiple goals to ensure Portland is prosperous, healthy, equitable, and resilient.
- **Goals and policies.** The goals and policies of the Comprehensive Plan, including the Urban Design Framework, provide the long-range planning direction for the development and redevelopment of the city.
- **Comprehensive Plan Map.** The Comprehensive Plan Map is the official long-range planning guide for spatially defining the desired land uses and development in Portland. The Comprehensive Plan Map is a series of maps, which together show the boundaries of municipal incorporation, the Urban Service Boundary, land use designations, and the recognized boundaries of the Central City, Gateway regional center, town centers, and neighborhood centers.
- **List of Significant Projects.** The List of Significant Projects identifies the public facility projects needed to serve designated land uses through 2035, including expected new housing and jobs. It is based on the framework provided by a supporting Public Facilities Plan (PFP). The Citywide Systems Plan (CSP) is the City’s public facilities plan. The Transportation System Plan (TSP) includes the transportation-related list of significant projects. The list element of the TSP is also an element of the Comprehensive Plan.
- **Transportation policies, street classifications, and street plans.** The policies, street classifications, and street plan maps contained in the Transportation System Plan (TSP) are an element of the Comprehensive Plan. Other parts of the TSP function as a supporting document, as described in Policy 1.2.

Consistent with Policy 1.1, Volume 1, Goals and Policies, of CC2035 contains a vision, goals, and policies specific to the Central City Plan District, which as outlined above are consistent with the guiding principles of the 2035 Comprehensive Plan. Volume 2A, Part 1, Zoning Code & Map Amendments, presents amendments to Comprehensive Plan Map and amendments to the Zoning Code Maps consistent with the Comprehensive Plan Map. Further, Volume 2B, Transportation System Plan Amendments, and Volume 5A, Implementation: Performance Targets and Action Plans, propose public facility projects and transportation system amendments to ensure that the land use designations resulting from CC2035, and resulting densities, will be supported consistent with this policy.

## Supporting Documents

39. **Policy 1.2, Comprehensive Plan supporting documents.** Maintain and periodically update the following Comprehensive Plan supporting documents.
1. **Inventories and analyses.** The following inventories and analyses are supporting documents to the Comprehensive Plan:
    - Economic Opportunities Analysis (EOA)
    - Buildable Lands Inventory (BLI)
    - Natural Resource Inventory (NRI)
    - Housing Needs Analysis (HNA)
  2. **Public Facilities Plan.** The Public Facilities Plan (PFP) is a coordinated plan for the provision of

urban public facilities and services within Portland’s Urban Services Boundary. The Citywide Systems Plan (CSP) is the City’s public facilities plan.

3. **Transportation System Plan (TSP).** The TSP is the detailed long-range plan to guide transportation system functions and investments. The TSP ensures that new development and allowed land uses are consistent with the identified function and capacity of, and adopted performance measures for, affected transportation facilities. The TSP includes a financial plan to identify revenue sources for planned transportation facilities included on the List of Significant Projects. The TSP is the transportation element of the Public Facilities Plan. Certain components of the TSP are elements of the Comprehensive Plan. *See Policy 1.1.*
4. **School Facility Plans.** School facility plans that were developed in consultation with the City, adopted by school districts serving the City, and that meet the requirements of ORS 195 are considered supporting documents to the Comprehensive Plan.

CC2035 was developed consistent with the supporting documents of the recently adopted 2035 *Comprehensive Plan*, as well as the following: Willamette River Greenway Inventory; Willamette River/Central Reach Natural Resources Protection Plan (includes an inventory of natural resources); Central City Scenic Resources Inventory. The plan is also consistent with the PFP and CSP, amends the TSP consistent with 2035 *Comprehensive Plan*. Lastly, although Portland Public Schools (PPS) has not specifically amended its overall facilities plan, the proposed updates to Lincoln High School and facilities associated with Chapman Elementary School have been made in consultation with BPS to ensure consistency with the projections of CC2035.

### Implementation tools

40. **Policy 1.3, Implementation tools subject to the Comprehensive Plan.** Maintain Comprehensive Plan implementation tools that are derived from, and comply with, the Comprehensive Plan. *Implementation tools include those identified in policies 1.4 through 1.9.*
41. **Policy 1.4, Zoning Code.** Maintain a Zoning Code that establishes the regulations that apply to various zones, districts, uses, and development types.
42. **Policy 1.5, Zoning Map.** Maintain a Zoning Map that identifies the boundaries of various zones, districts, and other special features.

CC2035 includes numerous Zoning Code and Map amendments intended to implement the policy framework of the 2035 *Comprehensive Plan* but also CC20305 Volume 1, Goals and Policies. Some of the map amendments are intended to address specific issues at the subdistrict level, some at a city-wide scale. Zoning Code amendments include the addition of new use allowances and development standards to address new policies of both plans, and amendments that enhance the ability of existing provisions, be they use allowances, development standards, or incentives, to achieve the goals and policies of these two plans. Lastly, some existing development bonuses in the Zoning Code are repealed by C2035 to ensure that the new bonus system is aligned with new Comprehensive Plan goals and policies aimed at incenting the development of affordable housing, and in support of new inclusionary housing requirements recently adopted by the Portland City Council. Thus, CC2035 is consistent with policies 1.3 – 1.5.

### Administration

43. **Policy 1.10, Compliance with the Comprehensive Plan.** Ensure that amendments to the Comprehensive Plan’s elements, supporting documents, and implementation tools comply with the Comprehensive Plan. “Comply” means that amendments must be evaluated against the

Comprehensive Plan’s applicable goals and policies and on balance be equally or more supportive of the Comprehensive Plan than the existing language or designation.

**1.10.a,** Legislative amendments to the Comprehensive Plan’s elements and implementation tools must also comply with the Guiding Principles.

**1.10.b,** Legislative amendments to the Comprehensive Plan’s elements should be based on the factual basis established in the supporting documents as updated and amended over time.

**1.10.c,** Amendments to the Zoning Map are in compliance with the Comprehensive Plan if they are consistent with the Comprehensive Plan Map.

Council finds that this is a fundamental policy of the Comprehensive Plan that guides the manner in which the Council considers amendments to the Plan itself or any implementing regulations, such as the Zoning Code.

Council interprets the policy to require Council to consider whether, after considering all relevant evidence, an amendment is equally or more supportive of the Comprehensive Plan.

The City Council finds that a proposed amendment is equally supportive when it is on its face directly supported by goals and policies in the Plan. The City Council finds that an amendment is more supportive of the Comprehensive Plan when the amendment will further advance goals and policies, particularly those that are aspirational in nature. The City Council finds that the policy requires consideration as to whether amendments are equally or more supportive of the Plan as a whole. The City Council finds that amendments do not need to be equally or more supportive of individual goals and policies, but rather amendments must be equally or more supportive of the entire Comprehensive Plan. Therefore, the Council finds that there may be instances where specific goals and policies are not supported by the amendments but still the amendment is equally or more supportive of the entire Comprehensive Plan when considered cumulatively. The Council finds that there is no precise mathematical equation for determining when the Plan as a whole is supported but rather such consideration requires Council discretion in evaluating the competing interests and objectives of the plan.

Council notes that the Comprehensive Plan introduction explains that “[t]he Comprehensive Plan contains a broad range of policies for Council to consider. Each policy describes a desirable outcome. But it is unlikely that all policies are relevant to a particular decision and that a particular decision could be expected to advance all of the policies in the plan equally well . . . [E]ven the strongest policies do not automatically trump other policies. Every decision is different, with different facts. The particular policies that matter will change from one decision to another. There is no set formula—no particular number of ‘heavier’ policies equals a larger set of ‘lighter’ policies. In cases where there are competing directions embodied by different policies, City Council may choose the direction they believe best embodies the plan as a whole.” 2035 Comprehensive Plan, page HTU-5.

Council finds that CC2035 equally advances most of the Comprehensive Plan policies. Council further finds that the CC2035 is more supportive of the Comprehensive Plan with regard to the goals and policies as discussed below.

The following policies are advanced through CC2035’s increase in floor area ratios (FAR) at some locations, Map 510-2 and 33.510.200, including policy 3.15 Investments in Centers, 3.21 Role of the Center City, 3.23 Central City Employment, 3.24 Central City Housing, 3.53 Transit-oriented Development, 5.23 Higher Density Housing, and 5.29 Permanently affordable housing.

Other Comprehensive plan policies are advanced with the prioritization of bonus FAR for affordable housing and FAR transfers from historic resources 33.510.205, including Housing goals 5A-E, Goals 4A Context Sensitive Development and 4 B Historic and Cultural Resources; policies 2.4 Eliminate Burdens, 3.24 Central City Housing, 3.3 Equitable Development, 5.16 Involuntary Displacement, 5.23 Higher Density Housing, 5.34 Affordable Housing, 5.35 Inclusionary Housing, 4.46 Historic and Cultural Resource Protection, 4.48 Continuity of Established pattern, and 4.62 Seismic and Energy Retrofits.

Other comprehensive plan goals and policies are advanced with the prohibition of surface parking, 33.510.261, throughout the Central City including Goal 6 Air, Water and Land Resource Quality, Goal 4 A Context Sensitive Design and Development and policies 3.12 Role of Centers , 3.13 Variety of Centers, 3.53 Transit -Oriented Development, and 4.76 Impervious Surfaces.

Other Comprehensive plan goals and policies are advanced with the adoption of the Central City Scenic Resource Protection Plan including policies 4.42 Scenic Resource Protection and 4.44 Building placement, height and massing.

Other Comprehensive plan goals and policies are advanced with the ecoroof requirement 33.510.243 including Goal 6 Air, Water and Land Resource Quality, and policies 3.20 Green Infrastructure in Centers, 4.4 Natural Features and Green Infrastructure , 4.76 Impervious Surfaces and 4.83 Urban Heat Island.

City Council finds the CC2035 Zoning map complies with Comprehensive Plan map with the proposed rezoning of Central Residential (RX) zoned land to Central Commercial (CX) on a number of properties throughout the Central City. CX has produced far more housing than the RX zone over the last 25 years. Analysis demonstrated that these amendments will be sufficient to allow approximately 39,500 units to be developed through the life of the plan. In addition, City Council finds that changes from IG1, General Industrial to EX Central Employment in parts of the Central Eastside and Lower Albina will accommodate more flexible employment uses. Thus the Zoning map is consistent and compliant with the Comprehensive plan and the Comprehensive Plan map.

The findings of this ordinance identify how the CC2035 Plan complies with and is consistent with the *2035 Comprehensive Plan's* Guiding Principles, goals, policies, and maps, as detailed throughout this set of findings. See also findings for PCC 33.835.040 below for additional discussion of the Plan's consistency with the comprehensive plan.

44. **Policy 1.11, Consistency with Metro Urban Growth Management Functional Plan and Urban Growth Boundary.** Ensure that the Comprehensive Plan remains consistent with the Metro Urban Growth Management Functional Plan and supports a tight urban growth boundary for the Portland metropolitan area.
45. **Policy 1.12, Consistency with Statewide Planning Goals.** Ensure that the Comprehensive Plan, supporting documents, and implementation tools remain consistent with the Oregon Statewide Planning Goals.

As noted earlier in these findings, the CC2035 Plan was created consistent with and in a manner designed to further the applicable elements of the Metro Urban Growth Management Functional Plan and Statewide Planning Goals, consistent with the directives of policies 1.11 and 1.12.

46. **Policy 1.13, Consistency with state and federal regulations.** Ensure that the Comprehensive Plan remains consistent with all applicable state and federal regulations, and that implementation measures for the Comprehensive Plan are well coordinated with other City activities that respond to state and federal regulations.

The CC2035 plan was developed to be consistent with applicable state and federal regulations, and all implementing actions of the plan although intended also to be consistent with such regulations will further need to provide consistency with all applicable state and federal requirements once the details of each is further outlined at the time of implementation.

47. **Policy 1.14, Public facility adequacy.** Consider impacts on the existing and future availability and capacity of urban public facilities and services when amending Comprehensive Plan elements and implementation tools. Urban public facilities and services include those provided by the City, neighboring jurisdictions, and partners within Portland’s urban services boundaries, as established by Policies 8.2 and 8.6.

Although the only amendments of CC2035 related to the *2035 Comprehensive Plan* regard limited Comprehensive Plan Map amendments, these and the corresponding Zoning Map amendments are found to be capable of being served by existing public facilities and services or those proposed to be implemented in Volume 5, Implementation Plan.

48. **Policy 1.15, Intergovernmental coordination.** Strive to administer the Comprehensive Plan elements and implementation tools in a manner that supports the efforts and fiscal health of the City, county and regional governments, and partner agencies such as school districts and transit agencies.

A multi-agency Technical Advisory Committee (TAC) was established during the development of the CC2035 Concept Plan and continued to meet to advise the development of the three quadrant plans that lead to the *Proposed Draft* of the CC2035 package of documents. Further, City, state, and federal employees attended open house events, workshops, and participated in other committees and symposiums held in support of plan development. Further, many of these same agencies submitted comments, and some, such as Portland Public Schools and the Portland of Portland, testified before Council on different elements of the plan. This involvement helped to shape the final version of CC2035, consistent with Policy 1.15.

49. **Policy 1.16, Planning and Sustainability Commission review.** Ensure the Planning and Sustainability Commission (PSC) reviews and makes recommendations to the City Council on all proposed legislative amendments to Comprehensive Plan elements, supporting documents, and implementation tools. The PSC advises City Council on the City’s long-range goals, policies, and programs for land use, planning, and sustainability. The membership and powers and duties of the PSC are described in the Zoning Code.

On June 20, 2016, the Proposed Draft of CC2035 was released in preparation for the PSC review of the plan. This draft of the plan was amended from the earlier Discussion Draft based on much of the public input provided during the review period of that draft. Prior to the first PSC public hearing, held on July 26, 2016, open house events were conducted to provide those who may testify before the PSC with more specific information about plan elements.

The PSC held public hearings and work sessions between June 2016 and April 2017. During these meetings, testimony was received on the Proposed Draft, amendments were proposed during work sessions, and an additional hearing was held to receive testimony on PSC proposed amendments before the PSC voted on the final Recommended Draft to be forwarded to City Council. The PSC held meetings for the plan on the following dates:

- Briefing: June 28, 2016
- Hearing: July 26, 2016

- Hearing:	August 9, 2016
- Work Session:	September 27, 2016
- Work Session:	November 16, 2016
- Work Session:	January 10, 2017
- Work Session:	January 24, 2017
- Work Session:	February 14, 2017
- Work Session:	February 28, 2017
- Work Session:	March 14, 2017
- Work Session:	April 11, 2017
- Work Session & Vote:	May 23, 2017

50. **Policy 1.17, Community Involvement Committee.** Establish a Community Involvement Committee to oversee the Community Involvement Program as recognized by Oregon Statewide Planning Goal 1 – Community Involvement and policies 2.15-2.18 of this Comprehensive Plan.

On December 15, 2010, the first of several briefings with the Citizen Involvement Committee was held regarding the CC2035 Plan. This version of the CIC was initially formed to advise on the development of the Portland Plan before shifting focus to the 2035 Comprehensive Plan. The CIC advise CC2035 staff, members participated in various CC2035 public events, and the committee was consulted in development of the plan.

51. **Policy 1.19, Area-specific plans.** Use area-specific plans to provide additional detail or refinements applicable at a smaller geographic scale, such as for centers and corridors, within the policy framework provided by the overall Comprehensive Plan.

**1.19.a,** Area-specific plans that are adopted after the effective date of the 2035 Comprehensive Plan should clearly identify which components amend Comprehensive Plan elements, supporting documents, or implementation tools. Such amendments should be appropriate to the scope of the Comprehensive Plan; be intended to guide land use decisions; and provide geographically-specific detail. Such amendments could include policies specific to the plan area, land use designation changes, zoning map changes, zoning code changes, and public facility projects necessary to serve designated land uses.

**1.19.b,** Area-specific plan components intended as context, general guidance, or directives for future community-driven efforts should not amend the Comprehensive Plan elements or implementation tools but be adopted by resolution as intent. These components include vision statements, historical context, existing conditions, action plans, design preferences, and other background information.

**1.19.c,** Community, area, neighborhood, and other area-specific plans that were adopted by ordinance prior to [date of Comp Plan adoption] are still in effect. However, the elements of this Comprehensive Plan supersede any goals or policies of a community, area, or neighborhood plan that are inconsistent with this Plan.

The CC2025 Plan is an “area-specific plan” as the plan focuses exclusively on the Central City Plan District, and proposes amendments to the Comprehensive Plan Map, Zoning Code and Map, TSP and numerous implementation actions that are consistent with and specifically intended to implement the 2035 Comprehensive Plan within the geography of the Central City, consistent with Policy 1.19.

## Community Involvement: Goals

52. **Goal 2.A: Community involvement as a partnership.** The City of Portland works together as a genuine partner with all Portland communities and interests. The City promotes, builds, and maintains relationships, and communicates with individuals, communities, neighborhoods, businesses, organizations, institutions, and other governments to ensure meaningful community involvement in planning and investment decisions.
53. **Goal 2.B: Social justice and equity.** The City of Portland seeks social justice by expanding choice and opportunity for all community members, recognizing a special responsibility to identify and engage, as genuine partners, under-served and under-represented communities in planning, investment, implementation, and enforcement processes, particularly those with potential to be adversely affected by the results of decisions. The City actively works to improve its planning and investment-related decisions to achieve equitable distribution of burdens and benefits and address past injustices.
54. **Goal 2.C: Value community wisdom and participation.** Portland values and encourages community and civic participation. The City seeks and considers community wisdom and diverse cultural perspectives, and integrates them with technical analysis, to strengthen land use decisions.
55. **Goal 2.D: Transparency and accountability.** City planning and investment decision-making processes are clear, open, and documented. Through these processes a diverse range of community interests are heard and balanced. The City makes it clear to the community who is responsible for making decisions and how community input is considered. Accountability includes monitoring and reporting outcomes.
56. **Goal 2.E: Meaningful participation.** Community members have meaningful opportunities to participate in and influence all stages of planning and decision making. Public processes engage the full diversity of affected community members, including under-served and under-represented individuals and communities. The City will seek and facilitate the involvement of those potentially affected by planning and decision making.
57. **Goal 2.F: Accessible and effective participation.** City planning and investment decision-making processes are designed to be culturally accessible and effective. The City draws from acknowledged best practices and uses a wide variety of tools, including those developed and recommended by under-served and under-represented communities, to promote inclusive, collaborative, culturally-specific, and robust community involvement.
58. **Goal 2.G: Strong civic infrastructure.** Civic institutions, organizations, and processes encourage active and meaningful community involvement and strengthen the capacity of individuals and communities to participate in planning processes and civic life.

The process leading to the final Recommended Draft of Central City 2035 included the development of four initial concept plans (the CC2035 Concept Plan, North/Northeast, West, and South East Quadrant Plans) and included a detailed public engagement process that provided repeated and numerous opportunities for all interested parties to shape and influence the final recommended draft.

For instance, each of the four noted plans were initially developed with the assistance of a Stakeholder Advisory Committee (SAC), specifically developed for each plan area. These SAC's include a diverse membership, including representatives from under-represented communities

who have been impacted by past planning decisions. SAC meetings were open to the public, and public comment periods were a part of each meeting.

In addition to the SAC's, open house events, meetings with neighborhood and business associations, and meetings with numerous interest-based organizations were held, to ensure all interested parties and organizations had a chance to learn about and provide input on the plan.

Further, the BPS website had pages dedicated to each plan effort, and tools such as a Map App page, and contact information for a Central City 2035 help line, each providing additional opportunities to learn about the plan effort, review back ground reports, meeting notes, and numerous ways to comment on the plan.

Once a SAC endorsed plan was created for the Concept Plan and all three quadrant plans, briefings were held with the Planning and Sustainability Commission (PSC), Design Commission, and Landmarks Commission. These meetings were open to the public and PSC meetings were televised and available to review online. Then a public hearing on each plan was held with the PSC, who heard testimony and reviewed written testimony on each plan. These hearings were followed by a series of work sessions where the PSC revised the plan based on their and public input, and a formal PSC Recommended Draft was forwarded to the Portland City Council, where a similar series of briefings, hearings, and work sessions were held on each plan before Council adopted each after making amendments based in part on public testimony.

On June 12, 2015, the Portland Office of the Ombudsman received a complaint noting that West Quadrant Plan SAC members did not disclose conflicts of interest and asking that the SAC recommendations be invalidated. On October 21, 2015, the Ombudsman responded to this complaint by noting that the Oregon Government Ethics Commission makes a distinction between actual and potential conflicts of interest, stating:

*"An actual conflict of interest occurs when an action taken by the official would directly and specifically affect the financial interest of the official, the official's relative or a business with which the official or a relative of the official is associated. A potential conflict of interest exists when an official takes action that could have a financial impact on that official, a relative or a business with which the official or the relative of the official is associated."*

The Ombudsman found that SAC members did not face "actual" conflicts of interest, citing that the Oregon Government Ethics Commission, because "actual conflicts of interest cannot occur where an advisory committee makes non-binding recommendations (Advisory Opinion No. 07A-1001, page 3)." However, the Ombudsman indicated that SAC members could have faced a "potential" conflict, and although that "does not preclude anyone from being a member of the SAC or voting on a recommendation, the Ombudsman, prior to review of the CC2035 Plan by the PSC, recommended that BPS contact SAC members with a request to disclose any conflicts they may have had.

The public was provided opportunities to discuss concerns and suggest amendments in front of both the PSC and Council in response to the potential conflict disclosures. Several members of the public took that opportunity. Based on this testimony Council requested BPS staff to produce a height map of the West Quadrant, with properties owned by West Quadrant SAC members highlighted. Council made this request to determine if there was a basis for claims that SAC members disproportionately benefited from height amendments. Upon reviewing the ownership map, Council determined that no disproportionate benefits were gained by SAC members.

Further opportunities for the public to engage with the PSC and City Council in the legislative review of CC2035 are summarized in the Statewide Planning Goal 1, Citizen Involvement, earlier in these findings.

In response to the remand, the City of Portland is readopting CC2035 with additional findings and evidence to demonstrate that the proposed heights in New Chinatown/Japantown Historic District comply with applicable goals and policies.

Due to the COVID-19 pandemic, Governor Brown has issued a series of executive orders that impact local governments. Notably, on March 8, 2020, Governor Brown issued Executive Order 20-03 declaring a state of emergency due to COVID-19. Later, on March 23, Governor Brown issued Executive Order 20-12 declaring that non-essential gatherings outside of the home or place of residence are prohibited immediately, regardless of size.

On April 15, Governor Brown issued Executive Order No. 20-16 due to the COVID-19 pandemic requiring local governments to conduct public meetings by telephone, video, or other electronic means whenever possible. In order to move forward with city operations, the directive laid out instructions to conduct business virtually during this time. The Bureau of Planning and Sustainability proceeded with public noticing to readopt the CC2035 Plan following the guidelines outlined in the order, providing ample time for public input and participation.

A public notice was sent on May 1, 2020 for a City Council public hearing on the re-adoption of CC2035 to: parties to the appeal; parties that requested notice of the final decision; parties that received notice of Council's initial hearing on CC2035; the City's legislative list; and, people on the CC2035 mailing list.

The record opened on May 1, 2020 and closed June 4, 2020 allowing ample time before and after the hearing for the public to review the re-adoption documents on the project website and submit testimony via the MapApp tool on the project website or by mail to the City Council Clerk. The Findings of Fact Report was made available to public on May 21, 2020, one week prior to the hearing.

On May 28, 2020, the Portland City Council held a virtual public hearing and received written testimony regarding the re-adoption of CC2035. The virtual public meeting was held using the Zoom platform. It was free to participants and it allowed them to provide testimony by phone or computer. Participants were given 2 minutes to testify. Participants could also watch the hearing on YouTube with closed caption accommodations.

At the May 28, 2020 hearing, 30 people testified and by the close of record on June 4, 2020 and 147 written pieces of testimony had been received regarding the remand. The findings have been amended in response.

On July 2, 2020, City Council voted to approve these amended findings and to readopt the elements of the Central City 2035 Plan that were originally part of Ordinance 189000.

Testimony received in opposition to the proposed plan expressed that the re-adoption of CC2035 should be delayed considering COVID-19 and the potential for future pandemics. There were also suggestions that a new approach to urban planning be adopted that results in less dense development in the urban core, and less reliance on zoning that allows tall buildings that use high floor area ratios.

Further, there were suggestions that the current Council should delay voting until after the November 2020 election because since the original 2018 adoption of the CC2035 Plan one council

positions has changed, another will change in January 2020, another is vacant and awaiting the results of an August 2020 special election, and two other positions are being contested in a runoff election.

However, other testimony supported readoption because numerous projects were set in motion that used zoning provisions and standards put in place with the adoption of CC2035, that are no longer in effect due to the remand. This has had unintended consequence, stalling and stopping projects including senior housing, affordable housing and supportive housing. Others said new office, retail, and housing projects need the certainty of a readopted and effective CC2035, especially now, with so many other uncertainties brought about by COVID-19 that are beyond our local control. Council finds that further delay in readopting the Plan could exacerbate this delay of projects that are sorely needed within the Central City.

In consideration of this testimony, City Council recognizes that the CC2035 Plan is a long-range plan that will remain in effect for up to 25 years, and that COVID 19, a temporary but significant event, has stalled development of much needed affordable housing and retail and office projects. Council finds that the current members of the Council are authorized to act on the plan now and there is no justification for requiring a delay until after the elections. Further, Council finds that the evidence supporting the environmental, social and economic benefits outweigh the speculation that density should be reconsidered due to the pandemic, and City Council finds that cities can be dense and still provide places for people to isolate and be physically distant.

Other testimony received suggested that CC2035 allows significant height and density increases and transfer development right (TDR) bonuses will raise the cost of developable land making it harder to provide requisite amount of affordable housing. City Council has seen no evidence from any party to support the statement that the TDR program has significantly raised the cost of developable land or impacted the cost to provide affordable housing.

City Council acknowledges that the Inclusionary housing provisions that predate the CC2035 Plan have and continue to deliver new affordable housing units consistent with the intent of the program adopted by City Council and CC2035 has not modified that program.

Others stated that that the Plan's population projections are wrong. City Council does not find this testimony persuasive. City Council finds that the population projections used to support the 2035 Comprehensive Plan, Volume I, of the Central City Plan, and other background materials remain valid. CC2035 is a 25-year plan and there is no evidence in the record to support the assertion that there will be a population decline over the duration of the plan. Council finds that assertions that Plan's population projections are wrong are unsubstantiated.

Additionally, Council finds that the testimony about population projections was not directed toward any specific state or city goal or policy. Finally, the CC2035 Plan is projected to experience significant growth over the next 25 years. City Council supports the 2035 Comprehensive Plan objective of providing 30 percent of the City's projected growth in the Central City. Council received no compelling evidence that this percentage will change due to COVID.

Other testimony submitted suggested that heights in the Pearl District do not reflect CC2035 or Comprehensive Plan policies of stepping down to the River. As discussed more fully below in response to applicable policies, City Council acknowledges that the Comprehensive Plan stresses the importance of access to light and air (policy 4.11) and the preservation of public views of scenic resources (policy 4.44). In addition, CC2035 policy 5.5 outlines the importance of a dynamic skyline, encouraging the tallest buildings to locate adjacent to transit hubs and corridors, and generally stepping down in height to the Willamette River. However, these policies are met without

a uniform stepdown to the river. City Council finds that CC2035 advances policies such as 3.11 Significant Places recognizing the bridgeheads along the Willamette River as key locations for some of the taller and most dense development along the Central Reach of the river. The plan also promotes development of a similar scale along the transit mall. Conversely, the plan increases the protection of public view corridors reducing heights within and through the city center, promoting solar access to public park spaces, such as the Park Blocks and the Lan Su Classical Chinese Garden, and appropriate scale transitions to adjacent residential neighborhoods and historic district in and outside of the Central City. City Council also finds that policies 3.21 Role of the Central City and 3.22 Model Urban Center are advanced as they encourage a variety of heights throughout the Central City

City Council finds that this plan, and this public engagement process are consistent with Goals 2.A – 2.G of the 2035 Comprehensive Plan.

## Community Involvement: Policies

### Partners in decision making

59. **Policy 2.1, Partnerships and coordination.** Maintain partnerships and coordinate land use engagement with:
- 2.1.a,** Individual community members.
  - 2.1.b,** Communities of color, low-income populations, Limited English Proficient (LEP) communities, Native American communities, and other under-served and under-represented communities.
  - 2.1.c,** District coalitions, neighborhood associations, and business district associations as local experts and communication channels for place-based projects.
  - 2.1.d,** Businesses, unions, employees, and related organizations that reflect Portland’s diversity as the center of regional economic and cultural activity.
  - 2.1.e,** Community-based, faith-based, artistic and cultural, and interest-based non-profits, organizations, and groups.
  - 2.1.f,** Institutions, governments, and Sovereign tribes.
60. **Policy 2.2, Broaden partnerships.** Work with district coalitions, neighborhood associations, and business district associations to increase participation and to help them reflect the diversity of the people and institutions they serve. Facilitate greater communication and collaboration among district coalitions, neighborhood associations, business district associations, culturally-specific organizations, and community-based organizations.

During the development of the CC2035 Plan, staff conducted SAC meetings (57), subcommittee meetings (21), attended community meetings and events (303), and held project specific public open house events and tours (53). All meetings and events were open to the public and included opportunities for public comment. These meetings included those held with neighborhood associations, business associations, district coalitions, City advisory groups, professional organizations, and specific interest groups. Contact and updates to these organizations and individual stakeholders was maintained via email and website updates regarding the plan. A series of Technical Advisory Committee (TAC) meetings were also conducted on the overall CC2035 Plan,

and for each quadrant plan. These TAC meetings included representatives of City, regional, and state government. These efforts demonstrate consistency with Policies 2.1 and 2.2.

## Environmental justice

61. **Policy 2.3, Extend benefits.** Ensure plans and investments promote environmental justice by extending the community benefits associated with environmental assets, land use, and public investments to communities of color, low-income populations, and other under-served or under-represented groups impacted by the decision. Maximize economic, cultural, political, and environmental benefits through ongoing partnerships.
62. **Policy 2.4, Eliminate burdens.** Ensure plans and investments eliminate associated disproportionate burdens (e.g. adverse environmental, economic, or community impacts) for communities of color, low-income populations, and other under-served or under-represented groups impacted by the decision.

**2.4.a,** Minimize or mitigate disproportionate burdens in cases where they cannot be eliminated.

**2.4.b,** Use plans and investments to address disproportionate burdens of previous decisions.

Because CC2035 is a plan for the regional center of the Portland Metropolitan Region, it was critical that the plan address how the economic, cultural, political, environmental benefits deriving from a successful regional center would be shared by all. Beyond these benefits, access to affordable housing, to transit and active transportation, to education, social services, recreation, and other assets was also addressed by the plan.

For instance, regarding housing, the plan contains policies, actions, and regulations that require the development of affordable housing that is also energy efficient and has access to transit. Other elements of the Zoning Code promote housing for families with children, seniors, and students.

Other provisions address work force development, access to affordable workspace, and increasing employment densities in Central City industrial districts to allow for a greater range of employment opportunities for people at a range of educational or skill levels providing access to jobs within incomes at lower and higher wage levels.

These elements of the plan ensure consistency with Policies 2.3 and 2.4.

## Community assessment

63. **Policy 2.8, Channels of communication.** Maintain channels of communication among City Council, the Planning and Sustainability Commission (PSC), project advisory committees, City staff, and community members.

In support of CC2035, the project team conducted regular briefings with the PSC, Design Commission, Landmarks Commission, Portland Development Commission (now Prosper Portland Board), the CIC, TAC's created in support of CC2035 plan efforts, and local neighborhood and business associations, consistent with Policy 2.8.

64. **Policy 2.9, Community analysis.** Collect and evaluate data, including community-validated population data and information, to understand the needs, priorities, and trends and historical context affecting different communities in Portland.
65. **Policy 2.10, Community participation in data collection.** Provide meaningful opportunities for individuals and communities to be involved in inventories, mapping, data analysis, and the

development of alternatives.

Numerous background analysis was conducted in support of CC2035, as identified in Volume 4. Reports such as the Central City 2035 Subdistrict Profiles presented demographic data, housing numbers, economic statistics, transportation, and environmental data, among other information. Other documents provided detailed information about parking or transportation issues associated with specific Subdistricts, while other documents provided detailed information about existing development, as well as unutilized development potential. Much of this data was also available in hard copies as well as online, and some of this data was also integrated into a Map App that allowed individuals to focus on issues related to a single lot, or the Central City. The use of these tools ensure CC2035 was developed consistent with the objectives of Policies 2.9 – 2.10.

### Transparency and accountability

66. **Policy 2.12, Roles and responsibilities.** Establish clear roles, rights, and responsibilities for participants and decision makers in planning and investment processes. Address roles of City bureaus, elected officials, and participants, including community and neighborhood leadership, business, organizations, and individuals.
67. **Policy 2.13, Project scope.** Establish clear expectations about land use project sponsorship, purpose, design, and how decision makers will use the process results.
68. **Policy 2.14, Community influence.** At each stage of the process, identify which elements of a planning and investment process can be influenced or changed through community involvement. Clarify the extent to which those elements can be influenced or changed.
69. **Policy 2.15, Documentation and feedback.** Provide clear documentation for the rationale supporting decisions in planning and investment processes. Communicate to participants about the issues raised in the community involvement process, how public input affected outcomes, and the rationale used to make decisions.

As noted, the process to develop the Recommended CC2035 Plan involved numerous plan efforts, some focusing on Central City-wide policy development, others on specific quadrants or subdistricts of the plan area. Each effort provided numerous opportunities to influence the next version of the plan to be presented to the eventual plans crafted by the PSC and then adopted by City Council.

Throughout these efforts, staff contacted, met with, and coordinated with stakeholders to inform them how to engage in the decision-making process, how the process was structured, and additional opportunities to participate when such opportunities existed.

Further opportunities to for the public to engage with the PSC and City Council in the legislative review of CC2035 are summarized in the Statewide Planning Goal 1, Citizen Involvement, earlier in these findings.

Thus, these efforts are consistent with Policies 2.12 – 2.15.

### Process design and evaluation

70. **Policy 2.24, Representation.** Facilitate participation of a cross-section of the full diversity of affected Portlanders during planning and investment processes. This diversity includes individuals, stakeholders, and communities represented by race, color, national origin, English proficiency, gender, age, disability, religion, sexual orientation, gender identity, and source of income.
71. **Policy 2.25, Early involvement.** Improve opportunities for interested and affected community members to participate early in planning and investment processes, including identifying and

prioritizing issues, needs, and opportunities; participating in process design; and recommending and prioritizing projects and/or other types of implementation.

The community involvement program conducted in support of CC2035 engaged thousands of stakeholders and hundreds of stakeholder organizations. Accommodations were made available for people with disabilities and those that were non-English speaking stakeholders to participate in events and access materials. Also, staff was available to meet with all interested parties, regardless of whether they were directly affected by the plan or had a historic connection to the plan area. Many of these meetings were used to engage the public about issues to be addressed by the plan, confirming existing conditions data, and to refine plan recommendations. These efforts were consistent with policy direction of 2.24 and 2.25.

72. **Policy 2.26, Verifying data.** Use data, including community-validated population data, to guide planning and investment processes and priority setting and to shape community involvement and decision-making efforts.
73. **Policy 2.27, Demographics.** Identify the demographics of potentially affected communities when initiating a planning or investment project.
74. **Policy 2.28, Historical understanding.** To better understand concerns and conditions when initiating a project, research the history, culture, past plans, and other needs of the affected community, particularly under-represented and under-served groups, and persons with limited English proficiency (LEP). Review preliminary findings with members of the community who have institutional and historical knowledge.
75. **Policy 2.29, Project-specific needs.** Customize community involvement processes to meet the needs of those potentially affected by the planning or investment project. Use community involvement techniques that fit the scope, character, and potential impact of the planning or investment decision under consideration.

Prior to initiating the overall CC2035 Plan effort, as well as the individual quadrant plans, a detailed existing conditions analysis was prepared that established baseline demographic data, built conditions, environmental conditions, transportation data, and other important facts regarding past, current, and projected conditions. Further, the policies and objectives of previous plans were analyzed to determine their effectiveness and applicability for CC2035. Lastly, staff engaged the public in open house and other community meetings to verify this data and to identify other data and issues important in the creation of a new plan for the Central City.

76. **Policy 2.30, Culturally-appropriate processes.** Consult with communities to design culturally-appropriate processes to meet the needs of those affected by a planning or investment project. Evaluate, use, and document creative and culturally-appropriate methods, tools, technologies, and spaces to inform and engage people from under-served and under-represented groups about planning or investment projects.
77. **Policy 2.31, Innovative engagement methods.** Develop and document innovative methods, tools, and technologies for community involvement processes for plan and investment projects.
78. **Policy 2.32, Inclusive participation beyond Portland residents.** Design public processes for planning and investment projects to engage affected and interested people who may not live in Portland such as property owners, employees, employers, and students, among others, as practicable.
79. **Policy 2.33, Inclusive participation in Central City planning.** Design public processes for the

Central City that recognize its unique role as the region's center. Engage a wide range of stakeholders from the Central City and throughout the region including employees, employers, social service providers, students, and visitors, as well as regional tourism, institutional, recreation, transportation, and local/regional government representatives, as appropriate.

Consistent with Policies 2.30 – 2.33, throughout the development of CC2035, BPS maintained a webpage dedicated to the effort which provided constant updates including meeting announcements, meeting minutes, draft reports and analysis, links to video of PSC hearings, and the Central City Map App. These tools located on this site provided internet access for people to learn about and provide comments throughout the development of the plan. Further, outreach materials were presented in ten different languages and accommodations were made available for people of those languages to provide comments or receive answers to questions in those languages. More information regarding the total number of meetings and organizations met with can be found in Volume 6, Public Involvement, of the plan.

80. **Policy 2.34, Accessibility.** Ensure that community involvement processes for planning and investment projects are broadly accessible in terms of location, time, and language, and that they support the engagement of individuals with a variety of abilities and limitations on participation.
81. **Policy 2.35, Participation monitoring.** Evaluate and document participant demographics throughout planning and investment processes to assess whether participation reflects the demographics of affected communities. Adapt involvement practices and activities accordingly to increase effectiveness at reaching targeted audiences.
82. **Policy 2.36, Adaptability.** Adapt community involvement processes for planning and investment projects as appropriate to flexibly respond to changes in the scope and priority of the issues, needs, and other factors that may affect the process.
83. **Policy 2.37, Process evaluation.** Evaluate each community involvement process for planning or investment projects from both the City staff and participants' perspectives, and consider feedback and lessons learned to enhance future involvement efforts.

The CC2035 process formally began in 2010 with the initiation of the CC2035 Concept Plan and N/NE Quadrant Plan. At that time information from the 2010 Census was being released and used as an initial baseline for the demographics of the Central City. However, throughout the life of the plan effort, demographic, development, and transportation data was updated and used to inform the final versions of the two plans noted above, as well as the subsequent West and Southeast Quadrant Plans, and final Recommended Draft of CC2035. This ensured that the plan reflected real-time conditions and evolving projects for the plan area, and the information was made available to plan stakeholders and decision makers, consistent with Policies 2.34 – 2.37.

### Information design and development

84. **Policy 2.38, Accommodation.** Ensure accommodations to let individuals with disabilities participate in administrative, quasi-judicial, and legislative land use decisions, consistent with federal regulations.
85. **Policy 2.39, Notification.** Notify affected and interested community members and recognized organizations about administrative, quasi-judicial, and legislative land use decisions with enough lead time to enable effective participation. Consider notification to both property owners and renters.
86. **Policy 2.40, Tools for effective participation.** Provide clear and easy access to information about

administrative, quasi-judicial, and legislative land use decisions in multiple formats and through technological advancements and other ways.

87. **Policy 2.41, Limited English Proficiency (LEP).** Ensure that limited English proficient (LEP) individuals are provided meaningful access to information about administrative, quasi-judicial, and legislative land use decisions, consistent with federal regulations.

Consistent with Policies 2.38 – 2.41, and BPS community involvement practices, meetings, open house events, and all public meetings, described in more detail in the findings for Statewide Goal 1, were held at locations that could accommodate people with disabilities, meetings were noticed, information on the plan were provided to meeting participants as well as online, and accommodations were made to allow LEP individuals learn about and comment on the plan.

## Urban Form: Goals

88. **GOAL 3.A: A city designed for people.** Portland’s built environment is designed to serve the needs and aspirations of all Portlanders, promoting prosperity, health, equity, and resiliency. New development, redevelopment, and public investments reduce disparities and encourage social interaction to create a healthy connected city.
89. **GOAL 3.B: A climate and hazard resilient urban form.** Portland’s compact urban form, sustainable building development practices, green infrastructure, and active transportation system reduce carbon emissions, reduce natural hazard risks and impacts, and improve resilience to the effects of climate change.
90. **GOAL 3.C: Focused growth.** Household and employment growth is focused in the Central City and other centers, corridors, and transit station areas, creating compact urban development in areas with a high level of service and amenities, while allowing the relative stability of lower-density single-family residential areas.
91. **GOAL 3.D: A system of centers and corridors.** Portland’s interconnected system of centers and corridors provides diverse housing options and employment opportunities, robust multimodal transportation connections, access to local services and amenities, and supports low-carbon complete, healthy, and equitable communities.
92. **GOAL 3.E: Connected public realm and open spaces.** A network of parks, streets, City Greenways, and other public spaces supports community interaction; connects neighborhoods, districts, and destinations; and improves air, water, land quality, and environmental health.
93. **GOAL 3.F: Employment districts.** Portland supports job growth in a variety of employment districts to maintain a diverse economy.
94. **GOAL 3.G: Nature in the city.** A system of habitat corridors weaves nature into the city, enhances habitat connectivity, and preserves natural resources and the ecosystem services they provide.

The Urban Design chapter of the 2035 Comprehensive Plan contains goals and policies that view the city as if viewed from above. It considers the natural and urban conditions that shape the city, the unique districts that gives the city a diverse character and considers the network of corridors that link the city internally and with the region. Viewed from this perspective, the CC2035 Plan is intended to shape systems that make up the densest urban center in the State of Oregon. The

Central City is a regional hub for transportation, civic and cultural life, and government. Yet, it is also a collection of 10 individual districts, each with their own character and role, bound together by a close relationship with the Willamette River and a dynamic topography which further defines its character.

Consistent with Goals 3.A – 3.D, CC2035 contains goals, policies, and actions that support the Central City Plan District as the primary center for Portland, as well as the Portland Metropolitan Region. The plan’s policy framework and implementation plan supports a city center that “is composed of diverse, high density districts that feature high-quality spaces and a character that facilitates social interaction” (Goal 5.B) that can provide “equitable benefits to human health, the natural environment and the local economy” (Goal 6.A). The framework further contains policies addressing natural hazard and climate change resiliency (Policies 6.1 and 6.2), and numerous goals, policies, and actions supporting the Central City as the preeminent location for high-density focused growth in terms of economic development, housing, and access to government, cultural, and educational assets.

These goals, policies, and actions are further supported by Zoning Code amendments, such as development standards, FAR and height and development incentives, that on balance increase the development potential of the Central City. For instance, the Zoning Code has increased the base FAR of a number of sites that previously had a base of 4:1 to 5:1. These changes are intended to incent the development of new residential development, especially those containing affordable housing as a result of adopted inclusionary housing provisions. Further, limited portions of the Central Eastside were rezoned from industrial designations to Central Employment (EX) a mixed-use zone that allows higher density development as well as housing in certain situations. These provisions also build upon past and anticipated public investments in transportation infrastructure and respond to projections that the Central City will need to provide for 30% of Portland’s projected growth by 2035.

The CC2035 Plan further contains several elements that further the objective of Goal 3.E. These include the proposed Green Loop, new development standards and actions addressing the use of green infrastructure, expanded tree canopy, and additional vegetated setbacks within and adjacent to the public realm. The plan also contains goals, policies, and actions that support new open space creation, expanded use of the public realm and open space areas for a diversity of uses that enhance social interaction and environmental health.

Beyond the CC2035 policy framework, the plan includes many elements promoting a high-density and diverse economic center. The plan allows for increased employment densities in the Central Eastside, along the transit mall, at key station areas, and at major bridgeheads, consistent with Goal 3.F.

And lastly, as the Willamette River, Sullivan’s Gulch, and West Hills intersect with the Central City, combining with a public open space network that create corridors of habitat through the urban center of the city, CC2035 contains goals and policies promoting enhancement and expansion of these systems, as well as new development standards that require a greater setback from the Willamette River, improved enhancement requirements, greater open space areas at master plan sites, and bird safe design, are consistent with Goal 3.G.

## Urban Form: Policies

### Citywide design and development

95. **Policy 3.2, Growth and stability.** Direct most growth and change to centers, corridors, and transit

station areas, allowing the continuation of the scale and characteristics of Portland’s residential neighborhoods.

CC2035 strategically proposed FAR increases as well as height amendments various parts of the Central City, with an emphasis on the transit mall and new University Place, OMSI, Clinton station area. These amendments, as shown on Maps 510-2, 510-3, and 510-4 of the Central City Plan District (Volume 2A, Part 1 of the revised Recommended Draft of CC2035) were specifically intended to increase development densities in the Central City, with a further emphasis on incenting residential densities. During various points in their review of CC2035, Council proposed additional height and FAR amendments stating that these increases and bonus opportunities could result in additional housing that would help to increase the supply of housing within the city.

City Council received testimony, including from the Pearl neighborhood association, requesting a code change to require the provision for unlimited Floor Area Ratio (FAR) transfer be within the neighborhood of its deployment rather than by floor area transfer sectors. Comments received state that the transfer sector areas are too large, and the goal should be to preserve older buildings and increase the density of the new ones in the same neighborhood.

City Council finds that the CC2035 transfer area sectors proposed in CC2035 align with transportation impact modeling areas. In 2017, as part of the Central City 2035 Plan process, City Council expanded the size of the areas eligible to transfer FAR in response to testimony received. Council approved making each transfer sector as large as possible, while keeping areas in alignment with transportation impact modeling. The larger sector includes the Pearl, Downtown, Old Town/ Chinatown, West End and South Downtown, making a significantly larger pool of unused FAR available for transfer in this area. This addressed concerns received through testimony that the supply would be overly constrained if it remained at the neighborhood district level.

City Council finds that increasing the available pool of unused FAR to larger sectors of the Central City may facilitate high-density mixed-use development for housing, employment, services and amenities to support a growing population in the Central City.

City Council finds that larger sectors are supported by Comprehensive Plan policies 3.2 and, 6.3 in order to facilitate employment growth and to support housing density in the City’s downtown core.

Thus, these amendments increasing development potential are consistent with this policy direction.

96. **Policy 3.3, Equitable development.** Guide development, growth, and public facility investment to reduce disparities, ensure equitable access to opportunities, and produce positive outcomes for all Portlanders.

**3.3.a,** Anticipate, avoid, reduce, and mitigate negative public facility and development impacts, especially where those impacts inequitably burden communities of color, under-served and under-represented communities, and other vulnerable populations.

**3.3.b,** Make needed investments in areas that are deficient in public facilities to reduce disparities and increase equity. Accompany these investments with proactive measures to avoid displacement and increase affordable housing.

**3.3.c,** Encourage use of community benefit agreements to ensure equitable outcomes from development projects that benefit from public facility investments, increased development allowances, or public financial assistance. Consider community benefit agreements as a tool to

mitigate displacement and housing affordability impacts.

**3.3.d,** Consider use of exactions imposed on development and other tools to capture value created by plans and investments, to reduce or mitigate displacement and housing affordability impacts.

**3.3.e,** Coordinate housing, economic development, and public facility plans and investments to create an integrated community development approach to restore communities impacted by past decisions.

97. **Policy 3.4, All ages and abilities.** Strive for a built environment that provides a safe, healthful, and attractive environment for people of all ages and abilities.

The CC2035 Plan expands the boundaries of the existing plan district to include the new Clinton station area, an underutilized industrial area of about 12 acres in size which is now zoned for a mix of residential and employment uses. Other than that, the plan focuses redevelopment of existing underutilized and vacant areas of the Central City, and with uses of a similar character but at higher densities. This approach avoids displacement of existing populations. The plan further contains policies, actions, and development standards that promote housing and essential services for people of different ages and abilities to ensure that Central City neighborhoods are complete and sustainable communities, consistent with Policies 3.3 – 3.4.

98. **Policy 3.5, Energy and resource efficiency.** Support energy-efficient, resource-efficient, and sustainable development and transportation patterns through land use and transportation planning.
99. **Policy 3.6, Land efficiency.** Provide strategic investments and incentives to leverage infill, redevelopment, and promote intensification of scarce urban land while protecting environmental quality.
100. **Policy 3.7, Integrate nature.** Integrate nature and use green infrastructure throughout Portland.
101. **Policy 3.8, Leadership and innovation in design.** Encourage high-performance design and development that demonstrates Portland’s leadership in the design of the built environment, commitment to a more equitable city, and ability to experiment and generate innovative design solutions.

Consistent with the objectives of Policies 3.5 – 3.8, CC2035 promotes high-density and efficient land uses that are constructed to be energy efficient and that incorporate green infrastructure. The plan contains new zoning standards that introduce minimum density requirements in mixed use zones, and require new development pursue energy efficient certification and include ecoroofs. The plan also proposes expansion of transit and active transportation facilities, while reducing allowable parking ratios throughout the Central City.

102. **Policy 3.9, Growth and development.** Evaluate the potential impacts of planning and investment decisions, significant new infrastructure, and significant new development on the physical characteristics of neighborhoods and their residents, particularly under-served and under-represented communities, with attention to displacement and affordability impacts. Identify and implement strategies to mitigate the anticipated impacts.

While CC2035 promotes infill over displacement in existing Central City neighborhoods, the plan also promotes greater access to affordable housing and work space, public schools, community centers, and other amenities that serve under served and growing populations in the city center.

103. **Policy 3.11, Significant places.** Enhance and celebrate significant places throughout Portland with symbolic features or iconic structures that reinforce local identity, histories, and cultures and contribute to way-finding throughout the city. Consider these especially at:

- High-visibility intersections
- Attractions
- Schools, libraries, parks, and other civic places
- Bridges
- Rivers
- Viewpoints and view corridor locations
- Historically or culturally significant places
- Connections to volcanic buttes and other geologic and natural landscape features
- Neighborhood boundaries and transitions

CC2035 takes various tacks at addressing the objectives of Policy 3.11. The plan treats the bridgeheads along the Willamette River as key locations for some of the taller and most dense development along the Central Reach of the river. The plan also promotes development of a similar scale along the transit mall. Conversely, the plan increases the protection of public view corridors within and through the city center, promotes solar access to public park spaces, such as the Park Blocks and the Lan Su Classical Chinese Garden, and appropriate scale transitions to adjacent residential neighborhoods and historic district in and outside of the Central City.

In the New Chinatown/Japantown Historic District, the only MAX light rail station in the district fronts a 40,000 square foot site entirely used for surface parking. The CC2035 plan includes greater heights on the block to promote its redevelopment in line with goals for greater station area densities, the vitality of the historic district and residential activity. The heights are increased from 100 feet to 125 feet on the full block and an additional 75 feet of bonus height to 200 feet on the western half of the block located adjacent to this station area. Although the design of a building at this location, including the ultimate massing and height, would be reviewed for consistency with the applicable historic district design guidelines for the district, such a structure would better support the objective of Policy 3.11 than a vacant or surface parking lot.

## Centers

104. **Policy 3.12, Role of centers.** Enhance centers as anchors of complete neighborhoods that include concentrations of commercial and public services, housing, employment, gathering places, and green spaces.

105. **Policy 3.13, Variety of centers.** Plan for a range of centers across the city to enhance local, equitable access to services, and expand housing opportunities.

The Central City is the largest center on the 2035 Comprehensive Plan Map, a place that is intended to contain government services, civic amenities, a central business district, major institutions, diverse residential neighborhoods, the regional transportation hub, and a center for innovation and exchange. The CC2035 Plan addresses the multiple roles through an integrated policy framework that address economic development, housing opportunities, community development, environmental enhancement, multimodal transportation options, and a public realm and other features that provide for public gathering, discourse and events that benefit typical Central City users, but also the region.

The plan further supports this framework through actions that support new community centers, public schools, diversity of housing types and affordability, and the development and maintenance of essential public services that support residents. Employees, and visitors of the city center. Zoning amendments that address the creation of affordable housing, public open space, multimodal transportation, and essential public services directly implement the objectives of Policies 3.12 and 3.13.

106. **Policy 3.14, Housing in centers.** Provide housing capacity for enough population to support a broad range of commercial services, focusing higher-density housing within a half-mile of the center core.
107. **Policy 3.15, Investments in centers.** Encourage public and private investment in infrastructure, economic development, and community services in centers to ensure that all centers will support the populations they serve.

The CC2035 Plan projects that 30 percent of the city's growth by 2035 will occur in the Central City. This includes 38,000 new households and 51,000 new jobs. The increase in maximum floor area and use allowances of the Zoning Code proposed by the plan are modest, as the preexisting maximum height and FAR can accommodate these projections, based on analysis included in the buildable lands inventory (BLI). However, beyond capacity alone, the plan includes actions, development standards, and development incentives that address the inclusion of services and amenities that will support this continued growth and allow the Central City to sustain growth and the needs of residents and employees through the life of the plan and beyond. Specifically, new Central City Master Plan standards (Section 33,510.255 of the Zoning Code) requires the development of publicly accessible open space at key large development sites, and Section 33.510.2.E of the Zoning Code contains floor area allowance incentives when public services such as schools, community centers, libraries, and daycare are developed. These various elements of the plan are consistent with policies 3.14 and 3.15.

108. **Policy 3.16, Government services.** Encourage the placement of services in centers, including schools and colleges, health services, community centers, daycare, parks and plazas, library services, and justice services.

In direct response to this directive, the policy framework and implementation plan for CC2035 call for the development of new community centers, daycare, public open space, educational facilities, and other essential public services. Development incentives have also been included that encourage the development of such facilities as part of new mixed-use development and as standalone development.

109. **Policy 3.17, Arts and culture.** Ensure that land use plans and infrastructure investments allow for and incorporate arts, culture, and performance arts as central components of centers.

The role and importance of arts and culture to the economy and livability of the Central City is addressed in the policy framework and actions of the plan. The zoning strategy of the plan also supports this directive through the expansion of mixed-use zoning at key station areas where such amenities exist and where additional amenities are proposed, such as the OMSI station area in the Central Eastside.

Amendments to the Zoning Code also protect existing arts and cultural infrastructure. For example, height limit adjustments to new development are possible to protect the Lan Su Classical Chinese Garden, an important cultural asset, adjacent to the New Chinatown/Japantown Historic District. A

shadow study will be required of all new development on the blocks south, southwest and west of the Lan Su Garden. This shadow analysis will be required to ensure the garden, and the various functions it hosts, have access to light and air, and will be free from excessive shadowing from adjacent structures that might otherwise block sunlight during part of the afternoon.

Testimony was received from Lan Su Classical Chinese Garden in support of the re-adoption of CC2035 plan. The Garden conducted an in-house study by a horticulturist and found that the Garden will receive adequate sunlight from the south side from 10 am to 2 pm for most of the year. This is due to the height reduction from 250 ft. to 100 ft. on the block south of the Garden, as proposed by the Central City 2035 plan. Further, the study found that the shadow from a 200-ft. building on the west side would have little or no effect on the plants in the Garden.

City Council finds that this policy is met as this important cultural asset supports the plan and will not be impacted by the proposed adjacent heights.

110. **Policy 3.18, Accessibility.** Design centers to be compact, safe, attractive, and accessible places, where the street environment makes access by transit, walking, biking, and mobility devices such as wheelchairs, safe and attractive for people of all ages and abilities.
111. **Policy 3.19, Center connections.** Connect centers to each other and to other key local and regional destinations, such as schools, parks, and employment areas, by frequent and convenient transit, bicycle sharing, bicycle routes, pedestrian trails and sidewalks, and electric vehicle charging stations.

The existing conditions of the Central City may present the best example of how to address the objectives of Policies 3.18 and 3.19. However, the CC2035 Plan proposes enhancing the accessibility of the city center through additional transit connections, and multimodal infrastructure, like the Green Loop, that offer greater safety and separation for cyclists and pedestrians while connecting key service and destinations throughout the Central City.

112. **Policy 3.20, Green infrastructure in centers.** Integrate nature and green infrastructure into centers and enhance public views and connections to the surrounding natural features.

The policies, actions, and development standards of the plan address this policy by supporting and often requiring the development of energy efficient buildings, ecoroofs, use of green infrastructure on private land and in the public right-of-way, and expansion of greenway setbacks and tree canopy throughout the Central City.

## Central City

113. **Policy 3.21, Role of the Central City.** Encourage continued growth and investment in the Central City and recognize its unique role as the region's premier center for jobs, services, and civic and cultural institutions that support the entire city and region.

The CC2035 Plan proposed modest increases in FAR, as the plan district already contains a significant amount of growth potential through current zoning. However, significant growth is proposed for the transit mall and key station areas. CC2035 amendments increasing FAR and height allowances are shown on Maps 510-2, 510-3, and 510-4 of the Central City Plan District (Volume 2A, Part 1 of the revised Recommended Draft of CC2035). These were specifically intended to increase development densities in the Central City.

The plan also includes Zoning Code development standards allowing higher density employment in the Central Eastside industrial sanctuary. Lastly, the plan focuses on the redevelopment of vacant and under-utilized parcels throughout the city center, and places minimum density requirements for new development in mixed zones, consistent with this policy.

114. **Policy 3.22, Model Urban Center.** Promote the Central City as a living laboratory that demonstrates how the design and function of a dense urban center can concurrently provide equitable benefits to human health, the natural environment, and the local economy.

This policy calls for the Central City to be developed as a vibrant mixed-use center, that includes dense development that contributes to human and environmental health. CC2035 addresses these multiple objectives through elements that require the use of green infrastructure and energy efficient buildings. Additional elements that address environmental enhancement standards, expansion of non-automotive transportation options, a diverse mix of housing and essential public services, and an integrated approach toward transportation, urban design, development, and environmental enhancement, each contribute to the objectives of Policy 3.22.

115. **Policy 3.23, Central City employment.** Encourage the growth of the Central City's regional share of employment and continue its growth as the region's unique center for innovation and exchange through commerce, employment, arts, culture, entertainment, tourism, education, and government.

By the year 2035, the Central City is anticipated to add 51,000 new jobs to the more than 135,000 jobs that already exist. CC2035 contains numerous goals, policies, and actions that directly address expanded employment opportunities, but the plan most directly encourages growth by increasing FAR along the transit mall, at key station areas, and by increasing FAR allowances for higher density employment in the Central Eastside. These and similar elements of the plan ensure that CC2035 increase the Central City's share of regional job growth through the life of the plan, consistent with Policy 3.23.

116. **Policy 3.24, Central City housing.** Encourage the growth of the Central City as Portland's and the region's largest center with the highest concentrations of housing and with a diversity of housing options and services.

Over the life of the CC2035 Plan, the Central City is projected to grow by 38,000 households, and most of this growth will continue in existing districts such as the Pearl, West End, Goose Hollow, and South Waterfront. However, emerging residential neighborhoods in the Lloyd, Old Town/Chinatown, and other districts are expected to densify as well. The plan supports this direction through increased FAR allowances at key station areas, the rezoning of some areas to base zones that have demonstrated the ability to produce more housing, policies supporting a mix of housing types, and through development incentives that encourage affordable housing, as well as community supporting services and amenities, consistent with Policy 3.24.

117. **Policy 3.25, Transportation hub.** Enhance the Central City as the region's multimodal transportation hub and optimize regional access as well as the movement of people and goods among key destinations.

CC2035 amends the City's Transportation Systems Plan (TSP) to add a new goal and 16 new polices addressing various transportation issue, including Policy 9.40 which states:

***Regional transportation hub.** Strengthen the Central City as the highly accessible and multimodal hub for moving people and goods, reinforcing its regional center roles, enabling successful high density employment and housing development, and thereby affirming its role in Metro's Regional 2040 Framework Plan.*

The plan also contains over 100 transportation related action items that address transit improvements, enhance freight mobility, expand and increase the safety of pedestrian and bicycle facilities, improve intersections and turn movements to the benefit of all modes, and consider the use of the Willamette River for regional transit options, such as high speed ferry service. These and other actions are intended to support and enhance the role of the Central City as the regional transportation hub, consistent with Policy 3.25. For more information regarding how the CC2035 Plan is consistent with all applicable transportation related Comprehensive Plan goals and policies, review "Transportation" findings located later in this findings report.

118. **Policy 3.26, Public places.** Promote public places and the Willamette River waterfront in the Central City as places of business and social activity and gathering for the people of its districts and the broader region.

The CC2035 Plan promotes the role and importance of the Willamette River, public right-of-way, and parks and open space areas in making the Central City a civic and cultural center for innovation and exchange. The plan's policy framework and implementation plan contain elements supporting enhancement and expansion of public open space and gathering places, such as community centers and allowing limited retail uses in OS zones. The zoning amendments from the plan further provide development incentives to create greater setbacks from the Willamette River than those required by the plan and require that public open space be a part of large master plan sites. The plan contains additional elements that protect solar access from public spaces, promote expanded use of the right-of-way, and support the creation of the Green Loop, a key pedestrian and bicycle access way that links key public places throughout the Central City.

## Corridors

119. **Policy 3.44, Growth and mobility.** Coordinate transportation and land use strategies along corridors to accommodate growth and mobility needs for people of all ages and abilities.
120. **Policy 3.45, Connections.** Improve corridors as multimodal connections providing transit, pedestrian, bicycle, and motor vehicle access and that serve the freight needs of centers and neighborhood business districts.
121. **Policy 3.46, Design.** Encourage street design that balances the important transportation functions of corridors with their roles as the setting for commercial activity and residential living.
122. **Policy 3.47, Green infrastructure in corridors.** Enhance corridors with distinctive green infrastructure, including landscaped stormwater facilities, extensive tree plantings, and other landscaping that both provide environmental function and contribute to a quality pedestrian environment.

The Central City contains several designated Civic Corridors and Neighborhood Corridors. These tend to be major streets that extend from the city center outward into the rest of the city, such as Burnside, Martin Luther King Jr., Naito Parkway, and Broadway, among others. Within the Central City, these streets, their design, and their function may seem very like any number of other streets. However, once these corridors leave the city center, they often serve as both a major route to and

from the Central City, but also a local node of high-density, mixed-use development for the neighborhoods they serve.

That said, the role of these corridors as routes that connect the Central City with other corridors and town centers is an important one. Although these densities, mix of uses, use of green infrastructure, and inclusion of active transportation facilities and transit is not unique to these streets in the city center, the character of development and design and programming of these streets is what often makes them different. The CC2035 plan addresses the unique character of these corridors through Transportation Systems Plan (TSP) designations that address the multiple roles these corridors play. The plan also enhances development standards and use allowances that focus on ground floor activation, glazing standards, building setbacks, landscaping, green infrastructure and other elements that support the objectives of Policies 3.44 – 3.47.

## Civic Corridors

123. **Policy 3.48, Integrated land use and mobility.** Enhance Civic Corridors as distinctive places that are models of ecological urban design, with transit-supportive densities of housing and employment, prominent street trees and other green features, and high-quality transit service and pedestrian and bicycle facilities.
124. **Policy 3.49, Design great places.** Improve public streets and sidewalks along Civic Corridors to support the vitality of business districts, create distinctive places, provide a safe, healthy, and attractive pedestrian environment, and contribute to quality living environments for residents.
125. **Policy 3.50, Mobility corridors.** Improve Civic Corridors as key mobility corridors of citywide importance that accommodate all modes of transportation within their right-of-way or on nearby parallel routes.
126. **Policy 3.51, Freight.** Maintain freight mobility and access on Civic Corridors that are also Major or Priority Truck Streets.

The following streets are designated Civic Corridors within the Central City: Burnside, Broadway, Sandy, Naito Parkway, MLK Jr., SE Powell, and SE Hawthorne. The policies above identify key objectives for designated Civic Corridors. These include integrating freight, transit, and active transportation capacity, and green infrastructure, within a well-designed public realm that promotes human interaction and health. The CC2035 Plan promotes these objectives through development standards that require adjacent development to activate the public realm with a mix of uses and greater amounts of windows. Other Zoning Code standards provide incentives to setback development to create an expanded pedestrian experience. The plan also includes updated classification to the Transportation Systems Plan (TSP) that denote the multiple roles these various streets are required to plan as routes for transit, freight, bike commuting, and general circulation.

## Neighborhood Corridors

127. **Policy 3.52, Neighborhood Corridors.** Enhance Neighborhood Corridors as important places that support vibrant neighborhood business districts with quality multi-family housing, while providing transportation connections that link neighborhoods.

The following streets are designated Neighborhood Corridors within the Central City: NW Lovejoy, East Burnside, SE Belmont, and SE Division. Consistent with the above policy, the plan approach toward the designated Neighborhood Corridors in the Central City is to maintain mixed use zoning along these streets that requires active ground floor uses, such as retail sales and service, offices,

and other uses, with upper stories available for residential, offices, and along the south side of SE Belmont, industrial office uses.

## Transit Station Areas

128. **Policy 3.53, Transit-oriented development.** Encourage transit-oriented development and transit-supportive concentrations of housing and jobs, and multimodal connections at and adjacent to high-capacity transit stations.

Nearly all districts in the Central City have key station areas that are supported by transit-oriented development (TOD). CC2035 continues to support redevelopment in and near these station areas with TOD, and specifically addresses the inclusion of TOD at recently created station areas along the Max Orange Line in the University/South Downtown, South Waterfront, and Central Eastside Districts. An example of this can be found within the OMSI Station Area, where vacant and underutilized lands zoned for lower density employment and light industry use have been up-zoned to allow for these uses, as well as a mix of office, retail, and housing as a conditional use. This area now also enjoys greater maximum FAR and heights, which will allow a denser and greater mix of uses to exist as TOD at this station.

129. **Policy 3.54, Community connections.** Integrate transit stations into surrounding communities and enhance pedestrian and bicycle facilities (including bike sharing) to provide safe and accessible connections to key destinations beyond the station area.
130. **Policy 3.55, Transit station area safety.** Design transit areas to improve pedestrian, bicycle, and personal safety.

The station areas of the Central City are well connected to the multimodal network of bike and pedestrian routes that serve the city center, and CC2035 maintains and proposes to expand this network. The plan also proposes TOD at higher densities, and development standards that create active pedestrian-oriented uses at and adjacent to stations to increase safety of transit riders and other users of these station areas, consistent with Policies 3.54 – 3.55.

131. **Policy 3.56, Center stations.** Encourage transit stations in centers to provide high density concentrations of housing and commercial uses that maximize the ability of residents to live close to both high-quality transit and commercial services.
132. **Policy 3.57, Employment stations.** Encourage concentrations of jobs and employment-focused land uses in and around stations in employment-zoned areas.

CC2035 addresses the objectives of Policies 3.56 and 3.57 in several ways. Along the transit mall and at key station areas, FAR and height allowances have been applied to mixed-use zoned areas where a higher density of uses and development may now occur in response to the transit that has been expanded in the Central City over the last decade. In the Central Eastside, two new station areas located in underutilized low density industrial/employment land have been rezoned to mixed employment, with higher FAR and height allowances. One of these, the Clinton Station, is intended for a mix of residential and employment uses, whereas, the OMSI station area is intended for Employment Transit-Oriented Development (ETOD) and housing is only allowed as a conditional use where it can be found to not erode the viability of industrial employment uses on adjacent parcels.

133. **Policy 3.58, Transit neighborhood stations.** Encourage concentrations of mixed-income residential development and supportive commercial services close to transit neighborhood

stations. Transit neighborhood stations serve mixed-use areas that are not in major centers.

134. **Policy 3.59, Destination stations.** Enhance connections between major destinations and transit facilities and strengthen the role of these station areas as places of focused activity.

Many of the existing stations in the Central City are located at areas with key regional attractions, such as OMSI, the Moda Center, and the Saturday Public Market. Some of these stations have long enjoyed high-density mixed-use zoning, that includes affordable and market rate housing as well as mix of retail and employment uses. However, in situations where redevelopment around these stations has been slow to occur, or where zoning limitations restricted TOD at these locals, CC2035 proposes new base zones, increased height and FAR, and sometimes the creation of Central City Master Plans, that will in part be used to leverage the development of a dense mix of uses at and adjacent to these stations, consistent with Policy 3.58 and 3.59.

### City Greenways

135. **Policy 3.60, Connections.** Create a network of distinctive and attractive City Greenways that link centers, parks, schools, rivers, natural areas, and other key community destinations.
136. **Policy 3.61, Integrated system.** Create an integrated City Greenways system that includes regional trails through natural areas and along Portland’s rivers, connected to neighborhood greenways, and heritage parkways.
137. **Policy 3.62, Multiple benefits.** Design City Greenways that provide multiple benefits that contribute to Portland’s pedestrian, bicycle, green infrastructure, and parks and open space systems.
138. **Policy 3.63, Design.** Use design options such as distinctive street design, motor vehicle diversion, landscaping, tree plantings, scenic views, and other appropriate design options, to create City Greenways that extend the experience of open spaces and nature into neighborhoods, while improving stormwater management and calming traffic.

The Central City contains two primary City Greenways: The Green Loop and Willamette Greenway Trail. CC2035 continues to address the completion of the greenway trail as new and redevelopment activities that trigger trail construction occur along its alignment. As for the Green Loop, designated as an “enhanced greenway corridor,” this is a significant new greenway that will pass through most of the districts in the Central City and furnishes a new type of pedestrian and bicycle infrastructure designed for more cautious riders who prefer a separation from automobile traffic. The loop will provide connections to other pedestrian, bicycle, and transit alignments, and connect various public parks, visitor attractions, and institutions. The distinctive character of the loop, its integration with the multimodal network, and connections to key Central City destinations ensure consistency with the objectives of Policies 3.60 – 3.63.

### Urban habitat corridors

139. **Policy 3.64, Urban habitat corridors.** Establish a system of connected, well-functioning, and diverse habitat corridors that link habitats in Portland and the region, facilitate safe fish and wildlife access and movement through and between habitat areas, enhance the quality and connectivity of existing habitat corridors, and establish new habitat corridors in developed areas.
140. **Policy 3.65, Habitat connection tools.** Improve habitat corridors using a mix of tools including natural resource protection, property acquisition, natural resource restoration, tree planting and landscaping with native plants, and ecological design integrated with new development.

141. **Policy 3.66, Connect habitat corridors.** Ensure that planned connections between habitat corridors, greenways, and trails are located and designed to support the functions of each element, and create positive interrelationships between the elements, while also protecting habitat functions, fish, and wildlife.

The CC2035 amendments are consistent with Policies 3.64, 3.65 and 3.66 in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) identifies features including the 187-mile long Willamette River and riparian area which connects 11,500 square miles of land to the Columbia River and Pacific Ocean. The Willamette River is a migratory corridor for fish and wildlife. Chapter 5, Results, includes recommendations for protecting and maintaining natural resource features and functions and enhancing the resources to improve quality, quantity and connectivity of habitats.
- B. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the Willamette River, floodplains and riparian areas by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The mitigation requirements include planting of native vegetation and a mix of trees, shrubs and groundcover, which will improve habitat quality, quantity and connectivity along the Willamette River.
- C. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. There is a landscaping requirement for the setback that requires native plants to be installed with development. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion and updated landscaping requirement is appropriate because they will improve habitat quality, quantity and connectivity for fish and wildlife.
- D. The regulations for removal and remediation of hazardous substances require the use of biotechnical techniques for bank stabilization and the planting of native vegetation on the river bank. This will enhance fish and wildlife habitat in the Willamette River and riparian areas.
- E. The major trail alignment and completion of the Greenway Trail along the Willamette River will include landscaping that incorporates native vegetation and a mix of trees, shrubs and groundcover, which will improve habitat quality, quantity and connectivity along the Willamette River.
- F. C2035 includes a range of policies that will ensure the City continues progress toward incorporating tree canopy with redevelopment throughout the Central City. Specifically, the Plan contains tree canopy targets for all ten Central City subdistricts. Nine out of the 10 subdistricts are expected to experience increases in tree canopy over the life of the plan. Additional tree canopy will create new habitat connectivity corridors that allow wildlife to move across the urban landscape.
- G. The Green Loop is a multimodal transportation corridor that incorporates green infrastructure including trees and other vegetation into the design. The vegetation included in the Green Loop will create a new habitat connectivity corridor for wildlife to move through the Central City and connect to the Willamette River.
- H. A new standard for the Central City requires that new buildings over 20,000 square feet in net size must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions

including habitat for avian species. Ecoroofs will improve habitat connectivity for birds and insects throughout the urban landscape.

Significant testimony was received at the May 28, 2020 City Council hearing requesting that the ecoroof requirement (33.510.243) be retained as adopted in 2018. One individual requested a change to add the ability to harvest rainwater. City Council has no intention of changing the provision and intends retain and readopt ecoroof requirement in its current form.

## Employment areas

142. **Policy 3.67, Employment area geographies.** Consider the land development and transportation needs of Portland’s employment geographies when creating and amending land use plans and making infrastructure investments.
143. **Policy 3.68, Regional Truck Corridors.** Enhance designated streets to accommodate forecast freight growth and support intensified industrial use in nearby freight districts. *See Figure 3-7 – Employment Areas.* Designated regional truckways and priority truck streets (Transportation System Plan classifications are shown to illustrate this network).

The Central City contains two urban industrial districts: Central Eastside and Lower Albina Districts. Both are predominately zoned for a mix of freight dependent industrial employment uses, both are designated freight districts, and both include mixed-use corridors and major transit stations. CC2035 results in modest changes to the Lower Albina District; however, the plan significantly increases allowed employment densities in the Central Eastside, the rezoning of industrial to mixed use development at light rail stations, while increasing the designation of key freight routes to a higher classification and proposing new couplets and signalization improvements intend to enhance freight mobility and the viability of industrial employment throughout the district, consistent with Policies 3.67 and 3.68.

## Rivers Pattern Area

144. **Policy 3.69, Historic and multi-cultural significance.** Recognize, restore, and protect the historic and multi-cultural significance of the Willamette and Columbia Rivers, including current activities such as subsistence fishing of legally-permitted fish species.

The amendments are consistent with this policy because Willamette River goals, policies and actions promote the Willamette River’s historic and cultural significance, economy, and river recreation including fishing. Specifically:

- A. Willamette River goals state the river’s significant role in the environmental health, economy, recreation and character, that the river is healthy for fish, wildlife and people and the river and adjacent public areas are connected;
- B. Policies 4.1 and district policies 1.SW-2, 4.DT.1 and UD 18, for example, speak to improvements and activities that strengthen the physical, visual and cultural connections to the river and increase awareness of the river’s history, economy and ecological importance;
- C. Other policies focus on river-dependent and river-related uses, improved access to the river and to docks, and safe and enjoyable recreation including fishing such as Policy 4.3, Central Eastside Policy 4.CE-1 and South Waterfront policies 4.SW.1;
- D. Specific Central Citywide actions such as WR5 and district actions such as Old

Town/Chinatown action UD53, call for installation of art, signage and attractions along the riverfront to showcase the river’s past including highlighting Native American and maritime history; and

- E. Specific Central Citywide and district actions call for improved access to the river and to docks (Central Citywide WR4) and district actions promote low impact recreation including fishing (University District/South Downtown action UD62 and South Waterfront action UD 75 and 76).

145. **Policy 3.70, River transportation.** Recognize and enhance the roles of the Willamette and Columbia rivers as part of Portland’s historic, current, and future transportation infrastructure, including for freight, commerce, commuting, and other public and private transportation functions.

The amendments are consistent with this policy because a Transportation goal, along with policies and actions recognize and enhance the role of the Willamette River as part of Portland’s historic, current and future transportation infrastructure through:

- A. Transportation Goal 3A maintains that the Central City has a safe, affordable, efficient and accessible transportation system that prioritizes transit (including river transit in transportation system diagram) and Transportation Policy 3.10 includes exploring river transit;
- B. Numerous policies (e.g. Willamette River 4.4) and actions call for preserving, improving and promoting infrastructure that support commercial and marine freight (e.g. Lower Albina Policy 3.LA-3), river transit (e.g. Central City actions TR4 and TR5), individual watercraft and boating uses (e.g. Downtown TR41); and
- C. See above findings for Policy 3.69, Historic and Cultural Significance, for findings that relate to maritime history.
- D. The Transportation Studies list in CC2035 include a River Transit Study to assess the feasibility of a river transit system.

146. **Policy 3.71, Recreation.** Improve conditions along and within the Willamette and Columbia rivers to accommodate a diverse mix of recreational users and activities. Designate and invest in strategically-located sites along the length of Portland’s riverfronts for passive or active recreation activities that are compatible with nearby land uses, historically and culturally important sites, significant habitat areas, restoration sites, and native fish and wildlife usage.

The CC2035 Plan is consistent with this policy because:

- A. Numerous goals, policies and actions related to the Willamette River accommodate a diverse mix of recreational users and activities. Examples are Willamette River Goals 4A and 4C, Policies 1.5, 4.2 and 4.5, and actions WR 4, WR8 and WR14;
- B. The amendments also designate and include investments in strategically-located sites along the riverfront for recreation that is compatible with nearby land uses and other significant sites. Examples are: Policy 4.11 calls for low impact dock design, Downtown Policy 4.DT-1 addresses diverse recreation and habitat at Central City’s riverfront Governor Tom McCall Waterfront Park, EN17, EN 19 and EN21;

- C. Two Zoning Code use allowances in the Central City Plan District also support improving conditions along the Willamette River for recreational users. One allows a limited amount of retail structures in Open Space zoned properties outside of the river setback, to support parks users and activities. This includes specific OS zoned locations along the riverfront. Portland Parks and Recreation anticipates retail development to serve parks users with food and drink vendors and recreation rentals such as kayaks. The other Zoning Code development standard is for a Riverfront Open Space Bonus that entails a developer dedicating additional open space area adjacent to the river setback to provide more open space opportunities in exchange for additional development potential; and
- D. The new River Overlays Chapter in the Zoning Code includes an expanded river setback of 50' as measured from top of bank, for new development and redevelopment along the riverfront. This increase from the existing 25' setback provides more land area for recreation and other objectives of the Willamette River Greenway.

**147. Policy 3.73, Habitat.** Enhance the roles of the Willamette and Columbia rivers and their confluence as an ecological hub that provides locally and regionally significant habitat for fish and wildlife and habitat restoration opportunities.

The amendments support enhancing the role of the Willamette River as an ecological hub that provides locally and regionally significant fish and wildlife habitat and habitat restoration opportunities. See findings for Statewide Planning Goals 5, 6 and 15, Metro Urban Growth Management Functional Plan Title 3, 2035 Comprehensive Plan Goal 7B and policies: 3.64, 3.65 and 3.66, 7.8, 7.9, 7.10 among other policy findings in Chapter 7 Environment and Watershed Health.

**148. Policy 3.74, Commercial activities.** Enhance the roles of the Willamette and Columbia rivers in supporting local and regional business and commerce, including commercial fishing, tourism, recreation, and leisure.

The CC2035 Plan is consistent with this policy through goals, policies, actions, zoning code and map changes that enhance the role of the Willamette River in supporting local and regional business and commerce, tourism, recreation and leisure.

- A. Goals 4A and 4B state that the Willamette River plays a significant role in diverse aspects including economy and recreation and the river is healthy and supports fish, wildlife and people.
- B. Regional Center policies and actions seek enhancement of the riverfront as a city-wide and regional destination by encouraging shops, restaurants, other attractions and recreation, and support opportunities for river tours, river transit and regional cruises. See policies 1.5, 1-PL.3, 1-CE.3, 1-SW-2 and actions RC20, RC60, and RC63 as examples.
- C. Willamette River policies and actions call for a prosperous and vibrant riverfront with a variety of businesses and attractions that provide jobs and serve riverfront visitors. See policies 4.1, 4.3, 4.4, 4.9, 4-LA.1, and 4-CE-1 and actions TR20, TR74, UD18, UD22, UD55 and UD72.
- D. A Central City Plan District zoning provision also supports commercial activities in the riverfront area. It allows a limited amount of retail structures in Open Space zoned properties outside of the river setback, to support parks users and activities. This includes a sizable amount of OS zoned locations along the riverfront. It is anticipated that retail development will be food and drink vendors and recreation rentals such as kayaks.

- E. The plan includes a zoning map change for the riverfront area in the Central Eastside by the Oregon Museum of Science and Industry (OMSI) that will allow more opportunities for commerce, tourism, recreation and leisure. The new zoning map changes zoning around the OMSI light rail station area from industrial to Central Employment (EX) zone. This zoning map amendment will allow greater opportunities for commercial uses near the river.
- F. A River Overlay Zones development standard expands river-related development in the 50' river setback for Marine Passenger Terminals but limits this activity to a 5,000-square foot building footprint within the setback to balance this development with other Willamette Greenway goals including habitat conservation. Allowed river-related development associated with Marine Passenger Terminals can happen in a multi-story building within the maximum building footprint allowance and can also locate outside the river setback.

**149. Policy 3.75, River neighborhoods.** Enhance the strong river orientation of residential areas that are located along the Willamette and Columbia Rivers.

The amendments support this policy through the CC2035 Plan policy framework that enhance the strong river orientation of river neighborhood developments to/along the Willamette River.

- A. Goals 5A and 4C address a well-designed built environment with views to the surrounding landscape, building orientation and east/west connectivity to the Willamette River;
- B. Central City-wide Policy 4.8 along with specific district policies such as 4.OT-1 and 4CE-2 call for development projects along the riverfront that improve the physical and visual relationship of buildings and activities to the river including the orientation of doors and windows to the river; and
- C. A few actions seek to have new developments connect to the river (see findings for Policy 3.76 below), and direct staff to update the Central City Fundamental Design Guidelines (action UD1), which includes a guideline on the Willamette River that supports this policy.

**150. Policy 3.76, River access.** Enhance and complete Portland's system of river access points and riverside trails, including the Willamette Greenway Trail, and strengthen active transportation connections between neighborhoods and the rivers.

The CC2035 Plan is consistent with this policy through numerous goals, policies and actions and through zoning code implementation.

- A. Goals 3.A, 4.C and 5A prioritize active transportation, east-west access (to the river) and make public areas accessible and connected, e.g. Governor Tom McCall Waterfront Park;
- B. Numerous policies relate to visual and physical connections to the riverfront including to river transportation and improvements to streets and trails such as the Willamette Greenway Trail that connect people to the river, including the following examples of Central City-wide policies: 4.4, 4.5, and 5.12 and specific district policies: 3.DT-1, 3PL-1, 5.OT-3, 5.CE-2 and 3SW-1.
- C. There are numerous Transportation actions that enhance and complete river access and riverside trails and strengthen active transportation connections to the river, examples are: TR44, TR74, TR94, TR107, TR114, UD 25, and UD 77.
- D. Action TR118 states that the Bureau of Development Services will adopt and implement a proposed administrative rule that establishes a formula for determining rough proportionality for major public trail (e.g. Willamette Greenway Trail) exactions from specific proposed developments; to clarify when dedication of trail construction and/or dedication of easements

would be required of a proposed development based on impacts to the trail system.

151. **Policy 3.77, River management and coordination.** Coordinate with federal, state, regional, special districts, and other agencies to address issues of mutual interest and concern, including economic development, recreation, water transportation, flood and floodplain management and protection, regulatory compliance, permitting, emergency management, endangered species recovery, climate change preparation, Portland Harbor Superfund, brownfield cleanup, and habitat restoration.

The CC2035 Plan includes numerous actions that involve coordination with federal, state, regional, special districts and other agencies to address issues of mutual interest and concern related to the Willamette River/riverfront's environment, recreation, transportation and commerce. Action item examples for each topic area follow:

- A. WR7 develops an action plan to enhance and restore habitat throughout the Central Reach;
- B. UD55 improves and enhances boater access to/from the Willamette River at Waterfront Park;
- C. TR51 explores funding mechanisms, phasing and implementation of downtown river transit; and
- D. TR20 supports the creation of privately operated river transit services in the Central Eastside.

152. **Policy 3.80, Willamette River Central Reach.** Enhance the role of the Willamette River Central Reach as the Central City and region's primary riverfront destination for recreation, history and culture, emergency response, water transportation, and as habitat for fish and wildlife.

The CC2035 Plan updates the *Willamette Greenway Plan* (1987) for the Central Reach. The policy framework, zoning map and zoning code regulations and implementation actions enhance the role of the Central Reach as the Central City and region's primary riverfront destination for diverse purposes including recreation, history and culture, water transportation and fish and wildlife habitat. See findings for Statewide Planning Goals 5, 8 and 15, Metro Title 3, and numerous Comprehensive Plan findings such as the following examples: Policy 3.69, 3.70, 3.71, 3.73, 4.41 and 7.1.

153. **Policy 3.82, Willamette River Greenway.** Maintain multi-objective plans and regulations to guide development, infrastructure investments, and natural resource protection and enhancement within and along the Willamette Greenway.

The amendments support maintaining multi-objective plans and regulations to guide development, infrastructure investments and natural resource protection and enhancement within and along the Willamette River in the Central Reach. See findings for Policy 3.80 above.

### Central City Pattern Area

154. **Policy 3.83, Central City districts.** Enhance the distinct identities of the Central City's districts.

Since the adoption of the 1988 Central City Plan, there have been many changes to the urban form of the Central City, including introduction of entirely new neighborhoods such as the Pearl and South Waterfront Districts. To reflect how the districts have and will continue to evolve, the CC2035 identified 10 unique districts in the Central City. Each has a district identity that results from the mix of uses allowed (and often prohibited), block structure, adjacency to the Willamette River, built form and density.

The Central City also includes several Historic Districts such as the NW 13<sup>th</sup> Avenue, East Portland/Grand Avenue, and New Chinatown/Japantown Historic Districts. Maximum building heights in these districts were adjusted to preserve and complement each unique Historic District's contributing resources and the district as a whole.

For instance, in the New Chinatown/Japantown Historic District, a new maximum height of 200 feet, reduced from 425 feet, sets the new datum for height on the district's four northern blocks. An additional full block, an existing surface parking lot, had its maximum height increased from 100 feet to 125 feet with the western half of the block allowed an additional 75 feet to a maximum of 200 feet through bonus height as a means to incent new development on that site adjacent to a light rail station. Even with new height limits any new development will still be required to meet the applicable Historic Resource Review approval criteria for each district, reviewed on a case by case basis.

In Historic Resource Review, the review body will use applicable approval criteria to determine if specific development proposals are compatible with that district's unique established urban fabric—including style, materials, details, massing, and height. Council finds that the code amendments and design review and historic resource review processes demonstrate that the amendments equally or better support this policy compared with the existing language. Consistent with Policy 3.83, CC2035 proposes an urban design concept for each area, applies development standards and use allowance that reinforce each concept, and proposes new design guidelines that address the specific desired character for each district.

155. **Policy 3.84, Central City river orientation.** Enhance and strengthen access and orientation to the Willamette River in the Central City and increase river-focused activities.

The 1972 Downtown and 1988 Central City Plans both included elements striving to better connect the Central City with the Willamette River. Because of these efforts, improvements such as Governor Tom McCall Waterfront Park and the Eastbank Esplanade came to be, as well as visions for new waterfront districts such as South Waterfront and the River District (now the Pearl and Old Town/Chinatown). CC2035 includes numerous additional ways to better connect with the river. These include greater setbacks from the river's edge to provide areas for riparian enhancement, public trails, and gathering spaces. The plan also allows for limited visitor serving retail uses in public parks along the waterfront to attract and support visitor enjoyment of these assets. The plan also allows for a higher density and mix of uses at the OMSI Station Area, the only location on the eastside of the Willamette in the Central City where the urban form of the city and people can directly interface with the Willamette. These and other elements of the plan will enhance the urban cores relationship with the Willamette, consistent with Policy 3.84.

156. **Policy 3.85, Central City pedestrian system.** Maintain and expand the Central City's highly interconnected pedestrian system.

157. **Policy 3.86, Central City bicycle system.** Expand and improve the Central City's bicycle system.

CC2035 results in several TSP amendments and new projects that expand and enhance the existing network of pedestrian and bike routes through the Central City. These include elements such as new traffic signals at key intersections throughout the Central Eastside and improvements along SE Salmon street intended to better connect that district and residential neighborhoods to the east with the Central City and Willamette River. Other elements, such as the Green Loop, attempt to provide routes that separate pedestrians and cyclists from traffic, while providing a safe connection to transit, bikeways, trails, and major Central City destinations, consistent with Policy 3.85 and 3.86.

Projects and studies in the plan increase walking and bicycling opportunities and infrastructure. 64% of TSP projects support pedestrian use and 74% support bicycle use. Policies and actions to develop the Green Loop, design streets as public spaces and enhance the Willamette for people also meet this policy.

	Bike	Ped	Auto, Freight	Transit	Safety	Total
# of projects	87	76	41	8	85	<b>118</b>
% total	73.7%	64.4%	34.7%	6.8%	72.0%	
Cost of projects	\$ 962,419,223	\$ 954,169,223	\$ 563,352,391	\$ 302,000,000	\$ 784,581,249	<b>\$ 1,169,907,301</b>
% total	82.3%	81.6%	48.2%	25.8%	67.1%	

## Design and Development: Goals

158. **Goal 4.A: Context-sensitive design and development.** New development is designed to respond to and enhance the distinctive physical, historic, and cultural qualities of its location, while accommodating growth and change.

City Council interprets the term *distinctive physical, historic, and cultural qualities of its location* to mean *established urban fabric* as described in Policy 4.48.

The CC2035 Plan results in height and limited FAR increases in various locations throughout the Central City. As noted previously, FAR increases generally occur in areas well served by transit and other multimodal transportation infrastructure as well as in areas where previous public investment has been made to support additional density. However, in other situations height and FAR were modified and reduced to ensure that development within designated historic districts will be more compatible with the existing character of these unique areas.

In most situations, the ability to earn bonus height in a Historic District has been repealed, while the ability to earn bonus FAR has been retained. This was done so that applicants could propose utilizing the existing floor area assigned to a site, while creating a building envelope more consistent with those typically found within these historic districts. The one exception is in the New Chinatown/Japantown Historic District, where the height on the vacant and underutilized Block 33 site is increased to 125 feet and, through bonus height, to a maximum of 200 feet on the western half of the block. Currently Block 33 is a surface parking lot that fronts on the neighborhood light rail transit station. Increasing the height on the western half of the block provides flexibility to utilize floor area for denser mixed-use development along the station area while sculpting a new building to maintain lower heights along the eastern half of the block facing the interior of the district. Based on the evidence in the record, including the memo from John M. Tess on May 8, 2020, this arrangement of building height responds to and enhances the physical, historic, and cultural qualities of the district; complements contributing resources by increasing the economic viability of rehabilitation and reuse; and accommodates growth and change in conformance with Goal 4.A.

As also discussed in the findings for Policy 4.48, in the NW 13<sup>th</sup> Avenue, East Portland/Grand Avenue, Irvington, and New Chinatown/Japantown Historic Districts, the maximum allowable height was adjusted to be more consistent with the established urban fabric and applicable Historic Resource Review criteria for each district. Further, the adopted Historic Resource Review approval criteria for each district have been retained. New development in these areas will be reviewed using these district-specific criteria to determine that the new development is responsive to and compatible with the character of the district.

City Council finds that the allowed heights in each of the districts are equally or more supportive of the comprehensive plan goals and policies related to historic resources. Council finds that the adopted historic design guidelines for each district are essential implementation tool to ensure that the designs for each proposed development respond to and enhance physical, historic and cultural qualities of their locations. City Council finds that application of these guidelines as part of Historic Resource Review process, which is a component of the City's Goal 5 program, may result in disapproval of a proposed development at its maximum allowable height and requirement that the building height be modified to respond to the contributing resources found in that particular district. The City Council recognizes the Bureau of Planning and Sustainability memo dated June 3, 2020, as additional evidence supporting Historic Resource Review. Specifically, the City Council agrees with the statement that "Historic Resource Review is discretionary and that the height limits provided on maps 510-3 and 510-4 are maximum allowances, not entitlements, subject to Historic Resource Review and/or other land use reviews."

Outside of Historic Districts, most new development within a non-industrially zoned area, is subject to discretionary Design Review using the Central City Fundamental Design Guidelines. These guidelines work with the existing height and FAR assigned to a site to ensure that new development is designed to respond to and enhance the character of an area, enhances the public realm, and is designed and developed such that the quality and character of the architecture of a structure will not detract from the setting it is located within. The design review process is discretionary. It is intended to result in development that uses some or all of its FAR in a manner that is also consistent with all applicable design guidelines.

159. **Goal 4.B: Historic and cultural resources.** Historic and cultural resources are integral parts of an urban environment that continue to evolve and are preserved.

Over the years, there have been regular additions and evolutions to how historic resources are conserved in the Central City Plan District. Several designated Historic and Conservation Landmarks and Districts were created – NW 13<sup>th</sup> Avenue, East Portland/Grand Avenue, Yamhill, Skidmore/Old Town, Halprin, and New Chinatown/Japantown Historic Districts and the Russell Street Conservation Districts. Other historic districts were also established that are partially within the Central City, such as the Irvington and Alphabet Historic Districts.

Under CC2035, Historic Landmarks listed in the National Register of Historic Places and contributing buildings in Historic Districts will continue to be subject to discretionary Demolition Review. Also, development within all Historic and Conservation Landmark and District boundaries in the Central City will continue to be subject to discretionary Historic Resource Review. District-specific design guidelines have been adopted for most of the Historic Districts in the Central City, providing resource-specific Historic Resource Review approval criteria. This includes Skidmore/Old Town Design Guidelines adopted in 2016 and New Chinatown/Japantown Design Guidelines adopted in 2017, which were developed as an early deliverable of the CC2035 project.

Historic District design guidelines provide guidance to property owners, designers, architects, and developers related to the established urban fabric of the district as well as resource-specific Historic Resource Review approval criteria for alterations, additions, and new construction. These district-specific approval criteria conserve the specific architectural and cultural qualities that make the particular district significant.

The CC2035 Plan retains the design guidelines applicable to each district where they've been adopted. And, although the maximum heights have been adjusted in all or parts of four Central City Historic Districts, the design guidelines for each district will continue to serve as the Historic Resource Review approval criteria to determine if proposals for new development integrate with the established urban fabric of each district on a case by case basis.

The CC2035 Plan also includes new incentives to encourage the preservation and rehabilitation of designated historic resources. Under CC2035, unused FAR on a site containing a Historic or Conservation Landmark or contributing resource in a Historic or Conservation District can be sold and transferred to another site in the Central City Plan District. This creates financial resources to support improvement of the historic building. An additional 3:1 FAR may be transferred if the historic building is seismically upgraded.

The CC2035 Plan generally maintains or reduces maximum height limits in Historic and Conservation Districts. This includes a reduction in the maximum height limit in all or part of four Historic Districts. The specifics of how this was applied varies by district in response to the historic, physical, economic, and planning context of the district.

In January 2017, the Land Conservation and Development Commission adopted a new State Administrative Rule (OAR 660-023-0200) implementing the historic resources provisions of Goal 5. This new Rule applies directly to resources listed in the National Register of Historic Places after January 2017. As of April 2020, the new rule would apply to only two individual resources in the Central City Plan District—Wheeldon Annex and Alco Apartments. The City is advancing a separate code project, the Historic Resources Code Project, to amend Chapter 33.445 to achieve consistency with the provisions of the new State Administrative Rule.

The findings for Comprehensive Plan policies 4.46-4.57 further describe programs for historic resources that support this goal.

Based on the above findings and the evidence in the record, Council finds that CC2035 is equally or more supportive of this goal to preserve historic resources.

160. **Goal 4.C: Human and environmental health.** Neighborhoods and development are efficiently designed and built to enhance human and environmental health: they protect safety and livability; support local access to healthy food; limit negative impacts on water, hydrology, and air quality; reduce carbon emissions; encourage active and sustainable design; protect wildlife; address urban heat islands; and integrate nature and the built environment.
161. **Goal 4.D: Urban resilience.** Buildings, streets, and open spaces are designed to ensure long-term resilience and to adjust to changing demographics, climate, and economy, and withstand and recover from natural disasters.

Whereas the Urban Design chapter of the 2035 Comprehensive Plan takes a bird's eye view of the city's systems and layout, the Design and Development chapter focuses on the specifics of the built environment. Issues such as site design, pedestrian realm, transitions between districts, place making, and scenic and historic resources are considered in fine detail, among other issues. As the

CC2035 plan area includes 10 distinct districts, as well as 5 historic districts, each with their own identity, opportunities, and constraints, the plan strives to address the goals and policies of Chapter 4 at both the macro and micro level.

For instance, to ensure that the plan is sensitive to the unique context and character of each district, CC2035 includes: policies specific to these 15 individual districts; proposes development standards regarding height, floor area ratios, and the pedestrian environment responsive to the distinct character of these areas; and, proposes actions to amend applicable design guidelines to encourage new development that responds to the desire character, context, and historic and cultural resources of these different areas. Existing Historic District design guidelines for districts such as the New Chinatown/Japantown, NW 13<sup>th</sup> Avenue, Skidmore/Old Town, and East Portland/Grand Avenue Historic Districts are maintained to ensure that new maximum height and FAR provided through CC2035 are utilized in a manner consistent with the established design direction for these districts. Similarly, the existing Central City Fundamental Design Guidelines have been retained and will continue to be applicable to most new development within non-industrially zoned areas within the Central City. Further, the plan requires that seismic upgrades to historic structures are a precondition before FAR can be transferred from sites with designated landmarks. These elements of the plan respond to the direction of Goals 4.A and B above.

Consistent with Goal 4.C, C2035 also promotes human and environmental health through new policies, development standards and actions that focus on enhancing human health through the creation of a walkable, safe urban form that provides access to parks, natural areas, community gardens, and full-service grocery stores, among other amenities and services. Further, the plan proposes enhancing the environmental health of the Central City through new development standards that will over time establish an urban form that reduces stormwater discharges, improve air quality, reduce heat island effect and carbon emissions, utilize green infrastructure, and minimize impacts to wildlife. These new regulations include those requiring the development of ecoroofs, energy efficient buildings, bird safe development, and others.

Lastly, the plan includes new policies, standards, and actions intended to enhance the ability of the Central City to: withstand impacts from natural disasters such as earthquakes and flooding; respond to the effects of climate changes while reducing impacts that might contribute to climate change; and continue to serve as the regional center for the Portland Metropolitan Area as population, demographic changes, and the economy of the region evolves through the life of the plan. These elements of CC2035 also ensure that the plan is consistent with Goal 4.D.

## Design and Development: Policies

### Context

162. **Policy 4.1, Pattern areas.** Encourage building and site designs that respect the unique built, natural, historic, and cultural characteristics of Portland's five pattern areas described in Chapter 3: Urban Form.
163. **Policy 4.2, Community identity.** Encourage the development of character-giving design features that are responsive to place and the cultures of communities.
164. **Policy 4.3, Site and context.** Encourage development that responds to and enhances the positive qualities of site and context — the neighborhood, the block, the public realm, and natural features.

The CC2035 Plan focuses on the entire Central City Pattern Area, as well as the Willamette River

Central Reach of the Rivers Pattern Area. As such, the plan contains numerous elements addressing these two pattern areas, and where they overlap, balancing the policy provisions of each through development standards and actions intended to reflect the characteristics unique to both. These include, generally reduced maximum heights in historic districts by eliminating height bonuses, creating height setbacks adjacent to some public parks, increase building setbacks along the Willamette River (except at key bridgehead locations), and street/public realm standards intended to enhance the pedestrian environment in response to specific conditions with the Central City's 10 different districts. These elements of the plan respond to Policies 4.1, 4.2 and 4.3 above.

165. **Policy 4.4, Natural features and green infrastructure.** Integrate natural and green infrastructure such as trees, green spaces, ecoroofs, gardens, green walls, and vegetated stormwater management systems, into the urban environment. Encourage stormwater facilities that are designed to be a functional and attractive element of public spaces, especially in centers and corridors.

The plan includes new development standards requiring the development of ecoroofs on new development, as well as energy efficient development that often utilizes green infrastructure. The plan also contains new standards, actions, and policies intended to increase tree canopy and vegetative stormwater treatment facilities throughout the Central City.

166. **Policy 4.5, Pedestrian-oriented design.** Enhance the pedestrian experience throughout Portland through public and private development that creates accessible, safe, and attractive places for all those who walk and/or use wheelchairs or other mobility devices.

The new Zoning Code provisions and TSP amendments proposed by the plan include regulations that implement this plan by creating new building setbacks in some situations, for instance at sites along the Park Blocks, reducing building heights in others, encouraging the enhancement of the public realm to include new landscape and recreational amenities, among others. The plan also proposes projects, such as the Green Loop, intended to increase pedestrian safety and expand access to areas not currently well served by pedestrian connections.

167. **Policy 4.6, Street orientation.** Promote building and site designs that enhance the pedestrian experience with windows, entrances, pathways, and other features that provide connections to the street environment.

168. **Policy 4.7, Development and public spaces.** Guide development to help create high-quality public places and street environments while considering the role of adjacent development in framing, shaping, and activating the public space of streets and urban parks.

The plan responds to this policy direction by proposing development standards that activate the public realm with active uses, building massing requirements along the public open space features, and ground floor window standards, which are intended to result in building massing and programming that positively influence the experience in the public realm. These elements of the plan are consistent with Policies 4.6 and 4.7 above.

169. **Policy 4.9, Transitional urbanism.** Encourage temporary activities and structures in places that are transitioning to urban areas to promote job creation, entrepreneurship, active streets, and human interaction.

Although the Central City is a fairly established urban area, there remain places where through a combination of under-utilization or a low-density of uses where opportunities exist to increase the use and density of uses. CC2035 contains policies and actions, such as the Green Loop, and the ability to allow limited retail uses in open space area, in response to this policy direction.

## Health and safety

170. **Policy 4.10, Design for active living.** Encourage development and building and site design that promotes a healthy level of physical activity in daily life.

CC2035 contains many elements that promote active living and health. These include but are not limited to the Green Loop, publicly accessible open space features within large master plan sites, an expanded greenway setback, connections to the Willamette River for swimming and boating, the exploration of sites for community centers, and numerous active transportation projects.

171. **Policy 4.11, Access to light and air.** Provide for public access to light and air by managing and shaping the height and mass of buildings while accommodating urban-scale development.
172. **Policy 4.12, Privacy and solar access.** Encourage building and site designs that consider privacy and solar access for residents and neighbors while accommodating urban-scale development.

In response to Policies 4.11 and 4.12, new development standards are proposed for the Central City Plan District that require shade analysis and public view corridor analysis for projects that could have an adverse impact on views or solar access if these factors were not considered during the design of building massing. Specifically, Section 33.510.211 of the Zoning Code has been added, which requires that structures more than 100 feet in height along the eastside of the North and South Park Blocks undergo a shadow analysis to ensure that shadows cast on the blocks do not cover more than 50 percent of any individual block. Additionally, the Zoning Code continues to require small floor plates for taller tower constructed in the North Pearl, South Waterfront, and portions of RiverPlace. These standards ensure consistency with Policy 4.12.

In a very specific situation, sites on the blocks to the west, southwest, and south of the Lan Su Classical Chinese Garden are required to conduct a shadow analysis to ensure that the garden will continue to have access to light and air, free from excessive shadowing, consistent with this policy.

Testimony was received from Lan Su Classical Chinese Garden in support of the re-adoption of CC2035 plan. The Garden conducted an in-house study by a horticulturist and found that the Garden will receive adequate sunlight from the south side from 10 am to 2 pm for most of the year. This is due to the height reduction from 250 ft. to 100 ft. on the block south of the Garden, as proposed by the Central City 2035 plan. Further, the study found that the shadow from a 200-ft. building on the west side would have little or no effect on the plants in the Garden.

City Council finds that this policy is met as this important cultural asset supports the plan and will not be impacted by the proposed adjacent heights.

173. **Policy 4.13, Crime-preventive design.** Encourage building, site, and public infrastructure design approaches that help prevent crime.

The new and enhanced ground activation requirements, Central City Master Plan regulations, and actions addressing updates to the Central City Fundamental Design Guidelines and new lighting strategies for public parks and the public right-of-way respond to this policy direction.

174. **Policy 4.14, Fire prevention and safety.** Encourage building and site design that improves fire prevention, safety, and reduces seismic risks.

Although the building code addresses measures to improve fire prevention and safety, and CC2035 remains consistent with this direction, the plan also proposes new measures to encourage and in some cases, require seismic upgrades, especially to structures with historically significant structures.

## Residential areas

175. **Policy 4.15, Residential area continuity and adaptability.** Encourage more housing choices to accommodate a wider diversity of family sizes, incomes, and ages, and the changing needs of households over time. Allow adaptive reuse of existing buildings, the creation of accessory dwelling units, and other arrangements that bring housing diversity that is compatible with the general scale and patterns of residential areas.

The plan contains policy language that encourages the development of units having two or more bedrooms to support the rapidly growing number of families with children living in the Central City. The Plan includes actions calling for the monitoring of unit and bedroom development going forward and recommends that new incentives or standards be considered by the City if the development of family compatible housing starts to decline. This will help to ensure that studio and single bedroom units are not the only residential options available to Central City residents.

176. **Policy 4.16, Scale and patterns.** Encourage design and development that complements the general scale, character, and natural landscape features of neighborhoods. Consider building forms, scale, street frontage relationships, setbacks, open space patterns, and landscaping. Allow for a range of architectural styles and expression.

In response to this policy direction, CC2035 proposes new building massing and master plan standards, as well as greenway setbacks, building setbacks, and scenic view corridors each intended to address the unique characteristic that exists where the urban environment interfaces with adjacent neighborhoods, the Willamette Greenway, public parks, and regionally significant landscape features. For instance, the amended Central City Master Plan regulations (Section 33.510.255 of the Zoning Code) contain approval criteria regarding establishing building pads and an orientation that complements and does not adversely impact public views, parks, the Willamette Riverfront, and adjacent urban form and character that is to be preserved.

Throughout the Central City, most new development (not zoned industrial or located in an historic district) is subject to Design Review using the Central City Fundamental Design Guidelines. These guidelines work with the existing height and FAR assigned to a site to ensure that the quality and character of the architecture of new development is designed to complement the character and scale of an area and enhance the public realm.

In Historic Districts, other strategies may be used to meet Policy 4.16 including different approaches to height and FAR allowances. Generally, in historic districts bonus FAR may be allowed but bonus height is not. This is to better ensure compatibility of new development with the character and scale of existing development while still allowing for FAR to be used. In certain historic districts, base maximum height limits established prior to the creation of the district have been reduced where warranted by the particular character of the district's established urban fabric as a way to better ensure the compatibility of new development.

For example, in the New Chinatown/Japantown Historic District these type of height and FAR strategies are coupled with new guidelines for the district that identify characteristics of established urban fabric and allow for a variety of ways new development can be designed to complement district character and scale (as described in detail in the findings for Policy 4.48). Also, a shadow analysis is required to establish a step down/transition from the district to the Lan Su Classical Chinese Garden to ensure the garden will maintain access to light and air free from excessive shadowing.

Another example is found in the Pearl District/River District. This was once an industrial district with

an architectural character defined in some subareas by remnant brick industrial buildings that once housed manufacturing and cold storage facilities. Other parts of the district contained surface parking lots, newer mid-century “tilt up” construction industrial buildings, and low-density office buildings. The plan, adopted in the 1990’s, was to preserve buildings with a desired character, while promoting the redevelopment of under-utilized and vacant parcels. A combination of strategies was used to do this including creation of an urban renewal district, development agreements on key properties, and zoning allowances that increased over time as key public investments in transportation, parks and open space, and affordable housing were made.

The Pearl/River District strategies also included designation of an historic district within the larger district. The NW 13<sup>th</sup> Avenue Historic District was established within the Pearl/River district with provisions that encouraged the preservation of a contributing historic structures as well as non-contributing structures that had an historic character. This combination of strategies produced results like re-use and preservation of historically contributing buildings adjacent to new contemporary buildings (e.g. the 24-foot tall Sinclair Building in the NW 13<sup>th</sup> Avenue Historic District and the 175’ tall Casey Condominiums, which is adjacent to the Sinclair Building just outside the historic district boundary. Individually these two buildings are of a very different character, scale and style. Although these two buildings are of very different styles and scale, this differentiation complements the general scale and character of the neighborhood while not detracting or diminishing what is unique about the Sinclair Building.

177. **Policy 4.19, Resource efficient and healthy residential design and development.** Support resource efficient and healthy residential design and development.

The Plan proposes new standards requiring that new development pursue certification of different energy efficiency and green building certification criteria. This includes residential projects throughout the Central City.

### Design and development of centers and corridors

178. **Policy 4.20, Walkable scale.** Focus services and higher-density housing in the core of centers to support a critical mass of demand for commercial services and more walkable access for customers.
179. **Policy 4.21, Street environment.** Encourage development in centers and corridors to include amenities that create a pedestrian-oriented environment and provide places for people to sit, spend time, and gather.

Consistent with Policies 4.20 and 4.21, the plan proposes new Urban Design Policies, including urban design diagrams, that focus on the street hierarchy and development character along key street in the Central City. The plan also includes new development standards intended to implement this urban design direction, as well as actions calling for an update to applicable design guidelines to further respond to this direction. Lastly the Central City Plan District has been amended to expand restrictions to vehicle service and sales uses in transit areas with high pedestrian traffic and prohibits new drive-through facilities throughout the Central City.

180. **Policy 4.22, Relationship between building height and street size.** Encourage development in centers and corridors that is responsive to street space width, thus allowing taller buildings on wider streets.

The Central City has an existing ubiquitous grid pattern of streets typically between 60 and 80 feet

in width, most framed by taller and denser development than found in any other corridors and centers.

181. **Policy 4.23, Design for pedestrian and bicycle access.** Provide accessible sidewalks, high-quality bicycle access, and frequent street connections and crossings in centers and corridors.

CC2035 proposes numerous new projects, such as the Green Loop, multiple active transportation infrastructure projects, new signals at key intersections, and new trail alignments and connections consistent with this policy directive.

182. **Policy 4.24, Drive-through facilities.** Prohibit drive through facilities in the Central City, and limit new development of new ones in the Inner Ring Districts and centers to support a pedestrian-oriented environment.

CC2035 directly responds to this policy by proposing a prohibition on all new drive-through facilities throughout the Central City Plan District.

183. **Policy 4.25, Residential uses on busy streets.** Improve the livability of places and streets with high motor vehicle volumes. Encourage landscaped front setbacks, street trees, and other design approaches to buffer residents from street traffic.

CC2035 proposes a new street hierarchy that identifies key streets where different public right-of-way treatments should be pursued, in response to traffic volumes and the uses most likely to be located along these streets. The plan proposes to implement this new hierarchy through various measures such as encouraging building setbacks on key streets, expanded landscape setbacks and street trees, and new design guidelines that address the appropriate interface of residential uses with the public right-of-way.

184. **Policy 4.26, Active gathering places.** Locate public squares, plazas, and other gathering places in centers and corridors to provide places for community activity and social connections. Encourage location of businesses, services, and arts adjacent to these spaces that relate to and promote the use of the space.

The Plan contains policies, such as Policy 2.1, Complete Neighborhoods, and Policy 2.2, Promote healthy active living, that support the creation of new public open space features in park deficient areas. The plan also includes a new Central City Master Plan, code section 33.510.255, that require the development of publicly accessible parks and plazas within master plan sites. Lastly, a key element of the proposed Green Loop project is to connect existing and new open space amenities along the alignment of the loop, allowing the alignment to serve as a location where new public spaces and new businesses can be sited.

185. **Policy 4.27, Protect defining features.** Protect and enhance defining places and features of centers and corridors, including landmarks, natural features, and historic and cultural resources.

City Council interprets the term “protect and enhance” to mean the same as “preserve and complement” as described in the findings for Policy 4.48 The Plan addresses this policy directive through various measures, including but not limited to establishing new setback allowances along key streets, step down provisions along the north and south Park Blocks, and by amending the maximum heights allowed in certain historic districts, while preserving the ability to use the floor area assigned to individual parcels.

For example, in the East Portland/Grand Avenue and New Chinatown/Japantown Historic Districts the maximum heights, many adopted prior to the establishment of these areas as historic districts, have generally been reduced to a lower maximum height to ensure that new development will

protect and enhance contributing historic resources and the district as a whole while allowing the full base FAR assigned to these same parcels to be proposed for utilization.

In the New Chinatown/Japantown Historic District, four blocks located north of NW Everett have been lowered from a maximum height of 425 feet to 200 feet. The blocks south, southwest, and west located adjacent to west of the Lan Su Classical Chinese Garden will be required to conduct a shadow analysis to ensure that new development along this block face will not create excessive shadowing on the garden while also allowing use of the 9:1 FAR assigned to the block.

Testimony was received from Lan Su Classical Chinese Garden in support of the re-adoption of CC2035 plan. The Garden conducted an in-house study by a horticulturist and found that the Garden will receive adequate sunlight from the south side from 10 am to 2 pm for most of the year. This is due to the height reduction from 250 ft. to 100 ft. on the block south of the Garden, as proposed by the Central City 2035 plan. Further, the study found that the shadow from a 200-ft. building on the west side would have little or no effect on the plants in the Garden.

City Council finds that this policy is met as this important cultural asset supports the plan and will not be impacted by the proposed adjacent heights.

The findings described under Policy 4.46 and 4.48 further describe how CC2035 protects and enhances historic resources.

186. **Policy 4.28, Historic buildings in centers and corridors.** Protect and encourage the restoration and improvement of historic resources in centers and corridors.
187. **Policy 4.29, Public art.** Encourage new development and public places to include design elements and public art that contribute to the distinct identities of centers and corridors, and that highlight the history and diverse cultures of neighborhoods.

The Central City has long featured public art, cultural landmarks, signage and gateways, and incorporated historically significant buildings and building remnants as important elements to enliven of the public realm. CC2035 contains actions to complete the Park Avenue Vision project, Green Loop, and to establish special design guidelines and streetscape improvements for the Cultural District, which would include art and other elements that establish a distinct character in these areas, including historic and cultural aspects of these places, consistent with Policy 4.29.

## Transitions

188. **Policy 4.30, Scale transitions.** Create transitions in building scale in locations where higher-density and higher-intensity development is adjacent to smaller-scale single-dwelling zoning. Ensure that new high-density and large-scale infill development adjacent to single dwelling zones incorporates design elements that soften transitions in scale and limit light and privacy impacts on adjacent residents.
189. **Policy 4.31, Land use transitions.** Improve the interface between non-residential uses and residential uses in areas where commercial or employment uses are adjacent to residentially-zoned land.
190. **Policy 4.32, Industrial edge.** Protect non-industrially zoned parcels from the adverse impacts of facilities and uses on industrially zoned parcels using a variety of tools, including but not limited to vegetation, physical separation, land acquisition, and insulation to establish buffers between industrial sanctuaries and adjacent residential or mixed-use areas to protect both the viability of long-term industrial operations and the livability of adjacent areas.

CC2035 responds to this policy direction by proposing or maintains lower maximum heights and floor area ratios where the Central City transitions with adjacent Central City neighborhoods such as those located outside of the Lloyd and Central Eastside Districts. The Plan also contains development standards for the Central Eastside and OMSI Station Area requiring that residential development, within an area predominately used for industry and employment, be designed to minimize exposure to industrial operations to protect residents and the long-term viability of industrial operations. Lastly, new Zoning Code regulations in PCC 33.510 requiring that non-industrial development record an Industrial Disclosure Statement that acknowledges that lawful impacts related to noise, glare, odors, and freight operations should be expected, regardless of the impact on non-industrial uses also allowed within the Central Eastside. These various elements of the plan are consistent with the policy directives of Policies 4.30 – 4.31 above.

## Off-site impacts

191. **Policy 4.33, Off-site impacts.** Limit and mitigate public health impacts, such as odor, noise, glare, light pollution, air pollutants, and vibration that public facilities, land uses, or development may have on adjacent residential or institutional uses, and on significant fish and wildlife habitat areas. Pay attention to limiting and mitigating impacts to under-served and under-represented communities.

CC2035 responds to this policy primarily by not allowing the expansion of residential development in areas zoned for industrial use. However, in the Central Eastside where industrial zone land directly abuts areas zone for residential and mixed-use development, either by right or as a conditional use, new Plan District zoning regulations require the recording of the Industrial Disclosure Statement noted above. Further, where residential uses are allowed as a conditional use as part of the amended Central City Master Plan section of the Zoning Code (33.510.255), the new development standards require housing be designed to minimize exposure to industry to protect residents and the long-term viability of industrial operations.

192. **Policy 4.34, Auto-oriented facilities, uses, and exterior displays.** Minimize the adverse impacts of highways, auto-oriented uses, vehicle areas, drive-through areas, signage, and exterior display and storage areas on adjacent residential uses.

The Plan responds to this policy in several ways, such as restricting vehicle service and sales uses near transit station areas planned for high-density residential uses, prohibiting the creation of new drive-through facilities Central City-wide, establishing minimum density requirements for new development to discourage the under-utilization of land, and land use allowances and building massing limitations where the Central City has a direct interface with residential zoned areas.

193. **Policy 4.35, Noise impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative noise impacts to building users and residents, particularly in areas near freeways, regional truckways, major city traffic streets, and other sources of noise.
194. **Policy 4.36, Air quality impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative air quality impacts to building users and residents, particularly in areas near freeways, regional truckways, high traffic streets, and other sources of air pollution.
195. **Policy 4.37, Diesel emissions.** Encourage best practices to reduce diesel emissions and related impacts when considering land use and public facilities that will increase truck or train traffic.
196. **Policy 4.38, Light pollution.** Encourage lighting design and practices that reduce the negative impacts of light pollution, including sky glow, glare, energy waste, impacts to public health and safety, disruption of ecosystems, and hazards to wildlife.

In addition to the provisions noted above, CC2035 addresses potential impacts associated with noise, air quality and pollution, and light and glare on building tenants and natural areas through development standards including, but not limited to: wider setbacks for new development along the Willamette riverfront; lighting standards within and adjacent to the river setback; enhanced building setbacks on key streets; and new design guidelines that will address means to design new buildings to shield tenants from these potential impacts. The plan also includes measures to reduce the source of impacts where possible. Lastly, elements of the plan that prohibit new surface parking

## Scenic resources

197. **Policy 4.41, Scenic resources.** Enhance and celebrate Portland’s scenic resources to reinforce local identity, histories, and cultures and contribute toward way-finding throughout the city. Consider views of mountains, hills, buttes, rivers, streams, wetlands, parks, bridges, the Central City skyline, buildings, roads, art, landmarks, or other elements valued for their aesthetic appearance or symbolism.

CC2035 includes the Central City Scenic Resources Protection Plan (CCSRPP), which identifies the scenic resources in and surrounding the Central City. The views addressed in the CCSRPP include views of mountains, hills, buttes, rivers, parks, bridges, skyline, buildings, roads, art and landmarks. The plan includes an economic, social, environmental and energy analysis (ESEE) for the scenic resources. The ESEE includes evaluation of the contribution that scenic resources make towards a sense of place and identify, history and cultures of Portland, and way-finding throughout the city. The results of the CCSRPP are recommendations for when and how to protect and maintain significant scenic resources.

198. **Policy 4.42, Scenic resource protection.** Protect and manage designated significant scenic resources by maintaining scenic resource inventories, protection plans, regulations, and other tools.

The Central City Scenic Resources Protection Plan (CCSRPP) is an update of the 1991 Scenic Resources Protection Plan and includes three parts:

- Part 1 – Summary, Results and Implementation – Includes recommended amendments to the regulations and maps to implement the results of the inventory and ESEE Analysis
- Part 2 – Scenic Resources Inventory – Documentation of the scenic resources located within and surrounding the Central City. Includes views, viewpoints, view streets, scenic corridors, scenic sites and visual focal points.
- Part 3 – Economic, Social, Environmental and Energy Analysis – Provides an analysis and makes recommendations regarding which resources to protect and maintain.

The CCSRPP is implemented through updates to the zoning code including:

1. 33.510, Central City – Map 510-3, Base Heights, is adjusted and a new Map 510-4, Bonus Heights, is added to be protective of views.
2. 33.475, River Overlay Zones – Standards allow for removal of trees, with replacement, and removal of other vegetation from view corridors to maintain views. Requires that when the Greenway Trail is developed, designated viewpoints must also be developed.

Testimony was received that both supported and opposed protecting certain views. City Council finds that protecting scenic resources, including views, is important and maintained protections for almost all of the recommended views. Council finds that the view of Mt Adams from viewpoint SW24, Upper Hall, is not significant enough to warrant protection by limiting heights on many properties in the Central City. Council finds that the view of Vista Bridge from SW Jefferson Street

can be adequately protected while allowing building heights of 75 feet along the north side of the street.

199. **Policy 4.43, Vegetation management.** Maintain regulations and other tools for managing vegetation in a manner that preserves or enhances designated significant scenic resources.

CC2035 includes Zoning Code Chapter 33.475, River Overlay Zones. New standards allow for removal of trees, with replacement, and removal of other vegetation from view corridors to maintain views. Landscaping standards allow flexibility, such as different tree sizes and locations, to allow for maintenance of views.

200. **Policy 4.44, Building placement, height, and massing.** Maintain regulations and other tools related to building placement, height, and massing to preserve designated significant scenic resources.

CC2035 includes Zoning Code Chapter 33.510, Central City. Map 510-3, Base Heights, is adjusted and a new Map 510-4, Bonus Heights, is added to be protective of views.

201. **Policy 4.45, Future development.** Encourage new public and private development to create new public viewpoints providing views of Portland’s rivers, bridges, surrounding mountains, hills and buttes, the Central City skyline, and other landmark features.

CC2035 includes Zoning Code Chapter 33.475, River Overlay Zones. The code requires that when the Greenway Trail is developed, designated viewpoints must also be developed to create formal places where the public can view Portland’s rivers, bridges, mountain, hills, buttes, skyline and other landmarks. The *Central City Scenic Resources Protection Plan* includes management recommendations to improve ADA accessibility to all designated viewpoints and add amenities such as benches, informational signs or lighting.

## Historic and cultural resources

202. **Policy 4.46, Historic and cultural resource protection.** Protect and encourage the restoration of historic buildings, places, and districts that contribute to the distinctive character and history of Portland’s evolving urban environment.

The City Council interprets terms as follows:

“**Protect**” means to defend or guard against loss, injury, or destruction. Policies calling for protection apply to multiple topic areas and can be accomplished or supported using various tools, such as regulations to prohibit or limit an action, investments such as land acquisition, agreements, and community partnerships.

“**Encourage**” means to promote or foster using some combination of voluntary approaches, regulations, or incentives.

“**Restore**” means to recreate elements that are missing; move something back to its original condition; rehabilitate.

“**Historic buildings, places, and districts**” means historic resource. A historic resource is a structure, place, or object that has a relationship to events or conditions of the human past. Historic resources may be significant for architectural, historical, and cultural reasons. Examples include historic landmarks, conservation landmarks, historic districts, conservation districts, and structures or objects that are identified as contributing to the historic significance of a district, including resources that are listed in the National Register of Historic Places. Rank I, II, and III structures, places, and objects that are included in historic inventories are historic resources.

**“Urban environment”** means established urban fabric, as interpreted in the findings for Policy 4.48.

The City Council interprets Policy 4.46 to require that provisions pertaining to demolition and alteration are applied to designated historic resources and that voluntary incentives are made available to support rehabilitation of those resources. The City Council further interprets this policy to mean that historic resources contribute to the city’s distinctive character, history, and urban fabric but that this contribution does not preclude the evolution and change of a living city’s urban fabric. Actions that implement Policy 4.46 are not limited to those that regulate new development; Protecting historic buildings, places, and districts from loss, injury, or destruction includes actions regulating alterations and additions to historic resources, as well as actions that provide economic incentives for historic resources to be preserved, rehabilitated, and reused.

The CC2035 Plan maintains and supplements the City’s regulations for identifying, designating, and protecting historic resources within the Central City Plan District. These regulations codified primarily in Chapter 33.445, Historic Resource Overlay Zone, provide a citywide approach to protecting historic resources consistent with statewide land use Goal 5.

Chapter 33.445 regulations protect Historic Landmarks and Historic Districts (both those designated by the City and those listed on the National Register of Historic Places), Conservation Landmarks and Conservation Districts, and undesignated resources identified in the Historic Resources Inventory as Rank I, II, or III. Existing provisions in Chapter 33.445 provide the following regulations that protect historic resources and encourage their restoration:

1. **Demolition Review.** Historic Landmarks that have been listed on the National Register of Historic Places and contributing resources in Historic Districts are subject to Demolition Review, a Type IV land use procedure that requires approval by the Portland City Council before a demolition permit can be issued. Other historic resources addressed by Chapter 33.445 are subject to 120-day demolition delay.
2. **Historic Resource Review.** Historic and Conservation Landmarks and properties within the boundaries of Historic and Conservation Districts are also subject to Historic Resource Review, a discretionary land use regulation that applies to most exterior alteration and new construction proposals. Historic Resource Review ensures the protection of designated historic resources by considering resource-specific factors such as the repair, alteration and replacement of historic materials; the compatibility of architectural features, massing, and height of additions and new structures; and the continuity of design patterns, cultural associations, and structural resilience. The approval criteria for Historic Resource Review is provided in Chapter 33.846, Historic Resource Reviews. Within the Central City Plan District, the applicable approval criteria are described in Chapter 33.846.060.F, Approval Criteria in the Central City Plan District. Alterations, additions, and new construction are allowed within the boundaries of designated historic resources to allow for the evolution of the city’s urban fabric, with development activities subject to the Historic Resource Review approval criteria.

In general, alterations to Historic and Conservation Landmarks are subject to the approval criteria provided in the code; alterations and new construction in Historic and Conservation Districts are subject to district-specific guidelines, the Central City Fundamental Design Guidelines, subdistrict design guidelines, the approval criteria provided in the code, or a combination of the above. On a site-by-site basis, Historic Resource Review can limit allowed building height, massing, setback, materials, details, or other features to ensure the protection of historic resources. City Council recognizes the discretionary nature of Historic Resource

Review as an integral part of ensuring the protection of Historic and Conservation Landmarks and Districts. Additionally, City Council recognizes and finds credible the Bureau of Planning and Sustainability memo dated June 3, 2020, which provides “that Historic Resource Review already provides the decision-maker with the authority to adjust development allowances in order to find that a given development proposal meets the adopted approval criteria for the site.”

3. **Incentives.** Chapter 33.445 also includes special provisions that increase the potential for historic resources to be rehabilitated by increasing land use flexibility and redevelopment options. These include exceptions from minimum density requirements and a lower review type threshold for conditional use applications in certain zones. CC2035 also includes an expanded floor area transfer bonus as an incentive to preserve historic buildings through seismic upgrades.

The Council finds that, together, the regulations in Chapters 33.445 and 33.846 protect and encourage the restoration of historic resources that contribute to Portland’s evolving urban fabric.

In addition to the regulations of Chapter 33.445, several of the historic districts in the Central City are also part of City designated urban renewal districts. These areas have dedicated public investment resources and redevelopment plans administered by the City’s community development agency, Prosper Portland. These programs help implement Policy 4.46 in these areas through direct investments in public infrastructure and new development, support for development of historic district guidelines and plans, support for business development and community engagement related to development and the historic and cultural character and assets of the district.

City Council finds that these existing regulations, incentives, and programs serve to protect and encourage the restoration of historic resources.

City Council additionally finds that the following new provisions in the CC2035 Plan protect and encourage the restoration of historic resources:

1. **Commercial uses in the RX zone.** This new provision encourages restoration of older buildings, including those that are designated as historic resources, by allowing 100 percent of existing non-residential buildings in the RX zone (e.g. meeting halls, churches, community centers and other special-purpose buildings) to be used for office and retail uses.
2. **Office uses in the IG1 Zone.** This new provision encourages the restoration of historic resources by allowing up to 100% of the floor area of designated historic resources in the IG1 zone to be used as Industrial Office use (plus up to an additional 5,000 square feet in a rooftop addition).
3. **New FAR Transfer Provisions.** The CC2035 Plan revises the FAR bonus and transfer system in the Central City Plan District, a change that supports several of the historic and cultural resource polices. The changes provide an expanded historic resource FAR transfer incentive that requires seismic upgrades but provides an additional 3:1 floor area as a financial incentive to support the upgrades and other restoration activities. These provisions allow for Historic and Conservation Landmarks and contributing resources in Historic and Conservation Districts to transfer unused and additional FAR to sites elsewhere inside and outside the Central City. Transferring FAR provides the owner of the historic resource with monetary value that can be invested in the rehabilitation of the resource.

City Council reviewed testimony received, including from the Pearl neighborhood association, requesting a zoning code change to require the provision for unlimited Floor Area Ratio (FAR) transfer be within the neighborhood of its deployment rather than by floor area transfer sectors.

Comments received state that the transfer sector areas are too large, and the goal should be to preserve older buildings and increase the density of the new ones in the same neighborhood. City Council finds that the CC2035 Plan prioritizes historic resources for preservation under 33.510.205 and reduces redevelopment pressures by expanding the transfer area throughout the Central City.

The Council finds that the existing regulations and the new provisions in the CC2035 Plan protect and encourage the restoration of historic resources. Council finds that the existing and new provisions require the protection of historic resources that contribute to the distinctive character and history of Portland's evolving urban fabric.

203. **Policy 4.47, State and federal historic resource support.** Advocate for state and federal policies, programs, and legislation that would enable stronger historic resource designations, protections, and rehabilitation programs.

The Council finds that the CC2035 Plan responds to this policy through new goals and policies specific to the Central City that call for the rehabilitation and reuse of historic structures, historic district protection measures, and updates to the Historic Resource Inventory.

Specific to Policy 4.47, CC2035 Plan action item UD2 calls for the City to advocate for the passage of a state historic tax credit. The City Council finds that 39 other states have adopted state historic tax credit programs to support the rehabilitation of historic resources. The City Council advocated for establishment of such a credit in the 2019 legislative session, but the proposal was not adopted.

204. **Policy 4.48, Continuity with established patterns.** Encourage development that fills in vacant and underutilized gaps within the established urban fabric, while preserving and complementing historic resources.

The City Council interprets terms as follows:

**“Encourage”** means to promote or foster using some combination of voluntary approaches, regulations, or incentives.

**“Vacant and underutilized gaps”** means sites identified on the Buildable Lands Inventory, sites that include no buildings, and sites that include buildings with significantly less development in terms of square feet than allowed by the base mapped FAR for the site. “Vacant and underutilized gaps” does not include Historic and Conservation Landmarks or contributing resources in Historic and Conservation Districts.

**“Established urban fabric”** means characteristics of the existing and historic built environment of a district or place including, but not limited to, block pattern, arrangement and design of streets and pedestrian realm, street wall, street-level activity, building use, construction type, architectural style, exterior materials, design details, massing, and height.

**“Preserve”** means to save from significant change or loss and reserve for a special purpose.

**“Complement”** means to add to, enhance, or improve.

**“Historic resource”** means a structure, place, or object that has a relationship to events or conditions of the human past. Historic resources may be significant for architectural, historical, and cultural reasons. Examples include historic landmarks, conservation landmarks, historic districts, conservation districts, and structures or objects that are identified as contributing to the historic significance of a district, including resources that are listed in the National Register of Historic

Places. Rank I, II, and III structures, places, and objects that are included in historic inventories are historic resources.

City Council interprets Policy 4.48 to consist of two parts that work together: 1) encouraging development that fills in vacant and underutilized gaps in the established urban fabric and 2) preserving and complementing historic resources. Regarding the first part, City Council finds that meeting this policy requires allowing new development within the existing built environment. This includes new development that is adjacent to individual historic resources and on non-contributing sites in Historic and Conservation Districts. Regarding the second part, City Council finds that Policy 4.48 requires the protection of historic resources and provisions for requiring new development to complement those resources. Historic resources are complemented when the relationship between the characteristics of additions, alterations, and new development improves the ability to preserve, rehabilitate, reuse, or understand the existing historic resource.

City Council interprets this policy to be implemented by the development review processes and provisions described in the findings for Policy 4.46. In Historic and Conservation Districts, this includes the review of new development to add to, enhance, or improve characteristics of the established urban fabric that relate to the historic significance of the district. City Council also finds this policy is implemented by new development because it supports and increases economic opportunities for the preservation, restoration and reuse of historic resources. The businesses, residents, and other uses provided by new development can be critical to preserving or resuscitating the economic and social vitality and sustainability of individual Landmarks, contributing resources in districts, and even districts as a whole.

City Council finds that the CC2035 Plan balances the policy's two objectives to 1) encourage development and 2) preserve and complement historic resources in the following ways:

1. **Encouraging development that fills in vacant and underutilized gaps within the established urban fabric.** The City Council finds that the CC2035 Plan encourages development that will fill in the vacant and underutilized gaps by maximizing the public's significant investment in infrastructure through encouraging development that increases the density of housing and jobs across the Plan District.

City Council's application of the first part of Policy 4.48 is informed both by existing development and by the fact that the CC2035 Plan is intended to guide new development and growth across the Central City Plan District. The Comprehensive Plan and CC2035 plan policies simultaneously encourage development of vacant and underutilized parcels and preservation of historic resources. Policies such as 3.53, Transit-Oriented Development, 5.23, Higher Density Housing, and 6.15 Regionally-competitive development sites support increasing the concentration of housing and jobs near transit stations and encourage infill redevelopment generally across the Plan District. It is only in places identified to include resources to protect - scenic view corridors, open spaces, and Historic and Conservation Districts - where the CC2035 Plan increases the limitations of how infill will integrate with the established urban fabric.

With the exception of historic resources that are subject to demolition protections, the CC2035 Plan is not intended to prevent redevelopment of vacant and underutilized sites. This approach extends to non-contributing sites in historic districts, as explained further below. There are Historic and Conservation Districts in the Central City that have numerous vacant lots, surface parking lots, and 20<sup>th</sup> century redevelopment that detract from the character and vitality of these districts. Even though they contain important Historic Landmarks and contributing

structures, the amount vacant and under-utilized parcels resulted in these districts being designated as blighted and becoming urban renewal districts in the 1970s, 1980s and 1990s.

The infill development promoted by Policy 4.48 is intended to bring back a continuous street wall in these areas. This simultaneously can make the pedestrian realm more active and safe and recreate the intimate urban spaces present historically. The number of vacant and underutilized sites in Historic and Conservation Districts differs by district. The NW 13<sup>th</sup> Avenue Historic District is largely intact with only two non-contributing properties (4% of the land area of the district). The New Chinatown/Japantown Historic District is on the other end of this spectrum with as many as 25 non-contributing properties (58% of the land area of the district).

Across the Central City Plan District, City Council expects that redevelopment of vacant and underutilized sites may not be identical to the existing physical characteristics of the surrounding existing buildings. The CC2035 Plan, Chapter 33.420, Chapter 33.445, and applicable approval criteria supports a variety of approaches to infill, resulting in buildings that complement existing historic resources. This variety of new development allows provides for growth, density, innovation, the ability to meet the needs of a diversity of uses and people, and the ability for urban form and sense of place to appropriately evolve over time. With the exception of Historic and Conservation Landmarks and Districts that are subject to Historic Resource Review, the existing application of the Design Overlay and corresponding discretionary design review in much of the Central City Plan District is an additional way the CC2035 Plan ensures that new buildings will integrate into the established urban fabric, even if new development departs from that fabric in one or more characteristic.

**The role of height and FAR allowances in encouraging development of vacant and underutilized sites in the Central City.**

The Central City is generally divided in a grid pattern that establishes 40,000 square foot blocks, one of the smallest typical downtown town block patterns found in North America. Therefore, it is typical for a development site to occupy an entire city block and when the Zoning Code assigns base FAR to an area it assumes that a full block development will be able to use the full development potential made possible by the assigned FAR allowances.

In many portions of the Pearl, Old Town/Chinatown, Central Eastside, Goose Hollow, South Waterfront, and University District/South Downtown, the Zoning Code has historically assigned a base FAR of 6:1 with the ability to earn an additional bonus 3:1 FAR for a total FAR allowance of 9:1 FAR. On a 40,000 square foot site this allows 360,000 square feet of development potential.

Before a maximum building height is assigned to a site, certain typical building metrics are considered. These include the typical base floor to ceiling heights of the ground floor of a mixed-use building (which on average is 15 feet) as well as those for all other floors in an office and/or residential building (which on average is a minimum of 12 feet for office buildings and 10 feet for residential buildings).

Additionally, the average floor plate size of different types of buildings is also factored in. Generally, the floor area on each floor of the podium, the base of the building, is on average 38,000 square feet in area, and the total floors included in a podium is three stories on average. Thus, the podium typically can use as much as 114,000 square feet on average. This leaves approximately 246,000 square feet of building potential for the tower above the podium.

On average the floor plate size of a residential tower is assumed to be 18,000 square feet, and 30,000 square feet for an office tower.

When these metrics are applied to the development of a residential tower (assuming 10-foot floor-to-ceiling heights, 18,000 square foot floor plates, and 246,000 square feet of remaining development potential), the full use of the remaining allocated FAR would allow for the development of approximately 14 stories above the podium, which would result in a 175-foot tall, 17-story residential mixed-use building on average. The maximum height could vary depending on variations in podium size, tower floor plate sizes, and floor to ceiling heights, all of which vary from building to building. Thus, if all the FAR available through the base and bonus FAR is used (assuming this totals 9:1 FAR) the actual height necessary for this amount of FAR may vary between 175' to 250' for residential development.

For this reason, the maximum building height assigned by the Zoning Code to areas that have a base FAR of 9:1, or the ability to earn 9:1 through a combination of base and bonus FAR, typically ranges between 175 feet and 250 feet on average. In areas subject to Historic Resource Review, the City Council recognizes that FAR and height are allowances and not guaranteed entitlements.

Testimony was received at the May 28, 2020, hearing and in writing requesting that the City codify that zoned heights in historic districts are permissive, not entitled. This testimony sought to confirm that height limits are maximums, but not a guarantee. City Council recognizes and agrees with staff memo, in the record, dated June 3, 2020, that Historic Resource Review already provides the decision-maker with the authority to adjust development allowances in order to find that a given development proposal meets the adopted approval criteria for a site. City Council therefore agrees with the testimony that the height limits provided on maps 510-3 and 510-4 in the zoning code are maximum allowances, not entitlements, subject to Historic Resource Review and/or other land use reviews. City Council does not believe that further changes are needed to establish Historic Resource Review approval criteria as mandatory land use approval criteria that must be met.

2. **Preserving historic resources.** City Council finds that CC2035 does not amend the existing Zoning Code provisions that protect historic resources citywide. These provisions are described in the findings for Policy 4.46. As of April 2020, there are 241 Historic Landmarks, eight Historic Districts (including portions of Historic Districts), and one Conservation District within the Central City Plan District. Within the Historic and Conservation districts, 224 parcels are contributing, and 170 parcels are non-contributing. As described below, the CC2035 Plan adjusts height limits in four Historic Districts to complement the historic resources found in those districts.

The City Council finds that the Central City Plan District, through new FAR transfer provisions, described in detail in the findings for Policy 4.46, encourages new development that supports the preservation of historic resources. The FAR transfer provisions allow owners of Historic and Conservation Landmarks and owners of contributing resources within Historic and Conservation Districts to transfer unused and additional FAR to other sites in the Central City Plan District. Transferring FAR provides monetary value to historic resource owners to fund seismic upgrades and other rehabilitation activities, as well as removes redevelopment potential from historic resource sites that have transferred FAR. Approximately 419 historic resources in the Central City Plan District will be eligible to participate in these new historic

resource FAR transfer provisions. The City Council recognizes that the availability of unused FAR on historic resource sites creates the potential for monetary value that can support rehabilitation; the City Council therefore finds that maintaining existing base FAR for historic resource sites across the Central City supports the preservation of those resources.

3. **Encouraging development that complements individually-listed historic resources.** The City Council finds that the CC2035 Plan encourages development of vacant and underutilized sites that will complement Historic and Conservation Landmarks by increasing the economic viability of preservation, rehabilitation, and reuse.

Council finds that the approach to how new development can complement an individual Historic or Conservation Landmark outside of an Historic District is exemplified by the Ladd Carriage House, a three-story wood construction Historic Landmark building constructed in 1883. The Ladd Carriage House sits alongside the more recently developed 23-story Ladd Tower Apartments. The Ladd Carriage House is protected by the historic resource regulations described in the findings for Policy 4.46, with the CC2035 Plan allowing unused historic resource FAR to be transferred to redevelopment sites to generate money for rehabilitation activities. The adjacent Ladd Tower—with a parking garage that extends under the Ladd Carriage House—provides residents, workers, and parking that directly support the economic viability of the Landmark structure. The Ladd Tower complements the Ladd Carriage House by providing financial viability for a Historic Landmark that was nearly demolished in 2005 due to the high costs of rehabilitation, greatly improving economic opportunities for reuse.

The City Council finds that this policy, outside of Historic and Conservation Landmark and District boundaries, does not require the design of development adjacent to and nearby historic resources to relate to the physical features of those resources. However, within the boundaries of Historic and Conservation Landmarks and Districts, alterations, additions, and new construction are subject to Historic Resource Review (Note that as described in the findings for State Land Use Goal 5, resources listed in the National Register of Historic Places after January 2017 are not subject to Historic Resource Review).

The City Council finds that, within Historic and Conservation Landmark and District boundaries, Historic Resource Review ensures new development activities will complement the physical characteristics of those resources. For sites outside of Historic and Conservation Landmark and District boundaries, the City Council finds that the new development may depart from the physical characteristics of the adjacent and nearby historic resources. The City Council recognizes that for properties within a Design Overlay district, design standards and approval criteria may require new development to relate to one or more physical features of adjacent and nearby historic resources to ensure that new development better integrates into the established urban fabric.

4. **Encouraging development that complements Historic and Conservation Districts.** The City Council finds that the CC2035 Plan encourages development of vacant and underutilized sites in Historic and Conservation Districts that will complement contributing resources by increasing the economic viability of preserving, rehabilitating, and reusing those resources.

The City Council further finds that the CC2035 Plan encourages development of vacant and underutilized sites in Historic and Conservation Districts that will complement the established urban fabric found in those districts. The City Council finds that this policy does not require

development adjacent to and nearby Historic and Conservation Districts to complement the physical features found in those districts, except as required of any Design Overlay standards or approval criteria that may apply to the site.

Policy 4.49 describes Historic Districts as “unique.” The City Council therefore finds that established urban fabric—and the relative importance of the characteristics of that fabric—differs district-by-district. The established urban fabric found in Historic and Conservation Districts includes characteristics of the built environment present during the historic period of significance, as well as those present today. This fabric may include, but is not limited to, block pattern, arrangement and design of streets and pedestrian realm, street wall, street-level activity, building use, construction type, architectural style, exterior materials, design details, massing, and height. Information about the established urban fabric found in a Historic or Conservation District can be found in the nomination for historic designation, the district design guidelines, the built environment today, and, for the CC2035 Plan, additional documentation found in the record.

The CC2035 Plan adjusts maximum height limits in four Historic Districts: NW 13th Avenue, East Portland/Grand Avenue, Irvington, and New Chinatown/Japantown. Building height is one characteristic of established urban fabric, with some historic districts having greater consistency of building height than others. In each of these four Historic Districts, the existing height limits were established prior to the districts being listed in the National Register of Historic Places. The City Council finds that adjusting height limits in these four districts complements the contributing historic resources found in the districts, as well as complement the historic district as a whole.

The City Council recognizes that district-specific design guidelines have been adopted for three of the four Historic Districts - NW 13th Avenue, East Portland/Grand Avenue, and New Chinatown/Japantown. The Council further recognizes that general approval criteria found in Chapter 33.846 applies to the fourth Historic District – Irvington. The three design guideline documents describe each district’s historic significance, important elements of the historic and contemporary established urban fabric, and approval criteria that relate to the districts’ unique significance and fabric. The National Register nominations for each of the four Historic Districts contain similar documentation and description of the elements that comprise each district’s urban fabric. The City Council recognizes the adopted design guidelines and National Register nominations for these districts as additional evidence of established urban fabric and complementing historic resources.

The City Council finds that the CC2035 Plan’s adjustment of maximum height limits in NW 13th Avenue, East Portland/Grand Avenue, Irvington, and New Chinatown/Japantown complements the historic resources found in these districts, as well as complements the districts as wholes. With the exception of one block discussed in the section below, City Council further finds that maintaining base FAR in these districts supports the preservation of the districts’ contributing resources through the CC2035 Plan’s new FAR transfer provisions.

The City Council recognizes the CC2035 Plan retains existing maximum height limits in all other Historic and Conservation Districts.

**NW 13th Avenue Historic District.** The City Council provides the following additional findings on Policy 4.48 specific to the NW 13<sup>th</sup> Avenue Historic District. The City Council finds that NW 13<sup>th</sup> Avenue Historic District’s established urban fabric includes the existing 19 contributing resources, physical characteristics and human activity present during the 1900-1945 period of

significance, existing non-contributing buildings, and existing vacant and underutilized sites. The City Council recognizes the contributing structures, as well as the district as a whole, to be historic resources. The City Council recognizes non-contributing structures, surface parking lots, and vacant lots to be vacant and underutilized.

On all sites in the NW 13<sup>th</sup> Avenue Historic District, proposed alterations, additions, and new buildings must meet the approval criteria in the NW 13<sup>th</sup> Avenue Historic District Design Guidelines. The design guidelines provide approval criteria to ensure that contributing resources are not damaged by exterior alterations and additions. The City Council finds that the existing historic resource overlay zone protections described in the findings for Policy 4.46, the new FAR transfer provisions of the CC2035 Plan, and the district design guidelines preserve contributing resources in the NW 13<sup>th</sup> Avenue Historic District.

The CC235 Plan removes the option for bonus height in the NW 13<sup>th</sup> Avenue Historic District, thereby establishing maximum allowed height limits of 100 feet and 75 feet within the historic district. City Council finds that height is an important aspect of established urban fabric in this historic district. City Council further finds that these height changes preserve and complement historic resources in by encouraging development on vacant and underutilized sites that will increase the economic viability of preserving, rehabilitating, and reusing contributing resources, as well as increase the economic viability and human activity of the district as a whole.

**East Portland/Grand Avenue Historic District.** The City Council provides the following additional findings on Policy 4.48 specific to the East Portland/Grand Avenue Historic District. The City Council finds that NW 13<sup>th</sup> Avenue Historic District's established urban fabric includes the existing 36 contributing resources, physical characteristics and human activity present during the 1883-1930 period of significance, existing non-contributing buildings, and existing vacant and underutilized sites. The City Council recognizes non-contributing structures, surface parking lots, and vacant lots to be vacant and underutilized.

On all sites in the East Portland/Grand Avenue Historic District, proposed alterations, additions, and new buildings must meet the approval criteria in the East Portland/Grand Avenue Historic District Design Guidelines. The design guidelines provide approval criteria to ensure that contributing resources are not damaged by exterior alterations and additions. The City Council finds that the existing historic resource overlay zone protections described in the findings for Policy 4.46, the new FAR transfer provisions of the CC2035 Plan, and the district design guidelines preserve contributing resources in the East Portland/Grand Avenue Historic District.

The CC235 Plan removes the option for bonus height in the East Portland/Grand Avenue Historic District and further reduces height in the center of the historic district to 160 feet. City Council finds that height is an important aspect of established urban fabric in this historic district, with the contributing Weatherly Building providing a 160-foot height datum up to which new development may complement the district. City Council further finds that these height changes preserve and complement historic resources in by encouraging development on vacant and underutilized sites that will increase the economic viability of preserving, rehabilitating, and reusing contributing resources, as well as increase the economic viability and human activity of the district as a whole.

**Irvington Historic District.** The City Council provides the following additional findings on Policy 4.48 specific to the portion of the Irvington Historic District located within the Central City Plan District. The City Council finds that Irvington Historic District's established urban fabric includes the existing 2397 contributing resources, physical characteristics and human activity present

during the 1891-1948 period of significance, existing non-contributing buildings, and existing vacant and underutilized sites. The City Council recognizes non-contributing structures, surface parking lots, and vacant lots to be vacant and underutilized. Approximately nine blocks of the Irvington Historic District containing 24 contributing resources are located within the Central City Plan District.

On all sites in the Irvington Historic District, proposed alterations, additions, and new buildings must meet the approval criteria in Chapter 33.846.060.G. These approval criteria ensure that contributing resources are not damaged by exterior alterations and additions. The City Council finds that the existing historic resource overlay zone protections described in the findings for Policy 4.46, the new FAR transfer provisions of the CC2035 Plan, and the Historic Resource Review approval criteria preserve contributing resources in the Irvington Historic District.

The CC235 Plan reduces the maximum allowed height in the portion of the Irvington Historic District within the Central City to a maximum of 75 feet. City Council finds that height is an important aspect of established urban fabric in the nine blocks of the historic district within the Central City Plan District. City Council further finds that these height changes preserve and complement historic resources in by encouraging development on vacant and underutilized sites that will increase the economic viability of preserving, rehabilitating, and reusing contributing resources, as well as increase the economic viability and human activity of the district as a whole.

**New Chinatown/Japantown Historic District.** The City Council provides the following additional findings on Policy 4.48 specific to the New Chinatown/Japantown Historic District:

#### Zoning history

The New Chinatown/Japantown Historic District was listed in the National Register of Historic Places in 1989, but the intent to establish a historic district there had been formulated by the time the 1988 Central City Plan and zoning amendments were being developed. Prior to the creation of the Historic District and 1988 Central City Plan, the base zoning was Central Commercial (C1), with a Downtown Development overlay (Z). The C1Z zone allowed for uses ranging from high-rise commercial office buildings to residential towers. The maximum height allowance for most of the area was 460 feet. The 1988 Central City Plan reduced this maximum. In the area north of NW Everett, the maximum height allowance was decreased to 350 feet with the ability to reach 425 feet through development bonuses. South of NW Everett, the maximum height allowance was reduced to 100 feet with a few parcels along NW 3rd Avenue in the Skidmore-Old Town Historic District further reduced to a maximum height of 75 feet.

#### Development pattern

As of April 2020, the New Chinatown/Japantown Historic District consists of ten square blocks, each approximately 40,000 square feet in area. The district is bound by NW 5th on the west, NW 3rd on the east, NW Glisan on the north, and West Burnside on the south. The developable land area of the district consists of approximately 9.18 acres of land, 3.31 acres of which, or 40 percent of the district, is covered by 27 structures that are designated as contributing structures in the Historic District. Each of these 27 structures were developed at different points over a period from 1880 to 1943. Two of these are designated as individual Historic Landmarks. The City Council recognizes the 27 contributing structures (inclusive of the two Historic Landmarks), as well as the district as a whole, to be historic resources. Non-contributing structures cover an additional 3.3 acres of land, or 36 percent of the district. The

remaining developable acreage in the district consists of several surface parking lots and one vacant lot. These areas cover approximately 2.17 acres, or 23.6 percent of the developable land area of the historic district. The City Council recognizes these sites to be vacant and underutilized.

### **Defining the established urban fabric in New Chinatown/Japantown Historic District**

The City Council finds that New Chinatown/Japantown's established urban fabric includes the existing 27 contributing resources, physical characteristics and human activity present during the 1880-1943 period of significance, existing non-contributing buildings, and existing vacant and underutilized sites. The City Council further finds the 200-foot square block pattern, street system and Transit Mall are part of the district's established urban fabric. The City Council recognizes the memo submitted by John M. Tess on May 8, 2020, as additional evidence of the established urban fabric found in the district. Among the characteristics that define establish urban fabric, City Council recognizes the following in New Chinatown/Japantown:

#### **Block pattern, arrangement and design of streets, and pedestrian realm.**

The New Chinatown/Japantown Design Guidelines state that the district "originally had 200-foot square blocks surrounded by 60-foot wide streets. Although this spatial framework continues to define the district, changes along West Burnside Street and NW Glisan Street have altered its once-uniform block and street pattern. In 1931, West Burnside was widened from its original 60-foot width to approximately 100 feet. This widening resulted in the reduction of the original 200-foot blocks immediately north of West Burnside Street by 20 feet. Similarly, the 1933 widening of NW Glisan Street between NW 3<sup>rd</sup> and 4<sup>th</sup> Avenues from 60 feet to approximately 80 feet also changed the district's block pattern."

#### **Street wall.**

The district design guidelines provide that "over time, the district's historic block, lot, and street pattern, and construction of contiguous one- to seven-story buildings created a streetscape that defined its urban character at the end of the period of significance. Today, this character and historic framework remain evident with existing buildings constructed to the right-of-way line." At the end of the historic period, the unified continuous street wall was a predominant feature of the district. The City Council recognizes the existing gaps in the street wall diminish the established urban fabric from the historic period.

#### **Street-level activity and building use.**

City Council finds that a variety of building uses are present in the district today, including retail, office, residential, hotel, and social service uses. Historically, a diversity of uses were present in the district, with significant Asian American presence within buildings and contributing to an active street life during the period of significance. The National Register nomination summary of the district's unifying physical characteristics concludes with the statement "the district is significant under criterion A for its historical associations" without any reference to criterion C (architectural significance).

The City Council recognizes that Chinese and Japanese populations were present in the district, with 3<sup>rd</sup> Avenue holding a concentration of uses associated with the Japanese population, NW 4<sup>th</sup> Avenue holding a concentration of uses associated with the Chinese population, and NW 5<sup>th</sup> including Chinese and Japanese associations, but fewer in number. The City Council finds that the presence of vacant and underutilized sites

diminishes the active human presence and dense mix of uses that defined the district during the period of significance.

**Construction type.**

The City Council finds that several building construction typologies exist in the district, primarily unreinforced masonry, concrete, and reinforced concrete.

**Architectural style.**

The City Council recognizes that the contributing resources in the district reflect three architectural styles: 20th Century Commercial, Italianate, and Moderne. Non-contributing buildings depart from these styles, but generally retain elements informed by these styles. The district design guidelines provide that “collectively, these three styles make up three-fourths of all buildings within the district, giving the district an underlying stylistic uniformity.”

**Exterior materials.**

The City Council recognizes the district design guidelines statement that “the most common exterior building materials found within the district are brick and concrete stucco, both in widely varying color ranges.”

**Design details.**

The City Council finds that Chinese and Japanese Cultural design adaptations are an integral characteristic of the district’s historic significance and established urban fabric. As stated in the district design guidelines, “Cultural adaptations to existing and sometimes new buildings within the district were a common and significant expression of Chinese and Japanese culture during the 1880 to 1943 period. These adaptations were predominantly conducted by Chinese occupants and owners and included the repurposing or installation of horizontally-oriented upper-level projecting and/or recessed balconies as extended living space or gardens, altering existing storefronts with signs and cloth awnings, applying horizontal arched awnings at the upper levels, displaying political flags, adding hanging lanterns, installing signs with Asian characters. Although not every building exhibited Chinese and/or Japanese design expressions, on a collective level, these cultural adaptations created a unique urban design aesthetic that defined the district.”

**Massing.**

The City Council finds that blocky building massing is a typical characteristic of the district’s established urban fabric. The district design guidelines state “contributing building forms in the district are simple volumetric shapes, typically square or rectangular with no setbacks.” The same blocky pattern exists for non-contributing buildings, with building volumes generally extending to the lot lines for much or all of the buildings’ height, with the exception of lightwells and some upper story setbacks.

**Building height.**

The City Council finds that contributing buildings in the New Chinatown/Japantown Historic District range in height from one to seven stories and that non-contributing buildings range in height from one to 16 stories. The City Council also finds that since the time of the district’s listing in the National Register, new buildings have been approved at heights of four, five, eight, nine, and 16 stories.

The City Council agrees that “building height is but one component of the urban fabric” as explained in the memo submitted by John M. Tess on May 8, 2020, as additional

expert evidence on the established urban fabric of the district. Furthermore, the City Council finds that building height alone does not determine whether a building is complementary to the character of this particular district. The City Council finds that the National Register nomination that created the district does not address height in its physical description summary. In fact, during the period of significance, buildings in this district were constructed that were two to four times taller than adjacent buildings, perhaps best illustrated by the contributing Mason-Ehrman Building.

#### **The role of district design guidelines in preserving contributing resources and the district as a whole**

City Council reviewed testimony received that argued that new construction at heights of 200 feet could overwhelm the Historic District. Much of this testimony requested that, to avoid this, the Historic Landmarks Commission be empowered to protect the district's character. Testifiers argued that the Historic Landmarks Commission needs the authority to deny proposed tall buildings found to create incompatibility and to require design modifications so that the new construction maintains the street character of the district and does not loom over the existing historic buildings.

City Council finds that on all sites in the New Chinatown/Japantown Historic District, proposed alterations, additions, and new buildings must meet the approval criteria in the New Chinatown/Japantown Design Guidelines, adopted by City Council in September 2017. These guidelines were intentionally developed to be part of the CC2035 Plan package of related policies, regulations, and implementing measures. The design guidelines provide approval criteria to ensure that contributing resources are not damaged by exterior alterations and additions. The City Council finds that the existing historic resource overlay zone protections described in the findings for Policy 4.46, the new FAR transfer provisions of the CC2035 Plan, and the district design guidelines preserve contributing resources in the New Chinatown/Japantown Historic District.

The City Council recognizes the Bureau of Planning and Sustainability memo dated June 3, 2020, as additional and credible evidence. The City Council agrees "that proposals for buildings at the maximum height allowed on sites subject to Historic Resource Review are not entitled to approval." City Council agrees with staff who "do not agree that changes to the zoning code as part of Central City 2035 are necessary to satisfy the requests made by testifiers. In addition to Historic Resource Review, other discretionary land use reviews allow decision-makers to place limits on otherwise allowed development to ensure planning objectives are met, such as protecting trees, limiting shadows on parks, and conserving environmental areas."

#### **Changes to height allowances in the Historic District**

There are two locations in the New Chinatown/Japantown Historic District in which CC2035 changes height limits. The maximum height limit of new development on the four blocks north of NW Everett Street is decreased from 425 feet to 200 feet. The maximum height limit on "Block 33", the full block surface parking lot located at NW 4<sup>th</sup> and NW Davis, is increased from 100 feet to 200 feet on the western half of the site and from 100 feet to 125 feet on the eastern half. The base FAR on Block 33 is increased to 9:1 FAR to encourage development of this vacant site if a new building proposes residential use on all floors above the ground floor on the western half of the block.

**The role of height allowances in preserving and complementing contributing resources in the Historic District**

City Council finds that these height changes preserve and complement historic resources in New Chinatown/Japantown by encouraging development on vacant and underutilized sites that will increase the economic viability of preserving, rehabilitating, and reusing contributing resources, as well as increase the economic viability and human activity of the district as a whole. The blocks subject to height change under CC2035 have 9:1 FAR which determines the total square feet of development the site can hold. City Council finds that with the proposed maximum heights, this amount of FAR can reasonably be proposed for development of new residential and commercial office buildings through standard construction practices. This is based on both Zoning Code development standards, such as those regulating ground floor active uses, as well as standard metrics used by the development industry to create mid- and high-rise residential and commercial towers.

North of NW Everett Street, CC2035 reduces maximum height from 425 feet to 200 feet. On those four blocks, there are 10 contributing resources many of which are adjacent to vacant or underutilized sites. City Council finds the height limit reduction north of NW Everett Street makes new development more likely to be complementary to the blocky building forms found in the district while still allowing proposals that utilize the full 9:1 base FAR. This ability for full development increases the potential for economically feasible projects that add significant user and economic activity to the district. This in turn can benefit the ability of the district to support economically viable rehabilitation and reuse of historic buildings as well. Moreover, the 200 foot maximum height allowance here creates more opportunity for development of a vacant or underutilized portion of a site using FAR transferred from a contributing structure elsewhere on the site. As in the case of the Ladd Carriage House, Council finds that allowing 200 feet of height on the four blocks north of NW Everett in New Chinatown/Japantown allows for a taller new building on part of a site to help preserve a contributing building elsewhere on the site.

Similarly, City Council finds that the height increase from 100 feet to 200 feet on the western half of the Block 33 and increase from 100 feet to 125 feet on the eastern half of the lot can preserve and complement the contributing buildings on the blocks around it. The City Council finds that the additional height and FAR will increase the potential for an economically feasible project that adds uses and economic activity to the district. The City Council recognizes the letter submitted by Timothy Ramis dated June 4, 2020, as additional and credible evidence as it discusses the importance of additional height for the project feasibility, as well as for increasing the supply of market rate and affordable apartments in the Central City Plan District. The increase in FAR adds approximately 120,000 square feet of new development to the Block 33 site. The increase in height allows utilization of this additional floor area in a way that can step down to the core of the district while stepping up to the location at a transit station on the transit mall.

The new development would fill long-standing and large gaps in the street wall and activate street-level commercial uses. A new building on this site that is no taller than the block-faces are long would re-establish the continuity of street wall, blocky massing, and human activity found in the district during the period of significance. The taller height on the western half of the block is consistent with the fact that, according to the design guidelines, NW 5<sup>th</sup> Avenue “includes the tallest contributing buildings within the district.”

New development up to 200 feet in height will complement adjacent and nearby contributing resources because the district design guidelines provide options for site-specific design

responses that can complement those contributing resources, even when the new building is taller. The City Council finds that a 200-foot height limit allows applicants beneficial flexibility to respond to site-specific circumstances with building forms and designs that will complement adjacent and nearby historic resources. City Council finds evidence of this in Design Guideline D3, Vertical Composition, which encourages proposals for taller building to use strategies such as “(v)isually minimizing heights in excess of neighboring buildings through strategies such as step-backs, projecting horizontal elements, change of materials, color shifts, and/or shifting or grouping the pattern of openings and bays above a more regularized base.”

**The role of height allowances in preserving and complementing the Historic District as a whole**

The City Council finds that adjusting height limits on the four northern blocks from 425 feet to 200 feet and on Block 33 from 100 feet to 125 feet and 200 feet also complements the district as a whole.

The City Council finds that significant physical elements of the established urban fabric from the historic period are missing from the district. New development on vacant and underutilized sites that return a uniform street wall, density of building uses and activities, prominent architectural styles, limited exterior material palette, cultural design details, and blocky massing will especially complement the district as a whole. As a specific example of how taller contemporary buildings have complemented the established urban fabric of the district, the City Council notes that the 160-foot tall Pacific Tower is part of the established urban fabric and has supported the preservation of nearby historic resources because it returns residential living to the district, fills in the street wall, integrates consistent exterior materials, and increases the potential for nearby contributing resources to achieve economic viability for rehabilitation and reuse. The City Council further finds there is no evidence in the record that the Pacific Tower adversely affects the District.

City Council recognizes district design guideline D2, Form and Articulation, which provides that “contributing building forms in the district are simple volumetric shapes, typically square or rectangular with no setbacks. This ‘blocky’ overall development form should be evident in new construction.” The City Council finds that since typical blocks in the historic district are 200 feet square, setting the maximum building height at 200 feet is consistent with the typically blocky form of development present in the district.

City Council considered testimony from opponents of these height changes that adjustments to height limits would possibly cause the Historic District to be removed from the National Register. City Council reviewed the expert testimony on both sides. The City Council recognizes letters from the Oregon State Historic Preservation Office and Heritage Consulting Group, which provided no evidence that any National Register historic district in the nation has been removed due to allowed building heights or the height of new construction within the district. Specific to this Historic District, the National Register nomination provides that “Chinatown Historic District is zoned CIZ, which allows for many commercial uses; mid to high rise development, clean labor - intensive industry and manufacturing; and high density apartments.” The City Councils finds that the district was listed in the National Register when the zoning allowed building heights of up to 425 feet. The CC2035 Plan allows a maximum building height of only 200 feet in the district. The City Council therefore concludes the District’s listing on the National Register—as well as the listing of constituent contributing resources—is not endangered by the CC2035 Plan and adjustments to maximum allowed heights.

City Council reviewed testimony received preceding the May 28, 2020 hearing from representatives from Restore Oregon, the Architectural Heritage Center, and the Japanese American Museum noting concerns that the maximum heights proposed for the historic district were too high and out of scale with the existing character of the district. Some noted concern that such heights would impact the district such that the important Chinese, Japanese, and African American cultural heritage would be lost. Two members of Historic Landmarks Commission spoke about the lack of compatibility of taller buildings in relationship to district's historic buildings.

Further, it was suggested that the height limits would result in development that impacts the Chinese, Japanese, and African American cultural heritage of the district —potentially 'swallowed up' by out of scale development. Testifiers also argued that compatible development within historic districts is critical if these districts are to fulfill their role as lively, active parts of the city that transmit important cultural stories.

City Council reviewed testimony from the Old Town Chinatown Association supporting readoption of CC2035 in order to provide regulatory certainty for the development community, and specifically the ability to develop key catalytic sites, such as Block 33, to bring in a denser and more diverse mix of uses, and to reduce the conditions of blight that effect businesses within the district.

Further, City Council reviewed other testimony in support of readopting CC2035 that the addition of workforce and market rate housing, designed to represent key cultural themes of the district such a Japanese and Chinese architecture, can help to create a safe, active and vibrant district with a balance of residents across economic demographics. Testifiers noted that the New Chinatown/Japantown and Skidmore/Old Town historic district design guidelines include strategies to include 'podiums' with heights like nearby historic structures that emphasize the architecture of the historic districts' era of significance.

The City Council finds the height limits are supported by additional evidence received throughout the public process. This evidence includes original LUBA Rec. 14973-14978 (testimony describing why it is consistent with the National Register nomination and the Old Town Chinatown vision statement to leave the height on the North Blocks); Rec. 6320 (testimony explaining the process and unlikelihood of a delisting and increasing height is the best opportunity for development on Block 33); Rec. 49651 (background document describing the North Blocks as "envisioned by the city with the potential for larger-scaled structures, to take advantage of the location's view to the Willamette River in the east and north, and to downtown in the south, and the housing towers in the west."); Rec. 48059 (background finding that new construction is only viable in the District where greater development entitlements and rents can be achieved); Rec. 48140 (interview notes describing Block 33 as a key catalyst site); Rec. 48189 (summary of issues and opportunities identifying that redevelopment of vacant and surface parking lots is important component for revitalizing the area); Rec. 24096 (BPS staff briefing to PSC explaining that the New Chinatown/Japantown Historic District Design Guidelines are intended to allow the Block 33 applicant to make the case for a building that is taller than what the height limits are today); Rec. 24253 (PSC work session considering historic district heights and request to set height on North Blocks at 350 feet); Rec. 15023 (testimony describing that the district's roots are cultural rather than architectural); Rec. 7731-7732 (testimony in support of increased entitlements on Block 33 to encourage development); Rec. 48092 (background document considering high-density housing north of NW Everett along NW Glisan corridor); Rec. 48190 (summary of planning events describing testimony that

development regulations, including height and FAR may be discouraging new development). The evidence submitted by John M. Tess on May 8, 2020 provides expert testimony on the application of Policy 4.48 specific to New Chinatown/Japantown.

The City Council finds this evidence is credible and supports Council's finding that a 200-foot height limit in the New Chinatown/Japantown Historic District preserves and complements the district's contributing resources and the district as a whole.

205. **Policy 4.49, Resolution of conflicts.** Adopt and periodically update design guidelines for unique historic districts. Refine base zoning in historic districts to consider the character of the historic resources in the district.

The City Council finds that Historic Districts in the Central City Plan District are subject to Historic Resource Review, a discretionary land use review described in the findings for Policy 4.46. All or part of nine Historic Districts are located in the Central City Plan District. Adopted design guidelines exist for six of these Historic Districts, including Skidmore/Old Town and New Chinatown/Japantown, both of which were adopted during the CC2035 legislative process. Consistent with Policy 4.49, CC2035 includes action items (UD9 and UD46) calling for updates to the design guidelines that apply in the East Portland/Grand Avenue Historic District and Russell Street Conservation District.

The City Council finds that base zones are not being changed in Historic Districts in the CC2035 Plan. The existing base zones do not conflict with the historic character of the historic resources in the district. The CC2035 Plan includes adjustments to height limits in four Historic Districts, described in the findings for Policy 4.48.

206. **Policy 4.50, Demolition.** Protect historic resources from demolition. Provide opportunities for public comment, and encourage pursuit of alternatives to demolition or other actions that mitigate for the loss.

The City Council finds that demolition protections for historic resources are provided in Chapter 33.445, Historic Resources Overlay Zone, and Chapter 33.846, Historic Resource Reviews. National Register-listed Historic Landmarks and contributing resources in Historic Districts are subject to Demolition Review, with the Portland City Council assigned as the review body for such demolition proposals. These existing regulations protect historic resources, provide opportunities for public comment when a resource is proposed for demolition, and provides decision-maker that ability to require alternatives to demolition.

207. **Policy 4.51, City-owned historic resources.** Maintain City-owned historic resources with necessary upkeep and repair.

208. **Policy 4.52, Historic Resources Inventory.** Maintain and periodically update Portland's Historic Resources Inventory to inform historic and cultural resource preservation strategies.

The City Council finds that the Historic Resources Inventory was last updated in 1984. The City Council recognizes that 2007 changes in State Administrative Rule allow for the Inventory to be updated. The regulations included in Chapter 33.445, Historic Resources Overlay Zone, do not provide a viable land use procedure for updating the Historic Resources Inventory. The CC2035 Plan does not address this, but a separate zoning code project, the Historic Resources Code Project, anticipates addressing this. The CC2035 Plan includes an action item (UD4) calling for updating the Historic Resource Inventory for the Central City, prioritizing the West End and Goose Hollow.

209. **Policy 4.53, Preservation equity.** Expand historic preservation inventories, regulations, and

programs to encourage historic preservation in areas and in communities that have not benefited from past historic preservation efforts, especially in areas with high concentrations of under-served and/or under-represented people.

The City Council finds that this policy requires actions that expand equity in historic resource programs. The CC2035 Plan includes an action item (UD45) that calls for preparation of “a National Register of Historic Places Multiple Property Documentation form for African-American historic resources based on the Cornerstones of Community inventory.” The Multiple Property Documentation was submitted to the State Historic Preservation Office on April 27, 2020.

210. **Policy 4.54, Cultural diversity.** Work with Portland’s diverse communities to identify and preserve places of historic and cultural significance.

The City Council finds that the Multiple Property Documentation submission described in the findings for Policy 4.54 supports this policy. Additionally, an individual National Register Historic Landmark nomination for the Williams Avenue YWCA (Billy Webb Elks Lodge) was submitted to the State Historic Preservation Office on April 27, 2020, at the request of African American lodge members.

211. **Policy 4.55, Cultural and social significance.** Encourage awareness and appreciation of cultural diversity and the social significance of historic places and their roles in enhancing community identity and sense of place.

The City Council finds that the findings for Policies 4.53 and 4.54 supports this policy.

212. **Policy 4.56, Community structures.** Encourage the adaptive reuse of historic community structures, such as former schools, meeting halls, and places of worship, for arts, cultural, and community uses that continue their role as anchors for community and culture.

The City Council finds that adaptive reuse is supported by the existing regulations and CC2035 Plan, as described in the findings for Policy 4.46-4.48. The plan includes an action item calling for an update of the Historic Resources Inventory in the next 2-5 years, which also supports this policy. This process will engage the public at-large as well as stakeholders involved in cultural and historic resource preservation. The process will likely also identify additional publicly and privately-owned structures to be added to the Historic Resources Inventory and some that will qualify for Historic Landmark status and by extension the protections and incentives contained in the Zoning Code. For example, the City-funded nomination of the Williams Avenue YWCA (Billy Webb Elks Lodge) will extend demolition protections to an irreplaceable community structure. Updating the Historic Resource Inventory and advancing targeted Historic Landmark nominations will further support Policies 4.50 – 4.56 above.

213. **Policy 4.57, Economic viability.** Provide options for financial and regulatory incentives to allow for the productive, reasonable, and adaptive reuse of historic resources.

The City Council finds that the existing Oregon Special Assessment of Historic Property Program, the existing incentives described in the findings for Policy 4.46, and the new CC2035 provisions described in findings for Policy 4.46 support the economic viability of historic resources. Additionally, the CC2035 Plan includes an action item calling for the City to advocate for the passage of a state historic tax credit, as described in the findings for Policy 4.47.

214. **Policy 4.58, Archaeological resources.** Protect and preserve archaeological resources, especially those sites and objects associated with Native American cultures. Work in partnership with Sovereign tribes, Native American communities, and the state to protect against disturbance to

### Native American archaeological resources.

The goals, policies, actions, and implementation tools of the Central City 2035 plan remain consistent with this direction and do not conflict with existing laws and measures to protect archaeological resources or to coordinate with Sovereign tribes, and Native American communities.

## Public art

215. **Policy 4.59, Public art and development.** Create incentives for public art as part of public and private development projects.

CC2035 contains policies and actions calling for an expanded presence of public art in the Central City. These include pursuing opportunities to place art in public parks, sections of the Willamette Greenway, and within the public realm.

## Resource-efficient design and development

216. **Policy 4.60, Rehabilitation and adaptive reuse.** Encourage rehabilitation and adaptive reuse of buildings, especially those of historic or cultural significance, to conserve natural resources, reduce waste, and demonstrate stewardship of the built environment.

A key response of CC2035 to this policy direction is a new floor area transfer provision that allows unused floor area to be transferred from sites with a designated historic landmark so long as the landmark has or will be subject to seismic upgrades. The Plan further requires that major new development or alterations that increase floor area pursue green building certification, which typically encourages reduced construction waste, and incentive for adaptive reuse.

217. **Policy 4.61, Compact housing.** Promote the development of compact, space- and energy-efficient housing types that minimize use of resources such as smaller detached homes or accessory dwellings and attached homes.

CC2035 is consistent with this policy as the Central City is zoned for high-density development, including mixed-use residential development. Specifically, the Plan District proposes maintaining, and in some case introducing new, maximum floor area allowances, provides incentives to create denser development, and establishes minimum density requirements.

218. **Policy 4.62, Seismic and energy retrofits.** Promote seismic and energy-efficiency retrofits of historic buildings and other existing structures to reduce carbon emissions, save money, and improve public safety.

Consistent with this policy, CC2035 contains new FAR transfer regulations that incent the transfer of unused floor area from sites with a designated historic resource; however, seismic upgrades necessary to protect the structure and occupants are required as part of the FAR transfer process. Additionally, when new development adds 50,000 sq. ft. or more to an existing development, the Zoning Code amendments require such projects to pursue green building / energy efficient certification.

219. **Policy 4.63, Life cycle efficiency.** Encourage use of technologies, techniques, and materials in building design, construction, and removal that result in the least environmental impact over the life cycle of the structure.

The CC2035 plan includes zoning amendments that require new development to pursue certification from a low carbon building program, such as Leadership in Energy and Environmental Design (LEED), which considers life cycle efficiency to reduce environmental impacts. CC2035 also

requires that new buildings larger than 20,000 square feet install an ecoroof. There was significant testimony provided in support of ecoroofs. City Council finds that ecoroofs are vegetated features that have a longer life expectancy than traditional roofs and reduce heat island effects and filter the air, improving air quality. City Council also finds that ecoroofs reduce energy consumption within the building, which reduces carbon dioxide emissions and improves air quality.

- 220. **Policy 4.64, Deconstruction.** Encourage salvage and reuse of building elements when demolition is necessary or appropriate.
- 221. **Policy 4.65, Materials and practices.** Encourage use of natural, resource-efficient, recycled, recycled content, and non-toxic building materials and energy-efficient building practices.
- 222. **Policy 4.66, Water use efficiency.** Encourage site and building designs that use water efficiently and manage stormwater as a resource.
- 223. **Policy 4.67, Optimizing benefits.** Provide mechanisms to evaluate and optimize the range of benefits from solar and renewable resources, tree canopy, ecoroofs, and building design.
- 224. **Policy 4.68, Energy efficiency.** Encourage and promote energy efficiency significantly beyond the Statewide Building Code and the use of solar and other renewable resources in individual buildings and at a district scale.
- 225. **Policy 4.69, Reduce carbon emissions.** Encourage a development pattern that minimizes carbon emissions from building and transportation energy use.
- 226. **Policy 4.70, District energy systems.** Encourage and remove barriers to the development and expansion of low-carbon heating and cooling systems that serve multiple buildings or a broader district.
- 227. **Policy 4.71, Ecodistricts.** Encourage ecodistricts, where multiple partners work together to achieve sustainability and resource efficiency goals at a district scale.
- 228. **Policy 4.72, Energy-producing development.** Encourage and promote development that uses renewable resources, such as solar, wind, and water to generate power on-site and to contribute to the energy grid.

Consistent with Policies 4.63 – 4.72, CC2035 contains policies addressing: energy efficient buildings design and development; use of green infrastructure; low-carbon district energy systems, and other measure to reduce carbon emission, reduce energy usage, encourage recycling of building materials, and other practices to reduce waste and the carbon footprint of new development. The plan also contains actions directing the City to: develop new regulatory tools and incentives to increase use of green building technologies; encourage the use of solar energy; seek opportunities for water capturing and reuse; and preserve and expand the urban forest. Lastly, the Plan District will be amended to require the use of ecoroofs and for new and significant rehabilitations to pursue green building certification.

### Designing with nature

- 229. **Policy 4.73, Design with nature.** Encourage design and site development practices that enhance, and avoid the degradation of, watershed health and ecosystem services and that incorporate trees and vegetation.
- 230. **Policy 4.74, Flexible development options.** Encouraging flexibility in the division of land, the siting and design of buildings, and other improvements to reduce the impact of development on environmentally-sensitive areas and to retain healthy native and beneficial vegetation and trees.

The CC2035 amendments are consistent with Policy 4.73 and 4.74 in the following ways:

- A. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the existing natural resources identified in the *Willamette River Central Reach Natural Resources Protection Plan* (NRPP), by avoiding impacts on natural resources, limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The mitigation requirements include planting of native vegetation and a mix of trees, shrubs and groundcover, which will improve watershed health and ecosystem services.
- B. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. There is a landscaping requirement for the setback that requires native plants to be installed with development but allows flexibility in the size and location of trees to be compatible with adjacent development. Testimony was received that supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback and landscaping will improve watershed health and ecosystem services.
- C. The regulations for removal and remediation of hazardous substances, the use of biotechnical techniques for bank stabilization and the planting of native vegetation on the riverbank to improve watershed health and ecosystem services.
- D. CC2035 includes a range of policies that will ensure the City continues progress toward incorporating tree canopy with redevelopment throughout the Central City. Specifically, the Plan contains tree canopy targets for all ten Central City subdistricts. Nine out of the 10 subdistricts are expected to experience increases in tree canopy over the life of the plan.
- E. The Green Loop is a multimodal transportation corridor that incorporates green infrastructure including trees and other vegetation into the design. The vegetation included in the Green Loop will create new habitat for wildlife alongside development.
- F. The street setback requirements in some parts of the Central City are updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees.
- G. A new standard for the Central City requires that new buildings over 20,000 square feet in net size must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple ecosystem services.

231. **Policy 4.75, Low-impact development and best practices.** Encourage use of low-impact development, habitat-friendly development, bird-friendly design, and green infrastructure.

The CC2035 amendments are consistent with this policy in the following ways:

- A. A new standard for the Central City requires that new buildings over 20,000 square feet in net size must install an ecoroof over 60% of the roof area. Ecoroofs are a type of green infrastructure and provide multiple ecosystem services including providing habitat for avian species.
- B. A new standard for bird-friendly development requires that windows in the first 60 feet of new developments and major remodels be treated with a bird-safe glaze or pattern to reduce the risk of bird-to-building collisions.

- C. The street setback requirements in some parts of the Central City are updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees.
- D. Existing regulations including the Stormwater Management Manual are applicable to future development. The regulations require that new impervious surfaces be treated for stormwater runoff quantity and/or quality. The manual requires onsite infiltration to the maximum extent possible through green infrastructure techniques.

232. **Policy 4.76, Impervious surfaces.** Limit use of and strive to reduce impervious surfaces and associated impacts on hydrologic function, air and water quality, habitat connectivity, tree canopy, and urban heat island effects.

The CC2035 amendments are consistent with this policy in the following ways:

- A. Existing regulations including the Stormwater Management Manual are applicable to future development. The regulations encourage reduction of impervious surfaces and require that new impervious surfaces be treated for stormwater runoff quantity and/or quality. The manual requires onsite infiltration to the maximum extent possible through green infrastructure techniques. This includes tree canopy, ecoroofs, bioswales and pervious paving. Green infrastructure that includes vegetation also improves air quality and reduce heat island effects.
- B. A new standard for the Central City requires that new buildings over 20,000 square feet in net size must install an ecoroof over 60% of the roof area. Ecoroofs are a type of green infrastructure that reduces impervious surface area and provides multiple ecosystem services including managing stormwater runoff for quantity and quality, improving air quality and reducing heat island effects.
- C. C2035 includes a range of policies that will ensure the City continues progress toward incorporating tree canopy with redevelopment throughout the Central City. Specifically, the Plan contains tree canopy targets for all ten Central City subdistricts. Nine out of the 10 subdistricts are expected to experience increases in tree canopy over the life of the plan. One way the targets can be attained is by planting more trees along public rights-of-way. Some street setback requirements throughout the Central City are updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees.

233. **Policy 4.77, Hazards to wildlife.** Encourage building, lighting, site, and infrastructure design and practices that provide safe fish and wildlife passage, and reduce or mitigate hazards to birds, bats, and other wildlife.

The CC2035 amendments are consistent with this policy in the following ways:

- A. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the existing wildlife by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The mitigation requirements include planting of native vegetation and a mix of trees, shrubs and groundcover, which will improve fish and wildlife safe passage along and to the river.
- B. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. There is a landscaping requirement for the setback that requires native plants to be installed

with development but allows flexibility in the size and location of trees to be compatible with adjacent development. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback and landscaping will improve fish and wildlife safe passage along and to the river.

- C. New standards for lighting along the Willamette River will require lighting to be located away from the natural resource areas except when associated with trails, docks and public roads. In all situations lighting must be directed down, limiting impacts to birds, bats and other wildlife, and cannot shine directly into the water, limiting impacts on fish.
- D. A new standard for bird-friendly development requires that windows in the first 60 feet of new developments and major remodels be treated with a bird-safe glaze or pattern to reduce the risk of bird-to-building collisions.

234. **Policy 4.78, Access to nature.** Promote equitable, safe, and well-designed physical and visual access to nature for all Portlanders, while also maintaining the functions and values of significant natural resources, fish, and wildlife. Provide access to major natural features, including:

- Water bodies such as the Willamette and Columbia rivers, Smith and Bybee Lakes, creeks, streams, and sloughs.
- Major topographic features such as the West Hills, Mt. Tabor, and the East Buttes.
- Natural areas such as Forest Park and Oaks Bottom.

The CC2035 amendments are consistent with this policy in the following ways:

- A. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback maintains space for public access to the Willamette River, including a major public trail and viewpoints, and natural resource enhancement.
- B. The major trail alignment and completion of the Greenway Trail along the Willamette River will improve public access along and to the Willamette River.
- C. The Green Loop is a multimodal transportation corridor that will improve public access around all the Central City, as well as to and across the Willamette River.
- D. The Central City Scenic Resources Protection Plan (CCSRPP) and zoning code amendments in 33.475, River Overlay Zones, protect view corridors and maintain the visual access to the Willamette River, major topographic features including mountains and buttes, and natural areas including parks.

### **Hazard-resilient design**

235. **Policy 4.79, Natural hazards and climate change risks and impacts.** Limit development in or near areas prone to natural hazards, using the most current hazard and climate change-related information and maps.

The amendments are consistent with this policy in the following ways:

- A. The Health and Environment Goal and related policies and actions provide for resilience to climate change impacts and natural hazards including flooding and earthquakes, through planning, design, education and implementation of green infrastructure and infrastructure retrofits.

- B. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) includes an updated inventory of natural resource features and functions in the Central City. The NRPP evaluates the functions above and the ecosystem services (e.g., natural hazard management, public health, climate resiliency, etc.) provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions.
- C. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. By applying new River Environmental overlay zoning for identified natural resource areas in the Central City, including resources located in the water, in the floodplain and on land, the plan reduces risks associated with flooding, landslides and wildfire.
- D. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because it reduces the risk of flooding and landslide on development near the river. In addition, there is a landscaping requirement for the setback that requires additional native plants to be planted. The setback and landscaping retain space that mitigates the risks associated with river flooding. Landscaping also sequesters carbon, reduces the heat island effect and helps improve air quality.
- E. Actions call for partnerships between local, regional, state and federal regulatory, Sovereign nations, non-profit organization, neighborhoods and property owners. One action is to work with FEMA to address the NOAA Fisheries biological opinion regarding the floodplain development and impacts on species listed under the Endangered Species Act. This will include a remapping of the floodplain in the Central City. Another action is to amend the flood-related regulations and other guidelines to, a) help prevent or minimize the risk of flood damage to new, redeveloped and rehabilitated buildings located in the 100-year floodplain; b) avoid, minimize and mitigate the impacts of such development on floodplain functions; and, c) comply with updated NFIP requirements.
- F. Increasing the resiliency of the urban forest is a critical component of the CC2035 Plan. Maintaining and increasing the number of native species underlies the CC2035 tree planting strategy. For example, Policy 6.9, Strategic tree canopy enhancement, of the Plan encourages the planting of Northwest native and climate change-resilient trees. The Plan also includes strategies to expand efforts to reestablish and expand native, large canopy tree species in Portland's parks and natural areas.
- G. A new standard for the Central City requires that new buildings over 20,000 square feet in net size must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions including sequestering carbon, reducing heat island impacts and managing stormwater runoff – all of which makes development more resilient to climate change.
- H. Existing regulations though City Code Title 24, Building Regulations, are also applicable to future development. These regulations require review of impacts within the river and floodplain including a test of no net rise and balancing of fill placed in the floodplain with an equal cut.

- I. CC2035 maintains existing Environmental conservation overlay zones on Sullivan’s Gulch. The regulations limit development on the steep slope and reduce risk of landslides and wildfire on development.

236. **Policy 4.80, Geological hazards.** Evaluate slope and soil characteristics, including liquefaction potential, landslide hazards, and other geologic hazards.

The amendments are consistent with this policy in the following ways:

- A. The Health and Environment Goal and related policies and actions provide for resilience to climate change impacts and natural hazards including flooding and earthquakes, through planning, design, education and implementation of green infrastructure and infrastructure retrofits.
- B. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) includes an updated inventory of natural resources features and functions in the Central City. The NRPP evaluates the functions above and the ecosystem services (e.g., natural hazard management, public health, climate resiliency, etc.) provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions.
- C. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. By applying new River Environmental overlay zoning for identified natural resource areas in the Central City, including resources located in the water, in the floodplain and on land, the plan reduces risks associated with flooding, landslides and wildfire.
- D. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because it reduces the risk of flooding and landslide on development near the river. In addition, there is a landscaping requirement for the setback that requires additional native plants to be planted. The setback and landscaping retain space that mitigates the risks associated with river flooding. Landscaping also sequesters carbon, reduces the heat island effect and helps improve air quality.
- E. Actions call for partnerships between local, regional, state and federal regulatory, Sovereign nations, non-profit organization, neighborhoods and property owners. One action is to work with FEMA to address the NOAA Fisheries biological opinion regarding the floodplain development and impacts on species listed under the Endangered Species Act. This will include a remapping of the floodplain in the Central City. Another action is to amend the flood-related regulations and other guidelines to: a) help prevent or minimize the risk of flood damage to new, redeveloped and rehabilitated buildings located in the 100-year floodplain; b) avoid, minimize and mitigate the impacts of such development on floodplain functions; and, c) comply with updated NFIP requirements.
- F. Increasing the resiliency of the urban forest is a critical component of the CC2035 Plan. Maintaining and increasing the number of native species underlies the CC2035 tree planting strategy. For example, Policy 6.9, Strategic tree canopy enhancement, of the Plan encourages the planting of Northwest native and climate change-resilient trees. The Plan also includes

strategies to expand efforts to reestablish and expand native, large canopy tree species in Portland’s parks and natural areas.

- G. A new standard for the Central City requires that new buildings over 20,000 square feet in net building area must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions including sequestering carbon, reducing heat island impacts and managing stormwater runoff – all of which makes development more resilient to climate change.
- H. Existing regulations though City Code Title 24, Building Regulations, are also applicable to future development. These regulations require review of impacts within the river and floodplain including a test of no net rise and balancing of fill placed in the floodplain with an equal cut.
- I. CC2035 maintains existing Environmental conservation overlay zones on Sullivan’s Gulch. The regulations limit development on a steep slope and reduce the risk of landslides and wildfire on development.

237. **Policy 4.81, Disaster-resilient development.** Encourage development and site-management approaches that reduce the risks and impacts of natural disasters or other major disturbances and that improve the ability of people, wildlife, natural systems, and property to withstand and recover from such events.

Consistent with the policy direction of Policies 4.79 – 4.81, Volume 1, Goals and Policies, of CC2035 contains a chapter on Health and Environment that includes goals and policies address the following topics: natural hazard resilience; climate change resilience; and flood ready development. The Plan District also contains new development incentives intended to encourage seismic upgrades for historic structures, and the Plan includes various actions that call for: amending flood-related regulations and guidelines; new development to include early warning systems regarding fire protection; and revising seismic upgrade standards.

238. **Policy 4.83, Urban heat islands.** Encourage development, building, landscaping, and infrastructure design that reduce urban heat island effects.

CC2035 contains policies that call for site and building designs that incorporate vegetation to address urban heat island effect. Further, the Plan District contains a new development standard that requires that ecoroofs be constructed on buildings having a net-building area of at least 20,000 sq. ft., and that new development of at least 50,000 sq. ft. and rehabilitations that add 50,000 sq. ft. of floor area must pursue green building certification, which could include other design elements that address heat island effect.

239. **Policy 4.84, Planning and disaster recovery.** Facilitate effective disaster recovery by providing recommended updates to land use designations and development codes, in preparation for natural disasters.

As noted above, the Plan includes various actions directing the City to update flood plain management and seismic standards enforced by the City, and to implement new fire early warning systems in new development, consistent with this policy.

## Healthy food

240. **Policy 4.85, Grocery stores and markets in centers.** Facilitate the retention and development of grocery stores, neighborhood-based markets, and farmer’s markets offering fresh produce in

centers.

241. **Policy 4.86, Neighborhood food access.** Encourage small, neighborhood-based retail food opportunities, such as corner markets, food co-ops, food buying clubs, and community-supported agriculture pickup/drop-off sites, to fill in service gaps in food access across the city.

The zoning pattern for most of the Central City, especially those areas where residential mixed-use development is allowed, also allow for retail uses, such as grocery stores, and temporary activities such as farmers markets and other fresh food distribution activities. CC2035 continues to support this zoning pattern and furthers the directives of Policies 4.85 and 4.86 through policies, such as 2.1, Complete Neighborhoods, and 2.2, Promote healthy active living, that promote new grocery store development and publicly accessible locations for farmer’s markets and similar activities.

242. **Policy 4.87, Growing food.** Increase opportunities to grow food for personal consumption, donation, sales, and educational purposes.
243. **Policy 4.88, Access to community gardens.** Ensure that community gardens are allowed in areas close to or accessible via transit to people living in areas zoned for mixed-use or multi-dwelling development, where residents have few opportunities to grow food in yards.

Consistent with these policies 4.87 and 4.88, CC2035 contains policies calling for “access to locally grown and healthy foods,” while the Plan also calls for the expansion of publicly accessible open space and park amenities, including but not limited to community gardens, and the use of under-utilized public right-of-way and land for such uses.

## Housing: Goals

244. **Goal 5.A: Housing diversity.** Portlanders have access to high-quality affordable housing that accommodates their needs, preferences, and financial capabilities in terms of different types, tenures, density, sizes, costs, and locations.
245. **Goal 5.B: Equitable access to housing.** Portland ensures equitable access to housing, making a special effort to remove disparities in housing access for people with disabilities, people of color, low-income households, diverse household types, and older adults.
246. **Goal 5.C: Healthy connected city.** Portlanders live in safe, healthy housing that provides convenient access to jobs and to goods and services that meet daily needs. This housing is connected to the rest of the city and region by safe, convenient, and affordable multimodal transportation.
247. **Goal 5.D: Affordable housing.** Portland has an adequate supply of affordable housing units to meet the needs of residents vulnerable to increasing housing costs.
248. **Goal 5.E: High-performance housing.** Portland residents have access to resource-efficient and high-performance housing for people of all abilities and income levels.

In 2016 there were approximately 24,092 housing units within the Central City Plan District. CC2035 is intended to support the development of an additional 39,500 units by the year 2035. This is a 165 percent increase, and accounts for 30 percent of city-wide projected housing growth, but in an area equal to only 3 percent of the city’s land mass. Further analysis of the existing housing stock reveals that 74 percent of it consists of studio and 1-bedroom units, even though between 2010 and 2015, an average of 231 children annually were born to families living in the Central City. This data suggests that the demographics of the Central City are changing faster than the housing that

supports it. It also suggests that a greater array of essential public services, schools, playgrounds, daycare, community centers, and libraries, will be needed during the life of the CC2035 Plan.

As for affordability, in 2015, approximately 7,978 units of regulated affordable housing was in the Central City, or 37.6 percent of all housing. However, most of these units are studio and 1-bedroom units, and with the median family income (MFI) for a family of two in Portland being \$53,230 and maximum monthly housing cost (considered affordable) for the same family being \$1,331, most market rate housing in the Central City is not affordable to the average Portland family with children.

Central City 2035 builds upon the recently adopted Inclusionary Housing Program adopted by the City of Portland, by including policies, such as 2.1, Complete Neighborhoods, and 2.2, Promote healthy active living, that address the need to provide affordable housing, middle income housing, senior and student housing, and family compatible housing at all income levels, as well as neighborhood amenities and essential public services that allow for sustained community development by providing for the needs of people at all ages, income levels, and abilities.

Specific Zoning Code amendments, such as development standard 3.510.200.E, which provides floor area bonuses when public services and amenities are developed as part of a mixed-use project, help to implement different desired outcomes of these goals. Also, during the review of the Recommended Draft of CC2035, Council received testimony both for and against the maximum heights proposed by the plan and considered various amendments to increase heights at different locations throughout the Central City. In most cases, Council noted a desire to allow increased heights as a way to incent new residential development throughout the Central City, expand the supply of housing and reduce pressure on increased housing costs.

These and other elements of the plan ensure that CC2035 is consistent with Goals 5.A – 5.E, and the following applicable policies.

## Housing: Policies

### Diverse and expanding housing supply

249. **Policy 5.1, Housing supply.** Maintain sufficient residential development capacity to accommodate Portland's projected share of regional household growth.
250. **Policy 5.2, Housing growth.** Strive to capture at least 25 percent of the seven-county region's residential growth (Multnomah, Washington, Clackamas, Yamhill, Columbia, Clark, and Skamania counties).
251. **Policy 5.3, Housing potential.** Evaluate plans and investments for their impact on housing capacity, particularly the impact on the supply of housing units that can serve low- and moderate-income households, and identify opportunities to meet future demand.

Most the base zones in the Central City allow housing by right, and over 1,100 acres of the plan district have such zoning applied to it. These include the RH and RX zones, which focus on housing production, but also the CX and EX zones, commercial and employment mixed use zones where historically the most housing has been created since 1990. CC2035 maintains this supply of land zoned for these purposes and expands the total area of mixed-use zoning allowing housing outright or as a conditional use in the Central City by over 100 acres.

Further, during the review of the Recommended Draft of CC2035, Council received testimony for and against the maximum heights proposed by the plan, as well as various amendments by Council

to increase heights at different locations throughout the Central City. In most cases, Council noted a desire to allow increased heights as a way to incent new residential development throughout the Central City, expand the supply of housing and reduce pressure on increased housing costs.

There are limited situations where City Council reduced the maximum height in historic districts, while maintaining the floor area ratios of the effected properties. In the New Chinatown/Japantown Historic District, the FAR available to all the affected lots remains the same with the exception of one lot that has the potential to increase the base floor area from 6:1 to 9:1 if the western half of the block, adjacent to the transit station, is all residential development above the ground floor. Thus, the total housing potential in the district remains the same with an opportunity for an increase on this additional lot adjacent to the transit station.

In summary, the CC2035 does not rely upon the full utilization of all buildable FAR within the plan district to satisfy the projected housing potential of the CC2035 Plan, 2035 Comprehensive Plan, or Metro 2040 Framework Plan. Specifically, the buildable lands analysis for the 2035 Comprehensive Plan found that the zoning in place for the Central City prior to the amendments proposed by the Central City 2035 Plan, which overall increased development potential throughout the Central City, would have been sufficient to meet the housing projections targeted by the 2035 Comprehensive Plan. Therefore, these amendments to the Zoning Code are consistent with and further the objectives of Policies 5.1 - 5.3.

252. **Policy 5.5, Housing in centers.** Apply zoning in and around centers that allows for and supports a diversity of housing that can accommodate a broad range of households, including multi-dwelling and family-friendly housing options.

The zoning pattern for the Central City is intended to produce high-density, multifamily housing. The applicable development standards do not focus on any specific tenure, unit type, or intended user. However, CC2035 contains policies that support the development and additional efforts to monitor housing supply through the life of the plan to ensure that Central City housing production keeps pace with the diverse needs or the city center’s increasingly diversifying population. This includes a focus on the total number of housing units compatible with families with children, senior units, student housing, and middle-income units, consistent with Policy 5.5.

253. **Policy 5.8, Physically-accessible housing.** Allow and support a robust and diverse supply of affordable, accessible housing to meet the needs of older adults and people with disabilities, especially in centers, station areas, and other places that are proximate to services and transit.

254. **Policy 5.9, Accessible design for all.** Encourage new construction and retrofitting to create physically-accessible housing, extending from the individual unit to the community, using Universal Design Principles.

Goal 2.A of CC2035 states: *“The Central City is a successful dense mixed-use center composed of livable neighborhoods with housing, services and amenities that support the needs of people of all ages, incomes, and abilities.”* CC2035 further supports the objectives of Policies 5.8 – 5.9 by maintaining and expanding the supply of land zoned for high-density multifamily housing in the city center, much of which is designed for people at different ages and abilities and is in areas well served by transit and a safe pedestrian environment.

## Housing access

255. **Policy 5.11, Remove barriers.** Remove potential regulatory barriers to housing choice for people in protected classes to ensure freedom of choice in housing type, tenure, and location.

256. **Policy 5.12, Impact analysis.** Evaluate plans and investments, significant new infrastructure, and significant new development to identify potential disparate impacts on housing choice, access, and affordability for protected classes and low-income households. Identify and implement strategies to mitigate the anticipated impacts.

CC2035 promotes the development of studio, and 1-, 2-, and 3-bedroom units, to ensure that the housing needs for different household types, be they single occupant or families with children, are being met. The plan further expands the amount of mixed-use zoned land in the Central City Plan District and increases the floor area ratios applicable in parts of the Central City in areas with high levels of transit service. Further, in conjunction with the recently adopted inclusionary housing regulations and new development bonus system for commercial development, CC2035 will result in a more predictable ongoing supply of units affordable to people earning less than 80 percent median family income. These provisions are anticipated to result in greater diversity of unit type and increased access to affordable units, consistent with Policies 5.11 – 5.12.

257. **Policy 5.13, Housing stability.** Coordinate plans and investments with programs that prevent avoidable, involuntary evictions and foreclosures.
258. **Policy 5.14, Preserve communities.** Encourage plans and investments to protect and/or restore the socioeconomic diversity and cultural stability of established communities.
259. **Policy 5.15, Gentrification/displacement risk.** Evaluate plans and investments, significant new infrastructure, and significant new development for the potential to increase housing costs for, or cause displacement of communities of color, low- and moderate-income households, and renters. Identify and implement strategies to mitigate the anticipated impacts.
260. **Policy 5.16, Involuntary displacement.** When plans and investments are expected to create neighborhood change, limit the involuntary displacement of those who are under-served and under-represented. Use public investments and programs, and coordinate with nonprofit housing organizations (such as land trusts and housing providers) to create permanently-affordable housing and to mitigate the impacts of market pressures that cause involuntary displacement.

CC2035 is consistent with Policies 5.13 – 5.16, as the plan proposes infill of vacant and under-utilized land in the Central City. Most of these sites do not currently contain housing or tenants that could be impacted by new housing. Further, the plan and new inclusionary housing program work together to promote the retention and expansion of affordable housing options throughout the city center, to prevent displacement and expand opportunities for vulnerable populations.

## Housing location

261. **Policy 5.22, New development in opportunity areas.** Locate new affordable housing in areas that have high/medium levels of opportunity in terms of access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities.
262. **Policy 5.23, Higher-density housing.** Locate higher-density housing, including units that are affordable and accessible, in and around centers to take advantage of the access to active transportation, jobs, open spaces, schools, and various services and amenities.

CC2035 is consistent with Policies 5.22 and 5.23 as the plan proposes housing development at higher levels than are achievable anywhere else in the city, and within an urban environment with the greatest access to transit, active transportation options, employment, and numerous open space amenities.

Also, as noted above, during the review of the Recommended Draft of CC2035, Council received testimony for and against the maximum heights proposed by the plan and considered various amendments to increase heights at different locations throughout the Central City. In most cases, Council noted a desire to allow increased heights as a way to incent new residential development throughout the Central City, expand the supply of housing and, reduce pressure on increased housing cost.

Through CC2033 the base FAR of a number of sites have been increased, that previously had a base of 4:1, to 5:1. These changes are intended to incent the development of new residential development, As a result of the adopted inclusionary housing provisions, these areas will contain a mix of market rate and affordable housing.

In addition, in Central City historic districts floor area ratios have not been reduced even though maximum heights have been lowered to ensure that high density development potential is still available in these areas. In fact, in New Chinatown/Japantown Historic District, to encourage future residential development, one lot has the potential to increase the base floor area from 6:1 to 9:1 if the western half of the block, adjacent to the transit station, is all residential development above the ground floor.

Further, limited portions of the Central Eastside were rezoned from industrial designations to Central Employment (EX) a mixed-use zone that allows higher density development as well as housing in certain situations.

The plan further proposes working with PPS to expand access to K-12 public schools and offers development incentives when these and other essential public services, such as libraries, community centers, and daycare, are included within mixed-use development projects.

263. **Policy 5.24, Impact of housing on schools.** Evaluate plans and investments for the effect of housing development on school enrollment, financial stability, and student mobility. Coordinate with school districts to ensure plans are aligned with school facility plans.

The entire Central City is located within Portland Public Schools (PPS) boundaries. PPS staff were consulted and were members of the Technical Advisory Committee (TAC) for CC2035. In this role, housing projections and where and how the plan proposes to encourage additional housing were shared with PPS staff. Thus, development incentives regarding the inclusion of public schools in mixed-use development were included, as well as actions calling for the City to work with PPS to expand access to public schools for families living in the Central City, consistent with this policy.

## Housing affordability

264. **Policy 5.25, Housing preservation.** Preserve and produce affordable housing to meet needs that are not met by the private market by coordinating plans and investments with housing providers and organizations.
265. **Policy 5.26, Regulated affordable housing target.** Strive to produce at least 10,000 new regulated affordable housing units citywide by 2035 that will be affordable to households in the 0-80 percent MFI bracket.
266. **Policy 5.29, Permanently-affordable housing.** Increase the supply of permanently-affordable housing, including both rental and homeownership opportunities.

CC2035 proposes new FAR bonus allowances that award additional floor area for development when applicants for non-residential development pay into an affordable housing fund that will be used by the Portland Housing Bureau to create new affordable units or to preserve existing units

for providing affordable units. This bonus and the new requirements for inclusionary housing are intended to secure at least 30 percent of the housing in the city center as affordable to people earning less than 80 percent MFI by 2035, consistent with Policies 5.25, 5.26, and 5.29.

267. **Policy 5.30, Housing cost burden.** Evaluate plans and investments for their impact on household cost, and consider ways to reduce the combined cost of housing, utilities, and/or transportation. Encourage energy-efficiency investments to reduce overall housing costs.
268. **Policy 5.31, Household prosperity.** Facilitate expanding the variety of types and sizes of affordable housing units, and do so in locations that provide low-income households with greater access to convenient transit and transportation, education and training opportunities, the Central City, industrial districts, and other employment areas.
269. **Policy 5.33, Central City affordable housing.** Encourage the preservation and production of affordable housing in the Central City to take advantage of the area's unique concentration of active transportation access, jobs, open spaces, and supportive services and amenities.
270. **Policy 5.34, Affordable housing resources.** Pursue a variety of funding sources and mechanisms including new financial and regulatory tools to preserve and develop housing units and various assistance programs for households whose needs are not met by the private market.
271. **Policy 5.35, Inclusionary housing.** Use inclusionary zoning and other regulatory tools to effectively link the production of affordable housing to the production of market-rate housing.
272. **Policy 5.36, Impact of regulations on affordability.** Evaluate how existing and new regulations affect private development of affordable housing, and minimize negative impacts where possible. Avoid regulations that facilitate economically-exclusive neighborhoods.
273. **Policy 5.38, Workforce housing.** Encourage private development of a robust supply of housing that is affordable to moderate-income households located near convenient multimodal transportation that provides access to education and training opportunities, the Central City, industrial districts, and other employment areas.

As noted, the City of Portland recently adopted inclusionary zoning regulations that apply to all projects that result in more than 20 new residential units. Due to the typical scale of development in the Central City, this means between 10 to 20 percent of nearly all new residential development will consist of housing affordable to people earning between 60 to 80 percent MFI. However, the previously noted floor area bonus for commercial development, and policies of the plan will further assist in expanding the supply of affordable housing, including workforce housing, throughout the city center. Thus, CC2035 is consistent with the above policies as follows:

- A. Policy 5.30, Housing cost burden: the plan requires new development to pursue green-building certification which should reduce the heating and energy costs for residents. The plan also expands access to transit and other multimodal transportation options, which should reduce household transportation expenses. Lastly, the plan includes development bonuses that will expand the supply of affordable housing in the Central City.
- B. Policy 5.31, Household prosperity: Policies, such as 2.8, Family-compatible housing, which support expanded access to units with 2 or more bedrooms, as well as action items calling for the monitoring of unit production for affordable housing, combined with the recently adopted inclusionary housing provisions of the Zoning Code ensure that CC2035 will expand "the variety of types and sizes of affordable units" in the Central City.

- C. Policy 5.33, Central City affordable housing, Policy 5.34, Affordable housing resources, and Policy 5.35, Inclusionary housing: The plan contains new development bonuses that provide additional floor area in exchange for a contribution to the City's affordable housing fund. This combined with the recently adopted inclusionary housing regulations of the Zoning Code will expand the supply of affordable housing in the Central City.
- D. Policy 5.36, Impact of regulations on affordability, and Policy 5.38, Workforce housing: The recently adopted inclusionary housing provisions of the Zoning Code, and restructuring of the development bonuses allowances of the code to prioritize affordable housing are intended to significantly expand access to affordable housing, including workforce housing in the Central City. These provisions have also been crafted to minimize the impact of existing regulations and administrative costs, such as the cost of design review for affordable housing projects.

## Homelessness

274. **Policy 5.46, Housing continuum.** Prevent homelessness and reduce the time spent being homeless by ensuring that a continuum of safe and affordable housing opportunities and related supportive services are allowed, including but not limited to Permanent Supportive Housing, transitional housing, self-built micro housing communities, emergency shelters, temporary shelters such as warming centers, and transitional campgrounds.

CC2035 addresses the objectives of Policy 5.46 by maintaining and expanding zoning that allows for shelters, transitional housing, and social services that support this population, while also expanding the number of affordable units Central City-wide. The plan also includes policies and actions that focus on job training, transitional housing, and human and health services to aid vulnerable populations within the Central City.

## Health, safety, and well-being

275. **Policy 5.49, Housing quality.** Encourage housing that provides high indoor air quality, access to sunlight and outdoor spaces, and is protected from excessive noise, pests, and hazardous environmental conditions.
276. **Policy 5.50, High-performance housing.** Encourage energy efficiency, green building practices, materials, and design to produce healthy, efficient, durable, and adaptable homes that are affordable or reasonably priced.

CC2035 includes new development standards (33.510. 244) that require new development or redevelopment, that results in 50,000 square feet or more of new floor area, pursue low-carbon/green building certification. Buildings receiving such certification typically receive points for the use of materials and design elements that promote human health. Further, the plan contains approval criteria for the design and siting of some housing located in the Central Eastside Industrial District to minimize the impact of adjacent industrial uses on new housing (see Central City Master Plans, Section 33.510.255. These elements of the plan will further the objectives of Policies 5.49 and 5.50.

277. **Policy 5.51, Healthy and active living.** Encourage housing that provides features supportive of healthy eating and active living such as useable open areas, recreation areas, community gardens, crime-preventive design, and community kitchens in multifamily housing.
278. **Policy 5.52, Walkable surroundings.** Encourage active transportation in residential areas through the development of pathways, sidewalks, and high-quality onsite amenities such as secure bicycle parking.

279. **Policy 5.53, Responding to social isolation.** Encourage site designs and relationship to adjacent developments that reduce social isolation for groups that often experience it, such as older adults, people with disabilities, communities of color, and immigrant communities.

CC2035 Policy 6.5 states:

***Human health.** Encourage the use of active modes of transportation by creating and enhancing a network of bike and pedestrian facilities that provide access to services and destinations including natural areas. Improve access for all people to locally grown and healthy foods. Encourage the use of building construction methods, materials and products that do not have harmful effects on human health and the environment. Encourage social health by fostering community in a hospitable public realm.*

Policies 5.51 – 5.53 are supported by amendments to the Zoning Code and Transportation Systems Plan that will modify the experience and range of uses allowed in the public realm and expand the amount of publicly accessible open space in the Central City. These measures will also expand access to active transportation facilities and recreation opportunities. The plan further calls for a community center, community gardens, and new parks and open space features to be developed during the life of the plan to support the additional 38,000 households projected by the year 2035.

## Economic Development: Goals

280. **Goal 6.A: Prosperity.** Portland has vigorous economic growth and a healthy, diverse economy that supports prosperity and equitable access to employment opportunities for an increasingly diverse population. A strong economy that is keeping up with population growth and attracting resources and talent can:

- Create opportunity for people to achieve their full potential.
- Improve public health.
- Support a healthy environment.
- Support the fiscal well-being of the city.

A healthy local economy, access to good, stable employment, and a stable and growing tax base, is important to the ability of the City to support its residents and businesses with the services they need to thrive. A strong, local economy also correlates to better health and educational outcomes for individuals. As such, the recently adopted 2035 Comprehensive Plan promotes the growth of 141,643 new jobs, 44,740 of which will be located with the Central City. This accounts for 32 percent of all projected job growth.

The job growth targeted by CC2035 to support these projections is addressed within the commercially as well as industrially zoned portions of the plan district, as well at institutions located within the Central City. A combination of base zone amendments, FAR increases, and development standards that will allow a broader and denser array of industrial jobs, will allow for employment opportunities for people at various income, skill, and employment levels, allowing the plan to further the objectives of Goal 6.A.

281. **Goal 6.B: Development.** Portland supports an attractive environment for industrial, commercial, and institutional job growth and development by: 1) maintaining an adequate land supply; 2) a local development review system that is nimble, predictable, and fair; and 3) high-quality public facilities and services.

CC2035 is consistent with the objectives of this goal as follows:

- A. The plan increases the existing supply of mixed-commercial and mixed-employment lands and allows for higher densities of industrial office uses in the Central Eastside, while offering development incentives for the creation of ground floor industrial uses. The plan also brings in approximately 12 acres at the Clinton Station Area into the Central Eastside and zones the area for high density mixed-employment uses. Lastly, the plan increases land use densities within mixed-use zones along the transit mall and at key station areas.
- B. The plan simplifies many preexisting development standards, land use allowances, and parking regulations, to create a more streamline and predictable development review system. The plan also contains actions calling for an update to the design guidelines applicable to the Central City, and the periodic review of different development standards and incentives.
- C. The plan proposes numerous projects to the transportation system, parks and open space network, and public infrastructure that support commercial office, retail, institutional, and other employment uses in the Central City. The plan also proposes strategies to seismically upgrade numerous structures for employment uses, promotes expansion of the amount of green-infrastructure, the creation of an Innovation Quadrant, a permanent location for a day laborer facility, and strategies to expand the skilled workforce, provide affordable workspace, and create new employment partnerships in the Central Eastside.

282. **Goal 6.C: Business district vitality.** Portland implements land use policy and investments to:

- Ensure that commercial, institutional, and industrial districts support business retention and expansion.
- Encourage the growth of districts that support productive and creative synergies among local businesses.
- Provide convenient access to goods, services, and markets.
- Take advantage of our location and quality of life advantages as a gateway to world-class natural landscapes in Northwest Oregon, Southwest Washington, and the Columbia River Basin, and a robust interconnected system of natural landscapes within the region's Urban Growth Boundary.

CC2035 addresses the objectives of Goal 6.C through support of the emerging Innovation Quadrant, located within the Central Eastside, South Waterfront, and University/South Downtown District and through potential investments in infrastructure and strategies that leverage employment and traded sector growth in the Central City. The plan also contains actions intended to address skill gaps within high-growth, high-demand occupations, the creation of a new business improvement district in the Central Eastside, and continued collaboration with existing business associations on infrastructure improvements and strategies that may affect the viability of member businesses.

## Economic Development: Policies

### Diverse, expanding city economy

283. **Policy 6.1, Diverse and growing community.** Expand economic opportunity and improve economic equity for Portland's diverse, growing population through sustained business growth.

284. **Policy 6.2, Diverse and expanding economy.** Align plans and investments to maintain the diversity of Portland’s economy and status as Oregon’s largest job center with growth across all sectors (commercial, industrial, creative, and institutional) and across all parts of the city.
285. **Policy 6.3, Employment growth.** Strive to capture at least 25 percent of the seven-county region’s employment growth (Multnomah, Washington, Clackamas, Yamhill, Columbia, Clark, and Skamania counties).

Consistent with these policies, the plan proposes zone changes, increased FAR allowances, new use allowances, and development standards and bonuses, all of which are intended to facilitate new office development, new incubator industrial uses, and retail and other commercial service businesses and jobs to grow in all Central City districts. This approach does not target any one job sector, nor does it focus on jobs that require a specific skill level, or educational level. Rather, these elements of the plan seek to increase the supply of land and amount of multi-story buildings throughout the city center available for employment and industrial uses.

At the same time, the plan contains actions that focus on job/skill development, affordable work space, and partnerships between government and the private sector aimed at leveraging new job and industrial sector growth. These elements will allow the Central City to create upwards of 51,000 new jobs and will contribute to the city’s ability to capture 25 percent of the projected regional employment growth.

City Council received testimony, including from the Pearl neighborhood association, requesting a code change to require the provision for unlimited Floor Area Ratio (FAR) transfer be within the neighborhood of its deployment rather than by floor area transfer sectors. Comments received state that the transfer sector areas are too large, and the goal should be to preserve older buildings and increase the density of the new ones in the same neighborhood.

City Council finds that the CC2035 transfer area sectors proposed in CC2035 align with transportation impact modeling areas. In 2017, as part of the Central City 2035 Plan process, City Council expanded the size of the areas eligible to transfer FAR in response to testimony received. Council approved making each transfer sector as large as possible, while keeping areas in alignment with transportation impact modeling. The larger sector includes the Pearl, Downtown, Old Town/ Chinatown, West End and South Downtown, making a significantly larger pool of unused FAR available for transfer in this area. This addressed concerns received through testimony that the supply was overly constrained if it remained at the neighborhood district level. City Council finds that larger sectors are supported by Comprehensive Plan policy 6.3 in order to facilitate employment growth and policy 5.23 encouraging high density housing in the City’s downtown core.

286. **Policy 6.4, Fiscally-stable city.** Promote a high citywide jobs-to-households ratio that supports tax revenue growth at pace with residential demand for municipal services.

CC2035 proposes several elements that are intended to result in an additional 51,000 new jobs and 38,000 new households within the Central City by the year 2035, which is 30 percent of the projected city-wide growth targeted by the 2035 Comprehensive Plan. If these targets are achieved, the Central City will contain approximately 174,565 jobs and 62,092 households, continuing to make it the densest center within the city, and a strong source of tax revenue supporting municipal services city-wide.

287. **Policy 6.5, Economic resilience.** Improve Portland’s economic resilience to impacts from climate change and natural disasters through a strong local economy and equitable opportunities for prosperity.
288. **Policy 6.6, Low-carbon and renewable energy economy.** Align plans and investments with efforts to improve energy efficiency and reduce lifecycle carbon emissions from business operations. Promote employment opportunities associated with energy efficiency projects, waste reduction, production of more durable goods, and recycling.

CC2035 addresses Policies 6.5 and 6.6 as follows:

- A. The plan contains goals and policies that support continued investments that support the goal of making the Central City resilient to climate change and natural hazards. Further, the plan contains specific actions that address flood plain protection, seismic upgrades, green infrastructure, and green-development strategies.
- B. The Zoning Code amendments of the plan increase the setback for development along the Willamette River, require the inclusion of ecoroofs on new buildings, and that new development pursue green-building certification.

Testimony received in opposition to the proposed plan expressed that the readoption of CC2035 should be delayed considering COVID-19 and the potential for future pandemics. There were also suggestions that a new approach to urban planning be adopted that results in less dense development in the urban core, and less reliance on zoning that allows tall buildings that use high floor area ratios.

Further, there were suggestions that the current Council should delay voting until after the November 2020 election because since the original 2018 adoption of the CC2035 Plan one council positions has changed, another will change in January 2020, another is vacant and awaiting the results of an August 2020 special election, and two other positions are being contested in a runoff election.

However, other testimony supported readoption because numerous projects were set in motion that used zoning provisions and standards put in place with the adoption of CC2035, that are no longer in effect due to the remand. This has had unintended consequence, stalling and stopping projects including senior housing, affordable housing and supportive housing. Others said new office, retail, and housing projects need the certainty of a readopted and effective CC2035, especially now, with so many other uncertainties brought about by COVID-19 that are beyond our local control. Council finds that further delay in readopting the Plan could exacerbate this delay of projects that are sorely needed within the Central City.

In consideration of this testimony, City Council recognizes that the CC2035 Plan is a long-range plan that will remain in effect for up to 25 years, and that COVID 19, a temporary but significant event, has stalled development of much needed affordable housing and retail and office projects. Council finds that the current members of the Council are authorized to act on the plan now and there is no justification for requiring a delay until after the elections. Further, Council finds that the evidence supporting the environmental, social and economic benefits outweigh the speculation that density should be reconsidered due to the pandemic, and City Council finds that cities can be dense and still provide places for people to isolate and be physically distant.

In addition, significant testimony was received requesting that the ecoroof requirement (33.510.243) be retained as adopted in 2018. One individual requested a change to add the ability to harvest rainwater. City Council intends retain and readopt ecoroof requirement in its current form.

289. **Policy 6.7, Competitive advantages.** Maintain and strengthen the city’s comparative economic advantages including access to a high-quality workforce, business diversity, competitive business climate, and multimodal transportation infrastructure.
290. **Policy 6.8, Business environment.** Use plans and investments to help create a positive business environment in the city and provide strategic assistance to retain, expand, and attract businesses.
291. **Policy 6.9, Small business development.** Facilitate the success and growth of small businesses and coordinate plans and investments with programs that provide technical and financial assistance to promote sustainable operating practices.

CC2035 responds to Policies 6.7 – 6.9 as follows:

- A. The plan promotes development of office, industrial, and institution uses throughout the Central City, and creates additional development capacity in areas targeted for high density employment. The plan also proposes numerous transportation improvements intended to facilitate freight mobility, and work force commutes by multiple means, including ground and river transit, active transportation, and through carpooling.
- B. The plan contains actions supporting the creation of a business improvement district for the Central Eastside, promotes district parking in underserved areas for employees and customers, and promotes the creation of affordable work space for new and emerging businesses.
- C. The plan seeks the creation of an Innovation Quadrant where institutions and the training, and research and development conducted can be commercialized by local businesses in the Central City. The plan also promotes skill development through programs and partnerships between business associations and PCC and PPS.

292. **Policy 6.10, Business innovation.** Encourage innovation, research, development, and commercialization of new technologies, products, and services through responsive regulations and public sector approaches.

In response to this goal, CC2035 promotes the creation of an Innovation Quadrant that links the research and development functions of PSU and OHSU with businesses operations in and around the Central City, with a focus on the University District/South Downtown, South Waterfront, and Central Eastside districts. The plan contains policies and actions supportive of this effort, as well as new development standards and use allowances that are intended to increase employment densities and diversify the range of industrial and high-tech businesses operating in the Central City.

293. **Policy 6.12, Economic role of livability and ecosystem services.** Conserve and enhance Portland’s cultural, historic, recreational, educational, food-related, and ecosystem assets and services for their contribution to the local economy and their importance for retention and attraction of skilled workers and businesses.

The Central City has become a large draw for employers and residents because of the many amenities it contains. These include access to recreational, cultural, and educational assets including access to food, entertainment, and retail. For example, the river setback and Greenway Trail standards in 33.475, River Overlay Zones, ensure adequate land is available for public access to

the Willamette River for recreation. Access to government services and a diverse multimodal transportation network also attract skilled workers and businesses. CC2035 supports the objectives of this goal by: 1) maintaining the zoning and use allowances that have allowed these assets to flourish in the Central City; and 2) by expanding the zoning and supporting continued investment in the maintenance and enhancement of the Central City as the primary location where these assets and more can be found.

## Land development

294. **Policy 6.13, Land supply.** Provide supplies of employment land that are sufficient to meet the long-term and short-term employment growth forecasts, adequate in terms of amounts and types of sites, available and practical for development and intended uses. Types of sites are distinguished primarily by employment geographies identified in the Economic Opportunities Analysis, although capacity needs for building types with similar site characteristics can be met in other employment geographies.
295. **Policy 6.15, Regionally-competitive development sites.** Improve the competitiveness of vacant and underutilized sites located in Portland’s employment areas using incentives, and regional and state assistance for needed infrastructure and site readiness improvements.

The Economic Opportunity Analysis (EOA), adopted June 2016, considers the Central City as the location of two primary types of economic uses: commercial office, and close-in incubator industrial. The EOA found that of the 141,600 new jobs forecasted for the City of Portland by 2035, that 44,741 jobs (32 percent) will be generated in the Central City with 34,124 assigned to commercial uses, and 19,171 assigned to industrial uses. This forecast translates into a needed capacity of 60 acres of commercially zoned land, and 90 acres of industrial zoned land.

As for commercial land, the analysis found the Central City has 201-acre supply of land for these uses, or an excess capacity of 141 acres. Conversely, the same analysis found that there is a demand for 90 acres of industrial zoned land capacity, but only 65 acres of supply available for the industrial uses allowed in the Central City. This means the CC2035 Plan needed to develop a means to create additional capacity for close-in incubator industrial uses. As the ability to create new industrial supply in the land locked urban center was not a possibility, the only option was to incent ways to encourage denser, vertical industrial prototypes.

The primary two methods used by CC2035 to achieve this is by expanding the acreage where industrial office uses may be sited and offering development incentives to create more industrial office uses when traditional industrial uses are located on the ground floor of industrial office projects. Thus, the plan modifies the use allowances for the IG1 (General Industrial 1) zone to include industrial office uses up to a maximum of 3:1 FAR per site in the Central Eastside District. This expands the ability to do such uses from a previous maximum of 60,000 sq. ft. per site, and from a subarea of only 48 acres to over 240 acres of IG1 zoned land. These new use allowances for the Central Eastside are intended to create much of the industrial demand noted by the EOA. The created capacity, as well as the untapped capacity of the Lower Albina District will allow the demand for close-in industrial uses to be met by the year 2035.

Further, the plan proposes freight and other infrastructure investments, as additional strategies to increase the density of jobs in both industrial districts to ensure the demand for industrial jobs is met and possibly exceeded, consistent with Policies 6.13 and 6.15.

296. **Policy 6.16, Regulatory climate.** Improve development review processes and regulations to encourage predictability and support local and equitable employment growth and encourage

business retention, including:

**6.16.a,** Assess and understand cumulative regulatory costs to promote Portland’s financial competitiveness with other comparable cities.

**6.16.b,** Promote certainty for new development through appropriate allowed uses and “clear and objective” standards to permit typical development types without a discretionary review.

**6.16.c,** Allow discretionary review to facilitate flexible and innovative approaches to meet requirements.

**6.16.d,** Design and monitor development review processes to avoid unnecessary delays.

**6.16.e,** Promote cost effective compliance with federal and state mandates, productive intergovernmental coordination, and efficient, well-coordinated development review and permitting procedures.

The Central City 2035 Plan includes numerous Zoning Code amendments that will provide more certainty for development proposals, while reducing the cost and time to review uses. For instance, as noted above, the ability to develop Industrial Office uses in the Central Eastside was once set at a maximum of 60,000 sq. ft. per site; however, there exists a demand to create much more of this use in the district, which previously was only possible through an uncertain, costly, and long conditional use review. CC2035 removes these barriers by increasing the amount of floor area that can be created for this use by-right. The plan also results in similar code amendments that simplify the review process for other land uses, and parking, throughout the Central City.

The plan further contains actions directing a review and amendments to the discretionary design review process applicable to most development in the Central City, to streamline and simplify the process currently in effect. These and other elements of the plan respond to the various objectives of Policy 6.16. Additional information regarding how the plan improves the conditions that affected under-utilized and vacant sites can be found under the “Goal 9, Economic Development” section of this findings report.

297. **Policy 6.17, Short-term land supply.** Provide for a competitive supply of development-ready sites with different site sizes and types, to meet five-year demand for employment growth in the Central City, industrial areas, campus institutions, and neighborhood business districts.

CC2035 contains new use allowance for industrial areas in the Central Eastside that will allow higher-density industrial uses to location throughout the district. Then plan also includes zone changes to some under-performing industrial sites located at transit station areas from low density light industrial zoning to high density, mixed-use employment zoning to increase employment growth. Analysis conducted in support of the 2035 Comprehensive Plan and CC2035 Plan (see “Goal 9, Economic Development” section of this findings report), demonstrated how these elements of the plan increase the acreage available for employment in the Central City.

298. **Policy 6.19, Corporate headquarters.** Provide land opportunities for development of corporate headquarters campuses in locations with suitable transportation facilities.

The mixed-use and industrial zoning found in the Central City allows for the siting of corporate headquarters, and over the last few years the number of headquarters in the city center has grown substantially. These businesses are served by numerous public and private assets attractive to employers and employees alike, including access to a diverse multimodal transportation network that connects the Central City to the regional, Oregon and Washington, and points beyond.

## Traded sector competitiveness

299. **Policy 6.20, Traded sector competitiveness.** Align plans and investments with efforts to improve the city and regional business environment for traded sector and export growth. Participate in regional and statewide initiatives.
300. **Policy 6.21, Traded sector diversity.** Encourage partnerships to foster the growth, small business vitality, and diversity of traded sectors.
301. **Policy 6.22, Clusters.** Align plans and investments with efforts that direct strategic business development resources to enhance the competitiveness of businesses in traded sector clusters.

CC2035 has many elements that will strengthen the ability to retain and expanded traded sector businesses in the Central City. These include expanding the use allowances in the industrial districts to include a suite of new emerging industrial sectors previously prohibited from locating in close-in industrial areas. The plan also increases the FAR allowances for these and commercial office uses and proposes a series of infrastructure and strategic investments that will benefit traded sector businesses.

302. **Policy 6.23, Trade and freight hub.** Encourage investment in transportation systems and services that will retain and expand Portland’s competitive position as a West Coast trade gateway and freight distribution hub.

CC2035 strengthens classifications in the Transportation System Plan (TSP) regarding freight mobility and proposes system enhancements, including new traffic signals and a freight couplet, intended to improve freight operations in the Central City.

Further, CC2035 policies 3.1 and 3.2 address the Central City as a regional hub. In addition, policies 3.LA-2 and 3.CE-2 emphasize freight movement and access improvements in Lower Albina and the Central Eastside. There are also several freight-specific TSP projects and studies that will increase and protect freight movement and the Central City’s role as a multimodal system and hub. Freight district and freight street classifications in the TSP also address this policy. Major freight-related projects in CC2035 include the Broadway/Weidler (Rose Quarter) Interchange Project (now an adopted element of the City’s TSP), Central Eastside Access and Circulation, N River St Reconstruction, Yamhill & Water Traffic Improvements, I-405/Glisan Traffic Improvements, SW Broadway Traffic Improvements, and Southern Triangle Access Improvements.

303. **Policy 6.24, Traded sector land supply.** Foster traded sector retention, growth, and competitive advantages in industrial districts and the Central City. Recognize the concentration of traded-sector businesses in these districts.

The Central City has a concentration of traded sector businesses, and CC2035 maintains and expands the capacity of these businesses in the district by expanding zoning that allows employment, increases FAR allowances in areas targeted for employment growth, and expands the range of industrial uses allowed in the city center, consistent with Policy 6.24.

304. **Policy 6.26, Business opportunities in urban innovation.** Strive to have Portland’s built environment, businesses, and infrastructure systems showcase examples of best practices of innovation and sustainability.

The Central City currently is home to many engineering, architectural, and development firms that have pioneered sustainable practices in the built environment, both for the public and private development. This work has also translated into the creation of many LEED certified buildings, district energy facilities, green infrastructure investments, and an expansive and growing active

transportation system. CC2035 continues this positive trend with a policy framework that supports further public investment in these areas and proposes an expansion of green infrastructure throughout the Central City. Lastly, the plan includes Zoning Code amendments that make previous incentives to develop ecoroofs or pursue green building certification into requirements for most development and redevelopment projects. These plan elements are consistent with Policy 6.26.

### Equitable household prosperity

305. **Policy 6.27, Income self-sufficiency.** Expand access to self-sufficient wage levels and career ladders for low-income people by maintaining an adequate and viable supply of employment land and public facilities to support and expand opportunities in Portland for middle- and high-wage jobs that do not require a 4-year college degree.

**6.27.a,** Support the role of industrial districts as a leading source of middle-wage jobs that do not require a 4-year college degree and as a major source of wage-disparity reduction for underserved and under-represented communities.

**6.27.b,** Evaluate and limit negative impacts of plans and investments on middle and high wage job creation and retention.

306. **Policy 6.29, Poverty reduction.** Encourage investment in, and alignment of, poverty-reduction efforts that address economic development, land use, transportation, housing, social services, public health, community development, and workforce development.

Consistent with Policies 6.27 and 6.29, CC2035 strategically maintains the industrial sanctuary zoning for the Central Eastside and Lower Albina industrial districts, while increasing the diversity of industrial uses allowed in the Central Eastside and offering incentives to create additional capacity for manufacturing, industrial service, wholesale sales, and warehouse uses. The plan further promotes expansion of the supply of affordable housing in the Central City, while expanding access to transit to areas outside of the city center where lower wage and lesser skill laborers may live. These elements of the plan are specifically intended to ensure that the Central City remains and expands its availability to workers at all skill and income levels.

### Central City

307. **Policy 6.33, Central City.** Improve the Central City's regional share of employment and continue its growth as the unique center of both the city and the region for innovation and exchange through commerce, employment, arts, culture, entertainment, tourism, education, and government.

CC2035 is consistent with Policy 6.33 in several ways. The plan expands the amount of mixed-use zoning in the Central City and increases FAR ratios in areas targeted for substantial employment growth. The plan expands protection of industrial zoned lands while allowing for increase employment densities in industrial districts. The plan also promotes public investment in new infrastructure and strategies intended to support the role of the Central City as the regional center for employment, governance, education, tourism, and arts, culture, and entertainment.

308. **Policy 6.34, Central City industrial districts.** Protect and facilitate the long-term success of Central City industrial districts, while supporting their evolution into places with a broad mix of businesses with high employment densities.

As noted below, CC2035 implements the objectives of Policy 6.34 through new use allowances that expand the diversity of industrial uses allowed in the Central Eastside, that promote higher density industrial uses, and incent the development of buildings that incorporate traditional and emerging industrial sectors. The plan also includes Zoning Code amendments that reduce the total amount of

non-industrial uses, such as Retail Sales and Service and Traditional Office uses allowed in the IG1 zone, the predominate industrial zone within the Central City. The plan lastly maintains existing prohibitions regarding the development of housing within industrial zoned land.

309. **Policy 6.35, Innovation districts.** Provide for expanding campus institutions in the Central City and Marquam Hill, and encourage business development that builds on their research and development strengths.

CC2035 responds to Policy 6.35 by increasing the maximum height and FAR allowances in and around PSU and the OMSI station area, maintains high density development allowances in South Waterfront where OHSU is expanding operations from the Marquam Hill campus to the new Schnitzer Campus, and through higher density industrial use provisions applicable to sites across the Tillikum Bridge in the Central Eastside.

### Industrial and employment districts

310. **Policy 6.36, Industrial land.** Provide industrial land that encourages industrial business retention, growth, and traded sector competitiveness as a West Coast trade and freight hub, a regional center of diverse manufacturing, and a widely accessible base of family-wage jobs, particularly for under-served and under-represented people.
311. **Policy 6.37, Industrial sanctuaries.** Protect industrial land as industrial sanctuaries identified on the Comprehensive Plan Map primarily for manufacturing and distribution uses and to encourage the growth of industrial activities in the city.

CC2035 maintains over 300 acres of IG1 zoned land, and 15.4 of IH zoned land that is considered prime industrial land. As the IG1 and IH zones are two of the three zones that implement industrial sanctuary policies, and CC2035 strengthens protections of the IG1 zone by reducing the amount of retail and traditional office uses allowed in the IG1 zoned portions of the Central Eastside, the plan is consistent with Policies 6.36 and 6.37.

312. **Policy 6.38, Prime industrial land retention.** Protect the multimodal freight-hub industrial districts at the Portland Harbor, Columbia Corridor, and Brooklyn Yard as prime industrial land that is prioritized for long-term retention.

**6.38.a,** Protect prime industrial lands from quasi-judicial Comprehensive Plan Map amendments that convert prime industrial land to non-industrial uses, and consider the potential for other map amendments to otherwise diminish the economic competitiveness or viability of prime industrial land.

**6.38.b,** Limit conversion of prime industrial land through land use plans, regulations, or public land acquisition for non-industrial uses, especially land that can be used by river-dependent and river-related industrial uses.

**6.38.c,** Limit regulatory impacts on the capacity, affordability, and viability of industrial uses in the prime industrial area while ensuring environmental resources are also protected.

**6.38.d,** Strive to offset the reduction of development capacity as needed, with additional prime industrial capacity that includes consideration of comparable site characteristics. Offsets may include but are not limited to additional brownfield remediation, industrial use intensification, strategic investments, and other innovative tools and partnerships that increase industrial utilization of industrial land.

**6.38.e,** Protect prime industrial land for siting of parks, schools, large-format places of assembly,

and large-format retail sales.

**6.38.f, Promote efficient use of freight hub infrastructure and prime industrial land by limiting non-industrial uses that do not need to be in the prime industrial area.**

The Central City contains a limited amount of prime industrial land, all of which is in the Lower Albina District surrounding the Albina Rail Yard. These lands have a stronger relationship with the Portland North Harbor area than the Central City, and thus, CC2035 preserves these lands for prime industrial uses by proposing no amendments to the protections, in terms of use allowance and development standards, that have been applicable to these lands prior to the adoption of CC2035.

313. **Policy 6.41, Multimodal freight corridors.** Encourage freight-oriented industrial development to locate where it can maximize the use of and support reinvestment in multimodal freight corridors.

The Central Eastside and Lower Albina Districts within the Central City are heavily reliant on freight to deliver supplies and distribute product made in these areas. Further, as major center, most uses in the Central City depend on freight deliveries be they commercial, industrial, residential, or institutional uses. Thus, CC2035 continues to support freight mobility in the city center by designating new freight routes, proposing new freight-oriented infrastructure, and proposing strategies to enhance freight movement while expanding active transportation options, consistent with Policy 6.41.

314. **Policy 6.43, Dispersed employment areas.** Provide small, dispersed employment areas for a flexible and affordable mix of office, creative services, small-scale manufacturing, traded sector and distribution, and other small-format light industrial and commercial uses with access to nearby freeways or truck streets.

315. **Policy 6.44, Industrial land use intensification.** Encourage reinvestment in, and intensification of, industrial land use, as measured by output and throughput per acre.

As noted in the “Goal 9, Economic Development” section of this findings report the recently adopted EOA identified a deficit of industrial land capacity necessary to meet projected demand. Thus, CC2035 includes measures that allow for denser industrial development, and a diversification of the types of industrial uses allowed in the Central City to meet and exceed the growth projected by 2035, consistent with Policy 6.44.

316. **Policy 6.46, Impact analysis.** Evaluate and monitor the impacts on industrial land capacity that may result from land use plans, regulations, public land acquisition, public facility development, and other public actions to protect and preserve existing industrial lands.

CC2035 contains actions calling for additional studies and analysis regarding jobs development and creation of an Innovation Quadrant in the Central Eastside. These actions will ensure that additional analysis of how CC2035 elements are affecting industry in the district will be conducted consistent with this policy. Further, this plan implements the Central City components of *the 2035 Comprehensive Plan*, and the development of that plan included numerous studies of industrial land capacity (see Findings for Statewide Planning Goal 9, Economic Development, earlier in these findings).

317. **Policy 6.47, Clean, safe, and green.** Encourage improvements to the cleanliness, safety, and ecological performance of industrial development and freight corridors by facilitating adoption of market feasible new technology and design.

CC2035 includes new requirements that new development construct ecoroofs and pursue green building certification, even in industrial districts. The plan also includes strategies to expand the use

of green infrastructure, and improve freight mobility by reducing cueing at intersections, consistent with the objectives of Policy 6.47.

318. **Policy 6.52, Residential and commercial reuse.** Facilitate compatible industrial or employment redevelopment on residential or commercial sites that become available for reuse if the site is in or near prime industrial areas, and near a freeway or on a freight street.

CC2035 is consistent with the directive of this policy as the zoning pattern implemented by the plan allows for employment and industrial uses on EX zoned lands where such uses occur, and because the EX zone of is the primary mixed-use zone used within and adjacent to industrial districts in the Central City.

319. **Policy 6.55, Neighborhood park use.** Allow neighborhood park development within industrial zones where needed to provide adequate park service within one-half mile of every resident.

The existing zoning pattern in the Central City allows for the development of public parks and recreational assets within the Lower Albina and Central Eastside districts, and this pattern is maintained by CC2035. Further, the Plan and quadrant plans contain actions seeking opportunities to locate such facilities in and near these districts as they continue to densify through the life of the plan.

## Campus institutions

320. **Policy 6.56, Campus institutions.** Provide for the stability and growth of Portland’s major campus institutions as essential service providers, centers of innovation, workforce development resources, and major employers.

321. **Policy 6.57, Campus land use.** Provide for major campus institutions as a type of employment land, allowing uses typically associated with health care and higher education institutions. Coordinate with institutions in changing campus zoning to provide land supply that is practical for development and intended uses.

Portland State University and Oregon Health Sciences University have institutional campuses in the Central City. Additionally, Portland Community College, Pacific Northwest College of Art, the University of Oregon, and other colleges have facilities in the city center, as is Portland Public School’s Lincoln High School campus. CC2035 contains some minor zoning amendments that will ensure these facilities are within mixed-use employment or commercial zones, where they are an allowed use. The plan also proposes continued work on the Innovation Quadrant, which seeks to leverage the educational training, research, and skill training that occurs at these institutions to create new jobs, job sectors, and businesses in the Central City, consistent with Policies 6.56 and 6.57.

322. **Policy 6.61, Satellite facilities.** Encourage opportunities for expansion of uses, not integral to campus functions, to locate in centers and corridors to support their economic vitality.

Portland Community College (PCC) and the University of Oregon (U of O) have satellite facilities in the Central City, both of which are located there as the programs they contain relate to skills and job sectors important to the economy of the city center. As noted above, the plan results in minor zoning amendments, that in the case of PCC allows it to enjoy the same zoning as U of O, whereby both are uses allowed outright, and thus have additional capacity to grow and densify within the Central City, consistent with this policy.

## Neighborhood business districts

323. **Policy 6.62, Neighborhood business districts.** Provide for the growth, economic equity, and vitality of neighborhood business districts.
324. **Policy 6.63, District function.** Enhance the function of neighborhood business districts as a foundation of neighborhood livability.

The Central City Plan District is home to a few business districts and associations, including the Portland Business Alliance (PBA), Central Eastside Industrial Council (CEIC), Pearl District Business Association (PDBA). CC2035 is consistent with Policies 6.62 and 6.63 as the plan includes several actions that include these organizations as implementers and calls for additional strategies and partnerships between the City and these organizations in implementing different elements of the plan that address transportation and economic development.

325. **Policy 6.64, Small, independent businesses.** Facilitate the retention and growth of small and locally-owned businesses.

CC2035 includes actions calling for additional strategy development and new partnerships intended to support the retention of small incubator businesses in the Central Eastside, as well as strategies to expand the growth of such industries in the Central Eastside and Lower Albina industrial districts, consistent with this policy directive.

326. **Policy 6.67, Retail development.** Provide for a competitive supply of retail sites that support the wide range of consumer needs for convenience, affordability, accessibility, and diversity of goods and services, especially in under-served areas of Portland.

The mixed-use and industrial zoning found in the Central City allows for Retail Sales and Service uses outright. These allowances ensure that neighborhood as well as regional serving retail uses can locate throughout most of the Central City serving businesses, employees, residents, and visitors alike, consistent with Policy 6.67.

327. **Policy 6.70, Involuntary commercial displacement.** Evaluate plans and investments for their impact on existing businesses.

**6.70.a,** Limit involuntary commercial displacement in areas at risk of gentrification, and incorporate tools to reduce the cost burden of rapid neighborhood change on small business owners vulnerable to displacement.

**6.70.b,** Encourage the preservation and creation of affordable neighborhood commercial space to support a broad range of small business owners.

The objectives of this policy are perhaps most applicable to the close-in industrial districts of the Central City where land values and lease rates for commercial uses tend to be lower than in the mixed-use zoned portions of the Central City. CC2035 addresses these objectives by maintaining the zoning that implements the industrial sanctuary policies of the 2035 Comprehensive Plan. CC2035 also increases the amount of commercial development allowed in the Central Eastside by right, which may increase the supply of space available for such uses, and thus prevent excessive lease rate increases and displacement of commercial businesses.

328. **Policy 6.71, Temporary and informal markets and structures.** Acknowledge and support the role that temporary markets (farmer's markets, craft markets, flea markets, etc.) and other temporary or mobile-vending structures play in enabling startup business activity. Also, acknowledge that temporary uses may ultimately be replaced by more permanent development and uses.

CC2035 maintains and expands a zoning pattern where the uses mentioned by Policy 6.71 are typically allowed by right. The plan also includes new use allowances applicable to the Open Space zone, whereby a limited amount of retail activity is allowed. These elements of the plan ensure consistency with Policy 6.71.

329. **Policy 6.73, Centers.** Encourage concentrations of commercial services and employment opportunities in centers.

**6.73.a,** Encourage a broad range of neighborhood commercial services in centers to help residents and others in the area meet daily needs and/or serve as neighborhood gathering places.

**6.73.b,** Encourage the retention and further development of grocery stores and local markets as essential elements of centers.

**6.73.c,** Enhance opportunities for services and activities in centers that are responsive to the needs of the populations and cultural groups of the surrounding area.

**6.73.d,** Require ground-level building spaces in core areas of centers accommodate commercial or other street-activating uses and services.

**6.73.e,** Encourage employment opportunities as a key function of centers, including connections between centers, institutions, and other major employers to reinforce their roles as vibrant centers of activity.

CC2035 addresses the objectives of Policy 6.73 largely by maintaining and expanding the area of the Central City zoned for mixed-use development. The plan also refines development standards that require ground floor activation of buildings with uses, including commercial retail and office uses. These elements and the existing flexibility of Central City mixed-use zones ensure that the objectives of this policy will be met by the plan.

## Environmental and Watershed Health: Goals

330. **Goal 7.A: Climate.** Carbon emissions are reduced to 50 percent below 1990 levels by 2035.

The amendments are consistent with this policy in the following ways:

- A. The Health and Environment Goal and related policies and actions provide for resilience to climate change impacts and natural hazards including flooding and earthquakes, through planning, design, education and implementation of green infrastructure and infrastructure retrofits.
- B. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) identifies features and functions provided by the existing natural resources in the Central City. The NRPP evaluates the functions provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. The evaluation includes an assessment of how the natural resources improve the resiliency of the Central City and help manage risks, such as flooding and heat island, associated with Climate Change. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the Willamette River, floodplains and riparian areas by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a

detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of natural resources features or functions in the Central City.

- C. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. There is a landscaping requirement for the setback that requires additional native plants to be planted. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback and landscaping retain space that mitigates the risks associated with river flooding. Landscaping also sequesters carbon, reduces the heat island effect and helps improve air quality.
- D. Some street setback requirements in the Central City are updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees. Increasing vegetation coverage and tree canopy in the Central City will sequester carbon, improve air quality and reduce heat island impacts.
- E. A new standard for the Central City requires that new buildings over 20,000 square feet in net building area must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions including sequestering carbon and reducing heat island impacts.
- F. The major trail alignment and completion of the Greenway Trail along the Willamette River will reduce carbon emissions by establishing a public trail that serves as transportation corridors for pedestrians and cyclists and connecting people throughout the Central City and to adjacent neighborhoods. Increasing the number of trips conducted by bike or walking will reduce vehicle miles traveled and reduce air pollution.
- G. The Green Loop is a multimodal transportation corridor that will encourage trips conducted within the Central City to be by bike or walking, thus reducing vehicle miles traveled and reduce air pollution.
- H. The new Low-Carbon Building standard, Section 33.510.244, requires that green building certification be pursued for most new development in the Central City, and those that become certified or follow green building design and programming criteria, will result in reductions of carbon as compared to more traditional building methods.

331. **Goal 7.B: Healthy watersheds and environment.** Ecosystem services and ecosystem functions are maintained and watershed conditions have improved over time, supporting public health and safety, environmental quality, fish and wildlife, cultural values, economic prosperity, and the intrinsic value of nature.

The amendments are consistent with this policy in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) identifies features and functions provided by the existing natural resources in the Central City. The NRPP evaluates the services (e.g., environmental quality, fish and wildlife, public health, etc.) provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. The evaluation includes assessment of the contributions of services to public and ecological health and safety, cultural values and economic prosperity. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when

development has a detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of natural resource functions in the Central City.

- B. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback is intended to preserve the in-water habitat, riverbanks (flood area, soils and vegetation) and riparian area (flood area, soils and vegetation) for enhancement of natural resource features and functions and for public uses such as a major public trail, scenic viewpoints and education.
- C. The regulations for removal and remediation of hazardous substances will ensure that the cleanup actions will occur in a way that improve environmental quality.
- D. Some street setback requirements in the Central City are updated to allow for additional space between buildings and the public right-of-way for installation of vegetation including trees. Increasing vegetation coverage and tree canopy in the Central City will improve environmental quality and public health.
- E. A new standard for the Central City requires that new buildings over 20,000 square feet in net building area must install an ecoroof over 60% of the roof area. Ecoroofs improve air and water quality and provide habitat for avian wildlife species.

332. **Goal 7.C: Resilience.** Portland's built and natural environments function in complementary ways and are resilient in the face of climate change and natural hazards.

The amendments are consistent with this goal because the amendments by:

- A. Applying a new River Environmental overlay zone to significant natural resources including rivers, streams, flood areas and riparian areas. The River Environmental overlay zone regulations will limit or strictly limit development, encourage environmentally sensitive development that has fewer impacts on natural resource function than traditional development and will require mitigation for unavoidable adverse impacts on significant natural resources;
- B. Retaining the river setback in the River General overlay zone, which requires all non-water-dependent and non-water-related development to be setback from the Willamette River. The setback is increasing to 50 feet from the top of bank of the river. **Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate** because the purpose of the river setback is to reserve space for the conservation and enhancement of natural resources and to provide the opportunity for public access where appropriate;
- C. Update the River General overlay zone landscaping setback to require a minimum quantity and diversity of plantings on the riverbank and within the riparian area; and
- D. Maintaining regulations that require balanced cut and fill within areas subject to flooding.

333. **Goal 7.D: Environmental equity.** All Portlanders have access to clean air and water, can experience nature in their daily lives, and benefit from development designed to lessen the impacts of natural hazards and environmental contamination.

The amendments are consistent with this goal in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) evaluates the ecosystem services (e.g., water quality, flood management, public health, etc.) provided by natural resource features. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The Willamette River is a regional natural resource that serves all of Portland. Ecological health is important to everyone who lives, works and recreates along and in the river. Protecting and enhancing the Willamette River and riparian areas contributes towards environmental equity in Portland.
- B. The city's requirements regarding clean-up of hazardous substances in the Central City have been clarified to ensure that cleanup occurs in a way that meets City goals and policies including goals related to the conservation of existing natural resources including water quality.
- C. Existing regulations though City Code Title 24, Building Regulations, are applicable to future development. These regulations require review of impacts within the river and floodplain including a test of no net rise and balancing of fill placed in the floodplain with an equal cut. These regulations ensure that future development will not increase risk to people or property from flooding.
- D. The major trail alignment and completion of the Greenway Trail along the Willamette River and the proposed Green Loop will improve air quality in the Central City by establishing a public trail that serves as transportation corridors for pedestrians and cyclists and connects people throughout the Central City and to adjacent neighborhoods.

334. **Goal 7.E: Community stewardship.** Portlanders actively participate in efforts to maintain and improve the environment, including watershed health.

The amendments are consistent with this goal in the following ways:

- A. CC2035 includes multiple goals, policies and actions that foster community stewardship. For example, additional residential and commercial development is encouraged along the frontage streets of the Willamette River to bring more people to the river's edge.
- B. The major trail alignment and completion of the Greenway Trail along the Willamette River and the proposed Green Loop will improve air quality by establishing a public trail that serves as a transportation corridor for pedestrians and cyclists and connects people throughout the Central City and to adjacent neighborhoods.
- C. Scenic viewpoints are identified along the Greenway Trail and the zoning code requires that when the trail is developed, formal viewpoints also be constructed. Scenic viewpoints offer places for people to see the Willamette River, riverbanks and city skyline. This will foster community stewardship.

## Environmental and Watershed Health: Policies

### Improving environmental quality and resilience

335. **Policy 7.1, Environmental quality.** Protect or support efforts to protect air, water, and soil quality, and associated benefits to public and ecological health and safety, through plans and investments.

The amendments are consistent with this policy in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) identifies features and functions provided by the existing natural resources in the Central City. The NRPP evaluates the services (e.g., water quality, air quality, heat island, public health, etc.) provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. The evaluation includes assessment of the contributions of services to public and ecological health and safety. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of natural resource functions in the Central City.
- B. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback is intended to preserve the shallow water habitat, riverbanks (flood area, soils and vegetation) and riparian area (flood area, soils and vegetation) for enhancement of natural resource feature and functions and for public uses such as a major public trail and scenic viewpoints.
- C. The regulations for removal and remediation of hazardous substances ensure that the cleanup actions will occur in a way that improve environmental quality.
- D. Some street setback requirements in the Central City are updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees. Increasing vegetation coverage and tree canopy in the Central City will enhance air, water and soil quality and improve public and ecological health.
- E. A new standard for the Central City requires that new buildings over 20,000 square feet in net building area must install an ecoroof over 60% of the roof area. Ecoroofs improve air and water quality.
- F. The major trail alignment and completion of the Greenway Trail along the Willamette River and the proposed Green Loop will improve air quality by establishing a public trail that serves as a transportation corridor for pedestrians and cyclists and connects people throughout the Central City and to adjacent neighborhoods.

336. **Policy 7.2, Environmental equity.** Prevent or reduce adverse environment-related disparities affecting under-served and under-represented communities through plans and investments. This includes addressing disparities relating to air and water quality, natural hazards, contamination, climate change, and access to nature.

The amendments are consistent with this goal in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) evaluates the ecosystem services (e.g., water quality, flood management, public health, etc.) provided by natural resource features. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The Willamette River is a regional natural resource that serves all of Portland.

Ecological health is important to everyone who lives, works and recreates along and in the river. Protecting and enhancing the Willamette River and riparian areas contributes towards environmental equity in Portland.

- B. The city's requirements regarding clean-up of hazardous substances in the Central City have been clarified to ensure that cleanup occurs in a way that meets City goals and policies including goals related to the conservation of existing natural resources including water quality.
- C. Existing regulations though City Code Title 24, Building Regulations, are applicable to future development. These regulations require review of impacts within the river and floodplain including a test of no net rise and balancing of fill placed in the floodplain with an equal cut. These regulations ensure that future development will not increase risk to people or property from flooding.
- D. The major trail alignment and completion of the Greenway Trail along the Willamette River and the proposed Green Loop will improve air quality in the Central City by establishing a public trail that serve as a transportation corridor for pedestrians and cyclists and connects people throughout the Central City and to adjacent neighborhoods.

**337. Policy 7.3, Ecosystem services. Consider the benefits provided by healthy ecosystems that contribute to the livability and economic health of the city.**

The amendments are consistent with this policy in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) identifies features and functions provided by the existing natural resources in the Central City. The NRPP evaluates the ecosystem services provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. The evaluation includes assessment of the contributions of ecosystem services to livability and economic health of the Central City. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resources and ecosystem services by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of ecosystem functions in the Central City.
- B. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback is intended to preserve the shallow water habitat, riverbank and riparian area for enhancement of natural resources and ecosystem services and for public uses such as a major public trail and scenic viewpoints.
- C. The regulations for removal and remediation of hazardous substances ensure that the cleanup actions will occur in a way that meets the City's policies including protecting and enhancing natural resources and ecosystem services.
- D. Some street setback requirements in the Central City are updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees. Increasing vegetation coverage and tree canopy in the Central City will enhance ecosystem service and improve stormwater management and reduce heat island impacts.

- E. A new standard for the Central City requires that new buildings over 20,000 square feet in net building area must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple ecosystem services including stormwater management, reducing heat island impacts and providing habitat for avian species. Ecoroofs can be designed as open space areas to improve livability.
- F. The major trail alignment and completion of the Greenway Trail along the Willamette River and the proposed Green Loop will improve air quality by establishing a public trail that serve as transportation corridors for pedestrians and cyclists and connects people throughout the Central City and to adjacent neighborhoods.

338. **Policy 7.4, Climate change.** Update and implement strategies to reduce carbon emissions and impacts, and increase resilience through plans and investments and public education.

**7.4.a, Carbon sequestration.** Enhance the capacity of Portland’s urban forest, soils, wetlands, and other water bodies to serve as carbon reserves.

**7.4.b, Climate adaptation and resilience.** Enhance the ability of rivers, streams, wetlands, floodplains, urban forest, habitats, and wildlife to limit and adapt to climate-exacerbated flooding, landslides, wildfire, and urban heat island effects.

The amendments are consistent with this policy in the following ways:

- A. The Health and Environment Goal and related policies and actions provide for resilience to climate change impacts and natural hazards including flooding and earthquakes, through planning, design, education and implementation of green infrastructure and infrastructure retrofits.
- B. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) identifies features and functions provided by the existing natural resources in the Central City. The NRPP evaluates the functions provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. The evaluation includes an assessment how the natural resources improve the resiliency of the Central City and help manage risks, such as flooding and heat island, associated with Climate Change. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the Willamette River, floodplains and riparian areas by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of natural resource features or functions in the Central City.
- C. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. There is a landscaping requirement for the setback that requires additional native plants to be planted. Testimony was received that supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback and landscaping retain space that mitigates the risks associated with river flooding. Council also finds that landscaping sequesters carbon, reduces the heat island effect and helps improve air quality.
- D. Some street setback requirements in the Central City are updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees. Increasing vegetation coverage and tree canopy in the Central City will sequester carbon, improve air quality and reduce heat island impacts.

- E. A new standard for the Central City requires that new buildings over 20,000 square feet in net building area must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions including sequestering carbon and reducing heat island impacts.
- F. The major trail alignment and completion of the Greenway Trail along the Willamette River will reduce carbon emissions by establishing a public trail that serves as a transportation corridor for pedestrians and cyclists and connecting people throughout the Central City and to adjacent neighborhoods. Increasing the number of trips conducted by bike or walking will reduce vehicle miles traveled and reduce air pollution.
- G. The Green Loop is a multimodal transportation corridor that will encourage trips conducted within the Central City to be by bike or walking, thus reducing vehicle miles traveled and reduce air pollution.

339. **Policy 7.5, Air quality.** Improve, or support efforts to improve, air quality through plans and investments, including reducing exposure to air toxics, criteria pollutants, and urban heat island effects. Consider the impacts of air quality on the health of all Portlanders.

The amendments are consistent with this policy in the following ways:

- A. The major trail alignment and completion of the Greenway Trail along the Willamette River will reduce air pollution by establishing a public trail that serves as a transportation corridor for pedestrians and cyclists and connect people throughout the Central City and to adjacent neighborhoods. Increasing the number of trips conducted by bike or walking will reduce vehicle miles traveled and reduce air pollution.
- B. The Green Loop is a multimodal transportation corridor that will encourage trips conducted within the Central City to be by bike or walking, thus reducing vehicle miles traveled and reduce air pollution.
- C. Some street setback requirements in the Central City are updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees. Increasing vegetation coverage and tree canopy in the Central City will improve air quality and reduce heat island impacts.
- D. A new standard for the Central City requires that new buildings over 20,000 square feet in net building area must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions including sequestering carbon and reducing heat island impacts.
- E. The new River Environmental overlay zone will protect and maintain the Willamette River and vegetated riparian areas. Open water bodies and vegetated riparian corridors cool the air and reduce heat island impacts.

340. **Policy 7.6, Hydrology.** Through plans and investments, improve or support efforts to improve watershed hydrology to achieve more natural flow and enhance conveyance and storage capacity in rivers, streams, floodplains, wetlands, and aquifers. Minimize impacts from development and associated impervious surfaces, especially in areas with poorly-infiltrating soils and limited public stormwater discharge points, and encourage restoration of degraded hydrologic functions.

The amendments are consistent with this policy in the following ways:

- A. By applying new River Environmental overlay zoning for identified natural resource areas in the Central City, including resources located on the land and in the water, the plan maintains existing the hydrology of the Willamette River. The environmental zoning will protect and

conserve the hydrologic functions by limiting development within natural resource areas, will encourage environmentally sensitive development, and will require mitigation when development has a detrimental impact on the functions and values, including hydrology.

- B. Development that is not river-dependent or river-related is required to setback 50 feet from the top of bank of the Willamette River in the River General overlay zone. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback will limit development impacts on the Willamette River.
- C. Actions call for partnerships between local, regional, state and federal regulatory, Sovereign nations, non-profit organization, neighborhoods and property owners. One action is to work with FEMA to address the NOAA Fisheries biological opinion regarding the floodplain development and impacts on critical habitat for species listed under the Endangered Species Act. This will include a remapping of the floodplain in the Central City. Another action is to amend the flood-related regulations and other guidelines to, a) help prevent or minimize the risk of flood damage to new, redeveloped and rehabilitated buildings located in the 100-year floodplain; b) avoid, minimize and mitigate the impacts of such development on floodplain functions; and, c) comply with updated National Flood Insurance Program (NFIP) requirements.
- D. Existing regulations though City Code Title 24, Building Regulations, are also applicable to future development. These regulations require review of impacts within the river and floodplain including a test of no net rise and balancing of fill placed in the floodplain with an equal cut.
- E. Existing regulations including City Zoning Title 10, Erosion Control, and the Stormwater Management Manual are applicable to future development. These regulations will maintain and improve stormwater runoff.

341. **Policy 7.7, Water quality.** Improve, or support efforts to improve, water quality in rivers, streams, floodplains, groundwater, and wetlands through land use plans and investments, to address water quality issues including toxics, bacteria, temperature, metals, and sediment pollution. Consider the impacts of water quality on the health of all Portlanders.

The amendments are consistent with this policy in the following ways:

- A. By applying new River Environmental overlay zoning for identified natural resource areas in the Central City, including resources located on the land and in the water, water quality of the Willamette River will be maintained and improved. The plan includes a natural resource inventory that identifies riparian resources and functional values. The environmental zoning will protect and conserve the identified resources by limiting development within natural resource areas, will encourage environmentally sensitive development, and will require mitigation when development has a detrimental impact on the functions and values of the identified resource.
- B. The city's requirements regarding clean-up of hazardous substances in the Central City have been clarified to ensure that cleanup occurs in a way that meets City goals and policies including goals related to the conservation of existing natural resources including water quality.
- C. Existing regulations including City Zoning Title 10, Erosion Control, and the Stormwater Management Manual are applicable to future development. These regulations will maintain and improve water quality;
- D. A new standard for the Central City requires that new buildings over 20,000 square feet in net size must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions

including sequestering carbon and reducing heat island impacts, while also reducing the flow of stormwater into city systems.

- E. The street setback requirements enacted in some sections of the Central City have been updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees. Increasing vegetation coverage and tree canopy in the Central City will manage stormwater and improve water quality.

342. **Policy 7.8, Biodiversity.** Strive to achieve and maintain self-sustaining populations of native species, including native plants, native resident and migratory fish and wildlife species, at-risk species, and beneficial insects (such as pollinators) through plans and investments.

The amendments are consistent with this policy in the following ways:

- A. A new River Environmental overlay zone is applied to high and medium ranked natural resources, which includes wildlife habitat and special habitat areas in the *Willamette River Central Reach Natural Resource Protection Plan* (NRPP). The plan includes an updated natural resources inventory that identifies significant features and functions including fish and wildlife habitat. The River Environmental overlay zone regulations will limit or strictly limit development, encourage environmentally sensitive development that has fewer impacts on natural resource functions than traditional development and will require mitigation for unavoidable adverse impacts on significant natural resources;
- B. The river setback in the River General overlay zone is retained. The setback requires all non-water-dependent and non-water-related development to be setback from the Willamette River. The setback is increased to 50 feet from the top of bank of the river. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the purpose of the setback is to reserve space for the conservation and enhancement of fish and wildlife habitat;
- C. The River General overlay zone also includes updates to the landscaping standards that apply within the river setback. The landscaping standard requires a mix of vegetation types and densities including trees, shrubs and ground cover. The purpose of the landscaping standard is to enhance the quality, quantity and diversity of vegetation in the riparian area. Diverse vegetation within the riparian area will support a diversity of fish and wildlife.
- D. The regulations that apply to the removal and remediation of hazardous substances encourage the use of biotechnical techniques for bank stabilization and the planting of native vegetation on the river bank.

343. **Policy 7.9, Habitat and biological communities.** Ensure that plans and investments are consistent with and advance efforts to improve, or support efforts to improve fish and wildlife habitat and biological communities. Use plans and investments to enhance the diversity, quantity, and quality of habitats habitat corridors, and especially habitats that:

- Are rare or declining.
- Support at-risk plant and animal species and communities.
- Support recovery of species under the Endangered Species Act, and prevent new listings.
- Provide culturally important food sources, including those associated with Native American fishing rights.

The amendments are consistent with this policy in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) identifies features and functions provided by the existing natural resources in the Central City. The NRPP recommends protection of habitats that support rare or declining species, supports at-risk species and supports recovery of species that are listed under the Endangered Species Act and aides in preventing new listings by applying zoning code 33.475, River Overlay Zones, and 33.865, River Review, to natural resources. The zoning code limits development within natural resource areas, encourages environmentally sensitive development and requires mitigation when development has a detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of natural resource functions in the Central City.
- B. The NRPP also recommends protection of the Willamette River and riparian areas as culturally important areas associated with Native American fishing rights.
- C. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback is intended to preserve the shallow water habitat, riverbanks (flood area, soils and vegetation) and riparian area (flood area, soils and vegetation) to protect rare and declining species and support recovery of species listed under the Endangered Species Act.
- D. The regulations for removal and remediation of hazardous substances ensure that the cleanup actions will occur in a way that improve environmental quality and create habitat that supports rare and declining species and recovery of species listed under the Endangered Species Act.

344. **Policy 7.10, Habitat connectivity.** Improve or support efforts to improve terrestrial and aquatic habitat connectivity for fish and wildlife by using plans and investments, to:

- Prevent and repair habitat fragmentation.
- Improve habitat quality.
- Weave habitat into sites as new development occurs.
- Enhance or create habitat corridors that allow fish and wildlife to safely access and move through and between habitat areas.
- Promote restoration and protection of floodplains.

The amendments are consistent with this policy in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) recommends protection of the Willamette River and land within at least 50 feet of top of bank as a habitat connectivity corridor. The River Environmental and River General overlay zone require development to be setback from the river, natural resources to be maintained and native vegetation to be planted. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback will improve habitat connectivity and habitat quality over time.
- B. Existing regulations though City Code Title 24, Building Regulations, are also applicable to future development. These regulations require review of impacts within the river and floodplain including a test of no net rise and balancing of fill placed in the floodplain with an equal cut.

- C. The Green Loop is a multimodal transportation corridor that will incorporate vegetation into design and development. Trees and vegetation along the Green Loop will serve to improve habitat connectivity throughout the urban landscape.
- D. A new standard for the Central City requires that new buildings over 20,000 square feet in net size must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions including habitat for avian species. Ecoroofs will improve habitat connectivity for birds and insects throughout the urban landscape.

345. **Policy 7.11, Urban forest.** Improve, or support efforts to improve the quantity, quality, and equitable distribution of Portland’s urban forest through plans and investments.

346. **7.11.a, Tree preservation.** Require or encourage preservation of large healthy trees, native trees and vegetation, tree groves, and forested areas.

CC2035 encourages the preservation of medium- and large-form native trees throughout the Central City, wherever possible. Policies specifically aimed at preserving these types of trees include the following:

- Policy 6.9, Strategic tree canopy enhancement, encourages the preservation of large, healthy, non-nuisance and native trees.
- Policy 6.10, Effective tree planting, includes policy directives to encourage wider sidewalk corridors to better accommodate larger canopy trees, as well as innovative design strategies that accommodate healthy trees already on site.

CC2035 also applies a new River Environmental overlay zone (river e-zone) to tree canopy that is located on the Willamette riverbank or contiguous to the riverbank. The river e-zone generally requires that existing trees be protected. If trees must be removed for development, there are tree replacement standards to ensure no net loss of tree canopy over time.

347. **7.11.b, Urban forest diversity.** Coordinate plans and investments with efforts to improve tree species diversity and age diversity.

An underlying aim of the CC2035 Plan is to encourage or mandate the incorporation of a variety of trees species and ages. Examples of policies and regulations to that end include the following:

- Policy 6.9, Strategic tree canopy enhancement, b. Tree Diversity, specifically sets a goal to “improve tree species and age diversity throughout the Central City.”
- Policy 6.3, Multiple Functions, and Policy 6.12, City investment in street trees, directs the City to plant, and encourage the planting of, street trees that provide multiple benefits, such as stormwater management and, urban heat island reduction. These policies are expected to expand the number of tree species planted within the Central City.
- Policy 4DT-1b, Governor Tom McCall Waterfront Park, directs the Parks and Recreation bureau to incorporate large trees within the park and along public ROW adjacent to the park.

Central City Master Plan code (33.510.255) encourages the incorporation of medium- and large-form trees by providing additional flexibility in the tree density standard for these larger sites. This option is expected to significantly increase the diversity of new trees planted, when compared to a traditional master plan development.

348. **7.11.c, Tree canopy.** Support progress toward meeting City tree canopy targets.

CC2035 includes a range of policies that will ensure the City continues progress toward its overall tree canopy targets. Specifically, the Plan contains tree canopy targets for all ten Central City

subdistricts. Nine out of the 10 subdistricts are expected to experience increases in tree canopy over the life of the plan. The low end of the range for the South Downtown/University subdistrict projects a slight reduction in tree canopy but the high-end projects an increase.

349. **7.11.d, Tree planting.** Invest in tree planting and maintenance, especially in low-canopy areas, neighborhoods with under-served or under-represented communities, and within and near urban habitat corridors.

CC2035 includes a few policies focused on ensuring tree planting in mixed-use commercial areas, along rights-of-way, and other areas with limited existing canopy. The CC2035 canopy targets incorporate the expectation that the Bureau of Environmental Services (BES) will double its current street tree planting frequency to increase canopy in the Central City, especially low-canopy areas and in historically under-served neighborhoods. Additionally, Policy 6.8, Upland habitat connections, specifically aims to create “an upland wildlife habitat corridor using trees, native vegetation in landscaping” and ecoroofs.

350. **7.11.e, Vegetation in natural resource areas.** Require native trees and vegetation in significant natural resource areas.

CC2035 applies a new River Environmental overlay zone (river e-zone) to vegetated riverbanks and riparian areas within a minimum of 50 feet from top of bank. The regulations of the river e-zone minimize removal of vegetation and require replacement plants to ensure no net loss of riparian vegetation over time. In addition, the River General overlay zone also includes updates to the landscaping standards that apply within the river setback. The landscaping standard requires a mix of vegetation types and densities including trees, shrubs and ground cover. The purpose of the landscaping standard is to enhance the quality, quantity and diversity of native vegetation in the riparian area.

351. **7.11.f, Resilient urban forest.** Encourage planting of Pacific Northwest hardy and climate change resilient native trees and vegetation generally, and especially in urban habitat corridors.

Increasing the resiliency of the urban forest is critical component of the CC2035 Plan. Maintaining and increasing the number of native species underlies the CC2035 tree planting strategy. For example, Policy 6.9, Strategic tree canopy enhancement, of the Plan encourages the planting of Northwest native and climate change-resilient trees. The Plan also includes strategies to expand efforts to reestablish and expand native, large canopy tree species in Portland’s parks and natural areas.

352. **7.11.g, Trees in land use planning.** Identify priority areas for tree preservation and planting in land use plans.

The CC2035 Plan utilized a detailed and comprehensive methodology to develop aspirational, yet achievable, tree canopy targets. As a part of this effort, specific areas within the Central City expected to maintain or accommodate new trees were identified. Detailed analyses of tree canopy were completed on a variety of areas within the Central City, including:

1. Existing parcels likely to be developed or redeveloped, including trees planted within optional Central City building setbacks;
2. Trees placed on upper floors of new buildings, as a part of ecoroofs or rooftop gardens;
3. Future planting of currently vacant planting strips;
4. Changes in tree canopy in existing parks;
5. New trees planted within the expanded Willamette River setback;

6. Future enhancements to the Willamette riverbank resulting from public and private investment.

Collectively, these represent priority areas within the Central City that can reach tree canopy targets over the life of the plan.

Specifically, CC2035 applies a new River Environmental overlay zone to trees identified in the NRPP as providing natural resource functions. The regulations require that trees be preserved when possible and tree replacement occur when trees must be removed. In addition, the River General overlay requires landscaping of the riverbank and riparian area, including planting a diversity of tree species.

353. **7.11.h, Managing wildfire risk.** Address wildfire hazard risks and management priorities through plans and investments.

The River overlay zones applies to areas of natural vegetation on steep slopes; these areas are susceptible to wildfire risk. The River Environmental overlay zone regulates removal of native plants along the Willamette River and requires replanting disturbance areas with native vegetation. The River General overlay zone require landscaping that includes removal of non-native and invasive species along with planting of native vegetation. Native vegetation is less susceptible to wildlife risk than non-native and invasive species.

CC2035 maintains the existing regulations applied to Sullivan’s Gulch, including the Environmental conservation overlay zone (c-zone). The c-zone regulations encourage maintenance of native vegetation and removal of invasive species. In addition, an action in CC2035 calls for developing a multi-objective management strategy for enhancing Sullivan’s Gulch that includes trail development, removal of invasive species and revegetation. Landscaping associated with completion of the trail will include native vegetation.

354. **Policy 7.12, Invasive species.** Prevent the spread of invasive plants, and support efforts to reduce the impacts of invasive plants, animals, and insects, through plans, investments, and education.

The regulations of the River Environmental and River General overlay zones require removal of invasive species and planting of native vegetation on the riverbank and riparian area of the Willamette River. In addition, the City of Portland maintains a list of invasive plant species that must be removed whenever identified. The requirement is intended to eradicate these invasive species.

355. **Policy 7.13, Soils.** Coordinate plans and investments with programs that address human-induced soil loss, erosion, contamination, or other impairments to soil quality and function.

The amendments are consistent with this policy in the following ways:

- A. The River Environmental overlay zone applies to riverbanks and riparian areas along the Willamette River. The regulations maintain soil by limiting development, including ground disturbance, and requiring mitigation for unavoidable impacts, including application of top soil before planting. The River Environmental overlay zone also includes regulations for removal and remediation of hazardous substances ensure that the cleanup actions will occur in a way that improve soil structure and soil quality.
- B. The River General overlay zone requires that non-river-dependent or river-related development be setback 50 feet from the top of bank of the Willamette River. This will reduce impacts of development on the soil and reduce erosion. The regulations also require landscaping the setback with native plants, which will retain soil structure and improve soil quality over time.

- C. Existing regulations including City Zoning Title 10, Erosion Control, and the Stormwater Management Manual are applicable to future development. These regulations require erosion control during development activities and maintain and improve stormwater runoff.

356. **Policy 7.14, Natural hazards.** Prevent development-related degradation of natural systems and associated increases in landslide, wildfire, flooding, and earthquake risks.

The amendments are consistent with this policy in the following ways:

- A. By applying new River Environmental overlay zoning for identified natural resource areas in the Central City, including resources located in the water, in the floodplain and on land, the plan reduces risks associated with flooding, landslides and wildfire. The environmental zoning will protect and conserve the natural functions by limiting development within natural resource areas, will encourage environmentally sensitive development, and will require mitigation when development has a detrimental impact on the functions and values.
- B. Development that is not river-dependent or river-related is required to setback 50 feet from the top of bank of the Willamette River in the River General overlay zone. This reduces the risk of flooding and landslide on development near the river.
- C. Actions call for partnerships between local, regional, state and federal regulatory, Sovereign nations, non-profit organization, neighborhoods and property owners. One action is to work with FEMA to address the NOAA Fisheries biological opinion regarding the floodplain development and impacts on species listed under the Endangered Species Act. This will include a remapping of the floodplain in the Central City. Another action is to amend the flood-related regulations and other guidelines to, a) help prevent or minimize the risk of flood damage to new, redeveloped and rehabilitated buildings located in the 100-year floodplain; b) avoid, minimize and mitigate the impacts of such development on floodplain functions; and, c) comply with updated NFIP requirements.
- D. Existing regulations through City Code Title 24, Building Regulations, are also applicable to future development. These regulations require review of impacts within the river and floodplain including a test of no net rise and balancing of fill placed in the floodplain with an equal cut.
- E. CC2035 maintains existing Environmental conservation overlay zones on Sullivan’s Gulch. The regulations limit development on the steep slope and reduce risk of landslides and wildfire on development.

357. **Policy 7.15, Brownfield remediation.** Improve environmental quality and watershed health by promoting and facilitating brownfield remediation and redevelopment that incorporates ecological site design and resource enhancement.

The River Environmental overlay zone regulations for removal and remediation of hazardous substances ensure that the cleanup actions will occur in a way that improves environmental quality and public health and create habitat.

358. **Policy 7.16, Adaptive management.** Evaluate trends in watershed and environmental health using current monitoring data and information to guide and support improvements in the effectiveness of City plans and investments.

The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) evaluates trends in watershed and environmental health using best available science, current monitoring data and information and new technological advances to produce the inventory of natural resources and

assess the tradeoffs associated with protecting those natural resources. The NRPP pulls together information from many other sources and background documents. The outcome is recommended protections for natural resources. The NRPP supports City plans, including CC2035, and investments, such as environmental restoration projects.

359. **Policy 7.17, Restoration partnerships.** Coordinate plans and investments with other jurisdictions, air and water quality regulators, watershed councils, soil and water conservation districts, Sovereign nations, and community organizations and groups including under-served and under-represented communities, to optimize the benefits, distribution, and cost-effectiveness of watershed restoration and enhancement efforts.

The amendments are consistent with this policy in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) and the *Riverbank Restoration Target* memo identified opportunities for natural resource enhancement and restoration actions.
- B. Actions call for partnerships between local, regional, state and federal regulatory, Sovereign nations, non-profit organization, neighborhoods and property owners. Examples of those actions include:

- Work with FEMA to address the NOAA Fisheries biological opinion regarding the floodplain development and impacts on species listed under the Endangered Species Act.
- Explore concepts and partnerships to enhance fish and wildlife habitat along the Eastbank Esplanade.
- Coordinate system planning efforts among city bureaus and potential private investors for green infrastructure improvements.
- Identify tree preservation and planting opportunities and implement strategies that meet multiple objectives including reducing heat island, improving air quality and intercepting rainfall.
- Improve water quality by integrating green infrastructure with streetscape improvements in areas served by the separated storm system.
- Evaluate options to increase property owner interest in street tree plantings.

360. **Policy 7.18, Community stewardship.** Encourage voluntary cooperation between property owners, community organizations, and public agencies to restore or re-create habitat on their property, including removing invasive plants and planting native species.

The amendments are consistent with this goal in the following ways:

- A. CC2035 includes multiple goals, policies and actions that foster community stewardship. For example, additional residential and commercial development is encouraged along the frontage streets of the Willamette River to bring more people to the river's edge.
- B. The major trail alignment and completion of the Greenway Trail along the Willamette River and the proposed Green Loop will improve air quality by establishing a public trail that serve as transportation corridor for pedestrians and cyclists and connects people throughout the Central City and to adjacent neighborhoods.
- C. Scenic viewpoints are identified along the Greenway Trail and the zoning code requires that when the trail is developed, formal viewpoints also be constructed. Scenic viewpoints offer

places for people to see the Willamette River, riverbanks and city skyline. This will foster community stewardship.

## Planning for natural resource protection

361. **Policy 7.19, Natural resource protection.** Protect the quantity, quality, and function of significant natural resources identified in the City's natural resource inventory, including:

- Rivers, streams, sloughs, and drainageways.
- Floodplains.
- Riparian corridors.
- Wetlands.
- Groundwater.
- Native and other beneficial vegetation species and communities.
- Aquatic and terrestrial habitats, including special habitats or habitats of concern, large anchor habitats, habitat complexes and corridors, rare and declining habitats such as wetlands, native oak, bottomland hardwood forest, grassland habitat, shallow water habitat, and habitats that support special-status or at-risk plant and wildlife species.
- Other resources identified in natural resource inventories.

The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) includes an updated inventory of natural resources features and functions in the Central City. The NRPP documents the quantity and quality of the following features: river, streams, drainageways, wetlands, flood areas, riverbank treatments, forests, woodlands, shrublands, herbaceous vegetation, steep slopes and special habitat areas, which area unique, rare or declining habitats and habitats that support special status or at-risk fish, wildlife and plant species. The functions evaluated in the inventory include: microclimate and shade; stream flow moderation and water storage; bank function, and sediment, pollution and nutrient control; large wood and channel dynamics; organic inputs, food web and nutrient cycling; riparian wildlife movement corridor; habitat patch size and interior area; connectivity between habitat patches; and proximity to water.

The NRPP evaluates the functions above and the ecosystem services (e.g., natural hazard management, public health, climate resiliency, etc.) provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. The evaluation also includes assessment of the contributions of services to cultural values and economic prosperity. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions.

Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of natural resource functions in the Central City.

362. **Policy 7.20, Natural resource inventory.** Maintain an up-to-date inventory by identifying the location and evaluating the relative quantity and quality of natural resources.

The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) includes an up-to-date inventory, based on best available sciences, of relative quantity and quality of natural resource features and functions in the Central City.

363. **Policy 7.21, Environmental plans and regulations.** Maintain up-to-date environmental protection

plans and regulations that specify the significant natural resources to be protected and the types of protections to be applied, based on the best data and science available and on an evaluation of cumulative environmental, social, and economic impacts and tradeoffs. *See Figure 7-2 — Adopted Environmental Plans.*

**7.21.a.** Improve the effectiveness of environmental protection plans and regulations to protect and encourage enhancement of ecological functions and ecosystem services.

The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) includes recommendations to protect and enhancement natural resource features and functions. The NRPP is based on best available data and sciences. The NRPP includes an assessment of the environmental, social and economic impacts and tradeoffs associated with protecting the natural resource features and functions. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of natural resource functions in the Central City.

364. **Policy 7.22, Land acquisition priorities and coordination.** Maintain a land acquisition program as a tool to protect and support natural resources and their functions. Coordinate land acquisition with the programs of City bureaus and other agencies and organizations.

CC2035 includes actions to increase public parks, open space and recreation opportunities through acquisition. Parks and open spaces in the Central City typically include natural resources such as trees and shrubs and provide opportunities for additional green infrastructure to provide functions like reducing heat island effects and managing stormwater runoff.

### Protecting natural resources in development situations

365. **Policy 7.23, Impact evaluation.** Evaluate the potential adverse impacts of proposed development on significant natural resources, their functions, and the ecosystem services they provide to inform and guide development design and mitigation consistent with policies 7.24-7.26, and other relevant Comprehensive Plan policies.

The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) evaluates relative impacts of different development (called conflicting uses) on the natural resource features and functions in the Central City. The River Environmental overlay zone includes exemptions for some necessary development, such as maintenance, repair and replacement of existing structures, standards for environmental sensitive development and river review for more impactful development. Mitigation for unavoidable negative impacts on natural resource features and functions is required.

Zoning code 33.865, River Review, regulations require the following information:

- Existing conditions site plan that documents the existing natural resource features; and
- Proposed site development plan that depicts the natural resource feature impacted including temporary and permanent disturbance areas.

366. **Policy 7.24, Regulatory hierarchy: avoid, minimize, mitigate.** Maintain regulations requiring that the potential adverse impacts of new development on significant natural resources and their functions first be avoided where practicable, then minimized, then lastly, mitigated.

Zoning code 33.475, River Environmental overlay zones, includes standards that avoid and minimize impacts of development on natural resource features and function. The standards also include a requirement for unavoidable impacts on natural resource features and functions to be mitigated. Development that cannot meet the standards must go through River Review. Zoning code 33.865, River Review includes the following approval criteria:

- Proposed development minimizes the loss of identified natural or scenic resources and functional values consistent with the uses that are generally permitted or allowed in the base zone without a land use review, or permitted or allowed by an approved conditional use review;
- Proposed development locations, designs, and construction methods are less detrimental to identified natural and scenic resources and functional values than practicable and significantly different alternatives, including alternatives on the same site, but outside of the River Environmental overlay zone;
- There will be no significant detrimental impact on areas of the site reserved for mitigation, areas within the River Environmental overlay zone not proposed for development now, downstream river habitat within the Central Reach, or other sites in the Central Reach where environmental restoration is in progress or complete; and
- The mitigation plan demonstrates that there will be compensation for all significant detrimental impacts on identified scenic and natural resources and functional values.

367. **Policy 7.25, Mitigation effectiveness.** Require that mitigation approaches compensate fully for adverse impacts on locally and regionally significant natural resources and functions. Require mitigation to be located as close to the impact as possible. Mitigation must also take place within the same watershed or portion of the watershed that is within the Portland Urban Services Boundary, unless mitigating outside of these areas will provide a greater local ecological benefit. Mitigation will be subject to the following preference hierarchy:

- On the site of the resource subject to impact with the same kind of resource; if that is not possible, then
- Off-site with the same kind of resource; if that is not possible, then
- On-site with a different kind of resource; if that is not possible, then
- Off-site with a different kind of resource.

Zoning code 33.865, River Review includes the following approval criteria:

- To the extent practicable, the natural and scenic resources and functional values restored or enhanced as mitigation must be the same kind of resource, performing the same functions as the lost resource;
- The amount of natural resource mitigation due as compensation must be based on the amount and relative condition of the resources and functional values impacted by the proposal. The amount of natural resource mitigation required will be at a ratio of no less than 1.5:1 of mitigation area to project impact area;
- Mitigation must occur on-site when practicable, and ecologically beneficial;
- If on-site mitigation is not practicable or ecologically beneficial, the applicant may perform mitigation off-site. The off-site mitigation must meet all other approval criteria in this Subparagraph and the following:

- Mitigation must occur at a minimum 3:1 FAR ratio of mitigation area to protect the impact area; and,
- The mitigation area must be located within the Willamette River Central Reach.

368. **Policy 7.26, Improving environmental conditions through development.** Encourage ecological site design, site enhancement, or other tools to improve ecological functions and ecosystem services in conjunction with new development and alterations to existing development.

Zoning code 33.475, River General overlay zone, regulations require that at the time of development the river setback, which includes the riverbank and land within 50 feet of the top of bank, be landscaped with a mix of native vegetation. The landscaping standard allows for flexibility in the mix of tree sizes and requires that a diversity of trees, shrubs and ground cover be planted. This will improve ecological functions and ecosystem services over time.

Zoning code 33.475, River Environmental overlay zone, and Zoning code 33.865, River Review, regulations require that site development be designed to avoid impacts on protected natural resources and mitigate for unavoidable negative impacts. There are also clear and objective standards for site enhancement and for remediation and cleanup of hazardous substances. These regulations will improve ecological functions and ecosystem services during development.

## Willamette River Watershed

The findings under Statewide Goal 15, Willamette Greenway, also demonstrate that the amendments are consistent with these policies and goals

369. **Policy 7.33, Fish habitat.** Provide adequate intervals of ecologically-functional shallow-water habitat for native fish along the entire length of the Willamette River within the city, and at the confluences of its tributaries.

The amendments are consistent with this policy in the following ways:

- A. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback is intended to preserve the shallow water habitat, riverbanks (flood area, soils and vegetation) and riparian area (flood area, soils and vegetation) to protect fish habitat and support recovery of species listed under the Endangered Species Act.
- B. The River Environmental overlay zone is applied to the Willamette River, riverbanks and riparian areas. The overlay zone protects the eight existing shallow water habitats in the Central Reach by limited development and requiring mitigation for negative impacts to natural resource features and functions. The regulations will result in no net loss of fish habitat over time and support recovery of species listed under the Endangered Species Act.
- C. CC2035 includes an action to restore five shallow water habitat areas and to enhance 12,600 linear feet of riverbanks in the Central Reach. The actions will improve fish habitat and support recovery of species listed under the Endangered Species Act.

370. **Policy 7.34, Stream connectivity.** Improve stream connectivity between the Willamette River and its tributaries.

There are no surface tributary streams to the Willamette River in the Central Reach. However, regulations and actions to protect and enhance in-water and riparian habitat in the Central Reach

support fish that migrate from tributary streams through the Central Reach to the Columbia River and back.

371. **Policy 7.35, River bank conditions.** Preserve existing river bank habitat and encourage the rehabilitation of river bank sections that have been significantly altered due to development with more fish and wildlife friendly riverbank conditions.

The amendments are consistent with this policy in the following ways:

- A. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback is intended to preserve the shallow water habitat, riverbanks (flood area, soils and vegetation) and riparian area (flood area, soils and vegetation) to protect fish habitat and support recovery of species listed under the Endangered Species Act.
- B. The River Environmental overlay zone is applied to the Willamette River, riverbanks and riparian areas. The overlay zone protects the eight existing shallow water habitats by limited development and requiring mitigation for negative impacts to natural resource features and functions. The regulations will result in no net loss of fish habitat over time and support recovery of species listed under the Endangered Species Act.
- C. CC2035 includes an action to restore five shallow water habitat areas and to enhance 12,600 linear feet of riverbanks in the Central Reach. The actions will improve fish habitat and support recovery of species listed under the Endangered Species Act.

372. **Policy 7.37, Contaminated sites.** Promote and support programs that facilitate the cleanup, reuse, and restoration of the Portland Harbor Superfund site and other contaminated upland sites.

The Portland Harbor Superfund site is not within the Central Reach. The River Environmental overlay zone regulations for removal and remediation of hazardous substances ensure that the cleanup actions in the Central Reach will occur in a way that improves environmental quality and public health and creates habitat.

373. **Policy 7.38, Sensitive habitats.** Protect and enhance grasslands, beaches, floodplains, wetlands, remnant native oak, bottomland hardwood forest, and other key habitats for native wildlife including shorebirds, waterfowl, and species that migrate along the Pacific Flyway and the Willamette River corridor.

The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) includes an updated inventory of natural resources features and functions in the Central City. The NRPP documents the quantity and quality of special habitat areas. Special habitat areas include: areas containing sensitive or unique plant populations, wetlands and associated seeps, spring and streams that are part of the wetland complex; native oaks; bottomland hardwood forests; riverine islands; river deltas; migratory stopover habitat; habitat corridors between patches or habitats; areas that support at-risk fish and wildlife species; elk migratory corridors; upland habitats or landscape features important to grassland-associated species; and unique resources or structures that provide critical or unique habitat functions (such as bridges).

Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development

has a detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of natural resource functions in the Central City.

374. **Policy 7.39, Riparian corridors.** Increase the width and quality of vegetated riparian buffers along the Willamette River.

Zoning code 33.475, River General overlay zone, increases the width of the river setback from 25 feet to 50 feet from the top of bank. Development that is not river-dependent or river-related must be setback. This increases the width of the riparian area. The River General overlay zone also includes a landscaping standard that requires that at the time of development or alterations to development, the river setback be landscaped with native vegetation. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because this will improve the quality of the riparian area.

Zone code 33.475, River Environmental overlay zone, protects the Willamette River, riverbanks and riparian areas by limiting development and requiring unavoidable impacts to natural resource features and functions to be mitigated.

375. **Policy 7.40, Connected upland and river habitats.** Enhance habitat quality and connectivity between the Willamette riverfront, the Willamette's floodplain, and upland natural resource areas.

The amendments are consistent with this policy in the following ways:

- A. Zoning code 33.475, River Environmental overlay zone, applies to the Willamette River and its undeveloped floodplain. The regulations protected the habitat and connectivity between the in-water and floodplain habitats by limiting development and requiring mitigation for unavoidable negative impacts on natural resource features and functions, including habitat connectivity. The River General overlay zone requires that the river setback, which includes the riverbank and land within 50 feet of the top of bank, be landscaped, which enhances the habitat quality and connectivity between the riparian areas and the Willamette River.
- B. The Green Loop is a multimodal transportation corridor that will incorporate vegetation into design and development. Trees and vegetation along the Green Loop will serve to improve habitat connectivity between uplands and the Willamette River.
- C. A new standard for the Central City requires that new buildings over 20,000 square feet in net size must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions including habitat for avian species. Ecoroofs will improve habitat connectivity for birds and insects between uplands and the Willamette River.

376. **Policy 7.41, River-dependent and river-related uses.** Develop and maintain plans and regulations that recognize the needs of river-dependent and river-related uses, while also supporting ecologically-sensitive site design and practices.

The amendments are consistent with this policy in the following ways:

- A. Zoning code 33.910.030, Definitions, maintains the definition of river-dependent and includes uses which can only be carried out on, in or adjacent to the river. The definition is updated to clarify that a dock or gangway is river-dependent because it can only be built on, in or over the river.
- B. Zoning code 33.910.030, Definitions, maintains the definition of river-related and includes uses that while not directly dependent on river access are uses that provide goods or services

directly associated with river-dependent uses or development. There is a list of uses that are not river-related, such as residences, parking areas, restaurants, and businesses. There is a list of uses that are considered river-related, such as trails and viewpoints adjacent to the river, bridge exist and entrance ramps and removal or remediation of hazardous substances. The river-related definition is updated to include resource enhancement projects and passenger waiting and queuing areas, security checkpoints and machine shops associated with marine passenger docks for sub-regional travel and marine passenger terminals for regional travel. The update to include some uses for marine passenger travel supports river-dependent uses.

- C. Zoning code 33.475, River Environmental overlay zones, limits the footprint of the area that can be developed for river-related uses associated with marine passenger docks and terminals to no more than 5,000 square feet. Mitigation for impacts to natural resources is required. This supports river-dependent and river-related uses in the Central City while also supporting ecological site design.

## Public Facilities and Services: Goals

377. **Goal 8.A: Quality public facilities and services.** High-quality public facilities and services provide Portlanders with optimal levels of service throughout the city, based on system needs and community goals, and in compliance with regulatory mandates.
378. **Goal 8.B: Multiple benefits.** Public facility and service investments improve equitable service provision, support economic prosperity, and enhance human and environmental health.
379. **Goal 8.C: Reliability and resiliency.** Public facilities and services are reliable, able to withstand or recover from catastrophic natural and manmade events, and are adaptable and resilient in the face of long-term changes in the climate, economy, and technology.
380. **Goal 8.D: Public rights-of-way.** Public rights-of-way enhance the public realm and provide a multi-purpose, connected, safe, and healthy physical space for movement and travel, public and private utilities, and other appropriate public functions and uses.
381. **Goal 8.E: Sanitary and stormwater systems.** Wastewater and stormwater are managed, conveyed, and/or treated to protect public health, safety, and the environment, and to meet the needs of the community on an equitable, efficient, and sustainable basis.
382. **Goal 8.F: Flood management.** Flood management systems and facilities support watershed health and manage flooding to reduce adverse impacts on Portlanders' health, safety, and property.
383. **Goal 8.G: Water.** Reliable and adequate water supply and delivery systems provide sufficient quantities of high-quality water at adequate pressures to meet the needs of the community on an equitable, efficient, and sustainable basis.
384. **Goal 8.H: Parks, natural areas, and recreation.** All Portlanders have safe, convenient, and equitable access to high-quality parks, natural areas, trails, and recreational opportunities in their daily lives, which contribute to their health and well-being. The City manages its natural areas and urban forest to protect unique urban habitats and offer Portlanders an opportunity to connect with nature.

385. **Goal 8.I: Public safety and emergency response.** Portland is a safe, resilient, and peaceful community where public safety, emergency response, and emergency management facilities and services are coordinated and able to effectively and efficiently meet community needs.
386. **Goal 8.J: Solid waste management.** Residents and businesses have access to waste management services and are encouraged to be thoughtful consumers to minimize upstream impacts and avoid generating waste destined for the landfill. Solid waste — including food, yard debris, recyclables, electronics, and construction and demolition debris — is managed, recycled, and composted to ensure the highest and best use of materials.
387. **Goal 8.K: School facilities.** Public schools are honored places of learning as well as multifunctional neighborhood anchors serving Portlanders of all ages, abilities, and cultures.
388. **Goal 8.L: Technology and communications.** All Portland residences, businesses, and institutions have access to universal, affordable, and reliable state-of-the-art communication and technology services.
389. **Goal 8.M: Energy infrastructure and services.** Residents, businesses, and institutions are served by reliable energy infrastructure that provides efficient, low-carbon, affordable energy through decision-making based on integrated resource planning.

The CC2035 Plan is intended to result in the creation of: 51,000 new jobs; 39,500 new housing units; 12,600 linear feet of riverbank enhancement; between 386 and 456 acres of tree canopy; and, increase the time people spend in Central City public spaces by 20 percent. Although the Central City is well served by existing public facilities, infrastructure, and services, as the density of uses and people in the city center intensify over time there will be a need to expand access to services and to create additional infrastructure to support this projected growth.

As such, the plan proposes increases in floor area ratios for office, industrial, and residential uses, new development standards requiring ecoroofs development; new river/environmental standards addressing riverbank enhancement, provisions and actions seeking to increase public open space and access to open space amenities, and revised landscaping and tree canopy requirements. The plan also requires seismic upgrades to historic landmarks when certain development incentives are pursued, a greater setback for new development from the Willamette River, and the development of “green” energy efficient buildings. Further, the plan includes numerous actions over the life of the plan to develop new and rehab existing public infrastructure to be resilient to natural disaster and climate change. These elements of the plan are consistent with Goals 8.A – 8.C.

Because the public right-of-way covers nearly 40 percent of the landscape of the Central City and is by far the most dominate factor influencing the character of the urban environment, the plan seeks to utilize this feature for multiple purposes and to achieve multiple benefits. Thus, consistent with Goal 8.D, the plan proposes numerous improvements to public right-of-way intended to improve mobility and safety for all modes, the expansion of green infrastructure to enhance environmental health, and greater use of the right-of-way for uses other than transportation alone.

In response to the sanitary and stormwater objectives of Goal 8.E, CC2035 proposes new requirements regarding the development of ecoroofs and “green” energy efficient buildings, and includes actions to expand the use of green infrastructure in the public right-of-way and in private development, all to support better stormwater management among other goals. And, consistent with Goal 8.F, the plan increases the setback for development along the Willamette River, requires riverbank enhancement, and includes stormwater regulations that are intended to decrease runoff to the river. Additionally, the plan supports continued collaboration between the city, state, and

federal agencies in working to create new flood-related regulations as a follow-up to recent litigation regarding the impacts of development within the 100-year flood plain and impacts on listed threatened and endangered species.

Regarding the parks, natural areas, and recreation objectives of Goal 8.H, the plan contains new development standards and incentives to increase the amount of setback along the Willamette River to, in part, create expanded places for passive and active recreation. The plan also proposes actions to expand greater use of the public right-of-way for recreational and active transportation uses, most notably through the creation of the Green Loop which is a dedicated active transportation facility that would also link to public parks and open space features. The plan further proposes actions to create new public park and recreation services in the Central City, including a new Community Center.

Lastly, CC2035 calls for continued coordination with emergency service providers, waste management providers, Portland Public Schools, and utility providers, as the Central City population grows and diversifies, consistent with Goals 8.I – 8.M.

## Public benefits

390. **Policy 8.31, Application of Guiding Principles.** Plan and invest in public facilities in ways that promote and balance the Guiding Principles established in The Vision and Guiding Principles of this Comprehensive Plan.

CC2035 and the proposed investments in public facilities made by the plan are summarized as follows:

- **Economic Prosperity.** Support a low-carbon economy and foster employment growth, competitiveness and equitably distributed household prosperity.

The plan promotes: growth on former brownfields, at major institutions (such as PSU and OHSU); the creation of a new Innovation Quadrant that links institutions to industrial sector job creation; intensification of industrial uses; and a significant expansion of green buildings, green infrastructure, and active transportation options.

- **Human Health.** Avoid or minimize negative health impacts and improve opportunities for Portlanders to lead healthy, active lives.

The plan supports the growth of essential public services, such as schools, parks, community centers, and libraries as the residential population of the Central City grows, to provide essential services and amenities to the broader community. The plan also proposes new recreational facilities, bike and pedestrian trails, and access to the Willamette River for swimming and non-motorized boating.

- **Environmental Health.** Weave nature into the city and foster a healthy environment that sustains people, neighborhoods, and fish and wildlife. Recognize the intrinsic value of nature and sustain the ecosystem services of Portland's air, water and land.

The plan proposes an expansion of the urban tree canopy, a wider and more vegetated river setback, the use of green infrastructure, and additional landscaped setbacks and open space areas, to expand the urban forest and the many benefits it provides to the Central City.

- **Equity.** Promote equity and environmental justice by reducing disparities, minimizing burdens, extending community benefits, increasing the amount of affordable housing,

affirmatively furthering fair housing, proactively fighting displacement, and improving socio-economic opportunities for under-served and under-represented populations. Intentionally engage under-served and under-represented populations in decisions that affect them. Specifically recognize, address and prevent repetition of the injustices suffered by communities of color throughout Portland’s history.

The plan includes new development bonuses to create affordable housing, some which may be publicly owned, expand essential public services that would benefit Central City residents, especially families with children, and expand transit and active transportation facilities to provide non-auto transportation options.

- **Resilience.** Reduce risk and improve the ability of individuals, communities, economic systems, and the natural and build environments to withstand, recover from, and adapt to changes from natural hazards, human-made disasters, climate change, and economic shifts.

The plan includes incentives to seismically retrofit at-risk buildings, study a possible expansion of the flood plain, expand the use of green buildings and infrastructure, and study how public facilities can be used following major natural disasters, all to improve the resiliency of the Central City.

391. **Policy 8.32, Community benefit agreements.** Encourage the use of negotiated community benefit agreements for large public facility projects as appropriate to address environmental justice policies in Chapter 2: Community Involvement.
392. **Policy 8.33, Community knowledge and experience.** Encourage public engagement processes and strategies for larger public facility projects to include community members in identifying potential impacts, mitigation measures and community benefits.

The environmental justice policies of Chapter 2 of the Comprehensive Plan call for plans and investments to *“promote environmental justice by extending the community benefits associated with environmental assets, land use, and public investments to communities of color, low-income populations, and other under-served or under-represented groups impacted by the decision. Maximize economic, cultural, political, and environmental benefits through ongoing partnerships.”* These policies also call for: the elimination of associated disproportionate burdens for communities of color, low-income populations, and other under-served or under-represented groups impacted by decisions; the minimization or mitigation of disproportionate burdens in cases where they cannot be eliminated; and, the use of plans and investments to address disproportionate burdens of previous decisions.

CC2035 establishes a policy framework to guide future planning efforts and decision making. Policies of the plan addressing economic development and housing will support “access to and expansion of economic opportunities in the Central City for all groups facing longstanding disparities, including education, housing and employment barriers” (Policy 1.9), and the maintenance of “economic and cultural diversity of established communities in and around the Central City” (Policy 2.7). Additionally, the plan contains policies addressing diverse community structure, access to social services, housing affordability, and access to essential public services.

Further, the plan contains actions that support worker/day laborers rights, employment skills and career training, and the creation of affordable work spaces. The plan also has actions supporting investment in affordable housing, public schools and parks in areas where there is and will be a growing population of residents who depend on affordable housing.

Projects and plans implementing these policies and actions, will including public engagement elements that address the community benefits that are desired and appropriate because of land public facility projects, consistent with Policies 8.23 and 8.33, as well as the environmental justice policies of the Comprehensive Plan.

393. **Policy 8.34, Resource efficiency.** Reduce the energy and resource use, waste, and carbon emissions from facilities necessary to serve designated land uses to meet adopted City goals and targets.
394. **Policy 8.35, Natural systems.** Protect, enhance, and restore natural systems and features for their infrastructure service and other values.

CC2035 contains elements that address resource efficiency and natural systems in many ways. For instance, the plan contains new development standards that require that ecoroofs be incorporated into new development and that development 50,000 sq. ft. or larger pursue green building certification. The plan also proposes new active transportation and transit facilities, the use of green infrastructure in the public right-of-way, expansion of the urban forest, river bank habitat restoration, including wider setbacks from the Willamette River, and bird safe development requirements. These amendments to the Zoning Code and Transportation Systems Plan, as well as numerous goals, policies, and actions addressing resource efficiency, resiliency, and environmental enhancements, respond to the direction of Policies 8.34 and 8.35.

395. **Policy 8.36, Context-sensitive infrastructure.** Design, improve, and maintain public rights-of-way and facilities in ways that are compatible with, and that minimize negative impacts on, their physical, environmental, and community context.

One of the “Big Ideas” emerging from CC2035 is a reexamination of the street hierarchy and development character resulting from how the public right-of-way is designed and used. This is because approximately 40 percent of the land area of the Central City consists of public right-of-way. The plan seeks to integrate active transportation and recreational infrastructure, including major projects such as the Green Loop, in a manner that allows this infrastructure to complement but not conflict with adjacent land uses, and other key purposes for the right-of-way, such as auto and freight mobility, and improve the local environment and health of its users, consistent with Policy 8.36.

396. **Policy 8.38, Age-friendly public facilities.** Promote public facility designs that make Portland more age-friendly.

Consistent with Policy 8.38, CC2035 contains policies and actions calling for new public services and amenities that serve the needs of residents, employees, and visitors of all ages and abilities. Although not all facilities may meet the needs of any one group, CC2035 proposes new facilities where a greater variety of abilities and needs are addressed, such as the Green Loop meeting the abilities of pedestrians and cyclists with more flexibility than a standard bike land or sidewalk improvement.

## Public rights-of-way

397. **Policy 8.39, Interconnected network.** Establish a safe and connected rights-of-way system that equitably provides infrastructure services throughout the city.
398. **Policy 8.40, Transportation function.** Improve and maintain the right-of-way to support multimodal transportation mobility and access to goods and services as is consistent with the designated street classification.

Consistent with Policies 8.39 and 8.40, CC2035 strives to expand and enhance existing elements of the public right-of-way to provide safe routes for all modes with an emphasis on the street network, street diversity and amenities in the street. For instance, policies, such as Optimized Street Network (Policy 3.3), Transportation System Plan (Policy 3.4), Street Diversity (Policy 3.6), and Streetscapes (Policy 3.7), all support the objectives of the policies above. Further, TSP elements addressing the Central Eastside propose numerous new signalized intersections, and the reconfiguration of certain streets to be more attractive to freight, while others are improved for cycling, and others for general auto traffic. These actions will address all mode by providing safer and preferred routes for each, while enhancing mobility and safety for all types of users.

Further, there are several freight specific TSP projects and studies that will increase and protect freight movement and the Central City's role as a multimodal system and hub. TSP Freight district and freight street classifications also address this policy. Major freight-related projects in CC2035 include the Broadway/Weidler (Rose Quarter) Interchange Project (now an adopted element of the City's TSP), Central Eastside Access and Circulation, N River St Reconstruction, Yamhill & Water Traffic Improvements, I-405/Glisan Traffic Improvements, SW Broadway Traffic Improvements, and Southern Triangle Access Improvements.

399. **Policy 8.42, Stormwater management function.** Improve rights-of-way to integrate green infrastructure and other stormwater management facilities to meet desired levels-of-service and economic, social, and environmental objectives.
400. **Policy 8.43, Trees in rights-of-way.** Integrate trees into public rights-of-way to support City canopy goals, transportation functions, and economic, social, and environmental objectives.
401. **Policy 8.44, Community uses.** Allow community use of rights-of-way for purposes such as public gathering space, events, or temporary festivals, if the community uses are integrated in ways that balance and minimize conflict with the designated through movement and access roles of rights-of-ways.

As noted above, the sheer extent of the amount of right-of-way, and open space, in the Central City requires it to serve a multitude of functions beyond allowing people to get from one location to another. The right-of-way must also be where most public and private utilities are located, where stormwater is treated, where street trees and most of the other landscaping that constitutes the urban forest is planted, and furnishings, amenities, and services that enliven the public realm are located.

CC2035 contains the following policies, to ensure the Central City's right-of-way will continue to serve multiple functions, and that opportunities to expand these functions are pursued through the life of the plan:

- Policy 5.8, Public realm. *Enhance the character and function of the public realm through design standards, guidelines, amenities and land uses that activate the pedestrian environment and encourage community gathering.*
- Policy 6.3, Multiple functions. *Encourage green infrastructure, parks, open space, and recreation opportunities in the Central City that serve multiple functions to provide capacity during flood event, improve stormwater management, reduce heat island effects, create pockets of fish and wildlife refuge, and provide places of respite and recreation for employees, residents, and visitors.*
- Policy 6.4, Green infrastructure. *Increase the use of trees, ecoroofs, vertical gardens, sustainable site development, landscaped setbacks and courtyards, living walls and other*

*vegetated facilities to manage stormwater, improve the pedestrian environment, reduce heat island effects, improve air and water quality and create habitat for birds and pollinators.*

402. **Policy 8.45, Pedestrian amenities.** Encourage facilities that enhance pedestrian enjoyment, such as transit shelters, garbage containers, benches, etc. in the right-of-way.
403. **Policy 8.46, Commercial uses.** Accommodate allowable commercial uses of the rights-of-way for enhancing commercial vitality, if the commercial uses can be integrated in ways that balance and minimize conflict with the other functions of the right-of-way.
404. **Policy 8.47, Flexible design.** Allow flexibility in right-of-way design and development standards to appropriately reflect the pattern area and other relevant physical, community, and environmental contexts and local needs.
405. **Policy 8.48, Corridors and City Greenways.** Ensure public facilities located along Civic Corridors, Neighborhood Corridors, and City Greenways support the multiple objectives established for these corridors.

CC2035 is consistent with Policies 8.45 – 8.48, CC2035 contains policies that support a walkable pedestrian environment in the Central City, such as Policy 3.7, Streetscape, and Policy 3.8, Walking. Further, policies such as 5.7, which states “Enhance the character and function of the public realm through design standards, guidelines, amenities and land uses that activate the pedestrian environment...”, and actions such as TR32, which states “lighting within public realm and ground floor programming will be designed to create a safe and attractive environment for pedestrians...”, and amended development standard 33.510.215, Required Building Lines, that has the stated purpose to “create diverse street character based street hierarchy...that promote active uses, pedestrian movement, and opportunities for stopping and gathering...”. Also, the optimized street network policies in each Central City district emphasize and recognize unique features on Civic Corridors and City Greenways for infrastructure improvements.

## Trails

406. **Policy 8.53, Public trails.** Establish, improve, and maintain a citywide system of public trails that provide transportation and/or recreation options and are a component of larger network of facilities for bicyclists, pedestrians, and recreational users.
407. **Policy 8.54, Trail system connectivity.** Plan, improve, and maintain the citywide trail system so that it connects and improves access to Portland’s neighborhoods, commercial areas, employment centers, schools, parks, natural areas, recreational facilities, regional destinations, the regional trail system, and other key places that Portlanders access in their daily lives.
408. **Policy 8.55, Trail coordination.** Coordinate planning, design, improvement, and maintenance of the trail system among City agencies, other public agencies, non-governmental partners, and adjacent landowners.
409. **Policy 8.56, Trail diversity.** Allow a variety of trail types to reflect a trail’s transportation and recreation roles, requirements, and physical context.

The Central City, with its proximity to the Willamette River, and nexus for most regional transportation options, all contribute to it also being a major hub for the city’s pedestrian and bicycle trail network. The CC2035 Plan contains policies that support continued enhancement and improvements to the existing network, while proposing new connections and new infrastructure, such as the Green Loop. The plan also contains new master plan standards that require the design of circulation on large master plan sites to connect with trails, and to enhance those sections of the

network that bypass these sites. The plan also calls for coordination between PBOT, Parks, and other entities responsible for maintaining the city's part of the regional trail network. These elements of the plan ensure CC2035 is consistent with Policies 8.53 – 8.56.

- 410. **Policy 8.57, Public access requirements.** Require public access and improvement of public trails along the future public trail alignments shown in Figure 8-2 — Future Public Trail Alignments.
- 411. **Policy 8.58, Trail and City Greenway coordination.** Coordinate the planning and improvement of trails as part of the City Greenways system.
- 412. **Policy 8.59, Trail and Habitat Corridor coordination.** Coordinate the planning and improvement of trails with the establishment, enhancement, preservation, and access to habitat corridors.

CC2035 includes amendments to Section 33.272, Public Trails, of the Zoning Code that clarify the role of the City in requiring trail easements and improvements to trails found on figure 8-2 of the 2035 Comprehensive Plan. Specifically, that figure identifies trails, such as the Willamette Greenway Trail, Sullivan's Gulch Trail, and OMSI – Springwater Trail, that bisect the Central City Plan District. As such, the development of segments of those trails may be required to be constructed when certain development actions occur. CC2035 clarifies that "when a proposed development will increase the use of the trail system or will contribute to the need for additional trail facilities, and application of the regulations is determined to be roughly proportional to the impacts of the proposed development" provisions of the code requiring trail easements and development may be applied. These standards allow the integrated regional trail network within the Central City to be completed to the benefit of trail users and sites near the trail network to benefit visitors, employees, residents, and customers, consistent with Policies 8.57 – 8.59.

- 413. **Policy 8.60, Intertwine coordination.** Coordinate with the Intertwine Alliance and its partners, including local and regional parks providers, to integrate Portland's trail and active transportation network with the bi-state regional trail system.

The City of Portland is a member of the Intertwine Alliance, and additional work to complete and coordinate with other alliance partners to complete and connect unfinished segments of the "Intertwine" within the Central City Plan District will be coordinated, consistent with Policy 8.60 above.

## Stormwater Systems

- 414. **Policy 8.68, Stormwater facilities.** Provide adequate stormwater facilities for conveyance, flow control, and pollution reduction.
- 415. **Policy 8.69, Stormwater as a resource.** Manage stormwater as a resource for watershed health and public use in ways that protect and restore the natural hydrology, water quality, and habitat of Portland's watersheds.

CC2035 contains several elements that respond to Policies 8.68 and 8.69. Policies 3.CE-3, Green Streets, and 5.UD-3, Montgomery Green Street, support the incorporation of green facilities in the public right-of-way. Also, the Zoning Code amendments include requirements to incorporate ecoroofs into new development, and the plan contains provisions incenting the use of green infrastructure on private property and within public right-of-way.

- 416. **Policy 8.71, Green infrastructure.** Promote the use of green infrastructure, such as natural areas, the urban forest, and landscaped stormwater facilities, to manage stormwater.

Policy 6.4 of CC2035 calls for increasing “the use of trees, ecoroofs, vertical gardens, sustainable site development, landscaped setbacks and courtyards, living walls and other vegetated facilities to manage stormwater...” The plan also contains Zoning Code regulations requiring the use of ecoroofs, and contains incentives to create vegetated setbacks on key streets in the Central City. These elements of the plan further the objectives of Policy 8.71.

## Flood management

417. **Policy 8.76, Flood management.** Improve and maintain the functions of natural and managed drainageways, wetlands, and floodplains to protect health, safety, and property, provide water conveyance and storage, improve water quality, and maintain and enhance fish and wildlife habitat.
418. **Policy 8.77, Floodplain management.** Manage floodplains to protect and restore associated natural resources and functions and to minimize the risks to life and property from flooding.
419. **Policy 8.78, Flood management facilities.** Establish, improve, and maintain flood management facilities to serve designated land uses through planning, investment and regulatory requirements.

The amendments are consistent with Policies 8.76, 8.77 and 8.78 in the following ways:

- A. The Health and Environment Goal and related policies and actions provide for resilience to climate change impacts and natural hazards including flooding through planning, design, education and implementation of green infrastructure and infrastructure retrofits.
- B. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) includes an updated inventory of natural resources features and functions in the Central City. The NRPP evaluates the functions above and the ecosystem services, including floodplain and flood management, provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions.
- C. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. By applying the new River Environmental overlay zoning for identified natural resource areas in the Central City, including resources located in the water, in the floodplain and on land, the plan reduces risks to people and property from flooding.
- D. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because this reduces the risk of flooding impacts on development near the river. In addition, there is a landscaping requirement for the setback that requires additional native plants to be planted. The setback and landscaping retain space that mitigate the risks associated with river flooding.
- E. Actions call for partnerships between local, regional, state and federal regulatory, Sovereign nations, non-profit organization, neighborhoods and property owners. One action is to work with FEMA to address the NOAA Fisheries biological opinion regarding the floodplain development and impacts on species listed under the Endangered Species Act. This will include a remapping of the floodplain in the Central City. Another action is to amend the flood-related

regulations and other guidelines to, a) help prevent or minimize the risk of flood damage to new, redeveloped and rehabilitated buildings located in the 100-year floodplain; b) avoid, minimize and mitigate the impacts of such development on floodplain functions; and, c) comply with updated NFIP requirements.

- F. A new standard for the Central City requires that new buildings over 20,000 square feet in net building area must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions including managing stormwater runoff. This reduces localized flooding.
- G. Existing regulations through City Code Title 24, Building Regulations, are also applicable to future development. These regulations require review of impacts within the river and floodplain including a test of no net rise and balancing of fill placed in the floodplain with an equal cut.

## Parks and recreation

- 420. **Policy 8.92, Acquisition, development, and maintenance.** Provide and maintain an adequate supply and variety of parkland and recreational facilities to serve the city's current and future population based on identified level-of-service standards and community needs.
- 421. **Policy 8.93, Service equity.** Invest in acquisition and development of parks and recreation facilities in areas where service-level deficiencies exist.
- 422. **Policy 8.95, Park planning.** Improve parks, recreational facilities, natural areas, and the urban forest in accordance with current master plans, management plans, or adopted strategies that reflect user group needs, development priorities, development and maintenance costs, program opportunities, financing strategies, and community input.
- 423. **Policy 8.96, Recreational trails.** Establish, improve, and maintain a complete and connected system of public recreational trails, consistent with Portland Parks & Recreation's trail strategy.

The goals and policies, Volume 1, and action items, Volume 5 (Implementation Plan) of CC2035 support Policies 8.92 – 8.96 by supporting new public park development and planning, as well as the maintenance and enhancement of new park assets to support current Central City residents, employees, and visitors, as well as projected growth in the Central City through the life of the plan. The proposed Green Loop elements of the plan also further the objectives of these two policies by providing a new urban trail that provides for passive and active transportation opportunities, and an alignment that links trail users to numerous other trails and parks within the Central City.

- 424. **Policy 8.97, Natural resources.** Preserve, enhance, and manage City-owned natural areas and resources to protect and improve their ecological health, in accordance with both the natural area acquisition and restoration strategies, and to provide compatible public access.
- 425. **Policy 8.98, Urban forest management.** Manage urban trees as green infrastructure with associated ecological, community, and economic functions, through planning, planting, and maintenance activities, education, and regulation.

CC2035 contains elements calling for increased street tree planting, expansion of tree canopy on public and private property, an increased setback from the Willamette River, and establishing new targets for river bank enhancement, consistent with Policies 8.97 and 8.98.

- 426. **Policy 8.99, Recreational facilities.** Provide a variety of recreational facilities and services that contribute to the health and well-being of Portlanders of all ages and abilities.

Volume 1 and Volume 5, Implementation Plan, of CC2035 contain policies and actions pursuing the use of green infrastructure in the right-of-way, a public community center, new restrooms in parks, additional trails, play areas, and other recreational amenities and services, consistent with Policy 8.99.

## School facilities

427. **Policy 8.113, School district capacity.** Consider the overall enrollment capacity of a school district – as defined in an adopted school facility plan that meets the requirements of Oregon Revised Statute 195 – as a factor in land use decisions that increase capacity for residential development.
428. **Policy 8.114, Facilities Planning.** Facilitate coordinated planning among school districts and City bureaus, including Portland Parks and Recreation, to accommodate school site/facility needs in response to most up-to-date growth forecasts.
429. **Policy 8.115, Co-location.** Encourage public school districts, Multnomah County, the City of Portland, and other providers to co-locate facilities and programs in ways that optimize service provision and intergenerational and intercultural use.
430. **Policy 8.116, Community use.** Encourage public use of public school grounds for community purposes while meeting educational and student safety needs and balancing impacts on surrounding neighborhoods.
431. **Policy 8.117, Recreational use.** Encourage publicly-available recreational amenities (e.g. athletic fields, green spaces, community gardens, and playgrounds) on public school grounds for public recreational use, particularly in neighborhoods with limited access to parks.
432. **Policy 8.118, Schools as emergency aid centers.** Encourage the use of seismically-safe school facilities as gathering and aid-distribution locations during natural disasters and other emergencies.
433. **Policy 8.119, Facility adaptability.** Ensure that public schools may be upgraded to flexibly accommodate multiple community-serving uses and adapt to changes in educational approaches, technology, and student needs over time.
434. **Policy 8.120, Leverage public investment.** Encourage City public facility investments that complement and leverage local public school districts’ major capital investments.
435. **Policy 8.122, Private institutions.** Encourage collaboration with private schools and educational institutions to support community and recreational use of their facilities.

Consistent with Policies 8.113 – 8.122, CC2035 contains elements that encourage coordination with Portland Public Schools, and private education providers, that consider how to address the growing school age population within the Central City, and as it grows over time, address the capacity of their programs, and the diversity of programming needs. Specifically, the plan considers these facilities as essential public services that beyond education have the capacity to serve community gathering functions, and areas where additional recreational needs can be provided. As such, the plan contains policies and actions encouraging cooperation between PPS and the City when existing facilities are upgraded and new facilities planned. Further, the plan promotes the development of public school facilities, among other essential services, and provides a floor area ratio (FAR) bonus when such facilities are included in a development project. Lastly, Goal 3.1 of the plan emphasizes walking and biking as the preferred means of transportation in the district to increase safe access to schools.

## Energy infrastructure

436. **Policy 8.125, Energy efficiency.** Promote efficient and sustainable production and use of energy resources by residents and businesses, including low-carbon renewable energy sources, district energy systems, and distributed generation, through land use plans, zoning, and other legislative land use decisions.

CC2035 contains goals and policies that support actions like and consistent with Policy 8.125, and the Zoning Code amendments further this direction by requiring that new development with a net building area of at least 50,000 sq. ft. pursue low-carbon, energy efficient certification.

## Transportation: Goals

437. **GOAL 9.A: Safety.** Transportation safety impacts the livability of a city and the comfort and security of those using City streets. Comprehensive efforts to improve transportation safety through engineering, education, enforcement and evaluation will be used to eliminate traffic-related fatalities and serious injuries from Portland's transportation system.

CC2035 meets this goal with the plan's emphasis on a safe affordable, efficient and accessible transportation system that prioritizes walking, bicycling and transit (Goal 3.A). Further, the Broadway/Weidler (Rose Quarter) Interchange Project (now an adopted element of the City's TSP), is an ODOT project, created in partnership with the City of Portland, intended to reduce collisions on a section of Interstate 5 (I-5) that has the highest collision count of anywhere in the State of Oregon.

During City Council review of the CC2035 Plan there was a significant amount of testimony on this project, much suggesting the project was intended solely to increase capacity and decrease congestion. Conversely, Council received testimony in support of the project from the various stakeholders who depend on reliable freight delivery, delivery often impacted when collisions in this section of I-5 halt or significantly slow traffic.

As result of this testimony, Council sought input from PBOT and ODOT staff who noted that the project was intended to reduce congestion and improve safety on I-5, but would also result in new overpasses with improved pedestrian and bicycle facilities over I-5 in the Rose Quarter, an area of concern to PBOT with regard to pedestrian and cycling safety. After considering the testimony, and staff input on the project, Council decided to continue supporting the Broadway/Weidler Interchange Project, which had previously been added to the TSP project list by City Council through adoption of the *2035 Comprehensive Plan* (Ordinance 187832) prior to its review of the CC2035 Plan.

438. **Goal 9.B: Multiple goals.** Portland's transportation system is funded and maintained to achieve multiple goals and measurable outcomes for people and the environment. The transportation system is safe, complete, interconnected, multimodal, and fulfills daily needs for people and businesses.

CC2035 meets this goal with the plan's emphasis on a safe affordable, efficient and accessible transportation system that prioritizes walking, bicycling and transit (Goal 3.A) along with goals and policies that emphasize green infrastructure, nature, connections to the river and the development of the Green Loop.

439. **GOAL 9.C: Great places.** Portland's transportation system enhances quality of life for all Portlanders, reinforces existing neighborhoods and great places, and helps make new great places in town centers, neighborhood centers and corridors, and civic corridors.

CC2035 meets this goal with the policies and actions emphasizing the development of the Green Loop, celebrating Portland's civic and cultural life, and designing streets to be great places. Policies related to streetscapes, optimized street networks, street diversity and street policies specific to the different districts in the Central City address this policy as well.

440. **GOAL 9.D: Environmentally sustainable.** The transportation system increasingly uses active transportation, renewable energy, or electricity from renewable sources, achieves adopted carbon reduction targets, and reduces air pollution, water pollution, noise, and Portlanders' reliance on private vehicles.

CC2035 meets this goal with the policies and actions emphasizing the development of the Green Loop, decreases in parking, an emphasis on green streets, transportation demand management and on walking, bicycling and transit in the central city. In addition, Zoning Code updates establish lower maximum parking ratios and encourage the shared use of existing and new parking facilities. Transportation modeling of the elements of this plan indicate that, compared with a base scenario (using as a base case the 2016 adopted Portland Comprehensive Plan), the Central City in 2035 because of CC2035 is expected to have fewer single-occupancy vehicle trips and more walking, biking and transit trips, with the result that by 2035 the model indicates that the commute mode split would be 80.2%, meeting the transportation performance target set by this plan and found in Volume 5A.

441. **GOAL 9.E: Equitable transportation.** The transportation system provides all Portlanders options to move about the city and meet their daily needs by using a variety of safe, efficient, convenient, and affordable modes of transportation. Transportation investments are responsive to the distinct needs of each community.

CC2035 meets this goal with the plan's emphasis on a safe affordable, efficient and accessible transportation system that prioritizes walking, bicycling and transit (Goal 3.A). Street optimization policies in each district are responsive to the distinct needs of the community. Studies that are a part of the plan will also address distinct needs in each community. Example studies include the Goose Hollow Access and Circulation Plan, Old Town Chinatown Access and Circulation Plan, and University District Access and Circulation Plan.

442. **GOAL 9.F: Positive health outcomes.** The transportation system promotes positive health outcomes and minimizes negative impacts for all Portlanders by supporting active transportation, physical activity, and community and individual health.

CC2035 meets this goal with the plan's emphasis on a safe affordable, efficient and accessible transportation system that prioritizes walking, bicycling and transit (Goal 3.A). Transportation modeling of the elements of this plan indicate that, compared with a base scenario (using as a base case the 2016 adopted Portland Comprehensive Plan), the Central City in 2035 as a result of CC2035 is expected to have fewer single-occupancy vehicle trips and more walking, biking and transit trips, with the end result that by 2035 the model indicates that the commute mode split would be 80.2%, meeting the transportation performance target set by this plan and found in Volume 5A. The project list also includes 109 projects that are primarily focused on active transportation.

Lastly, Council support of the Broadway/Weidler Interchange Project also further supports this Goal, as ODOT has previously noted that the project is expected to reduce collisions in the Rose Quarter section of I-5, resulting in reduced emissions from vehicle idling.

443. **GOAL 9.G: Opportunities for prosperity.** The transportation system supports a strong and diverse economy, enhances the competitiveness of the city and region, and maintains Portland’s role as a West Coast trade gateway and freight hub by providing efficient and reliable goods movement, multimodal access to employment areas and educational institutions, as well as enhanced freight access to industrial areas and intermodal freight facilities. The transportation system helps people and businesses reduce spending and keep money in the local economy by providing affordable alternatives to driving.

CC2035 meets this goal with transportation policies that support a regional hub (Policy 3.1 and 3.2); support loading of goods in the Central City (Policy 3.15); enhance freight movement in the Central Eastside (Policy 3.CE-2); and support institutional and visitor parking (Policy 3.SW-3). Projects and studies will also address this policy. The project list includes 9 projects that are primarily focused on freight access and mobility, and 85 projects that provide affordable alternatives to driving.

Further, Council received testimony from stakeholders including the Port of Portland, Central Eastside Industrial Council, trades groups, and ODOT, in support of the Broadway/Weidler Interchange Project as necessary to improve safety and ensure freight and employees were less impacted by collisions in this section of I-5 in the Rose Quarter. As a result of this testimony and input from PBOT and ODOT staff, Council decided to continue supporting this project, previously adopted via the *2035 Comprehensive Plan* (Ordinance 187832).

## Transportation: Policies

### Designing and planning

444. **Policy 9.1, Street design classifications.** Maintain and implement street design classifications consistent with land use plans, environmental context, urban design pattern areas, and the Neighborhood Corridor and Civic Corridor Urban Design Framework designations.

CC2035 meets this policy as TSP Street Design Classification descriptions were adopted in the Comprehensive Plan Task 5 (December 2016) and are consistent with land use plans, environmental context, urban design pattern areas, and were not changed as part of the CC2035. CC2035 includes an update to the street design classification map in the Central City.

445. **Policy 9.2, Street policy classifications.** Maintain and implement street policy classifications for pedestrian, bicycle, transit, freight, emergency vehicle, and automotive movement, while considering access for all modes, connectivity, adjacent planned land uses, and state and regional requirements.

CC2035 meets this policy because TSP Classification descriptions were updated in Comp Plan Task 5 (December 2016) and TSP Stage 3 (in process) and are consistent with land use plans, environmental context, urban design pattern areas, and were not changed as part of CC2035. CC2035 includes updates to the modal classification maps in the Central City.

**9.2.a,** Designate district classifications that emphasize freight mobility and access in industrial and employment areas serving high levels of truck traffic and to accommodate the needs of intermodal freight movement.

CC2035 meet this policy because Freight districts were adopted as part of the Freight Master Plan and the Southeast quadrant plan and reflects this policy.

**9.2.b,** Designate district classifications that give priority to pedestrian access in areas where high levels of pedestrian activity exist or are planned, including the Central City, Gateway regional

center, town centers, neighborhood centers, and transit station areas.

CC2035 meets this policy because Pedestrian Districts were adopted as part of the 2007 TSP and were not changed as part of the CC2035 plan.

**9.2.c.** Designate district classifications that give priority to bicycle access and mobility in areas where high levels of bicycle activity exist or are planned, including Downtown, the River District, Lloyd District, Gateway Regional Center, town centers, neighborhood centers, and transit station areas.

CC2035 meets Policy 9.2.c because Bicycle Districts were created in the non-industrial areas of the Central City as part of the plan. Bicycle Districts were developed as part of the adopted Portland Bicycle Plan for 2030, and were expanded to additional areas as part of CC2035.

446. **Policy 9.3, Transportation System Plan.** Maintain and implement the Transportation System Plan (TSP) as the decision-making tool for transportation-related projects, policies, programs, and street design.

CC2035 meets this policy because the TSP will be updated as part of the CC2035 legislative process with an updated projects list and street classification maps.

447. **Policy 9.4, Use of classifications.** Plan, develop, implement, and manage the transportation system in accordance with street design and policy classifications outlined in the Transportation System Plan.

CC2035 meets Policy 6.4 because it is consistent with the updated TSP classifications from Comp Plan Task 5 and the existing TSP 2007 classification descriptions.

448. **Policy 9.5, Mode share goals and Vehicle Miles Travelled (VMT) reduction.** Increase the share of trips made using active and low-carbon transportation modes. Reduce VMT to achieve targets set in the most current Climate Action Plan and Transportation System Plan, and meet or exceed Metro's mode share and VMT targets.

CC2035 meets this policy with a target (Volume 5A) that at least 80% of commute trips to and from the Central City will be made by non-single occupancy vehicles. Transportation modeling of the elements of this plan indicate that, compared with a base scenario (using as a base case the 2016 adopted Portland Comprehensive Plan), the Central City in 2035 because of CC2035 is expected to have fewer single-occupancy vehicle trips and more walking, biking and transit trips, with the result that by 2035 the model indicates that the commute mode split would be 80.2%.

449. **Policy 9.6, Transportation strategy for people movement.** Design the system to accommodate the most vulnerable users, including those that need special accommodation under the Americans with Disabilities Act (ADA). Implement a prioritization of modes for people movement by making transportation system decisions per the following ordered list:

- Walking
- Bicycling
- Transit
- Taxi / commercial transit / shared vehicles
- Zero emission vehicles
- Other single-occupancy vehicles
- When implementing this prioritization ensure that:

- The needs and safety of each group of users are considered, and changes do not make existing conditions worse for the most vulnerable users.
- All users’ needs are balanced with the intent of optimizing the right of way for multiple modes on the same street.
- When necessary to ensure safety, accommodate some users on parallel streets as part of multi-street corridors.
- Land use and system plans, network functionality for all modes, other street functions, and complete street policies, are maintained.
- Policy-based rationale is provided if modes lower in the ordered list are prioritized.

CC2035 meets this policy because Goal 3.A prioritizes walking, bicycling and transit. Active transportation policies (Policies 3.5 – 3.11) prioritize walking, bicycling, and transportation demand management. Projects and studies in the plan increase walking and bicycling opportunities and infrastructure. Policies and actions to develop the Green Loop, design streets as public spaces and enhance the Willamette for people also meet this policy. Most proposed TSP projects have a bicycle, pedestrian and transit component, such as the Broadway/Weidler Interchange Project, and only about a third have an auto component.

	Bike	Ped	Auto, Freight	Transit	Safety	Total
# of projects	87	76	41	8	85	118
% total	73.7%	64.4%	34.7%	6.8%	72.0%	
Cost of projects	\$ 962,419,223	\$ 954,169,223	\$ 563,352,391	\$ 302,000,000	\$ 784,581,249	\$ 1,169,907,301
% total	82.3%	81.6%	48.2%	25.8%	67.1%	

450. **Policy 9.7, Moving goods and delivering services.** In tandem with people movement, maintain efficient and reliable movement of goods and services as a critical transportation system function. Prioritize freight system reliability improvements over single-occupancy vehicle mobility where there are solutions that distinctly address those different needs.

CC2035 meets this policy with an emphasis on supporting the Central City as a regional hub (policies 3.1-3.2) as well as supporting loading (Policy 3.15); enhancing the freight system in the Central Eastside (Policy 3.CE-2) and Lower Albina (Policy 3.LA-2) and preserving rail and inter modal access in the Albina Yards (Policy 3.LA-3).

Further, there are several TSP freight specific projects and studies that will increase and protect freight movement and the Central City’s role as a multimodal system and hub. TSP Freight district and freight street classifications also address this policy. Major freight-related projects in CC2035 include the Broadway/Weidler (Rose Quarter) Interchange Project (now an adopted project in the City’s TSP), Central Eastside Access and Circulation project, N River St Reconstruction, Yamhill & Water Traffic Improvements, I-405/Glisan Traffic Improvements, SW Broadway Traffic Improvements, and Southern Triangle Access Improvements.

451. **Policy 9.8, Affordability.** Improve and maintain the transportation system to increase access to convenient and affordable transportation options for all Portlanders, especially those who have

traditionally been under-served or under-represented or have historically borne unequal burdens.

CC2035 proposes an expansion of new, and enhancement of existing transit options and active transportation infrastructure between the Central City and other areas of the city, including those that have historically been under-represented, to provide better access to affordable multimodal transportation options, consistent with Policy 9.8.

452. **Policy 9.9, Accessible and age-friendly transportation system.** Ensure that transportation facilities are accessible to people of all ages and abilities, and that all improvements to the transportation system (traffic, transit, bicycle, and pedestrian) in the public right-of-way comply with the Americans with Disabilities Act of 1990. Improve and adapt the transportation system to better meet the needs of the most vulnerable users, including the young, older adults, and people with different abilities.

CC2035 meets this policy with Goal 3.A's emphasis on walking, bicycling and transit plus streetscape and optimized street network policies in each district.

453. **Policy 9.10, Geographic policies.** Adopt geographically-specific policies in the Transportation System Plan to ensure that transportation infrastructure reflects the unique topography, historic character, natural features, system gaps, economic needs, demographics, and land uses of each area. Use the Pattern Areas identified in Chapter 3: Urban Form as the basis for area policies.

CC2035 meets this policy since it is a geographically specific plan that also has district policies that reflect unique topography, historic character, natural features, system gaps, economic needs, demographics, and land uses of each area.

## Land use, development, and placemaking

454. **Policy 9.11, Land use and transportation coordination.** Implement the Comprehensive Plan Map and the Urban Design Framework through coordinated long-range transportation and land use planning. Ensure that street policy and design classifications and land uses complement one another.

CC2025 meets this policy since BPS and PBOT worked cooperatively on the CC2035 plan and Chapter 3. Transportation of the CC2035 has an emphasis on transportation supporting different land uses in the districts/quadrants. Further, the plan proposes significant FAR increases at key station areas where various connections to the Central City's multimodal network exists.

455. **Policy 9.12, Growth strategy.** Use street design and policy classifications to support Goals 3A-3G in Chapter 3: Urban Form. Consider the different design contexts and transportation functions in Town Centers, Neighborhood Centers, Neighborhood Corridors, Employment Areas, Freight Corridors, Civic Corridors, Transit Station Areas, and Greenways.

CC2035 meets this policy by including street classification policy descriptions and maps that were adopted in 2007 or as part of the Comp Plan in 2016.

456. **Policy 9.13, Development and street design.** Evaluate adjacent land uses to help inform street classifications in framing, shaping, and activating the public space of streets. Guide development and land use to create the kinds of places and street environments intended for different types of streets.

CC2035 meets this policy with the inclusion of the street classification, streetscape and optimized street network policies; street diversity policies as well as projects that reflect the classifications and additional studies to refine projects.

## Streets as public spaces

457. **Policy 9.14, Streets for transportation and public spaces.** Integrate both placemaking and transportation functions when designing and managing streets by encouraging design, development, and operation of streets to enhance opportunities for them to serve as places for community interaction, environmental function, open space, tree canopy, recreation, and other community purposes.
458. **Policy 9.15, Repurposing street space.** Encourage repurposing street segments that are not critical for transportation connectivity to other community purposes.

CC2035 meets this goal with the policies and actions emphasizing the development of the Green Loop, celebrating Portland's civic and cultural life, and designing streets to be great places. Policies related to streetscapes, optimized street networks, street diversity and street policies specific to the different districts in the Central City address this policy as well. There are also projects and studies that will create additional connections with transportation and public spaces. Major projects that meet this policy include the Burnside/10th Pedestrian Improvements, Burnside/Broadway Pedestrian Improvements, Burnside/20th Pedestrian Improvements, Collins Circle Public Space Improvements, Firefighters Park Public Space Improvements, Clackamas Flexible Street Strategy, Cultural District Streetscape Plan.

459. **Policy 9.16, Design with nature.** Promote street alignments and designs that respond to topography and natural features, when feasible, and protect streams, wildlife habitat, and native trees.

CC2035 meets this goal with the policies and actions emphasizing the development of the Green Loop, celebrating Portland's civic and cultural life, and designing streets to be great places. Additional policies support connections to the river; green streets and connections to parks.

## Modal policies

460. **Policy 9.17, Pedestrian transportation.** Encourage walking as the most attractive mode of transportation for most short trips, within and to centers, corridors, and major destinations, and as a means for accessing transit.
461. **Policy 9.18, Pedestrian networks.** Create more complete networks of pedestrian facilities, and improve the quality of the pedestrian environment.
462. **Policy 9.19, Pedestrian safety and accessibility.** Improve pedestrian safety, accessibility, and convenience for people of all ages and abilities.

CC2035 meets these policies because Goals 3.A and 3.8 prioritize walking. Projects and studies in the plan increase walking opportunities and infrastructure. The policies and actions relate to developing the Green Loop, designing streets as public spaces and enhancing the Willamette for people also meet this policy. Optimized street network policies in each district, street diversity policies and green street policies also enhance the pedestrian network. Pedestrian street classifications and Pedestrian Districts increase the emphasis on walking in the Central City. CC2035 has 85 projects that focus on pedestrian safety and access.

463. **Policy 9.20, Bicycle transportation.** Create conditions that make bicycling more attractive than driving for most trips of approximately three miles or less.
464. **Policy 9.21, Accessible bicycle system.** Create a bicycle transportation system that is safe, comfortable, and accessible to people of all ages and abilities.

CC2035 meets these policies because Goals 3.A and 3.9 prioritizes bicycling. Projects and studies in the plan that increase bicycling opportunities and infrastructure. The policies and actions related to developing the Green Loop, designing streets as public spaces and enhancing the Willamette for people also meet this policy. Optimized street network policies in each district, street diversity policies and green street policies also enhance the bicycling network. Bicycle street classifications and Bicycle Districts increase the emphasis on bicycling in the Central City. CC2035 has 85 projects that focus on bicycle safety and access.

- 465. **Policy 9.22, Public transportation.** Coordinate with public transit agencies to create conditions that make transit the preferred mode of travel for trips that are not made by walking or bicycling.
- 466. **Policy 9.23, Transportation to job centers.** Promote and enhance transit to be more convenient and economical than the automobile for people travelling more than three miles to and from the Central City and Gateway. Enhance regional access to the Central City and access from Portland to other regional job centers.
- 467. **Policy 9.24, Transit service.** In partnership with TriMet, develop a public transportation system that conveniently, safely, comfortably, and equitably serves residents and workers 24 hours a day, 7 days a week.
- 468. **Policy 9.25, Transit equity.** In partnership with TriMet, maintain and expand high-quality frequent transit service to all Town Centers, Civic Corridors, Neighborhood Centers, Neighborhood Corridors, and other major concentrations of employment, and improve service to areas with high concentrations of poverty and historically under-served and under-represented communities.
- 469. **Policy 9.26, Transit funding.** Consider funding strategies and partnership opportunities that improve access to and equity in transit service, such as raising metro-wide funding to improve service and decrease user fees/fares.
- 470. **Policy 9.27, Transit service to centers and corridors.** Use transit investments to shape the city's growth and increase transit use. In partnership with TriMet and Metro, maintain, expand, and enhance Portland Streetcar, frequent service bus, and high-capacity transit, to better serve centers and corridors with the highest intensity of potential employment and household growth.

CC2035 meets these policies because Goal 3.A and Policy 3.10 prioritizes transit. Incorporated TriMet service enhancement plans and there are projects and studies in the plan increase transit opportunities and infrastructure. Major transit-related studies include the Central City Transit Network Study, Central City Light Rail Stations Study, Central City Transit Capacity Study, and the River Transit Feasibility Study. Major transit-related projects include the Portland Streetcar Operational Improvements, SW Main/Madison Bikeway and Transit Improvements, Oregon/Grand and Grand/Weidler Streetcar Turnarounds, and Steel Bridge Transit Improvements.

The Council finds this policy has not been satisfied to date around the MAX stations in the New Chinatown/Japantown historic district. The policy supports high-density development along MAX routes, and City Council recognizes the memo submitted by Tim Ramis on May 8, 2020 as evidence in the record that demonstrates the height limits on some blocks created a disincentive for redevelopment in the historic district. The Council acknowledges the transit investment was made by TriMet. and this policy encourages the city to shape growth around MAX stations with height and FAR to support transit use. The adopted height limits strike the appropriate balance between historic preservation and increased use of the transit investments made in the MAX light rail, and the new height limits are equally or more supportive of the Comprehensive Plan than the existing height limits.

471. **Policy 9.28, Intercity passenger service.** Coordinate planning and project development to expand intercity passenger transportation services in the Willamette Valley, and from Portland to Seattle and Vancouver, BC.

CC2035 meets this policy through Policy 3.OT-2, Union Station multi-modal hub which calls for enhancing Union Station and there is also a project for upgrading Union Station.

472. **Policy 9.29, Regional trafficways and transitways.** Maintain capacity of regional transitways and existing regional trafficways to accommodate through-traffic.

CC2035 meets this policy with polices 3.1 and 3.2 related to the Central City as a regional hub.

473. **Policy 9.30, Multimodal goods movement.** Develop, maintain, and enhance a multimodal freight transportation system for the safe, reliable, sustainable, and efficient movement of goods within and through the city.

474. **Policy 9.31, Economic development and industrial lands.** Ensure that the transportation system supports traded sector economic development plans and full utilization of prime industrial land, including brownfield redevelopment.

475. **Policy 9.32, Multimodal system and hub.** Maintain Portland's role as a multimodal hub for global and regional movement of goods. Enhance Portland's network of multimodal freight corridors.

476. **Policy 9.33, Freight network.** Develop, manage, and maintain a safe, efficient, and reliable freight street network to provide freight access to and from intermodal freight facilities, industrial and commercial districts, and the regional transportation system. Invest to accommodate forecasted growth of interregional freight volumes and provide access to truck, marine, rail, and air transportation systems. Ensure designated routes and facilities are adequate for over-dimensional trucks and emergency equipment.

477. **Policy 9.34, Sustainable freight system.** Support the efficient delivery of goods and services to businesses and neighborhoods, while also reducing environmental and neighborhood impacts. Encourage the use of energy efficient and clean delivery vehicles, and manage on- and off-street loading spaces to ensure adequate access for deliveries to businesses, while maintaining access to homes and businesses.

CC2035 meets this policy with polices 3.1 and 3.2 related to the Central City as a regional hub. In addition, polices 3.LA-2 and 3.CE-2 are to emphasize freight movement and access improvements in Lower Albina and the Central Eastside. There are also several freight specific projects and studies that will increase and protect freight movement and the Central City's role as a multimodal system and hub. Freight district and freight street classifications also address this policy. Major freight-related projects in CC2035 include the Broadway/Weidler (Rose Quarter) Interchange Project, Central Eastside Access and Circulation, N River St Reconstruction, Yamhill & Water Traffic Improvements, I-405/Glisan Traffic Improvements, SW Broadway Traffic Improvements, and Southern Triangle Access Improvements.

478. **Policy 9.35, Freight rail network.** Coordinate with stakeholders and regional partners to support continued reinvestment in, and modernization of, the freight rail network.

CC2035 meets this policy with policy 3.LA-3, Rail and Marine in Lower Albina. In addition, there is a Central Eastside quiet zone study.

479. **Policy 9.37, Portland Heliport.** Maintain Portland's Heliport functionality in the Central City.

CC2035 is consistent with this policy as nothing in the plan, projects or studies, impedes maintaining Portland's Heliport functionality in the Central City.

480. **Policy 9.38, Automobile transportation.** Maintain acceptable levels of mobility and access for private automobiles while reducing overall vehicle miles traveled (VMT) and negative impacts of private automobiles on the environment and human health.

Modeling indicates that the Central City will maintain acceptable levels for automobiles. Further, consistent with Policy 9.38, there are projects and studies that assist to maintain these levels.

481. **Policy 9.39, Automobile efficiency.** Coordinate land use and transportation plans and programs with other public and private stakeholders to encourage vehicle technology innovation, shifts toward electric and other cleaner, more energy-efficient vehicles and fuels, integration of smart vehicle technology with intelligent transportation systems, and greater use of options such as car-share, carpool, and taxi.

Modeling indicates that the Central City will maintains acceptable levels for automobiles, and there are ITS projects in the plan that assist to maintain efficiency, including I-405 Corridor ITS and Central City TSM. The plan also contains policies and actions to support the use of electric vehicles and development of charging stations in the Central City.

482. **Policy 9.40, Emergency response.** Maintain a network of accessible emergency response streets to facilitate safe and expedient emergency response and evacuation. Ensure that police, fire, ambulance, and other emergency providers can reach their destinations in a timely fashion, without negatively impacting traffic calming and other measures intended to reduce crashes and improve safety.

CC2035 meets this policy with the incorporation of the new Secondary Emergency Response Routes and all other Emergency Response Route Classifications as proposed on TSP Stage 3. Emergency Response classification maps have been updated in CC2035.

## System management

483. **Policy 9.45, System management.** Give preference to transportation improvements that use existing roadway capacity efficiently and that improve the safety of the system for all users.

484. **Policy 9.46, Traffic management.** Evaluate and encourage traffic speed and volume to be consistent with street classifications and desired land uses to improve safety, preserve and enhance neighborhood livability, and meet system goals of calming vehicle traffic through a combination of enforcement, engineering, and education efforts.

485. **Policy 9.47, Connectivity.** Establish an interconnected, multimodal transportation system to serve centers and other significant locations. Promote a logical, direct, and connected street system through street spacing guidelines and district-specific street plans found in the Transportation System Plan, and prioritize access to specific places by certain modes in accordance with policies 9.6 and 9.7.

CC2035 meets these policies with an emphasis in Goal 3.A on an efficient and accessible transportation that prioritizes walking, bicycling and transit and addresses district and street specific needs in projects and studies.

During City Council review of this plan, there was extensive testimony in opposition to the proposed I-5 Broadway/Weidler Interchange Improvements Facility Plan. That plan is a joint City of Portland and Oregon Department of Transportation project to improve bicycle, pedestrian, and

automobile safety in the vicinity of the I-5 and I-84 interchange, Broadway/Weidler off-ramps, and Broadway/Weidler street over passes. Many, but not all, who testified stated an opposition to the project and characterized it as a freeway widening project designed to increase capacity of the freeway system.

Much of this testimony was presented during CC2035 hearings because this project was initially addressed during the N/NE Quadrant Plan process. However, since the adoption of that plan by City Council on October 25, 2012, the I-5 Broadway/Weidler Interchange Improvements Facility Plan and its associated transportation projects were adopted as part of the City of Portland's Transportation Systems Plan (TSP) and it is no longer an element of the Central City 2035 Plan. The TSP amendments were adopted by Ordinance 187832.

486. **Policy 9.51, Multimodal Mixed-Use Area.** Designate a Central City Multimodal Mixed-Use Area (MMA) in the geography indicated in Figure 9-2, which will render state congestion / mobility standards inapplicable to proposed plan amendments under OAR 660-0012-0060(10), subject to ODOT concurrence and execution of an agreement between ODOT and the City of Portland. The agreement should emphasize potential safety and operational impacts.

A Central City MMA has been established, consistent with this policy, in coordination between the City of Portland and Oregon Department of Transportation. Specific MMA findings are presented earlier in this report under Goal 12, Transportation in the "Findings on Statewide Planning Goals" section of these findings.

Additionally, Central City 2035 Policy 3.5, Regional multimodal access, calls for the City to *"Work with the Oregon Department of Transportation on improvements to 1-405, 1-5 and US Highway 26 to enhance regional access to the Central City. Minimize through traffic on Central City streets, improve pedestrian and bicycle connectivity across freeways and create opportunities for capping freeways to lessen the barrier effect of the freeway and open new areas for potential development and/or parks, open space, and recreational opportunities."* Thus, these elements of the plan are consistent with Policy 9.51, and others related to coordinating efforts to increase multimodal access to and through the Central City.

## Transportation Demand Management

487. **Policy 9.52, Outreach.** Create and maintain TDM outreach programs that work with Transportation Management Associations (TMA), residents, employers, and employees that increase the modal share of walking, bicycling, and shared vehicle trips while reducing private vehicle ownership, parking demand, and drive-alone trips, especially during peak periods.
488. **Policy 9.53, New development.** Create and maintain TDM regulations and services that prevent and reduce traffic and parking impacts from new development and redevelopment. Encourage coordinated area-wide delivery of TDM programs. Monitor and improve the performance of private-sector TDM programs.
489. **Policy 9.54, Projects and programs.** Integrate TDM information into transportation project and program development and implementation to increase use of new multimodal transportation projects and services.

CC2035 meets these policies with an emphasis in Goal 3.A on an efficient and accessible transportation that prioritizes walking, bicycling and transit and policy 3.11 transportation demand management. There are also policies and actions to study and implement TDM. The plan also contains reduced parking ratios for the Central City, encourages shared parking or existing and new parking facilities, and prohibits the development of new surface parking in most of the plan area.

## Parking management

490. **Policy 9.55, Parking management.** Reduce parking demand and manage supply to improve pedestrian, bicycle and transit mode share, neighborhood livability, safety, business district vitality, vehicle miles traveled (VMT) reduction, and air quality. Implement strategies that reduce demand for new parking and private vehicle ownership, and that help maintain optimal parking occupancy and availability.
491. **Policy 9.56, Curb Zone.** Recognize that the Curb Zone is a public space, a physical and spatial asset that has value and cost. Evaluate whether, when, and where parking is the highest and best use of this public space in support of broad City policy goals and local land use context. Establish thresholds to utilize parking management and pricing tools in areas with high parking demand to ensure adequate on-street parking supply during peak periods.
492. **Policy 9.57, On-street parking.** Manage parking and loading demand, supply, and operations in the public right of way to achieve mode share objectives, and to encourage safety, economic vitality, and livability. Use transportation demand management and pricing of parking in areas with high parking demand.
493. **Policy 9.58, Off-street parking.** Limit the development of new parking spaces to achieve land use, transportation, and environmental goals, especially in locations with frequent transit service. Regulate off-street parking to achieve mode share objectives, promote compact and walkable urban form, encourage lower rates of car ownership, and promote the vitality of commercial and employment areas. Use transportation demand management and pricing of parking in areas with high parking demand.
494. **Policy 9.59, Share space and resources.** Encourage the shared use of parking and vehicles to maximize the efficient use of limited urban space.
495. **Policy 9.60, Cost and price.** Recognize the high public and private cost of parking by encouraging prices that reflect the cost of providing parking and balance demand and supply. Discourage employee and resident parking subsidies.

CC2035 meets parking policies through many policies and code changes. Shared parking is encouraged and the use of new technologies such as dynamic pricing and balancing other needs of the curb zone further meet these policies. (policies 3.12 – 3315; 3.DT-2; 3.SW-3). The plan and changes to the zoning code, found in the parking section of the Central City Plan District (Volume 3A) emphasize limiting the overall growth of parking while maximizing joint use. The zoning code amendments maintains no minimum auto parking requirements and sets maximums on all uses. It allows for commercial share of parking that is expected to result in better use of existing parking assets and less new parking being built. In addition, the zoning code includes new prohibitions on surface parking lots (except for allowing up to 20 stalls for surface parking for industrial uses only). Transportation modeling done by Metro indicates that the parking policies in the plan lead to a reduction of auto trips and increase in non-auto trips, supporting many City and Central City goals.

496. **Policy 9.61, Bicycle parking.** Promote the development of new bicycle parking facilities including dedicated bike parking in the public right-of-way. Provide sufficient bicycle parking at high-capacity transit stations to enhance bicycle connection opportunities. Require provision of adequate off-street bicycle parking for new development and redevelopment. Encourage the provision of parking for different types of bicycles. In establishing the standards for long-term bicycle parking, consider the needs of persons with different levels of ability.

CC2035 meets this policy through Policy 3.13 which encourages bike parking to serve additional bike trips in the Central City.

### Finance, programs, and coordination

497. **Policy 9.62, Coordination.** Coordinate with state and federal agencies, local and regional governments, special districts, other City bureaus, and providers of transportation services when planning for, developing, and funding transportation facilities and services.
498. **Policy 9.63, New development impacts.** Prevent, reduce, and mitigate the impacts of new development and redevelopment on the transportation system. Utilize strategies including transportation and parking demand management, transportation system analysis, and system and local impact mitigation improvements and fees.
499. **Policy 9.64, Education and encouragement.** Create, maintain, and coordinate educational and encouragement programs that support multimodal transportation and that emphasize safety for all modes of transportation. Ensure that these programs are accessible to historically under-served and under-represented populations.
500. **Policy 9.65, Telecommuting.** Promote telecommuting and the use of communications technology to reduce travel demand.

CC2035 meets this policy through Policy 3.11 Transportation Demand Management which includes encouragement of telecommuting.

501. **Policy 9.66, Project and program selection criteria.** Establish transportation project and program selection criteria consistent with goals 9A through 9I, to cost-effectively achieve access, placemaking, sustainability, equity, health, prosperity, and safety goals.

CC2035 met this policy when the project team used the TSP Project Selection Criteria (based on this policy and the TSP Outcomes) to choose and prioritize projects to be included in the plan and the TSP.

502. **Policy 9.67, Funding.** Encourage the development of a range of stable transportation funding sources that provide adequate resources to build and maintain an equitable and sustainable transportation system.

CC2035 meets this policy through funding coordination in studies and project implementation with partners such as ODOT, TriMet, and BES. The new proposed TSP projects found in Volume 2B amount to \$47 million and are within a budget allocation for the entire TSP that is financially constrained, being based on assumptions for future funding from past trends and likely sources of revenue.

### Land Use Designations and Zoning: Goals

503. **Goal 10.A: Land use designations and zoning.** Effectively and efficiently carry out the goals and policies of the Comprehensive Plan through the land use designations, Zoning Map, and the Zoning Code.

The CC2035 Plan is consistent with this goal as the plan use land use designations, development standards, use allowances and prohibitions, development incentives, and design guidelines to maintain and guide the development of a Central City urban form that is consistent with and

furtheres the goals and policies of the different applicable chapters of the Comprehensive Plan, as detailed by the findings of this ordinance.

## Land Use Designations and Zoning: Policies

### Land use designations

504. **Policy 10.1, Land use designations.** Apply a land use designation to all land and water within the City's Urban Services Boundary. Apply the designation that best advances the Comprehensive Plan goals and policies. The land use designations are shown on the adopted Land Use Map and on official Zoning Maps.

1. **Open Space.** This designation is intended for lands that serve a recreational, public open space, or ecological function, or provide visual relief. Lands in this designation are primarily publicly-owned but can be in private ownership. Lands intended for the Open Space designation include parks, public plazas, natural areas, scenic lands, golf courses, cemeteries, open space buffers along freeway margins, railroads or abutting industrial areas, and large water bodies. The corresponding zone is OS.

The CC2035 Plan continues to apply to OS zoned land for these purposes, and amendments to 33.510, Central City Plan District, allow for limited Retail Sales and Service Uses on OS properties in the Central City. Section 33.510.115, Additional Uses Allowed in the Open Space Zone provides that up to 1,000 sq. ft. of such uses are allowed on OS sites 5 acres or less in size, and no more than 10,000 sq. ft. of such uses are allowed on sites larger than 5 acres.

2. **High-Density Multi-Dwelling.** This designation is intended for the Central City, Gateway Regional Center, Town Centers, and transit station areas where a residential focus is desired and urban public services including access to high-capacity transit, very frequent bus service, or streetcar service are available or planned. This designation is intended to allow high-density multi-dwelling structures at an urban scale. Maximum density is based on a floor-area-ratio, not on a unit-per-square-foot basis. Densities will range from 80 to 125 units per acre. The corresponding zone is RH.
3. **Central Residential.** This designation allows the highest density and most intensely developed multi-dwelling structures. Limited commercial uses are also allowed as part of new development. The designation is intended for the Central City and Gateway Regional Center where urban public services are available or planned including access to high-capacity transit, very frequent bus service, or streetcar service. Development will generally be oriented to pedestrians. Maximum density is based on a floor area ratio, not on a units-per-square-foot basis. Densities allowed exceed 100 units per acre. The corresponding zone is RX.

Although analysis has demonstrated that these two land use designations and their corresponding Zoning Map designations have not historically produced as much residential units as the CX and EX zones, the RH and RX zones do work to preserve a primarily residential character where applied. This is because these two zones allow for limited uses outside of housing and set limits on the extent that retail or office uses may be developed. For this reason, these designations continue to be used especially in targeted areas of the Goose Hollow and West End Subdistricts.

4. **Central Commercial.** This designation is intended to provide for commercial development within Portland's Central City and Gateway Regional Center. A broad range of uses can reflect Portland's role as a commercial, cultural, and governmental center. Development is intended

to be very intense with high building coverage, large buildings, and buildings placed close together along a pedestrian-oriented, safe, and attractive streetscape. The corresponding zone is Central Commercial (CX).

The Central Commercial Comprehensive Plan and Zoning Map designation is the predominately used designation in the Central City. The designation allows for a vibrant mix of retail, institutional, office, and residential uses. Although the zone is described as a commercial mixed use zone, there are more mixed-use residential projects and more housing units per residentially developed acre in the CX than any other zone applied within the Central City. CC2035 results in approximately 728 acres of CX zoned land throughout the Central City Plan District.

Consistent with Policy 10.1, the CX zone continues to be used to further Comprehensive Plan goals and policies regarding housing production, economic development, and job creation and retention.

5. **Central Employment.** The designation allows for a full range of commercial, light-industrial, and residential uses. This designation is intended to provide for mixed-use areas within the Central City and Gateway Regional Center where urban public services are available or planned, including access to high-capacity transit or streetcar service. The intensity of development will be higher than in other mixed-use land designations. The corresponding zone is Central Employment (EX).

The Central Employment Comprehensive Plan and Zoning Map designation is the second most used designation in the Central City. The designation allows for a vibrant mix of retail, institutional, office, residential, and industrial uses. This zone is usually applied to areas where existing industrial operations are intended to be phased out over time to become more residential/commercial mix (as in the Pearl District), or where mixed-use commercial and residential projects are expected to exist near industrial zoned lands and operations and where the preservation of the Industrial Sanctuary is key objective (such as the Central Eastside District). The CC2035 Plan will result in 669 acres of EX zoned land throughout the Central City Plan District.

Consistent with Policy 10.1, the EX zone continues to be used to further Comprehensive Plan goals and policies regarding housing production, economic development, job creation and retention, and inclusion of industrial uses and services in the Central City.

6. **Industrial Sanctuary.** This designation is intended to reserve areas that are attractive for manufacturing and distribution operations and encourage the growth of industrial activities in the parts of the city where important freight and distribution infrastructure exists, including navigable rivers, airports, railways, and pipelines. A full range of industrial uses are permitted and encouraged. Nonindustrial uses are significantly restricted to facilitate freight mobility, retain market feasibility for industrial development, prevent land use conflicts, reduce human exposure to freight traffic and potential air quality, noise, and pedestrian safety impacts, and to preserve land for sustained industrial use. The corresponding zones are General Industrial 1 (IG1), General Industrial 2 (IG2), and Heavy Industrial (IH).

In the Central City, the Industrial Sanctuary Comprehensive Plan Map designation is implemented through the IG1 and IH zones. These two zones are used only within the Lower Albina and Central Eastside Subdistricts, which, despite containing some mixed-use employment zoning, the districts primarily maintain an Industrial Sanctuary designation.

The IH zone is used in areas that maintain heavy industrial uses as well as uses that still rely on rail and river/marine connections. The Lower Albina Subdistrict continues to contain approximately 15 acres of IH zoned land located adjacent to the Union Pacific Albina Yard facility. In the Central Eastside, only 2 acres remain, and this is only applied to the existing concrete batch plant operated by Ross Island Sand and Gravel who requested this area remain in that designation despite an earlier proposal to rezone the area to EX.

## The Zoning Map and the Zoning Code

505. **Policy 10.2, Relationship of land use designations to base zones.** Apply a base zone to all land and water within the City's urban services boundary. The base zone applied must either be a zone that corresponds to the land use designation or be a zone that does not correspond but is allowed per Figure 10-1 — Corresponding and Less-Intense Zones for Each Plan Map Designation. In some situations, there are long-term or short-term obstacles to achieving the level of development intended by the land use designation (e.g., an infrastructure improvement to serve the higher level of development is planned but not yet funded). In these situations, a less intense zone (listed in Figure 10-1) may be applied. When a land use designation is amended, the zone may also have to be changed to a corresponding zone or a zone that does not correspond but is allowed.

As part of CC2035, the Comprehensive Plan Map and Zoning Map designations have been amended to be consistent with corresponding designations. Prior to the adoption of CC2035 there were a few areas where the designations did not match, mostly a few properties along SE 3<sup>rd</sup> Avenue and SE 6<sup>th</sup> Avenue where properties long were within the Central Employment Comprehensive Map designation, but were zoned IG1, implementing the Industrial Sanctuary designation. The areas up-zoned to these more intense Comprehensive Plan Map designations have been found to be capable to handle the resulting intensification of uses due to improvements that have already been made or those proposed by CC2035. Thus, CC2035 is consistent with Policy 10.2.

506. **Policy 10.3, Amending the Zoning Map.**

**10.3.a,** Amending a base zone may be done legislatively or quasi-judicially.

**10.3.b,** When amending a base zone quasi-judicially, the amendment must be to a corresponding zone (see Figure 10-1 — Corresponding and Allowed Zones for Each Land Use Designation). When a designation has more than one corresponding zone, the most appropriate zone, based on the purpose of the zone and the zoning and general land uses of surrounding lands, will be applied.

**10.3.c,** When amending a base zone legislatively, the amendment may be to a corresponding zone or to a zone that does not correspond but is allowed (see Figure 10-1 — Corresponding and Allowed Zones for each Land Use Designation for zones that are allowed). A legislative Zoning Map amendment may not be to a zone that is not allowed.

**10.3.d,** An amendment to a base zone consistent with the land use designation must be approved when it is found that current public services can support the uses allowed by the zone, or that public services can be made capable by the time the development is complete. The adequacy of services is based on the proposed use and development. If a specific use and development proposal is not submitted, services must be able to support the range of uses and development allowed by the zone. For the purposes of this requirement, services include water supply, sanitary sewage disposal, stormwater management, transportation, school district capacity (where a school facility plan exists), and police and fire protection.

**10.3.e.** An amendment to apply or remove an overlay zone or plan district may be done legislatively or quasi-judicially, and must be based on a study or plan document that identifies a specific characteristic, situation, or problem that is not adequately addressed by the base zone or other regulations.

As noted, CC2035 results in the rezoning of a limited amount of the Central City from one zone to another, and most of the existing zoning has been retained, although various land use regulations and development standards have been amended by the plan. Specifically, the table below identifies the total amount of one land use designation shifting from one to another designation:

Existing Being Rezoned	New OS	New CX	New EX
OS	NA	NA	0.4 acres
RH	NA	15.7 acres	NA
RX	NA	41.4 acres	NA
CG	NA	NA	1.7 acres
CX	2.3 acres	NA	NA
EG1	NA	1.8 acres	9.9 acres
EG2	NA	NA	12.9 acres
EX	NA	0.1 acres	NA
IH	0.8	17.6	NA
IG1	NA	0.3 acres	47.2 acres
Total	3.1 acres	76.9 acres	72.1 acres

These amendments are legislative in nature, and the analysis and background reports of CC2035 support current public services can support the uses allowed by the zone, or that public services can be made capable by the time the development is complete, consistent with Comprehensive Plan Policy 10.3.

507. **Policy 10.4, Amending the Zoning Code.** Amendments to the zoning regulations must be done legislatively and should be clear, concise, and applicable to a broad range of development situations faced by a growing city. Amendments should:

**10.4.a,** Promote good planning:

Effectively and efficiently implement the Comprehensive Plan.

Address existing and potential land use problems.

Balance the benefits of regulations against the costs of implementation and compliance.

Maintain Portland's competitiveness with other jurisdictions as a location in which to live, invest, and do business.

**10.4.b,** Ensure good administration of land use regulations:

Keep regulations as simple as possible.

Use clear and objective standards wherever possible.

Maintain consistent procedures and limit their number.

Establish specific approval criteria for land use reviews.

Establish application requirements that are as reasonable as possible, and ensure they are

directly tied to approval criteria.

Emphasize administrative procedures for land use reviews.

Avoid overlapping reviews.

**10.4.c, Strive to improve the code document:**

- Use clear language.
- Maintain a clear and logical organization.
- Use a format and layout that enables use of the document by lay people as well as professionals.
- Use tables and drawings to clarify and shorten the document.
- Identify and act on regulatory improvement suggestions.

Volumes 2A, Parts 1-3, of CC2035 present legislative amendments to the Zoning Code proposed to implement the goals and policies for the Central City, presented in Volume 1 of this ordinance. These amendments have been made in some cases to correct or update existing regulations to be consistent with the direction of CC2035, or to include new regulations and standards to allow implementation of CC2035 as no other provisions may exist to accomplish that task. In all cases, the Zoning Code amendments are presented in as clear and objective of a way possible to ensure the intended uses will be able understand and utilize the Zoning Code as it applies to their development proposals, land use, and properties, consistent with Comprehensive Plan Policy 10.4.

## **Findings on Zoning Code Amendment Criteria**

### **33.835.040 Approval Criteria**

508. **A. Amendments to the zoning code.** Text amendments to the zoning code must be found to be consistent with the Comprehensive Plan, Urban Growth Management Functional Plan, and the Statewide Planning Goals. In addition, the amendments must be consistent with the intent or purpose statement for the base zone, overlay zone, plan district, use and development, or land division regulation where the amendment is proposed, and any plan associated with the regulations. The creation of a new plan district is subject to the approval criteria stated in 33.500.050.

#### **Findings:**

The findings demonstrate how the CC2035 Plan is consistent with the 2035 Comprehensive Plan, the Urban Growth Management Functional Plan, and the Statewide Planning Goals.

The Council interprets this criterion to require the ordinance is consistent with the Comprehensive Plan. Council finds that the dictionary defines “consistent” to mean “marked by harmony.” Council notes that Comprehensive Plan also defines the phrase “consistent with” to mean “the subject meets the requirements of, satisfies, or adheres to the regulations, mandate, or plan listed in the goal or policy.” Council finds that the Comprehensive Plan’s definition applies to the term as used in the Comprehensive Plan, not the Zoning Code. However, Council interprets that for the purposes of considering consistency with the Comprehensive Plan, “consistent with” requires that an ordinance adheres to the Comprehensive Plan.

Council finds that PCC 33.835.040(A) requires Council to demonstrate that the CC2035 is consistent with, or adheres to, the entire Comprehensive Plan. Council finds that PCC 33.835.040(A) does not require Council to demonstrate that the CC2035 is consistent with, or adheres to, individual goals and policies but rather the entire plan. Regardless, here, Council finds that as demonstrated in this

exhibit, Council has considered all applicable goals and policies and finds that CC2035 is consistent with all the individual goals and policies. Council finds that there is no applicable goal or policy that is not consistent with the CC2035.

Council further finds this criterion operates in conjunction with Comprehensive Plan Policy 1.10 which requires that amendments to the comprehensive Plan's supporting documents, such as the Zoning Code, must "comply" with the Comprehensive Plan. "Comply" means "that amendments must be evaluated against the Comprehensive Plan's applicable goals and policies and on balance be equally or more supportive of the Comprehensive Plan as a whole than the existing language or designation."

Council finds that a proposed amendment is equally supportive when it is on its face directly supported by goals and policies in the Plan. The City Council finds that an amendment is more supportive of the Comprehensive Plan when the amendment will further advance goals and policies, particularly those that are aspirational in nature. The City Council finds that the policy requires consideration as to whether amendments are equally or more supportive of the Plan as a whole. The City Council finds that amendments do not need to be equally or more supportive of individual goals and policies, but rather amendments must be equally or more supportive of the entire Comprehensive Plan. Therefore, the Council finds that there may be instances where specific goals and policies are not supported by the amendments but still the amendment is equally or more supportive of the entire Comprehensive Plan when considered cumulatively. The Council finds that there is no precise mathematical equation for determining when the Plan as a whole is supported but rather such consideration requires Council discretion in evaluating the competing interests and objectives of the plan.

Council finds that CC2035 equally advances most of the Comprehensive Plan policies. Council further finds that the CC2035 is more supportive of the Comprehensive Plan with regard to the goals and policies as discussed below.

The following policies are advanced through CC2035's increase in floor area ratios (FAR) at some locations, Map 510-2 and 33.510.200, including policy 3.15 Investments in Centers, 3.21 Role of the Center City, 3.23 Central City Employment, 3.24 Central City Housing, 3.53 Transit-oriented Development, 5.23 Higher Density Housing, and 5.29 Permanently affordable housing.

Other Comprehensive plan policies are advanced with the prioritization of bonus FAR for affordable housing and FAR transfers from historic resources 33.510.205, including Housing goals 5A-E, Goals 4A Context Sensitive Development and 4 B Historic and Cultural Resources; policies 2.4 Eliminate Burdens, 3.3 Equitable Development, 5.16 Involuntary Displacement, 5.23 Higher Density Housing, 4.46 Historic and Cultural Resource Protection, 4.48 Continuity of Established pattern, and 4.62 Seismic and Energy Retrofits.

Other comprehensive plan goals and policies are advanced with the prohibition of surface parking, 33.510.261, throughout the Central City including Goal 6 Air, Water and Land Resource Quality, Goal 4 A Context Sensitive Design and Development and policies 3.12 Role of Centers , 3.13 Variety of Centers, 3.53 Transit -Oriented Development, and 4.76 Impervious Surfaces.

Other Comprehensive plan goals and policies are advanced with the adoption of the Central City Scenic Resource Protection Plan including policies 4.42 Scenic resource protection and 4.44 Building placement, height and massing.

Other Comprehensive plan goals and policies are advanced with the ecoroof requirement 33.510.243 including Goal 6 Air, Water and Land Resource Quality, and policies 3.20 Green

Infrastructure in Centers, 4.4 Natural Features and Green Infrastructure, 4.76 Impervious Surfaces and 4.83 Urban Heat Island.

Applying both the Zoning Code criterion and Policy 1.10 together, as discussed above, Council finds that the ordinance is consistent and complies with the Comprehensive Plan.

Council also finds that this criterion requires Council to consider whether the CC2035 is consistent with Urban Growth Management Functional Plan and Statewide Planning Goals. As discussed fully above, Council finds that the CC2035 is consistent with both the Urban Growth Management Functional Plan and the Statewide Planning goals.

Finally, as discussed below, the Council finds that this ordinance is consistent with the intent or purpose statement for the base zones, overlay zones, plan district, use and development where the amendments have been proposed. The CC2035 Plan replaces the existing purpose statement in Chapter 33.510. The new purpose statement for the Central City Plan District is:

**The Central City plan district implements the Central City 2035 Plan. The regulations address the unique role the Central City plays as the region’s premier center for jobs, health and human services, tourism, entertainment and urban living. The regulations encourage a high-density urban area with a broad mix of commercial, residential, industrial and institutional uses, and foster transit- supportive development, pedestrian and bicycle-friendly streets, a vibrant public realm and a healthy urban river.**

As described in more detail in the findings of consistency and compliance with the comprehensive plan goals and policies (particularly Goals 3.E Connected Public Realm, Goal 6.B Development, Goal 12 Transportation; Policies 3.13 Variety of Centers, 3.2 Growth and Stability, 3.25 Transportation Hub, 3.36 Public places, 3.56 Center Stations, 3.53 Transit-Oriented Development, 5.23 High density housing, 6.35 Innovation district, and 9.27 Transit Services to Centers and Corridors), the CC2035 zoning code amendments encourage high-density development with a mix of uses; promote development that is supportive of the extensive transit network in the central city and pedestrian and bicycle friendly streets; support an active, vibrant public realm and healthy river. Council finds the CC2035 zoning code amendments are consistent with this purpose statement.

Changes to Chapters 33.120, 33,140, 33,158, 33.293, 33.420, 33.445, 33.580, 33.720, 33.808, 33.815, 33.825, 33.846, and 33.920 were not substantive and were necessary for consistency with the plan district amendments. The Council has considered the purpose statements relevant to each of these amendments and finds the changes are consistent with the purpose statements for those chapters.

The CC2035 Plan creates a new chapter, River Overlay zones 33.475, which establishes the development regulations for sites within the Willamette Greenway boundary in the Central Reach, except for sites within the South Waterfront Subdistrict and sites zoned industrial. In order to have the new chapter applied to the Central City, 33.440 Greenway Overlays chapter had to be updated to remove the Central City.

The purpose statement for 33.475 is:

The River Overlay zones generally promote the protection, conservation, restoration, enhancement and maintenance of the economic, natural, scenic, and recreational qualities of lands along the central reach of the Willamette River. This purpose is achieved by applying regulations that control

development of land, change of use and intensification of use. The regulations reflect the desired character of the central reach of the Willamette River—a character that includes:

- A healthy river and watershed;
- A thriving riverfront with regional gathering spaces, active and passive recreational uses, maritime and commercial activities, and a welcoming mixed-use community; and
- Access to, along and in the river.

The River Overlay Zones also implement the City’s responsibilities under ORS 390.310 to 390.368.

As described in more detail in the findings of consistency and compliance with the comprehensive plan goals and policies (particularly 3.69, Historic and multi-cultural significance, 3.70, River transportation, 3.71, Recreation, 3.73, Habitat, 3.74, Commercial activities, 3.75, River neighborhoods, 3.80, Willamette River Central Reach, 4.43, Vegetation management, Environmental and Watershed Health Goals 7A, B, and D; policies 7.15 Brownfield Remediation, 7.19 Natural Resource protection,, 7.21 Environmental plans and regulations, 7.33 Fish habitat, 7.35 River bank conditions, 7.37 Contaminated sites, 7.41 River-dependent and river-related uses), the CC2035 zoning code amendments promote the protection, conservation, restoration, enhancement and maintenance of the economic, natural, scenic, and recreational qualities of lands along the central reach of the Willamette River.

The CC2035 Plan creates a new land use review, River Review 33.865. This is a new chapter and it replaces Greenway Review in the Central Reach. It contains the review process, application requirements and approval criteria for River Review. River Review is intended to:

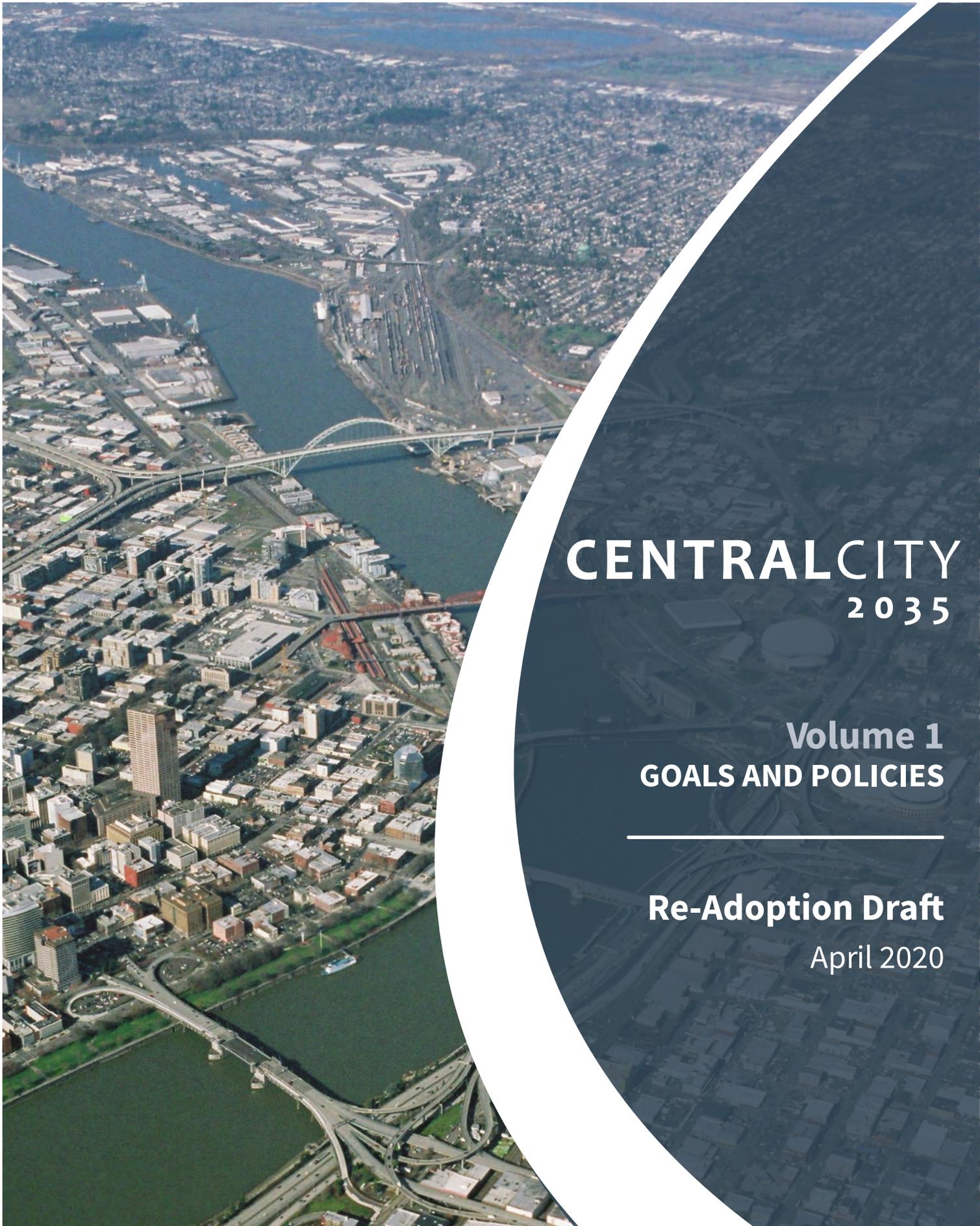
- Protect, conserve and enhance identified resources and functional values in the River Environmental overlay zone, compensate for unavoidable significant detrimental impact to those resources and functional values, and ensure the success of mitigation and enhancement activities;
- Help the City meet existing and future requirements pursuant to federal and state laws including the Clean Water Act, the Safe Drinking Water Act, the Endangered Species Act, the Migratory Bird Treaty Act, and the National Flood Insurance Act;
- Provide flexibility for unusual situations. River Review allows for evaluation of alternative development scenarios that may have less detrimental impact on protected resources, and allows for the evaluation of off-site mitigation proposals;
- Provide a mechanism for the evaluation of detailed, site-specific information on the location or quality of resources and functional values;
- Provide a mechanism for modifying the location of the River Environmental overlay zone to reflect permitted changes in the location or quality of resources and functional values.
- Provide for the replacement of resources and functional values that are lost through violations of the River Environmental overlay zone standards;
- Provide a mechanism to modify the River Environmental overlay zone standards of Chapter 33.475, River Overlay Zones; and
- Allow for modifications to site-related development standards when modification will result in greater resource protection.

As described in more detail in the findings of consistency and compliance with the comprehensive plan goals and policies related to Planning for natural resource protection including Policy 7.23, Impact evaluation; Policy 7.24, Regulatory hierarchy: avoid, minimize, mitigate; Policy 7.25, Mitigation effectiveness; and Policy 7.26, Improving environmental conditions through development, the CC2035 zoning code amendments protect, conserve and enhance resources and functional values in the River Environmental overlay zone; help the city meet federal and state laws; provide flexibility through the review of alternative development scenarios, provide for replacement of resources lost and allow for modifications if they result in greater resource protection.

Changes to Chapter 33.10, Legal Framework and Relationships, and 33.930, Measurements were substantive changes that support the purpose statements of 33.475 and 33.865. As described in more detail in the findings of consistency and compliance with the comprehensive plan goals and policies related to Planning for natural resource protection including Goal 7.B: Healthy watersheds and environment; Policy 7.33, Fish habitat; Policy 7.35, River bank conditions; Policy 7.37, Contaminated sites; Policy 7.41, River-dependent and river-related uses; Policy 3.71, Recreation; and Policy 3.73, Habitat.

Changes to Chapters 33.272, 33.910, 33.248, 33.258, 33.299, 33.465, 33.508, 33.515, 33.700, 33.840 and 33.920 were not substantive and were necessary for consistency with the plan district amendments. The Council has considered the purpose statements relevant to each of these amendments and finds the changes are consistent with the purpose statements for those chapters.

For all of these reasons, Council finds that CC2035 is consistent and complies with the Comprehensive Plan, Urban Growth Management Functional Plan, the Statewide Planning Goals, and relevant purpose statements.



# CENTRALCITY 2035

## Volume 1 GOALS AND POLICIES

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**Re-Adoption Draft**  
April 2020



Bureau of Planning and Sustainability  
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City of Portland, Oregon  
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# ACKNOWLEDGEMENTS

This plan is the culmination of work over many years on the Central City Concept Plan, three quadrant plans (North/Northeast Quadrant Plan, West Quadrant Plan, Southeast Quadrant Plan), Natural and Scenic Resources protection plans, and the Bonus and Transfer Study. Many thanks to the thousands of stakeholders who participated in those processes and whose contributions helped to shape this plan.

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**Bureau of Environmental Services:** Kaitlin Lovell, Paul Ketcham, Amy Chomowicz, Alice Coker, Marie Walkiewicz, Amber Clayton, Matt Burlin and Stephen Himes

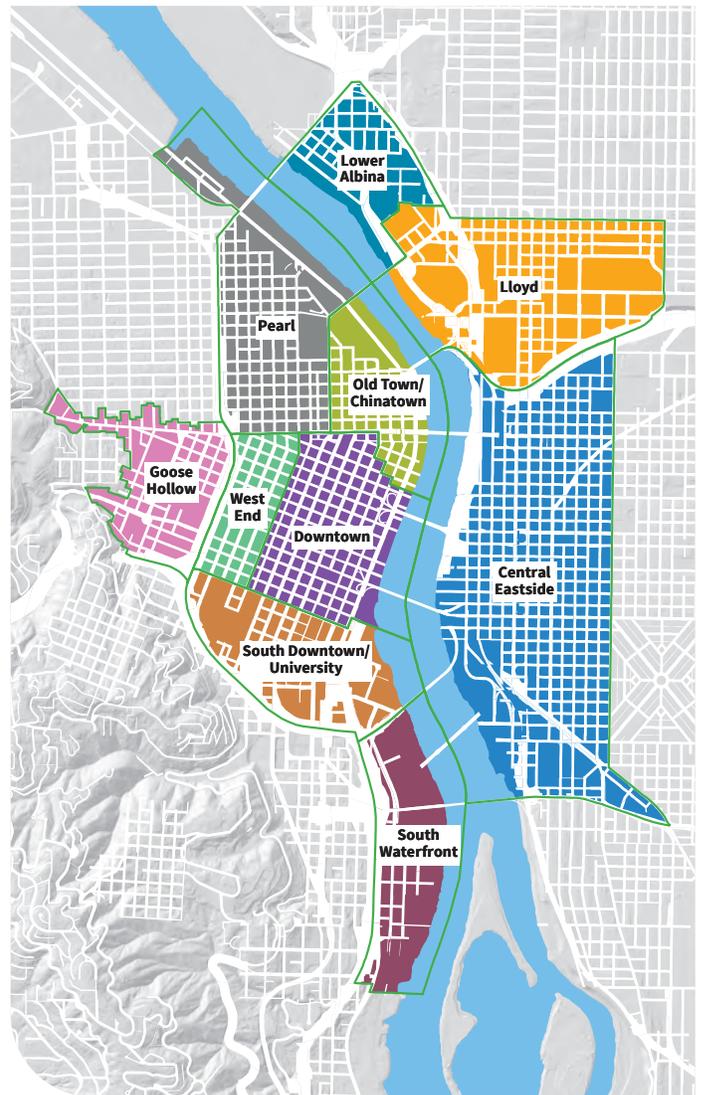
**Portland Housing Bureau:** Kurt Kreager, Javier Mena, Matthew Tschabold, Kim McCarty, Barbara Shaw, David Sheern

## Consultants

Various consultants contributed to the development of the Central City Concept Plan, three quadrant plans (North/Northeast Quadrant Plan, West Quadrant Plan, Southeast Quadrant Plan), Natural and Scenic Resources inventories, and the Bonus and Transfer Study. We are grateful for their technical assistance and for helping facilitate our advisory committee and public events.

## Funding

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# CENTRALCITY 2035

INTRO

## INTRODUCTION



Portland's Central City has a rich history shaped by abundant natural resources, two working rivers and a temperate climate. From the Native Americans who fished for salmon in the Willamette River centuries ago to the South Waterfront Greenway Trail's visitors today, Portlanders have appreciated this special gathering place. People from around the world are drawn to the Central City's urban vitality and public spaces, employment opportunities, transportation network, cultural amenities and natural beauty.

Today the Central City is the center of the metropolitan region, with Oregon's densest concentration of people and jobs. Home to 32,000 people in slightly less than five square miles and accounting for 130,000 jobs, the Central City is vital to Portland and the region.

A collection of 14 different neighborhoods, the Central City stretches from the West Hills to East 12th Avenue, and from the Pearl and Lower Albina to the South Waterfront area and Powell Boulevard. For planning purposes, the Central City is divided into 10 districts.

While the Central City is vibrant and blessed with many resources — natural, economic, cultural and historical — it will continue to face challenges as the city grows, becomes more diverse, and experiences the effects of climate change. The Central City 2035 Plan (CC2035) aims to meet those challenges and to improve and build upon the city's traditions, honoring the history of the place while boldly moving forward in new directions.

# WHAT IS THE CENTRAL CITY 2035 PLAN?

The current Central City Plan (1988) was intended to meet the challenge posed by Lewis Mumford, a prominent architectural critic and urban theorist of the early 20th century. He praised Portland’s beauty and natural resources but questioned whether Portlanders would have the “intelligence, imagination and cooperation” necessary to “make the best of these opportunities” and to use resources wisely. The 1988 Plan aimed to create a place that Portlanders felt was “not just a good city, but a great city.”

While Mumford’s call for greatness remains, today Portland faces new challenges. The Central City 2035 Plan (CC2035) responds with carefully designed goals, policies and tools to guide growth and development well into the 21st century and make the Central City a place that every Portlander can be proud to call their own.

The CC2035 Plan will replace the 1988 Central City Plan as the primary guiding policy document for the Central City. It will be part of Portland’s new Comprehensive Plan, a 20-year plan for the physical development of the city. Both plans will help implement The Portland Plan (2012), which called for actions to make Portland prosperous, educated, healthy and equitable. Because Portland cannot be a great city without a vibrant, accessible and ecologically rich riverfront, the new plan also includes an update to the plan for the Central Reach of the Willamette River.

## PORTLAND’S COMPREHENSIVE PLAN

The Central City 2035 Plan is part of Portland’s new 2035 Comprehensive Plan. Many of the policies and projects in CC2035 were shaped by the Comp Plan’s Guiding Principles and Vision, which reinforce a balanced, integrated and multi-disciplinary approach.

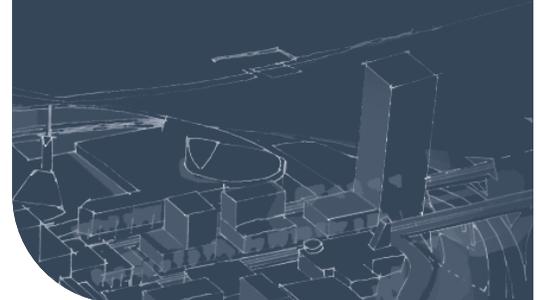
### GUIDING PRINCIPLES

The Comprehensive Plan includes five guiding principles related to:

1. Economic prosperity
2. Human health
3. Environmental health
4. Equity
5. Resilience

### VISION

Portland is a prosperous, healthy, equitable and resilient city, where everyone has access to opportunity and is engaged in shaping decisions that affect their lives.



# CENTRAL CITY: THE HEART OF PORTLAND



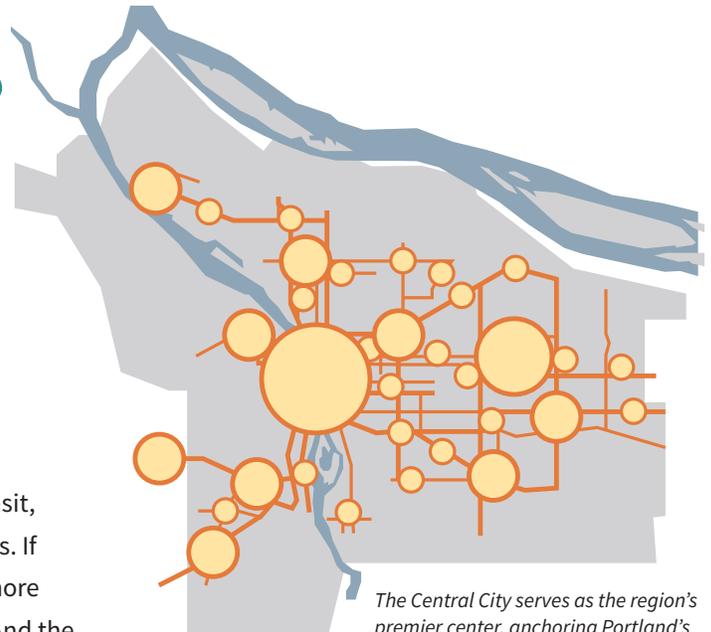
**Healthy cities need healthy hearts.** And Portland's Central City is the heart of the metropolitan region, with the densest population of people and jobs in Oregon.

Central City 2035 is the culmination of more than five years of careful planning. The process engaged thousands of Portlanders who gave their time, experience and expertise to improve their community. The goals, policies and actions contained in the CC2035 Plan represent the intentions and aspirations of thousands of Portlanders. This is their plan for the future of the heart of the city.

# WHY PLAN NOW?

## PORTLAND IS GROWING AND MUCH OF THIS GROWTH WILL OCCUR IN THE CENTRAL CITY.

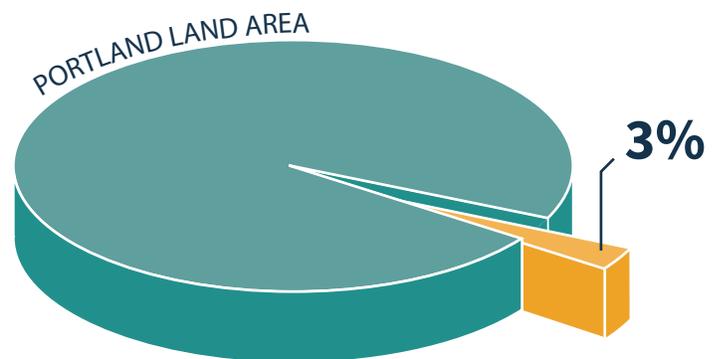
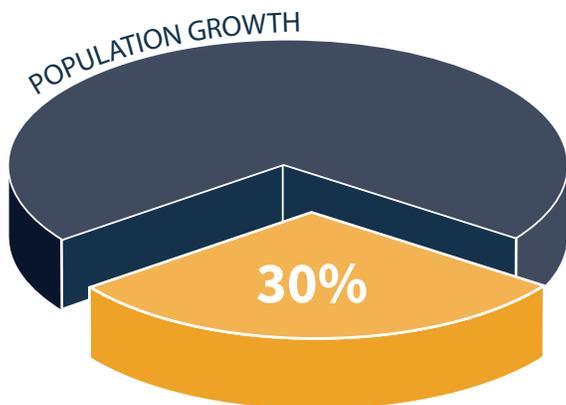
The City’s Comprehensive Plan proposes to leverage population and job growth to make great places, directing new residents and businesses to the city’s network of vibrant centers and bustling corridors. The idea is to give more people better access to the transit, businesses, services and amenities in these rich and diverse places. If the Plan is successful, these centers and corridors will also have more housing options for households and employment opportunities. And the result will be more complete, prosperous, healthy, equitable and resilient communities.



*The Central City serves as the region's premier center, anchoring Portland's system of centers and corridors.*

As the largest “center” in the city, by 2035 the Central City will be home to 30 percent of Portland’s population growth — on just 3 percent of the city’s land. Between 2010 and 2035, the Central City will gain approximately 38,000 new households (a roughly 160-percent increase) and about 51,000 new jobs (a roughly 40-percent increase).

## 30 PERCENT OF THE GROWTH → *in* → 3 PERCENT OF THE LAND AREA



## URBAN DESIGN

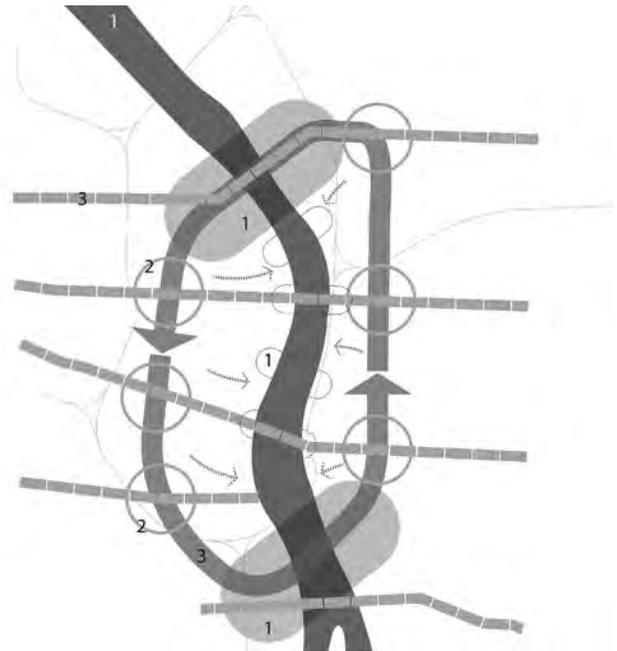
The “language” of urban design provides a way of sharing ideas about the natural features and built form within a city. This broad context is helpful for understanding and making decisions related to specific issues or areas within the Central City.

The CC2035 Plan has two simple urban design diagrams that illustrate how the growth strategy could affect the design and development of the Central City, The Urban Design Concept and Urban Design Framework.

## URBAN DESIGN CONCEPT

The Urban Design Concept quickly and simply identifies the primary design and development themes that will shape the city through 2035:

- 1** **CENTRAL RIVER** – Reconnecting with the Willamette River.
- 2** **DISTINCT DISTRICTS** – Recognizing and cultivating the specific characteristics of the Central City’s 10 districts.
- 3** **CONNECTED PUBLIC REALM** – Creating a more fully connected public realm consisting of streets, the greenway, streetcar loops, and bicycle and pedestrian trails.



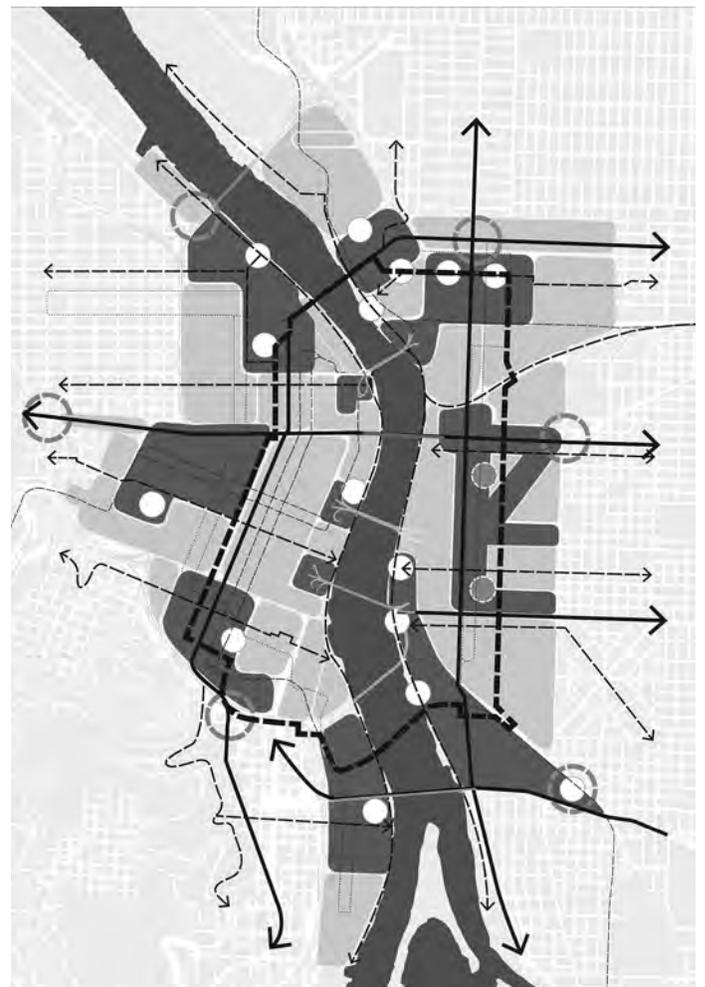
## URBAN DESIGN FRAMEWORK

The Urban Design Framework reflects the concept themes and provides more detail about :

- **PUBLIC REALM FEATURES** – Key corridors and open spaces
- **TRANSIT** – Existing streetcar and light rail alignments
- **AREAS OF CHANGE** – Areas anticipated to experience more or less change over the next 25 years
- **GATEWAYS** – Key locations for entrance into the Central City

### LEGEND

PUBLIC REALM	
	New or reconfigured open spaces
	Desired new open space within area
	Potential “Green Loop”
	Civic corridor
	Key pedestrian/bicycle corridor
RAIL TRANSIT	
	Streetcar
	Light rail
AREAS OF CHANGE	
	more change
	less change
	gateways



# CC2035 BUILDS UPON THE AREA’S EXISTING STRENGTHS, ADDRESSES CHALLENGES AND GUIDES CENTRAL CITY GROWTH TO BENEFIT THE ENTIRE REGION



*Today, the Central City is:*

## **A MAJOR ECONOMIC, EDUCATION AND EMPLOYMENT CENTER**

Thirteen percent of the region’s jobs are in Portland’s city center, and it has the highest concentration of Class A office space in the state. There is growing demand for office and creative space from startup and growing smaller businesses. Higher education institutions (Portland State University, Oregon Health and Science University, Pacific Northwest College of Art, University of Oregon and others) are important parts of the economic mix and strength of the Central City.

*Over the next 20 years:*

Grow the Central City’s share of regional employment and increase the ability of all Portlanders to benefit from this new growth in jobs.



*Today, the Central City is:*

## **THE CULTURAL AND ENTERTAINMENT HEART OF THE CITY AND REGION**

The concentration of major cultural and entertainment venues in the Central City — including the Portland Art Museum, Oregon Historical Society, Providence Park, Portland Opera, Oregon Museum of Science and Industry (OMSI), Portland’s Centers for the Arts, Governor Tom McCall Waterfront Park, Moda Center and the Oregon Convention Center — is the largest in the state and an asset for the entire region.

*Over the next 20 years:*

Support and grow existing Central City institutions, programming and events as well as continually inspire the development of new attractions. Increase and improve the area’s unique public spaces in order to attract and benefit Portlanders from across the city and the region.



*Today, the Central City is:*

## **A GREAT PLACE TO LIVE WITHIN A COMMUNITY THAT CARES**

The Central City offers a variety of attractive housing types and neighborhoods. It has a vibrant mix of uses and is rich in transit and transportation options. It is home to many low income residents who benefit from the accessible location, supply of affordable housing and social services — including adult and family services, workforce training and health services.

*Over the next 20 years:*

Grow and enhance the Central City’s neighborhoods and make sure they are vibrant, livable, accessible, affordable, inclusive and cohesive.



*Today, the Central City is:*

**TRANSIT AND TRANSPORTATION HUB LINKING PEOPLE, PLACES AND BUSINESSES**

With Amtrak, five MAX light rail lines, two streetcar lines, the Transit Mall, two major freeways, an aerial tram and a brand new pedestrian, bicycle and transit bridge, the Central City is the region's hub for transit and transportation. It also has an evolving network of sidewalks, trails and bikeways, increasing the number of commute trips that don't require a car.

*Over the next 20 years:*

Maintain the strength and safety of Central City transportation facilities. Decrease trips made by car, while continuing to improve transit and other transportation options. Build more accessible, complete and healthy neighborhoods to encourage walking, biking and transit uses.



*Today, the Central City is:*

**A CITY OF PUBLIC SPACES AND CORRIDORS**

The Central City's small, 200-foot-by-200-foot block pattern is distinctive and iconic. Nearly 40 percent of the land in the urban core is in the public realm, a much larger percentage than in most other cities (San Francisco is about 25 percent). Together, these rights-of-way serve as the Central City's major public spaces. The design, character and organization of uses within these spaces are key ingredients of the Central City's livability.

*Over the next 20 years:*

Continue taking advantage of this unique asset, enhancing streets, trails, parks, public spaces and the Willamette Riverfront. The economic and social vibrancy of the Central City depends on it.



*Today, the Central City is:*

**DEFINED BY NATURAL SYSTEMS**

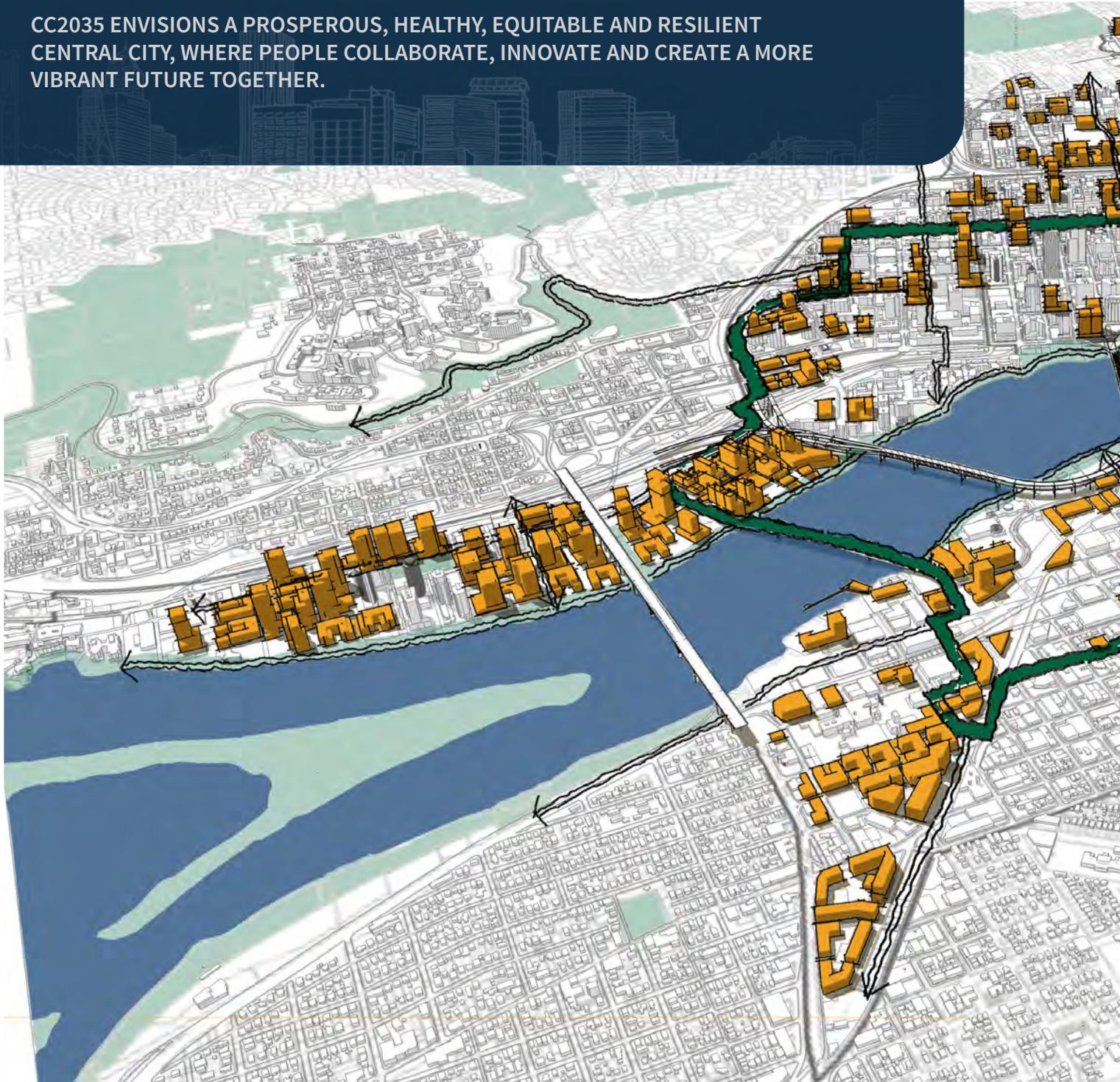
In contrast to other cities, many of Portland's iconic features are not buildings — but winding rivers, historic bridges and signature open spaces. In particular, the Central City is defined by the Willamette River, which is home to 17 endangered species and is a critical corridor for wildlife.

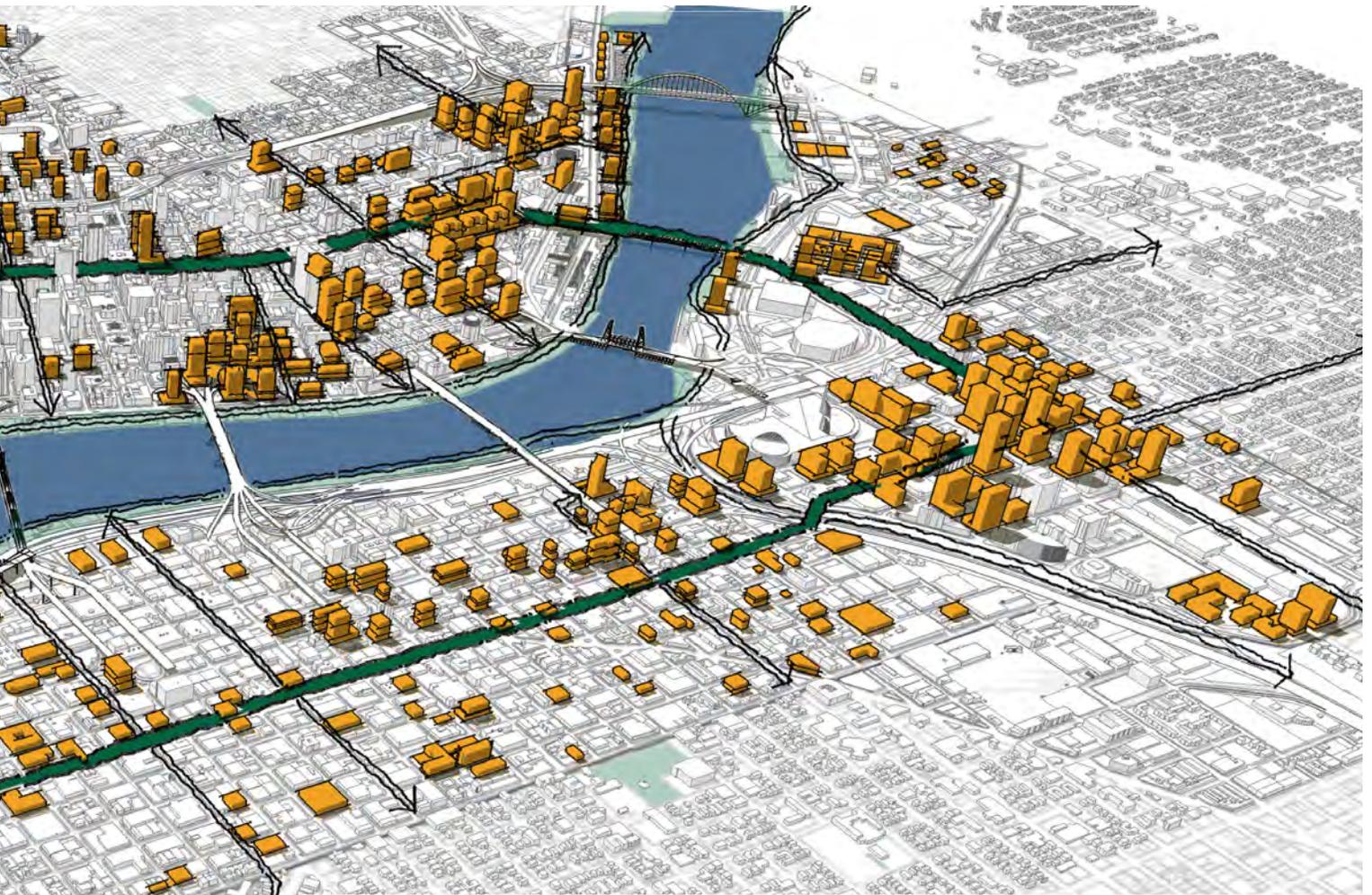
*Over the next 20 years:*

Protect the Willamette River, restoring habitat in and along the waterfront. Future efforts will support new and improved open spaces and recreation, along with innovative green infrastructure throughout the Central City.

# CENTRAL CITY 2035 VISION: A CENTER FOR INNOVATION AND EXCHANGE

CC2035 ENVISIONS A PROSPEROUS, HEALTHY, EQUITABLE AND RESILIENT CENTRAL CITY, WHERE PEOPLE COLLABORATE, INNOVATE AND CREATE A MORE VIBRANT FUTURE TOGETHER.





The illustration on these pages depicts what the Central City might look like in the future. The orange shapes suggest new buildings on redevelopment sites, places that are expected to change because they are currently vacant or surface parking lots or they have a low utilization of their current development potential. The proposed “green loop” is shown conceptually with a series of key connections, linking the Central City districts together and connecting them to the riverfront and surrounding communities.



# THE BIG IDEAS

Long range planning encourages creativity and aspirational thinking. Six “big ideas” for the Central City emerged during the planning process. These helped inform the development of the plan’s goals, policies and implementing actions.



## Celebrate Portland's Civic and Cultural Life



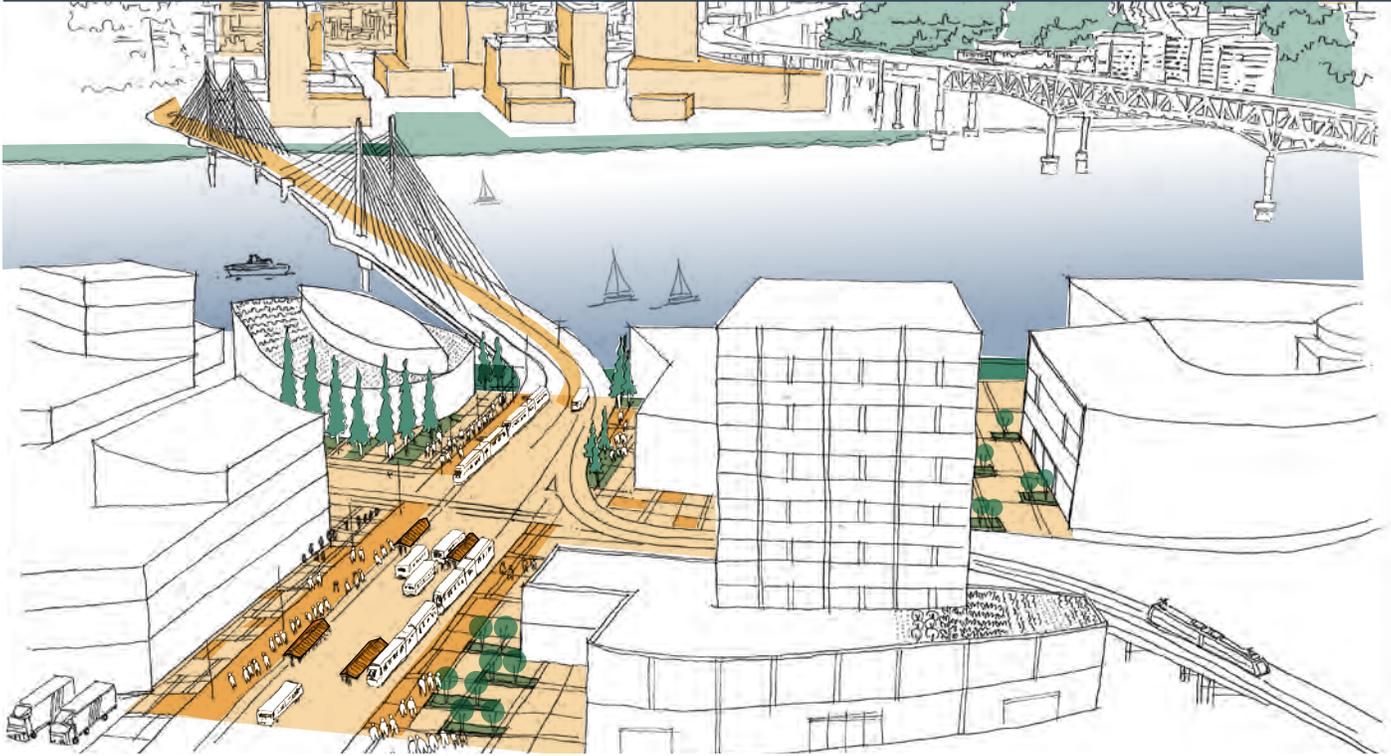
The Central City is more than just a center for commerce. It is an incubator of civic culture and action. Portland's city center is home to myriad venues, historical and cultural assets, public spaces, and recreational attractions — a place people from the entire region can enjoy.

This plan embraces existing institutions and attractions such as Pioneer Square, Waterfront Park, the Lan Su Chinese Garden and Schnitzer Auditorium, OMSI, the Moda Center and more. The plan also calls for encouraging new attractions, particularly

those that connect with communities that might not otherwise feel a strong tie to the Central City.

The CC2035 Plan includes a range of actions related to civic and cultural life: streetscape improvements in the Cultural District; expanded recreation opportunities and public event programming for a broad range of Portlanders; a community center to foster public interaction; ways to accommodate food carts as redevelopment occurs; and support for new, signature public art.

# Foster Creativity, Innovation and Productivity

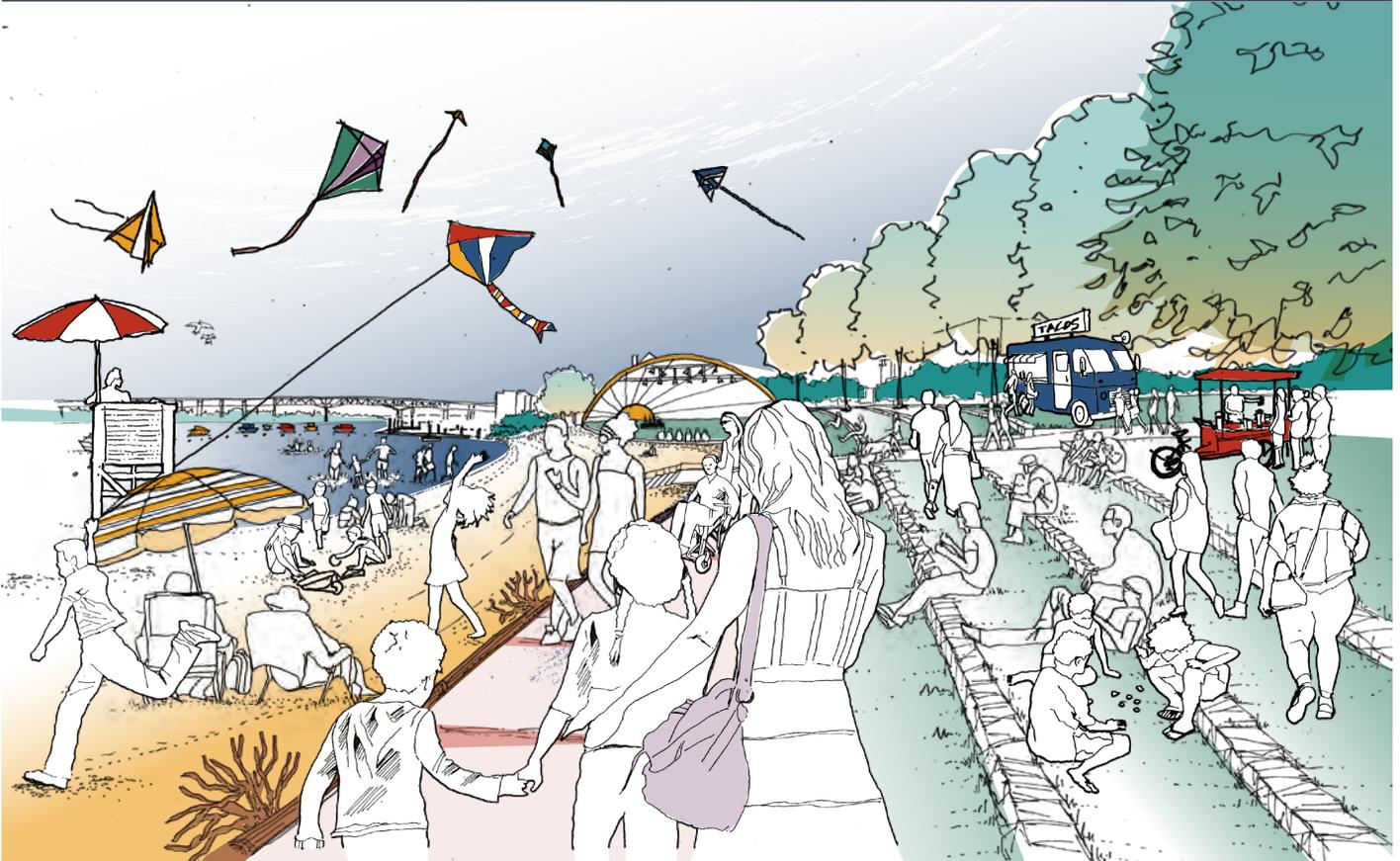


Historically, cities are uniquely productive places. They bring together a mix of people, ideas, businesses and investments that create opportunities, inventions and jobs. Cities can be particularly productive where universities, research institutions and businesses cross pollinate and collaborate. In Portland, the Innovation Quadrant — which spans from South Waterfront to the

top of Markham Hill, and the University District to the Central Eastside — could be such a place.

The plan supports growth in the Innovation Quadrant, building on synergies between OHSU, PSU, OMSI and Portland Community College as well as businesses and research enterprises.

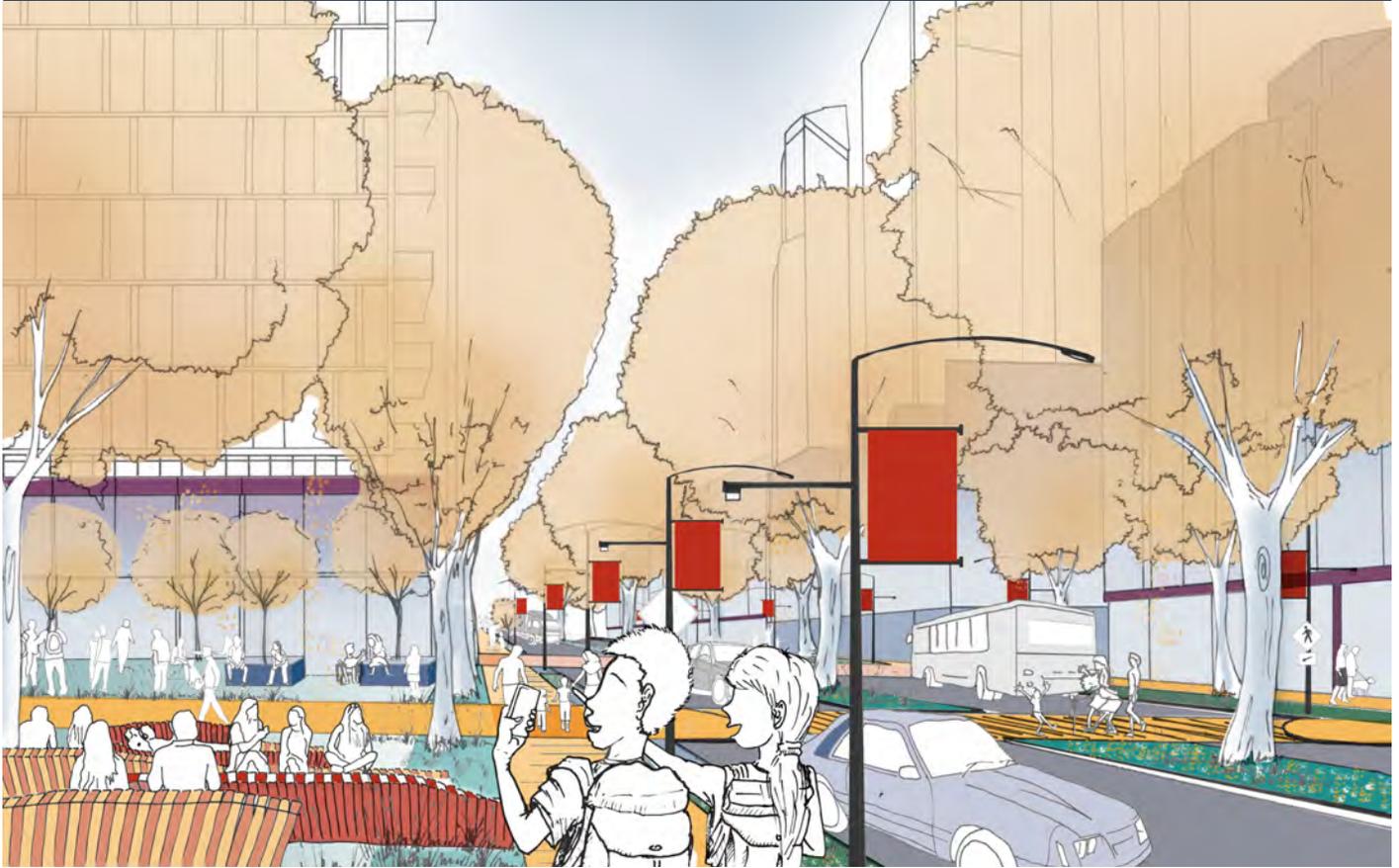
# Enhance the Willamette for People and Wildlife



Perhaps more than anything else, the Willamette River has shaped the development of Portland and the Central City. The Willamette is integral to the city’s history, identity and place in the region. The 1988 Plan called for “embracing the river,” so parks, plazas, trails and other uses were added to the riverfront. But there is still great potential for the waterfront on both sides of the river.

The CC2035 Plan promotes a 21st-century urban riverfront that supports the health of both wildlife and people. Better water quality and more habitat increase fish and wildlife populations. Swimming, boating and paddling in the river help make the Willamette a natural element of healthy living. The quality of public spaces as well as new development and activity on Naito Parkway will also bring more people to the riverfront, honoring the cultural, historical, economic and ecological significance of the Willamette River.

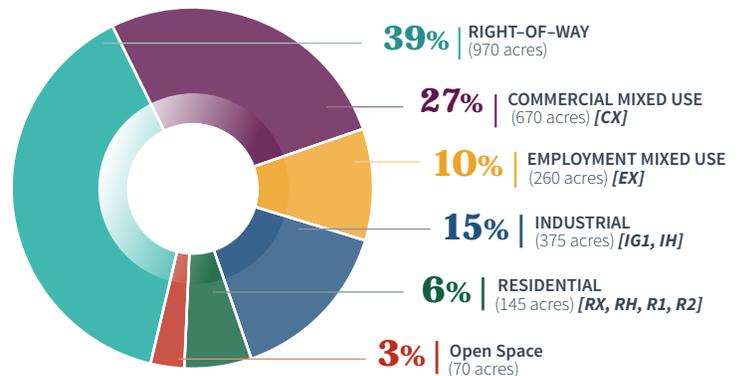
# Design Streets to be Great Places



Portland's Central City is blessed with streets that are narrow and blocks that are short, full of people who are biking and strolling, window shopping, eating at outdoor cafes, and enjoying the sights and sounds of the city center. These streets, sidewalks, intersections and building frontages are a big part of the public realm. And the design and use of these spaces has been the secret to creating the Central City's best public places.

To optimize the use of the entire network of public spaces, CC2035 rethinks the role of Central City streets. Most of these streets handle relatively high volumes of multimodal traffic, but they have different characters: some are great retail streets; some are better for office or residential uses; others offer views of signature landmarks or regional features; and still others may be able to take on a quieter and more flexible role for a variety of activities. By considering the street network in terms of these

different roles, the Central City's most accessible public spaces can become a more varied, rich and inclusive set of great places for more people.



**The graph illustrates that rights-of-way comprise most of the Central City's land area, at 39 percent.**

## Develop the Next Generation of Public Space: *The Green Loop*



With new street organization and larger efforts to repurpose public rights-of-way for better community use, CC2035 calls for the development of the “Green Loop.” A roughly six-mile linear park with bicycle and pedestrian facilities under a green tree canopy, the Loop will invite residents, workers and visitors to experience the Central City in an entirely new way.

A key element of the city’s active transportation network and Citywide Greenway System, the Green Loop will offer thousands of people an easy and safe way to walk, jog or bike

the Central City. This urban promenade will promote healthier lifestyles and connect people to amenities and each other. It will link neighborhoods, retail and employment centers, civic and cultural institutions, parks and attractions to each other and the rest of Portland. Finally, it will attract people of all ages and abilities from throughout the region to enjoy safe, green and active recreation.

## Increase the Resilience of the Central City



A resilient city is one that can better respond to forces outside its control. It is a city that has the business, workforce and social strength to recover from economic downturns. It has the infrastructure and resources to recover from a natural disaster. And it has the foresight and commitment to prepare for the impacts of climate change. By focusing on resilience, we can ensure the Central City remains a great place for current and future generations.

The plan strives for greater economic resilience by encouraging diversity in the mix of businesses and workforce opportunities in the Central City. It strives for greater social resilience by preserving and increasing affordable housing in the Central City, allowing particularly vulnerable households access to the infrastructure, services and opportunities there. The plan also promotes environmental and natural hazard resilience through land use policies, seismic incentives, strategic investments in infrastructure and green systems, a more diverse transportation network and lower carbon emissions from new development.



# CENTRALCITY 2035

G&P

GOALS AND POLICIES





# HOW AND WHEN IS THE PLAN USED?

As part of Portland’s Comprehensive Plan, the Central City 2035 Plan is used to make land use decisions in the Central City. This includes decisions about how land is used or developed, as well as public facility investments related to those uses or developments.

The Plan and tools are not static and are expected to change over time. City Council will consider decisions to adopt, amend or repeal parts of the Plan or implementation tools in response to changing conditions, needs and trends.

## HOW ARE THE POLICIES IN THIS DOCUMENT USED IN DECISION-MAKING?

The Central City 2035 Plan is part of Portland’s Comprehensive Plan and, therefore, all legislative changes and some quasi-judicial decisions must document how the proposed decision complies with the Comprehensive Plan’s policies.

The Comprehensive Plan contains a broad range of policies, each describing a desirable outcome. However, it is unlikely that all policies will be relevant to a particular decision.

Council must weigh and balance applicable policies. In cases where there are competing directions embodied by different policies, City Council may choose the direction it believes best embodies the Plan as a whole. The Central City 2035 Vision, as well as the Comprehensive Plan Vision and Guiding Principles help to provide additional guidance when policies are balanced.

More information on how this plan is used in decision-making and other uses of the plan, can be found in the “How to Use the Plan” section of the Comprehensive Plan.

### CC2035 GOALS & POLICIES WILL BE USED WHEN:

- Amending the Comprehensive Plan Map
- Amending the Zoning Map or Code
- Meeting certain approval criteria in the Code
- Adding projects to the Transportation System Plan project list (PBOT)
- Developing urban renewal and area plans

# HOW TO READ THE CC2035 GOALS AND POLICIES

## CC2035 PLAN GOALS AND POLICIES ARE ORGANIZED INTO SIX SECTIONS:

- 1 | Regional Center
- 2 | Housing and Neighborhoods
- 3 | Transportation
- 4 | Willamette River
- 5 | Urban Design
- 6 | Health and Environment

Each section begins with a set of goals and policies that applies to the entire Central City Plan District. These are followed by a set of district policies that apply only in those respective areas.

For additional information about each district, see the Central City Districts section starting on page 85 of this document.

**WE**  
WEST END

**UD**

UNIVERSITY  
DISTRICT/SOUTH  
DOWNTOWN

**SW**

SOUTH  
WATERFRONT

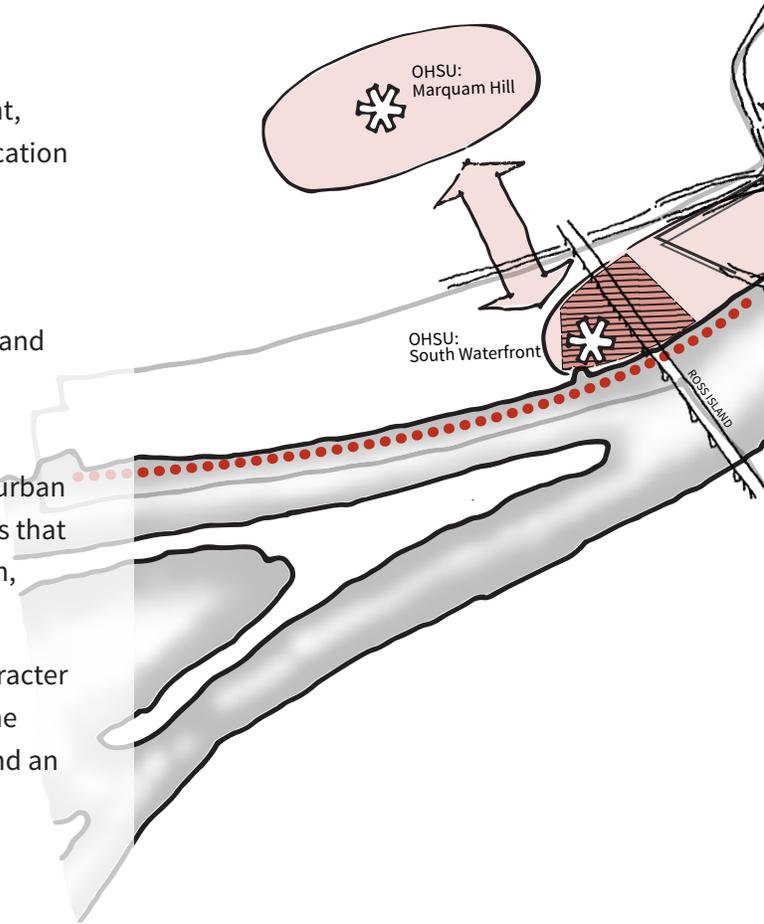


# 1. REGIONAL CENTER

Portland’s Central City serves as the region’s economic, cultural and civic center. To maintain and enhance this role, the following policies support economic growth, particularly in traded sector industries; protect industrial and employment districts; capitalize on opportunities for partnering with higher education institutions; and address affordability barriers so that entrepreneurs and small businesses can thrive.

## CENTRAL CITY GOALS

- GOAL 1.A:** Portland’s Central City is the preeminent regional center for commerce and employment, arts and culture, entertainment, tourism, education and government.
- GOAL 1.B:** The Central City is economically competitive, especially relative to West Coast and regional markets, with robust and expanding business and development activity.
- GOAL 1.C:** Portland’s Central City is a national leader for innovation in business, higher education and urban development with physical and social qualities that foster and attract diverse creativity, innovation, entrepreneurship and civic engagement.
- GOAL 1.D:** The experience of the Central City’s urban character and livability make it the leading location in the region for business and commercial activity and an attractive location for new development.





# CENTRAL CITY POLICIES: REGIONAL CENTER

## CIVIC AND CULTURAL CENTER

Portland's City Center contains a broad array of institutions, venues, cultural assets, historic resources and the Willamette River, making it the heart of the region's civic and cultural life. Policies in this section support the role of the Central City as the civic and cultural center of the region, serving all Portlanders.

- POLICY 1.1**     **Regional image.** Strengthen the roles of the Central City and Willamette River in enhancing a positive image for the city, region and state.
- POLICY 1.2**     **Center of higher education.** Support the ability of major universities and other higher education institutions to strengthen the Central City as a center of learning, business and innovation.
- POLICY 1.3**     **Center of urban innovation.** Strengthen the role and stature of the Central City as a laboratory and showcase for innovative urban development and as a regional leader in the development of businesses related to clean technology, green practices and design, and resource conservation.
- POLICY 1.4**     **Tourism, retail and entertainment.** Expand upon activities in the Central City that support tourism and complement economic success, vibrancy, and livability, with a special focus on retail, cultural events and institutions, public spaces, arts and entertainment, urban design, and transportation.  
  
See district policies section for related policies in: DT, WE, GH, PL, OT, LD, CE, SW, UD
- POLICY 1.5**     **Destination Willamette River.** Enhance the riverfront as a destination by encouraging shops; restaurants; art; cultural, historic, ecological and maritime attractions; and recreation. Support opportunities and amenities for river tours, river transit and regional cruises to and from the riverfront.

## ECONOMIC VITALITY

The Central City is home to professional service industries that support the entire region a growing number of colleges and universities and a manufacturing base that hosts a number of emerging business sectors. Policies in this section support the continued economic vitality of the Central City, Portland and the region.

- POLICY 1.6**     **Traded sector growth.** Enhance business development efforts and assistance for targeted industry clusters and high growth sector companies.
- POLICY 1.7**     **Entrepreneurship and business innovation.** Strengthen the Central City as a location for job creation by addressing development issues that affect businesses and supporting economic development strategies and programs that facilitate economic growth in the Central City.

- POLICY 1.8 Innovation Quadrant.** Capitalize upon the physical connections created by the Tilikum Crossing to connect Central Eastside industries with westside institutional assets such as Oregon Health Science University (OHSU) and Portland State University (PSU). Facilitate the growth of traditional and emerging industries in service to the Innovation Quadrant and encourage venues such as the Oregon Museum of Science and Industry (OMSI) to showcase the diversity of research, economic development, and educational activities occurring within the quadrant.
- Encourage a range of businesses from start-up firms to corporate headquarters, with particular focus on knowledge-based industries such as technology and research and development, to locate in the area (see Regional Center map on page 34).
- POLICY 1.9 Equity and the economy.** Support greater access to and expansion of economic opportunities in the Central City for all groups facing longstanding disparities, including education, housing and employment so that they can achieve an equitable allocation of the benefits of development and economic prosperity. Accomplish this through land use tools (e.g., FAR bonuses and transfers) and/or other programs.
- POLICY 1.10 Next generation industrial/employment sanctuaries.** Foster the long-term success of Central City industrial districts and the continuation of these areas as prime locations for investment and new industrial businesses, while supporting their evolution into places with a broader mix of businesses, living-wage jobs, and higher employment densities.
- See district policies section for related policies in: LA, CE
- POLICY 1.11 Commercial affordability.** Support efforts to make the Central City a competitive location for development and business location and operation.
- POLICY 1.12 Day laborer organization and education.** Continue efforts and initiatives within the Central City that organize and centralize day laborer services that can provide for worker rights education, outreach, and protect the rights of laborers.
- POLICY 1.13 Surface parking.** Support strategies and tools to encourage the redevelopment of surface parking lots. Discourage the development of new surface parking and ensure buildings will not be demolished to provide surface parking.
- See district policies section for related policies in: WE, GH, OT
- POLICY 1.14 Flexible building design.** Encourage flexible building design and construction, including structured parking, that allows buildings to be repurposed and accommodate a variety of uses in the future.

## DISTRICT POLICIES: REGIONAL CENTER

This section contains Regional Center policies specific to a particular Central City district.

### Downtown

**POLICY 1.DT-1 Office core.** Maintain the Downtown office core as the region’s preeminent office employment district. Encourage new office development, with the largest buildings near the Transit Mall.

**POLICY 1.DT-2 Retail core.** Encourage the growth and success of the retail core with new retail and supportive development. Expand the retail core north, west and east to Waterfront Park.

**POLICY 1.DT-3 Government center.** Encourage the concentration of government services in the vicinity of Chapman and Lowndale Squares.

**POLICY 1.DT-4 Tourism, retail and entertainment.**

**a. Tourist information.** Maintain Pioneer Square as an important “first stop” for tourist information with Governor Tom McCall Waterfront Park becoming a complementary “second stop.”

**b. Events.** Encourage a wide range of entertainment opportunities and event venues including small-scale, more frequent events as well as large-scale episodic events.

**c. Cultural district.** Enhance the concentration of arts and cultural institutions and activities on and near the South Park Blocks between SW Salmon and SW Jefferson Streets. Expand the range of unique cultural and historic attractions along the Willamette River.



### CULTURAL DISTRICT BLOCKS

*Conceptual drawing of a vibrant Cultural District on the north end of the South Park Blocks that includes regional cultural attractions like the Portland Art Museum, the Arlene Schnitzer Hall, the Portland’s Centers for Performing Arts and the Oregon Historical Society. The concept also incorporates stronger connections to nearby signature open spaces like Director Park and Pioneer Courthouse Square. (Otak 2013)*

## West End

### POLICY 1.WE-1 **North of Taylor.**

- a. **Mixed use emphasis.** Encourage a broad mix of land uses in the West End, particularly north of SW Taylor Street, including office and retail opportunities in addition to residential.
- b. **Retail core expansion.** Expand the Downtown Retail Core west to I-405 and north into the Pearl and encourage a broad mix of activity and retail opportunities at the street level.

POLICY 1.WE-2 **Tourism, retail and entertainment.** Support the West End's unique concentration of arts and cultural institutions.

POLICY 1.WE-3 **Surface parking.** Encourage new development on surface parking lots and vacant lots.

## Goose Hollow

POLICY 1.GH-1 **Mixed use emphasis.** Encourage vibrant, mixed-use development, especially residential, office and active floor uses in the area bounded by SW 18th, West Burnside, I-405 and SW Salmon to serve the needs of, and provide employment opportunities for, a substantial and growing residential population.

### POLICY 1.GH-2 **Tourism, retail and entertainment**

- a. **Stadium supportive development.** Capitalize on activity generated by Providence Park, encouraging complementary redevelopment in the area near the stadium, emphasizing local businesses of moderate scale and supporting year-round functions, such as theaters, restaurants, hotels, pubs, cafes and galleries.
- b. **Event frequency.** Expand the frequency and range of event types at Providence Park. Capitalize on this expanded activity to support complementary development of sustainable local business activities.

POLICY 1.GH-3 **Surface parking.** Encourage new development on surface parking lots and vacant lots on West Burnside and SW 18th Avenue.

## The Pearl

POLICY 1.PL-1 **Mixed use office center.** Support the continued development of a vibrant, mixed-use area with new commercial, retail, office and creative office opportunities.

POLICY 1.PL-2 **Large site employment opportunity.** Encourage redevelopment of large sites to include regional employment opportunities such as major office or campus uses.

**POLICY 1.PL-3 Tourism, retail and entertainment.** Enhance the success of this urban mixed use district, drawing new visitors and supporting attractions, including unique retail, dining, riverfront and entertainment opportunities.

## **Old Town/Chinatown**

**POLICY 1.OT-1 Institutions, creative economy and target sector industries.** Support the success of higher education institutions, capitalizing on them as lasting anchors for creative industries and businesses.

Support entrepreneurial incubation and encourage business start-ups and the City's economic development cluster industries to locate in the district.

**POLICY 1.OT-2 Tourism, retail and entertainment.** Support unique attractions in the district, including: cultural institutions; Governor Tom McCall Waterfront Park; retail, dining, and performance venues; and nightlife attractions. Expand the festival and event programming of public spaces in the district; manage activities in a way that controls negative impacts.

**POLICY 1.OT-3 Cultural assets.** Support the protection and enhancement of the rich cultural and multi-ethnic history and diversity of Old Town/Chinatown, including its unique physical characteristics, cultural and arts institutions, community organizations, and mix of businesses.

**POLICY 1.OT-4 Strategic redevelopment.** Encourage the reuse, rehabilitation and seismic upgrade of underutilized buildings to increase useable space and economic activity in the district. Support location of retail uses in the ground floors of buildings, including retail businesses that complement and enhance the cultural and historical significance of the area.

**POLICY 1.OT-5 Surface parking.** Encourage new mixed-use infill development on vacant lots and surface parking lots while supporting existing businesses.

## **Lower Albina**

**POLICY 1.LA-1 Next generation industrial/employment sanctuaries.** Diversify the range of employment activities allowed in the area east of the Union Pacific railroad and near the MAX station.

**POLICY 1.LA-2 Incubator.** Support existing businesses and foster the district as an industrial and employment incubator.

**POLICY 1.LA-3 Russell Street vitality.** Support the urban vibrancy of Russell Street and its unique blend of working daytime industrial activity with compatible nighttime restaurant and entertainment activity.

## Lloyd

### POLICY 1.LD-1 **Employment core.**

**a. Office core.** Foster the Lloyd as an employment center for headquarters office, institutions, professional services and the government sector.

**b. Retail.** Support existing and new retail development including regionally focused uses in and around the Lloyd Center Mall and neighborhood-serving uses along the NE Broadway corridor.

**POLICY 1.LD-2 Sustainability innovation center.** Promote Lloyd as a center for innovation and application of sustainable business and development practices, foster job creation in sustainable industries and encourage the incorporation of green technology and practices into businesses and development.

**POLICY 1.LD-3 Tourism, retail and entertainment.** Support the continued success of the Rose Quarter and the Oregon Convention Center and encourage new development and businesses that complement and balance the episodic nature of event activity. Expand civic attractions to enhance tourism, regional attractions and the district's growing residential character.

**POLICY 1.LD-4 Union Pacific alignment.** Support relocation of the Union Pacific rail tracks to improve freight and passenger rail operations.

## Central Eastside

### POLICY 1.CE-1 **Next generation industrial/employment sanctuaries.**

**a. Industrial center.** Protect the Central Eastside as a centralized hub of industrial businesses and services that support the regional economy by serving other industrial districts and businesses located throughout the Portland metropolitan area.

**b. Industrial diversification.** Support growth of new industrial sectors, protect existing sectors, and protect the Central Eastside as a place where startups and incubators can transition to mature and established businesses and sectors.



#### **EMPLOYMENT TRANSIT ORIENTED DESIGN**

*Conceptual rendering showing a flexible building in the Central Eastside with a mix of manufacturing, warehousing, distribution and industrial office uses. To reduce conflicts, some streets are pedestrian oriented while others are designed for loading activities. (VIA 2014)*

- POLICY 1.CE-2 Employment supportive mixed-use corridors.** Enhance the vibrancy of major mixed-use corridors to optimize their potential to attract investment and the development of new retail, commercial office, and residential uses that complement and serve employees and businesses in the Central Eastside.
- POLICY 1.CE-3 Southern triangle.** Encourage redevelopment of large sites to include employment opportunities such as industrial office and headquarters office opportunities, and invest in new infrastructure to address transportation constraints.
- a. Clinton Station Area.** Facilitate the development of employment and residential, as well as neighborhood serving retail and community services that serve the Central Eastside and inner Southeast Portland neighborhoods.
  - b. OMSI Station Area.** Create a major and active riverfront station area that includes land and water based transportation, as well as educational and recreational opportunities. Promote visitor-serving attractions, amenities, and retail, as well as a mix of high-density commercial office, institutional and industrial employment uses.
- POLICY 1.CE-4 Workforce development institutions.** Support institutions such as Benson High School, Portland Community College’s CLIMB Center, OMSI, and others in their unique roles associated with workforce development through programs and partnerships that prepare Portlanders at different education and skill levels for employment in Central Eastside industries.
- POLICY 1.CE-5 Tourism, retail and entertainment.** Support river and riverfront uses and activities along the Eastbank Esplanade and near OMSI including active and passive recreation, ecological and maritime tourism, retail kiosks, restaurants and river transportation.

## South Waterfront

- POLICY 1.SW-1 Research and education institutions.** Support the development and expansion of institutions, such as Oregon Health and Science University, Portland State University and Oregon State University, as well as complementary knowledge, health and science-based industries.
- POLICY 1.SW-2 Tourism, retail and entertainment.** Support river and riverfront uses and activities along and near the greenway including active and passive recreation; historic, ecological, maritime and cultural displays; and river transit. Encourage shops and restaurants to locate adjacent to the greenway at key locations.

## University District/South Downtown

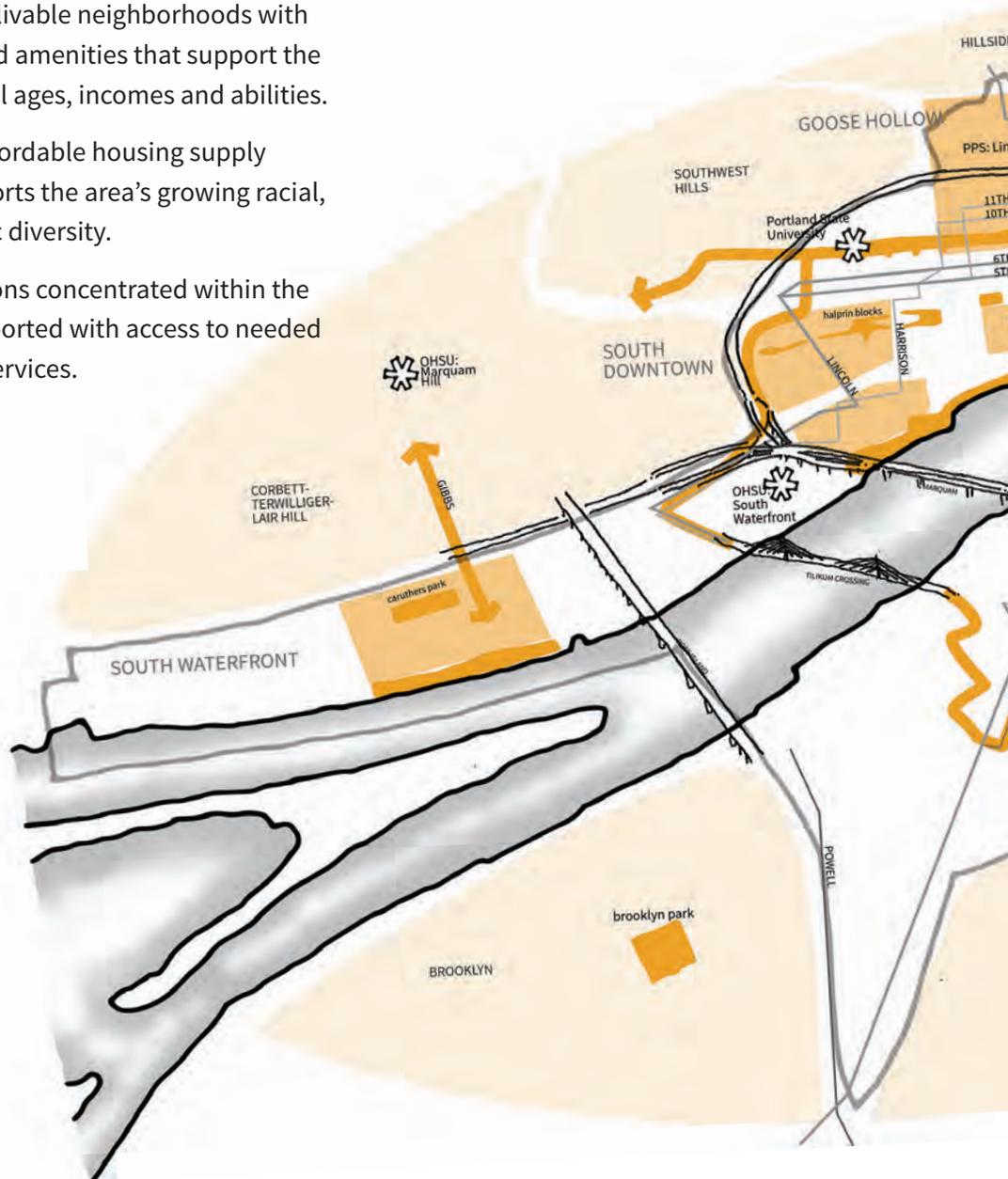
- POLICY 1.UD-1 Portland State University.** Support the continued success and growth of Portland State University. Specifically, encourage new university development and partnerships with public and private development in the district to promote a vibrant and diverse neighborhood.
- POLICY 1.UD-2 Tourism, retail and entertainment.** Increase the number of visitors to the district by encouraging new and enhancing existing riverfront shops, restaurants and recreational opportunities at RiverPlace.
- POLICY 1.UD-3 Strategic redevelopment.** Encourage public and private redevelopment in the district, while supporting the existing residential redevelopment, particularly in the areas around Naito Parkway/ Harbor Drive, SW 4th Avenue, the Lincoln MAX Station and along the SW 5th and SW 6th Avenue Transit Mall. Where possible, encourage new development that includes public-private partnerships and activities and helps meet Portland State University space needs.

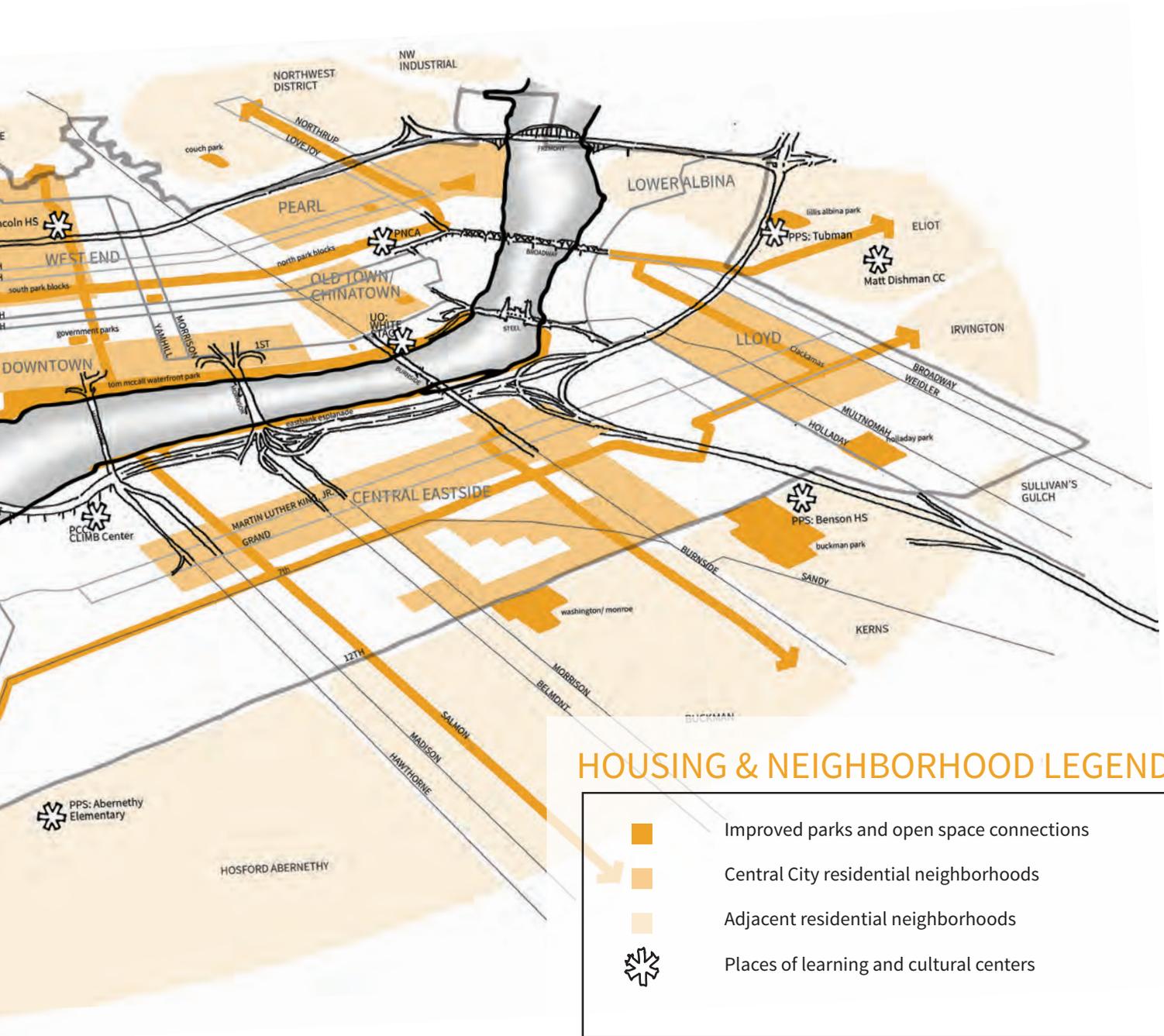
## 2. HOUSING AND NEIGHBORHOODS

When the last Central City Plan was developed nearly 30 years ago, there were relatively few people living in Portland’s Central City. Today, it has become the fastest growing area in the city. The following policies encourage a broad range of housing types that are accessible for households at all income levels, near Central City jobs and situated within complete neighborhoods that include a variety of amenities, including public spaces.

### CENTRAL CITY GOALS

- GOAL 2.A:** The Central City is a successful dense mixed-use center composed of livable neighborhoods with housing, services and amenities that support the needs of people of all ages, incomes and abilities.
- GOAL 2.B:** The Central City’s affordable housing supply maintains and supports the area’s growing racial, ethnic and economic diversity.
- GOAL 2.C:** Vulnerable populations concentrated within the Central City are supported with access to needed human and health services.





# CENTRAL CITY POLICIES: HOUSING AND NEIGHBORHOODS

## Neighborhood livability

A livable Central City is a dense, compact, connected network of unique neighborhoods that are inclusive, vibrant, accessible, healthy and safe. These policies support Central City livability.

- POLICY 2.1 Complete neighborhoods.** Ensure Central City neighborhoods have access to essential public services, including parks, open space and recreation opportunities, senior centers community centers and spaces, family serving amenities such as public schools, urban canopy, grocery stores and other neighborhood-serving retail and commercial services that support sustainable and diverse community structure.
- See district policies section for related policies in: DT, WE, GH, PL, OT, LD, CE, SW, UD
- POLICY 2.2 Promote healthy active living.** Design Central City neighborhoods to support physically and socially active healthy lifestyles for all people through the inclusion of plazas, parks, open spaces, and recreation opportunities, a safe and inviting public realm, access to healthy food and active transportation and the density of development needed to support these economically.
- POLICY 2.3 Social services.** Support development of social services facilities that are responsive to the needs of vulnerable members of the Portland community.
- See district policies section for related policies in: WE, PL, OT
- POLICY 2.4 Safe and secure Central City.** Maintain adequate public safety and security services and reduce sources of conflict and nuisance crime through design, regulation and management.
- POLICY 2.5 Mixed-use compatibility.** Promote design solutions and construction techniques to ensure that new development is compatible with existing uses, taking into account noise and other pre-existing conditions.
- POLICY 2.6 Conflict reduction strategies.** Expand ongoing strategies and programs that reduce potential conflicts between special needs populations and other Central City residents, employees, visitors and businesses.
- POLICY 2.7 Reconnecting neighborhoods across infrastructure.** Develop and implement strategies to lessen the impact of freeways and other transportation systems on neighborhood continuity including capping, burying or other innovative approaches.
- POLICY 2.8 Family-compatible housing.** Encourage the development of housing projects and units that are compatible with the needs of families with children.

**POLICY 2.9 Family supportive services.** Provide and create access to public schools, parks, daycare facilities, playgrounds, community centers, libraries, and other essential services needed to sustain families in the Central City.

## Housing affordability

Many households in the city have to spend significantly more than the recommended 30 percent of their income on housing. More and more households are falling into this category because of steep increases in home prices and a tight rental market. Policies in this section support housing affordability in the Central City.

**POLICY 2.10 Minimize displacement.** Maintain the economic and cultural diversity of established communities in and around the Central City. Utilize investments, incentives and other policy tools to minimize or mitigate involuntary displacement resulting from new development in the Central City and close-in neighborhoods.

**POLICY 2.11 Housing diversity.** Create attractive, dense, high-quality affordable housing throughout the Central City that accommodates a broad range of needs, preferences, and financial capability in terms of different types, tenures, sizes, costs and locations. Support new housing opportunities for students, families and older adults.

See district policies section for related policies in: DT, WE, GH, PL, OT, LD, SW, UD

**POLICY 2.12 Housing affordability.** Encourage the preservation and production of affordable housing to take advantage of the Central City's unique concentration of active transportation access, jobs, open spaces, and supportive services and amenities.

**POLICY 2.13 Housing affordability targets.**

**a. Low income.** Continue to develop new affordable housing so that approximately 30 percent of the Central City's total housing is affordable to households in the 0-80 percent MFI bracket.

**b. No Net Loss.** In accordance with the City's 2001 No Net Loss policy, retain at least the number, type and affordability levels of Central City housing units for households in the 0-60 percent MFI bracket, through preservation or replacement, as existed in 2001.

**POLICY 2.14 Public investment in affordable housing.** For public affordable housing resources, prioritize funding for housing programs and investment to meet the unmet needs of extremely low and very low-income households (0-50 percent MFI).

**POLICY 2.15 Transitional housing and services.** Provide housing and services that directly assist at-risk populations and allow people to transition to more stable living conditions.

## DISTRICT POLICIES: HOUSING AND NEIGHBORHOODS

This section contains Housing and Neighborhood policies specific to a particular Central City district.

### Downtown

- POLICY 2.DT-1 Complete neighborhoods.** Encourage the development of community space to serve the district, and a dog park.
- POLICY 2.DT-2 Encourage evening and weekend activity.** Encourage the development of uses that are active in the evenings and on weekends such as restaurants, galleries, retail stores and performance spaces. In particular, encourage evening activities within Governor Tom McCall Waterfront Park and along Naito Parkway.
- POLICY 2.DT-3 Housing diversity.** Encourage new housing development along SW Naito Parkway and near the South Park Blocks.



### **WATERFRONT NEIGHBORHOOD**

*Conceptual sketch depicting how a currently under-developed neighborhood by the waterfront could redevelop over time and become more dense, vibrant and connected to the Willamette River and Governor Tom McCall Waterfront Park. (Otak 2013)*

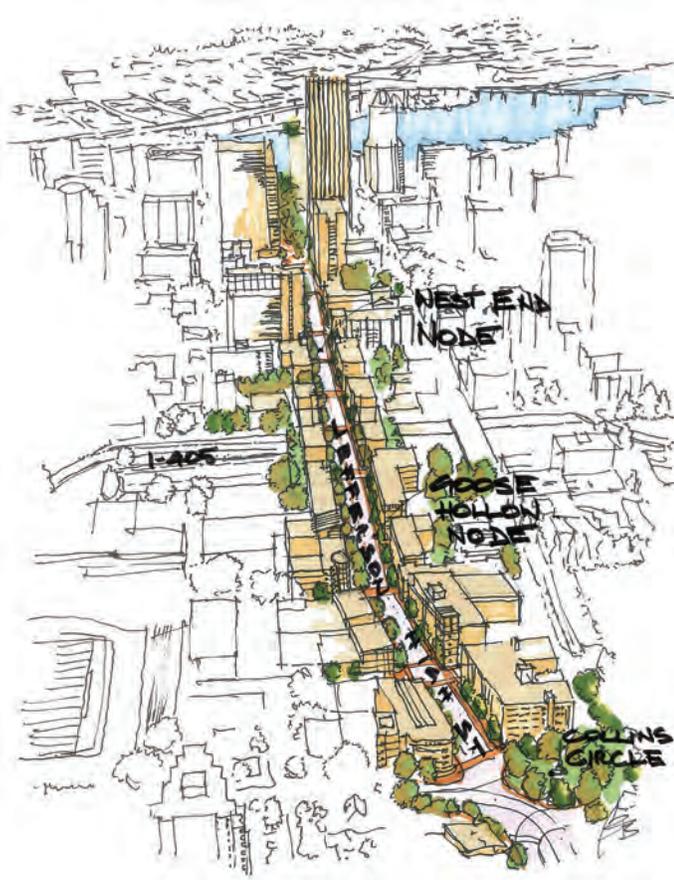
### West End

- POLICY 2.WE-1 Complete neighborhoods.** Encourage the development of child-friendly play areas, schools, a neighborhood park, dog park and contemplative spaces.
- POLICY 2.WE-2 West End Jefferson main street.** Encourage redevelopment and rehabilitation along SW Jefferson to create a vibrant neighborhood main street environment with pedestrian and bicycle-friendly street design, green infrastructure improvements and contiguous neighborhood retail linking the West End to Goose Hollow and Downtown.

- POLICY 2.WE-3 Social services.** Support existing social service and shelter functions in the district. Discourage the location of additional social services in close proximity to existing services.
- POLICY 2.WE-4 Religious institutions.** Support the district's unique concentration of places of worship.
- POLICY 2.WE-5 Housing diversity.** South of Salmon Street, encourage residential development as the predominant use; to the north encourage it as a major component of new development. In particular, encourage multi-family housing supportive of families.

## Goose Hollow

- POLICY 2.GH-1 Complete neighborhoods.** Encourage the development of community space and accessible open space to serve the district.
- POLICY 2.GH-2 Goose Hollow Jefferson main street.** Encourage redevelopment and rehabilitation along SW Jefferson Street between I-405 and SW 20th to create a vibrant neighborhood main street environment with pedestrian-friendly design, green infrastructure features, and contiguous neighborhood retail.



### JEFFERSON MAIN STREET

*Conceptual drawing of a strengthened Jefferson main street generated during discussions with the Goose Hollow and the West End neighborhoods. The illustration depicts a potential freeway cap over I-405 and two possible nodes along the street, one in the heart of each neighborhood. (Otak 2013)*

POLICY 2.GH-3 **West Burnside.** Encourage redevelopment, rehabilitation and streetscape improvements on West Burnside Street that support a vibrant and safe retail and commercial corridor.

POLICY 2.GH-4 **Housing diversity.** Support development that complements the distinctive residential feel of the district, especially within the predominantly residential areas south of SW Columbia Street. In particular, encourage multi-family housing supportive of families.

## The Pearl

POLICY 2.PL-1 **Complete neighborhoods.** Enhance bicycle and pedestrian connections between existing parks, as well as future parks. Encourage the development of new public schools to serve the district.

POLICY 2.PL-2 **Social services.** Encourage development of social services to support vulnerable members of the community and further a more equitable distribution of these services throughout the Central City.

POLICY 2.PL-3 **Housing diversity.** Encourage new development, including housing, along Naito Parkway in order to bring more people and activities to the riverfront. Throughout the district, encourage multifamily housing supportive of families and students.

## Old Town/Chinatown

POLICY 2.OT-1 **Complete neighborhoods.** Encourage new and enhanced services to support district residents and workers, including commercial, retail, educational, medical, recreational, cultural, transportation, entertainment, and emergency services.

POLICY 2.OT-2 **Social services.** Support existing social service and shelter functions in the district. Limit the significant expansion of these services and do not locate additional major social services in the district.

POLICY 2.OT-3 **Housing diversity.** Encourage market rate and middle-income housing.

## Lloyd

POLICY 2.LD-1 **Complete neighborhoods.** Improve access to parks and open space, and encourage development of grocery stores, neighborhood businesses, daycares and schools.

POLICY 2.LD-2 **Successful neighborhood business districts.** Expand local main street business areas within the Lloyd and in adjacent neighborhoods. Cluster a diverse mix of neighborhood scale businesses within the NE Broadway Business District and on new district retail/commercial streets as a means of concentrating activity and promoting successful retail areas.

- POLICY 2.LD-3 Community building.** Encourage public spaces, public art and activities that celebrate the history of the district and that help build a community in the Lloyd and with surrounding neighborhoods.
- POLICY 2.LD-4 Housing diversity.** Encourage development of new housing, especially in Central Lloyd and on the Irvington and Sullivan’s Gulch edges to foster a sense of community and support efficient provision of residential amenities and services.

### Central Eastside

- POLICY 2.CE-1 Complete neighborhoods.** Ensure access to essential public services such as parks and open spaces, schools, and community centers.
- POLICY 2.CE-2 Compatible development and redevelopment.** Protect the existing industrial businesses and the livability of new employment and residential uses through development designed and constructed to insulate non-industrial uses from the characteristics common to industrial operations such as noise, fumes, and freight operations.

### South Waterfront

- POLICY 2.SW-1 Complete neighborhoods.** Encourage development of a K-8 public school facility to serve the district, parks and greenway, a full-service grocery store, community space, senior center and daycare facilities.
- POLICY 2.SW-2 Ground floor vitality.** Support street-level neighborhood vitality by encouraging active but compatible ground floor uses in predominantly residential buildings.
- POLICY 2.SW-3 Housing diversity.** Encourage multi-family housing supportive of families and students.

### University District/South Downtown

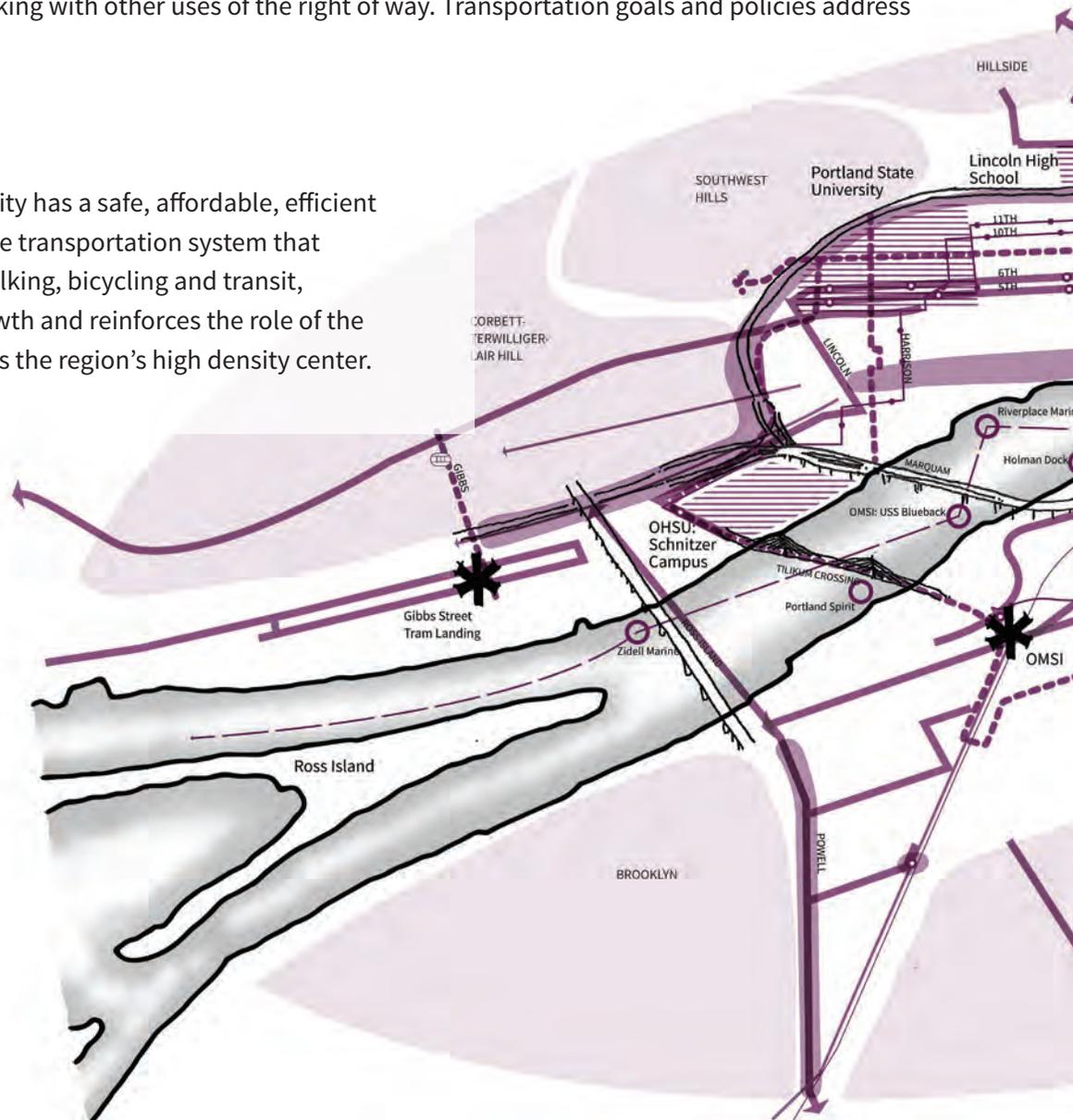
- POLICY 2.UD-1 Complete neighborhoods.** Encourage the development of a grocery store, new and improved open spaces, playground, daycare facilities, a small hotel, and a community or senior center.
- POLICY 2.UD-2 Community cohesiveness.** Support a cohesive, connected community. Create and enhance successful neighborhood-oriented retail/commercial areas near Portland State University, the Halprin Open Space Sequence and in RiverPlace.
- POLICY 2.UD-3 Evening and weekend activity.** Encourage the development of uses that are active in the evenings and on weekends such as restaurants, galleries, retail stores and performance spaces. Provide a safe and secure 24-hour environment, particularly in car-free pedestrian areas including the PSU campus, South Auditorium and RiverPlace Esplanade.
- POLICY 2.UD-4 Housing diversity.** Encourage multi-family housing supportive of families and students.

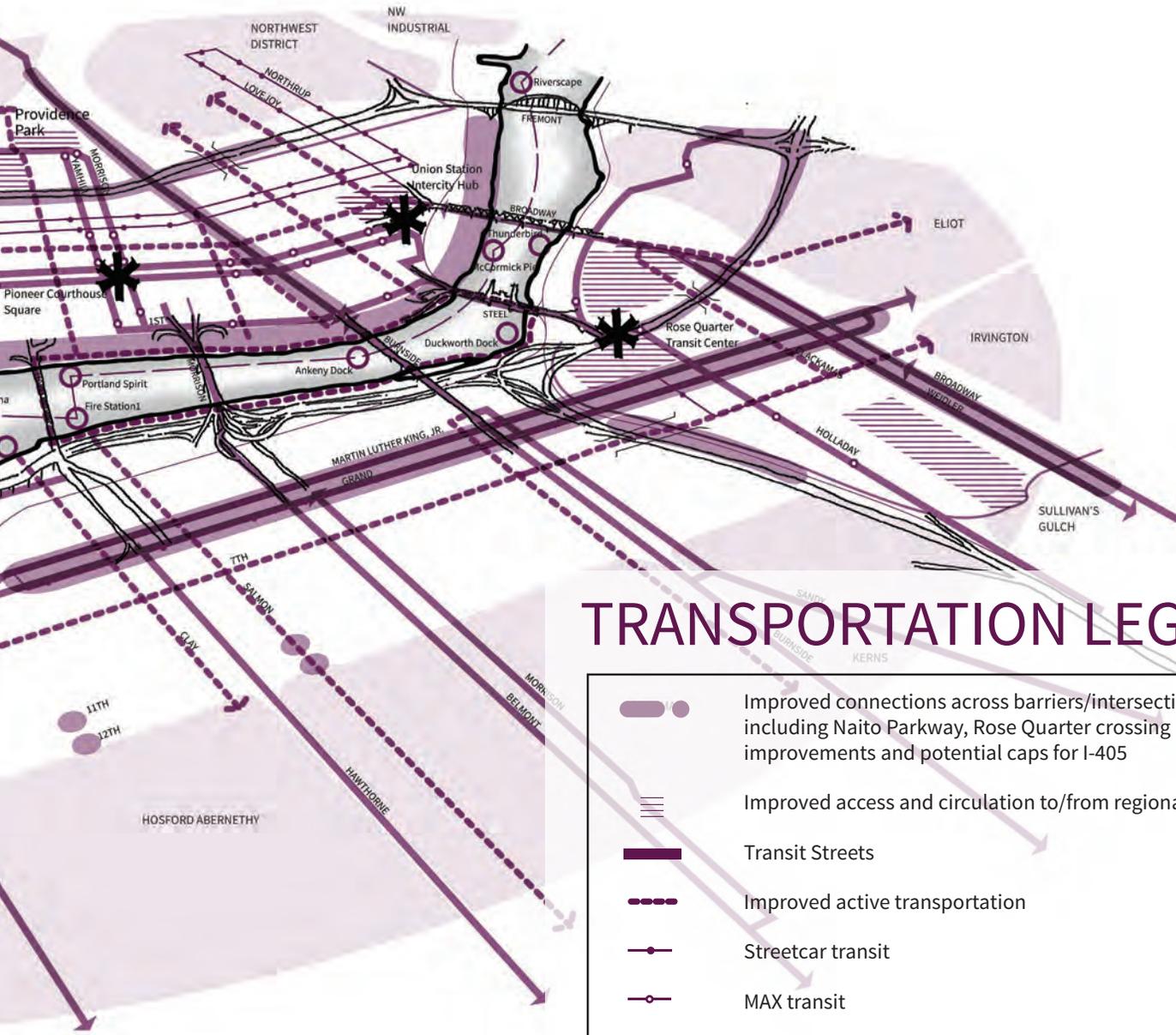
### 3. TRANSPORTATION

As the Central City grows over the next 20 years, the efficiency and safety of the transportation network must be maximized, emphasizing walking, bicycling and transit use. Improvements will be needed to keep people walking and cycling safely and comfortably to and through the Central City. Efficient transportation of freight within and through the Central City is important to support local and regional business growth. Parking will remain important to the local economy, so the management of parking should allow flexibility to optimize use of the limited supply and balance the need for parking with other uses of the right of way. Transportation goals and policies address these priorities.

#### CENTRAL CITY GOALS

**GOAL 3.A:** The Central City has a safe, affordable, efficient and accessible transportation system that prioritizes walking, bicycling and transit, supports growth and reinforces the role of the Central City as the region’s high density center.





## TRANSPORTATION LEGEND

	Improved connections across barriers/intersections, including Naito Parkway, Rose Quarter crossing improvements and potential caps for I-405
	Improved access and circulation to/from regional attraction
	Transit Streets
	Improved active transportation
	Streetcar transit
	MAX transit
	Potential river transit
	Heavy rail
	Multimodal hubs

# CENTRAL CITY POLICIES: TRANSPORTATION

## Regional hub

Policies in this section address the unique role the Central City plays as the hub in Portland’s “hub and spoke” pattern, which reinforces the sense of it being the center for commerce, entertainment and civic life. The following policies support this unique role.

- POLICY 3.1**     **Regional transportation hub.** Strengthen the Central City as the highly accessible and multimodal hub for moving people and goods, reinforcing its regional center roles, enabling successful high density employment and housing development, and thereby affirming its role in Metro’s Region 2040 Framework Plan.
- POLICY 3.2**     **Portals.** Manage entry points into the Central City to provide balanced multimodal access to efficiently accommodate the increase in person trips and goods delivery as a result of growth and development. Discourage through trips from using Central City streets.

## Street network

Policies in this section support the efficiency, safety, connectedness and experience of Portland’s street network for all users and modes.

- POLICY 3.3**     **Optimized street network.** Improve street design and function to increase efficiency and safety for all transportation modes and the ability of the existing network to meet the access needs of businesses, shoppers, residents and visitors. Establish a system and standards that emphasize walking, bicycling, transit use and freight access while continuing to provide automobile access.  
  
See District Policies section for related policies in: DT, WE, GH, PL, OT, LA, LD, CE, SW, UD
- POLICY 3.4**     **Transportation system management.** Manage access and circulation to reduce traffic speeds and provide for safe street crossings, while balancing the need for vehicle and freight access to and from the district. Manage the roadway system within the Central City in a way that allows greater levels of traffic congestion. In congested areas, prioritize modes other than automobiles to accommodate travel demand.
- POLICY 3.5**     **Regional multimodal access.** Work with the Oregon Department of Transportation on improvements to 1-405, 1-5 and US Highway 26 to enhance regional access to the Central City. Minimize through traffic on Central City streets, improve pedestrian and bicycle connectivity across freeways and create opportunities for capping freeways to lessen the barrier effect of the freeway and open new areas for potential development and/or parks, open space, and recreational opportunities.

- POLICY 3.6**     **Mode split.** Strive to achieve the Central City targets set in the most current Transportation System Plan.
- POLICY 3.7**     **Street diversity.** Differentiate the character of key streets to offer a diversity of urban experiences and connections, reflect the character of unique districts and expand open space and recreation functions in the right-of-way where possible.
- POLICY 3.8**     **Streetscape.** Improve the street environment and pedestrian experience by providing urban greenery and community uses of the right-of-way and by integrating high-density uses.

### **Active transportation, Transit and Demand Management**

Policies in this section support a reduction in single occupancy vehicle (SOV) trips by encouraging active transportation, including walking, bicycling and transit, as well as the use of carsharing and carpooling.

- POLICY 3.9**     **Walking.** Encourage walking as the principal way to get around the Central City, with improved on-street and off-street infrastructure that enhances safety and closes access gaps to areas within, and adjacent to, the Central City.
- POLICY 3.10**    **Bicycling.** Prioritize bicycling by implementing world-class on-street and off-street infrastructure that is safe, comfortable and convenient for people of all ages and abilities. Augment capital improvements with robust encouragement, education and enforcement efforts.
- POLICY 3.11**    **Transit.** Continue to strengthen the regional role of transit in the Central City. Support increased frequency, span-of-service, reliability and safety, as well as expansion of the rail, bus and streetcar systems. Explore river transit opportunities. Facilitate safe, pleasant and efficient access and transfer opportunities for transit riders via a clear, intuitive and convenient transit network that consolidates fragmented routes and provides high standards of transit amenities.
- POLICY 3.12**    **Transportation demand management.** Foster the development of business and property owner supported programs, incentives and activities that encourage employees, residents, students and visitors to use walking, cycling, transit, carpool and car-share, as well as telecommuting and traveling outside the hours of peak congestion.

## Parking and loading

Policies in this section address Central City parking, particularly to support retail, employment, tourism and residential growth, as well as loading to support the delivery of goods within the Central City.

- POLICY 3.13 Auto parking.** Support Central City parking needs, particularly for retail, employment and residential growth, as well as for access to major attractions such as universities and event venues. Continue to limit the growth of the overall auto parking supply, and maximize the joint use of existing and new stalls to manage parking in a more efficient and dynamic manner, lower the costs of construction and meet mode split and climate action goals for the city. Maintain no auto parking minimum requirements in the Central City and set maximum auto parking ratios to encourage other modes and allow new long-term parking only if associated with new development or to serve buildings with little parking.
- POLICY 3.14 Bicycle parking.** Encourage the provision of bicycle parking to serve the expected increase in bicycle trips in the Central City.
- POLICY 3.15 Public Parking.** Continue to manage public parking on the street system and in public garages to support Central City parking needs, prioritizing short trips and turnover to serve retail and visitor needs. Develop a performance-based parking program that manages Central City public parking to meet performance targets via dynamic pricing and other parking management tools and by providing clear and transparent parking information. Balance the need for on street parking with other uses of the curb zone. In managing the supply of on-street parking, the first priority is for short-term parking, followed by carpool and finally long-term parking.
- POLICY 3.16 Loading.** Support the delivery of goods in the Central City. Pursue strategies that bring new ways of delivering goods to the Central City in a way that optimizes loading and freight access and makes efficient use of limited urban space.

## DISTRICT POLICIES: TRANSPORTATION

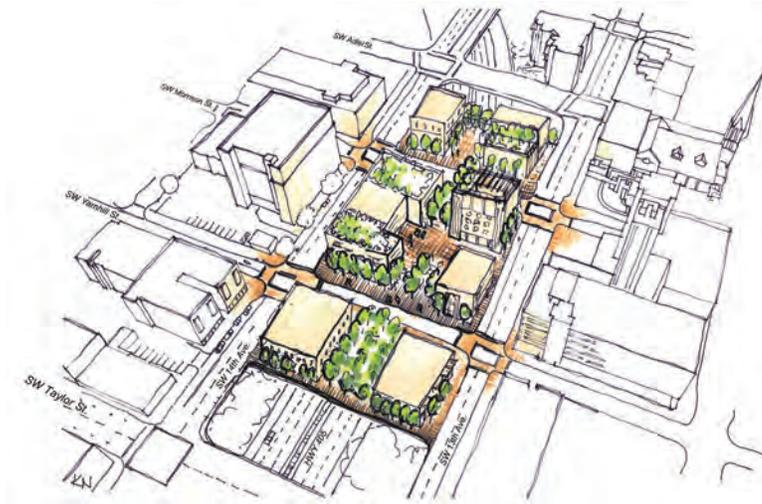
This section contains Transportation policies specific to a particular Central City district.

### Downtown

- POLICY 3.DT-1 Optimized street network.** Improve connections across West Burnside Street and across SW Naito Parkway to Governor Tom McCall Waterfront Park, the Greenway Trail and Willamette River.
- POLICY 3.DT-2 Downtown parking.** Recognize that parking is an important asset for Downtown to support regional activity and growth, while encouraging other modes and controlling traffic, design, and environmental impacts.

## West End

- POLICY 3.WE-1 Optimized street network.** Improve pedestrian and bike facilities across I-405 to Goose Hollow and across West Burnside to the Pearl.
- POLICY 3.WE-2 SW 12th Avenue opportunity.** Support the reconfiguration of SW 12th Avenue right of way to encourage pedestrian and bicycle access.



### **MORRISON/YAMHILL I-405 CAP**

*Conceptual drawing of a possible I-405 cap connecting the Goose Hollow and the West End neighborhoods together, creating new multimodal connections, developable land and open space. The Morrison and Yamhill streets already function together as active transit streets, and building this cap could provide a desirable location for a new MAX stop to help activate this area. (Otak 2013)*

## Goose Hollow

- POLICY 3.GH-1 Optimized street network.** Improve connections across I-405 to the West End and across West Burnside to Northwest Portland. Encourage additional connections through large sites and blocks.
- POLICY 3.GH-2 Goose Hollow regional attractions.** Provide multimodal access and circulation to and from Goose Hollow’s major attractions (including Providence Park, Lincoln High School and Multnomah Athletic Club) to support their viability and increase entertainment activity, shopping and tourism while also maintaining local access.

Manage available parking to efficiently accommodate the unique parking needs of major event facilities while continuing to promote transit and active transportation.

## The Pearl

- POLICY 3.PL-1 Optimized street network.** Improve pedestrian and bicycle connections across I-405, West Burnside and to major parks. Encourage new pedestrian and bicycle connections to the Willamette River and through large sites and blocks, including the US Post Office site.
- POLICY 3.PL-2 Transit service.** Enhance transit service to meet the demands of residents, students, employees and visitors as the district continues to grow. Improve access to transit particularly in the north end of the district and along the riverfront.

## Old Town/Chinatown

- POLICY 3.OT-1 **Optimized street network.** Improve connections to adjacent areas including Downtown and the Pearl; and along the Willamette River, bridgeheads and Waterfront Park.
- POLICY 3.OT-2 **Union Station multi-modal hub.** Enhance the viability of Union Station as Portland's inter-city rail and multi-modal passenger transportation hub. Improve access to the station for people walking, bicycling and taking transit.
- POLICY 3.OT-3 **Historic district parking.** Strive to meet existing and future parking needs in a way that supports historic properties, while limiting the growth of parking as redevelopment occurs.

## Lower Albina

- POLICY 3.LA-1 **Optimized street network.** Improve connections to adjacent areas, including the Rose Quarter, the Vancouver/Williams Corridor and Mississippi Avenue. Improve pedestrian connections to Interstate MAX and bus service to enhance access to employment opportunities in the area.
- POLICY 3.LA-2 **Freight system.** Emphasize freight movement and improve access from industrial areas to the regional freeway system while maintaining and improving the safety, efficiency and convenience of the transportation system for all modes.
- POLICY 3.LA-3 **Rail and marine.** Preserve rail and inter-modal access to the Albina Rail Yards, marine freight facilities and local industries.

## Lloyd

- POLICY 3.LD-1 **Optimized street network.** Increase the number of connections across barriers within and to the district, including major arterials, large blocks, freeways, rail lines, and natural features, and with adjacent neighborhoods.
- POLICY 3.LD-2 **Rose Quarter and regional attractions.** Provide access and circulation to and from the Lloyd that attracts and supports regional development, shopping and tourism. Promote the use of walking, bicycling and transit to access the area, including light rail, streetcar, bus, and a potential water taxi service.

## Central Eastside

- POLICY 3.CE-1 **Optimized street network.** Improve connectivity to and throughout the district for all modes by creating safe, accessible and convenient routes with improved signalization and clear signage to link landward portions of the district with major attractors and the riverfront.

- POLICY 3.CE-2 Freight system.** Enhance freight movement in and through the district and maintain and improve access to and from the district and regional freeway system.
- POLICY 3.CE-3 Green Streets.** Strategically support the enhancement of east-west city walkways and bikeways to serve the multiple objectives of travel, stormwater management, open space and recreation, and placemaking. Routes should also strengthen connections to the river and riverfront. Green Streets should be chosen to avoid significantly impacting freight movement as identified by Transportation System Plan freight designations.
- POLICY 3.CE-4 Reduce trail conflicts.** Reduce bicycle and pedestrian conflicts on the Eastbank Esplanade and the Greenway Trail through design modifications like separating bicycle and pedestrian facilities, education, signage and other means.

### South Waterfront

- POLICY 3.SW-1 Optimized street network.** Improve connections to adjacent areas, including South Portland, the Willamette River and South Downtown/University; and encourage an urban grid system that provides for internal circulation and connects to adjacent neighborhoods, as well as to the Greenway Trail.
- POLICY 3.SW-2 Collaborative Life Sciences Building and Schnitzer Campus.** Enhance multimodal access to the Collaborative Life Sciences Building and Schnitzer Campus from South Downtown/University, South Portland and the riverfront. Enhance circulation around campus for cyclists and pedestrians to create a highly walkable campus.
- POLICY 3.SW-3 Institution and visitor parking.** Enhance patient and visitor parking to serve healthcare facilities. Develop creative ways to provide, share and manage parking to support many types of trips and a diverse mix of land uses, including the unique needs of large educational/research institutions.

### University District/South Downtown

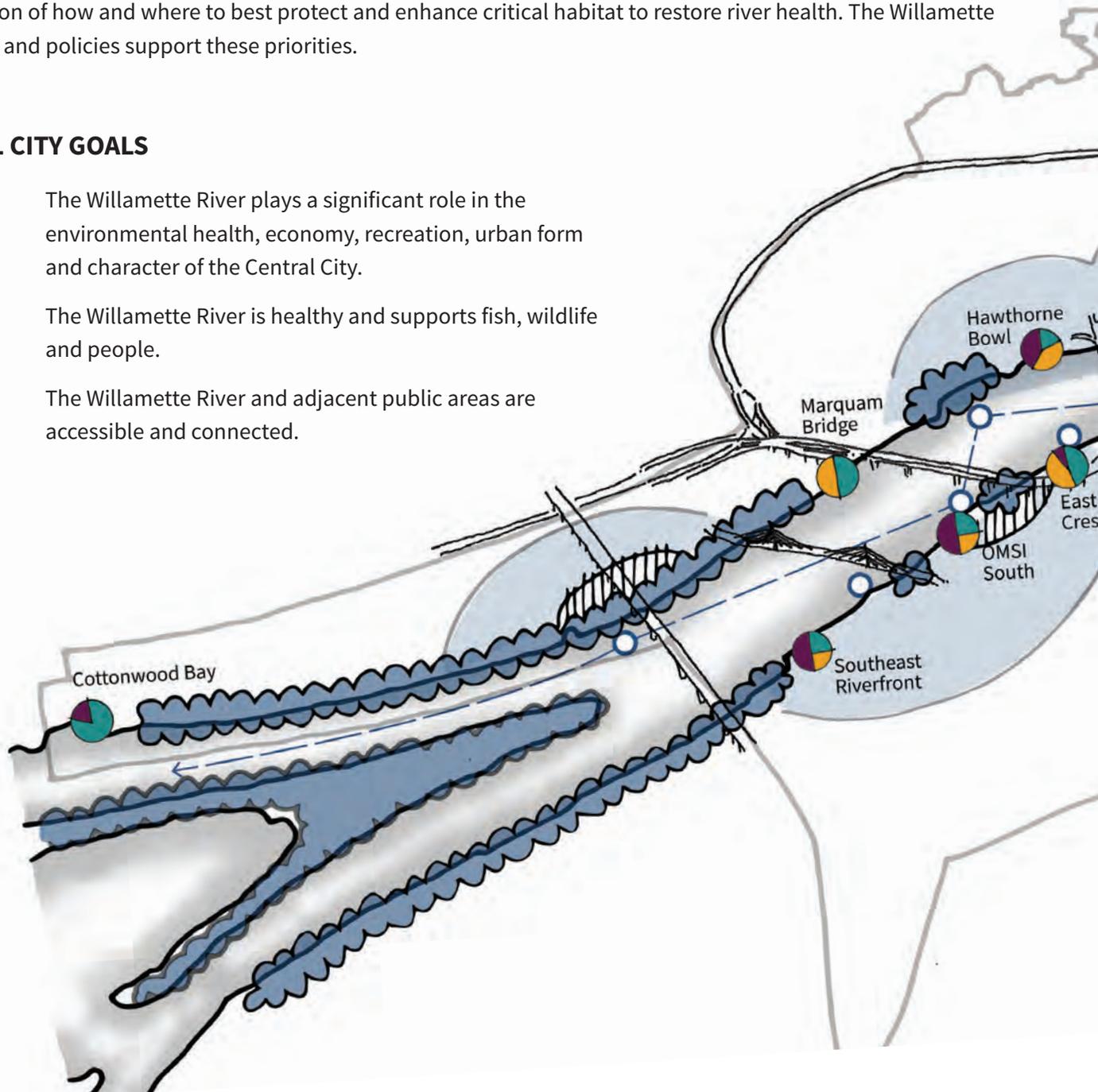
- POLICY 3.UD-1 Optimized street network.** Improve connections to adjacent areas, including South Portland, South Waterfront, Goose Hollow, Downtown and the Willamette River. Support east-west pedestrian and bicycle connectivity between Portland State University and the Willamette River bridgeheads.
- POLICY 3.UD-2 Portland State University.** Enhance multimodal access to Portland State University from South Waterfront, Goose Hollow and Downtown. Address parking and circulation issues around campus and address barriers for cyclists and pedestrians.
- POLICY 5.UD-3 Montgomery Green Street.** Support development of the SW Montgomery Green Street as a key east-west green connection from the West Hills and Goose Hollow to the Willamette River.

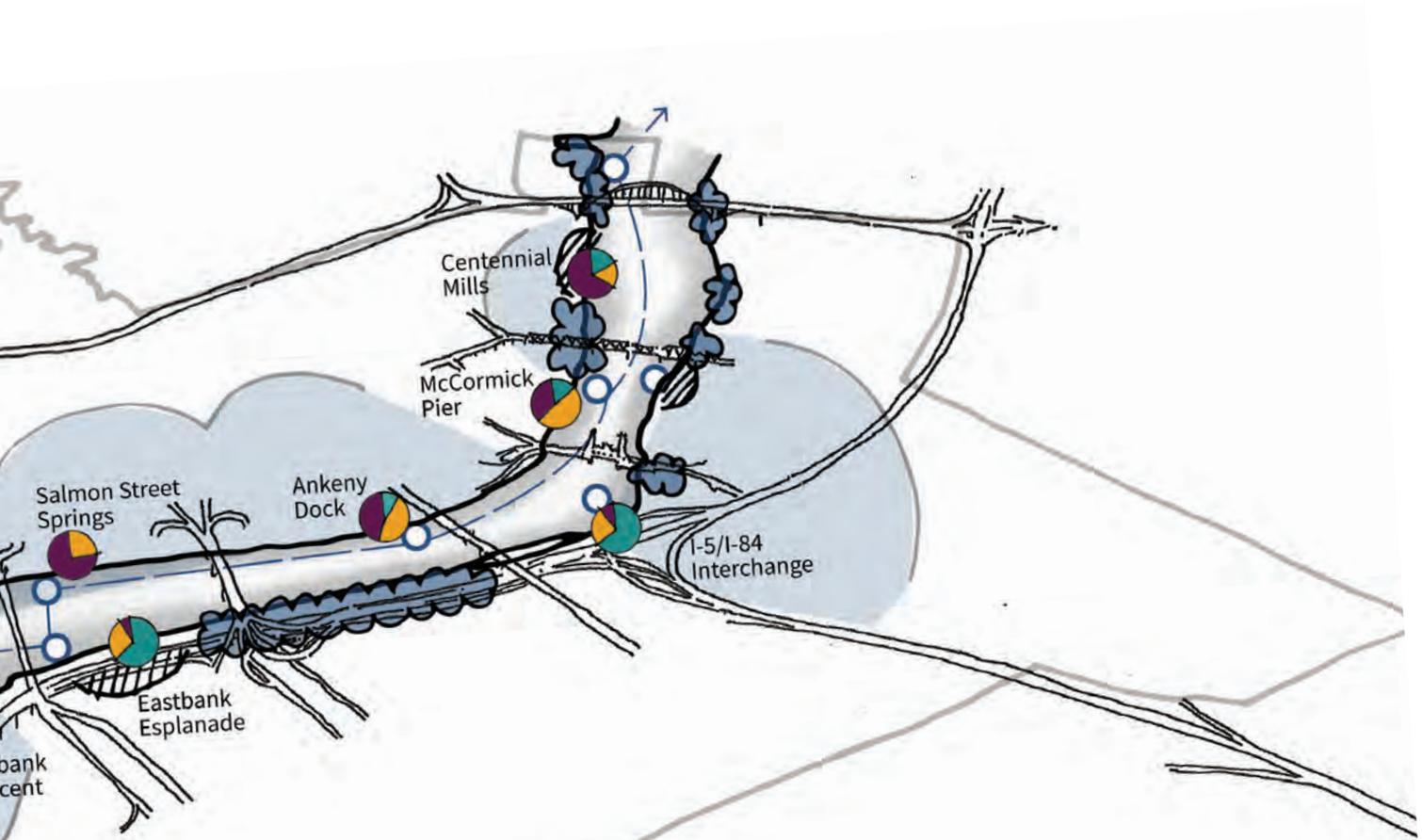
## 4. WILLAMETTE RIVER

More than any other feature in the regional landscape, the Willamette River has influenced human settlement patterns in what is now Portland. The extremely high usage of public riverfront spaces like Governor Tom McCall Waterfront Park and the Vera Katz Eastbank Esplanade speak to the public’s desire to activate the riverfront as a vital Central City feature. As the city developed, docks, sea walls, buildings, roads and bridges were constructed in the riverfront area that greatly altered its natural function and habitat. Improvements are needed to restore the physical, social, environmental, economic and historical connections to the Willamette River. Priorities include more river-related commerce; increased opportunities for riverfront and river-based recreation and transit; and identification of how and where to best protect and enhance critical habitat to restore river health. The Willamette River goals and policies support these priorities.

### CENTRAL CITY GOALS

- GOAL 4.A:** The Willamette River plays a significant role in the environmental health, economy, recreation, urban form and character of the Central City.
- GOAL 4.B:** The Willamette River is healthy and supports fish, wildlife and people.
- GOAL 4.C:** The Willamette River and adjacent public areas are accessible and connected.





## WILLAMETTE RIVER LEGEND

	Expanded activities and riverfront attractions
	Habitat enhancement area
	Potential new riverfront open space
	Fish/ Wildlife Habitat restoration and enhancement
	In-water recreation
	Development/Activities
	Trail

# CENTRAL CITY POLICIES: WILLAMETTE RIVER

## Multifunctional river

The Willamette River and its riverfront support a broad array of uses and functions, including boating, swimming, walking, biking, large and small events, commerce, education, natural resources, habitat for fish and wildlife, and flood control. It is the heart of the Central City for residents, employees and visitors. These policies support the role of the Willamette River as a defining feature of the Central City and the region.

- POLICY 4.1**     **Portland’s commons.** Promote improvements and activities on the riverfront and in the Willamette River to strengthen the physical, visual, and cultural connections between the river and the rest of the Central City. Increase public awareness of the river’s historical, economic and ecological importance.
- POLICY 4.2**     **Willamette River recreation.** Provide for safe, enjoyable and valuable active and passive recreational experiences for all users on, along and in the river. Enhance the interconnected system of parks, trails, docks, natural areas and destinations adjacent to and within the river.
- POLICY 4.3**     **Prosperous and vibrant Willamette River waterfront.** Support river-dependent, river-related and other uses that capitalize on the river and riverfront locations, expand tourism and commercial uses, and reinforce the distinctive character of the different riverfront districts.
- POLICY 4.4**     **Willamette River transportation.** Improve infrastructure that supports commercial, river transit, individual watercraft, tourist and recreational boating uses. Ensure that new river transportation terminals and docks are connected by streets and trails that provide direct access to transit from points throughout the Central City.
- POLICY 4.5**     **Connections to the Willamette River.** Increase the community’s enjoyment of and direct experience with the Willamette River. Improve physical and visual connections between the districts and the Willamette River.
- POLICY 4.6**     **Watershed health and native species recovery.**
- a. Watershed Health.** Improve the quality, quantity, connectivity and overall function of the ecological system including upland, riparian and in-water habitat to protect public health and support the conservation and restoration of native fish and wildlife populations.
  - b. Threatened, endangered and at risk species.** Restore in-water, riparian and floodplain habitat that supports fish and wildlife populations at risk of becoming or are currently threatened or endangered.
  - c. Floodplains.** Improve the ability of floodplains to store water, reduce risks on the public and provide habitat functions.

**d. Stormwater Management.** Reduce stormwater entering into the separated sewer system.

**e. Riverbank enhancement targets.** Strive to meet Central City targets related to riverbank enhancement and restoration.

See district policies section for related policies in: DT, PL, OT, LD, CE, SW, UD

## River-oriented development

These policies address considerations for new development near the Willamette River and along Naito Parkway on the west side.

- POLICY 4.7**     **Periodic flooding.** Minimize the risk to new and existing development and infrastructure from flood events, while also maintaining and enhancing ecological functions associated with the river and floodplain.
- POLICY 4.8**     **Relationship to the river.** Encourage development adjacent to the Willamette River to orient buildings towards the river, at appropriate setback distances. Add entrances, visual and physical connections, art installments and other amenities in order to create a relationship between the built environment and activities along the river.
- POLICY 4.9**     **Commercial development.** Encourage new clusters of commercial uses adjacent to the Willamette River, at appropriate setback distances, in order to bring more people, events and activities to the riverfront.
- POLICY 4.10**   **Bridgehead redevelopment.** Support the redevelopment of bridgehead sites to create dynamic places that bring a diversity of residents, workers and visitors to the riverfront and link east- and west-side districts of the Central City.
- POLICY 4.11**   **Low impact development.** Incorporate low-impact design in new and replacement docks and require appropriate setback distances for new development near the river.

## DISTRICT POLICIES: WILLAMETTE RIVER

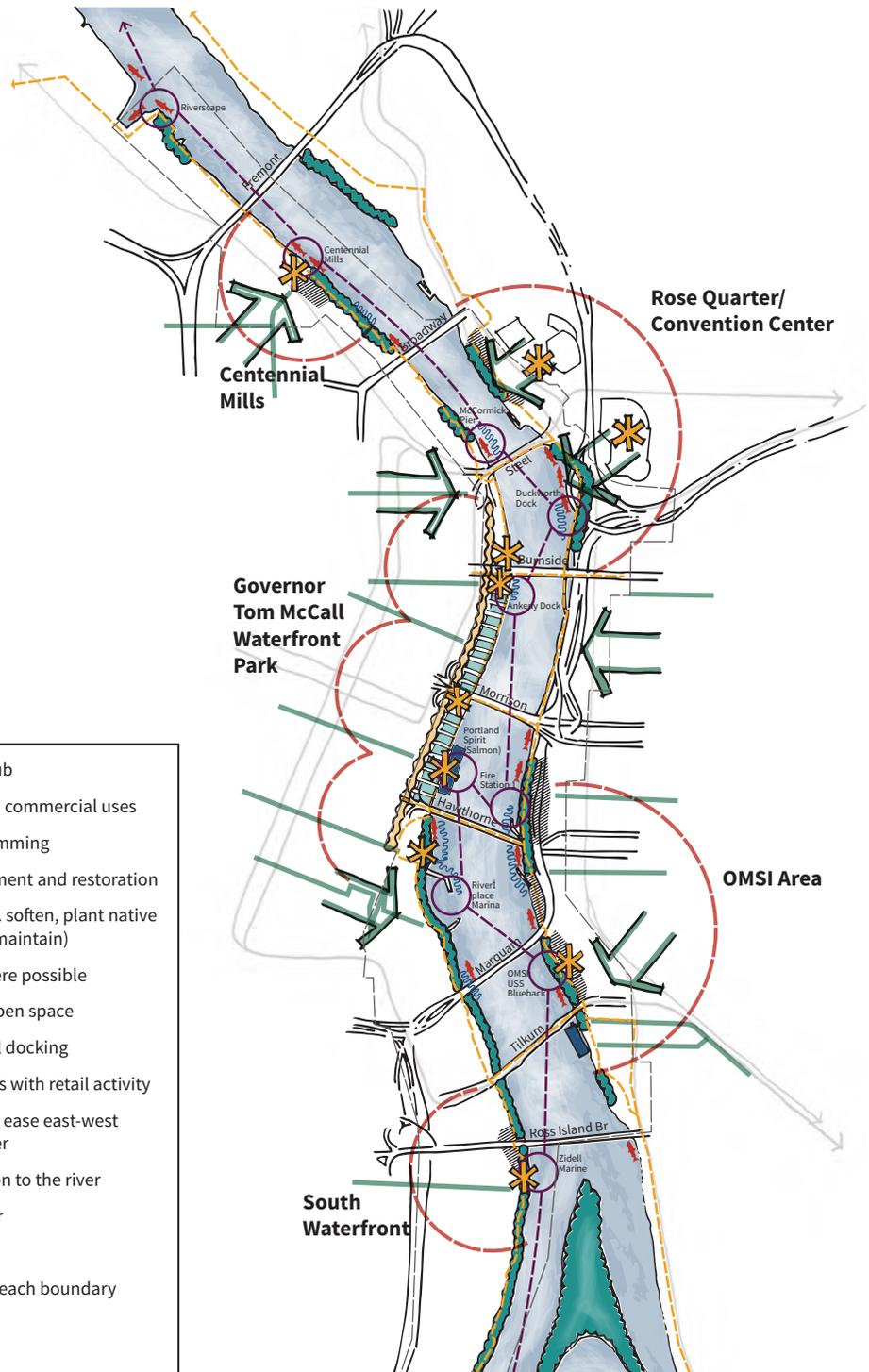
This section contains Willamette River policies specific to Central City districts adjacent to the Willamette River.

### WILLAMETTE RIVER: CENTRAL REACH URBAN DESIGN CONCEPT

This concept diagram was created in collaboration with stakeholders and an ad hoc working group. Reach-wide goals include: increasing shallow river habitat, increasing access to the river, activating the riverfront in key places, and enhancing the bank with connections to upland habitat.

### LEGEND

	Major riverfront activity hub
	Riverfront attractions with commercial uses
	Public access to river/ swimming
	In-water habitat enhancement and restoration
	Riverbank restoration (e.g. soften, plant native trees and vegetation and maintain)
	Add native vegetation where possible
	Potential new riverfront open space
	Potential passenger vessel docking
	Potential river transit stops with retail activity
	Enhance Naito Parkway to ease east-west movement toward the river
	Resolve difficult connection to the river
	"Green fingers" to the river
	Trail
	Willamette River Central Reach boundary
	MAX
	Heavy rail



## DOWNTOWN

### POLICY 4.DT-1 **Governor Tom McCall Waterfront Park.**

- a. **Promotion.** Promote the park, including the Willamette River, as a key regional attraction and asset serving visitors, employees and residents of the Central City.
- b. **Watershed health and native species recovery.** Enhance watershed health and conditions for native species by: incorporating native vegetation and large canopy trees into landscaping within the park and public rights-of-way next to the park; improving in-water habitat complexity and increasing flood capacity at the Hawthorne Bowl; and exploring innovative technologies for adding habitat features along the seawall.
- c. **Improvements.** Facilitate planned improvements that activate the park; improve connectivity between the park and the districts; and provide for a mix of river recreation and transportation.
- d. **Activities and amenities.** Expand the range of public activities and attractors in the park including but not limited to events; recreation; small-scale retail; and art, culture, ecological and historic displays.
- e. **Events.** Create a balance between large events, small events and other park activities to maximize public use and enjoyment of the park, especially during the summer when multiple large-scale events take place.
- f. **Flood Risk.** Explore options to increase flood capacity and reduce risks from flooding on critical infrastructure and improvements within and adjacent to the park.

## The Pearl

POLICY 4.PL-1 **Pearl urban riverfront.** Encourage the development of a distinctly urban riverfront that balances public activities including river transportation, recreation and development with habitat enhancement.

POLICY 4.PL-2 **Watershed health and native species recovery.** Enhance watershed health and conditions for native species by replacing invasive, non-native plants with native plants on the river banks between Centennial Mills and McCormick Pier. Improve in-water and riparian habitat complexity and increase flood capacity at Centennial Mills.

## Old Town/Chinatown

POLICY 4.OT-1 **Old Town/Chinatown urban riverfront.** Encourage the development of a distinctly urban riverfront that that brings people closer to the riverfront. Encourage doors and windows with orientation toward SW Naito Parkway and the Willamette River.

POLICY 4.OT-2 **Watershed health and species recovery.** Enhance watershed health and conditions for native species by replacing invasive, non-native plants with native plants on the river banks between McCormick Pier and Centennial Mills. Improve in-water and riparian habitat complexity at McCormick Pier.

## Lower Albina

POLICY 4.LA-1 **Working harbor.** Protect the Lower Albina working harbor and support river-dependent uses.

## Lloyd

POLICY 4.LD-1 **Lloyd urban riverfront.** Encourage redevelopment of the Thunderbird site with a unique development that provides public access to and enjoyment of the Willamette River and connects the district to the river.

POLICY 4.LD-2 **Public trails.** Improve public trail connections between the Eastbank Esplanade, the Convention Center and the Coliseum and create a public trail connection from the Eastbank Esplanade to the Broadway Bridge.

POLICY 4.LD-3 **Watershed health and native species recovery.** Enhance watershed health and conditions for native species by replacing invasive, non-native plants with native plants on the river banks between the Steel and Burnside Bridge. Improve in-water and riparian habitat and increase flood capacity near the Duckworth Dock.

## Central Eastside

POLICY 4.CE-1 **River economy.** Leverage the Willamette River as an important component of the Central Eastside's local economy by supporting river-dependent and river-related commercial and mixed uses that bring more people to and on the river.

POLICY 4.CE-2 **Southeast riverfront.** Improve the physical relationship between buildings, activities and the Willamette River. Utilize building design, active ground floors facing the river, new uses, open areas and connections that encourage people's enjoyment of the river in both public and private spaces.

POLICY 4.CE-3 **Watershed health and native species recovery.** Enhance in-water and riparian habitat from the Burnside Bridge to the Ross Island Bridge by replacing invasive and non-native plants with native plants and trees and creating complexity in shallow water areas. Restore in-water, riparian and upland habitat and increase flood capacity at the Eastbank Crescent.

## South Waterfront

- POLICY 4.SW-1 **River access, greenway and recreation.** Encourage improvements along the Willamette River in South Waterfront to enhance resident, employee and visitor access to and enjoyment of the river for activities such as contemplation, recreational boating, swimming and fishing.
- POLICY 4.SW-2 **Watershed health and native species recovery.** Enhance in-water habitat, support innovative stormwater management opportunities, increase flood capacity and replace invasive, non-native plants with native plants and trees on the river bank. Improve in-water habitat complexity between the Marquam Bridge and Cottonwood Bay.

## University District/South Downtown

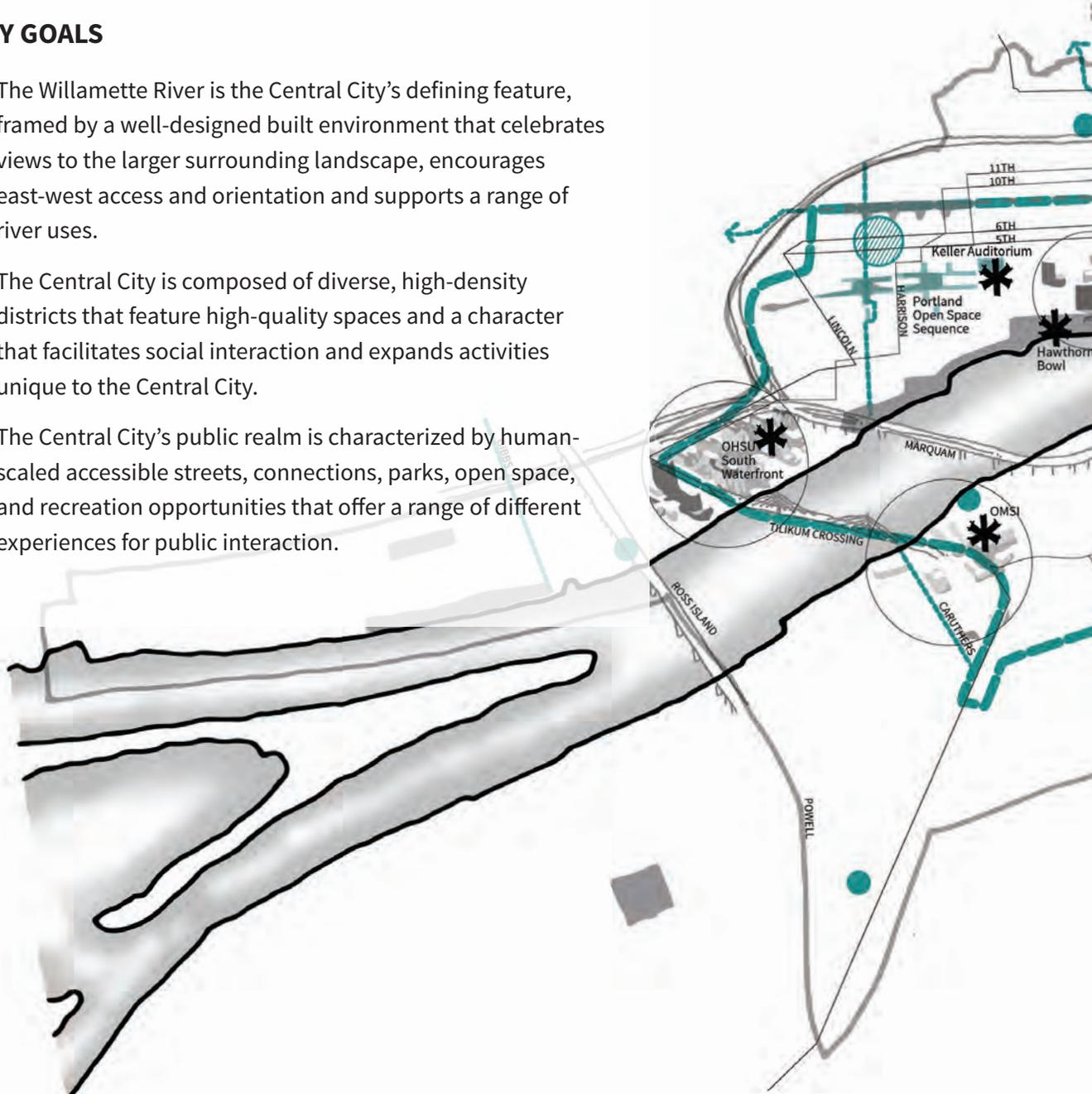
- POLICY 4.UD-1 **South Downtown urban riverfront.** Leverage existing development, including RiverPlace Marina, and redevelopment to provide additional in-water and on-land recreational and commercial access along the riverfront.
- POLICY 4.UD-2 **Watershed health and native species recovery.** Enhance in-water and riparian habitat and increase flood capacity at the Riverplace Marina and under the Marquam Bridge and replace invasive, non-native plants with native plants on the river banks from the Hawthorne Bowl to South Waterfront. Improve in-water habitat complexity under the Marquam Bridge.

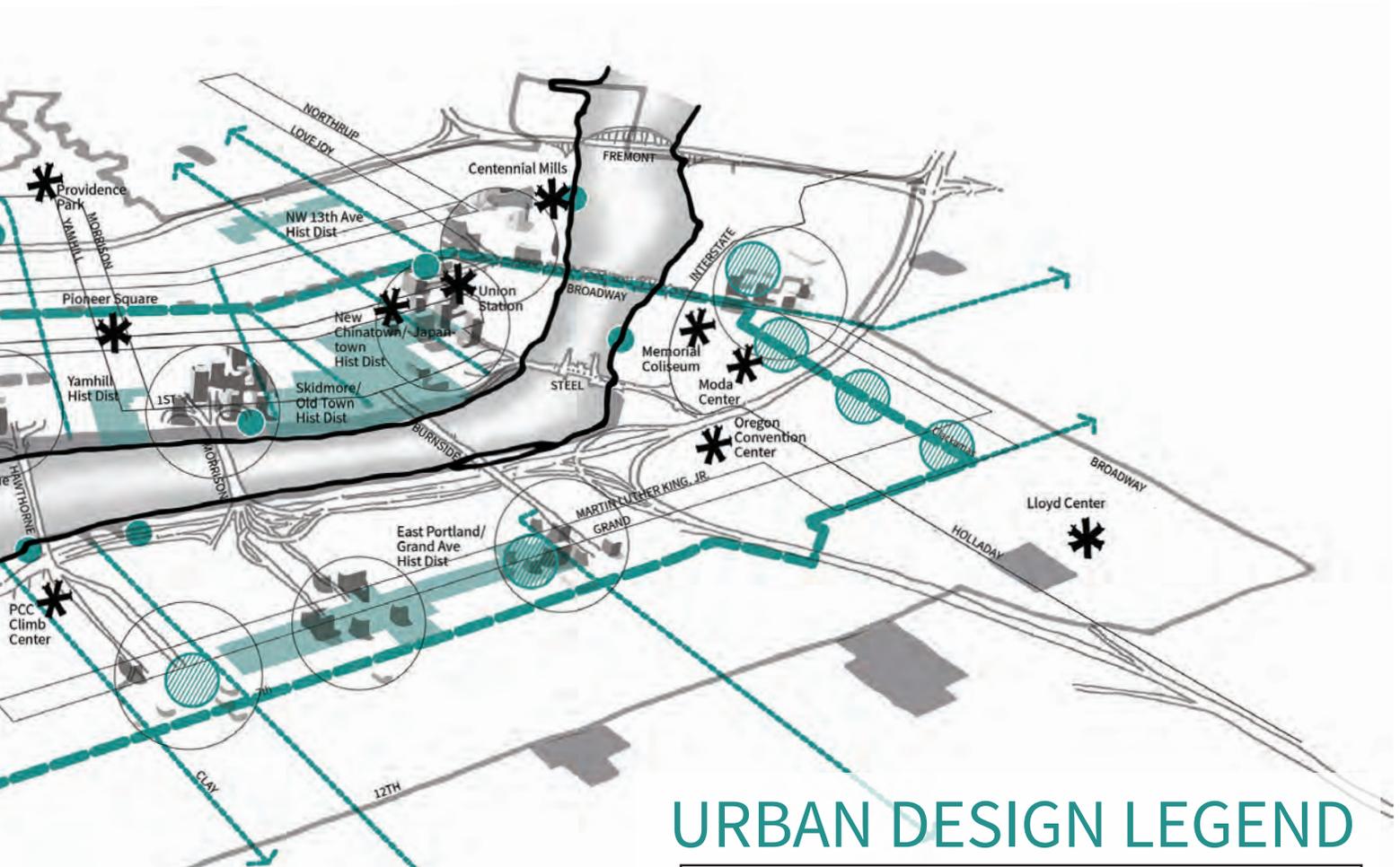
## 5. URBAN DESIGN

The practice of urban design involves the physical features of both the built and natural environments that define the character of a place. It can be thought of as the art of making places for people to thrive. Urban design works at a variety of scales. It includes everything from urban form of the entire city down to the design of buildings, streets and the public realm, parks and open spaces, and historic districts.

### CENTRAL CITY GOALS

- GOAL 5.A:** The Willamette River is the Central City’s defining feature, framed by a well-designed built environment that celebrates views to the larger surrounding landscape, encourages east-west access and orientation and supports a range of river uses.
- GOAL 5.B:** The Central City is composed of diverse, high-density districts that feature high-quality spaces and a character that facilitates social interaction and expands activities unique to the Central City.
- GOAL 5.C:** The Central City’s public realm is characterized by human-scaled accessible streets, connections, parks, open space, and recreation opportunities that offer a range of different experiences for public interaction.





## URBAN DESIGN LEGEND

	Central City historic districts
	Existing open spaces
	Potential new open space with redevelopment in park deficient areas (locations unspecified)
	Open space connection
	Potential "Green Loop" linear open space connection
	Attractions
	Bridgehead locations

# CENTRAL CITY POLICIES: URBAN DESIGN

## Context and Form

These policies address the context and form of the Central City as the most densely developed area in the region, a place where large numbers of people live, work and visit, as well as how it relates to the region, its surrounding neighborhoods and the natural landscape.

- POLICY 5.1      Experimentation and innovation.** Support the design of new places and uses, both permanent and temporary that promote innovation, experimentation and exchange in the Central City.
- POLICY 5.2      Central, connected Willamette River.** Create a network of open space and tree canopy corridors to make ecological and design connections to the river.
- POLICY 5.3      Dynamic skyline.** Encourage the tallest buildings to locate adjacent to transit hubs and corridors, generally stepping down in height to the Willamette River. Allow taller buildings at bridgeheads and encourage contextually sensitive heights within historic districts. Encourage heights and building forms that preserve sunlight on public open spaces and parks.
- POLICY 5.4      Scenic Resources.** Protect public views of key landmarks and scenic resources (Vista Bridge, Union Station, Mt. Hood, Willamette River bridges) which define the Central City, help with wayfinding, and connect residents, employees and visitors to Portland’s varied and unique landscape.
- POLICY 5.5      Large site development.** Encourage redevelopment of large sites that includes new compatible uses, green buildings and equity considerations, scenic resource preservation, new pedestrian connections through the site, strong street presence, green infrastructure, and new open space amenities.
- POLICY 5.6      Distinct and vibrant districts.** Enhance the existing character and diversity of the Central City and its districts, strengthening existing places and fostering the creation of new urban places and experiences.
- POLICY 5.7      Neighborhood transitions.** Establish transitions between the Central City’s denser, taller and more commercial and industrial land uses and adjacent neighborhoods, while highlighting key gateway locations.

## Connected Public Realm

These policies support a more intentional approach to the design, function, connectivity and character that define the Central City’s public realm.

- POLICY 5.8      Public realm.** Enhance the character and function of the public realm through design standards, guidelines, amenities and land uses that activate the pedestrian environment and encourage community gathering.
  
- POLICY 5.9      Wayfinding.** Develop wayfinding strategies and tools that allow residents, employees, visitors and customers to navigate the Central City and locate key attractions, businesses, institutions, the riverfront and other destinations in a safe, intuitive and enjoyable manner.
  
- POLICY 5.10    Street hierarchy and development character.** Establish a more intentional street hierarchy with a greater diversity of street characters, distinguishing three main types: retail/commercial, boulevard and flexible.

See district policies section for related policies in: DT, WE, GH, PL, OT, LA, LD, CE, SW, UD





### **RETAIL COMMERCIAL**

*These are busy, continuous streets with retail activity throughout the day, evenings and weekends. Ground floors of buildings along these streets feature plaza-like setbacks for outdoor dining, gathering and socializing.*



### **BOULEVARD**

*These are busy great streets – they could be the “second” street of a couplet pair or help to define a district edge. They have fewer retail storefronts and have a greener character with more landscaped setbacks that have seating areas, more trees and distinctive planted areas.*



### **FLEXIBLE**

*These streets, pathways and trails are part of a pedestrian and bicycle oriented network that offers quieter, low-stress walking, jogging, rolling or bicycling experiences. Due to their “flexible” character of these connections, the ground floor responses of adjacent buildings varies considerably.*

**POLICY 5.11 Regional corridors and connections.** Promote the presence, character and role of physical and visual corridors such as trails, transit lines, streets and scenic corridors, helping to bridge neighborhoods across physical and psychological barriers.

- POLICY 5.12     **“Green Loop” concept.** Create a “Green Loop” that connects east and west side neighborhoods to open spaces and the Willamette River, with high quality bicycle accommodations, tree canopy, innovative, park-like pedestrian environments, and wildlife habitat connections. Enhance connections to the “Green Loop” alignment on key corridors throughout the Central City to improve access, create activity nodes and support neighborhood attractions and economic development.
- POLICY 5.13     **MAX-Portland Streetcar interchanges.** Create supportive environments for transit connections that occur where MAX light rail lines cross Portland Streetcar lines in the West End, Lloyd and the Central Eastside.
- POLICY 5.14     **Streetcar lines.** Require active uses near Portland Streetcar stations and limit auto-oriented development.
- POLICY 5.15     **Limit auto-oriented development.** Prohibit drive-throughs with new development.

## Parks and Open Space

These policies support enhancements to existing open spaces and expansion of the Central City’s parks and open space network.

- POLICY 5.16     **Signature open spaces.** Enhance the Central City’s iconic interconnected system of parks, trails, and natural areas by offering a wide range of social, recreational, contemplative, respite and ecological functions to serve an increasingly diverse population of residents, workers and visitors.
- POLICY 5.17     **Open space network.** Beyond signature open spaces, acquire new parks and open spaces and expand opportunities in existing parks and open spaces to meet the needs of Central City residents, workers and visitors for both passive and active recreation, especially in areas zoned for high density, mixed use development. Enhance the network by improving connections among parks, open spaces, and the riverfront. Encourage the provision of publicly accessible private plazas and pocket parks with new development.

See district policies section for related policies in: DT, WE, GH, PL, LD, CE, SW, UD; see Governor Tom McCall Waterfront Park policies in Willamette River, Downtown district section

## Historic Preservation

The Central City is rich with designated historic landmarks and historic districts that help create a sense of place, contribute to neighborhood character and recognize Portland’s history. These policies support the protection and preservation of historic and culturally significant resources in the city as it continues to grow and change.

- POLICY 5.18     **Rehabilitation and reuse.** Encourage the use, preservation, and rehabilitation of historic buildings.

**POLICY 5.19 Historic resources and districts.** Enhance the identity of historically, culturally and architecturally significant buildings and places, while promoting contextually-sensitive infill development on vacant and surface parking lots.

See district policies section for related policies in: DT, WE, PL, OT, LA, CE, GH

**POLICY 5.20 Preservation incentives.** Provide financial and regulatory incentives that support the economic feasibility of the preservation, rehabilitation and seismic upgrade of historic resources.

## **DISTRICT POLICIES: URBAN DESIGN**

This section contains Urban Design policies specific to a particular Central City district.

### **Downtown**

**POLICY 5.DT-1 Retail core.** Design a unified identity for the retail core through signage, banners, lighting, street furnishings and plantings.

**POLICY 5.DT-2 Transit Mall.** Provide a safe and pleasant street environment for transit riders and other pedestrians along SW 5th and 6th Avenues. Maintain the consistent streetscape, transit furnishings, and public art along the corridor.

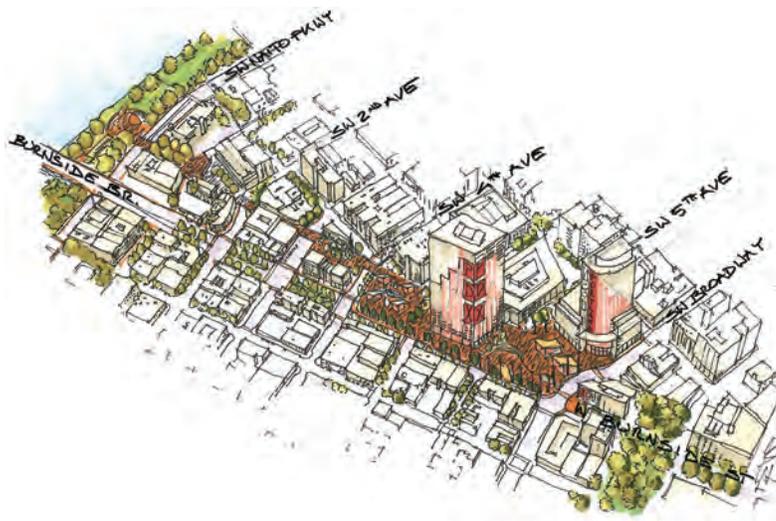
**POLICY 5.DT-3 Street hierarchy and development character.** Support the signature retail/commercial character of SW Morrison, SW Yamhill, SW Broadway, SW Alder and West Burnside; the signature boulevard character of 5th, 6th and Naito Parkway; and the signature boulevard/flexible character of SW Salmon; and the flexible character of SW Oak and SW Ankeny.

**POLICY 5.DT-4 Open space network.**

**a. Civic gathering places.** Provide safe and accessible urban spaces for large public gatherings including festivals, parades, concerts, sports events and other assemblies. Reinforce Broadway as Portland's theater and bright lights district.

**b. South Park Blocks.** Preserve the South Park Blocks as one of Portland's signature open spaces and integrate them with high quality pedestrian and bicycle facilities as well as improved opportunities for habitat.

**POLICY 5.DT-5 Historic resources and districts.** Protect historic resources throughout the district. In particular, protect the historic character and architecturally significant resources of the Yamhill Historic District.



### A PORTLAND TIMES SQUARE

Conceptual sketch exploring how the section of W Burnside St between the Burnside Bridge and SW Broadway could be transformed into a series of signature public open spaces culminating in a “Times Square”-style plaza. A “Fountains Walk” pedestrian path on Ankeny Alley would connect the new square to the river through a series of existing and new fountains, linking some portions of Ankeny Alley that are already pedestrian oriented. (Otak 2013)

## West End

- POLICY 5.WE-1 South Park Blocks frontages.** Encourage active ground floor building frontages along the Park Blocks.
- POLICY 5.WE-2 Street hierarchy and development character.** Support the retail/commercial character of SW 10th Avenue, Jefferson and Yamhill streets, and develop the boulevard character of Morrison, Columbia, Clay and Market streets and 12th Avenue, and the boulevard/flexible character of SW Salmon Street.
- POLICY 5.WE-3 Historic resources and districts.** Protect the personality and character of the West End by encouraging the use, preservation and rehabilitation of existing buildings and historic resources that represent a wide range of architectural styles, scales and eras.

## Goose Hollow

- POLICY 5.GH-1 Distinctive building character.** Encourage the diversity and unique character of Goose Hollow and its wide range of uses, building types, ages and scales. Seek ways to bring new uses and energy into the district while maintaining positive characteristics of existing buildings.
- POLICY 5.GH-2 Natural features.** Enhance existing natural features resulting from the district’s proximity to the West Hills, such as the varied topography, trees, and vegetation.
- POLICY 5.GH-3 Street hierarchy and development character.** Support the retail/commercial character of West Burnside, SW Yamhill, and SW Jefferson; the unique flexible/boulevard character of SW Salmon; and the flexible character of SW 20th and 16th. Activate ground floor facades throughout the district.

- POLICY 5.GH-4 Open space network.** Enhance existing open spaces, including Collins Circle, Firefighters Park and the stadium plazas to be more usable, engaging spaces and improve access to Washington Park. Support the inclusion of publicly accessible green open space in the redevelopment of Lincoln High School.
- POLICY 5.GH-5 Historic resources and districts.** Identify significant historic resources within the district. Retain the personality and character of Goose Hollow by encouraging the preservation and rehabilitation of existing buildings that represent a wide range of architectural styles, scales and eras.

## The Pearl

- POLICY 5.PL-1 NW 13th Avenue Historic District and main street.** Protect the historic warehouse character and architecturally significant resources within the district. Continue the active character of the street environment north of the historic district by encouraging active uses; adding and maintaining loading docks; and maintaining lower building heights along NW 13th Avenue from NW Davis Street to the north.
- POLICY 5.PL-2 Under I-405 repurposing.** Support redevelopment of areas under I-405 to create safe, attractive, and engaging spaces.
- POLICY 5.PL-3 Street hierarchy and development character.** Support the retail/commercial character of NW 11th, 13th, Lovejoy, and Glisan; as well as the flexible character of NW Davis, Flanders, Johnson, Marshall and Pettygrove.
- POLICY 5.PL-4 Open space network.** Require the development of publicly accessible open space at the Centennial Mills and US Postal Service sites as part of redevelopment to provide linkages to street tree canopy and other open spaces.
- POLICY 5.PL-5 Historic resources and districts.** Encourage the preservation of older and often smaller buildings with historic character.

## Old Town/Chinatown

- POLICY 5.OT-1 New Chinatown/Japantown.** Protect significant resources and enhance the historic multi-cultural significance of the New Chinatown/Japantown Historic District. Support the district's historic character, multi-ethnic history and today's Pan-Asian culture.
- POLICY 5.OT-2 Skidmore/Old Town.** Protect historic and architecturally significant resources of the Skidmore/Old Town National Historic Landmark District. Support the district's historic commercial character, history of social service and connection to the Willamette River. Encourage the incorporation of cast-iron architectural artifacts in new development within the district.

- POLICY 5.OT-3 **East-west connectivity.** Increase east-west connections to the Pearl and the riverfront and strengthen the Festival Streets along NW Davis and Flanders streets through supportive adjacent new development and active programming.
- POLICY 5.OT-4 **Active uses.** Increase the number of ground floor activating uses and eliminate gaps in the built environment.
- POLICY 5.OT-5 **Street hierarchy and development character.** Support the retail/commercial character of W Burnside, NW Broadway, NW Glisan and NW 4th; the boulevard character of NW 5th and 6th, Naito Parkway and NW Everett; and the flexible character of NW Flanders and Davis.
- POLICY 5.OT-6 **Historic resources and districts.** Protect the rich historic and cultural character of Old Town/Chinatown. Preserve and rehabilitate historic resources throughout the district.

## Lower Albina

- POLICY 5.LA-1 **Russell Street.** Strengthen the character of Russell Street and reestablish the historic connection between Lower Albina and the Vancouver/Williams Corridor by encouraging new mixed uses, rehabilitated buildings and a nighttime orientation.
- POLICY 5.LA-2 **Industrial character.** Preserve the industrial character and functionality of the Lower Albina industrial area.
- POLICY 5.LA-3 **Street hierarchy and development character.** Support the retail/commercial character of NE Russell; the boulevard character of Interstate Avenue; and the flexible character of the “strand” connection.
- POLICY 5.LA-4 **Historic resources and districts.** Encourage the preservation, rehabilitation and celebration of historic structures in Lower Albina, including those in the Russell Street Conservation District and culturally significant African- American resources identified in the Cornerstones of Community Inventory.

## Lloyd

- POLICY 5.LD-1 **Diverse and distinctive urban places.** Foster more intense development in the Central Lloyd area and Rose Quarter while strengthening the distinct character of the existing Lloyd subareas.
- POLICY 5.LD-2 **Connectivity through large blocks.** Take advantage of the unique opportunity for dense, large site development made possible by the large blocks found in the Lloyd. Integrate this development into the surrounding blocks through well designed internal green spaces and pedestrian connections.
- POLICY 5.LD-3 **Pedestrian-oriented development.** Discourage new automobile-oriented uses and encourage the eventual redevelopment of large surface parking lots with development that is oriented to the street and enhances the pedestrian environment.

- POLICY 5.LD-4 Street hierarchy and development character.** Support the retail/commercial character of NE Broadway, MLK and Grand; the boulevard character of NE Weidler, Interstate Avenue, NE Lloyd and NE 15th; and the flexible character of NE Clackamas, NE 2nd, 6th and 12th.
- POLICY 5.LD-5 Open space network.** Develop a signature sequence of open spaces, linked through a pedestrian wayfinding system that serves the Central Lloyd area, becomes a primary organizing structure for new development, and offers a diversity of character, experiences, and recreational functions for district residents, workers and visitors.

## Central Eastside

- POLICY 5.CE-1 East Portland Grand Avenue Historic District.** Promote the rehabilitation of historic buildings and sensitive infill development in the Grand Avenue Historic District through updated design guidelines and regulations that incent rehabilitation and reuse over demolition. Encourage adaptive reuse of existing structures.
- POLICY 5.CE-2 OMSI Station area.** Create an urban form at the OMSI Station area that facilitates public access from the streetcar and light rail stations to the greenway trail and riverfront, PCC, OMSI, Portland Opera, Portland Spirit, the Oregon Rail Heritage Foundation sites, through public realm enhancements and ground floor active uses that create a safe and vibrant environment.
- POLICY 5.CE-3 Clinton Station area.** Establish an urban form at the Clinton Station area that creates a safe and active environment by incorporating a mix of uses that serve transit riders as well as residents and employees of the station area, Central Eastside, and inner Southeast Portland neighborhoods.
- POLICY 5.CE-4 Urban form on large blocks.** Use building massing and orientation, accessways, and open spaces in the development of large blocks and sites to establish an urban form and block configuration consistent with the rest of the Central Eastside.
- POLICY 5.CE-5 Open space network.** Increase public parks, open space, and recreation opportunities in the district, especially in areas zoned for high density, mixed-use development. Broaden the number and range of available recreation opportunities.
- POLICY 5.CE-6 Street hierarchy and development character.** Support the retail/commercial character of East Burnside, NE Sandy, SE Grand, SE Division, SE Hawthorne and SE Morrison; the boulevard character of SE Stark, NE Couch, SE 11th and SE 12th; and the flexible character of SE Ankeny, SE Salmon, SE Clay, SE 7th and SE Caruthers. Create transitions between industrial and mixed use areas.

POLICY 5.CE-7 **Historic resources and districts.**

- a. Industrial character.** Promote the historic industrial character of the Central Eastside through the preservation and enhancement of historic buildings and infrastructure that reflect past uses and architectural styles while serving existing and emerging industrial employment uses.
- b. Historic main streets.** Enhance the character and visibility of historic streets throughout the district such as SE Morrison Street, including areas under viaducts, through public realm improvements and building rehabilitations that acknowledge these streets' historic role in shaping the district, while elevating their current status as important streets for commerce and employment.

**MORRISON VIADUCT**

*Conceptual rendering illustrating the historic main street under the Morrison Bridge viaduct and how the space could possibly be activated by additional uses during the day and at night.*

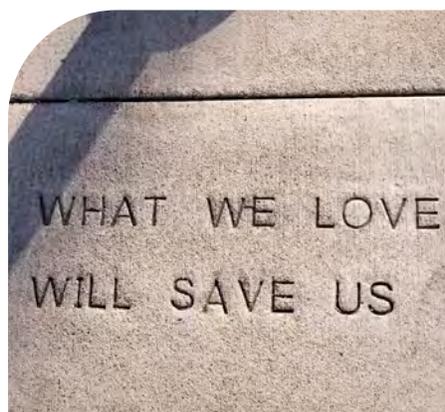
**South Waterfront**

- POLICY 5.SW-1 **Street hierarchy and development character.** Support the retail/commercial character of SW Bond Avenue and SW Gibbs St and the boulevard character of SW Moody.
- POLICY 5.SW-2 **Open space network.** Create an exemplary open space network that embraces the river as the district's "front yard" and provides a range of urban amenities, passive and active recreation experiences and ecological functions.

**University District/South Downtown**

- POLICY 5.UD-1 **Portland State University character.** Encourage the continued development of a pedestrian-oriented, predominantly university campus environment centered on the South Park Blocks. Encourage the development of an integrated urban environment with a rich mix of public and private institutions, commercial uses and housing west of Broadway to SW 4th Avenue.

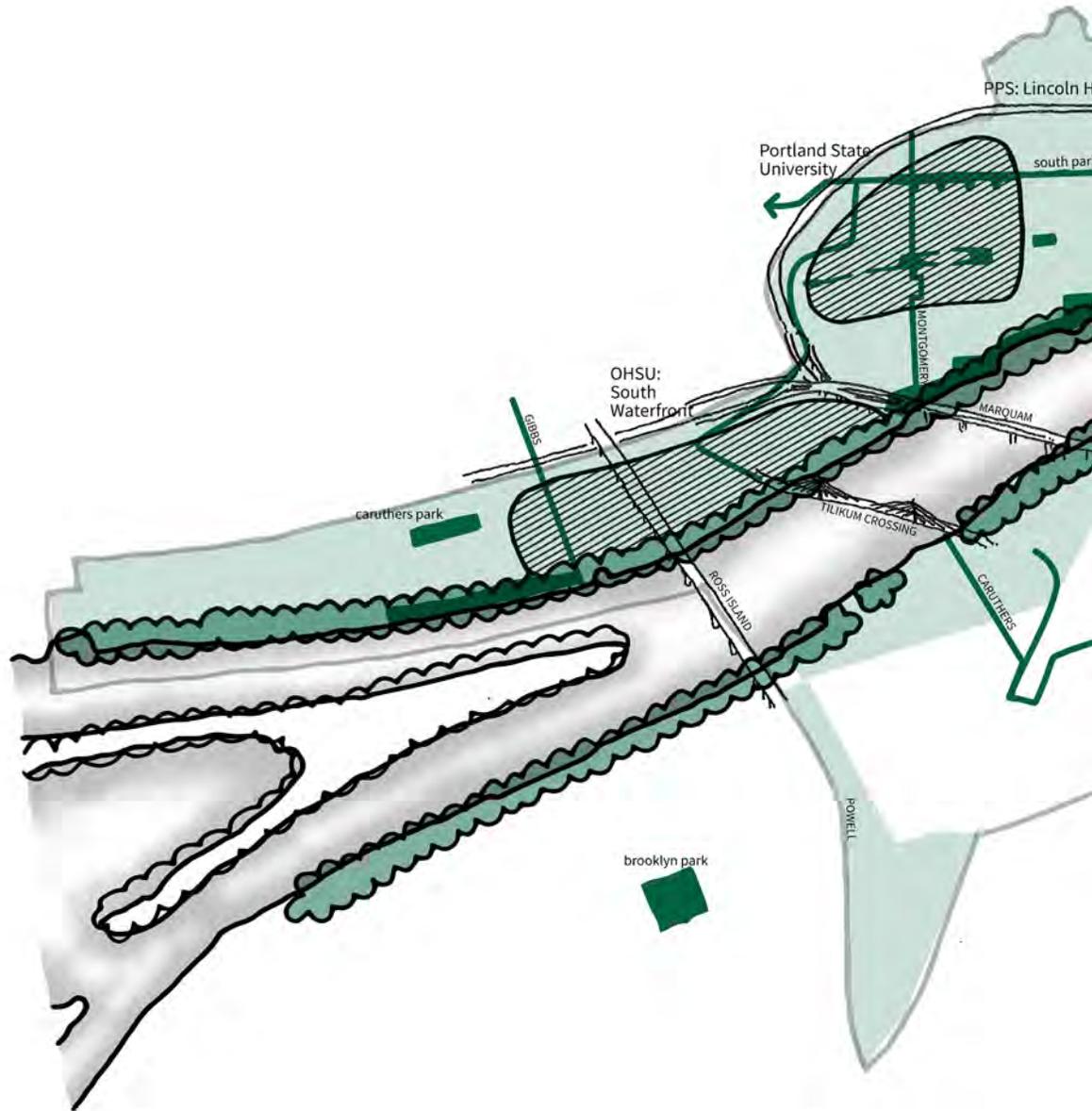
- POLICY 5.UD-2 **South Auditorium character.** Retain the modernist feel and pedestrian-focused character of the South Auditorium Plan District, respecting in particular the National Register of Historic Places Halprin Open Space Sequence. Add new uses to increase pedestrian activity in the district. Connect the pedestrian pathways to adjacent districts while maintaining the character, safety, and livability of this neighborhood.
- POLICY 5.UD-3 **RiverPlace character.** Encourage the continued development of RiverPlace with a broad mix of residential, commercial, recreational and boating uses. Maintain and enhance the cohesive design aesthetic, generous landscaping, and close relationship of the public realm to the river.
- POLICY 5.UD-4 **Street hierarchy and development character.** Support the retail/commercial character of 4th Avenue, Broadway and College Streets; as well as the flexible character of Park Avenue and Montgomery Street.
- POLICY 5.UD-5 **Open space network.** Support existing open spaces, including the Halprin Open Space Sequence and the Willamette River, to be more accessible, usable and engaging spaces for the community while also supporting the development of new open spaces where opportunities arise. Broaden the range of available recreation experiences.

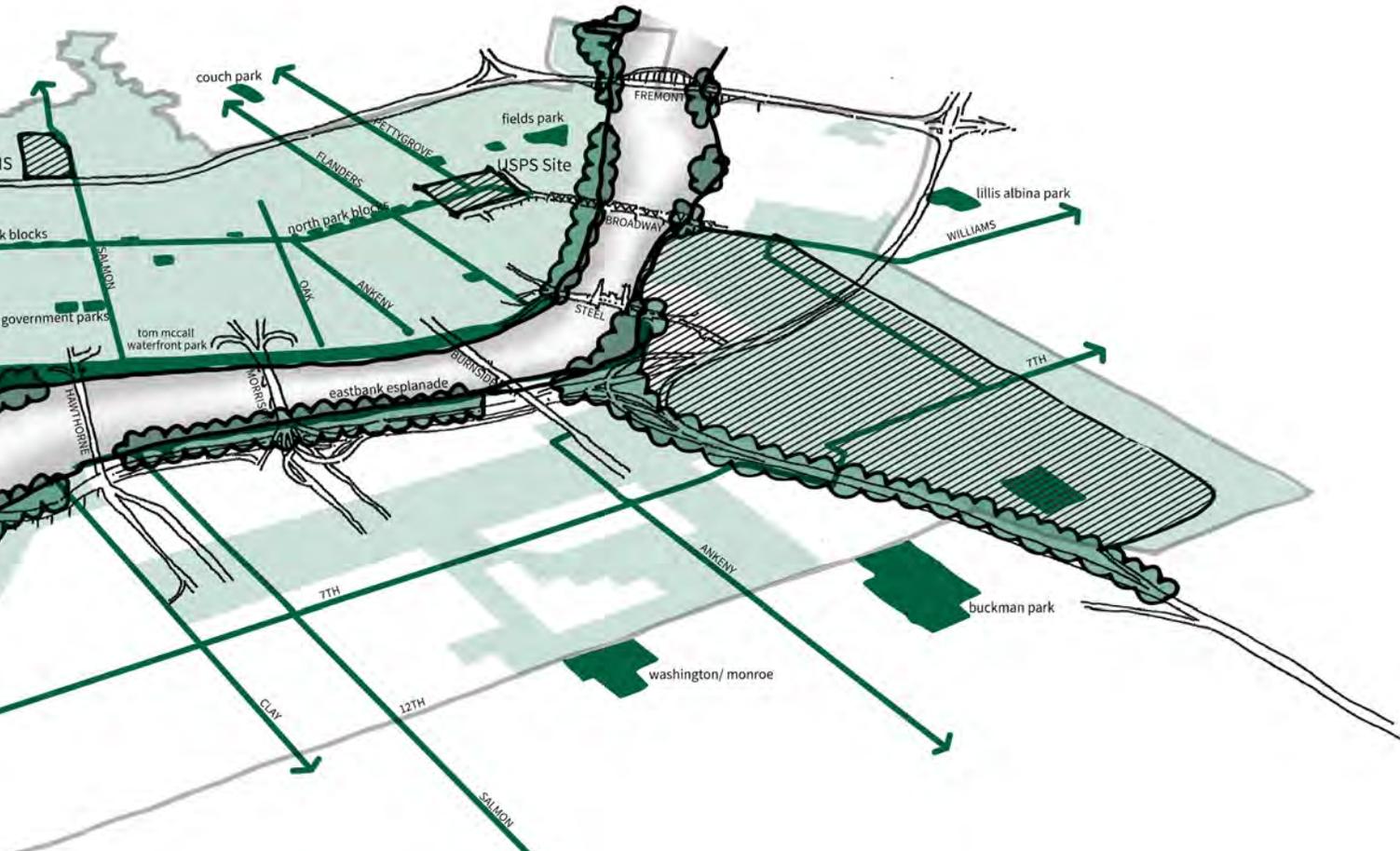




# 6. HEALTH AND ENVIRONMENT CENTRAL CITY GOALS

GOAL 6.A:





### HEALTH & ENVIRONMENT LEGEND

	Enhanced open space network
	Enhanced natural resource opportunity area
	High performance development opportunity area
	High intensity green infrastructure opportunity area

# CENTRAL CITY POLICIES: HEALTH AND ENVIRONMENT

## Resilience

These policies support the Central City’s ability to prepare for and respond to natural hazards and disasters. They create strategies that mitigate and adapt to climate change.

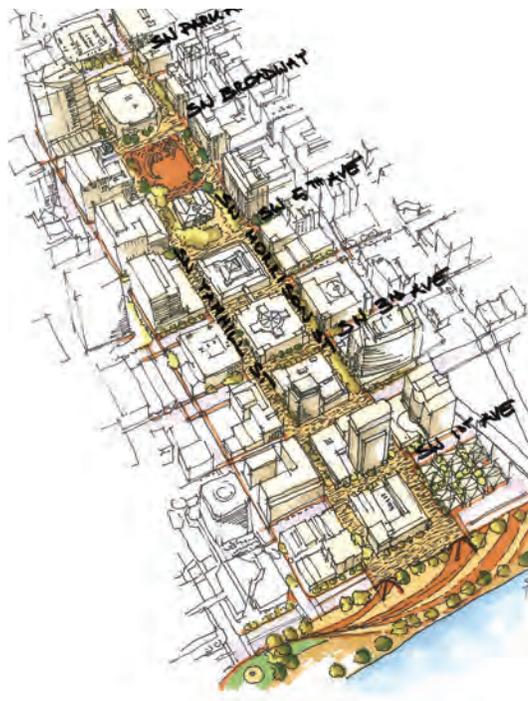
- POLICY 6.1**      **Natural hazard resilience.** Encourage planning, design and education in the Central City to help prevent or minimize the impacts of natural hazards such as earthquakes, floods and other hazards identified in the citywide Natural Hazard Mitigation Plan.
- a. New development.** Encourage approaches to reduce future natural hazard risks and impacts when planning for or evaluating the location and design of new development.
  - b. Retrofitting.** Encourage the retrofitting of buildings and infrastructure to withstand natural hazards. Prioritize the seismic retrofitting of unreinforced masonry buildings while preserving their architectural character. Support Multnomah County’s efforts to seismically retrofit Central City bridges, recognizing the Burnside Bridge as the regionally-designated priority.
  - c. Preparedness.** Support Central City residents’ and businesses’ efforts to prepare for natural hazards. Ensure the Central City’s most vulnerable populations are included in these efforts.
  - d. Code review.** Monitor relevant codes to incorporate current knowledge and standards for seismic design and flood protection.
- POLICY 6.2**      **Climate change resilience.** Support planning, service system upgrades, and infrastructure in the Central City to anticipate, respond to, and reduce the risks and adverse impacts associated with evolving climate change conditions.
- a. Flooding.** Adapt to changes in hydrology, including future river levels, changes in flood frequency and duration, and changes in stormwater runoff rates.
  - b. Heat island.** Encourage site designs, building designs and vegetation that reduce the adverse impacts of urban heat islands on public health and safety, especially those affecting more vulnerable communities.
  - c. Fish and wildlife habitat.** Improve the quality, diversity, connectivity, safety, and accessibility of terrestrial and aquatic wildlife habitat areas.
- POLICY 6.3**      **Multiple functions.** Encourage green infrastructure, parks, open space, and recreation opportunities in the Central City that serve multiple functions to provide capacity during flood event, improve stormwater management, reduce heat island effects, create pockets of fish and wildlife refuge, and provide places of respite and recreation for employees, residents and visitors.

- POLICY 6.4 **Green infrastructure.** Increase the use of trees, ecoroofs, vertical gardens, sustainable site development, landscaped setbacks and courtyards, living walls and other vegetated facilities to manage stormwater, improve the pedestrian environment, reduce heat island effects, improve air and water quality and create habitat for birds and pollinators.
- a. Separated storm systems.** Promote green infrastructure enhancements within the separated stormwater system to improve water quality in the Willamette River and at riverfront recreation areas.
  - b. Ecoroof.** Support progress toward Central City ecoroof coverage targets.
- POLICY 6.5 Flood ready development. Reduce risks of flooding on existing and new buildings, transportation system and infrastructure.
- a. Impervious surface retrofits.** Enhance flood capacity within the developed floodplain by retrofitting impervious surfaces with pervious surfaces and landscaping.
  - b. Flood capacity.** Improve flood capacity by reducing development impacts and requiring mitigation for fill within the 100-year floodplain.
  - c. Building design.** Encourage innovated building design along the Willamette River and in the 100-year floodplain to allow for ground floor flooding.

## Health

These policies support the health and livability of the Central City environment, for all its inhabitants and visitors.

- POLICY 6.6 **Human health.** Encourage the use of active modes of transportation by creating and enhancing a network of bike and pedestrian facilities that provide access to services and destinations including natural areas. Improve access for all people to locally grown and healthy foods. Encourage the use of building construction methods, materials, products and best practices in lighting design that do not have harmful effects on human health and the environment. Encourage social health by fostering community in a hospitable public realm.



### **PEDESTRIAN DOWNTOWN CORE**

*Conceptual drawing illustrating an opportunity to enhance the pedestrian environment on key streets within the downtown core for an increasing number of people to live, work and play within the Central City. The transition from today's car-accessible streets to a pedestrian priority central area could happen incrementally, starting with streets that already experience low levels of car traffic, such as SW Yamhill St, and eventually expand to the entire retail core, spilling across Naito Parkway to the Willamette Riverfront. (Otak 2013)*

**POLICY 6.7 Light, Noise and Vibration Pollution.** Encourage land use patterns, building design and landscape to limit and mitigate negative impacts of lighting, noise and vibration on public health and safety, disruption of ecosystems, and hazards to wildlife.

**POLICY 6.8 Upland habitat connections.** Create an upland wildlife habitat corridor using trees, native vegetation in landscaping, public open spaces ecoroofs, and bird safe building design and practices that provide a safe, functional connection for avian and pollinator species between the West Hills, Mt. Tabor, Powell Butte, Rocky Butte and the Willamette River.

**POLICY 6.9 Strategic tree canopy enhancement.** Plant trees on tax lots, in parks and public spaces, and along rights-of-way, throughout the Central City to meet urban forestry and other Central City goals and guiding principles including resiliency, human and environmental health, livability, equity, and active transportation.

**a. Tree priorities.** Encourage planting and preservation of large, healthy non-nuisance trees, native trees, and climate change-resilient trees.

**b. Tree Diversity.** Improve tree species and age diversity throughout the Central City.

**c. Heritage trees.** Encourage the protection of designated Heritage and Landmark Trees.

**b. Tree Canopy.** Support progress toward meeting Central City tree canopy targets.

See district policies section for related policies in: CE

- POLICY 6.10 Effective tree planting.** Optimize tree planting opportunities and conditions throughout the Central City.
- a. Tree size.** Require that trees planted along rights-of-way are as large as is appropriate for the planting space.
  - b. Soil volume.** Encourage the provision of increased subsurface soil volumes to improve tree health and increase tree canopy coverage, especially in conjunction with development and infrastructure improvement project design and construction.
  - c. Tree accommodation.** Encourage wider sidewalk corridor furnishing zones and other right-of-way design elements (e.g., medians, bulb-outs) to facilitate planting and accommodation of larger canopy tree species.
  - d. Innovative design.** Encourage innovative design strategies that accommodate existing healthy non-nuisance trees on site and incorporate new trees on sites and buildings. Trees on buildings may be placed on balconies and podium roof decks, planted in conjunction with an ecoroof, or in other locations.

### **Building, infrastructure and site development**

These policies support environmentally friendly, energy efficient development, pushing Portland's Central City forward as a leader in sustainable urban development.

- POLICY 6.11 Buildings and energy.** Increase the energy efficiency of buildings, the use of onsite renewable energy systems, and the development of low-carbon district energy systems. Conserve resources by encouraging the reuse of existing building stock, salvaging architectural elements when demolition is necessary and recycling materials from construction and demolition.
- POLICY 6.12 City investment in street trees.** Invest in street trees as a valuable public infrastructure asset.
- a. Multiple benefits.** Plant street trees to provide multiple benefits, including stormwater management, quality pedestrian environment, reduction in urban heat island, and wildlife habitat.
  - b. Maintenance.** Support innovative approaches, including public/private partnerships, to ensure adequate long-term maintenance of street trees to address tree-related concerns such as sidewalk repair.
- POLICY 6.13 Bird and wildlife-safe development.** Encourage bird-friendly building and lighting design and management practices, to reduce hazards to resident and migrating birds, fish and other wildlife species.

- POLICY 6.14 **Low-carbon development.** Reduce carbon emissions from existing and new buildings, transportation systems and infrastructure.
- a. **Healthy retrofits.** Support retrofits to existing buildings to reduce energy use and improve indoor air quality.
  - b. **Green building.** Encourage high-performance new buildings that meet the energy targets of the Architecture 2030 Challenge and 2015 Climate Action Plan, including net-zero energy use in all new buildings by 2030.
  - c. **High performance areas.** Encourage “high performance areas” that conserve energy and water; use renewable energy sources; reduce waste and recycle; manage stormwater; improve occupant health; and enhance the character of the neighborhood, particularly in areas with large amounts of planned new development or redevelopment.
  - d. **Solar energy.** Encourage the installation of on-site solar photovoltaic systems.
  - e. **Clean district energy.** Enable the expansion and establishment of district energy systems that reduce carbon emissions.
  - f. **Low-carbon transportation.** Reduce carbon emissions from transportation systems, including supporting electric vehicle infrastructure.
  - g. **Carbon sequestration.** Support the use of green infrastructure to increase carbon sequestration and reduce energy needed to cool buildings in summer.

## DISTRICT POLICIES: HEALTH AND ENVIRONMENT

This section contains Health and Environment policies specific to a particular Central City district.

### West End

- POLICY 6.WE-1 **Build on existing high performance areas.** Encourage “high performance areas” that promote energy efficiency and green building technologies and practices at a neighborhood scale, particularly in new development adjacent to the Pearl’s Brewery Blocks.

### Goose Hollow

- POLICY 6.GH-1 **High performance Lincoln High School.** Encourage “high performance areas” in areas with large amounts of planned new development or redevelopment, especially the Lincoln High School site.
- POLICY 6.GH-2 **Water management and reuse.** Take advantage of Goose Hollow’s topography, identify opportunities for stormwater management, as well as rainwater harvesting and reuse within the district.

## The Pearl

**POLICY 6.PL-1 High performance large sites.** Encourage “high performance areas” that promote energy efficiency, green building technologies, sustainable site design and practices at a neighborhood scale, particularly in areas with large amounts of planned new development or redevelopment such as the US Postal Service site.

## Old Town/Chinatown

**POLICY 6.OT-1 High performance rehabilitation.** Support the inclusion of carbon reducing and environmentally friendly features and technologies in the rehabilitation of historic structures while preserving their historic character.

## Lloyd

**POLICY 6.LD-1 Sustainable district.** Promote innovation and leadership in the Lloyd in the areas of sustainable and restorative development, energy efficiency, water conservation, waste reduction and climate adaptation. Support partnerships that facilitate district-wide strategies.



### **LLOYD/WEIDLER REDEVELOPMENT**

*Conceptual rendering of possible new development along NE Weidler Street facing east, illustrating improved bicycle and pedestrian infrastructure, tree canopy enhancement and green infrastructure features.*

**POLICY 6.LD-2 Sullivan’s Gulch.** Enhance natural resources within Sullivan’s Gulch to improve its function as a habitat corridor, reduce the risk of wildfire and landslide, and maintain and enhance public views, while providing flexibility to incorporate a recreation trail.

## Central Eastside

- POLICY 6.CE-1 **Freight-compatible green infrastructure.** Plan for the development of green infrastructure, in the public right-of-way and on private property, taking into account freight street hierarchy by prioritizing city walkways and bikeways and mixed-use corridors for improvements such as trees and living walls throughout the district. Support the industrial area’s functional relationship to the river.
- POLICY 6.CE-2 **Strategic tree canopy enhancement.** Promote planting, district-wide, and especially along mixed use commercial corridors with higher employment densities and residential uses, and along pedestrian and bike corridors. Select trees and locations that provide adequate clearance for freight movement on streets prioritized for freight mobility.

## South Waterfront

- POLICY 6.SW-1 **High performance district.** Encourage “high performance areas” that promote energy efficiently and green building technologies and practices at a neighborhood scale particularly in areas with large amounts of planned new development.

## University District/South Downtown

- POLICY 6.UD-1 **High performance university campus.** Support PSU as an urban laboratory to promote energy efficiency and green building technologies and practices, as well as sustainable site design and development.

# CENTRALCITY 2035

DIST

THE CENTRAL CITY DISTRICTS



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Ige



# THE DISTRICTS

DT

DOWNTOWN

LA

LOWER ALBINA

WE

WEST END

LD

LLOYD

GH

GOOSE HOLLOW

CE

CENTRAL EASTSIDE

PL

THE PEARL

SW

SOUTH WATERFRONT

OT

OLD TOWN/  
CHINATOWN

UD

UNIVERSITY DISTRICT/  
SOUTH DOWNTOWN



DT

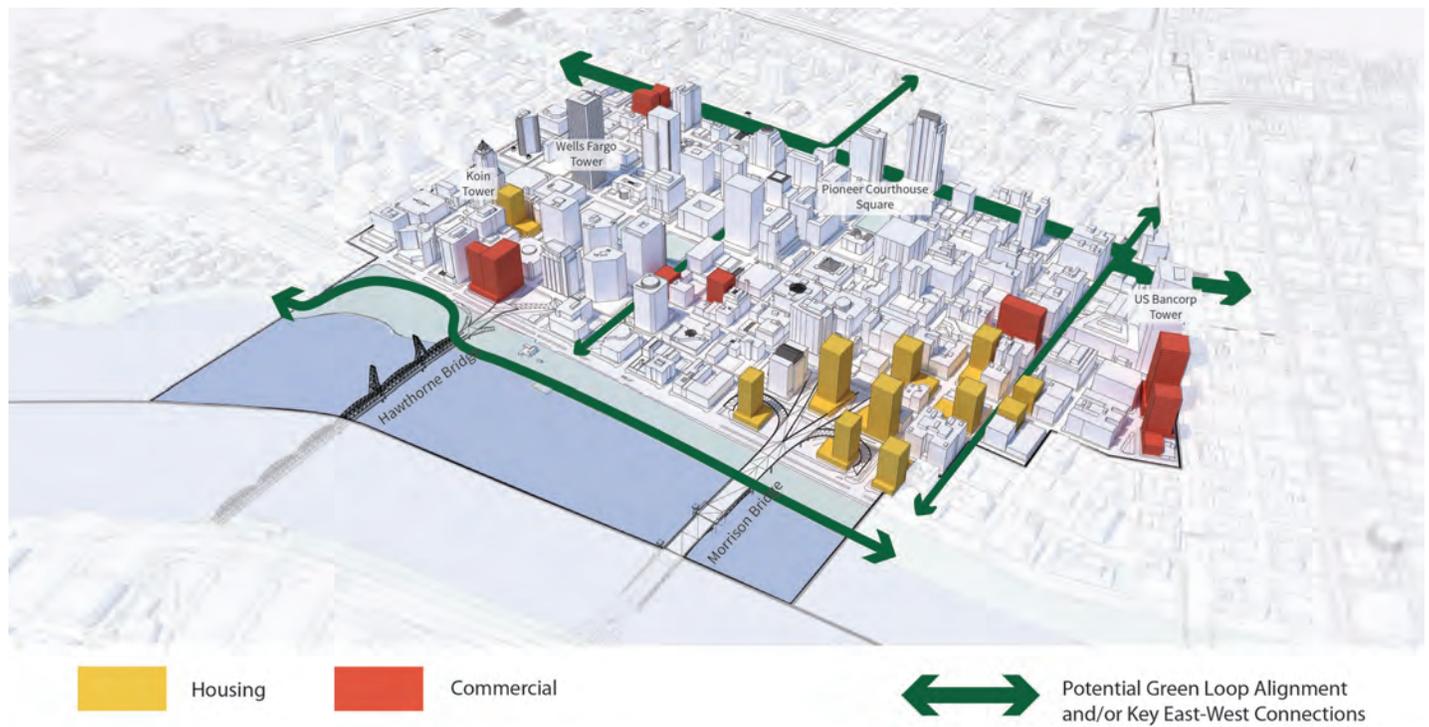
DOWNTOWN



Downtown contains many of the city’s iconic features, such as tall buildings, Pioneer Courthouse Square, museums, performance halls, civic buildings, the Willamette River and Waterfront Park, and historic bridges. Downtown has been shaped by centuries of history, from Native Americans to the settlement era; the expansion of commerce and trade; urban renewal; urban flight; and renewed efforts at revitalization and residential development. Downtown can continue to be the most important gathering place for Portlanders and visitors, as well as a center for innovation and exchange.

## 2035 VISION

Downtown is the economic and symbolic heart of the region and the preeminent location for office employment, retail, tourism, arts and culture, entertainment, government, urban living and ceremonial activities. At the center of the region’s multimodal transportation system, and anchored by the Willamette River and signature public spaces, it is the most intensely urban and easily recognized district in Portland’s Central City.



*Between 2010 and 2035, Downtown is expected to grow by 3,000 households and 7,000 jobs, for a total of 4,600 households and 55,200 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.*

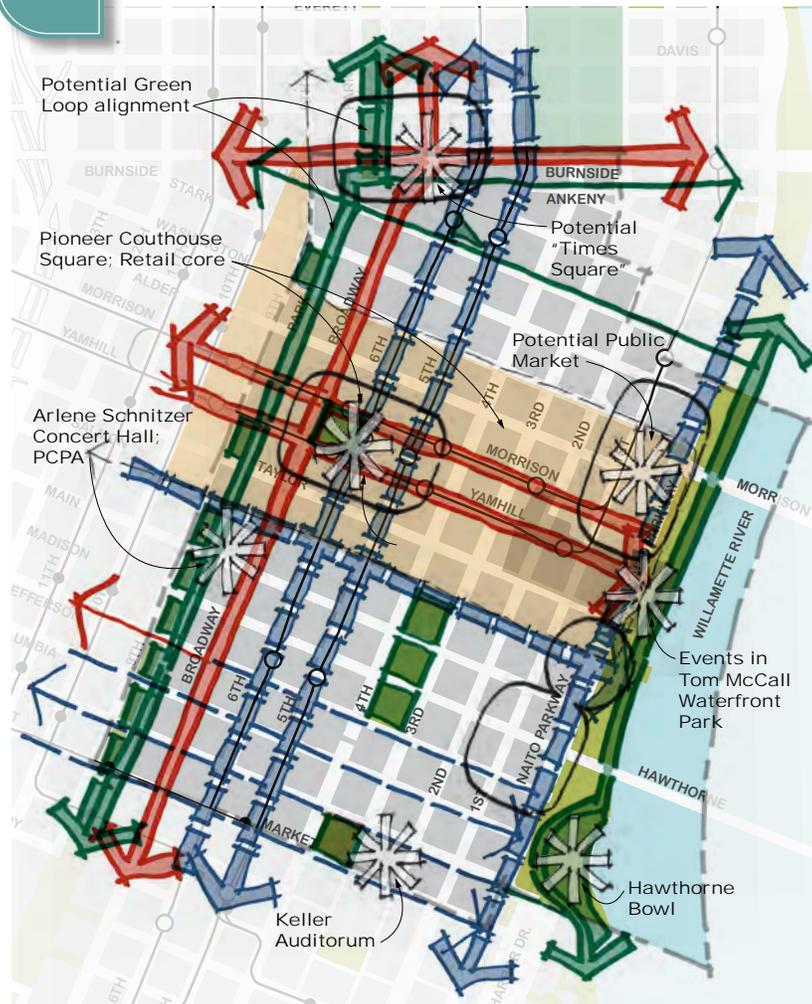
## KEY ELEMENTS

- Extend the Retail Core to the north and to the riverfront
- Establish a clearer set of east-west connections
- Enhance the character of Naito Parkway
- Support a future Green Loop alignment along the South Park Blocks

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

## DT URBAN DESIGN CONCEPT DIAGRAM



Downtown serves as both the office and retail core for the Central City. The area is home to numerous parks and attractions, including Pioneer Courthouse Square, Governor Tom McCall Waterfront Park, the Arlene Schnitzer Concert Hall and Keller Auditorium. Key intersections and gateways include the Willamette River bridgeheads; SW Broadway and West Burnside; and the Pioneer Square MAX interchange area on the Transit Mall.

The concept diagram also highlights the desired retail/commercial character of SW Morrison and Yamhill streets, West Burnside Street and SW Broadway; the desired boulevard character of 5th and 6th avenues and Naito Parkway; the signature east-west connection of SW Salmon Street; the potential Green Loop alignment along SW Park Avenue and the Willamette Greenway trail along the waterfront.

**WE** WEST END

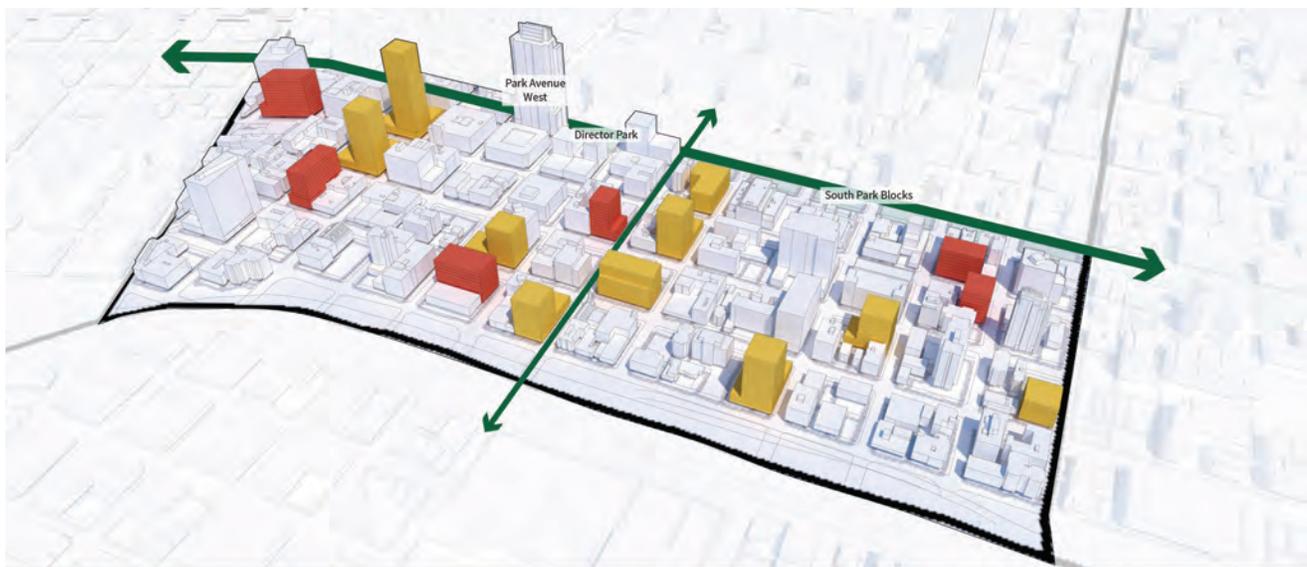


The West End is a downtown mixed use and residential neighborhood. Its urban character is shaped by numerous historic buildings, new housing projects, many restaurants and retail activities, as well as a strong relationship with the South Park Blocks and Cultural District. However, the area also contains a number of surface parking lots. Over the last decade, the West End has established stronger ties with Portland State University to the south and the Pearl to the north, effectively stretching the retail core from Downtown to the Brewery Blocks.

## 2035 VISION

The West End is a thriving, mixed use urban residential neighborhood with a diverse and distinctive architectural character, a range of building ages and scales, and a wealth of historical, cultural, institutional and open space assets. The district benefits from its pedestrian orientation and central location, with excellent multimodal access to Portland State University, the South Park Blocks, Goose Hollow and Providence Park, the Pearl and the Downtown retail core.

The West End hosts an attractive mixture of urban, family-friendly residential development with a range of scales, types and amenities that accommodate a socio-economically diverse population. It is a true mixed use environment, where residents live in harmony with successful retail, cultural and office development.



Housing
  Commercial
  Potential Green Loop Alignment and/or Key East-West Connections

*Between 2010 and 2035, the West End is expected to grow by 3,000 households and 3,000 jobs, for a total of 6,800 households and 9,900 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.*

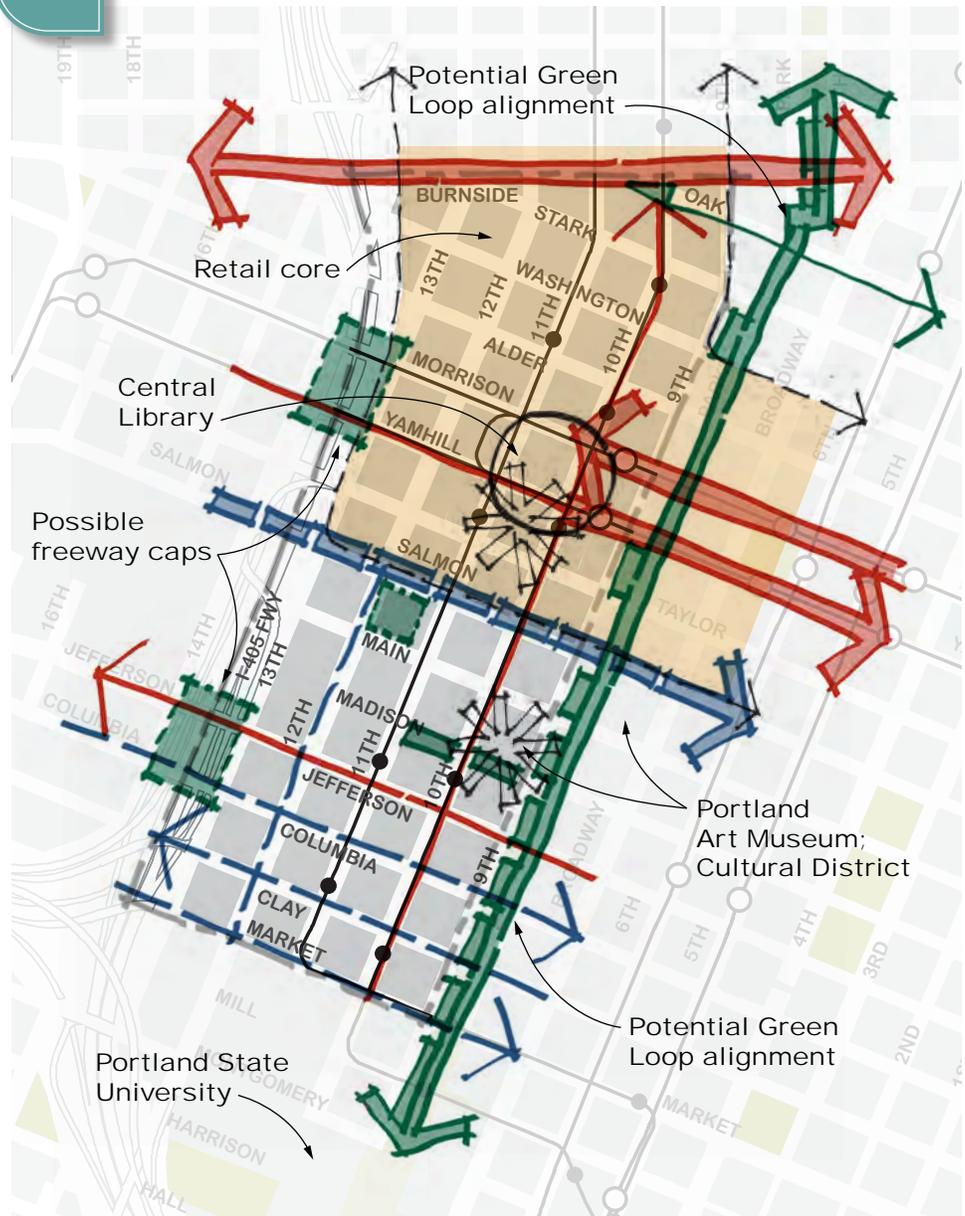
## KEY ELEMENTS

- Strengthen Jefferson main street as a neighborhood-serving retail commercial corridor
- Integrate new development with historic fabric
- Explore freeway capping opportunities to better connect with Goose Hollow
- Highlight the MAX/Streetcar interchange as a civic place
- Re-envision SW 12th Avenue as a boulevard

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

## WE URBAN DESIGN CONCEPT DIAGRAM



The West End has a predominantly residential character south of SW Salmon Street and a more mixed use character to the north. The area is home to numerous attractions, including the Portland Art Museum and Central Library. Key intersections and gateways include SW Morrison and Yamhill streets between 10th and 11th avenues, where the MAX and streetcar lines intersect. Potential I-405 caps are also shown at SW Jefferson/Columbia and SW Yamhill/Morrison streets.

The concept diagram also highlights the desired retail/commercial character of SW 10th Avenue, West Burnside Street, SW Jefferson into Goose Hollow, Morrison and Yamhill streets; the desired boulevard character of SW Columbia, Clay and Market streets and SW 12th Avenue; and the signature east-west connection of SW Salmon Street. Potential I-405 caps are shown at SW Morrison/Yamhill and Columbia/Jefferson, potentially offering new open space opportunities and improved crossing experiences.



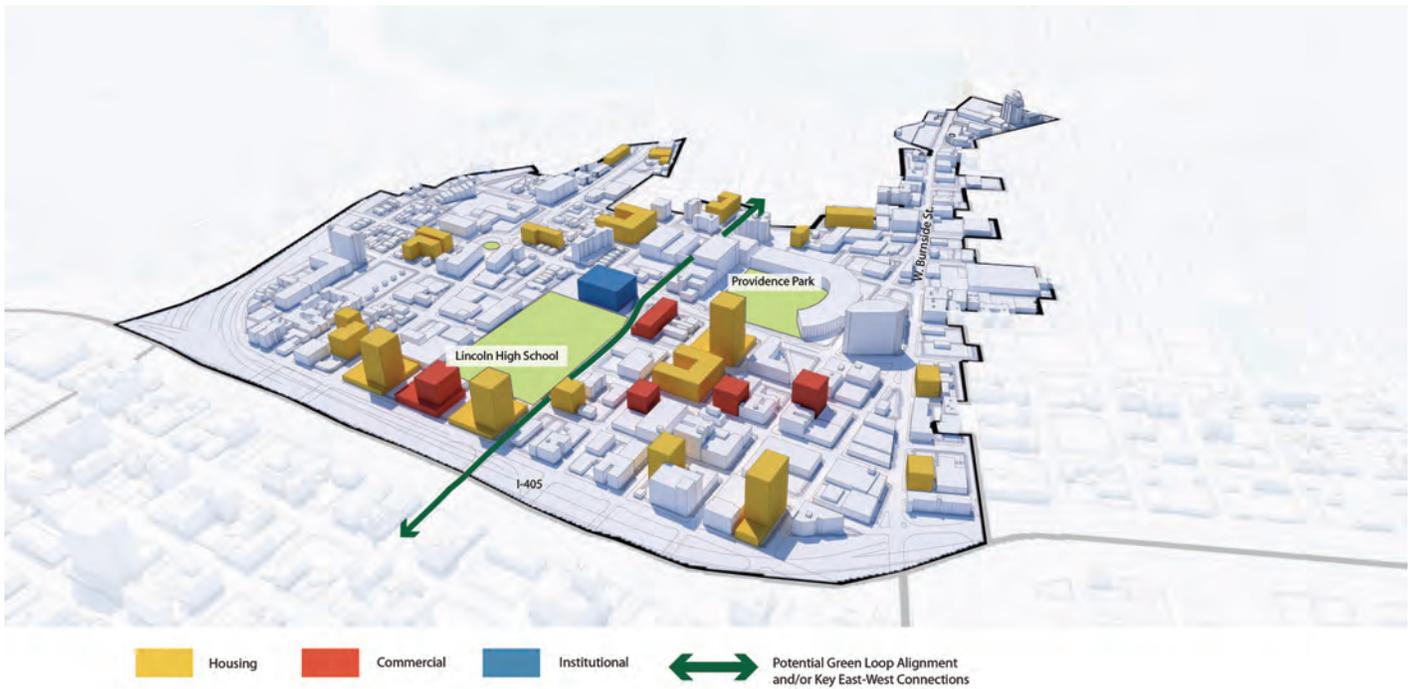
# GOOSE HOLLOW



Goose Hollow is a mixed use district with diverse residential, commercial and institutional uses. There is an eclectic mix of building types and ages, including a number of historic landmarks. Housing in the district ranges from high-rise apartments and condominiums to single-family homes. Goose Hollow is home to several large institutions, which attract high volumes of people to the area. With light rail running through the heart of Goose Hollow, it is highly accessible.

## 2035 VISION

Goose Hollow is a family-friendly urban community with thriving neighborhood businesses and excellent multimodal access to downtown, Portland State University, the Northwest District and Washington Park. The district’s major attractions, including Providence Park, Lincoln High School, the Multnomah Athletic Club and religious institutions, exist in harmony with surrounding mixed use development and attract visitors from all over the region to dine, shop and play in Goose Hollow. Bordering Washington Park, the Vista Bridge and West Hills, the district is known for its natural beauty.



Between 2010 and 2035, Goose Hollow is expected to grow by 1,000 households and 2,000 jobs, for a total of 4,900 households and 7,300 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate key flexible street connections leading to the river and adjacent neighborhoods.

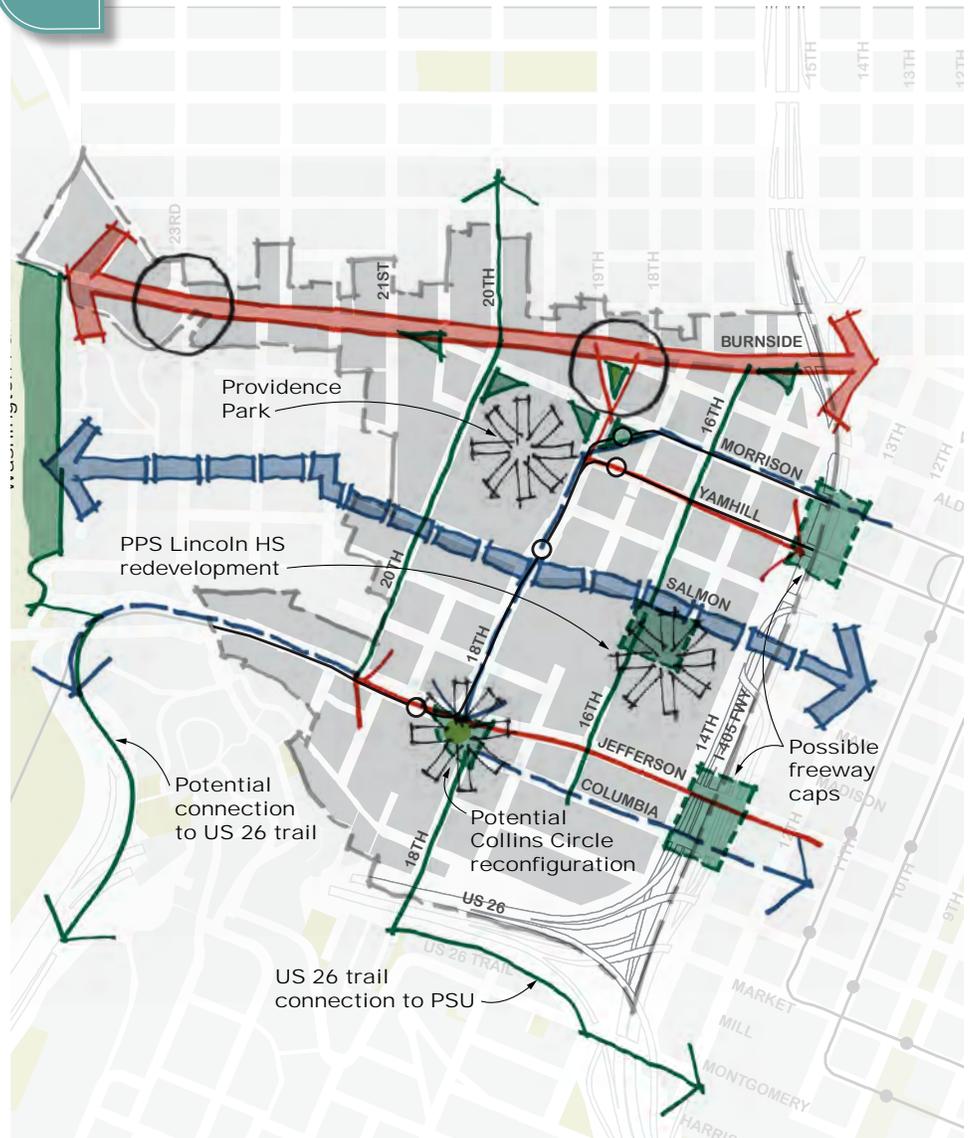
## KEY ELEMENTS

- Develop Jefferson Street as the center of a residential community
- Improve the character of and create new places along West Burnside
- Create new public spaces at Lincoln High School
- Strengthen the identity of SW Salmon as a key east-west green corridor
- Explore freeway capping opportunities across I-405

### DIAGRAM LEGEND:

- Retail/commercial character
- Boulevard character
- Flexible character
- Key intersection, gateway or bridgehead location
- Potential new open space
- Attraction

## GH URBAN DESIGN CONCEPT DIAGRAM



Goose Hollow has a diverse mix of residential, commercial and institutional uses. The area is home to numerous attractions, including Providence Park, Lincoln High School and the Collins Circle/Jefferson main street area. Key intersections and gateways include West Burnside Street and 23rd Avenue as well as West Burnside Street and 18th Avenue.

Potential I-405 caps are shown at SW Jefferson/Columbia and SW Yamhill/Morrison streets, and new or improved open spaces are shown at potential future reconfigurations of Collins Circle and Lincoln High School. The concept diagram also highlights the desired retail/commercial character of West Burnside Street, SW Yamhill and Jefferson streets; the desired boulevard character of SW Columbia Street; the central portion of SW 18th Avenue, SW Morrison Street and the western end of SW Jefferson Street. The diagram highlights the unique opportunity presented by SW Salmon Street, a potential signature green corridor linking Goose Hollow to the West End and Downtown, and the desired flexible character of SW 20th and 16th avenues, offering improved north-south access through the district.

PL

THE PEARL

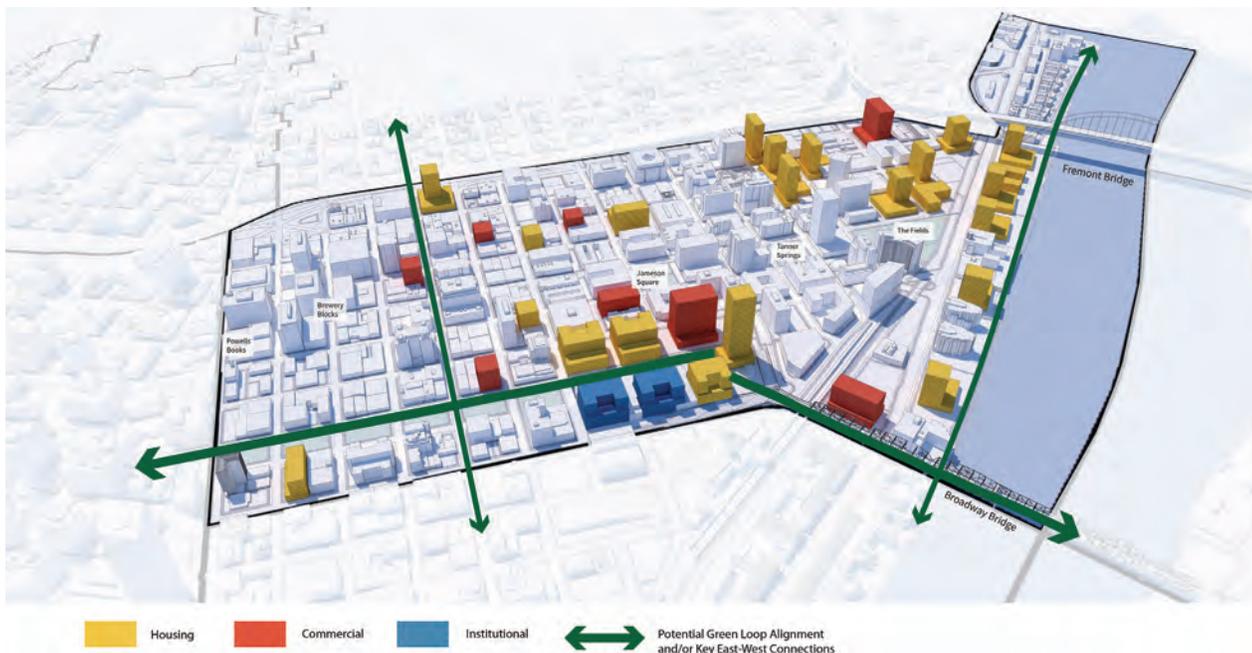


Characterized by a mix of housing, employment, retail and arts and entertainment establishments, the Pearl is supported by a multimodal transportation network, a system of parks, affordable and market rate housing, and a growing job base. The area combines new architecture within the context of its industrial past, with many former warehouse and industrial service buildings now repurposed for new uses. The residents of the Pearl are some of the most diverse in the Central City and include people at all income levels, families with children, seniors and students.

## 2035 VISION

A highly livable and multimodal urban neighborhood, the Pearl is a culturally and ethnically diverse, family-friendly complete community, with excellent access to public amenities including the Willamette River, retail services, cultural institutions and public transportation.

The district is a 21st-century model of social, environmental and economic sustainability. Its industrial past and historical assets, high quality mixed use development, exciting urban riverfront, shops, art galleries and restaurants attract visitors from all over the world, creating an ideal setting for its numerous creative sector businesses.



Between 2010 and 2035, the Pearl is expected to grow by 6,000 households and 4,000 jobs, for a total of 11,600 households and 14,700 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.



OT

OLD TOWN/CHINATOWN

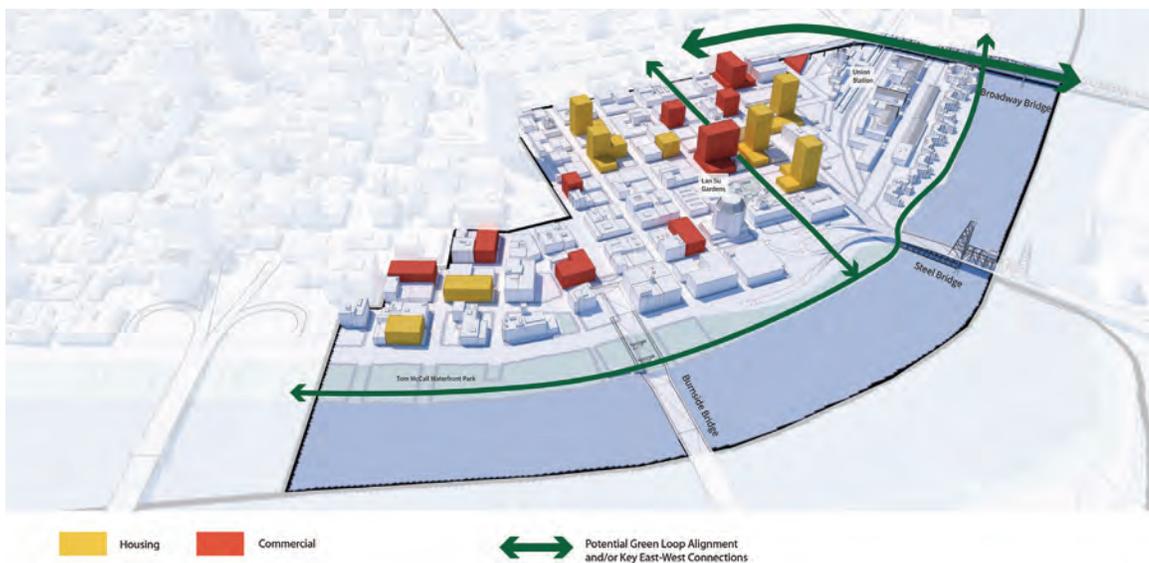


The site of Portland’s earliest commercial development, the Old Town/Chinatown area is rich in culture and historic buildings that evoke the city’s early years. More than 40 percent of the area lies within two historic districts: the Skidmore/Old Town Historic District and New Chinatown/Japantown Historic District. Skidmore/Old Town is home to one of the largest collections of 19th-century commercial cast iron buildings in the country and is designated as a National Historic Landmark. New Chinatown/Japantown commemorates Portland’s 19th and early 20th-century Asian heritage. NW Broadway runs through the western portion of the area, connecting downtown to iconic Union Station and the Broadway Bridge.

## 2035 VISION

Old Town/Chinatown is a vibrant, resilient, 24-hour neighborhood rooted in a rich cultural and historical past. The district’s two thriving historic districts, numerous multi-cultural attractions and higher education institutions foster a thriving mix of office employers, creative industry start-ups, retail shops and a range of entertainment venues, restaurants and special events.

The district has a balanced mix of market rate, student and affordable housing. Its social service agencies continue to play a critical public health role within the Portland region. The district has a mix of human-scaled, restored historic buildings and contextually sensitive infill development. It is well connected to the rest of the Central City and the region through excellent multimodal transportation facilities and safe and attractive street connections to adjacent neighborhoods and an active riverfront.



Between 2010 and 2035, Old Town/Chinatown is expected to grow by 2,000 households and 3,000 jobs, for a total of 3,900 households and 8,200 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.

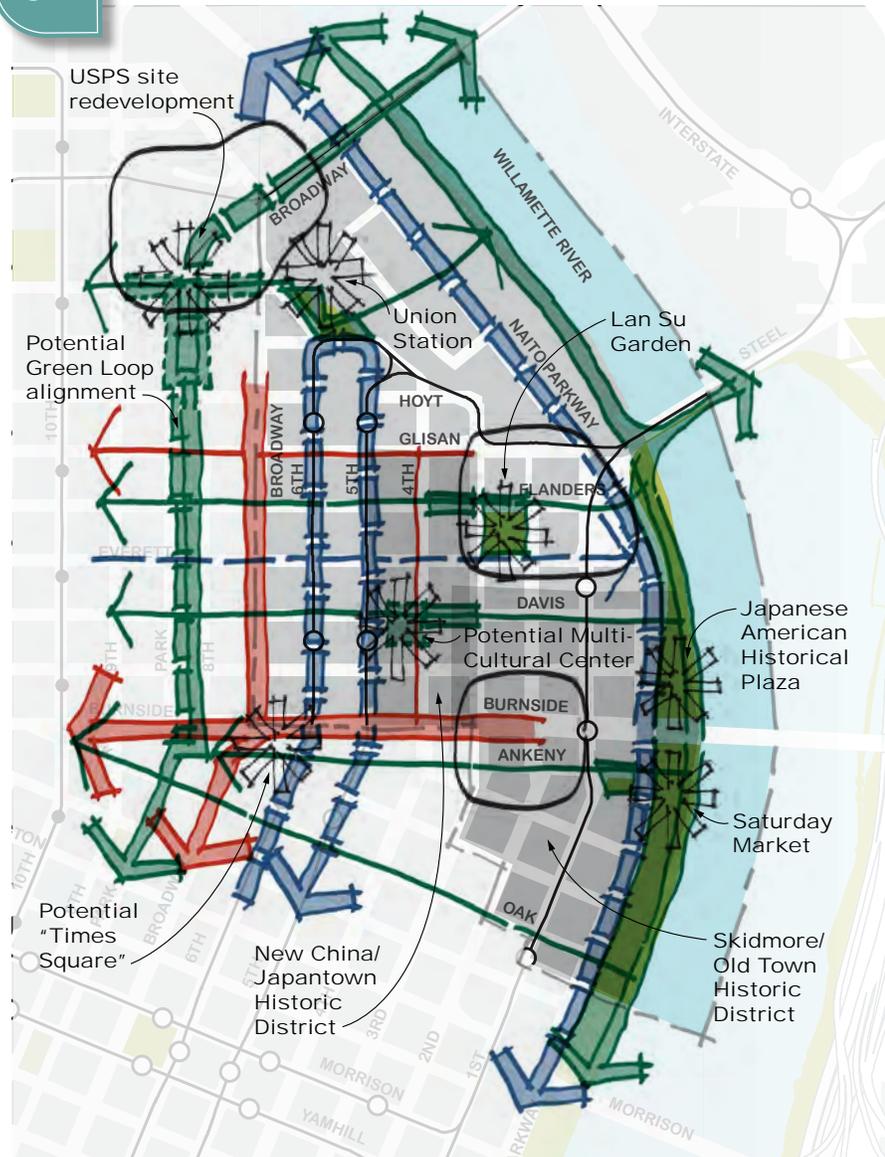
## KEY ELEMENTS

- Highlight the intersection at NW Broadway and West Burnside
- Strengthen east-west connections between the North Park Blocks and the river
- Explore development of a multi-cultural history center
- Create a NW 4th Avenue main street

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

## OT URBAN DESIGN CONCEPT DIAGRAM

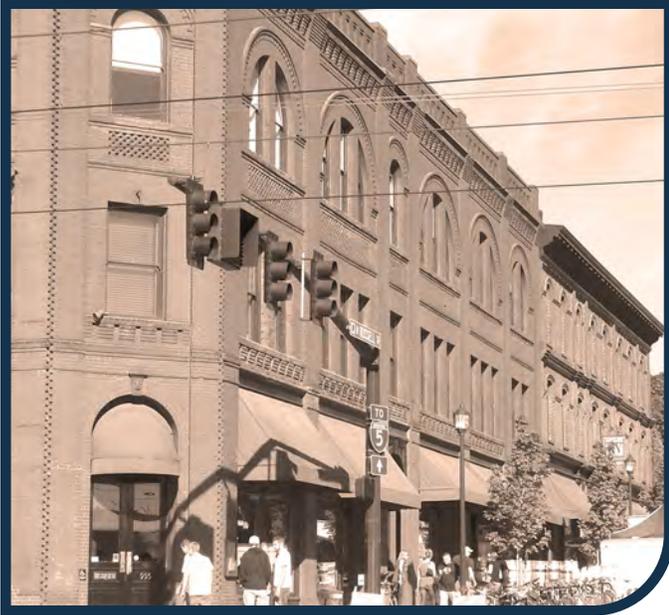


Old Town/Chinatown has several distinct subareas: the Skidmore/Old Town Historic District to the south, the New Chinatown/Japantown Historic District flanked by the NW Glisan Street corridor to the north, and the NW Broadway area to the west. While this area already features some signature public attractions, including the Lan Su Garden and Union Station, it could benefit from new ones, such as a possible multi-cultural history center and a new public space at the intersection of NW Broadway and West Burnside Street. Key intersections and gateways include the Burnside and Steel bridgeheads as well as the Chinatown Gate at West Burnside Street and 4th Avenue.

The concept diagram also highlights the desired retail/commercial character of West Burnside Street, NW Broadway, NW Glisan Street and NW 4th Avenue; the desired boulevard character of NW 5th and 6th avenues, Naito Parkway and NW Everett Street; and the flexible character and key east-west connections of NW Flanders and Davis streets to the Willamette River greenway trail.

LA

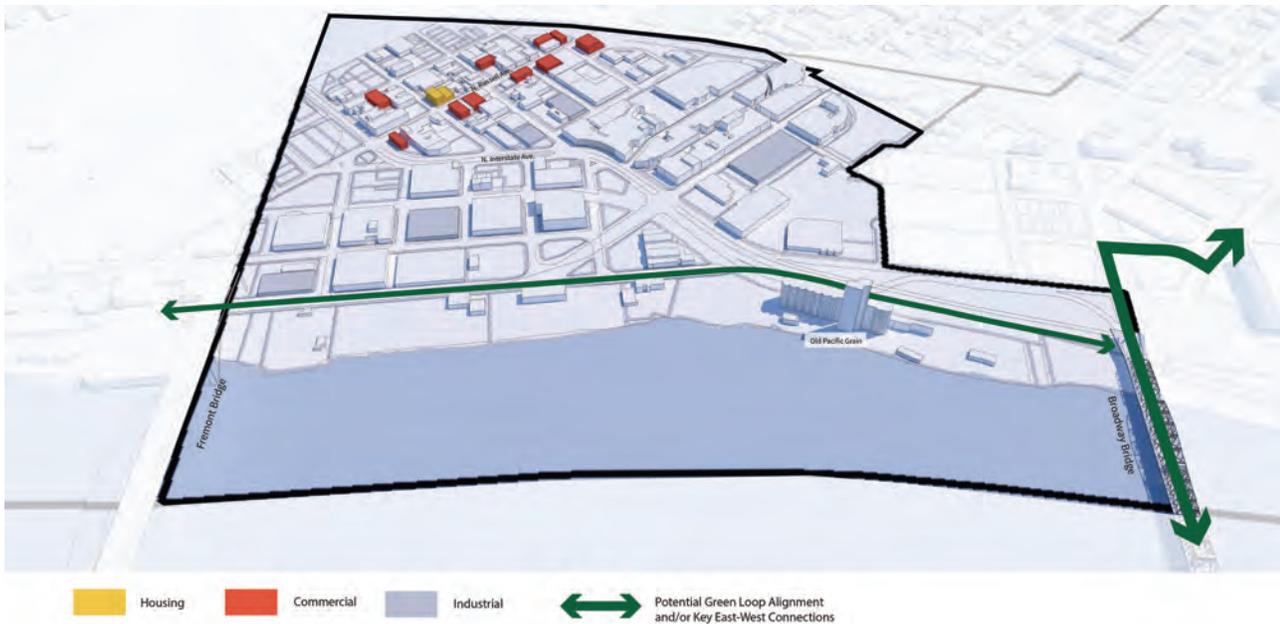
LOWER ALBINA



Lower Albina is primarily an industrial district, with a working harbor area, an important living-wage job base and a small mixed use historic area along N Russell Street. Freight movement by trucks and trains is an important part of the economic well-being of Lower Albina. The access route to I-5 South and I-84 is NE Broadway to the Wheeler on-ramp. Interstate Avenue is the major north/south arterial in Lower Albina and is used for automobiles, trucks, light rail, transit, bicycles and pedestrians. Russell Street is the main east-west connection. Interstate Avenue is the most important north-south multimodal connection, with light rail, bicycle facilities and motor vehicle access to north Portland. The nearby Union Pacific rail yard is classified as a Freight District. Planning efforts from the last few decades in Lower Albina have focused on retaining and enhancing the industrial and employment functions of the district.

## 2035 VISION

Lower Albina is a strong industrial and employment area supported by the working harbor, providing diverse employment and development opportunities. The historic N Russell Street is vibrant and rich, with mixed use and commercial activities that are compatible with nearby industrial and employment uses.



Between 2010 and 2035, Lower Albina is expected to grow by about 200 households and 200 jobs, for a total of 300 households and 2,300 jobs. This rendering illustrates a possible development scenario showing what growth might look like in the district. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.

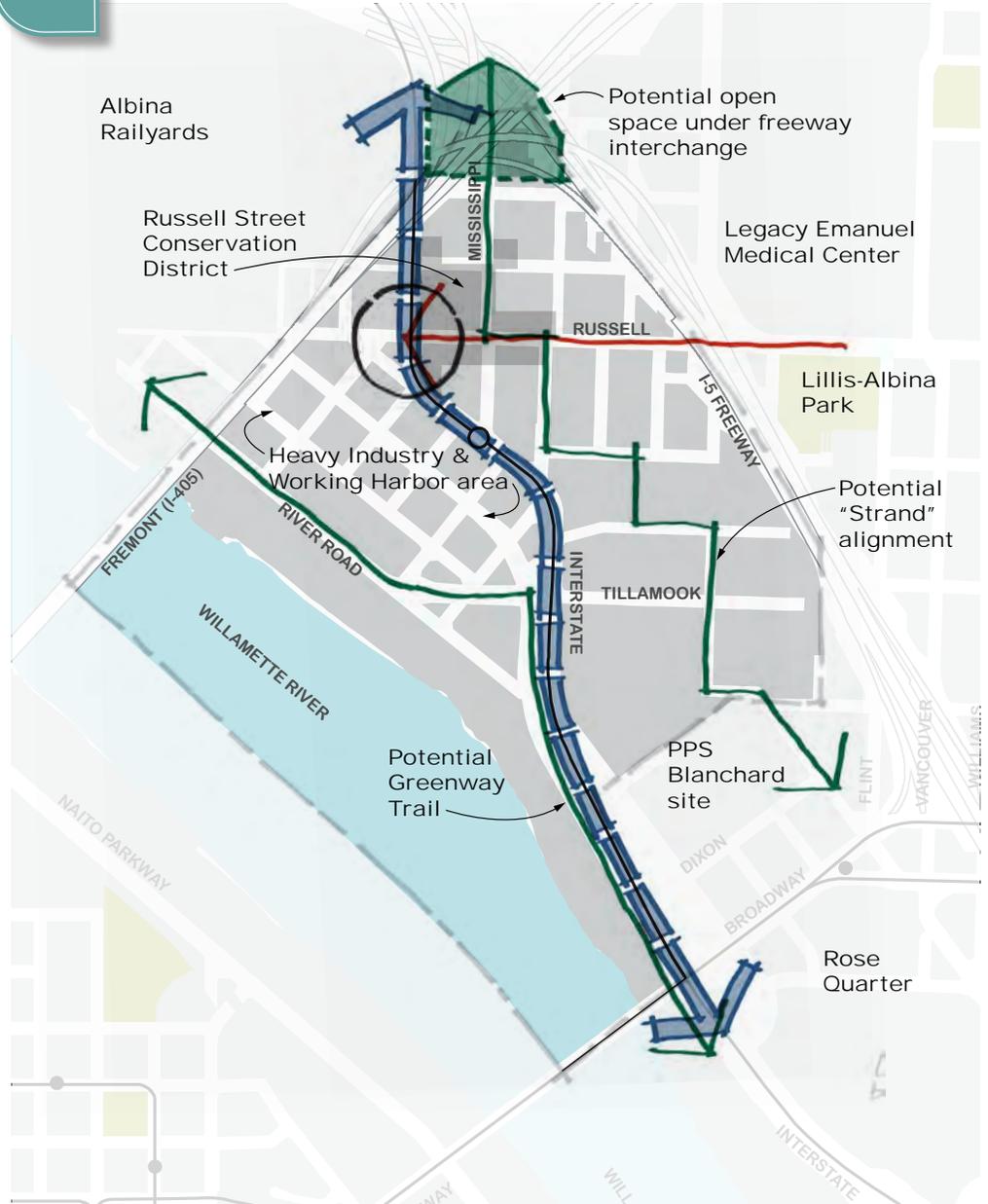
## KEY ELEMENTS

- Celebrate historic N Russell Street and expand retail and commercial activity east, re-establishing the historic connection between Lower Albina and the Vancouver/Williams corridor
- Preserve the district's industrial character while adding flexibility for some commercial uses
- Support regionally significant heavy industry and the working harbor

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

## LA URBAN DESIGN CONCEPT DIAGRAM



Lower Albina is largely an industrial and employment area, with a heavy industrial and working harbor area west of Interstate Avenue; a general industrial area east of Interstate Avenue; and the historic N Russell Street mixed use area. Attractions include establishments along N Russell Street, including restaurants, bars and the Widmer Brothers Brewing Company. Key intersections and gateways include N Russell Street and N Interstate Avenue.

A potential new open space is shown under the I-405/I-5 freeway interchange. The concept diagram also highlights the desired retail/commercial character of N Russell Street; the desired boulevard character of N Interstate Avenue; the opportunity for a new flexible "strand" connection, and future Greenway Trail improvements along River Road.



# LLOYD



The Lloyd district is characterized by a number of large region-serving facilities, including the Moda Center, Oregon Convention Center and the Lloyd Center shopping mall, as well as a concentration of large office buildings and neighborhood-serving retail on the eastern portion of NE Broadway. The Lloyd district has been the focus of a number of planning efforts in the past few decades, many seeking to build on the district’s existing assets, such as its regional transportation connections and concentration of regionally significant event facilities. The Lloyd district has also been identified as an “EcoDistrict,” with a focus on equitable, sustainable and resilient urban regeneration. The district contains an enormous amount of development potential and unique opportunities for placemaking. As the district redevelops, there also will be opportunities to integrate nature into a densely developed urban area and to become a model of sustainable urban development.

## 2035 VISION

Lloyd is an intensely urban eastside center of the Central City with regional attractions and high quality multimodal infrastructure, including several light rail and bus lines that converge at the Rose Quarter Transit Center. It is one of the most vital and livable districts in the Central City, with a strong employment base, successful residential communities with market rate and affordable housing options, as well as a variety of amenities. The district is a model of sustainability and resilience, complete with well-designed open spaces, streets, and high-performance green buildings and infrastructure.



Between 2010 and 2035, Lloyd is expected to grow by 8,000 households and 9,000 jobs, for a total of 9,000 households and 25,800 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.

## KEY ELEMENTS

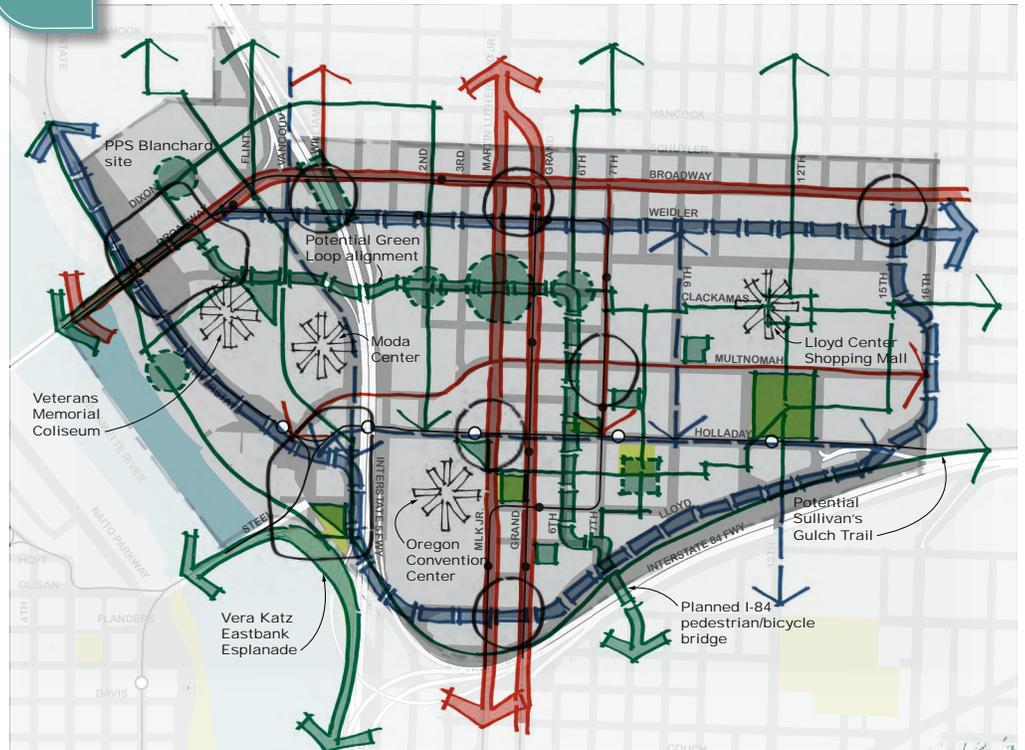
- Create an east-west open space spine
- Promote high-density, mixed use development and supportive amenities in the core
- Encourage sustainable development, including green buildings, green infrastructure and habitat enhancement
- Support the development of unique gateways into and out of the district

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

LD

## URBAN DESIGN CONCEPT DIAGRAM



Lloyd is a high-density, mixed use area with well-established office and entertainment functions and a growing residential community. Attractions include the Rose Quarter, Oregon Convention Center and Lloyd Center Mall. Key intersections and gateways are identified circling the district, with several located on the NE Broadway/Weidler street corridor and others along N Interstate Avenue and NE Lloyd Boulevard.

The diagram incorporates design concepts for a new freeway interchange at Broadway/Weidler, as well as several potential new open spaces throughout the district, including a string of desired parks roughly along NE Clackamas Street. The concept diagram also highlights the desired retail/commercial character of NE Broadway, MLK Boulevard and Grand Avenue; the desired boulevard character of NE Weidler Street, N Interstate Avenue, NE Wheeler and 15th Avenues and NE Lloyd Boulevard; and a system of flexible connections on NE Clackamas Street, NE 2nd, 6th and 12th Avenues, with a potential Green Loop alignment along 6th/7th and Clackamas.

CE

CENTRAL EASTSIDE

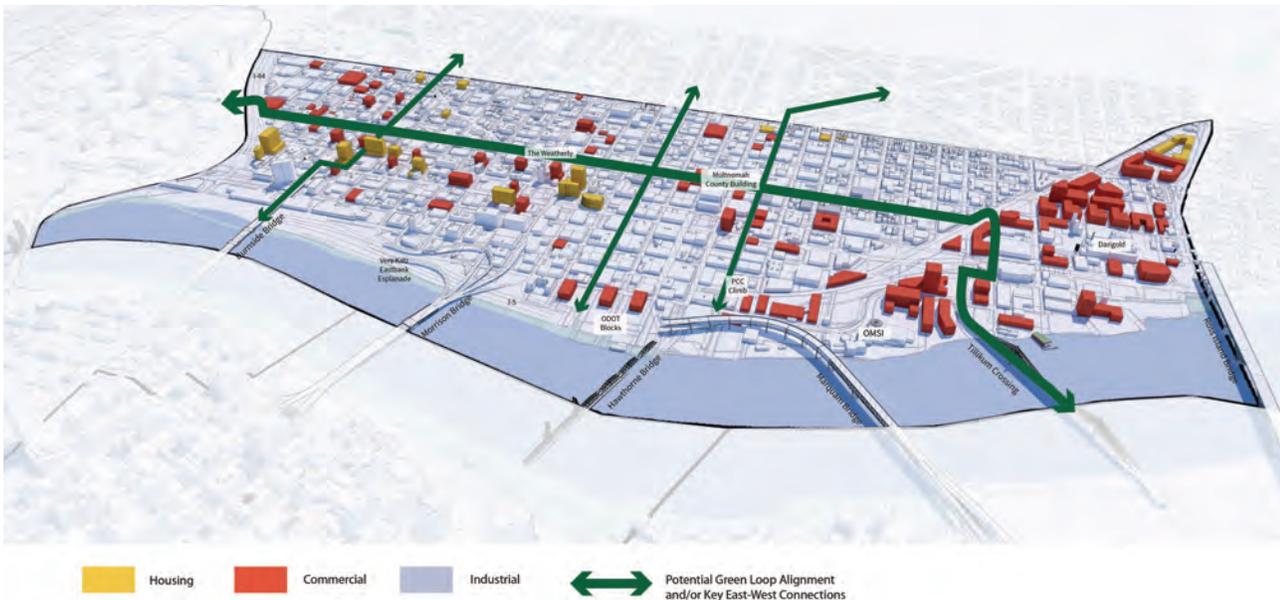


The Central Eastside is one of the most dynamic and rapidly changing parts of Portland’s Central City. Ever since its initial development in the late 19th century, the district has had a unique mix of industrial, commercial and residential uses. This continues today with new residential and office buildings being built along historic main streets lined with older warehouses that have been rehabilitated for manufacturing and compatible industries.

## 2035 VISION

The Central Eastside is a large, multimodal and vibrant employment district where existing industrial and distribution businesses continue to thrive while the district’s job base grows and diversifies to attract new and emerging industries. Bridges and other connections between industry in the district and academic partners west of the river support access, collaboration, innovation and business development activities.

The district’s riverfront is a regional amenity and destination for employees, residents and visitors, with a variety of attractions and activities that bring people to, along and in the river. The riverfront by the OMSI light rail transit station area is a major hub for a variety of commercial, educational and other uses. River recreation and transportation flourish along the riverfront, supported by docks and other amenities.



Between 2010 and 2035, the Central Eastside is expected to grow by 7,000 households and 8,000 jobs, for a total of 7,900 households and 25,000 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.

## KEY ELEMENTS

- Preserve the industrial sanctuary while allowing for higher employment density
- Strengthen the transportation system for all; promote active transportation and accommodate freight
- Support manufacturing, industrial services and other Central Eastside sectors as part of the Innovation Quadrant
- Enhance livability and activate mixed use corridors
- Create a regional riverfront destination

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

## CE URBAN DESIGN CONCEPT DIAGRAM



The Central Eastside is predominately an industrial and employment area organized around several mixed use corridors. Attractions include the Oregon Museum of Science and Industry (OMSI) and the Vera Katz Eastbank Esplanade. Key intersections and gateways include the Willamette River bridgeheads, East Burnside and Sandy Boulevard.

The diagram highlights several sites for potential new parks or open spaces in the district, many of which are along the waterfront or adjacent to new transit station areas. The concept diagram also highlights the desired retail/commercial character of Sandy, Hawthorne, Powell and northern MLK boulevards; Grand and Water avenues, East Burnside, SE Morrison, Belmont, and Division streets; and the desired boulevard character of SE 11th and 12th avenues, NE Couch, Stark, Belmont and Madison streets. The diagram also shows a few potential alternatives for the Green Loop alignment through the district, acknowledging that more process is needed to effectively balance freight movement with active transportation facilities. It identifies a flexible design character for SE Ankeny, SE Salmon, Clay and Caruthers, 6th and 7th avenues, the Vera Katz Eastside Esplanade, and the areas under the Morrison and Hawthorne viaducts.

SW

SOUTH WATERFRONT

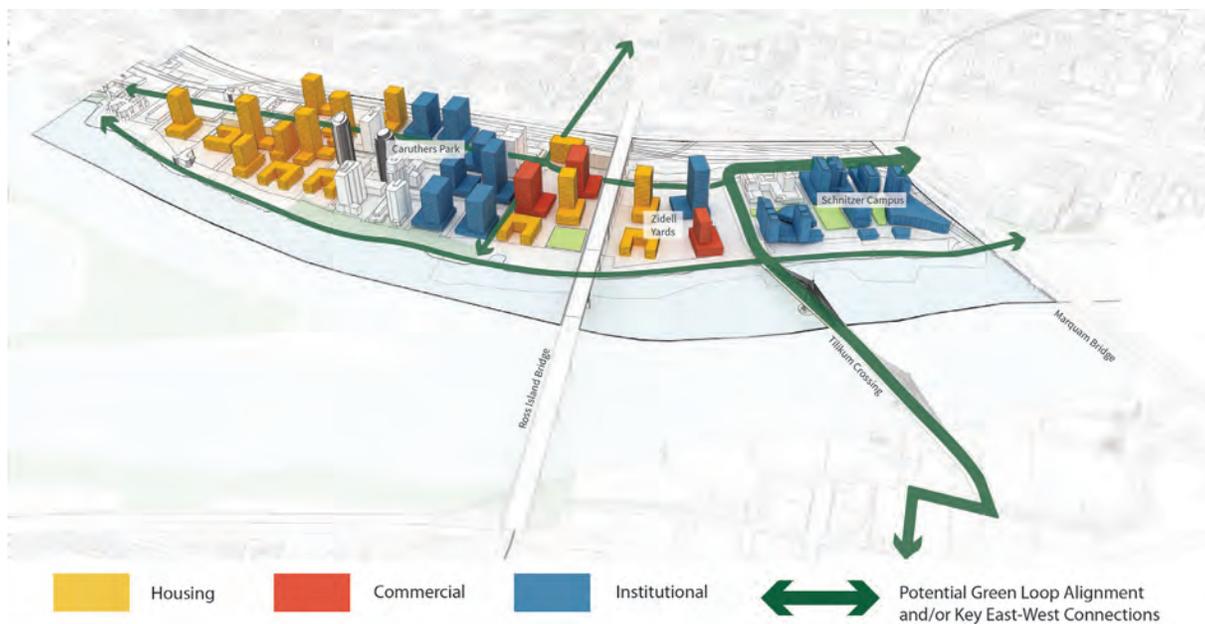


A decade ago South Waterfront was characterized by vacant brownfield sites and underutilized buildings. Now the district is home to more than 1,300 housing units, a growing mix of jobs, new parks and greenway amenities. It will soon be connected with the most diverse multimodal transportation network in the state. Oregon Health and Science University is beginning to develop the Schnitzer Campus, a science and high tech research university. A public/private development partnership is also underway for the Zidell properties, which includes the potential for new parks, greenway connections, housing and office development.

## 2035 VISION

The southern gateway to the Central City, South Waterfront is a dense, vibrant, walkable, distinctly urban mixed use community, with market rate and affordable housing options. It has excellent access to transit, parks and neighborhood amenities, as well as the Willamette River and greenway trail. The district serves as a model for sustainable development.

The district benefits from strong connections to the South Downtown/University District, Downtown, the Central Eastside, adjacent neighborhoods and a clean and healthy river that provides a range of urban amenities, recreational opportunities, beautiful views and ecological functions.



Between 2010 and 2035, South Waterfront is expected to grow by 4,000 households and 10,000 jobs, for a total of 5,100 households and 11,200 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.

## KEY ELEMENTS

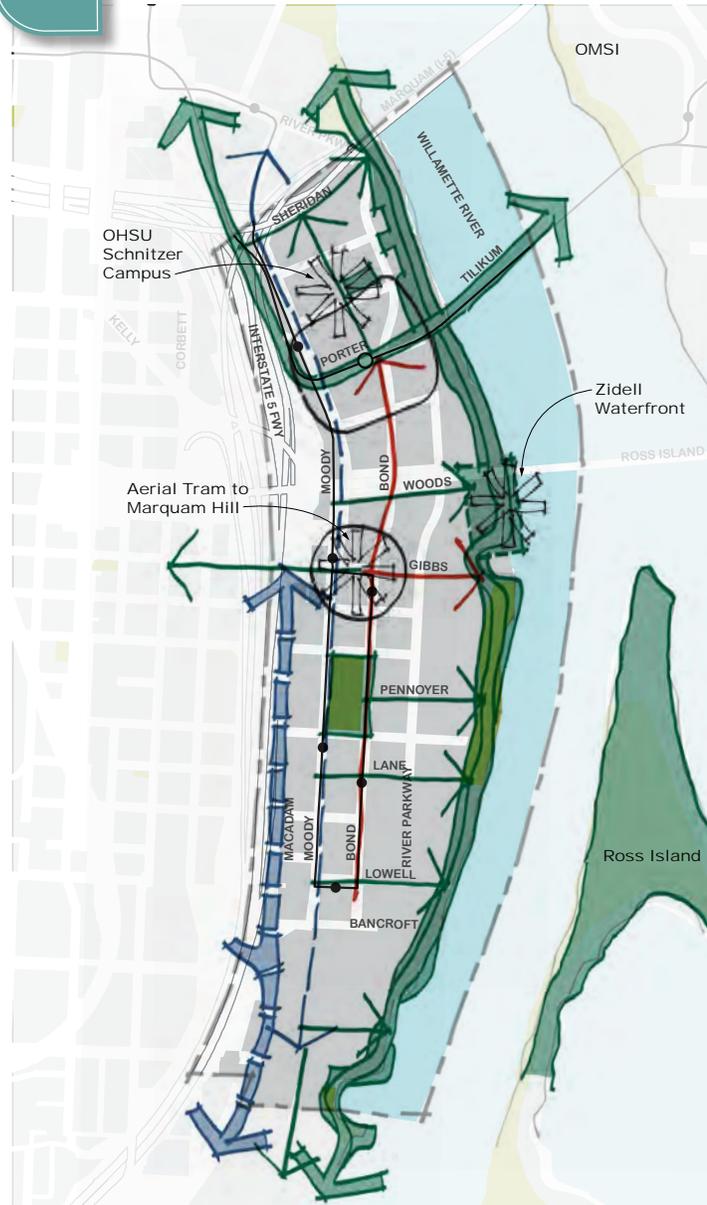
- Create a signature riverfront open space as part of the greenway system
- Enhance the transit hub at the tram landing
- Concentrate retail along SW Bond and Gibbs
- Improve multimodal connections to the south and west

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

SW

## URBAN DESIGN CONCEPT DIAGRAM



South Waterfront is a predominately institutional and residential mixed use district. Attractions include the Schnitzer Campus of Oregon Health and Science University, the Collaborative Life Sciences Building, Aerial Tram and South Waterfront Greenway. Key intersections and gateways include the Tilikum Crossing bridgehead and SW Moody and Gibbs streets.

The diagram highlights potential new open spaces at the base of the Ross Island Bridge and in the northern part of the district on the OHSU Schnitzer Campus. The concept diagram also highlights the desired retail/commercial character of SW Bond and Gibbs streets; the boulevard character of SW Macadam and Moody avenues; and the flexible character of the greenway trail and a series of east-west connections to it.



## UNIVERSITY DISTRICT/ SOUTH DOWNTOWN

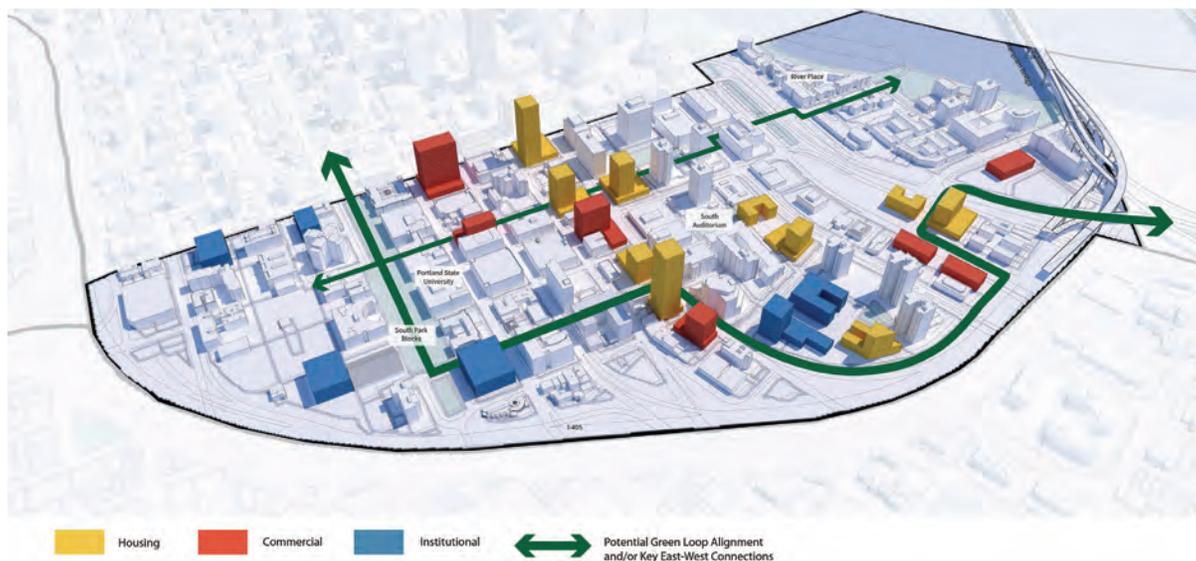


The University District/South Downtown includes three distinct urban districts: Portland State University (PSU), the South Auditorium blocks and RiverPlace. With close to 30,000 enrolled students, PSU's growth and development is guided by the University District Framework Plan (2010). The strategic direction for the Central City as a center for innovation and exchange aligns strongly with PSU and its surrounding area. The South Auditorium Project, developed in the 1960s, was the city's first urban renewal area and now includes modern office buildings and apartment towers. The area is connected by a system of Lawrence Halprin-designed parks, fountains and pedestrian pathways. A community of apartments, condos and ground floor retail, RiverPlace is one of the few places in the Central City with direct access to the water's edge.

## 2035 VISION

University District/South Downtown is the livable, accessible home to: 1) Portland State University, Oregon's largest university; 2) the South Auditorium District, a unique open space, commercial and residential landscape created through Portland's first experiment with urban renewal; and 3) RiverPlace, a dynamic, dense residential and commercial district with an intimate relationship to the Willamette River.

While each of these three areas has its distinct character, they are well connected to each other and to adjacent districts with multimodal facilities, including light rail and streetcar. In combination, they provide the setting for a growing international, multi-cultural center of learning, fostering information exchange and innovation. The district plays a key role in accommodating and incubating the Portland region's growing cluster of knowledge-based, research-oriented enterprises while remaining an attractive, vibrant and livable residential area.



Between 2010 and 2035, South Downtown/University is expected to grow by 3,000 households and 4,000 jobs, for a total of 6,200 households and 14,400 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.

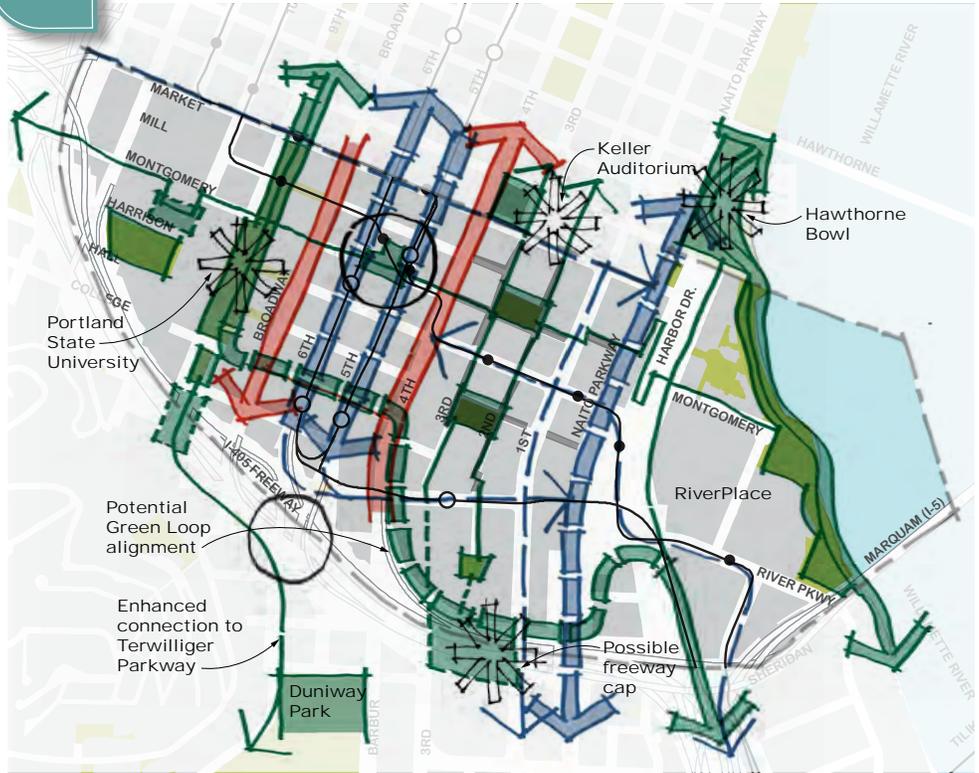
## KEY ELEMENTS

- Develop key a Green Loop connection between the South Park Blocks and SW Moody Street
- Focus new retail activity on SW 4th Avenue, College and Broadway
- Improve multi-modal connections across I-405
- Strengthen routes to the Willamette River

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

## UD URBAN DESIGN CONCEPT DIAGRAM



University District/South Downtown has three distinct subareas, each with its own unique character: 1) Portland State University (PSU); 2) the South Auditorium District, including the Halprin Open Space Sequence; and 3) RiverPlace. Major attractions include Portland State University, the Halprin Open Space Sequence and the shops and restaurants at RiverPlace. Key intersections and gateways include PSU's Urban Plaza bounded by SW 5th, 6th, Mill and Montgomery.

The diagram shows a potential I-405 cap at SW 1st Avenue, which could offer new open space opportunities and stronger connections to the south. The concept diagram also highlights the desired retail/commercial character of SW Broadway, SW College Street, and SW 4th Avenue and the boulevard character of Naito Parkway, SW 1st, and 5th and 6th avenues. A potential Green Loop alignment is shown toward the southern end of the district, as well as the southerly extensions of the SW 2nd and 3rd pedestrian paths, connecting the South Auditorium District and PSU to the Tilikum Crossing and the greenway trail.

# WHAT'S IN THE CENTRAL CITY 2035 PLAN?

## **Volume 1: Goals and Policies**

## **Volume 2A: Zoning Code and Map Amendments**

- Part 1: Central City Plan District
- Part 2: Willamette River and Trails
- Part 3: Environmental and Scenic

## **Volume 2B: Transportation System Plan Amendments**

## **Volume 3A: Scenic Resources Protection Plan**

- Part 1: Summary, Results and Implementation
- Part 2: Scenic Resources Inventory
- Part 3: Economic, Social, Environmental and Energy Analysis

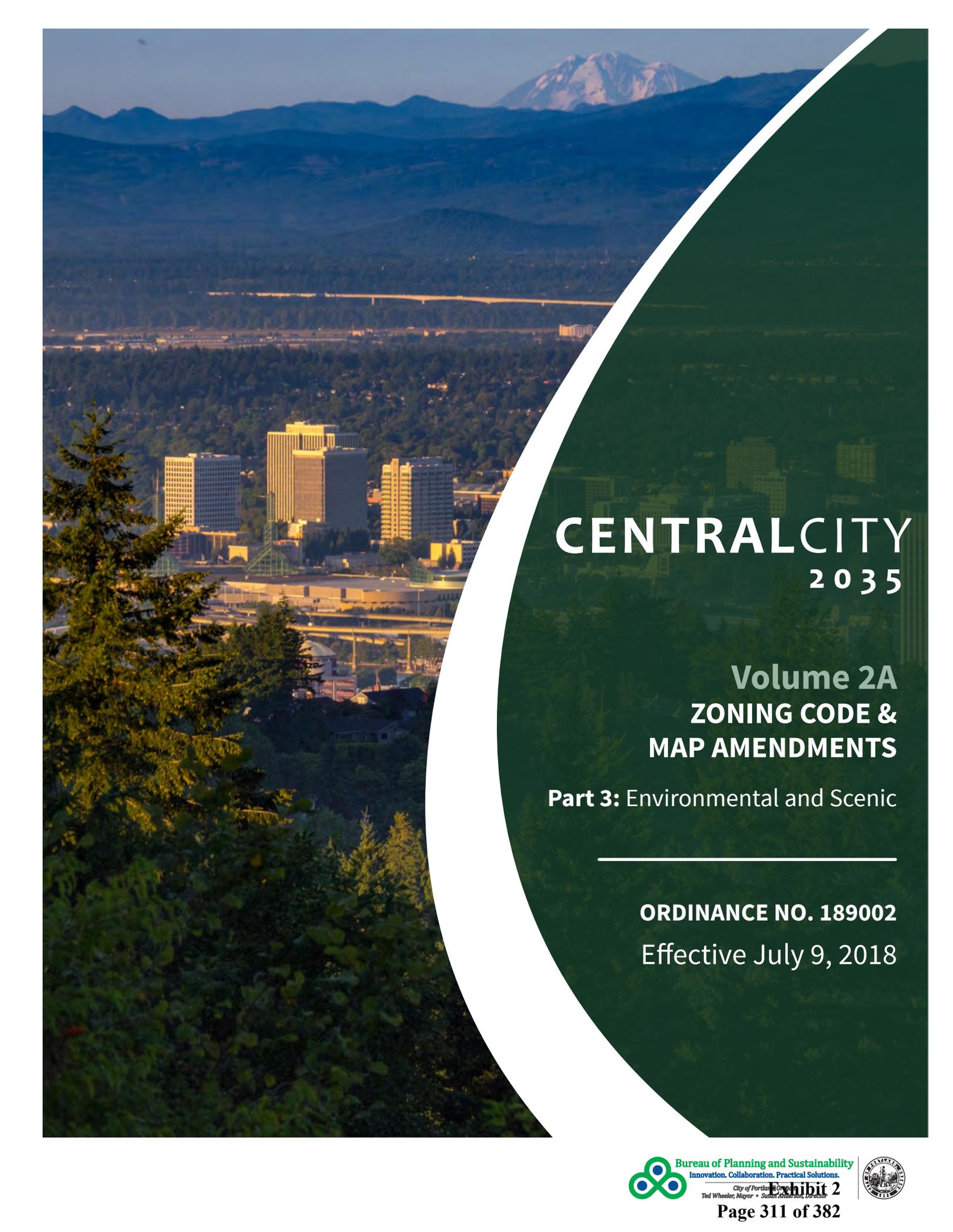
## **Volume 3B: Willamette River Central Reach Natural Resources Protection Plan**

## **Volume 4: Background Materials**

## **Volume 5A: Implementation - Performance Targets and Action Plans**

## **Volume 5B: Implementation - The Green Loop**

## **Volume 6: Public Involvement**



# CENTRALCITY

2035

## Volume 2A ZONING CODE & MAP AMENDMENTS

**Part 3:** Environmental and Scenic

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**ORDINANCE NO. 189002**

Effective July 9, 2018



**Bureau of Planning and Sustainability**

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**Exhibit 2**  
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# ACKNOWLEDGEMENTS

This plan is the culmination of work over the past five years on the Central City Concept Plan, three quadrant plans (North/Northeast Quadrant Plan, West Quadrant Plan, Southeast Quadrant Plan), Natural and Scenic Resources protection plans, and the Bonus and Transfer Study. Many thanks to the thousands of stakeholders who participated in those processes and whose contributions helped to shape this plan.

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*Special thanks to the current and former PSC members who chaired Central City Plan committees: Don Hanson, Katherine Schultz and Michelle Rudd.*

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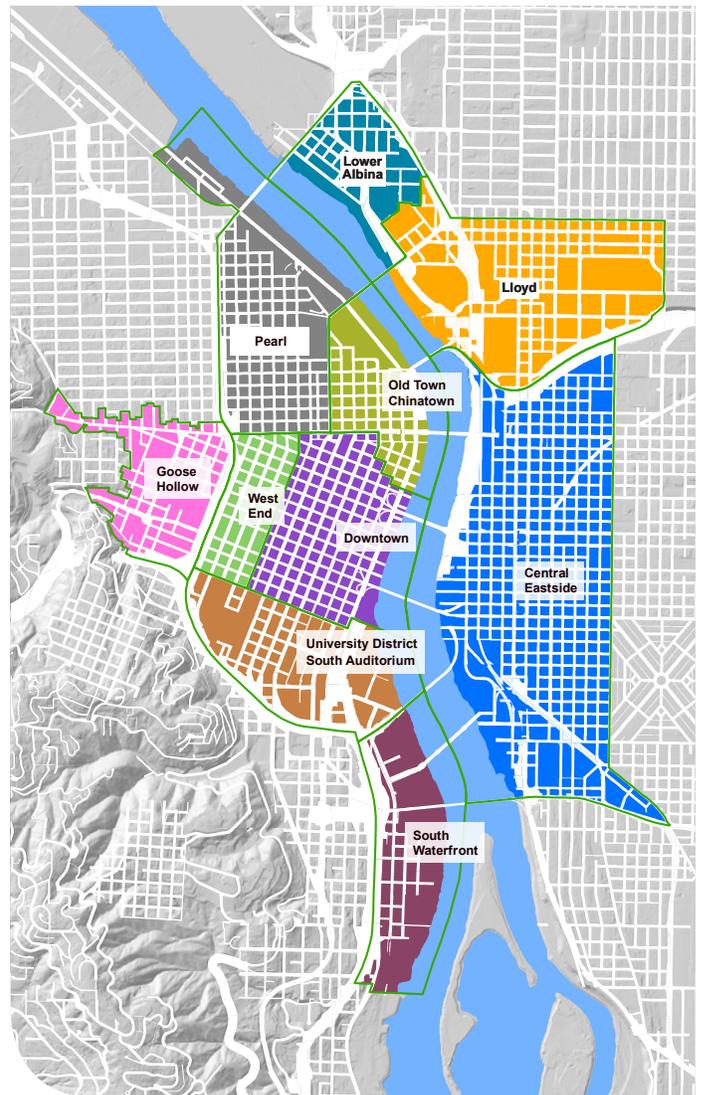
**Portland Housing Bureau:** Kurt Kreager, Javier Mena, Matthew Tschabold, Kim McCarty, Barbara Shaw, David Sheern

## Consultants

Various consultants contributed to the development of the Central City Concept Plan, three quadrant plans (North/Northeast Quadrant Plan, West Quadrant Plan, Southeast Quadrant Plan), Natural and Scenic Resources inventories, and the Bonus and Transfer Study. We are grateful for their technical assistance and for helping facilitate our advisory committee and public events.

## Funding

Funding for this project was provided by the City of Portland, the Portland Development Commission and Metro.



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### Part 3: Environmental and Scenic

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## Commentary

### 33.430.033

The Scenic Resources zone is applied to view corridors and scenic corridors throughout Portland. Scenic resources are addressed by statewide land use planning Goal 5, along with natural, cultural and historic resources. When a scenic (s) overlay is applied in the same location as a conservation (c) or protection (p) overlay, the regulations of both this chapter and chapter 33.480 must be met. The recommendations of the Economic, Social, Environmental and Energy Analysis (ESEE) for the scenic resources, which are contained in various scenic resource protection plans, must be considered as part of environmental review.

Language to be added is underlined.  
Language to be deleted is shown in ~~strike through~~.

## 33.430 Environmental Overlay Zones

430

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### Sections:

#### General

- 33.430.010 Purpose
- 33.430.015 Purpose of the Environmental Protection Zone
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- 33.430.020 Environmental Reports
- 33.430.030 Relationship to Other Environmental Regulations
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## Commentary

Language to be added is underlined.  
Language to be deleted is shown in ~~strike through~~.

#### Corrections to Violations of This Chapter

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33.430.405 Correction Options

33.430.407 Recurring Violations of This Chapter

#### Notice and Review Procedure

33.430.410 Purpose

33.430.420 When These Regulations Apply

33.430.430 Procedure

Map 430-1 Balch Creek Watershed Protection Plan Area

Map 430-2 Columbia Corridor Industrial and Environmental Mapping Project Area

Map 430-3 East Buttes, Terraces and Wetlands Conservation Plan Area

Map 430-4 Fanno Creek and Tributaries Conservation Plan Area

Map 430-5 Johnson Creek Basin Protection Plan Area

Map 430-6 Northwest Hills Natural Areas Protection Plan Area

Map 430-7 Skyline West Resource Protection Plan Area

Map 430-8 Southwest Hills Resource Protection Plan Area

Map 430-9 East Columbia Neighborhood Natural Resources Management Plan Area

Map 430-10 (Smith and Bybee Lakes Natural Resources Management Plan Area — repealed on 12/31/13)

Map 430-11 Forest Park Natural Resources Management Plan Area

Map 430-12 Peninsula One Natural Resources Management Plan Area

Map 430-13 Middle Columbia Corridor/Airport Natural Resources Inventory Environmental Mapping Project Area

Map 430-14 Bank Reconfiguration and Basking Features Area

### **33.430.020 Environmental Reports**

The application of the environmental zones is based on detailed studies that have been carried out within ~~eight~~eighteen separate areas of the City. The City's policy objectives for these study areas are described in the reports. Each study report identifies the resources and describes the functional values of the resource sites. Functional values are the benefits provided by resources. The values for each resource site are described in the inventory section of these reports. The City has adopted the following ~~eight~~eighteen environmental study reports:

- Balch Creek Watershed Protection Plan
- Columbia Corridor Industrial and Environmental Mapping Project
- East Buttes, Terraces and Wetlands Conservation Plan
- Fanno Creek and Tributaries Conservation Plan
- Johnson Creek Basin Protection Plan
- Northwest Hills Natural Areas Protection Plan
- Skyline West Conservation Plan
- Southwest Hills Resource Protection Plan

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## Commentary

### 33.430.033

Zoning code Chapter 33.480, *Scenic Resource Zone*, applies a scenic (s) overlay to view corridors. View corridors were designated in the *Scenic Resources Protection Plan* (1991). 33.480 is clear that if the s overlay overlaps with an environmental overlay zone, then the regulations of 33.430 must be met.

### 33.430.080.C.7.

Chapter 33.10 states that the city does regulate dredging within the river. This exemption allows dredging and channel maintenance within deep waters of the river and within the federal navigation channels. However, dredging in or near shallow water and beaches could have significant detrimental impacts on the habitat that the shallow water provides and is not exempt. Beaches and shallow water play important roles in the life cycle of aquatic species, including salmon, and impacts to these areas should be avoided and mitigated if the impacts can't be avoided. Shallow water is identified as water between zero and 20 feet deep, however using 35 feet as the trigger for review because the area between 20 and 35 feet deep represents an area of concern where the impacts of dredging could affect the habitat in the shallower areas.

Language to be added is underlined.  
Language to be deleted is shown in ~~strike through~~.

- ESEE Analysis and Recommendation for Natural, Scenic and Open Space Resources within Multnomah County Unincorporated Areas
- Middle Columbia Corridor/Airport Economic, Social, Environmental and Energy (ESEE) Analysis

### **33.430.033 Relationship to Scenic Resource Zone**

When a Scenic Resource zone has been applied at the location of an environmental zone environmental review must include consideration of the development standards of Chapter 33.480, and the scenic qualities of the resource as identified in the *Scenic Resources Protection Plan* or the *Central City Scenic Resources Protection Plan*.

### **33.430.080 Items Exempt From These Regulations**

The following items, unless prohibited by Section 33.430.090, below, are exempt from the regulations of this chapter. Other City regulations such as Title 10, Erosion Control, must still be met:

- A.-B. No change
- C. Existing development, operations, and improvements, including the following activities:
  1. Maintenance, repair, and replacement of existing structures, exterior improvements, roads, public ~~recreational~~ trails, public rest points, public viewing ~~points~~ areas, public interpretative facilities, and utilities. Replacement is not exempt whenever coverage or utility size is increased;
  - 2.-6. No change

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## Commentary

### 33.430.080.C.8.

The exemption applies to full removal of a tree or other vegetation as well as trimming of trees or vegetation.

Within a view corridor with special height restrictions trees may be removed or trimmed to preserve the view. There are two documents that designated view corridors with special height restrictions:

- The *Scenic Resources Protection Plan* (1991) applies to whole city.
- The *Central City Scenic Resources Protection Plan* (2017) applies to the Central City Plan District and surrounding lands. For the view corridors designated in the *Central City Scenic Resources Protection Plan*, the special height restrictions supersede the special height restrictions in the *Scenic Resources Protection Plan*. If the view corridor is not designated in the *Central City Scenic Resources Protection Plan*, then the special height restrictions of the *Scenic Resources Protection Plan* apply.

Language to be added is underlined.  
Language to be deleted is shown in ~~strike through~~.

7. Removal or trimming of vegetation when no development or other activities subject to the development standards or review requirements of this chapter are proposed, if the following are met:
- a. All vegetation removal or trimming activities must be surrounded or protected to prevent erosion and sediment from leaving the site or negatively impacting resources on the site. Permanent erosion control, such as replanting areas of bare soil, must be installed.
  - b. The vegetation proposed for removal or trimming is one of the following:
    - (1) Trees or plants listed on the Nuisance Plant List;
    - (2) Dead, dying, or dangerous trees or portions of trees when they pose an immediate danger, as determined by the City Forester or an arborist. Removing these portions is exempt only if all sections of wood more than 12 inches in diameter either:
      - Remain, or are placed, in the resource are of the same ownership on which they are cut; or
      - Are removed, if the City Forester authorizes removal of diseased wood because it will threaten the health of other trees;
    - (3) Non-native non-nuisance trees and plants;
    - (4) Trees or tree limbs that are within 10 feet of an existing building and structures attached to buildings, such as decks, stairs and carports;
    - (5) Trees or plants that exceed the height restriction of a view corridor with special height restrictions designated in the *Scenic Resources Protection Plan* or *Central City Scenic Resources Protection Plan*. ~~Trees that exceed the height restrictions of a City-designated view corridor may be removed or pruned to maintain the view corridor.; or~~
    - (6) Within the Scenic Resource zone, tree limbs may be trimmed to maintain a view. Tree removal is not exempt.

8.-11. No change

**D.-E.** No change

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## Commentary

Language to be added is underlined.  
Language to be deleted is shown in ~~striketrough~~.

### 33.430.170 Standards for Resource Enhancement Projects

**A. Bank reconfiguration.** The following standards apply to bank reconfiguration projects that take place in the Bank Reconfiguration and Basking Features Area shown on Map 430-14. Slough and drainageway banks, which are the area between the ordinary high water mark and the top of bank, may be regraded when all of the following are met:

- 1.-7. No change
8. No structures are proposed except for public viewing areas developed as part of the project. The public viewing areas must meet the following:
  - a. The viewing area contains no more than 500 square feet of permanent disturbance area;
  - b. The viewing area is at least 30 feet from the top of bank of a stream, drainageway, wetland or other water body;

### 33.430.190 Standards for Major Public Recreational-Trails

The following standards apply to major public ~~recreational~~ trails and ~~public~~ viewing areas developed in conjunction with the ~~recreational~~ major public trail. All of the standards must be met.

**A.-C.** No change

~~**D.** Tree removal and replacement standards are as follows:~~

- ~~1. Native trees 12 or more inches in diameter may not be removed. Each native tree more than 6 but less than 12 inches in diameter removed must be replaced as shown in Table 430-3;~~
- ~~2. Non-native non-nuisance trees may be removed if each tree at least 6 inches in diameter is replaced as shown in Table 430-3;~~
- ~~3. Trees listed on the Nuisance Plants List may be removed if each tree at least 6 inches in diameter is replaced with one tree; and~~
- ~~4. Replacement trees and shrubs must meet the planting standards of Subsection 33.430.140.K; and~~

**ED.** If a public viewing area is proposed, the following must be met:

1. The viewing area may create up to 500 square feet of permanent disturbance area;
2. The viewing area is at least 30 feet from the top of bank of a stream, drainageway, wetland or other water body; and
3. The viewing area is not in the floodway;

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## Commentary

### 33.430.190.E.

Tree removal was 33.430.190.D. It was moved to the end of the subsection because tree removal is allowed in both the trail and the viewing area associated with the trail. The tree removal standards were also updated to simplify them and make them the same as the standards for tree removal within a scenic (s) resources overlay zone.

### 33.430.195

The regulations for the scenic (s) overlay zone are found in 33.480. The regulations are different for scenic corridors and view corridors. In scenic corridors, the intention is to preserve tree canopy. In view corridors, the intention is to allow some tree removal. This regulation in the Environmental overlay zone is to be clear that tree removal in view corridors that correspond with a conservation or protection overlay is allowed per the standard. This standard does not apply to scenic corridors.

The standard is intended to allow trees to be removed that are blocking a view. Natural resources, including trees, and scenic resources, including views, are both State Land Use Planning Goal 5 resources. The standards balance the benefits of both trees and the view by allowing tree removal within the view corridor and requiring those trees to be replaced outside of the view corridor. Native trees that are larger than 12 inches in diameter can be removed through Environmental Review.

Language to be added is underlined.  
Language to be deleted is shown in ~~strike through~~.

**E. Tree removal and replacement standards:**

1. Native trees up to 12 inches in diameter and non-native trees of any size may be removed with hand-held equipment or equipment with a wheel/surface-to-ground pressure of no more than 7.5 psi;
2. Trees that are more than 6 inches in diameter that are removed must be replaced as shown in Table 430-3; and
3. Replacement trees must meet the planting standards in 33.430.140.K.

**33.430.195 Standards for Tree Removal in the Scenic Resource Zone**

The following standards apply to removal of native trees up to 12 inches in diameter and non-native trees of any size that are located within an Environmental overlay zone and the Scenic Resource zone:

- A. Trees may be removed with hand-held equipment or equipment with a wheel/surface-to-ground pressure of no more than 7.5 psi;
- B. Trees that are more than 6 inches in diameter that are removed must be replaced as shown in Table 430-3, and replacement trees must be planted outside of the Scenic Resource overlay zone;
- C. Temporary disturbance areas caused by the tree removal must be replanted to meet one of the following options. Shrubs planted to meet this standard may be counted towards meeting the replacement requirements shown in Table 430-3:
  1. Option 1. Three shrubs and four other plants must be planted for every 100 square feet of temporary disturbance area; or
  2. Option 2. Three shrubs must be planted for every 100 square feet of temporary disturbance area and the remainder of the temporary disturbance area must be seeded with a grass and forb seed mix at a ratio of 30 pounds per acre; and
- D. Replacement plantings must meet the planting standards in 33.430.140.K.

**Environmental Review**

**33.430.250 Approval Criteria**

**A.–B.** No change

**C. Public recreational facilities.** In resource areas of environmental zones, public recreational trails, rest points, ~~public viewing points~~ public viewing points areas, and interpretative facilities will be approved if the applicant's impact evaluation demonstrates that all of the following are met:

**D.–E.** No change

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## Commentary

### 33.480.010 Purpose

BPS has produced a new scenic resources inventory and protection plan for the Central City and areas with view of or across the Central City. The *Central City Scenic Resources Protection Plan* updates and replaces some of the information and decisions of the *Scenic Resources Protection Plan (1991)*.

### 33.480.020 Map Symbol

Before application of the environmental conservation and protection overlay zones there were scenic overlay zones based on the *Scenic Resources Protection Plan (1991)*. The scenic overlays were removed when the environmental conservation and protection overlays were applied. It was assumed at that time that scenic resources would be addressed by Environmental Review. However, without the scenic overlays it is not possible to know when scenic resources must be considered. Therefore, the City reapplied the scenic overlay zones where they overlap with the environmental overlay zones.

## 33.480 Scenic Resource Zones

480

### Sections:

- 33.480.010 Purpose
- 33.480.020 Map Symbol
- 33.480.030 Application of the Scenic Resource Zone
- 33.480.040 Development Standards
- 33.480.050 Tree Removal Review
- ~~33.480.060 Relationship to Environmental Zones~~

### ~~Map 480-1 Scenic Resources~~

#### 33.480.010 Purpose

The Scenic Resource zone is intended to:

- Protect Portland's significant scenic resources that provide benefits to the public as identified by the City in the *Scenic Resources Protection Plan (1991)* and the *Central City Scenic Resources Protection Plan (2017)*;
- Enhance the appearance of Portland to make it a better place to live and work;
- Create attractive entrance ways to Portland and its districts;
- Improve Portland's economic vitality by enhancing the City's attractiveness to its citizens and to visitors; and
- Implement the scenic resource policies, goals and objectives of Portland's Comprehensive Plan.

The purposes of the Scenic Resource zone are achieved by establishing height limits within view corridors to protect significant views and by establishing additional landscaping and screening standards to preserve and enhance identified scenic resources.

#### 33.480.020 Map Symbol

The Scenic Resource zone is shown on the Official Zoning Maps with a letter "s" map symbol.

#### 33.480.030 Application

The Scenic Resource zone is to be applied to all significant scenic resources identified in *the Scenic Resources Protection Plan* or the *Central City Scenic Resources Protection Plan*. Any changes to land or development, including rights-of-way, within the Scenic Resource zone are subject to the regulations of this chapter.

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## Commentary

### 33.480.040.A.2

The base zones include height limits for development and vegetation. When the view corridor, shown in the *Scenic Resources Protection Plan* or the *Central City Scenic Resources Protection Plan* sets a height limit that is more restrictive than the base zone, the view corridor height limit takes precedence. In some situations, the view corridor height limit is **not** more restrictive than the height limits of the base zone; therefore, the base zone takes precedence.

Language to be added is underlined.  
Language to be deleted is shown in ~~strike through~~.

### **33.480.040 Development Standards**

The development standards of the Scenic Resource zone apply based on the mapping designations shown in the *Scenic Resources Protection Plan* or the *Central City Scenic Resources Protection Plan*. The standards for each subsection below apply only to areas with that designation in the respective Plan. The resource is defined as the width of the right-of-way or top of bank to top of bank for scenic corridors. Setbacks are measured from the outer boundary of the right-of-way unless specified otherwise in the ESEE Analysis and as shown on the Official Zoning Maps. In some cases, more than one development standard applies. For example, within a scenic corridor, a view corridor standard will apply where a specific view has been identified for protection.

- A. View Corridors.** All development and vegetation with a view corridor designation in the *Scenic Resources Protection Plan* or *Central City Scenic Resources Protection Plan* are subject to the regulations of this Subsection.
1. Purpose. The intent of the view corridor designation is to establish maximum heights within view corridors to protect ~~significant~~ views from ~~specific~~ designated viewpoints.
  2. Standard. All development within the designated view corridors are subject to the height limits of the base zone, overlay zone or plan district, except when a more restrictive height limit is established by the view corridor. In those instances, the view corridor height limit applies to both development and vegetation. Removal of trees or limbs necessary to maintain the view corridor is allowed. When no development is proposed, tree removal is subject to the requirements of Title 11, Trees. Public safety facilities are exempt from this standard.
- B. Scenic Corridors.** All development and vegetation within a scenic corridor designation in the *Scenic Resources Protection Plan* or the *Central City Scenic Resources Protection Plan* are subject to the regulations of this Subsection.
1. Purpose. The scenic corridor designation is intended to preserve and enhance the scenic character along corridors, and where possible, scenic vistas from corridors. This is accomplished by limiting the length of buildings, preserving existing trees, providing additional landscaping, preventing development in side setbacks, screening mechanical equipment, and restricting signs. Property owners and others are encouraged to make every effort to locate buildings, easements, parking strips, sidewalks, and vehicle areas to preserve the maximum number of trees.
  2. Standards.
    - a. Scenic ~~C~~orridor ~~S~~etback. A scenic corridor setback per Table 480-1 applies along street lot lines that abut the Scenic Corridor identified in the Scenic Resources Protection Plan.
    - b. Side building setbacks. Buildings, garages, and covered accessory structures are not allowed within the side building setbacks within the first 100 feet from the designated resource.

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## Commentary

Language to be added is underlined.  
 Language to be deleted is shown in ~~strike through~~.

Table 480-1 <b>Scenic Corridor Setback [1]</b>	
<b>Zone</b>	<b>Minimum Setback from Street Lot Line</b>
IR	1' per 2' of building height, not less than 10'
R1	3'
EG1, IH	5'
EG2, IG2	25'
All other base zones	20'

[1] Larger minimum setbacks in overlay zone and plan district supersede this setback

- c. ~~Limiting s~~Structure length. No more than 80 percent of the length of any site can be occupied by structures, excluding fences, as measured parallel to the scenic corridor. This standard applies to an entire attached housing project rather than to individual units.
- d. Limiting blank facades. Long, blank facades create uninteresting elements along a scenic corridor. This standard applies to all portions of buildings within 100 feet of the designated resource. Residential structures are exempt from this standard. Blank facades must be mitigated for in at least one of the following ways:
  - (1) The maximum length of any building facade is 100 feet.
  - (2) Two rows of trees, one deciduous and one evergreen, must be planted on 30-foot centers along the length of the building between the structure and the protected resource.
  - (3) Facades facing the scenic corridor must have a minimum of 40 percent of surface area in glass. Mirrored glass with a reflectance greater than 20 percent is prohibited.
- e. Landscaping. The entire required scenic corridor setback must be landscaped to at least the L1 level unless the more stringent standards below or in other chapters of this Title apply. Up to 25 percent of the entire area of the scenic corridor setback may be used for vehicle and pedestrian areas except that each lot is allowed at least a 9-foot wide driveway or parking area and a 6-foot wide pedestrian area. Additionally, areas within the adjacent right of way must be landscaped to standards approved by the City engineer. The required landscaping in the setback and adjacent right of way must be provided at the time of development, except as allowed in B.2.e(1) below.

**Chapter 33.480, Scenic Resource Zones**

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## Commentary

h.1 Most scenic corridors will have multiple view corridors located along the street or trail. Removal of some trees within the view corridors may be needed to maintain view.

Language to be added is underlined.  
Language to be deleted is shown in ~~strike through~~.

- (1) When alterations are made to a site with an existing nonconforming use, allowed use, limited use, or conditional use, and the alterations are over the threshold stated in 33.258.070.D.2.a, the site must be brought into conformance with the landscape standards above. The value of the alterations is based on the entire project, not individual building permits. The cost of the upgrades required by this chapter may be counted toward the cost of upgrades required by Subsection 33.258.070.D. However, the upgrades required by this chapter must be completed first.
  - (2) Area of required improvements. Except as provided in 33.258.070.D.2.c(2), Exception for Sites With Ground Leases, required improvements must be made to the entire site and adjacent right of way. If the ground lease is adjacent to a right of way within the scenic corridor, the upgrades required by this chapter also apply to the right of way adjacent to the ground lease.
  - (3) Timing and cost of required improvements. The timing and cost of the required improvements is specified in 33.258.070.D.2.d. However, where 33.258.070.D.2.d refers to the standards listed in 33.258.070.D.2.b, the landscape standards above, are also included.
- f. Screening. All exterior garbage cans, garbage and recycling collection areas, and mechanical equipment (including heat pumps, air conditioners, emergency generators, and water pumps) must be screened from view or not visible from the designated scenic corridor. Small rooftop mechanical equipment, including vents, need not be screened if the total area of such equipment does not exceed 10 square feet per structure.
  - g. Fences and hedges. The total maximum height of fences, hedges, and berms within the scenic corridor setback, and when allowed in the adjacent right of way is 3-1/2 feet. This provision does not apply to any required screening and buffering.
  - h. Preservation of trees. This provision does not apply if the property is regulated by state statutes for forest management practices. All trees 6 or more inches in diameter that are within the scenic corridor setback and right of way must be retained unless removal conforms to one or more of the following standards.
    - (1) The tree is located within a view corridor designated in the *Scenic Resources Protection Plan (1991)* or the *Central City Scenic Resources Protection Plan (2017)*;

## Chapter 33.480, Scenic Resource Zones

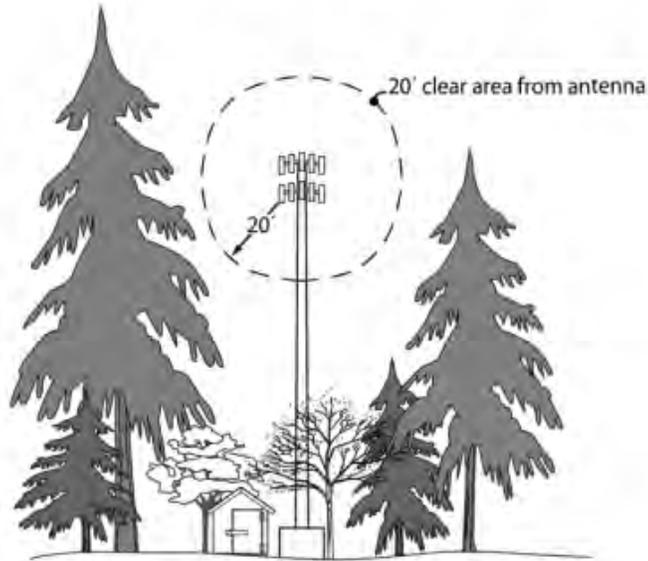
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## Commentary

Language to be added is underlined>.  
 Language to be deleted is shown in ~~strike through~~.

**Figure 480-1**  
**Measuring from an RF Transmission Facility Antenna**



<b>Table 480-2</b> <b>Tree Replacement Requirements</b> <b>In Scenic Overlay Zone</b>		
Applicants may choose either Option A or Option B [1]		
Size of tree to be removed (inches in diameter)	Option A (no. of trees to be planted)	Option B (combination of trees and shrubs)
Up to 9	1 tree	Not applicable
More than 9 and up to 12	3 trees	2 trees and 2 shrubs
More than 12	Tree Review Required (see 33.480.050 below)	

[1] *Trees and Shrubs must be species listed in the Scenic Resources Protection Plan*

- (~~12~~) The tree is located within the footprint or within 10 feet of existing or proposed buildings and structures attached to buildings, such as decks, stairs, and carports, or within 10 feet of a proposed driveway;
- (~~23~~) The tree is determined by an arborist to be dead, dying or dangerous;
- (~~34~~) The tree is on the *Nuisance Plants List*;

**Chapter 33.480, Scenic Resource Zones**

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## Commentary

### **33.480.060**

This was removed from 33.480, Scenic Resource Zones, and 33.430, Environmental Zones, was updated to reflect this language.

Language to be added is underlined.  
Language to be deleted is shown in ~~striketrough~~.

- (45) The tree must be removed due to installation, repair, or maintenance of water, sewer, or stormwater services. For new installation of services, tree removal allowed under this provision is limited to a single 10 foot wide utility corridor on each site;
- (56) The tree is within a proposed roadway or City-required construction easement, including areas devoted to curbs, parking strips or sidewalks, or vehicle areas;
- (67) The tree is within 20 feet of a Radio Frequency Transmission Facility antenna that is a public safety facility. The distance to the antenna is measured vertically and horizontally from the edge of the antenna. See Figure 480-1.; or (78)
- (78) The tree is at least 6 and up to 12 inches in diameter and does not meet any of the other standards of this subparagraph, but is replaced within the scenic corridor setback or adjacent right of way according to Table 480-2.  
Replacement plantings must meet Section 33.248.030, Plant Materials.

### **33.480.050 Tree Removal Review.**

- A. Tree removal without development. When no development is proposed, tree removal allowed by the standards of Subparagraph 33.480.040.B.2.h is subject to the tree permit requirements of Title 11, Trees.
- B. Tree removal in development situations. When tree removal is proposed as part of development, the standards of Subparagraph 33.480.040.B.2.h apply in addition to the tree preservation standards of Title 11, Trees.
- C. Trees that do not qualify for removal under Subparagraph 33.480.040.B.2.h may be removed if approved through tree review as provided in Chapter 33.853, Tree Review. However, where the tree removal would require environmental review, only environmental review is required.

### **~~33.480.060 Relationship to Environmental Zones~~**

~~When an environmental zone has been applied at the location of a designated scenic resource, the environmental review must include consideration of the scenic qualities of the resource as identified in the ESE Analysis for Scenic Resources. The development standards of this Chapter must be considered as part of that review.~~

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## Commentary

### **Scenic Resources Overlay Zones**

The Scenic Resource (s) overlay zone is being reapplied to view corridors designated in the 1991 *Scenic Resources Protection Plan (SRPP)* where the view corridor overlaps with an Environmental Conservation (c) or Environmental Protection (p) overlay zone. This is necessary to clarify where the new tree and vegetation trimming standard in 33.430 apply.

## Recommended Scenic Resource Overlay Zone Maps

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This section includes the recommended scenic (s) overlay zone maps.

### Scenic Resource Overlay Zone Maps

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## Commentary

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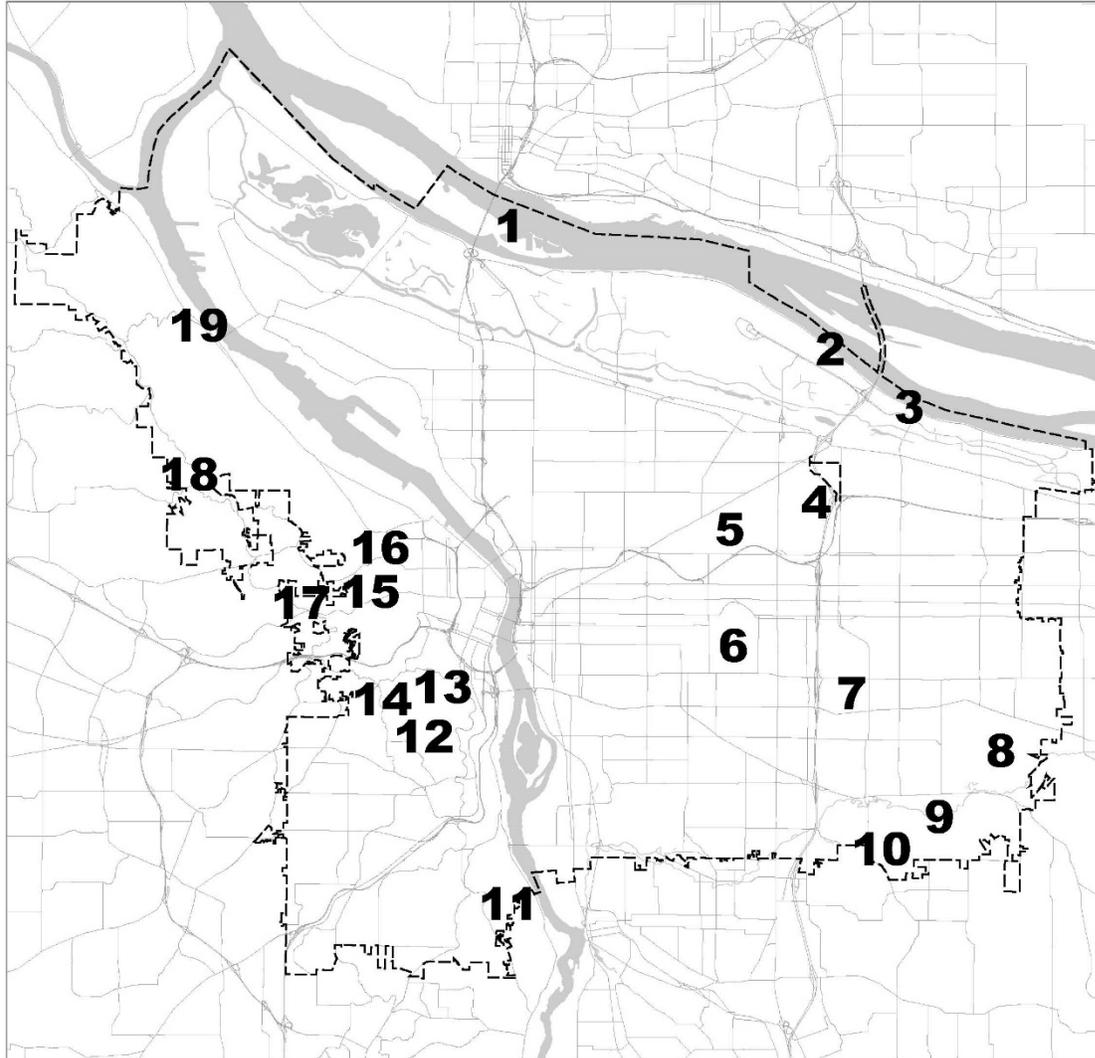
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

Index Map

August 2017



----- City Boundary



## Scenic Resource Overlay Zone Maps

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## Commentary

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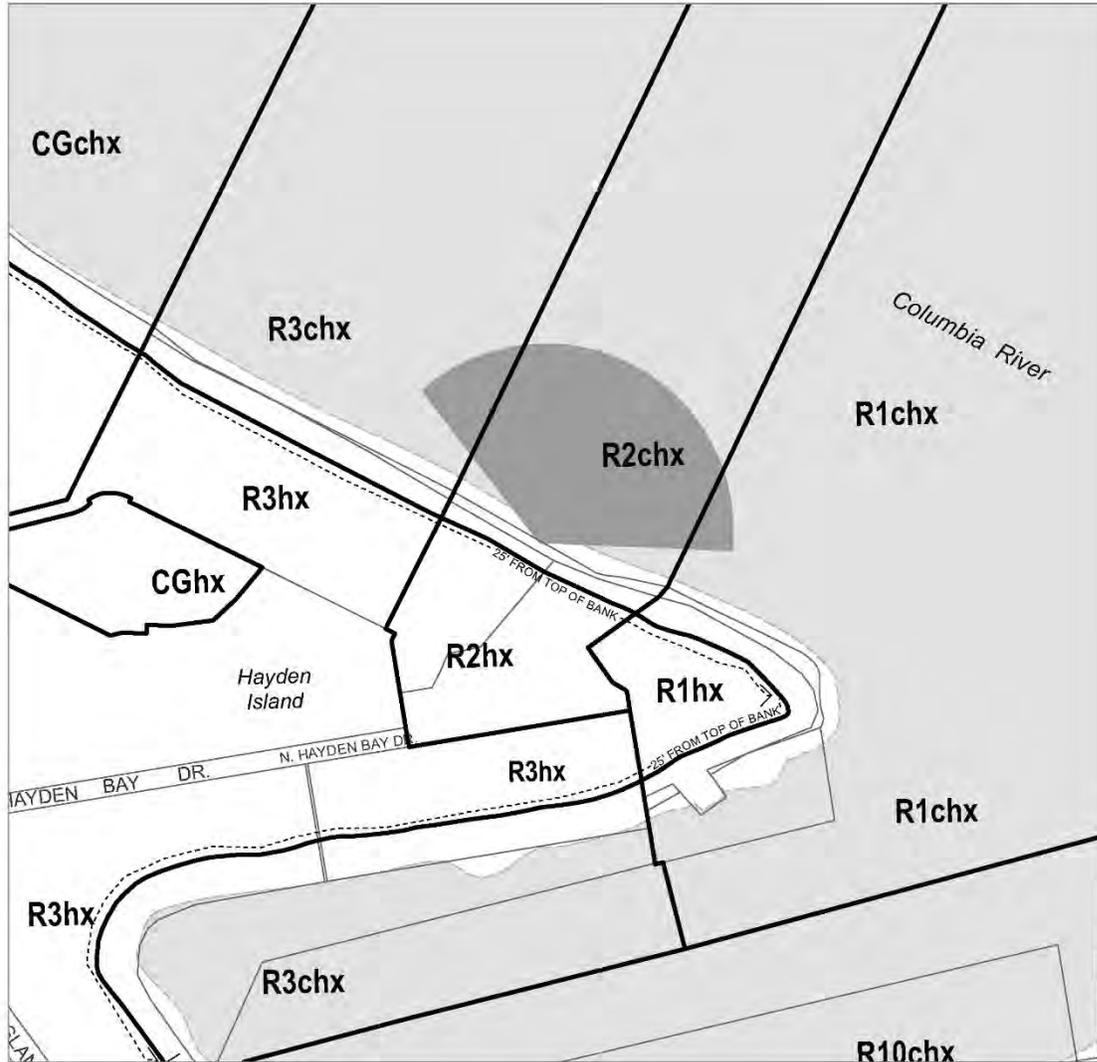
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

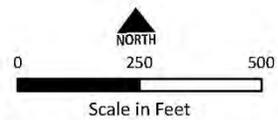
Map 1 of 19

August 2017



Legend

- Recommended Scenic (s) Overlay Zone
- Existing Zoning & Overlay zones
- Lot lines
- Waterbody



Bureau of Planning and Sustainability  
Portland, Oregon

## Scenic Resource Overlay Zone Maps

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## Commentary

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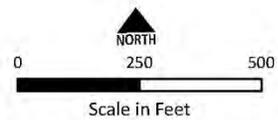
## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones



**Legend**

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



Bureau of Planning and Sustainability  
Portland, Oregon

**Scenic Resource Overlay Zone Maps**

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## Commentary

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## Scenic Resource Overlay Zone Maps



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## Commentary

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## Scenic Resource Overlay Zone Maps



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## Commentary

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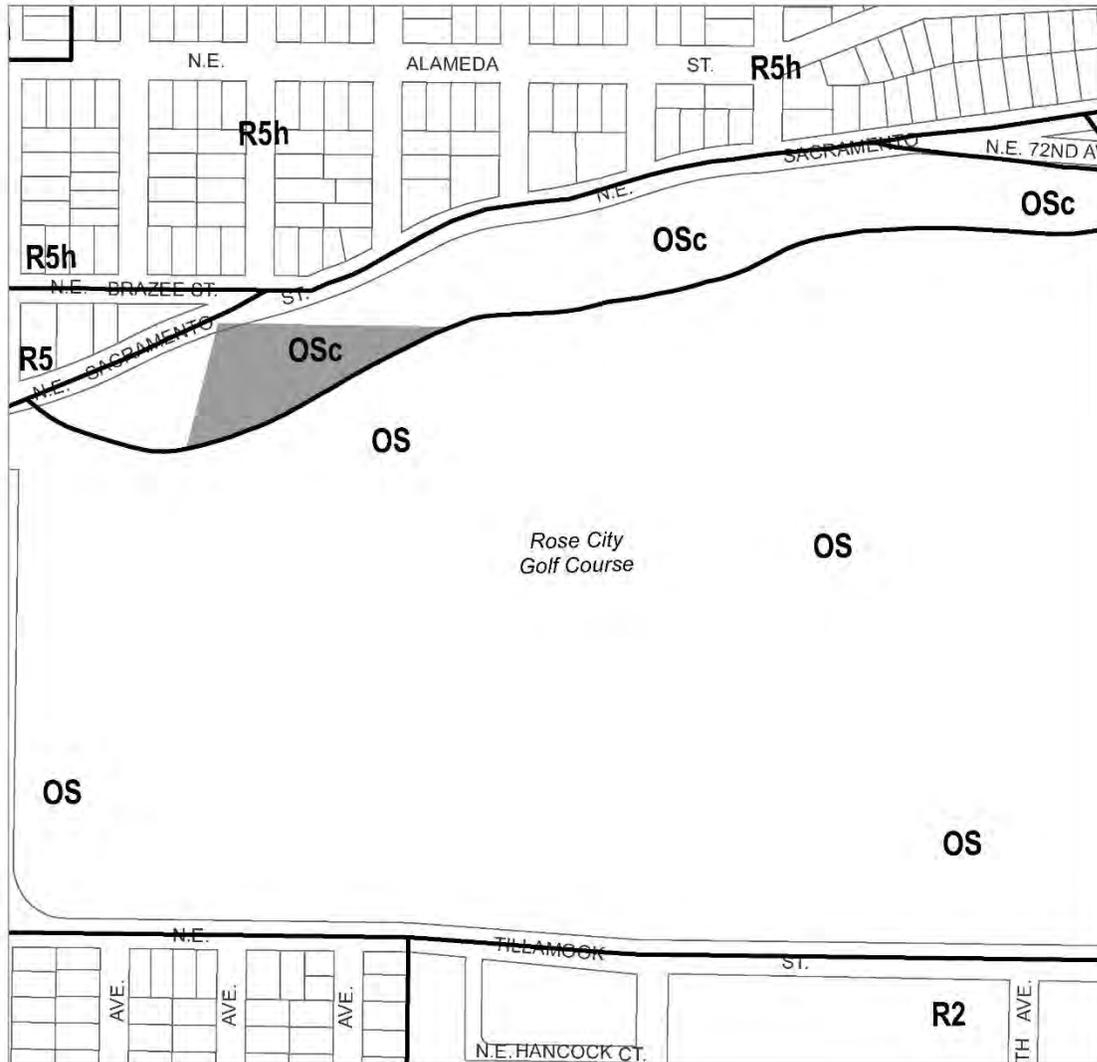
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

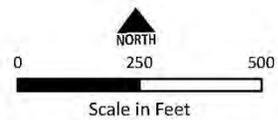
Map 5 of 19

August 2017



**Legend**

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



Bureau of Planning and Sustainability  
Portland, Oregon

## Scenic Resource Overlay Zone Maps

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## Commentary

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## Scenic Resource Overlay Zone Maps

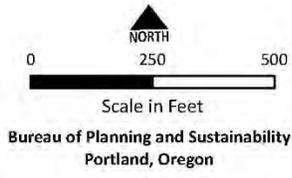
# Recommended Scenic Resource Overlay Zones

Map 6 of 19

August 2017



- Legend**
-  Recommended Scenic (s) Overlay Zone
  -  Existing Zoning & Overlay zones
  -  Lot lines
  -  Waterbody



Scenic Resource Overlay Zone Maps

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## Commentary

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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

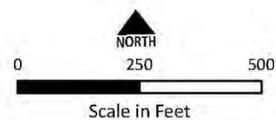
Map 7 of 19

August 2017



Legend

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



Bureau of Planning and Sustainability  
Portland, Oregon

## Scenic Resource Overlay Zone Maps

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## Commentary

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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

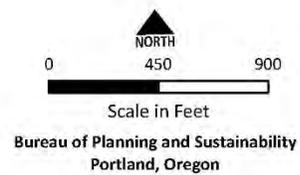
Map 8 of 19

August 2017



**Legend**

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



**Scenic Resource Overlay Zone Maps**

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## Commentary

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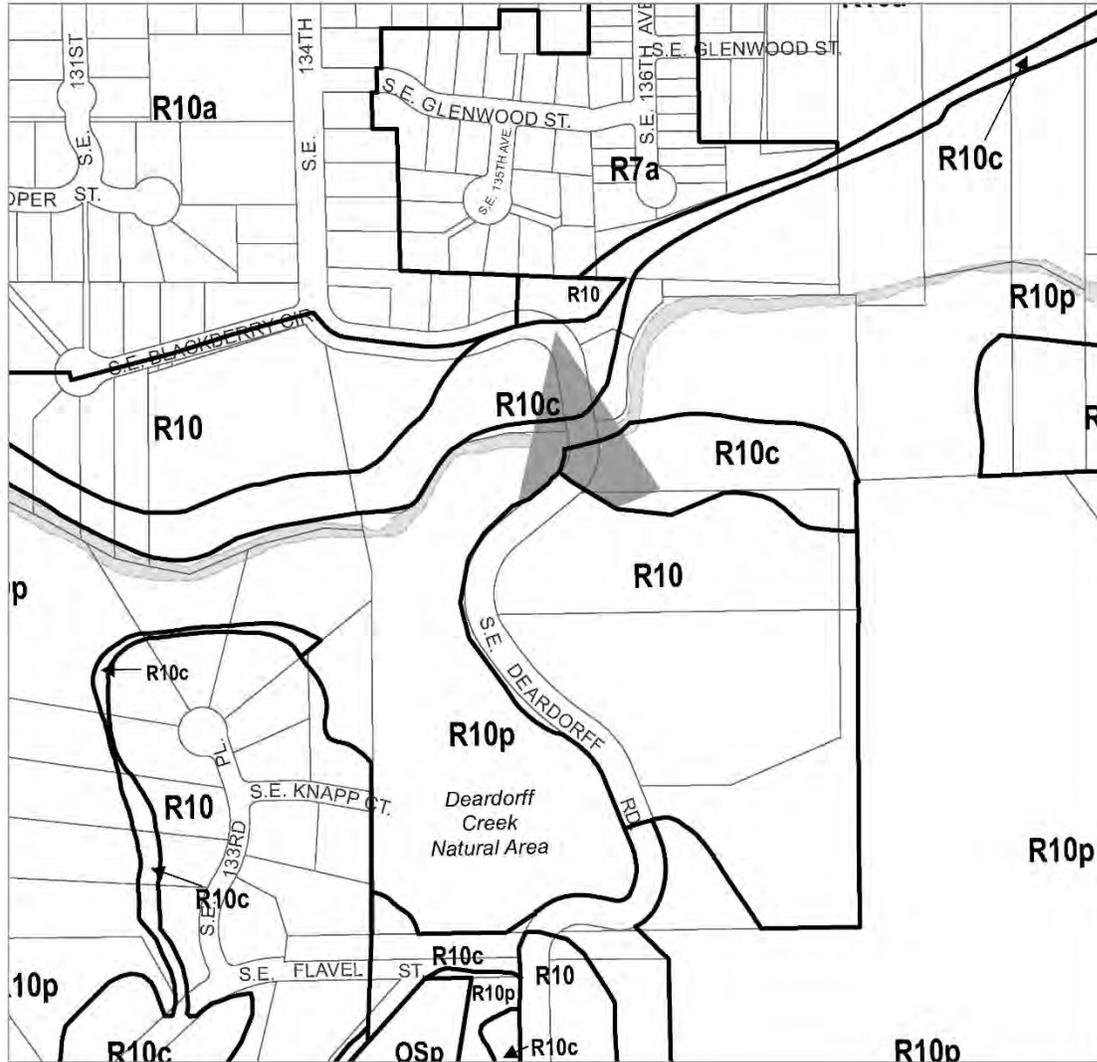
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

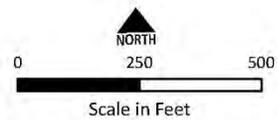
Map 9 of 19

August 2017



**Legend**

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



Bureau of Planning and Sustainability  
Portland, Oregon

**Scenic Resource Overlay Zone Maps**

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## Commentary

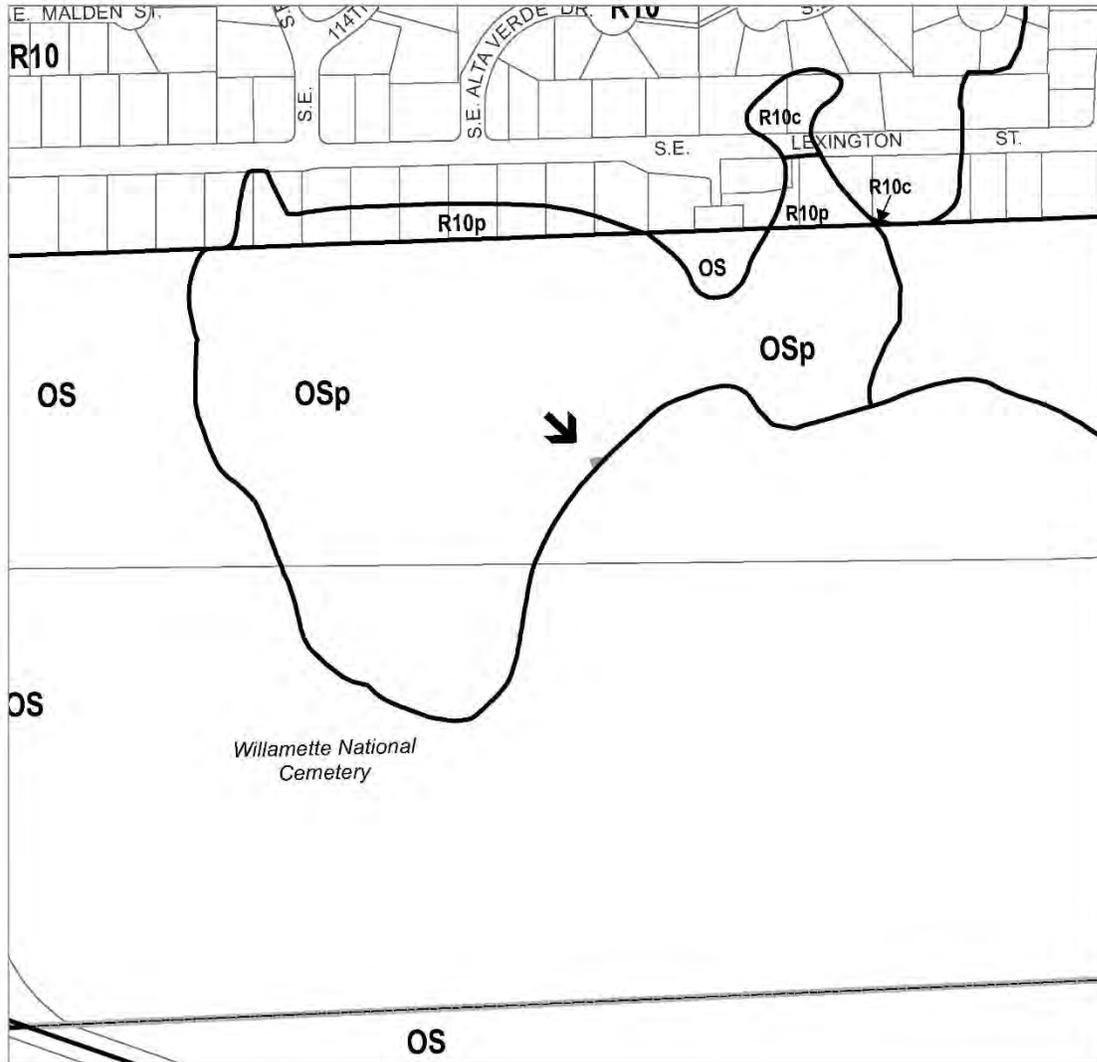
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## Scenic Resource Overlay Zone Maps

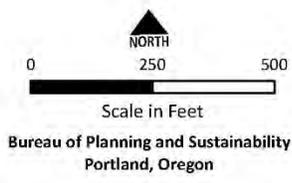
# Recommended Scenic Resource Overlay Zones

August 2017



Legend

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



Scenic Resource Overlay Zone Maps

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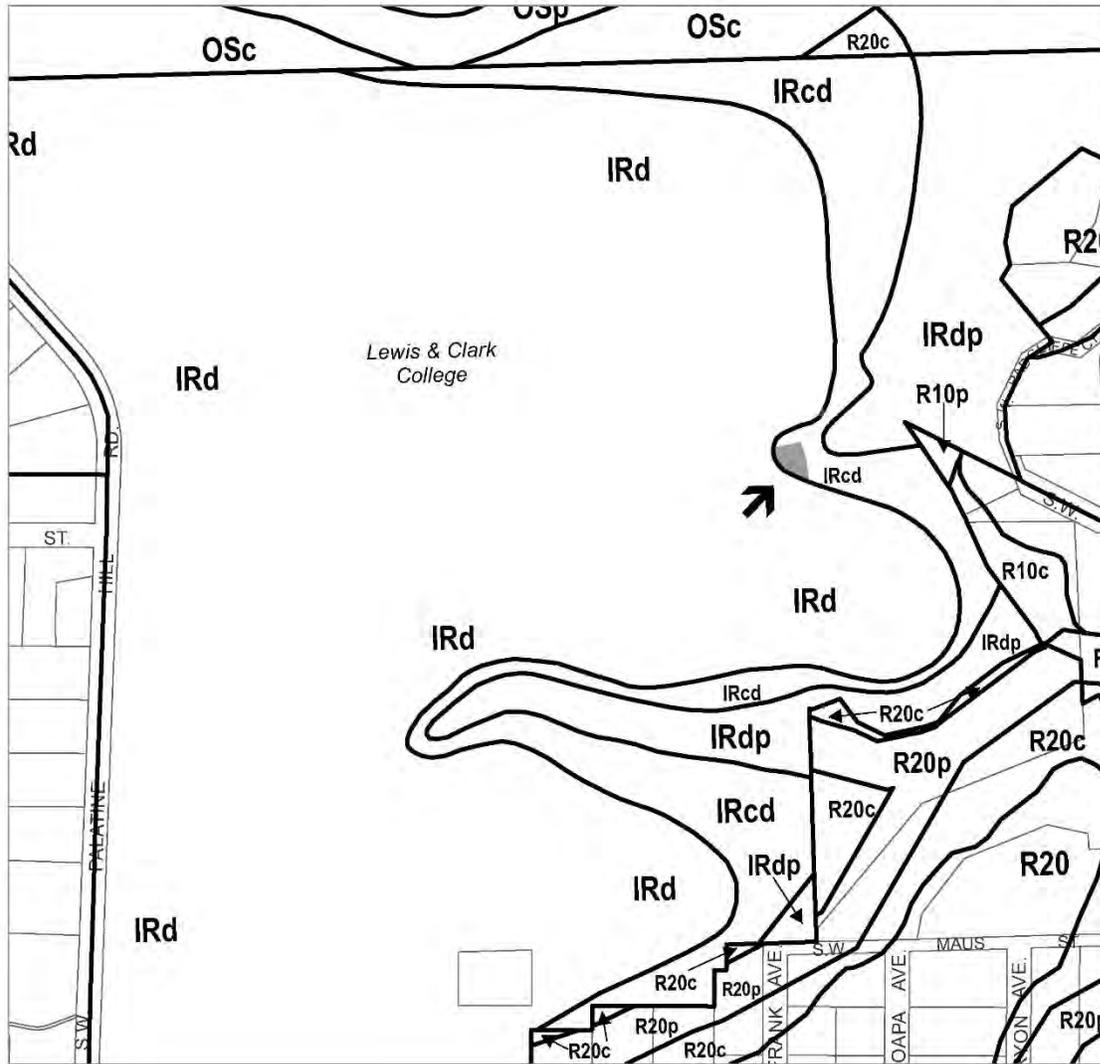
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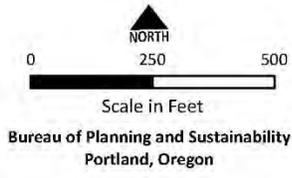
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones



- Legend
- Recommended Scenic (s) Overlay Zone
  - Existing Zoning & Overlay zones
  - Lot lines
  - Waterbody



Scenic Resource Overlay Zone Maps

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## Commentary

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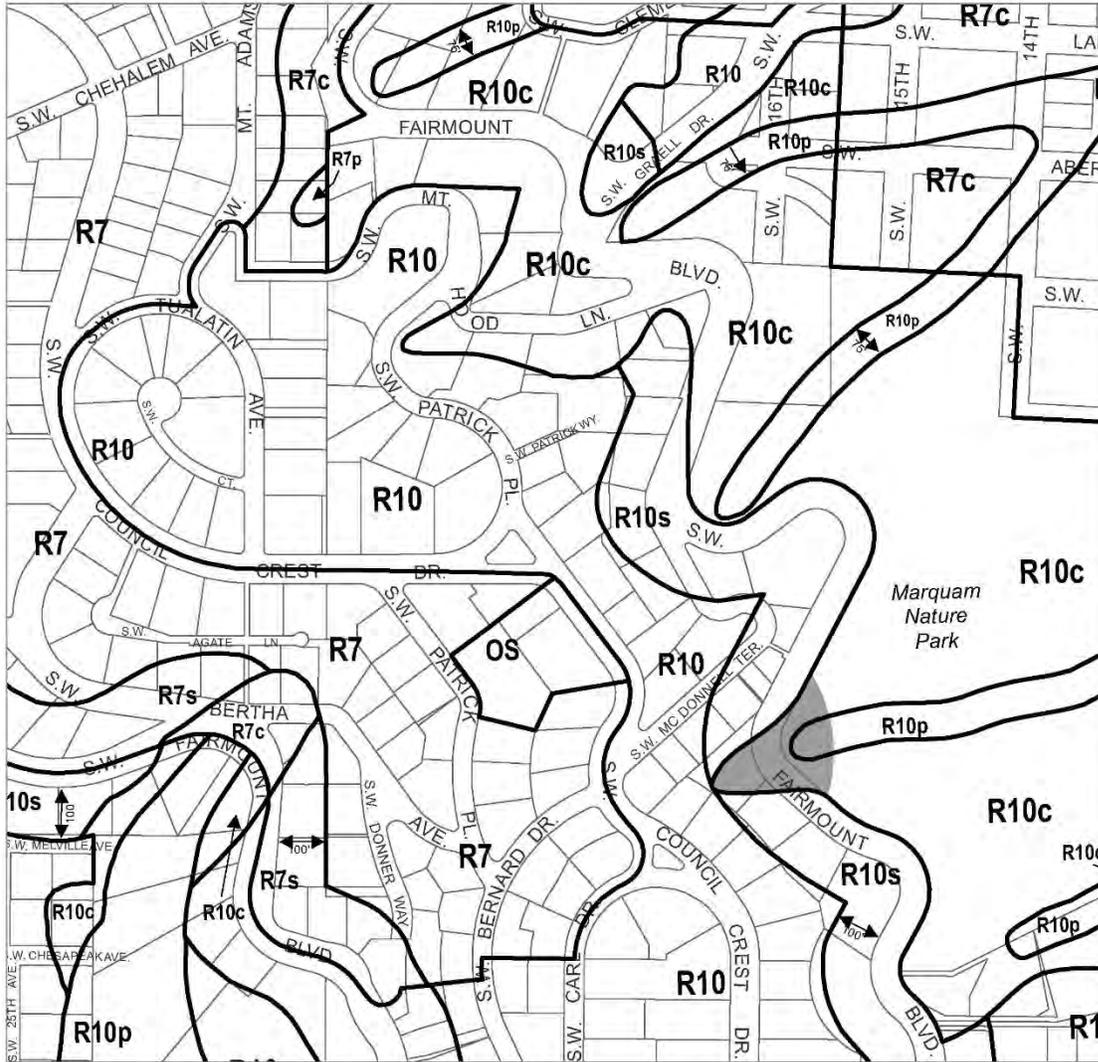
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

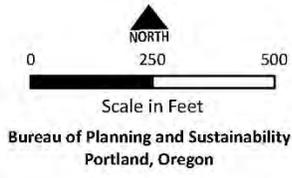
Map 12 of 19

August 2017



**Legend**

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



Scenic Resource Overlay Zone Maps

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## Commentary

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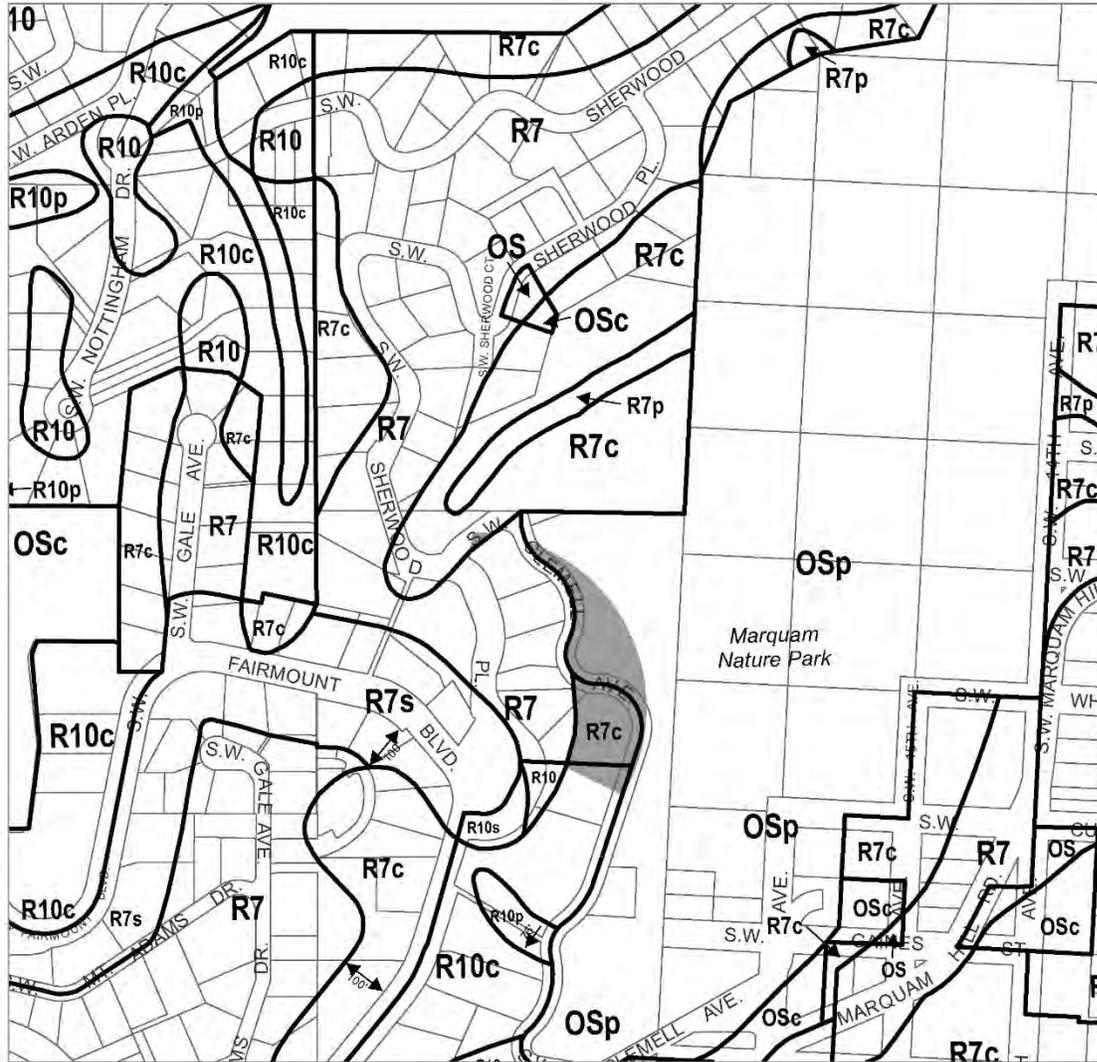
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

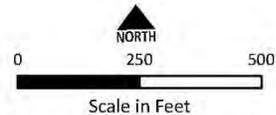
Map 13 of 19

August 2017



**Legend**

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



Bureau of Planning and Sustainability  
Portland, Oregon

Scenic Resource Overlay Zone Maps

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## Commentary

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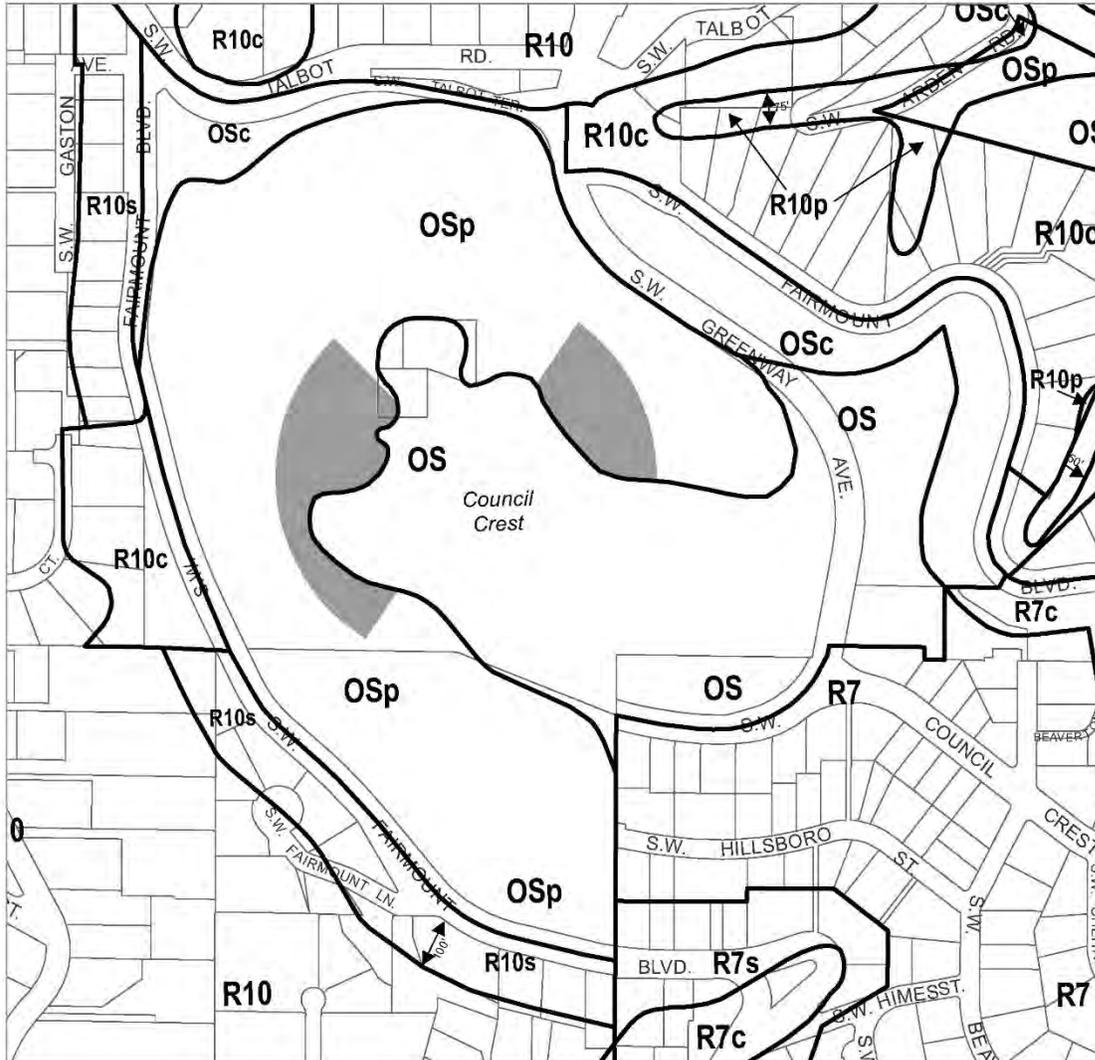
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

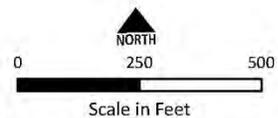
Map 14 of 19

August 2017



**Legend**

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



Bureau of Planning and Sustainability  
Portland, Oregon

**Scenic Resource Overlay Zone Maps**

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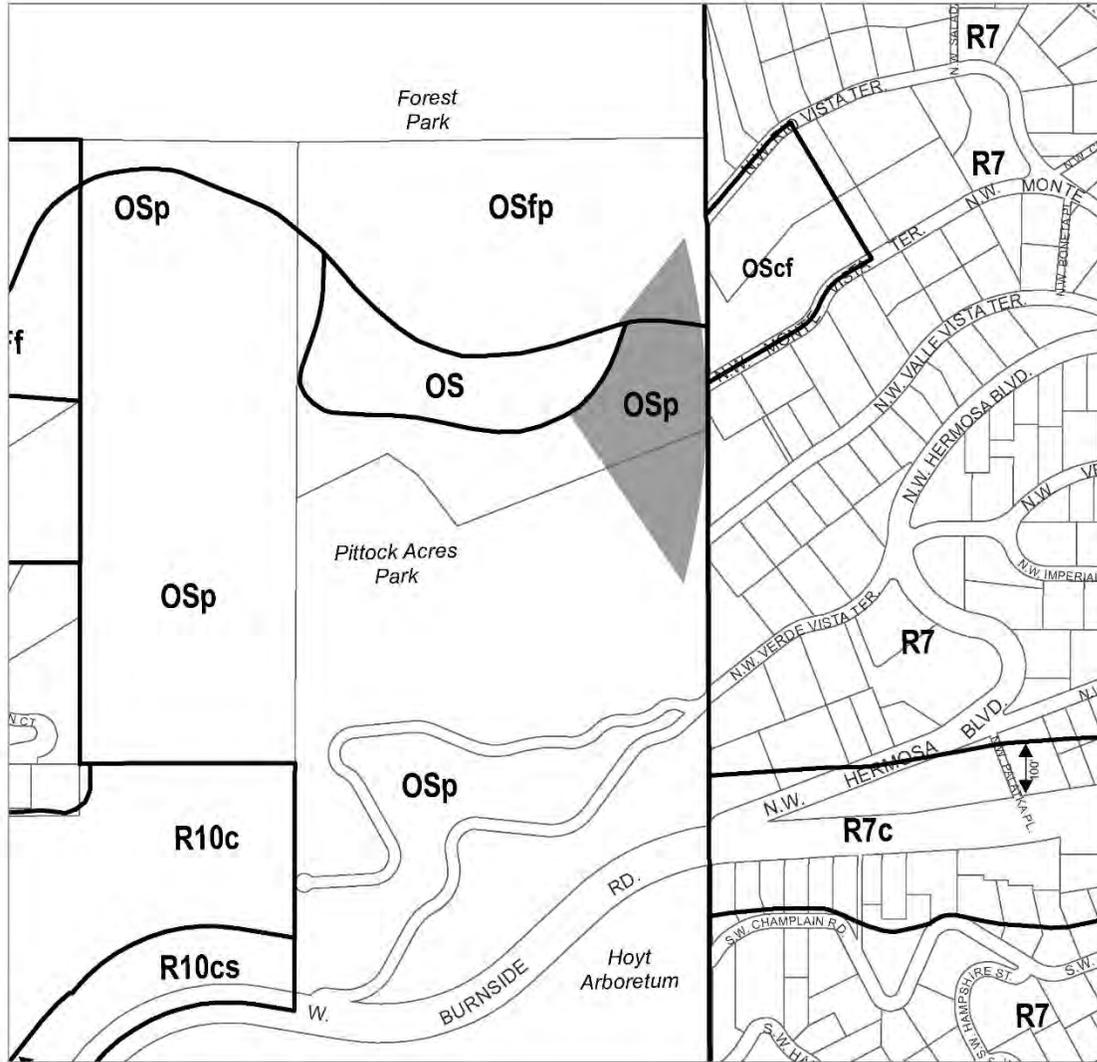
## Commentary

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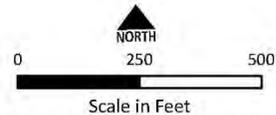
## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones



Legend

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



Bureau of Planning and Sustainability  
Portland, Oregon

Scenic Resource Overlay Zone Maps

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## Commentary

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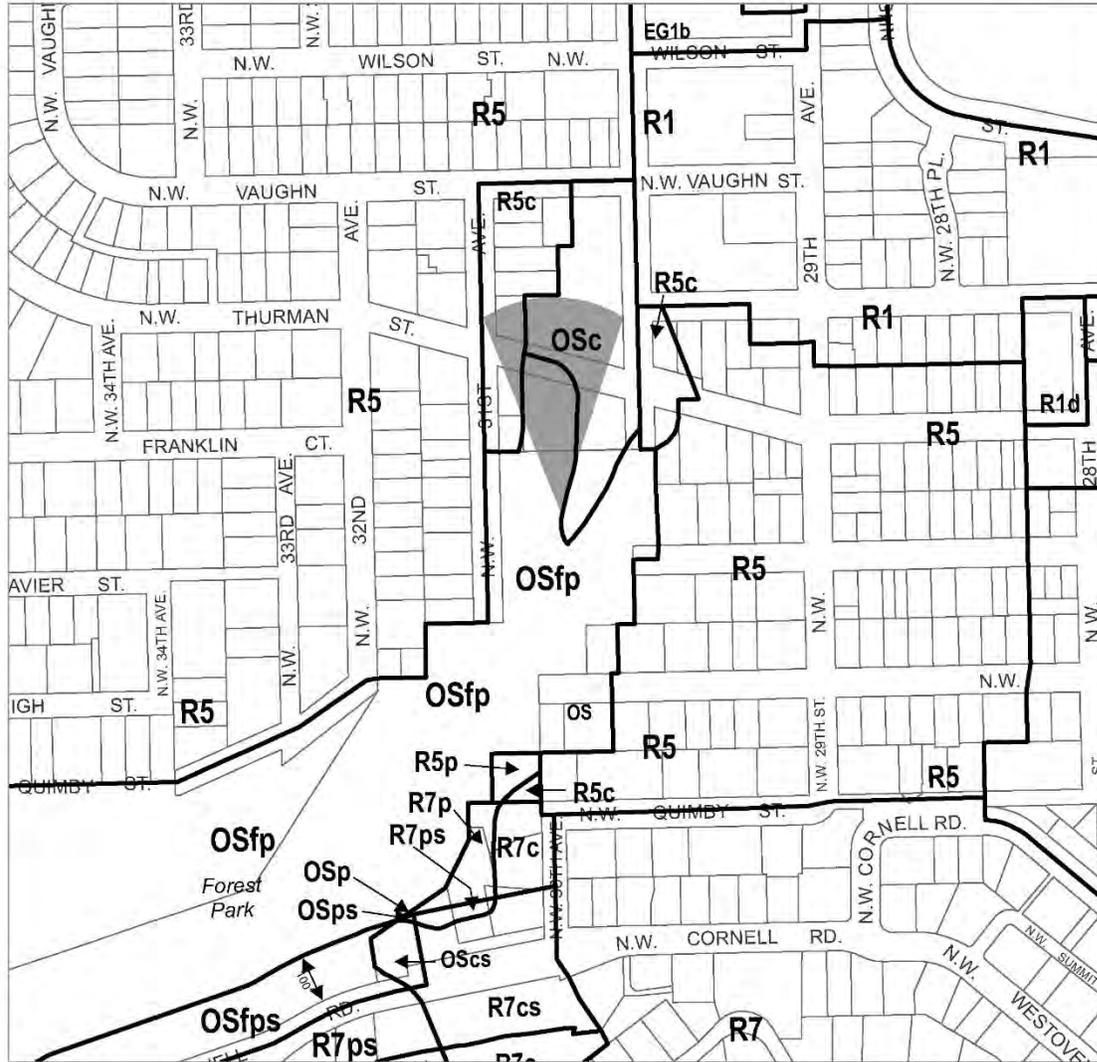
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

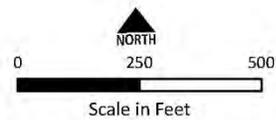
Map 16 of 19

August 2017



**Legend**

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



Scale in Feet  
Bureau of Planning and Sustainability  
Portland, Oregon

**Scenic Resource Overlay Zone Maps**

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## Commentary

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## Scenic Resource Overlay Zone Maps



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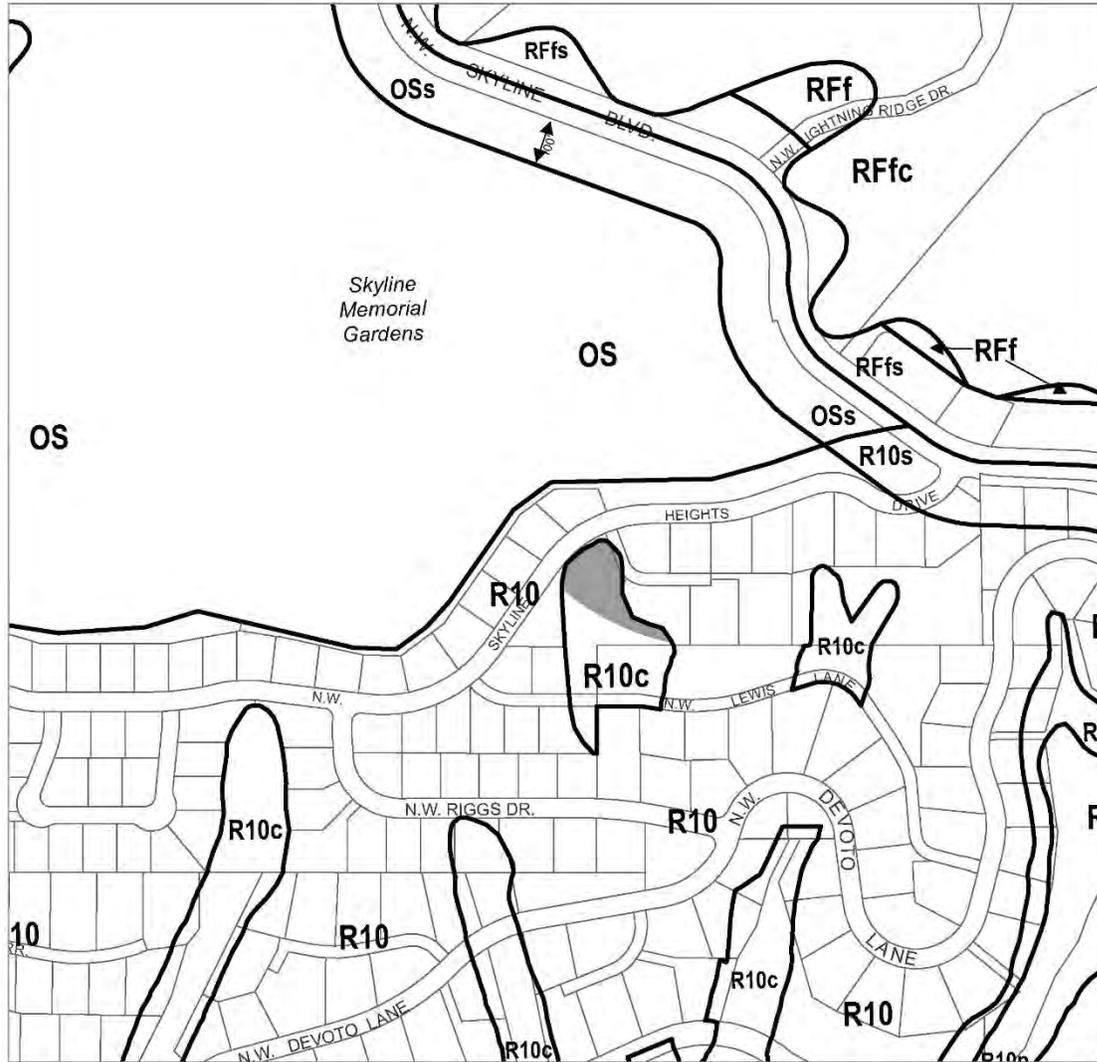
## Commentary

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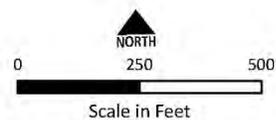
## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones



**Legend**

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



Bureau of Planning and Sustainability  
Portland, Oregon

**Scenic Resource Overlay Zone Maps**

**ORDINANCE No. 190023 As Amended**

Readopt remanded ordinance for the Central City 2035 Plan and amend the Comprehensive Plan, Comprehensive Plan Map, Transportation System Plan, Willamette Greenway Plan, Scenic Resources Protection Plan and Zoning Map, authorize adoption of administrative rules, and repeal and replace prior Central City plans and documents (Ordinance; readopt Ordinance No. 189000; amend Title 33)

The City of Portland ordains:

Section 1. The Council finds:

General Findings

1. In 1972, the Portland City Council adopted the *Planning Guidelines/Downtown Plan* as a policy statement to guide public and private decision-making in the Downtown area (adopted Motion on agenda item 3958, December 28, 1972). The plan addressed issues related to the loss of retail and housing, parking and the general character, livability and prosperity of Portland’s downtown core. The plan included provisions to enhance the pedestrian environment, preserve and develop new housing, improve air quality, reinforce the retail core, preserve historic landmarks and districts, protect views and vistas, develop public transportation infrastructure, and recapture and reconnect the urban environment with the Willamette River waterfront. In 1980, the City Council updated and retitled the plan *Goals and Policies/Downtown Plan* (Resolution No. 32772).
2. In 1979, scenic resources were first designated and protected through building height limits as part of the implementation of the *Downtown Plan*. Additional scenic resources were identified and protected through the adoption of area plans between 1979 and 1988.
3. Portland’s first *Comprehensive Plan* was adopted by the Portland City Council in October 1980 and was acknowledged as complying with Oregon’s Statewide Planning Goals by the Land Conservation and Development Commission (LCDC) in May 1981. The 1980 *Comprehensive Plan* was again deemed in compliance with the Statewide Planning Goals at the conclusion of Portland’s first Periodic Review in January 2000. The 1980 plan was incrementally updated by post-acknowledgement plan amendments through November 2011. In June 2016, as part of Task IV of Portland’s second Periodic Review, the Portland City Council completely replaced the 1980 plan by the adoption of Portland’s new *2035 Comprehensive Plan*, but delayed the effective date of the new plan to allow the LCDC sufficient time to review and acknowledge the new plan. During the delay between adoption and effect, the 1980 plan continued to serve as the City’s comprehensive plan. Portland’s *2035 Comprehensive Plan* was approved by the LCDC on March 15, 2018 and became effective on May 24, 2018. Because this ordinance is adopted after the effective date of the *2035 Comprehensive Plan*, its provisions are gauged against the applicable provisions of the *2035 Comprehensive Plan*, not the 1980 plan.

4. In 1988, the City Council adopted the *Central City Plan*, which expanded the approach of the *Downtown Plan* to areas north of East Burnside (the Pearl and Old Town/Chinatown districts), west and south of Interstate 405 (the Goose Hollow and South Waterfront districts), and to the east side of the Willamette River (Lower Albina, Lloyd, and Central Eastside districts) (Ordinance No. 160606 and Resolution No. 34417). This plan addressed the preservation and development of new housing, expansion of transit, and other multi-modal improvements, enhancement of the Willamette River waterfront, views, the role of social services and affordable housing and environmental health, among other critical issues.
5. In 1987, the City Council adopted the *Willamette Greenway Plan* (Ordinance No. 160237). This plan implemented and was consistent with Statewide Planning Goal 15, Willamette River, for the City of Portland. This plan included goals, objectives, mapped boundaries with an inventory of property characteristics, Zoning Code regulations and special design guidelines that apply to properties along the Willamette River, including the Central City, and a list of public acquisition areas. The plan also updated information and regulations for scenic resources along the Willamette River.
6. In 1991, City Council adopted the *Scenic Resources Protection Plan* (SRPP) (Ordinance No. 163957). The SRPP includes a citywide inventory of scenic resources and an Economic, Social, Environmental and Energy Analysis (ESEE) as required by OAR 660-16-000 through 660-16-025. The SRPP consolidated and updated information about scenic resources from previous plans, including the *Downtown Plan*, *Central City Plan* and *Willamette Greenway Plan*. The SRPP implemented new regulations (Zoning Code Chapter 33.480) to protect designated scenic resources. The SRPP also amended the environmental regulations (Zoning Code Chapter 33.430) to allow for scenic resource management when the scenic and environmental resources overlap.
7. Following adoption and implementation of the *Central City Plan*, subsequent plans amended the policy and regulatory framework of the plan. These plans include, but are not limited to: *University District Plan* (1995); *River District Plan* (1995); *Goose Hollow Station Community Plan* (1996); *Downtown's West End* (2002); *South Waterfront Plan* (2002); and *North Pearl District Plan* (2008). These plans also provided the opportunity to address new and emerging issues not addressed by the Downtown and Central City plans, such as stormwater management, the enhancement of endangered species habitat, green building design, family compatible housing supply, and the role of bike and pedestrian infrastructure to support active transportation alternatives.
8. In 1995, the City Council adopted the *Central City Transportation Management Plan* (Ordinance No. 169535 and Resolution No. 35472). This plan amended the Central City's transportation and parking policies and regulations in order to maintain air quality, promote economic development, support an efficient transportation system and encourage the use of alternative modes of travel.

9. Recognizing a need to create a new long-range plan for the Central City, the Bureau of Planning and Sustainability, in collaboration with other City bureaus and public agencies, initiated the *Central City 2035 Plan* project (CC2035) in 2010. The goal of the project was to create a comprehensive new policy and regulatory framework for the Central City, including the Central Reach of the Willamette River, taking into consideration new and emerging issues such as sustainable development, climate change, resiliency and equity.
10. The first product was the *Central City 2035 Concept Plan*, which provided an overarching policy framework intended to guide the development of subsequent, more detailed quadrant plans, as well as updates to the Portland Zoning Code, *Willamette Greenway Plan* and *Transportation Systems Plan* (TSP). The *Central City 2035 Concept Plan* contained a new vision statement identifying the Central City as a regional asset and a center of “Innovation and Exchange.” The plan also contained goals and policies addressing the following topics: Regional Center – Economy and Innovation; Housing and Neighborhoods; Willamette River; Urban Design; and, Health and the Environment. Lastly, the plan contained an Urban Design Concept and Framework. This plan was adopted by City Council on October 24, 2012 (Resolution No. 36970).
11. On October 25, 2012, Council adopted the CC2035 *N/NE Quadrant Plan* (Resolution No. 36972). This was the first of three quadrant plans that would identify more detailed and specific land use, urban design, and transportation policies and implementing actions, including potential zoning proposals, for specific parts of the CC2035 plan area. The *N/NE Quadrant Plan* covered the Lloyd and Lower Albina districts. This plan, created in partnership with the Oregon Department of Transportation (ODOT), also included the *I-5 Broadway/Weidler Interchange Improvements Facility Plan*, which identifies improvements to safety and operations on the Interstate 5 freeway and multimodal local transportation facilities in the vicinity of the Broadway/Weidler interchange.
12. In October 2014, the City Council adopted the *Willamette River Greenway Inventory* (Ordinance No. 186858). The *Willamette River Greenway Inventory* is an update to the inventory contained in the *Willamette Greenway Plan* and is consistent with Statewide Planning Goal 15. The updated inventory provides information about public recreation, historic and archaeological sites, significant natural and scenic areas, vegetative cover, fish and wildlife habitats, floodplains and flooding, hydrologic conditions, ecologically fragile areas, land uses and zoning, agricultural lands, timer resources, aggregate resources, property ownership and acquisition areas.
13. On March 5, 2015, Council adopted the CC2035 *West Quadrant Plan* (Resolution No. 37115). This plan identified more detailed and specific land use, urban design, and transportation policies and implementing actions, including potential zoning proposals, for the western half of the Central City. One of the outcomes of this plan was a reorganization of the area into seven districts, including: Downtown; West End; Goose Hollow; Pearl District; Old Town/Chinatown; South Waterfront; and, University District/South Downtown.

14. On July 29, 2015, Council adopted the CC2035 *Southeast Quadrant Plan* (Resolution No. 37147), which focused on the Central Eastside District. As with the other plans, it addressed land use, urban design, and transportation, and also expanded the Central City to include the new Clinton Station Area located on the far southeast corner of the plan area.
15. The *Concept Plan* and three quadrant plans also contained policy guidance and other recommendations for a comprehensive update of the *Willamette Greenway Plan* for the Central Reach of the Willamette River.
16. Guided by the policies, urban design diagrams, code concepts and other elements of the *Concept Plan* and three quadrant plans, the Bureau of Planning and Sustainability, in collaboration with other City bureaus, developed the *Discussion Draft Central City 2035 Plan*, released for public review on February 8, 2016. Additional guidance for the development of the *Discussion Draft Central City 2035 Plan* came from the *Central Reach Urban Design Concept* (2014), updates to the Natural and Scenic Resource inventories (2015), the *Central City Floor Area Ratio Bonus and Transfer Study* (2015), and other studies. A review period of approximately four months included open houses and presentations to interested groups, organizations, and appointed commissions. Written and verbal comments and proposed amendments were reviewed and considered by staff.
17. The *Proposed Draft Central City 2035 Plan* was released on June 20, 2016 for review by the public and the Portland Planning and Sustainability Commission (PSC). The PSC conducted an extensive review and plan revision process, including public hearings on July 26 and August 9, 2016 and work sessions on September 27 and November 16, 2016 and January 10, January 24, February 14, February 28, March 14, April 11 and May 23, 2017. The PSC voted on May 23, 2017 to forward to City Council their *Recommended Draft Central City 2035 Plan*.
18. On June 20, 2016 notice of the *Proposed Draft Central City 2035 Plan* was mailed to the Department of Land Conservation and Development in compliance with the post-acknowledgement review process required by OAR 660-18-020. A revised notice, reflecting Planning and Sustainability Commission and City Council amendments to the plan, was sent to the Department of Land Conservation and Development on March 13, 2018.
19. On June 24, 2016, a notice of the July 26, 2016 Planning and Sustainability public hearing on the *Proposed Draft Central City 2035 Plan* was sent to the project's mailing list, individuals and organizations who requested such notice, and other interested parties.
20. On June 24, 2016, approximately 21,000 notices of the *Proposed Draft Central City 2035 Plan* and Planning and Sustainability Commission hearing were sent to all property owners potentially affected by proposed zoning map and code changes, as required by ORS 227.186. Property owners received a separate notice for each property potentially affected by the proposal.

21. On June 22, 2017, BPS published the Planning and Sustainability Commission's *Recommend Draft Central City 2035 Plan*. The plan contains the following elements, some of which were amended by City Council:
- Volume 1, Goals and Policies. This document includes the policies and goals for the Central City as a whole, and each individual district within the Central City. The document also contains a vision statement and urban design concept diagrams. Volume 1, as amended by City Council and dated May 2018, is attached as Exhibit B. The urban design diagrams will be adopted by a separate Resolution.
  - Volume 2A, Zoning Code & Map Amendments, Part 1: Central City Plan District. This document includes amendments to Title 33, Planning and Zoning, that implement the land use and transportation policies of the plan. It also contains amendments to the Comprehensive Plan Map and official Zoning Map for the CC2035 plan area. Volume 2A, Part 1, as amended by City Council and dated May 2018, is attached as Exhibit C.
  - Volume 2A, Part 1 contains new Zoning Code provisions that require certain new development and alteration projects to use bird-safe glazing treatment patterns and application techniques (33.510.223, Bird-Safe Exterior Glazing) and register for an approved green building certification program (33.510.244, Low-Carbon Buildings). The Bureau of Planning and Sustainability will adopt, administer and periodically amend Administrative Rules that identify objective standards, including specific products or programs that can be used, to meet the code requirements.
  - Volume 2A, Zoning Code & Map Amendments, Part 2: Willamette River and Trails. This document includes amendments to Title 33, Planning and Zoning, related to the Central Reach of the Willamette River, along with miscellaneous citywide code amendments related to trails, definitions and measurements. It also contains amendments to the overlay zones shown on the official Zoning Map. Volume 2A, Part 2, as amended by City Council and dated May 2018, is attached as Exhibit D.
  - Volume 2A, Zoning Code & Map Amendments, Part 3: Environmental and Scenic Overlay Zones. This document includes amendments to Title 33, Planning and Zoning, and the official Zoning Map related to the environmental and scenic resource overlay zones. These amendments apply outside the Central City and will be adopted by a separate ordinance.
  - Volume 2B, Transportation System Plan Amendments. This document includes amendments to the *Transportation System Plan*, including amendments to policies, project and study lists, and street classification maps. The document also includes the *Portland Central City Multimodal Mixed Use Area Agreement between the City of Portland and the Oregon Department of Transportation*, dated June 15, 2016. Also included is a letter dated June 15, 2016 from the Oregon Department of Transportation to the Portland Bureau of Transportation providing written concurrence with the designation of the Central City as a Multi-Modal Mixed-Use Area (MMA), subject to

City adoption of the agreement. Volume 2B, as amended by City Council and dated May 2018, is attached as Exhibit E.

- Volume 3A, Scenic Resources Protection Plan, Part 1: Summary, Results and Implementation. This document includes a summary of the Scenic Resources Inventory, a summary of the Economic, Social, Environmental and Energy analysis, and a description of the Zoning Code changes and maps that implement the CC2035 Scenic Resources Protection Plan. Volume 3A, Part 1, as amended by City Council and dated May 2018, is attached as Exhibit F.
- Volume 3A, Scenic Resources Protection Plan, Part 2: Scenic Resources Inventory. This document is an updated inventory of views, viewpoints, view streets, scenic corridors, focal points and scenic sites in the Central City and an updated inventory of views and viewpoints surrounding the Central City for which buildings in the Central City could block the view. The inventory includes maps and descriptions of the location, geometry and relative quality of the scenic resources. Volume 3A, Part 2 is attached as Exhibit G.
- Volume 3A, Scenic Resources Protection Plan, Part 3: Economic, Social, Environmental & Energy Analysis. This document includes a trade-off analysis of the relative economic, social, environmental and energy consequences associated with different levels of scenic resources protection. This document includes maps and descriptions of the recommendations to protect specific scenic resources. Volume 3A, Part 3, as amended by City Council and dated May 2018, is attached as Exhibit H.
- Volume 3B, Willamette River Central Reach Natural Resources Protection Plan. This document presents an overview of the regulatory context for the river, an inventory approach and methodology, an analysis of protection options and recommendations, inventory results, and implementation tools. Volume 3B is attached as Exhibit I.
- Volume 4, Background Materials. This document references a number of background reports and documents used to develop the *Central City 2035 Plan*, including the *CC2035 Concept Plan*, the three quadrant plans, *Willamette River Greenway Inventory* and other studies and planning documents. Volume 4 is attached as Exhibit J.
- Volume 5A, Implementation: Performance Targets and Action Plans. This document includes performance targets that provide aspirational objectives by which to measure progress towards achieving the goals and policies of the *Central City 2035 Plan*. This document also includes action items that describe future projects and programs that will help implement the goals and policies of the plan. The performance targets and action items in Volume 5A will be adopted by a separate Resolution.
- Volume 5B, Implementation: The Green Loop. This document contains the Green Loop Concept Report, describing a proposed six-mile linear park that invites residents, employees, and visitors to experience the Central City by foot and by bicycle. The document includes key objectives, alignment options, design principles, and precedents

of how the concept could be realized. Volume 5B will be adopted by a separate resolution.

- Volume 6, Public Involvement. This document presents a summary of public engagement activities during the CC2035 planning process, an outreach activities log, and materials related to an ethics complaint regarding the *West Quadrant Plan*. Volume 6 is attached as Exhibit K.
22. A public notice of the September 7, 2017 Portland City Council public hearing on the *Recommended Draft Central City 2035 Plan* was sent on August 23, 2017 to the project's mailing list, those who testified to the Planning and Sustainability Commission, individuals and organizations who requested such notice and other interested parties.
  23. In addition to the public hearing on September 7, 2017 and its continuations on September 14 and 20, 2017, City Council held deliberations on the Recommended Draft Central City 2035 Plan on October 18, November 29 and December 6, 2017. A public notice of the January 18, 2018 Portland City Council public hearing on potential City Council amendments to the *Recommended Draft Central City 2035 Plan* was sent on December 29, 2017 to the project's mailing list, those who testified at the September 7, 2017 City Council public hearing and its continuations on September 14 and 20, 2017, and to property owners potentially affected by the amendments. Additional public hearings on potential amendments were held on March 7 and 22, 2018 and April 4, 2018. These additional hearings were announced on the CC2035 project web site and through the project's email distribution list. City Council held deliberations on the amendments on April 11, 2018 and deliberations and initial vote on May 24, 2018.
  24. The Central City 2035 Plan, Ordinance No. 189000, was adopted by City Council on June 6, 2018 and went into effect on July 9, 2018.
  25. Ordinance No. 189000 was appealed to the Oregon Land Use Board of Appeals (LUBA). LUBA issued a decision August 6, 2019 remanding Ordinance 189000 and upholding, in part, one assignment of error. LUBA held that "the city's findings [were] inadequate to explain why the adopted maximum height limits comply with PCP 4.48." Additionally, LUBA found that the city did "not point to any focused evidence that supports a conclusion that the 200-foot maximum height limit 'preserve[es] and complement[s]' District resources." Accordingly, LUBA held that remand was "required for the city to adopt findings that are adequate to explain why the 200-foot height limit complies with PCP Policy 4.48. That decision must be supported by an adequate factual base."
  26. LUBA's decision was appealed to the Oregon Court of Appeals, which upheld LUBA's decision and remanded Ordinance No. 189000 on March 16, 2020.
  27. Due to the COVID-19 pandemic, Governor Brown has issued a series of executive orders that impact local governments. Notably, on March 8, 2020, Governor Brown issued Executive Order 20-03 declaring a state of emergency due to COVID-19. Later, on March

- 23, Governor Brown issued Executive Order 20-12 declaring that non-essential gatherings outside of the home or place of residence are prohibited immediately, regardless of size.
28. On April 15, Governor Brown issued Executive Order No. 20-16 due to the COVID-19 pandemic requiring local governments to conduct public meetings by telephone, video, or other electronic means whenever possible. In order to move forward with city operations, the directive laid out instructions to conduct business virtually during this time. The Bureau of Planning and Sustainability proceeded with public noticing to readopt the CC2035 Plan following the guidelines outlined in the order, providing ample time for public input and participation. The potential economic consequences of delaying the readoption of the CC 2035 Plan would delay proposed zone changes, increased FAR allowances, new use allowances and development standards and bonuses, all of which are intended to facilitate new office, retail, housing development and increase job growth in the Central City in support of economic development policies in the Comprehensive plan and Central City 2035.
  29. A public notice was sent on May 1, 2020 for a City Council public hearing on the re-adoption of CC2035 to: parties to the appeal; parties that requested notice of the final decision; parties that received notice of Council's initial hearing on CC2035; the City's legislative list; and, people on the CC2035 mailing list.
  30. The record opened on May 1, 2020 allowing 27 days for the public to review re-adoption documents before the hearing and submit testimony via the MapApp tool on the project website or by mail to the City Council Clerk.
  31. On May 28, 2020, the Portland City Council held a virtual public hearing and received written testimony regarding the readoption of CC2035. The virtual public meeting was held using the Zoom platform. It was free to participants and it allowed them to provide testimony by phone or computer. Participants could also watch the hearing on YouTube with closed caption accommodations.
  32. On the Bureau of Planning and Sustainability's web site, the following link <https://beta.portland.gov/bps/cc2035/cc2035-documents> provides access to the legislative record. This link was available to the public and City Council during the public hearing process and continued to be updated with new information until the record closed..
  33. The Central City 2035 Findings of Fact Report, attached as Exhibit A, includes additional findings demonstrating consistency with the State-wide Planning Goals, Metro Urban Growth Management Functional Plan, and the City of Portland *2035 Comprehensive Plan*.

NOW, THEREFORE, the Council directs:

- a. Amend the *2035 Comprehensive Plan* to add the goals and policies of the *Central City 2035 Plan*, as shown in Exhibit B (Volume 1, Goals and Policies).

- b. Amend Figure 9-2 of the *2035 Comprehensive Plan* and Policy 9.51, Multimodal Mixed-Use Area, as shown on pages 32 and 33 of Exhibit E (Volume 2B, Transportation System Plan Amendments).
- c. Amend the *2035 Comprehensive Plan* to reflect the adoption of the *Central City 2035 Plan*, as shown in Exhibit L (Additional Amendments to the 2035 Comprehensive Plan), attached.
- d. Amend the definition of “Neighborhoods” in the Glossary of the *2035 Comprehensive Plan* as follows:
 

Neighborhoods: Broad areas of the city that typically include residential, commercial, and mixed-use areas. Neighborhoods are physical communities located outside of ~~the Central City~~ and large industrial areas. The term “neighborhoods” may, but is not always intended to, refer to specific Neighborhood Association geographies.
- e. Replace 2035 Comprehensive Plan Map CON-05, Significant Scenic Resources, with CON-05-A, Significant Scenic Resources, and CON-05-B, Significant Scenic Resources in the Central City, as shown on Exhibit M, attached.
- f. Amend the Comprehensive Plan Map as shown on page 493 of Exhibit C (Volume 2A, Zoning Code & Map Amendments, Part 1: Central City Plan District).
- g. Amend the official Zoning Map to apply base zones as shown on page 489 of Exhibit C (Volume 2A, Zoning Code & Map Amendments, Part 1: Central City Plan District).
- h. Amend the official Zoning Map to apply overlay zones as shown on pages 192 to 206 of Exhibit D (Volume 2A, Zoning Code & Map Amendments, Part 2: Willamette River and Trails).
- i. Amend Title 33, Planning and Zoning, as shown in Exhibit C (Volume 2A, Zoning Code & Map Amendments, Part 1: Central City Plan District) and Exhibit D (Volume 2A, Zoning Code & Map Amendments, Part 2: Willamette River and Trails).
- j. Amend the *Transportation System Plan* to add the policies, amend the transportation projects and studies lists, and amend the project and street classification maps, as shown in Exhibit E (Volume 2B, Transportation System Plan Amendments).
- k. Adopt the *Central City 2035 Scenic Resources Protection Plan*, contained in Exhibit F (Volume 3A, Scenic Resources Protection Plan, Part 1: Summary, Results and Implementation), Exhibit G (Volume 3A, Scenic Resources Protection Plan, Part 2: Scenic Resources Inventory) and Exhibit H (Volume 3A, Scenic Resources Protection Plan, Part 3: Economic, Social, Environmental & Energy Analysis).

- l. Adopt the *Willamette River Central Reach Natural Resources Protection Plan*, contained in Exhibit I (Volume 3B, Willamette River Central Reach Natural Resources Protection Plan).
- m. Adopt the *Portland Central City Multimodal Mixed Use Area Agreement between the City of Portland and the Oregon Department of Transportation*, dated June 15, 2016, as shown on pages 29 to 33 of Exhibit E (Volume 2B, Transportation System Plan Amendments).
- n. Adopt Exhibit A (Central City 2035 Findings of Fact Report), as amended by City Council and dated May 2020, Exhibit J (Volume 4, Background Materials), and Exhibit K (Volume 6, Public Involvement) as further findings.
- o. Adopt the Introduction section, commentary to the Central City Goals and Policies section, and the Central City Districts section of Exhibit B (Volume 1, Goals and Policies) as further findings.
- p. Adopt the commentary in Exhibit C (Volume 2A, Zoning Code & Map Amendments, Part 1: Central City Plan District) and Exhibit D (Volume 2A, Zoning Code & Map Amendments, Part 2: Willamette River and Trails) as legislative intent and further findings.
- q. Adopt Chapter 4: Analysis of Protection Options and General Recommendations, and Chapter 5: Results of Exhibit I (Volume 3B, Willamette River Central Reach Natural Resources Protection Plan) as further findings.
- r. The *Central City 2035 Plan* elements adopted by directives a. through q., above, repeal and replace the following:
  1. The *Planning Guidelines/Portland Downtown Plan*, adopted by City Council in December 1972, as updated.
  2. Ordinance No. 160606, as amended, which adopted the *Central City Plan* goals and policies.
  3. Resolution No. 34417, as amended, which adopted the *Central City Plan* action charts, functional maps and urban design plans.
  4. Ordinance No. 169535, as amended, which adopted the goals, policies and objectives of the *Central City Transportation Management Plan*.
  5. Resolution No. 35472, which adopted the action items and other components of the *Central City Transportation Management Plan*.
  6. Resolution No. 36970, which adopted the *Central City 2035 Concept Plan*.
  7. Resolution No. 36972, which adopted the *N/NE Quadrant Plan*.

8. Resolution No. 37115, which adopted the *West Quadrant Plan*.
9. Resolution No. 37147, which adopted the *Southeast Quadrant Plan*.
- s. Amend Ordinance No. 160237, as amended, to no longer apply the provisions of the *Willamette Greenway Plan* within the Central Reach River Overlay Boundary as shown on Map 475-1 on page 78 of Exhibit D (Volume 2A, Zoning Code & Map Amendments, Part 2: Willamette River and Trails).
- t. Amend Ordinance No. 163957, as amended, to no longer apply the provisions of the *Scenic Resources Protection Plan* to any and all scenic resources within the Central City Boundary or to viewpoints and view corridors within the Viewpoint Boundary as shown on Map 1 on page 6 of Exhibit F (Volume 3A, Scenic Resources Protection Plan, Part 1: Summary, Results and Implementation).
- u. Authorize the Director of the Bureau of Planning and Sustainability or designee to adopt, administer and periodically amend Administrative Rules for 33.510.223, Bird-Safe Exterior Glazing and 33.510.244, Low-Carbon Buildings. The adoption or amendment of these rules must include a public comment period.
- v. Direct the Bureau of Planning and Sustainability to update the 2014 *Willamette River Greenway Inventory* (adopted by Ordinance No. 186858) based on the adoption of the *Central City 2035 Plan*.
- w. Incorporate all documents and exhibits, identified on the Bureau of Planning and Sustainability's web site at the following link <https://beta.portland.gov/bps/cc2035/cc2035-documents> and all CC2035 re-adoption, written and oral testimony, into the legislative record.

## Section 2. Effect

The directives of this ordinance will take effect on and after August 10, 2020.

## Section 3. Severability

If any section, subsection, sentence, clause, phrase, diagram or drawing contained in this ordinance, or the map, report, inventory, analysis, or document it adopts or amends, is held to be deficient, invalid or unconstitutional, that shall not affect the validity of the remaining portions. The Council declares that it would have adopted the map, report, inventory, analysis, or document each section, subsection, sentence, clause, phrase, diagram and drawing thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, diagrams or drawings contained in this Ordinance, may be found to be deficient, invalid or unconstitutional.

Passed by the Council: July 8, 2020

Mayor Ted Wheeler

Prepared by: Troy Doss, Nicholas Starin  
and Rachael Hoy

Date Prepared: May 14, 2020

**Mary Hull Caballero**

Auditor of the City of Portland

By *Keelan McClymont*  
Deputy

Agenda No.  
**ORDINANCE NO. 190023 As Amended**  
 Title

Readopt remanded ordinance for the Central City 2035 Plan and amend the Comprehensive Plan, Comprehensive Plan Map, Transportation System Plan, Willamette Greenway Plan, Scenic Resources Protection Plan and Zoning Map, authorize adoption of administrative rules, and repeal and replace prior Central City plans and documents (Ordinance; readopt Ordinance No. 189000; amend Title 33)

<p style="text-align: center;"><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Ted Wheeler</b></p>	<p>CLERK USE: DATE FILED <u>5/19/20</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p>
<p>Mayor—Finance &amp; Administration - Wheeler</p>	<p><small>Digitally signed by Mustafa Washington Date: 2020.05.19 10:56:51 -07'00'</small></p>
<p>Position 1/Utilities - Fritz</p>	<p style="text-align: center;"><b>Keelan</b></p>
<p>Position 2/Works - Vacant</p>	<p>By: <u>McClymont</u></p>
<p>Position 3/Affairs - Hardesty</p>	<p><small>Digitally signed by Keelan McClymont Date: 2020.05.20 11:26:53 -07'00'</small></p>
<p>Position 4/Safety - Eudaly</p>	<p style="text-align: center;">Deputy</p>
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p>	<p><b>ACTION TAKEN:</b></p>
<p>Bureau: Planning and Sustainability Bureau Head: <b>Andrea Durbin</b></p>	<p><b>May 28, 2020 Continued to July 2, 2020 at 2:00 p.m. Time Certain</b>  <b>July 2, 2020 Passed to Second Reading July 8, 2020 at 9:30 a.m.</b>  <b>Time Certain As Amended</b></p>
<p>Prepared by: <b>Rachael Hoy</b> Date Prepared: <b>5/7/20</b></p>	<p><small>Digitally signed by Andrea Durbin Date: 2020.05.18 17:55:31 -07'00'</small></p>
<p><b>Impact Statement</b> Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	<p><b>City Auditor Office Approval:</b> required for Code Ordinances</p>
<p><b>Portland Policy Document</b> If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p><small>Lauren A. King 2020.05.12 08:54:32 -07'00'</small></p>
<p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter</p>	<p><i>Clark</i></p>
<p>Council Meeting Date <b>5/28/20</b></p>	

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input checked="" type="checkbox"/>                  Start time: <u>2:00 pm</u>                  Total amount of time needed: <u>2 hours</u>                  (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/>                  Total amount of time needed: _____                  (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz	✓
2. Vacant	2. Vacant	
3. Hardesty	3. Hardesty	✓
4. Eudaly	4. Eudaly	✓
Wheeler	Wheeler	✓

# Exhibit A:

## Central City 2035 Findings of Fact Report As Amended

### June 2020

## Findings on Statewide Planning Goals

State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with state land use goals. The Statewide Planning Goals addressing citizen involvement and coordination apply to all legislative reviews. Many of the other goals focus on the assembly of information, proper analysis, and policy decisions.

### **The Statewide Planning Goals that apply to Portland are:**

- Goal 1, Citizen Involvement
- Goal 2, Land Use Planning
- Goal 5, Natural Resources, Scenic and Historic Areas, and Open Spaces
- Goal 6, Air, Water and Land Resource Quality
- Goal 7, Areas Subject to Natural Hazards
- Goal 8, Recreational Needs
- Goal 9, Economic Development
- Goal 10, Housing
- Goal 11, Public Facilities and Services
- Goal 12, Transportation
- Goal 13, Energy Conservation
- Goal 14, Urbanization
- Goal 15, Willamette River Greenway

There are approximately 560 acres of land both within Portland’s municipal boundaries and beyond the regional urban growth boundary that can be classified as rural land. In 1991, as part of Ordinance 164517, the City Council took an exception to Goal 3 and 4, the agriculture and forestry goals, in the manner described and authorized by state law and Goal 2. Because of the acknowledged exception, **the following goals do not apply:**

- Goal 3, Agricultural Lands
- Goal 4, Forest Lands

Other Statewide Planning Goals apply only within Oregon’s coastal zone. The Statewide Planning Goal Glossary defines “Coast Zone” as “The area lying between the Washington border on the north to the California border on the south, bounded on the west by the extent of the state’s jurisdiction, and in the east by the crest of the coastal mountain range, with the exception of: (a ) The Umpqua River basin, where the coastal zone shall extend to Scottsburg; (b) The Rogue River basin, where the coastal zone shall extend to Agness; (c) The Columbia River basin, where the coastal zone shall extend to the downstream end of Puget Island. (Formerly ORS191.110).” Since Portland is not within Oregon’s coastal zone, **the following goals do not apply to this decision:**

- Goal 16, Estuarine Resources
- Goal 17, Coastal Shorelands
- Goal 18, Beaches and Dunes

## Goal 19, Ocean Resources

1. **Goal 1, Citizen Involvement.** To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

Goal 1 applies to all legislative land use decisions. Administrative rules under Goal 1 further require cities to:

- Designate a committee for citizen involvement;
- Provide for widespread citizen involvement with an opportunity for citizens to be involved in all phases of the planning process (developing, evaluating, and amending plans; and in the development, adoption, and application of legislation to carry out the plan - the subject of periodic review Task V);
- Adopt and publicize a program for citizen involvement that is appropriate to the scale of Portland's *Central City 2035 Plan* process;
- Provide the opportunity for the public to be involved in data collection;
- To assure that technical information is available in an understandable form;
- Assure effective two-way communication with citizens, including feedback mechanisms; and
- Assure a sufficient level of funding and human resources are allocated to the citizen involvement program to make citizen involvement an integral part of the planning process.

Each of the three primary phases in the development of CC2035 involved a detailed approach to addressing the requirements of Goal 1. The entire public involvement process of CC2035 is detailed in Volume 6 – Public Involvement, and is also summarized in this ordinance as follows:

**Phase 1: Central City 2035 Concept Plan.** The development of the concept began by establishing an 18-member Advisory Group (AG) representing stakeholders and interest groups with experience in different issues related to the Central City and its future. This group, appointed by Mayor Sam Adams, served for one year, and participated in a series of public meetings, including workshops and topic specific symposiums, that included additional experts on different topic areas. These events, which approximately 425 people attended, were used to develop strategies and objectives in the creation of a new framework of goals, policies, and actions intended to guide the development of CC2035.

Next a 17-member Steering Committee met eight times over a year to guide staff in the development of policy and urban design framework presented by the Central City 2035 Concept Plan. As with the earlier efforts, these meetings were open to the public and attendees were provided an opportunity at each meeting to provide input to the committee as part of that process.

### Phase 2 – Quadrant Plans

**N/NE Quadrant Plan.** A 30-member stakeholder advisory committee (SAC) met 19 times and held an additional 14 subcommittee meetings. All meetings were open to the public and opportunities to provide direct input to the SAC were provided. In support of outreach on the plan, staff attended 100 community meetings attended by more than 1,100 people; hosted 10 public events attended by more than 600 people; and, used web-based tools that an additional 140 people used to provide input.

**West Quadrant Plan.** A 33-member SAC met 16 times. All meetings were open to the public and opportunities to provide direct input to the SAC were provided. In support of outreach on the

plan, staff attended 100 community meetings attended by more than 1,100 people; hosted 12 public events attended by more than 400 people; and, used web-based tools, mailers and surveys that an additional 700 people used to provide input.

**Southeast Quadrant Plan.** A 30-member SAC met 14 times. All meetings were open to the public and opportunities to provide direct input to the SAC were provided. In support of outreach on the plan, staff attended 93 community meetings attended by more than 500 people; hosted 15 public events attended by more than 500 people; and, used web-based tools and mailers that an additional 1,000 people used to provide input.

**Phase 3 – Discussion, Proposed, and Recommended Draft Development.** This phase of CC2035 involved several topic specific efforts conducted in support of CC2035 development. These efforts used a combination of committees, public open house events, and meetings with community-based organizations to provide additional opportunities to influence the final recommendations to CC2035. They included the following:

- **Central City Parking Policy Update** (30-member SAC, open house event, online surveys, community meetings)
- **Central City Scenic Resources Protection Plan** (Technical Advisory Committee, Panel of Experts, Public Review Draft, community meetings, open house events)
- **River Planning** (Central Reach Working Group, 2-Day Public Workshop, Public River Walks, community meetings, open house events)

Additionally, as a final version of CC2035 was being produced, additional opportunities to give input into the plan were provided as follows:

- **Discussion Draft.** Release on February 8, 2016, this draft of the plan presented preliminary zoning amendments and policy for CC2035. Open house events attended by more than 70 were held, and staff attended over 40 community meetings related to this draft. Public input on this first draft closed on March 31, 2016, and over 200 written comments were submitted.
- **Proposed Draft.** On June 20, 2016, the Proposed Draft of CC2035 was released in preparation for the PSC review of the plan. This draft of the plan was amended from the earlier Discussion Draft based on much of the public input provided during the review period of that draft. Prior to the first PSC public hearing, held on July 26, 2016, open house events were conducted to provide those who may testify before the PSC with more specific information about plan elements.

The PSC held public hearings and work sessions between June 2016 and April 2017. During these meetings, testimony was received on the Proposed Draft, amendments were proposed during work sessions, and an additional hearing was held to receive testimony on PSC proposed amendments before the PSC voted on the final Recommended Draft to be forwarded to City Council. The PSC held meetings for the plan on the following dates:

- Briefing:	June 28, 2016
- Hearing:	July 26, 2016
- Hearing:	August 9, 2016
- Work Session:	September 27, 2016
- Work Session:	November 16, 2016
- Work Session:	January 10, 2017

- Work Session:	January 24, 2017
- Work Session:	February 14, 2017
- Work Session:	February 28, 2017
- Work Session:	March 14, 2017
- Work Session:	April 11, 2017
- Work Session & Vote:	May 23, 2017

- **Recommended Draft.** On June 22, 2017, the Recommended Draft of CC2035 was released in preparation of City Council review of the plan. This draft of the plan was amended from the earlier Proposed Draft and presents the recommendation of the PSC to City Council.

City Council held public hearings and work sessions between August 2017 and May 2018. During these meetings, testimony was received on the Recommended Draft, amendments were proposed during deliberations, and additional hearings were held to receive testimony on Council proposed amendments before the Council voted on the final As Adopted Central City 2035 Plan. The Council held meetings for the plan on the following dates:

- Work Session:	August 15, 2017
- Hearing:	September 7, 2017
- Hearing:	September 14, 2017
- Hearing:	September 20, 2017
- Deliberation:	October 18, 2017
- Deliberation:	November 29, 2017
- Deliberation	December 6, 2017
- Hearing:	January 18, 2018
- Hearing:	March 7, 2018
- Hearing:	March 22, 2018
- Hearing:	April 4, 2018
- Deliberation:	April 11, 2018
- Deliberation & Initial Vote:	May 24, 2018
- Final Vote:	June 6, 2018

The events and outreach strategies summarized here, and detailed in Volume 6, Public Involvement of the Central City 2035 Plan demonstrate consistency with the requirements of Statewide Planning Goal 1.

As noted above, the process leading to the final Recommended Draft of Central City 2035 included the development of four initial concept plans (the CC2035 Concept Plan, North/Northeast, West, and South East Quadrant Plans) and included a detailed public engagement process that provided repeated and numerous opportunities for all interested parties to shape and influence the final recommended draft.

For instance, each of the four noted plans were initially developed with the assistance of a Stakeholder Advisory Committee (SAC), specifically developed for each plan area. These SAC's include a diverse membership, including representatives from under-represented communities who have been impacted by past planning decisions. SAC meetings were open to the public, and public comment periods were a part of each meeting.

In addition to the SAC's, open house events, meetings with neighborhood and business associations, and meetings with numerous interest-based organizations were held, to ensure all interested parties and organizations had a chance to learn about and provide input on the plan.

Further, the BPS website had pages dedicated to each plan effort, and tools such as a Map App page, and contact information for a Central City 2035 help line, each providing additional opportunities to learn about the plan effort, review back ground reports, meeting notes, and numerous ways to comment on the plan.

Once a SAC endorsed plan was created for the Concept Plan and all three quadrant plans, briefings were held with the Planning and Sustainability Commission (PSC), Design Commission, and Historic Landmarks Commission. These meetings were open to the public and PSC meetings were televised and available to review online. Then a public hearing on each plan was held with the PSC, who heard testimony and reviewed written testimony on each plan. These hearings were followed by a series of work sessions where the PSC revised the plan based on their and public input, and a formal PSC Recommended Draft was forwarded to the Portland City Council, where a similar series of briefings, hearings, and work sessions were held on each plan before Council adopted each after making amendments based in part on public testimony.

On June 12, 2015, the Portland Office of the Ombudsman received a complaint noting that West Quadrant Plan SAC members did not disclose conflicts of interest and asking that the SAC recommendations be invalidated. On October 21, 2015, the Ombudsman responded to this complaint by noting that the Oregon Government Ethics Commission makes a distinction between actual and potential conflicts of interest, stating:

*“An actual conflict of interest occurs when an action taken by the official would directly and specifically affect the financial interest of the official, the official’s relative or a business with which the official or a relative of the official is associated. A potential conflict of interest exists when an official takes action that could have a financial impact on that official, a relative or a business with which the official or the relative of the official is associated.”*

The Ombudsman found that SAC members did not face “actual” conflicts of interest, citing that the Oregon Government Ethics Commission, because “actual conflicts of interest cannot occur where an advisory committee makes non-binding recommendations (Advisory Opinion No. 07A-1001, page 3).” However, the Ombudsman indicated that SAC members could have faced a “potential” conflict, and although that “does not preclude anyone from being a member of the SAC or voting on a recommendation, the Ombudsman, prior to review of the CC2035 Plan by the PSC, recommended that BPS contact SAC members with a request to disclose any conflicts they may have had.

The public was then provided opportunities to discuss concerns and suggest amendments in front of both the PSC and Council in response to the potential conflict disclosures. Several members of the public took that opportunity.

The public engagement process conducted throughout the development of CC2035, provided numerous and repeated opportunities to address any input, concerns, or suggested amendments from all stakeholders of the plan.

The CC2035 Plan was appealed to the Oregon Land Use Board of Appeals (LUBA). LUBA issued a decision August 6, 2019 remanding Ordinance 189000 and upholding, in part, one assignment of error by Restore Oregon. LUBA concluded, a decision affirmed by the Oregon Court of Appeals, that:

*Remand is required for the city to adopt findings that are adequate to explain why the 200-foot height limit complies with PCP Policy 4.48. That decision must be supported by an adequate factual base.*

In response to the remand, the City is readopting CC2035 with additional findings and evidence, as requested by LUBA, that document how the proposed adjustments to maximum heights in the New Chinatown/Japantown Historic District comply with applicable goals and policies.

Due to the COVID-19 pandemic. Governor Brown has issued a series of executive orders that impact local governments. Notably, on March 8, 2020, Governor Brown issued Executive Order 20-03 declaring a state of emergency due to COVID-19. Later, on March 23, Governor Brown issued Executive Order 20-12 declaring that non-essential gatherings outside of the home or place of residence are prohibited immediately, regardless of size.

On April 15, Governor Brown issued Executive Order No. 20-16 due to the COVID-19 pandemic requiring local governments to conduct public meetings by telephone, video, or other electronic means whenever possible. In order to move forward with city operations, the directive laid out instructions to conduct business virtually during this time. The Bureau of Planning and Sustainability proceeded with public noticing to readopt the CC2035 Plan following the guidelines outlined in the order, providing ample time for public input and participation. The potential economic consequences of delaying the re-adoption of the CC 2035 Plan would delay proposed zone changes, increased FAR allowances, new use allowances' and development standards and bonuses, all of which are intended to facilitate new office, retail, housing development and increase job growth in the Central City in support of Comprehensive plan policies 6.5 Economic Resilience.

A public notice was sent on May 1, 2020 for a City Council public hearing on the re-adoption of CC2035 to: parties to the appeal; parties that requested notice of the final decision; parties that received notice of Council's initial hearing on CC2035; the City's legislative list; and, people on the CC2035 mailing list.

The record opened on May 1, 2020 and closed June 4, 2020 allowing ample time before and after the hearing for the public to review the re-adoption documents on the project website and submit testimony via the MapApp tool on the project website or by mail to the City Council Clerk. The Findings of Fact Report was made available to public on May 21, 2020, one week prior to the hearing.

On May 28, 2020, the Portland City Council held a virtual public hearing and received written testimony regarding the re-adoption of CC2035. The virtual public meeting was held using the Zoom platform. It was free to participants and it allowed them to provide testimony by phone or computer. Participants were given 2 minutes to testify. Participants could also watch the hearing on YouTube with closed caption accommodations.

At the May 28, 2020 hearing, 30 people testified and by the close of record on June 4, 2020, 147 written pieces of testimony had been received regarding the remand. Additional findings in response to the testimony can be found in the Comprehensive Plan, Community Involvement Goals 2A-G and numerous other policies throughout the report.

On July 2, 2020, City Council voted to approve these amended findings and to readopt the elements of the Central City 2035 Plan that were originally part of Ordinance 189000.

Therefore, the plan and this public engagement process are consistent with Goals 2.A – 2.G of the 2035 Comprehensive Plan.

2. **Goal 2, Land Use Planning.** To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Goal 2, as it applies to CC2035, requires the development of a process and policy framework that acts as a basis for all land use decisions and assures that decisions and actions are based on an understanding of the facts relevant to the decision. The amendments support this goal because CC2035 was developed consistent with State-wide Planning Goals, the Metro Urban Growth Management Functional Plan, and 2035 Comprehensive Plan, as detailed in this ordinance. Further, the Central City 2035 Concept Plan, created with a stakeholder committee and approved by the PSC and City Council, established an additional policy framework to guide the development of subsequent quadrant plans, and the Recommended Draft of CC2035.

The plan was also developed in consultation and in partnership with all applicable City of Portland bureaus, state agencies, such as the Oregon Department of Transportation, Department of Land Conservation and Development, and local agencies, such as TriMet, Metro, and Multnomah County. Lastly, two agencies, the Port of Portland, and Portland Public Schools, testified on different elements of the recommended amendments to the Zoning Code. Thus, CC2035 is consistent with the requirements of Statewide Planning Goal 2.

3. **Goal 5, Open Space, Scenic and Historic Areas, and Natural Resources.** To protect natural resources and conserve scenic and historic areas and open spaces.

#### Scenic Resources

- a) The plan includes an updated inventory of scenic resources in the Central City, which was developed based on the procedures and requirements for complying with Goal 5. The policies and development standards in the plan protect significant scenic resources identified in the adopted *Central City Scenic Resources Protection Plan*, Volume 3A, Part 1 and Part 3;
- b) The plan includes an economic, social, environmental and energy analysis (ESEE) for the scenic resources, Volume 3A, Part 2. The ESEE analysis was developed based on the procedures and requirements for complying with Goal 5. The ESEE includes identification of conflicting uses, determination of the impact area, analysis of the ESEE consequences of allowing, limiting, or prohibiting conflicting uses, and development of a program to protect and conserve specified resources identified in the inventory;
- c) Scenic resource (s) overlay zones have been applied to significant scenic resources and limit development and vegetation within views. The river overlay zoning regulations, found in 33.475, require that viewpoints associated with designated views be developed to provide public access to the scenic resource;
- d) Building heights in portions of the Central City, shown on Map 510-3 and 510-4, have been updated to preserve significant views of and across the Central City. Projections are prohibited above the height if in a scenic view corridor.

#### Historic Resources

Over the years, there have been regular additions and evolutions to how historic resources are conserved in the Central City Plan District. Several designated Historic and Conservation Landmarks and Districts were created – NW 13<sup>th</sup> Avenue, East Portland/Grand Avenue, Yamhill, Skidmore/Old Town, Halprin, and New Chinatown/Japantown Historic Districts and the Russell

Street Conservation Districts. Other historic districts were also established that are partially within the Central City, such as the Irvington and Alphabet Historic Districts.

Under CC2035, Historic Landmarks listed in the National Register of Historic Places and contributing buildings in Historic Districts will continue to be subject to discretionary Demolition Review. Also, development within all Historic and Conservation Landmark and District boundaries in the Central City will continue to be subject to discretionary Historic Resource Review. District-specific design guidelines have been adopted for most of the Historic Districts in the Central City, providing resource-specific Historic Resource Review approval criteria. This includes Skidmore/Old Town Design Guidelines adopted in 2016 and New Chinatown/Japantown Design Guidelines adopted in 2017, which were developed as an early deliverable of the CC2035 project.

Historic District design guidelines provide guidance to property owners, designers, architects, and developers related to the established urban fabric of the district as well as resource-specific Historic Resource Review approval criteria for alterations, additions, and new construction. These district-specific approval criteria conserve the specific architectural and cultural qualities that make the particular district significant.

The CC2035 Plan retains the design guidelines applicable to each district where they've been adopted. And, although the maximum heights have been adjusted in all or parts of four Central City Historic Districts, the design guidelines for each district will continue to serve as the Historic Resource Review approval criteria to determine if proposals for new development integrate with the established urban fabric of each district on a case by case basis. The City Council recognizes the Bureau of Planning and Sustainability memo, Historic Resource Review and Height Memo, dated June 3, 2020, as additional evidence supporting Historic Resource Review.

The CC2035 Plan also includes new incentives to encourage the preservation and rehabilitation of designated historic resources. Under CC2035, unused FAR on a site containing a Historic or Conservation Landmark or contributing resource in a Historic or Conservation District can be sold and transferred to another site in the Central City Plan District. This creates financial resources to support improvement of the historic building. An additional 3:1 FAR may be transferred if the historic building is seismically upgraded.

The CC2035 Plan generally maintains or reduces maximum height limits in Historic and Conservation Districts. This includes a reduction in the maximum height limit in all or part of four Historic Districts. The specifics of how this was applied varies by district in response to the historic, physical, economic, and planning context of the district.

In January 2017, the Land Conservation and Development Commission adopted a new State Administrative Rule (OAR 660-023-0200) implementing the historic resources provisions of Goal 5. This new Rule applies directly to resources listed in the National Register of Historic Places after January 2017. As of April 2020, the new rule would apply to only two individual resources in the Central City Plan District—Wheeldon Annex and Alco Apartments. The City is advancing a separate code project, the Historic Resources Code Project, to amend Chapter 33.445 to achieve consistency with the provisions of the new State Administrative Rule.

The findings for Comprehensive Plan policies 4.46-4.57 further describe programs for historic resources.

### Natural Resources

Per OAR 660-023-0240(2) Goal 15 supersedes the requirements of Goal 5 for natural resources also subject to and regulated under Goal 15. The only Goal 5 natural resources in the CC2035 Plan area are located within the Willamette Greenway and therefore are regulated by Goal 15.

### Open Spaces

See findings for Goal 8, Recreational Needs. Thus, CC2035 is consistent with the requirements of Statewide Goal 5.

4. **Goal 6, Air, Water, and Land Resource Quality.** To maintain and improve the quality of the air, water and land resources of the state.

Goal 6, Air, Water and Land Resource Quality, requires the maintenance and improvement of the quality of air, water, and land resources. The amendments are consistent with this goal because they:

- a) Maintain existing natural resource function by applying new River Environmental overlay zoning for identified natural resource areas in the Central City, including resources located on the land and in the water. The plan includes a natural resource inventory that identifies riparian and wildlife habitat resources and functional values, and special habitat areas. The environmental zoning will protect and conserve the identified resources by limiting development within natural resource areas, will encourage environmentally sensitive development, and will require mitigation when development has a detrimental impact on the functions and values;
- b) Clarify the City's regulations for the removal and remediation of hazardous substances. The clarifications will ensure that clean-up of hazardous substances in the Central City occurs in a way that meets City goals and policies including goals related to the conservation of existing natural resources, and the use of natural bank treatments in the final design of clean up actions;
- c) Existing regulations including City Zoning Title 10, Erosion Control, and the Stormwater Management Manual will remain in effect and are applicable to future development. These regulations will maintain and improve water quality;
- d) Reduce the maximum allowed parking ratios for most land uses and zones and prohibit new surface parking which improves air quality by encouraging less vehicle trips into the Central City;
- e) Improve air quality through identifying a public trail alignment for the Central City on the zoning maps, clarifying the Zoning Code regulations requiring development of the public trail, and identifying and prioritizing trail development capital improvement projects that the City should implement. The public trail alignment will connect the neighborhoods and work centers in the Central City to other parts of the city with a route that is safe and convenient and encourage energy efficiency using bicycles and walking as a transportation mode. Increasing the number of trips by bike or walking will reduce vehicle miles traveled and reduce air pollution;
- f) Require that new buildings larger than 20,000 square feet install an ecoroof. There was significant testimony provided in support of ecoroofs. City Council finds that ecoroofs are vegetated features that reduce heat island effects and filter the air, improving air quality.

City Council also finds that ecoroofs reduce energy consumption within the building, which reduces carbon dioxide emissions and improves air quality.

- g) Allow for increased building / landscaped setbacks in some part of the Central City, and new policies, actions, and development standards of the plan call for the expansion of tree canopy in the Central City, both of which will increase the amount of vegetation in the plan district which will help to improve air quality.
- h) Expand access of non-automotive and active transportation options, such as cycling, walking, transit, and the Green Loop, will help to reduce total miles traveled by car as well as single occupancy trips;
- i) Support the Broadway/Weidler (Rose Quarter) Interchange Project, Central Eastside Access and Circulation project, N River St Reconstruction, Yamhill & Water Traffic Improvements, I-405/Glisan Traffic Improvements, SW Broadway Traffic Improvements, and Southern Triangle Access Improvements. The Rose Quarter project was previously adopted by City Council; however, this project will improve air quality in the Central City by reducing idle times.

5. **Goal 7, Areas Subject to Natural Disasters and Hazards.** To protect people and property from natural hazards.

Goal 7, Areas Subject to Natural Hazards, requires the protection of life and property from natural hazards. The amendments are consistent with this goal because:

- a) City programs that are deemed in compliance with Title 3 requirements for flood management, and erosion and sediment control (i.e., Title 10 Erosion Control, and the balanced cut and fill requirements of Title 24), are unchanged;
- b) The Health and Environment Goal and related policies and actions provide for resilience to climate change impacts and natural hazards including flooding and earthquakes, through planning, design, education and implementation of green infrastructure and infrastructure retrofits;
- c) A new River Environmental overlay zone is applied to significant natural resource areas including areas subject to natural hazards such as steep slopes and portions of the floodplain. The overlay zoning will guide development away from these areas, thereby protecting public health and safety and property from natural disasters and hazards; and,
- d) Development that is not river-dependent or river-related is required to setback 50 feet from the top of bank of the Willamette River in the River General overlay zone. The setback will limit development within areas that are often subject to flooding thereby protecting people and property.

6. **Goal 8, Recreational Needs.** To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Goal 8, Recreational Needs, requires satisfaction of the recreational needs of both citizens and visitors to the State. The amendments are consistent with this goal by:

- a) The City's *Vision 2020 Plan* (2001) is a comprehensive long-range citywide assessment and plan of parks, recreation and open space land, facilities and services. It sets targets for land acquisition and services to be provided throughout the City including the Central City; and

considers existing and future population and corresponding recreational demands. The CC2035 Plan is consistent with and updates the *Vision 2020 Plan* for the Central City. The Housing and Neighborhoods and Willamette River goals, policies and related actions support meeting recreational needs in the Central City through establishing complete neighborhoods and a Willamette riverfront that provide park, recreation and open space opportunities. Specific actions include activities to develop a community center or neighborhood park, improve existing recreational facilities or make connections to recreational facilities like the Willamette Greenway Trail. Public-private partnerships are identified to develop recreational resources in the Central City;

- b) Retaining existing open space zoning in the Central Reach and allowing a limited amount of new retail development within Open Spaces in the Central City. Small retail, such as bike or kayak rentals, will enhance the recreational experience;
- c) Requiring developers who utilize a Central City Master Plan to include open space in development plans;
- d) Expanding a riverfront open space bonus option for more publicly accessible open space provided with new development/redevelopment;
- e) Identifying and facilitating the completion of the major public trail along the Willamette River (Greenway Trail), plus pedestrian paths connecting public rights-of-way to the trail. The trail will increase public access to and along the Willamette River and provide opportunities for active and passive recreation;
- f) Expanding the river setback to 50 feet from top of bank. The standard requires that non-water-dependent and non-water-related development in the River General overlay zone set back from the Willamette River. The setback will not apply to water-related or water-dependent uses (the City uses the term river-related and river-dependent and the definitions of those terms include the state definitions of water-related and water-dependent). Testimony was received that supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the purpose of the river setback is to reserve space for the conservation and enhancement of natural resources and to provide an opportunity for public access where appropriate;
- g) Designating viewpoints along the Willamette river and upland areas and allowing for maintenance of vegetation within the view corridors to protect visual access to the Willamette River and to surrounding natural features (e.g., Mt Hood). The river overlay zoning regulations, found in 33.475, require that viewpoints associated with designated views along the Willamette River be developed to provide public access to the scenic resource;
- h) Adding a new standard in the River Environmental overlay zone to allow up to four new floating structures (aka swimming platforms) within the Willamette River during the summer months;
- i) The proposed Green Loop will provide a new facility that is designed to provide active recreation, such as cycling, walking, and running, as well as passive recreation opportunities by provide seating and gathering places for people along the loop's alignment. Further, the loop is intended to provide a safe and direct path between the greenway and various parks in the Central City.

7. **Goal 9, Economic Development.** To provide adequate opportunities throughout the state for a variety of economic activities vital to health, welfare, and prosperity of Oregon’s citizens.

The recently adopted *2035 Comprehensive Plan* conducted extensive city-wide analysis, including the Central City Plan District, to demonstrate compliance with Goal 9. It should be noted that the intensification of industrial uses on industrial lands within the Central City, especially within the Central Eastside District, was an important part in meeting city-wide compliance with Goal 9, and Task V of *2035 Comprehensive Plan* made these changes to Central City Industrial Land prior to the adoption of CC2035. The findings below summarize the work relevant to CC2035 and add additional details specific to the Central City Plan District.

Summary:

Goal 9 requires cities to consider economic activities vital to the health, welfare, and prosperity of Oregon's citizens. Comprehensive plans for urban areas are required to include, among other things: an analysis of economic patterns, potentialities, strengths, and deficiencies; policies concerning economic development; and land use maps that provide for at least an adequate supply of sites for a variety of industrial and commercial uses.

Land needs for a variety of industrial and commercial uses are identified in the *Economic Opportunities Analysis* (EOA), which was adopted as Exhibits L1, L2, L3, and L4 with periodic review Task III (Ordinance 187831). How these needs are met is explained in the findings contained within Exhibit A of that ordinance.

A new *Comprehensive Plan Map* was adopted with periodic review Task IV (Exhibit C of Ordinance 187832). Exhibit A of Ordinance 187832 contains findings explaining how the various land use designations on the new *Comprehensive Plan Map* meet the categories of industrial and commercial uses identified as needed within the *Economic Opportunities Analysis*.

Changes to both the *Zoning Map* and *Zoning Code* resulting from the *2035 Comprehensive Plan* take initial steps to advance the goals of the plan.

- All zone changes were made to a base zone permitted by the new *Comprehensive Plan Map* as provided by Policies 10.1, 10.2, 10.3, and 10.4 of the *2035 Comprehensive Plan*, and as described in the “Corresponding and Allowed Zone” table, which is Figure 10-1 of the *2035 Comprehensive Plan*. These zone changes were adopted as Exhibit D-1 of Ordinance. The CC2035 zone changes will not go into effect until after the 2035 Comprehensive Plan goes into effect.
- The *Zoning Code* amendments adopted with Ordinance 188177, Chapters 33.130, 33.140, and 33.150 of the as-amended *Zoning Code*, each contain a table of various commercial, industrial, and institutional uses derived from the EOA, and each of these uses are identified as allowed, limited, conditional, or prohibited by the land use regulations within these chapters.

Supply of Industrial Employment Land

The question of employment land supply was addressed by the EOA adopted with periodic review Task III (Ordinance 187831) and acknowledged on April 25, 2017 and the land use designations on the *Comprehensive Plan Map* adopted with Task IV (Ordinance 187832). The purpose of Ordinance 188177 was to carry out the decisions made by the previous stages of periodic review, not to revisit them. This ordinance similarly does not seek to revisit the decisions of these prior ordinances but is

intended to put the final zoning proposals addressing Central City industrial and employment lands in place.

The acknowledged EOA analyzed adequate growth capacity for a diverse range of employment uses by distinguishing several geographies and analyzing growth capacity at each one. The relevant industrial geographies were Harbor and Airport, Harbor Access, Columbia East, Dispersed Employment, and Central City Industrial. Each of these industrial employment geographies represented a different mix of industrial and related employment sectors, building types, and densities. The EOA included a buildable land inventory and capacity analysis in each of the geographies. That capacity analysis specifically considered a range of site sizes, infrastructure and service deficiencies, and various other development constraints.

The EOA included a summary of how the new *Comprehensive Plan Map* provided at least a twenty-year growth capacity in these geographies (Exhibit L of Ordinance 187831 - Figure 2 of Volume 4). That table described the constrained supply of land, described how additional capacity could be made available through investments in infrastructure and brownfield cleanup (the “With Other Gains” column), and described the impact of an “Integrated Strategy”, which also accounted for anticipated additional environmental protections in the future. The conclusion was that on balance there was an adequate 20-year supply provided within the *Comprehensive Plan Map*.

Ordinance 188177 adopted *Zoning Map* amendments to begin implementing the recently adopted *Comprehensive Plan Map*, including changes to the IG1 zones of the Central Eastside District of the Central City, in advance of CC2035.

The tables below identify the how industrial lands within the Central City, and CC2035, contribute to meeting the requirements of Goal 9.

**Goal 9 – Table 1: Industrial Employment Demand and Supply Reconciliation**

<u>Employment Geography</u>	20-Year Land Demand (acres)	Land Supply (acres)			Short Term Land Demand (acres)	Surplus/ Deficit	
		Existing Comp Plan	2035 Comp Plan	With Other Gains	New Zoning		
Harbor and Airport	1013	774	900	1067	1011	659	+352
Harbor Access	192	113	136	167	144	82	+62
Columbia East	350	356	346	416	388	279	+109
Dispersed Emp.	130	121	146	146	369	109	+260
Central City Industrial	90	65	188	188	188 <sup>1</sup> +	75	+113

<sup>1</sup> In this geography, consistent with the EOA/BLI methodology used in Task II and IV, this figure includes both redevelopable and vacant land. In other geographies, the EOA/BLI assumes only vacant land as available supply. This was done because industrial employment uses often involve large outdoor storage and work areas, and formulas that are typically used to identify under-utilized land based on building coverage or improvement to land value ratios do not work well for those land uses. The 188-acre figure also includes the 123 acres of supply gained by expansion of the EOS zoning, as described in the EOA, Section IV, page 12.

Goal 9 – Table 2: Land Supply in Central City Industrial EOA Geography

	Occupied	BLI Redevelopment or Vacant	TOTAL
CENTRAL CITY INDUSTRIAL	422	65	487
CX	1	3	4
EG1	1	6	7
EX	135	40	175
IG1	266	15	281
IH	19	1	20

The supply in the Central City Industrial Geography (The Central Eastside Industrial District) is in-effect further increased by code changes made in the Central City Plan District to expand the Economic Opportunity Subarea (EOS) subarea to encompasses the broader district. This code change implements recommendations from Section 2/3 of the EOA, Chapter III (see Section 33.510.119.C of the Zoning Code), that change enables more intensive employment density in that district. Industrial Office uses are allowed in this expanded area, and Retail Sales and Service and Traditional Offices uses are limited. The changes are intended to provide a balanced approach that supports industrial retention and industrial office job growth.

The existing EOS area has been very successful at increasing employment densities, especially those in industrial office space, while retaining existing industrial operations. As described in the EOA, industrial office uses are limited primarily to information sector businesses, such as graphics and software. This zoning innovation helped accelerate job growth in the Central Eastside by reuse of underutilized second-floor space. The predominant industrial zoning in this geography has created an affordable environment for robust job growth by cost-conscious office tenants. Continued growth in this market appears to be reliant on hybrid zoning that retains industrial sanctuary cost levels while expanding development capacity of Class C office tenants. Expanding this allowance has the effect of allowing more intensive job density in the district because the types of industries that use an industrial flex format, rather than a traditional flex format, on average have much higher employment densities per square foot. Modeling estimated found that these allowances are equivalent to adding of 123 acres of industrial zoned land to the district.

#### Protection of Prime Industrial Lands

Statewide Planning Goal 9 is implemented by OAR Chapter 660, Division 9 (the Goal 9 Rule). In addition to requiring the identification and designation of an adequate supply of employment land, this rule has special provisions for the identification and protection of “prime” industrial land. The rule describes this type of land as possessing site characteristics that are difficult or impossible to replicate in the planning area or region, particularly lands having access to transportation and freight infrastructure “including, but not limited to, rail, marine ports and airports, multimodal freight or transshipment facilities, and major transportation routes.”

Subsection (8) requires the City to adopt zoning map amendments and land use regulations to identify and protect prime industrial land. The City has responded to these mandates by amending

the Official City Zoning Map to add an “I” (this is a lower case “L”) overlay zone, titled the “Prime Industrial Overlay” (Exhibit D-2). This overlay maps prime industrial land, and the regulations associated with the overlay prohibit the re-designation of prime industrial land to any other use through any quasi-judicial procedure, and reduces the number of non-industrial uses allowed in the overlay. These reductions are in addition to already stringent use restrictions associated with the also-applicable industrial base zones. The Central City Plan District contains lands with this designation in the Lower Albina District.

The I overlay and its associated land use regulations meet the requirements of the Goal 9 Rule for prime industrial land.

Adequate Supply of Commercial Land

Most the Central City is zoned as either Central Commercial (CX) or Central Employment (EX). Both zones allow for commercial uses, as is identified in the table below:

Use Categories	EX	CX
<b>Commercial Categories</b>		
Retail Sales and Service	Y	Y
Office	Y	Y
Quick Vehicle Servicing	N	N
Vehicle Repair	Y	L
Commercial Parking	CU	CU
Self-Service Storage	L	L
Commercial Outdoor Recreation	Y	Y
Major Event Entertainment	CU	Y

Y = Yes, Allowed

CU = Conditional Use Review Required (see Zoning Code for applicable conditions)

L = Allowed, But Special Limitations (see Zoning Code for limitations)

N = No, Prohibited

These zones combined with the relatively high floor area ratios set for the Central City provide for the highest density of commercial uses in Portland, as well as the State of Oregon. Thus, the amendments made to the IG1 zone, Central City Industrial Lands, and the continued allowances for higher density employment, commercial, and industrial zoned lands assure CC2035 is consistent with Statewide Planning Goal 9.

**8. Goal 10, Housing.** To provide for the housing needs of citizens of the state.

The recently adopted *2035 Comprehensive Plan* conducted city-wide analysis, including the Central City Plan District, to demonstrate compliance with Goal 10. The findings below summarize the work relevant to CC2035 and add additional details specific to the Central City Plan District.

Summary:

Goal 10 specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Goal 10 and its implementing administrative rules contain the following specific requirements:

1. Identify future housing needs by amount, type, tenure and affordability;
2. Maintain a residential *Buildable Lands Inventory* (BLI) with sufficient land to meet identified needs;
3. Adopt land use maps, public facility plans and policies to accommodate needed housing (housing capacity, as well as type, tenure and affordability);
4. Meet minimum density and housing mix requirements (including the Metropolitan Housing Rule); and
5. Adopt clear and objective standards for needed housing.

The findings below respond to these five requirements.

#### Identification of Needed Housing and Adoption of a BLI

The City satisfactorily completed the first two requirements of Goal 10 with its Task II periodic review submittal adopted by Ordinance 185657, and as updated and revised with Ordinance 187831 (Exhibits F and G of that ordinance) and acknowledged on April 25, 2017. The housing needs analysis adopted with these ordinances provided a specific estimate of the types of households (by size and income) likely to be in Portland by 2035, and provided additional facts describing housing need by type, tenure and affordability. The BLI identified the supply of land available to provide this needed housing. The first two parts of Goal 10 have been met for the reasons stated in findings prepared with those ordinances, which also pertained to the housing strategies for the Central City Plan District, as presented in CC2035.

#### Accommodation of Needed Housing

Ordinance 187832 addressed the third and fourth of these requirements by adopting a new *Comprehensive Plan Map* and new housing policies. In conjunction with the adoption of that ordinance the City documented that the new land use map and policies provide for needed housing. The findings below will review the relevant facts again, this time through the lens of the *Zoning Map* and regulations being adopted with this ordinance. The findings below address Goal 10 requirements that the *Zoning Map* and associated regulations accommodate 20-years of forecast growth at urban densities and provide the opportunity for a variety of housing types and tenures, with a variety of affordability levels. Several aspects of the Metropolitan Housing Rule are addressed directly.

First overall housing capacity is considered.

With Ordinance 187831 the City adopted a revised inventory of vacant and underutilized land (Exhibits F and G of Ordinance 187831). Using this revised inventory of land, and the same GIS methods acknowledged with LCDC Order No. 001850, the City estimated that the 2035 *Comprehensive Plan Map* provides a capacity of 247,000 additional units,<sup>2</sup> still well beyond the estimated need. Using the revised inventory of land adopted with Ordinance 187831, and the same GIS methods acknowledged with LCDC Order No. 001850, the City estimates that the *Zoning Map* provides a capacity of 201,000 additional units,<sup>3</sup> still well beyond the estimated need (123,000 units).

<sup>2</sup> Buildable Lands Inventory and Growth Allocation GIS Model (model run 5/24/16)

<sup>3</sup> Buildable Lands Inventory and Growth Allocation GIS Model (model run 9/07/16).

As for CC2035, the BLI found that the existing zoning in the Central City can provide capacity to meet the housing projections for the year 2035. However, the plan results in the rezoning of former employment land in the Central Eastside to a mixed-use land (EX) that has produced thousands of units in the Pearl and elsewhere in the Central Eastside. The plan also proposes rezoning Central Residential (RX) zoned land to Central Commercial (CX) which has produced far more housing than the RX zone over the last 25 years. Analysis demonstrated that these amendments will be sufficient to allow approximately 39,500 units to be developed through the life of the plan. Thus, both with the *Comprehensive Plan Map* and *Zoning Map*, this ordinance is consistent with the Goal 10 requirement to accommodate needed housing.

Second, allowed density is considered.

The Metropolitan Housing Rule (OAR 660-007-0035) states that cities “***must provide for an overall density of ten or more dwelling units per net buildable acre***”. This applies to land within the Urban Growth Boundary.<sup>4</sup> Buildable is defined to include vacant and re-developable land, excluding land constrained by natural hazards, steep slopes, or land subject to natural resource protection measures.

In practice, most residential development in Portland occurs on land designated for mixed use development. This is particularly true within the Central City Plan District. The rule also allows consideration of mixed-use areas as “residentially-designated” (OAR 660-07-0018 (1)). The findings on Title 1, Housing Capacity, found in the “Findings on Metro Urban Growth Management Functional Plan” demonstrate how mixed-use zones in the Central City produced more housing per acre than high-density residential zones have over the last 25-years. This analysis served as a basis for CC2035 amending the base zone of RX to CX in various location in the Central City.

The Metropolitan Housing Rule applies only to new construction on vacant and re-developable land. Including mixed use zoning, and residential zoning, the Buildable Lands Inventory contains about 9,888 acres of residentially-zoned vacant and re-developable land.

Regarding the Central City Plan District, this analysis found that the plan area contained 21,800 households in 2010, and the capability of producing an additional 32,773 units with the applied Comprehensive Plan and Zoning Map designations. Further, the total acreage of residential and mixed-use residential zoned land, as well as development bonuses for commercial and residential development that support the creation of affordable housing units, are projected to result in the development of 39,500 affordable and market rate units between 2015 – 2035.

For New Chinatown/Japantown Historic District, the housing potential remains the same even with changes to maximum building height. The maximum floor area limits remain the same; and the maximum FAR can be reached on all sites even those with reduced height maximums.

On the one site in the New Chinatown/Japantown Historic District with increased height maximums, the FAR is increased from 6:1 to 9:1 with the additional requirement to build housing above the ground floor on ½ of the block. This change increases the likelihood of housing development on the site, which is a prime site for housing, per Comprehensive Plan policies including 5.23 (higher- density housing) and 9.27 (transit service to centers and corridors) because it is adjacent to the neighborhood light rail transit station on the Central City transit mall. As explained in detail later in these findings, the maximum height limit for this block of 125 feet (east

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<sup>4</sup> Because Portland was incorporated before the creation of the UGB, there is a small area (about 440 acres) of residentially-zoned land in Portland that is outside the UGB, which is zoned for rural farm and forest uses with a 20-acre minimum lot size. This land has been excluded from the analysis of this section.

half of block) and 200 feet (west have of block) allow for full utilization of its FAR within the established urban fabric of the district and the approval criteria included in the New Chinatown/Japantown Historic District Design Guidelines.

#### Clear and Objective Standards

ORS 197.307(4) requires that jurisdictions “may apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable lands” ...and these provisions...” may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.” However, ORS 197.307(5) states that proposals for residential development “in a formal adopted central city plan, or regional center as defined by Metro, in a city with a population of 500,000 or more.” Therefore, the Central City Plan District and CC2035 are exempt from the requirements of ORS 197.307(4).

#### Goal 10 Conclusions

For the reasons stated above, CC2035 meets the applicable requirements of Goal 10. The 2035 *Comprehensive Plan Map* and *Zoning Map* provide a City supply of residential land that is sufficient to meet identified housing needs within the meaning of ORS 197.307(3), Goal 10 and OAR Chapter 660, Division 7. The *Zoning Map* provides a variety for allowed densities. Thus, CC2035 is expected to contribute to a city-wide housing mix that is more diverse than it is today.

9. **Goal 11, Public Facilities and Services.** To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

As part of the development of the 2035 *Comprehensive Plan*, Ordinance 187831, *Citywide Systems Plan*, was adopted. The plan, that also addressed the CC2035 plan area, ensures that CC2035 is consistent with the requirements of Statewide Planning Goal 11.

10. **Goal 12, Transportation.** To provide and encourage a safe, convenient and economic transportation system.

The Oregon Transportation Planning Rule (TPR) was adopted in 1991 and amended in 1996 and 2005 to implement State Goal 12. The TPR requires certain findings if the proposed [Comprehensive Plan Map amendment, Zone Change, regulation] will significantly affect an existing or planned transportation facility.

Section 660-012-0045 of the TPR requires local governments to adopt land use regulations that designate “types and densities of land uses adequate to support transit” and those that “reduce reliance on the automobile and allow transit-oriented developments on land along transit routes.” These amendments support these requirements because the proposed changes

Section 660-012-0060(1) of the TPR requires “amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation that would significantly affect an existing or planned transportation facility,” to ensure that allowed land uses are consistent with the identified function, capacity and performance standards of the affected facility. This requirement can be met by “adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.” These amendments support these requirements in the following manner:

- A. (1)(c). Significant transportation demand management, as defined in this rule, are present in the Central City 2035 Plan, including a rewrite of parking and transportation demand management policies and new zoning code regulations that significantly limit new parking

allowed to be built in the Central City. These changes eliminate the significant effect of the amendment by reducing auto trips because of the plan to below the number of trips in the "base case", which is the model run for the 2016 adopted Comprehensive Plan.

- B. (8)(a)(B). MMA's are required to be designated as a "central city, regional center, town center or main street in the Portland Metropolitan 2040 Regional Growth Concept." The Central City is designated under the Metro 2040 Regional Growth Concept as its own category, "central city", thus qualifying as part of this rules as a "mixed use, pedestrian-friendly center or neighborhood".
- C. (8)(b)(A). An MMA is required to "allow a concentration of a variety of uses." The Central City Plan district is largely designated as Central Commercial (CX) and Central Employment (EX). These two base zones allow for high density development that allows for commercial office, institutions, residential, and retail uses. Further, even the industrial portions of the plan district allow for high density employment uses. Thus, this MMA requirement is met.
- D. (8)(b)(C). To qualify as an MMA's the Central City Plan District should allow for "a commercial core area with multi-story buildings." Most the Central City is, or has major corridors, designated as Central Commercial (CX) and Central Employment (EX). These two base zones allow for high density development that allows for commercial office, institutions, residential, and retail uses. Thus, this MMA requirement is met.
- E. (10) (a)(A). The MMA Rule (OAR 660-12-0060(10) notes that a proposed amendment qualifies to be an MMA if the amendment is: "a map or text amendment affecting only land entirely within" a MMA; is consistent with the definition of an MMA; is entirely within an urban growth boundary with adopted plans and development regulations; in an area that does not require off-street parking; and, located in one or more of specific ODOT classifications regarding intersections and interchanges. The Central City qualifies as a Multimodal Mixed-use Area under this section of 060, and meets the definition stated in (10) (b) (A through E) as noted below:
  - 1) (10) (a)(A): Page 36 of Volume 2B contains a map of the MMA boundary
  - 2) (10) (a)(B): The study area is consistent with the definition of an MMA.
  - 3) (10) (b) (A:) MMA boundary provided in Volume 2B
  - 4) (10) (b)(B) MMA is located within the region's UGB.
  - 5) (10) (b)(D): Within an MMA "buildings and building entrances" are required "to be oriented to streets." The development standard of the Central City Plan District requires that buildings be oriented toward streets and contain main entrances and active ground floor uses to support a pedestrian and transit oriented public realm. Thus, this MMA requirement is met.
  - 6) (10) (b)(E)(i): There are several interchanges within one-quarter mile, including I-5, HWY 26, HWY 30, I-205 and I-84.
  - 7) (10) (b)(E)(iii): Within one-quarter mile of facilities owned by ODOT. The City has a letter of concurrency from ODOT for the Central City to designated as an MMA, found in Vol 2B, p38.
- F. (10) (c). Section (10) (c) of the MMA Rule required consideration of various safety factors. In response to this, regarding the Central City, there are several mainline facilities owned

by the Oregon Department of Transportation (ODOT) within and near, as defined in this rule, the study area. The City of Portland has worked with ODOT to designate the Central City as an MMA area. As such, analysis to address (10) (c) (A) has been conducted and the City and ODOT have addressed effects via an agreement (p 33-35) to manage interchanges in the future. The agreement is found in Volume 2B, along with TSP projects and studies (pp13-29) that improve safety for interchanges ringing the Central City, and an ODOT letter on p38 that provides written concurrence for the Central City to become an MMA.

- G. (10) (d) and (e). The MMA Rule states that “a local government may designate an MMA by adopting an amendment to the comprehensive plan or land use regulations to delineate the boundary following an existing zone, multiple zones, an urban renewal area, or other exiting boundary.” The Central City 2035 Plan (pp 36-7) as well as the City's Comprehensive Plan include language designating the Central City as an MMA by adopting an amendment to the City's Comprehensive Plan, including establishing a new boundary.
- H. (10) Under 660-012-0005 "Definitions" under "demand management" it lists "actions which are designed to change travel behavior to improve performance of transportation facilities and to reduce need for additional road capacity. Methods may include, but are not limited to, the use of alternative modes, ride-sharing and vanpool programs, trip-reductions ordinances, shifting to off-peak periods, and reduced or paid parking." The Central City 2035 contains a multitude of policies (pp.2-5), actions (in the form of TSP projects and studies (pp 13-29), and regulations (see parking regulations in Volume 2A pp.223-253). These address other transportation performance standards or policies that apply to safety for all modes, network connectivity for all modes and accessibility for freight vehicles of a size and frequency required by the development.

11. **Goal 13, Energy Conservation.** To conserve energy.

Goal 13 requires that land use plans contribute to energy conservation. The *Growth Scenario Report* adopted with periodic review Task IV of the *2035 Comprehensive Plan* (Ordinance 187831) contains information about how energy conservation was considered in the development of the comprehensive plan. The CC2035 plan includes zoning amendments that require new development to pursue certification from a low carbon building program, such as Leadership in Energy and Environmental Design (LEED), and an effort to create an urban form that reduced energy usage. This and other green building development standards, as well as new multimodal transportation elements of the plan intended to reduce single occupancy vehicle trips (SOV), and reduced parking ratios each contribute to creating and Central City consistent with Statewide Planning Goal 13.

12. **Goal 14, Urbanization.** To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Statewide Planning Goal 14, Urbanization, has several purposes, including:

- Providing orderly and efficient transitions from rural to urban land uses;
- Accommodating urban population and urban employment inside urban growth boundaries;
- Ensuring efficient use of land; and
- Providing for livable communities.

Goal 14 and its administrative rule assign most of these functions to Metro rather than the City. The City's role is limited to accepting the share of regional household and employment growth allocated by Metro and demonstrating that this growth can be accommodated in an orderly and efficient

manner that preserves and enhances livability. The template for this desired development pattern is the *Region 2040 Growth Concept*, which is carried out by Metro's *Urban Growth Management Functional Plan* (UGMFP). The growth concept emphasizes development within designated centers and corridors.

The Goal 2 analysis performed for the *Growth Scenarios Report* adopted by periodic review Task III (Ordinance 187831) provided substantial evidence that the spatial development pattern of urban jobs and housing allowed by the *2035 Comprehensive Plan Map* is compatible with the *Region 2040 Growth Concept*, ensures efficient use of urban land through infill and redevelopment opportunities, and will provide for more complete and livable communities.

CC2035 is consistent with the *2035 Comprehensive Plan* as the plan continues to manage the Central City Plan District as a high-density center intended for residential and employment growth in a manner consistent with the *2035 Comprehensive Plan* and Statewide Planning Goal 14.

13. **Goal 15, Willamette River Greenway.** To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

Goal 15, Willamette River Greenway, requires the protection, conservation, enhancement, and maintenance of the natural, scenic, historic, agricultural, economic, and recreational qualities of land along the Willamette River. The City's Willamette Greenway Plan was first adopted in October 1979 (Ordinance 148537). The Willamette Greenway Plan was acknowledged by reference when the Oregon Land Conservation and Development Commission (LCDC) acknowledged Portland's Comprehensive Plan in May 1981. The Willamette Greenway Plan was updated in November 1987 (Ordinance 160237) and acknowledged by LCDC as a post-acknowledgement plan amendment. The Central City 2035 Plan is a further update of the Willamette Greenway Plan for the area within the Central Reach boundary (Central City). The amendments are consistent with this goal because:

- A. The CC2035 Plan's Willamette River goals, policies and actions protect, conserve, enhance and maintain the natural, scenic, historical, economic and recreational qualities of land along the Willamette River in the Central Reach. Policies and actions promote the multifunctional river/riverfront that provides safe and enjoyable recreation, a prosperous and vibrant riverfront, supports river transportation, improves watershed health and native species recovery, encourages context-sensitive riverfront development and promotes improvements and activities that strengthen the physical, visual, and historic/cultural connections of the river to the rest of the Central City.
- B. Inventories: The *Willamette River Greenway Inventory* was completed in October 2014 and acknowledged by LCDC in 2014. The inventory includes existing conditions information on agricultural lands, aggregate excavation and processing, public recreation and access, recreational needs, timber resources, industrial uses, commercial uses, residential uses, significant natural areas and vegetative cover, fish and wildlife habitat, hydrologic conditions, ecologically fragile areas, acquisition area, scenic area, and historic and archaeological sites.

Inventories of natural resource and scenic resources have been updated as part of Central City 2035. The *Willamette River Natural Resources Protection Plan* (June 12, 2017) includes information about the location, quantity and quality of identified natural resources for the Central Reach and for specified inventory sites. The *Central City Scenic Resources Protection Plan* (June 12, 2017) includes information about views and viewpoints, view streets, scenic corridors, scenic sites and visual focal points.

- C. Boundaries: There are no proposed amendments to the Willamette River Greenway boundaries in the Central Reach, which are shown on the City’s zoning maps. The boundary’s extent is land and river area designated with the River General overlay zone and the River Environmental overlay zone. The zoning ordinance also refers to the boundaries of the Willamette River Greenway and is the area that must be consistent with and implement the purpose and intent of Statewide Planning Goal 15. The Greenway boundary in the Central Reach includes all lands within 150 feet of the ordinary low water line on each side of the channel of the river in the Central Reach, and the total area within the boundary does not exceed, on average, 320 acres per river mile.
- D. Uses: Uses within the Willamette River Greenway in the Central Reach are managed as follows:
- 1) There are no agricultural lands within the Greenway in the Central Reach, therefore there is no exclusive farm zoning;
  - 2) There are no timber resources or no known aggregate deposits within the Greenway in the Central Reach;
  - 3) Open space areas continue to have Open Space (OS) zoning applied at these locations. Additionally, an expanded riverfront open space bonus provides opportunities for more publicly accessible open space within the Greenway. Another open space use allowance in the Zoning Code allows a limited amount of retail structures in the OS zone outside of the river setback to support riverfront recreation and enjoyment, such as bike or kayak rentals and cafes.
  - 4) The River General overlay zone will continue to include the river setback standard that requires all non-water-dependent and non-water-related development to be set back from the Willamette River. The setback is increasing from 25 feet to 50 feet from the top of bank of the river. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because a wider setback is needed to meet the purpose of the river setback to preserve space for the conservation and enhancement of natural resources and to provide the opportunity for public access and appreciation, where appropriate. The setback will not apply to water-related or water-dependent uses (the City uses the term river-related and river-dependent and the definitions of those terms include the state definitions of water-related and water-dependent), and non-conforming development can continue to locate within the greenway setback but cannot expand further into the river setback;
  - 5) Significant fish and wildlife habitats have been identified in the *Willamette River Central Reach Natural Resource Protection Plan* (NRPP). The NRPP includes:
    - An updated inventory with information about the location, quantity and quality of identified natural resources for the Central Reach and for specified inventory sites;
    - An evaluation of alternatives and recommendations for protecting significant natural resources. The evaluation includes identification of conflicting uses, analysis of the consequences of allowing, limiting, or prohibiting conflicting uses, and development of a program to protect and conserve specified resources identified in the inventory; and
    - Updates to the River General overlay zone include an increase in the width of the river setback to limit the impacts of development on natural resources;

- Application of a new River Environmental overlay zone to significant natural resources. The zoning regulations will limit or strictly limit development within the significant resource areas including rivers, streams, wetlands, flood areas and riparian vegetation. The regulations will encourage environmentally sensitive development that has fewer impacts on natural resource function than traditional development and will require mitigation for unavoidable adverse impacts on significant natural resources.
  - Goals, policies and actions in the plan provide guidance and specific actions for protection and enhancement of significant fish and wildlife habitat resources.
- 6) Areas subject to flooding and erosion are included within the River Environmental overlay zone, and/or the areas are subject to the City's balanced cut and fill requirements;
  - 7) Recreational needs have been identified, and zoning use allowances that require water-dependent recreational uses in certain locations have been maintained in the Central Reach. Public access opportunities will be provided through maintenance of the existing major public trail and development of connecting trail segments, as well as development of public viewpoints, in the Central Reach. The amendments identify and facilitate development of the trail and viewpoints which will provide public access to and along the Willamette River. Action items identify specific plans, park and open space and operational improvements to activate and improve the greenway area and connections to it, for in-water and on-land recreation;
  - 8) Protection and safety along the Willamette River greenway area is addressed through zoning standards and design guidelines that address building orientation to the river, ground floor windows and pedestrian access and connections to the greenway trail, activating the riverfront through recreational improvements and a limited amount of retail near riverfront will bring more "eyes on the riverfront", along with actions that support programs that increase safety including safety improvements through building and site design;
  - 9) The vegetative fringe along the Willamette River in the Central Reach will be protected and enhanced in the following ways by application of the River Environmental overlay to conserve and enhance natural vegetation and require a minimum amount of landscaping to be planted on all sites in the Central Reach. The purpose of the landscaping standard is to enhance the natural qualities of lands along the Willamette River in the Central Reach and will result in an increase in the quality, quantity and diversity of vegetation; and
  - 10) The regulations for removal and remediation of hazardous substances have been clarified, and they will encourage the use of biotechnical techniques for bank stabilization, and the planting of native vegetation on the riverbank.
- E. **Greenway Compatibility Review:** Intensifications and changes of use or development within the Central Reach Greenway boundary will be reviewed for compatibility with the Willamette River Greenway regulations established in the CC2035 Plan including compliance with River General and River Environmental overlay zone requirements, public trail development standards and other applicable regulations and design guidelines. In most cases, intensifications and changes of use or development will trigger a discretionary land use review with public hearings through a Type III Design review process. If certain Central Reach greenway regulations cannot be met, a Type II administrative River Review process may be required, with some public notice.

The development standards associated with the River General and River Environmental overlay zones in the Central Reach have been written to provide a landscaped riparian area, open space, or vegetation between the development and the river, and to provide necessary public access to and along the river. The standards are also compatible with the Greenway statutes. The Central Reach is primarily zoned for commercial mixed-use zoning that allows housing and open space zoning along with some mixed-use employment zoning. Most the riverfront is preserved for water-dependent and water-related uses. Development standards include:

- a) Greenway setback. OAR 660-015-0005.C.3(k) states that “A setback line will be established to keep structures separate from the river to protect, maintain, preserve and enhance the natural, scenic, historic and recreational qualities of the Willamette River Greenway, as identified in Greenway Inventories. The setback line shall not apply to water-related or water-dependent uses.” OAR 660-015-0005.C.3(j) states that “Developments shall be directed away from the river to the greatest possible degree; provided, however lands committed to urban uses within the Greenway shall be permitted to continue as urban uses...” Consistent with these requirements, zoning code 33.475.210, River Setback, requires that non-water-dependent and non-water-related development in the River General overlay zone be set back 50 feet from the top of bank of the Willamette River unless the development is a Historic or Conservation landmark, is approved through a Greenway Goal Exception or meets the Encroachment into the setback standards. This is an expansion of the current setback which is 25 feet from top of bank, Zoning Code 33.440.210. Testimony was received that both supported and opposed the expanded setback. City Council finds that to reserve space for the conservation and enhancement of natural resources and to provide an opportunity for public access where appropriate, expanding the setback is needed. The setback will not apply to water-related or water-dependent uses (the City uses the term river-related and river-dependent and the definitions of those terms include the state definitions of water-related and water-dependent).
- b) The definition of top of bank, which is the feature from which the setback is measured, is being updated to clarify that the top of bank is the first decrease in the slope of the incline that is greater than ten percent. A new measurement section is added to 33.930 providing direction to applicants when identifying the top of bank. The updated definition and addition of measurements in the zoning code ensure that the code is applied consistently and accurately to all riverfront properties. Testimony was received that supported the clarified definition and measurements and testimony was received that opposed the application of the measurements to the Willamette River North Reach. City Council finds that the definition of top of bank is a technical measurement and the clarifications are appropriate for all waterbodies in Portland. City Council also finds that the new measurements section, 33.930, provides the adequate direction regarding how to measure top of bank under and around structures and that the measurements are appropriate for all waterbodies in Portland. Specifically, top of bank should be measured from the ground surface underlying structures such as docks, wharves or bridges;
- c) Minimum vegetated area. A natural vegetative fringe along the Willamette River shall be enhanced and protected to the maximum extent practicable in accordance with OAR 660-015-0005.C.3(g). The planting or maintaining of vegetation will be required on all sites with river frontage in the Central Reach. The landscaping standard requires a mix of vegetation types and densities including trees, shrubs and ground cover. The purpose of the

landscaping standard is to enhance the natural qualities of lands along the Willamette River in the Central Reach, and application of the standard will result in an increase in the quality, quantity and destiny of vegetation within the greenway and improve the visual diversity along major public trails;

- d) Public access to and along the river. Intensification projects and changes of use or development must comply with the zoning code and the Central City Fundamental Design Guidelines (for most cases). Base zone and other development standards within the zoning code and design guidelines address public access and pedestrian connections to the riverfront and the major public trails are addressed. This is consistent with OAR 660-015-0005.C.3(b) and (c) which requires that local, regional and state recreational needs and adequate public access to the river be provided for, with emphasis on urban area. I;
- e) Major public trails. The public trail standards require that a trail easement be dedicated and possibly developed when the impacts of the new development are roughly proportional to the impacts on the adjacent trail system. The requirement for a trail easement dedication is consistent with OAR 660-015-0005.C.3(b) and (c). Council finds the requirement of rough proportionality is consistent with established case law and creates a standardized approach and methodology;
- f) River Environmental overlay zone development standards. OAR 660-015-0005.C.3(d) states that “significant fish and wildlife habitats shall be protected.” OAR 660-015-0005.C.3(f) states “the natural vegetation fringe along the River shall be enhanced and protected to the maximum extent possible.” Consistent with these requirements, the River Environmental overlay zone will apply to significant natural resources in the Central Reach. The overlay zone will apply to the Willamette River and to areas along the riverbank adjacent to the river that have medium or high ranked resources. Intensifications and changes of use or development will trigger compliance with standards aimed at maintaining the natural qualities of the Willamette River and riparian area by encouraging sensitive development, providing clear limitations on disturbance, and maintaining existing vegetation. The standards limit the amount of disturbance allowed in the overlay zone and require mitigation in form of replanting within or adjacent to the overlay zone.
- g) When intensifications and changes of use or development cannot meet the River Environmental overlay zone development standards, a discretionary land use review is required. As with the development standards described above, the discretionary approval criteria are aimed at maintaining as much of the natural quality of the Willamette River Greenway as practicable. The criteria require that alternative locations and construction methods that have fewer detrimental impacts on the resource area be evaluated, and that the most practicable alternative that has the least amount of significant impact be chosen. The criteria also require that any loss of resource area is mitigated by in-kind replacement of the lost functional values. The criteria will result in the maximum possible landscaping, vegetation or open space between the use and the river within the context of allowing water-dependent and water-related uses and continuing to allow urban uses. The City’s discretionary review procedures require that adjacent property owners and any individual or group requesting notification be notified of the proposal, allow for the possibility of a public hearing where any interested party can testify, and allow the imposition of conditions on the permit to carry out the purpose and intent of the review.
- h) Removal and remediation of hazardous substances. The regulations that apply to the removal and remediation of hazardous substances encourage the use of biotechnical

techniques for bank stabilization, and the planting of native vegetation on the river bank; and,

- i) The Oregon Department of Land Conservation and Development was notified of the Central City 2035 Plan and the plan has been the subject of more than one public hearing. Based on the findings in this subparagraph (Greenway Compatibility Review), the amendments are consistent with OAR 660-015-005.F.3.a-f.

## Findings on Metro Urban Growth Management Functional Plan

14. **Title 1, Housing Capacity.** The Regional Framework Plan calls for a compact urban form and a “fair-share” approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity except as provided in section 3.07.120.

This element of the regional plan limits down-zoning in the Central City and other 2040 places – specifically Regional Centers, Town Centers, 2040 Corridors, Station Communities, and 2040 Main Streets. There is a limited set of circumstances when down-zoning within these 2040-defined places may occur, including changes to address Title 4 (Industrial and Other Employment Areas), to add medical or educational facilities, and to protect natural resources.

For purposes of this title, Metro measures “minimum zoned capacity.” The title is clear that individual parcels may be down-zoned, provided the impact on the citywide minimum zoned capacity is negligible.

**Method of Analysis:** To evaluate compliance with Title 1, GIS analysis was performed to calculate the total acreage of rezoning from a “residential” base zone designation to another base zone that does not have a minimum zoned residential capacity. The total acreage of overlays applied to mixed-use zoning in the Central City was also calculated to determine the minimum housing projected within these overlays. Lastly, an analysis was conducted identifying the housing production within all the base zones applied to the Central City between 1990 and 2016, and analysis of production per acre of zone was conducted to compare housing production in zones with and without a minimum zoned residential capacity.

**Proposed Zoning Map Amendments.** CC2035 proposes a modest amount of amendments to the Zoning Map. With regards to Title 1 compliance, the plan proposes to rezone 41.4 acres of land zoned as Central Residential (RX) to Central Commercial (CX). The RX zone is highest density multi-family residential zone applied within the City of Portland and applied to the Central Residential Comprehensive Plan Map designation, described as follows by the 2035 Comprehensive Plan.

***Central Residential.** This designation allows the highest density and most intensely developed multi-dwelling structures. Limited commercial uses are also allowed as part of new development. The designation is intended for the Central City and Gateway Regional Center where urban public services are available or planned including access to high-capacity transit, very frequent bus service, or streetcar service. Development will generally be oriented to pedestrians. Maximum density is based on a floor area ratio, not on a units-per-square-foot basis. Densities allowed exceed 100 units per acre. The corresponding zone is RX. This designation is generally accompanied by a design overlay zone.*

The rezoning from RX to CX will occur in the Goose Hollow, West End, and University/South Downtown Districts. However, the basis for this rezoning is in part to stimulate residential mixed-use development in areas where residential development has been slow to respond to the RX zone. An analysis of housing production between 1990 (the year the zoning implementing the 1988 Central City Plan became effective) and 2016 found that more housing has been created in the portions of the Central City zoned CX (62 projects containing 10,431 units) but that the density per project (most located on sites of an acre or less) is 168.24 units (see Table 1). In comparison, the RX zone over the same period produced 30 projects containing only 3,986 units, for an average density of 132.9 units per project.

It should be noted that 15.7 acres of RH (High Density Residential) land will also be rezoned to CX as part of CC2035 for the same reasons a cited for the RX rezones based on the analysis shown in Table 1.

**Table 1 - Housing Totals:** Total number of housing units by year and base zone since adoption of 1988 Central City Plan and implementing base zones.

Year Approved	CX Zone	EX Zone	RX Zone	RH Zone	All Zones
1990	110	0	0	0	110
1991	0	0	132	0	132
1992	60	42	0	0	102
1993	288	86	148	0	522
1994	0	121	0	0	121
1995	30	127	39	90	286
1996	151	199	114	0	464
1997	1,085	6	202	0	1,293
1998	85	257	326	0	668
1999	60	457	0	0	517
2000	74	610	0	0	684
2001	166	563	442	0	1,171
2002	0	894	569	0	1,463
2003	38	571	437	0	1,046
2004	864	0	2	0	866
2005	1,290	1,366	74	0	2,736
2006	794	0	354	0	1,148
2007	513	0	0	0	513
2008	176	152	0	0	328
2009	220	288	101	0	609
2010	0	0	283	0	283
2011	200	70	0	0	270
2012	187	177	0	0	364
2013	1,038	1,575	0	0	2,613
2014	587	487	649	0	1,723
2015	417	776	0	0	1,193
2016	1,998	755	114	0	2,867
<b>Totals</b>	<b>10,431</b>	<b>9,579</b>	<b>3,986</b>	<b>90</b>	<b>24,092</b>

CC2035 also results in rezoning that will add an additional 59.3 acres of Central Employment (EX) zoned land in the Central Eastside. The 2035 Comprehensive Plan describes the Central Employment designation as follows:

**Central Employment.** *The designation allows for a full range of commercial, light-industrial, and residential uses. This designation is intended to provide for mixed-use areas within the Central City and Gateway Regional Center where urban public services are available or planned including access to high-capacity transit or streetcar service. The intensity of development will be higher than in other mixed-use land designations. The corresponding zone is Central Employment (EX). This designation is generally accompanied by a design overlay zone.*

The EX zone is the same base zone applied to the Pearl District, the Central City's densest residential neighborhood, and since 1990 a total of 71 residential projects have been developed in this zone, containing 9,579 housing units, for an average density of 134.92 units per project.

Although Title 1 does not require that minimum residential densities be applied to residential mixed-use zones, Table 2 illustrates that the CX and EX zones have produced more housing, and housing projects at a greater density than the RX or other residential base zones applied to the Central City.

**Table 2 - Housing Production and Density:** Total average production and density by base zone.

Zone	Total Acres	Percentage of Central City Land Area	Total Number of Units	Percentage of All Units	Average Density / Total Acreage of Zone	Average Density / Project
CX	668.9	44.4%	10,431	43.28%	15.59 units/acre	168.24 units
EX	229.3	15.2%	9,579	39.34%	41.77 units/acre	134.92 units
RX	102.8	6.8%	3,986	15.22%	38.77 units/acre	132.9 units
RH	27.7	1.8%	90	0.34%	3.25 units/acre	90 units
RI	11.0	0.7%	16	0.06%	1.45 units/acre	16 units
R2	1.4	0.1%	0	0.0%	0.0 units/acre	0 units
<b>Totals</b>	<b>1041.1</b>	<b>69.00%</b>	<b>24,102</b>	<b>100.00%</b>	<b>NA</b>	<b>NA</b>

In addition to these the amendments noted above, CC2035 maintains approximately 12 acres of CX and RH zoned land within an overlay where Section 33.510.230 of the Zoning Code requires new development produce at least 15 units per acre. Thus, this development standard alone will require that at least 188 units could be developed if the entire area affected by this regulation were developed, which is well under the unit per acre average of development in the CX zone.

This analysis demonstrates that the rezoning of RX to CX, combined with the up zoning of land to EX, and the application of the "required residential development area" allows CC2035 to remain consistent with Title 1.

Testimony received in opposition to the proposed plan expressed that the readoption of CC2035 should be delayed considering COVID-19 and the potential for future pandemics. There were also suggestions that a new approach to urban planning be adopted that results in less dense development in the urban core, and less reliance on zoning that allows tall buildings that use high floor area ratios.

However, other testimony supported readoption because numerous projects were set in motion that used zoning provisions and standards put in place with the adoption of CC2035, that are no longer in effect due to the remand. This has had unintended consequences, stalling and stopping projects including senior housing, affordable housing and supportive housing. Others said new office, retail, and housing projects need the certainty of a readopted and effective CC2035, especially now, with so many other uncertainties brought about by COVID-19 that are beyond our local control. Council find that further delay in readopting the Plan could exacerbate this delay of projects that are sorely needed within the Central City.

15. **Title 2, Regional Parking Policy**, regulated the amount of parking permitted by use for jurisdictions in the region; however, this title was repealed and the former Title 2 no longer applies to this ordinance.
16. **Title 3, Water Quality and Flood Management**. To protect the beneficial water uses and functions and values of resources within the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas from development activities and protecting life and property from dangers associated with flooding.

Title 3 calls for the protection of the beneficial uses and functional values of resources within Metro-defined Water Quality and Flood Management Areas by limiting or mitigating the impact of development in these areas. Title 3 establishes performance standards for 1) flood management; 2) erosion and sediment control; and 3) water quality. In 2002 Metro deemed the City of Portland in full substantial compliance with the requirements of Title 3 based on adoption of Title 10 Erosion Control, balanced cut-and-fill standards in Title 24 Building Regulations, and the Willamette Greenway Water Quality Zone, or “q” overlay zone. The Central City 2035 amendments for the Willamette River Central Reach maintain and support compliance with Title 3 because:

- a) City programs deemed in compliance with Title 3 requirements for flood management, and erosion and sediment control (i.e., Title 10 Erosion Control, and the balanced cut and fill requirements of Title 24), are unchanged. The Central Reach amendments, including proposed River Environmental overlay zones, increased river setback, and updated landscaping standards will support goals for flood management and erosion control;
- b) The CC2035 Plan’s policy framework contains goals, policies and actions that achieve a Willamette River that is healthy and supports fish and wildlife and improves the quality, quantity, connectivity and overall function of the ecological system including upland, riparian and in-water habitat as well as improve the ability of floodplains to store water and provide habitat functions;
- c) The River General overlay zone amendments increase the river setback to 50 feet from top of bank on Central Reach properties that have river frontage. Only river-dependent and river-related uses may encroach into the setback without a Greenway Goal Exception. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback ensures that adverse impacts on river functions, including water quality, flooding and fish and wildlife habitat are minimized. Exterior lighting standards help to minimize the impacts of light, glare and spill on fish and wildlife and their habitats;
- d) The River General overlay zone also includes updates to the landscaping standards that apply within the river setback. The landscaping standard requires a mix of vegetation types and

- densities including trees, shrubs and ground cover. The purpose of the landscaping standard is to enhance the quality, quantity and diversity of vegetation in the riparian area. This will minimize the impacts of adjacent development on water quality and improve habitat for fish and wildlife; and
- e) The River Environmental overlay zone will be applied to high and medium ranked natural resources, which includes rivers, streams, wetlands, flood areas and riparian habitat, identified in the *Willamette River Central Reach Natural Resource Protection Plan (NRPP)*. The River Environmental overlay zone supports Title 3 goals to protect water quality, flooding and fish and wildlife habitat. The River Environmental overlay zone is designed to prevent adverse impacts on the features and functions of riparian corridors and the Willamette River by establishing new standards intended to encourage sensitive development while providing clear limitations on disturbance, including tree removal, and minimizing impacts on resources and functional values. Development that meets these standards may be approved without a review. Development that does not meet the standards would be subject to a River Review and where discretionary criteria are applied to ensure that adverse impacts on natural resource values and functions, including water quality, are avoided, minimized and/or mitigated.

17. **Title 4, Industrial and Other Employment Areas.** The Regional Framework Plan calls for a strong regional economy. To improve the economy, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region's transportation system for the movement of goods and services and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities. The Metro Council will evaluate the effectiveness of Title 4 in achieving these purposes as part of its periodic analysis of the capacity of the urban growth boundary.

The purpose of Title 4 is to maintain a regional supply of existing industrial and employment land by limiting competing uses for this land. Metro has not adopted a Statewide Planning Goal 9 economic opportunities analysis for the region, so Title 4 is not based on an assessment of the land needed for various employment types, nor do the Title 4 maps necessarily depict lands most suitable to accommodate future job growth. Rather, Title 4 seeks to protect the manufacturing, warehousing, and distribution of goods within three types of mapped areas by limiting competing uses. These three areas are Regionally Significant Industrial Areas (RSIAs), Industrial Areas, and Employment Areas. Each of these designations can be found in either the Lower Albina or Central Eastside Districts of the Central City. These areas were identified in 2004 from clusters of existing industrial and employment uses. Industrial clusters with multi-modal freight handling infrastructure were designated as RSIAs.

Identified competing uses include retail commercial uses (such as stores and restaurants), and retail and professional services that cater to daily customers (such as financial, insurance, real estate, legal, medical, and dental offices, schools, places of assembly, and parks). Limitations on competing uses are most strict within RSIAs, slightly less strict within the Industrial Areas, and least stringent within Employment Areas. Title 4 places no limitations on residential, farm, forest or open space uses in any of the three mapped areas, provided designated open spaces are not developed into parks, schoolyards or athletic fields.

Title 4 encourages the location of retail and commercial uses in Centers, Corridors, Main Streets and Station Communities, and thus works in tandem with Title 6 to support the desired future settlement pattern depicted in the *Region 2040 Growth Concept*. Title 4 was adopted in 2004 and required Portland to achieve initial compliance by 2007 and by 2010 for additional restrictions on parks and places of assembly.

All previous Metro compliance reports have determined that land in Portland within an “Industrial Sanctuary” *Comprehensive Plan Map* designation meets all Title 4 requirements for mapped RSIA Land and Industrial Land. Similarly, all land in Portland within a General Employment *Comprehensive Map* designation meets Title 4 requirements for Employment Areas. The annual Metro compliance reports for 2010 through 2015 were included in the record for periodic review Task IV (Ordinance 187832). The last report for 2015 was prepared in March of 2016. Each of these reports finds Portland’s *Zoning Map* and *Zoning Code* complies with Title 4, with its existing *Zoning Map* and *Zoning Code*.

A new *Comprehensive Plan Map* was adopted with periodic review Task IV. Exhibit A of Ordinance 187832 contained findings explaining how the various land use designations shown in the new *Comprehensive Plan Map* comply with Title 4, provided the zones adopted by this ordinance either correspond or are otherwise allowed by the designations on new *Comprehensive Plan Map*. The distinction between plan and zone designations was made in the earlier findings because the Metro compliance reports were based on zone rather than plan designations and on land use regulations rather than plan policy.

The Metro compliance determinations examined whether City land use regulations limited retail and certain commercial uses to the extent required by Title 4. Metro evaluated whether certain uses identified in Title 4 as competing or interfering with employment and industrial uses were sufficiently limited by land use regulations associated with the City’s industrial and general employment zones.

Like the *Zoning Map*, the land use regulations associated with the City’s industrial and employment zones were determined to comply with Title 4 in the annual Metro compliance reports for 2010 through 2015. None of the amended land use regulations for the industrial and general employment zones within the Central City allow uses that are either not allowed by Title 4 or allowed in amounts greater than those allowed by Title 4. In many cases the City’s regulations are more protective of industrial employment land than Title 4. For example, residential uses are not explicitly restricted in Metro employment areas (although arguably contrary to the purpose of Title 4). Under the City’s amended regulations residential uses in the general employment zones are explicitly no longer allowed. Similarly, retail facilities up to 60,000 square feet are expressly allowed in Metro employment areas, but under the City’s amended regulations for its general employment zones retail facilities larger than 20,000 square feet are no longer allowed. These changes were made, going beyond Title 4 requirements, to ensure an adequate land supply under Goal 9.

Although only a small portion of the Central City located within the Lower Albina District is designated as Prime Industrial Land, the recently adopted 2035 *Comprehensive Plan* exceeds the requirements of Title 4 by adopting a “Prime Industrial Land” overlay zone. The overlay regulations prohibit quasi-judicial *Comprehensive Plan Map* amendments in prime industrial areas and reduce the type and amount of non-industrial uses allowed in the prime industrial areas. These restrictions apply in addition to the regulations of the base zones. The additional overlay regulations restrict parks to no more than two acres, restrict commercial outdoor recreation to no more than 20,000 square feet, and prohibit major event entertainment and self-service storage. These overlay

regulations both exceed the requirements of Title 4 help assure that there is no inconsistency between the industrial zones and Title 4.

For the facts and reasons stated above, the *Zoning Map* and the *Zoning Code*, as amended by this ordinance, continue to comply with Title 4 of the regional *Urban Growth Management Functional Plan*.

18. **Title 5, Neighboring Cities**, addressed neighbor cities and rural reserves in the region; however, this title was repealed and the former Title 5 no longer applies to this ordinance.
19. **Title 6, Centers, Corridors, Station Communities and Main Streets**. The Regional Framework Plan identifies Centers, Corridors, Main Streets and Station Communities throughout the region and recognizes them as the principal centers of urban life in the region. Title 6 calls for actions and investments by cities and counties, complemented by regional investments, to enhance this role. A regional investment is an investment in a new high-capacity transit line or designated a regional investment in a grant or funding program administered by Metro or subject to Metro's approval.
 

Title 6 establishes eligibility criteria for certain regional investments, and the use of more flexible trip generation assumptions when evaluating transportation impacts. Title 6 also contains aspirational activity level targets for different Metro 2040 place types. Although there are no specific mandatory compliance standards in Title 6 that apply to this ordinance, The Central City is a designated center and the zoning, actions, and policy framework of CC2035 ensure the ability of plan area to remain the highest density center with the Metro 2040 Framework Plan boundary.
20. **Title 7, Housing Choice**. The Regional Framework Plan calls for establishment of voluntary affordable housing production goals to be adopted by local governments and assistance from local governments on reports on progress towards increasing the supply of affordable housing. It is the intent of Title 7 to implement these policies of the Regional Framework Plan.
 

Title 7 addresses housing choice. Metro adopted voluntary affordable housing goals for each city and county in the region for the years 2001 to 2006, but never updated them. Since this ordinance adopts implementation measures for the planning period of 2015 to 2035, Title 7 does not apply. Nevertheless, the recently adopted *2035 Comprehensive Plan* adopts city-wide affordable housing production goals that greatly exceed those adopted by the outdated Title 7 (Ordinance 178832).
21. **Title 8, Compliance Procedures**. Title 8 addresses compliance procedures. This Title requires the City to notify Metro of pending land use decisions by providing Metro a copy of the 35-day notice required by the DLCD for proposed completion of a periodic review task. This notice was provided to Metro. Title 8 also requires the City to provide findings of compliance with the *Urban Growth Management Functional Plan*. The findings in this ordinance were also provided to Metro. All applicable requirements of Title 8 have been met.
22. **Title 9, Performance Measures**. Title 9 addressed performance measures but was repealed. The former Title 9 does not apply to this ordinance.
23. **Title 10, Functional Plan Definitions**. Title 10 contains definitions. Whenever the City had a question about a term in the *Urban Growth Management Functional Plan*, the definition in Title 10 was applied. When the measures adopted by this ordinance use a term found in Title 10, either the term has the same meaning found in Title 10 or the difference is explained in these ordinance findings. All applicable requirements of Title 10 requirements have been met.

24. **Title 11, Planning for New Urban Areas.** Title 11 addresses planning for new urban areas. Since no areas added to the urban growth boundary or designated as urban reserves have been assigned to Portland by Metro for planning, Title 11 does not apply to this ordinance.
25. **Title 12, Protection of Residential Neighborhoods.** Existing neighborhoods are essential to the success of the 2040 Growth Concept. The intent of Title 12 of the Urban Growth Management Functional Plan is to protect the region’s residential neighborhoods. The purpose of Title 12 is to help implement the policy of the Regional Framework Plan to protect existing residential neighborhoods from air and water pollution, noise, and crime and to provide adequate levels of public services.

Title 12 addresses protection of residential neighborhoods. This title largely restricts Metro’s authority to plan and regulate but does allow City designation of “Neighborhood Centers.” The City has not exercised the option to designate neighborhood centers within the meaning of Title 12 but has employed the same term with a different meaning. The areas designated as a Neighborhood Center on the recently adopted *2035 Comprehensive Plan* map are functionally equivalent to a “Main Street” designation within Title 6. However, no Neighborhood Centers are located with the Central City, and, since the City has not employed any of the optional provisions of Title 12, the title does not apply to this ordinance.

26. **Title 13, Nature in Neighborhoods.** The purposes of this program are to (1) conserve, protect, and restore a continuous ecologically viable streamside corridor system, from the streams’ headwaters to their confluence with other streams and rivers, and with their floodplains in a manner that is integrated with upland wildlife habitat and with the surrounding urban landscape; and (2) to control and prevent water pollution for the protection of the public health and safety, and to maintain and improve water quality throughout the region.

Title 13 is expressly intended to provide a minimum baseline level of protection for identified Habitat Conservation Areas. Local jurisdictions may achieve substantial compliance with Title 13 using regulatory and/or non-regulatory tools. Title 13 also allows local jurisdictions to establish “district plans” to achieve compliance on an area-specific basis. Title 13 district plans may apply to areas within a common watershed or within adjoining watersheds that “share an interrelated economic infrastructure and development pattern.” Cities and counties must demonstrate that the district plan will provide a similar level of protection and enhancement for Habitat Conservation Areas as would be achieved by applying Metro’s model code or other regulations that meet Title 13 performance standards and best management practices.

The CC2035 Plan is intended to support and incorporate the basics of Title 13 and has been designed to serve as a Title 13 district plan for the Willamette River Central Reach. CC2035, Volume 3B, Willamette River Central Reach Natural Resources Protection Plan (NRP), and Volume 2A Part 2, Willamette River and Trails, will:

- a) Recognize and address the unique and interrelated ecological, economic, social, and recreational characteristics of the Central Reach using updated technical information and through the development of a customized combination of tools;
- b) Update the Title 13 Inventory of Regionally Significant Riparian Corridors and Wildlife Habitat for the Central Reach to address specific inventory sites and to incorporate more current, detailed data and refined analytical criteria. The NRPP includes an inventory of natural resources that better reflects the level of ecological function and relative quality of resources in the Willamette River Central Reach, such as the impacts associated with extensive riverbank hardening and vegetation removal;

- c) Supplement the Title 13 Economic, Social, Environmental, and Energy (ESEE) Analysis to address the consequences of conflicting uses for specific inventory sites in the Central Reach. Per OAR 660-023-0240(2) Goal 15 supersedes the requirements of Goal 5 for natural resources also subject to and regulated under Goal 15. The only Goal 5 natural resource in the CC2035 Plan area are located within the Greenway and therefore are regulated by Goal 15. Therefore, an ESEE Analysis is not required within the Greenway. However, the NRPP includes an evaluation of the trade-offs associated with protecting significant natural resources and addresses similar economic, social and environmental consequences as the Title 13 ESEE. The NRPP makes recommendations intended to optimize economic, social and environmental values in the Portland Harbor, watershed health, and neighborhood livability in the North Reach;
- d) Replace zoning code 33.440, Greenway Overlay Zones, with new 33.475, River Overlay Zones, for the Central reach. The new code establishes environmental overlay zoning on high and medium ranked resources in the Willamette River Greenway. These overlay zones will apply to the Willamette River and land within 50 feet of the top of bank, which are designated HCAs in Title 13. The overlay zone regulations meet the fundamental requirements of Title 13, including exemptions, clear and objective development standards, and discretionary criteria to avoid, minimize, and mitigate adverse impacts on Habitat Conservation Areas and water quality. The overlay zones provide a process for verifying the overlay zone based on site specific information provided at the time a development is proposed;
- e) Clarify the City's regulations for the removal and remediation of hazardous substances. The clarified regulations will reduce barriers to habitat-friendly development by encouraging the retention of existing natural resources and the use of natural bank treatments in the final design of clean up actions.

27. **Title 14, Urban Growth Management Plan.** Title 14 addresses the regional urban growth boundary. Since this ordinance does not require, nor initiate, a boundary change, Title 14 does not apply.

## Findings on Portland's Comprehensive Plan, Goals and Policies

### The Plan: Guiding Principles

The 2035 Comprehensive Plan adopted five "guiding principles" in addition to the goals and policies typically included in a comprehensive plan. These principles were adopted to reinforce that implementation of the plan needs to be balanced, integrated and multi-disciplinary, and the influence of each principle helps to shape the overall all policy framework of the plan. The Central City 2035 Plan furthers these guiding principles as described below.

28. **Economic Prosperity.** Support a low-carbon economy and foster employment growth, competitiveness and equitably distributed household prosperity.

This guiding principle of the 2035 Comprehensive Plan is characterized by the following key objectives that support a robust and resilient regional economy, thriving local businesses and growth in living-wage jobs and household prosperity.

- **Re-invest in Brownfields.** Although brownfield conditions likely exist at different sites within the Central City, these are not a constraint to redevelopment activities. Over the last two-decades significant brownfield remediation efforts were conducted at large redevelopment sites within the Pearl District and South Waterfront. Further, recent efforts at sites in the Central Eastside

and Lloyd have not found brownfield conditions to be a constraint limiting redevelopment activities, and where such conditions arise, the Zoning Code provides a high level of development potential to assist in cost recovery of cleaning or capping a site.

- **Increase sites for business and employment opportunities, especially in East Portland.** Much of the Central City is zoned for mixed-use commercial/employment uses, and several hundred acres are zoned for industry. Through base zone amendments, and increased floor area allowances, CC2035 increases the development potential for commercial and employment uses and adds some additional acreage into the Central City at the Clinton Station Area for these purposes. The plan further increases the maximum FAR ratios along the Transit Mall, and at key station areas, some specifically zoned for Employment Oriented Transit Development.
- **Preserve existing industrial sites and intensify the level of use and development of sites.** CC2035 includes use allowances that allowed for higher density industrial development within the Central Eastside District, while reducing the amount of non-industrial retail and traditional offices once allowed in the approximately 240 acres of IG1 zoned land in the district.
- **Provide for employment growth at colleges and hospitals.** The Central City is home to both Portland State University (PSU) and Oregon Health Sciences University (OHSU). CC2035 promotes continued growth at these and other health and educational facilities in the Central City by maintaining the development potential at key locations in the South Waterfront and University / South Downtown districts, as well as increasing the maximum FAR ratios at key station areas at PSU and the Oregon Museum of Science and Industry (OMSI). The plan also rezones RX properties within PSU to CX, to allow for more institutional as well as residential uses. The plan further supports the growth of the Innovation Quadrant that links PSU, OHSU, and OMSI with Portland Community College's CLIMB Center, and large developable parcels in the Central Eastside and South Waterfront.
- **Recognize prosperity is about more than job growth.** CC2035 includes elements to enhance and expand the amount of affordable housing, community assets and services, parks and open space amenities, access to public schools, the amount of green-infrastructure, and multimodal transportation options over the life of the plan. These efforts, as well as a focus on new civic, cultural, educational, retail, and entertainment options, will continue to support the Central City as the regional center for the Portland Metropolitan area, but as a location that is attractive for new development and investment.

29. **Human Health.** Avoid or minimize negative health impacts and improve opportunities for Portlanders to lead healthy, active lives.

Consistent with the 2035 Comprehensive Plan, CC2035 furthers the following objectives which are intended to avoid or minimize negative health impacts and improve opportunities for Portlanders to lead healthy active lives.

- **Increase access to complete neighborhoods.** Since the adoption of the 1988 Central City Plan, the city center has transformed from a downtown with housing dispersed unevenly, to a center with distinct residential neighborhoods. The Pearl, South Waterfront, Goose Hollow, University District, and West End continue to mature after 15 plus years of residential growth, while new significant housing growth is now occurring in the Lloyd and Central Eastside for the first time in decades. Despite this growth, and new inclusionary housing requirements, the Central City still needs greater access to family compatible housing, housing affordable at all income levels, and greater access to public amenities and services, such as schools, daycare, community centers, libraries, and grocery stores.

CC2035 addresses these continuing needs by expanding the pattern of mixed-use zoning that allows for neighborhood commercial retail and services, as well as institutional uses such as schools. The plan further recommends tracking the development of affordable housing and suggesting midcourse corrections should housing units supportive of the growing number of families with children not be produced in sufficient quantities. The plan also includes development incentives for affordable housing and the inclusion of neighborhood serving services and amenities as part of new development.

- **Strengthen consideration of environmental justice.** The 2035 Comprehensive Plan describes environmental justice as “the equitable treatment and meaningful involvement of all people in public decision making as it applies to who benefits and who bears the cost of development and growth.” The CC2035 Plan engaged neighborhood associations in and adjacent to the Central City, conducted numerous open house events, neighborhood meetings and events, coalition offices and staff, and conducted online surveys and outreach to engage as many Central City residents, and others effected by growth of the Central City, as possible. This outreach was critical in shaping and refining the Concept Plan, all three quadrant plans, and the final recommended Central City 2035 Plan.
- **Build City Greenways.** CC2035 contains many elements that address expansion and enhancement of the existing Willamette Greenway Trail, active multimodal transportation connections, and a new element, the Green Loop. The latter is designed to provide a new type of greenway that addresses the safety and skill level of curious, but cautious cyclists and pedestrians, and provides links to transit, the Willamette River, parks and open space areas, and major attractors within the Central City. This and other greenway proposals of the plan will result in an integrated system that helps to reduce auto trips, reduce associated pollution, and improve human and environmental health.

30. **Environmental Health.** Weave nature into the city and foster a healthy environment that sustains people, neighborhoods, and fish and wildlife. Recognize the intrinsic value of nature and sustain the ecosystem services of Portland’s air, water and land.

The objectives of this guiding principle are to expand the public space system, increase mobility and access to services through low-carbon transportation, and avoid, minimize, and mitigate the impact of development on natural resource systems. CC2035 responds to these objectives as follows:

- **Design development to work with nature.** CC2035 includes new development standards that require ecoroofs and the pursuit of green building certification for most new and redevelopment projects. The plan further encourages the use of living walls and other green elements to reduce energy usage and carbon output, improve air and water quality, and address heat island effect.
- **Support nature-friendly infrastructure.** The plan proposes an expanded use of green-infrastructure in the public right-of-way, new landscaped setbacks, expanded greenway setback, new open space features, and expansion of the tree canopy throughout the Central City to improve the health and function of the urban forest and ecosystem.
- **Preserve and enhance Urban Habitat Corridors.** Elements of CC2035, such as an expanded greenway setback, new parks and open space features, ecoroofs, bird safe glazing, an expanded urban forest, and the Green Loop, will help to improve conductivity and the amount of habitat for urban wildlife.

31. **Equity.** Promote equity and environmental justice by reducing disparities, minimizing burdens, extending community benefits, increasing the amount of affordable housing, affirmatively furthering fair housing, proactively fighting displacement, and improving socio-economic

opportunities for under-served and under-represented populations. Intentionally engage under-served and under-represented populations in decisions that affect them. Specifically recognize, address and prevent repetition of the injustices suffered by communities of color throughout Portland's history.

This guiding principle of the 2035 Comprehensive Plan provides a framework to ensure Portlanders more equitably share in the benefits and burdens of growth and development. CC2035 furthers these objectives in the Central City as follows:

- **Invest to reduce disparities and minimize burdens.** In 2008, 8,535 of the Central City's 22,994 households were affordable to people earning 80% of the median family income. This is equal to 37 percent of the housing stock of the Central City. Although the percentage of units affordable at these levels has dropped slightly in the following decade, new inclusionary housing requirements and a development bonus focused on affordable unit creation and retention will help to increase the overall supply of such housing through the life of the plan.

Residents of this housing, as well as market rate housing, depend on access to public schools, parks, community centers, and libraries to fulfill some of their basic needs. These residents also need access to safe and affordable transportation options. In response to these needs, CC2035 proposed incentives and strategies to increase access to these essential public services, and proposed multimodal transportation enhancements, such as transit and the Green Loop, to better connect people with limited access to a car to the services and amenities they depend upon.

- **Make infrastructure decisions that advance equity.** The infrastructure investments proposed by CC2035 will benefit all effected groups, but those more reliant on affordable transportation investment, may receive the most benefit. As noted, the Central City has a large and growing number of residents reliant on affordable housing. Many also have small children. Greater access to transit, as well as safe active transportation solutions, such as the Green Loop, will provide these residents with greater access between employment, housing, and neighborhood serving services and amenities.
- **Include under-served and under-represented populations in decisions that affect them.** CC2035 was developed over six years and the community engagement process contacted renters as well as owners of residential properties in and around the city center. The plan also made strides to seek input from employees as well as people who visit but may not live or work within the Central City. Great care was taken to do extensive outreach because the Central City is the region's center, not just Portland's.
- **Address displacement of residents to address and prevent repetition of injustices.** Unlike other areas of the city where there is a threat of redevelopment displacing lower density, new housing development in the Central City has a greater ability to displace those reliant on affordable housing, and rising housing costs combined with a lack of family compatible units and access to services and amenities that serve families with children, can combine to displace families that start in the Central City for other parts of the region where their needs can be better met. CC2035 contains elements to incent the creation of housing and neighborhood amenities and services to provide greater opportunities for residents to remain and thrive in the Central City.
- **Provide for on-going affordability.** Recently adopted inclusionary housing requirements, combined with new development bonus standards that will support the creation of affordable housing will help address on-going affordability issues regarding housing supply. Further, the plan will result in the ability to create higher density industrial uses and contains incentives to

create and retain traditional industrial space which should help to stabilize lease rates for industrial businesses in the inner city.

- **Create regulations that acknowledge that one size does not fit all.** CC2035 strives to address the different character and purpose of the unique districts within the Central City, and between the Central City and adjacent parts of the city, through policies, investments, use regulations, development standards, and design guidelines crafted to each area and how they intersect with other parts of the city.

32. **Resilience.** Reduce risk and improve the ability of individuals, communities, economic systems, and the natural and built environments to withstand, recover from, and adapt to changes from natural hazards, human-made disasters, climate change, and economic shifts.

The 2035 Comprehensive Plan describes resilience as “reducing the vulnerability of our neighborhoods, businesses, and built and natural infrastructure to withstand challenges – environmental, economic and social – that may result from major hazardous events.” CC2035 responds to these objectives as follows:

- **Prosperity, human health, environmental health and equity are all essential components of resilience.** The 2035 Comprehensive Plan notes that an integrated policy framework works to “improve Portland’s resilience – growth in compact centers and corridors, provision of City Greenways and Urban Habitat Corridors, expansion of living-wage employment opportunities, investments to fill the infrastructure gaps in under-represented and under-served communities, and responsiveness to the differences among Portland’s neighborhoods.”

It is in this context that the policy framework for CC2035 was developed. This approach began with the Concept Plan and followed through the quadrant plans and into final adopted version of CC2035. Further, the implementing volumes of the plan provide code amendments, new actions, and other measures intended to address multiple objectives and result in multiple outcomes to improve environmental and economic conditions and the quality of life for all Portlanders.

- **Portland faces many natural and human-caused risks, which can have environmental economic and social impacts.** The 2035 Comprehensive Plan notes that some of the most significant risks facing Portland are: floods and landslides; earthquake; climate change; extreme heat events; and economic and energy shocks. In response, the Comprehensive Plan identifies five key strategies to address these risks, which CC2035 responds to as follows:
  - **Direct growth in lower-risk areas.** Although no area of the city is immune to the threats facing the city, most of the Central City is located on fairly level terrain, is out of the flood plan of the Willamette River, and its built form is increasingly built to the latest seismic standards, incorporates green infrastructure, and energy efficient design in both the public and private realm.
  - **Invest to reduce risks.** The plan includes strategies to remap the flood plain, expand green infrastructure, retrofit buildings at risk to seismic activity, and other measures to address natural hazards and increase the resiliency of city center when disaster strikes.
  - **Neighborhood resilience.** CC2035 includes development incentives to incent the development of new schools, community centers, libraries, and other facilities that may provide shelter and emergency services in the event of a natural disaster.
  - **Low-carbon economy.** The green building requirements, parking reductions, and multimodal transportation elements of the plan, as well as the economic development

policies and actions, will help to further enhance and expand low-carbon businesses and technologies in Portland.

- **Resilience in Natural Systems.** Plan elements that address an expanded greenway setback, expanded tree canopy, new open space features, and greater use of green infrastructure in public and private development will allow the Center City to be more resilient to climate change and natural hazards threatening the city.

## The Plan: Goals

33. **Goal 1.A: Multiple goals.** Portland’s Comprehensive Plan provides a framework to guide land use, development, and public facility investments. It is based on a set of Guiding Principles that call for integrated approaches, actions, and outcomes that meet multiple goals to ensure Portland is prosperous, healthy, equitable, and resilient.
34. **Goal 1.B: Regional partnership.** Portland’s Comprehensive Plan acknowledges Portland’s role within the region, and it is coordinated with the policies of governmental partners.
35. **Goal 1.C: A well-functioning plan.** Portland’s Comprehensive Plan is effective, its elements are aligned, and it is updated periodically to be current and to address mandates, community needs, and identified problems.
36. **Goal 1.D: Implementation tools.** Portland’s Comprehensive Plan is executed through a variety of implementation tools, both regulatory and non-regulatory. Implementation tools comply with the Comprehensive Plan and are carried out in a coordinated and efficient manner. They protect the public’s current and future interests and balance the need for providing certainty for future development with the need for flexibility and the opportunity to promote innovation.
37. **Goal 1.E: Administration.** Portland’s Comprehensive Plan is administered efficiently and effectively and in ways that forward the intent of the Plan. It is administered in accordance with regional plans and state and federal law.

The CC2035 Plan is an amendment to the 2035 Comprehensive Plan. Yet, the plan operates as mini comprehensive plan for the Central City. The plan was developed consistent with the framework of the *2035 Comprehensive Plan*. CC2035 contains a policy framework, Comprehensive Plan Map and Zoning Map amendments, Zoning Code amendments, and list of actions and list of projects necessary to implement the plan over the life of the plan. As noted above, CC2035 is consistent with the guiding principles of the *2035 Comprehensive Plan*, and the plan was developed and will be implemented by a variety of public and private partners, including numerous bureaus of the City of Portland, ODOT, TriMet, Metro, Multnomah County, community organizations, and development entities. These agencies were represented on a Technical Advisory Committee (TAC) that met regularly during the development of the Concept and quadrant plans. As such, the plan is consistent with and furthers the objectives of Goals 1.A – 1.E of the *2035 Comprehensive Plan*. For further information regarding how the CC2035 Plan is consistent with and furthers applicable state and regional goals, see “Findings on Statewide Planning Goals” and “Findings on Metro Urban Growth Management Functional Plan” sections, located earlier in this findings report.

## The Plan: Policies

### The Comprehensive Plan

38. **Policy 1.1, Comprehensive Plan elements.** Maintain a Comprehensive Plan that includes these

elements:

- **Vision and Guiding Principles.** The Vision is a statement of where the City aspires to be in 2035. The Guiding Principles call for decisions that meet multiple goals to ensure Portland is prosperous, healthy, equitable, and resilient.
- **Goals and policies.** The goals and policies of the Comprehensive Plan, including the Urban Design Framework, provide the long-range planning direction for the development and redevelopment of the city.
- **Comprehensive Plan Map.** The Comprehensive Plan Map is the official long-range planning guide for spatially defining the desired land uses and development in Portland. The Comprehensive Plan Map is a series of maps, which together show the boundaries of municipal incorporation, the Urban Service Boundary, land use designations, and the recognized boundaries of the Central City, Gateway regional center, town centers, and neighborhood centers.
- **List of Significant Projects.** The List of Significant Projects identifies the public facility projects needed to serve designated land uses through 2035, including expected new housing and jobs. It is based on the framework provided by a supporting Public Facilities Plan (PFP). The Citywide Systems Plan (CSP) is the City’s public facilities plan. The Transportation System Plan (TSP) includes the transportation-related list of significant projects. The list element of the TSP is also an element of the Comprehensive Plan.
- **Transportation policies, street classifications, and street plans.** The policies, street classifications, and street plan maps contained in the Transportation System Plan (TSP) are an element of the Comprehensive Plan. Other parts of the TSP function as a supporting document, as described in Policy 1.2.

Consistent with Policy 1.1, Volume 1, Goals and Policies, of CC2035 contains a vision, goals, and policies specific to the Central City Plan District, which as outlined above are consistent with the guiding principles of the 2035 Comprehensive Plan. Volume 2A, Part 1, Zoning Code & Map Amendments, presents amendments to Comprehensive Plan Map and amendments to the Zoning Code Maps consistent with the Comprehensive Plan Map. Further, Volume 2B, Transportation System Plan Amendments, and Volume 5A, Implementation: Performance Targets and Action Plans, propose public facility projects and transportation system amendments to ensure that the land use designations resulting from CC2035, and resulting densities, will be supported consistent with this policy.

## Supporting Documents

39. **Policy 1.2, Comprehensive Plan supporting documents.** Maintain and periodically update the following Comprehensive Plan supporting documents.
1. **Inventories and analyses.** The following inventories and analyses are supporting documents to the Comprehensive Plan:
    - Economic Opportunities Analysis (EOA)
    - Buildable Lands Inventory (BLI)
    - Natural Resource Inventory (NRI)
    - Housing Needs Analysis (HNA)
  2. **Public Facilities Plan.** The Public Facilities Plan (PFP) is a coordinated plan for the provision of

urban public facilities and services within Portland’s Urban Services Boundary. The Citywide Systems Plan (CSP) is the City’s public facilities plan.

3. **Transportation System Plan (TSP).** The TSP is the detailed long-range plan to guide transportation system functions and investments. The TSP ensures that new development and allowed land uses are consistent with the identified function and capacity of, and adopted performance measures for, affected transportation facilities. The TSP includes a financial plan to identify revenue sources for planned transportation facilities included on the List of Significant Projects. The TSP is the transportation element of the Public Facilities Plan. Certain components of the TSP are elements of the Comprehensive Plan. *See Policy 1.1.*
4. **School Facility Plans.** School facility plans that were developed in consultation with the City, adopted by school districts serving the City, and that meet the requirements of ORS 195 are considered supporting documents to the Comprehensive Plan.

CC2035 was developed consistent with the supporting documents of the recently adopted 2035 *Comprehensive Plan*, as well as the following: Willamette River Greenway Inventory; Willamette River/Central Reach Natural Resources Protection Plan (includes an inventory of natural resources); Central City Scenic Resources Inventory. The plan is also consistent with the PFP and CSP, amends the TSP consistent with 2035 *Comprehensive Plan*. Lastly, although Portland Public Schools (PPS) has not specifically amended its overall facilities plan, the proposed updates to Lincoln High School and facilities associated with Chapman Elementary School have been made in consultation with BPS to ensure consistency with the projections of CC2035.

### Implementation tools

40. **Policy 1.3, Implementation tools subject to the Comprehensive Plan.** Maintain Comprehensive Plan implementation tools that are derived from, and comply with, the Comprehensive Plan. *Implementation tools include those identified in policies 1.4 through 1.9.*
41. **Policy 1.4, Zoning Code.** Maintain a Zoning Code that establishes the regulations that apply to various zones, districts, uses, and development types.
42. **Policy 1.5, Zoning Map.** Maintain a Zoning Map that identifies the boundaries of various zones, districts, and other special features.

CC2035 includes numerous Zoning Code and Map amendments intended to implement the policy framework of the 2035 *Comprehensive Plan* but also CC20305 Volume 1, Goals and Policies. Some of the map amendments are intended to address specific issues at the subdistrict level, some at a city-wide scale. Zoning Code amendments include the addition of new use allowances and development standards to address new policies of both plans, and amendments that enhance the ability of existing provisions, be they use allowances, development standards, or incentives, to achieve the goals and policies of these two plans. Lastly, some existing development bonuses in the Zoning Code are repealed by C2035 to ensure that the new bonus system is aligned with new Comprehensive Plan goals and policies aimed at incenting the development of affordable housing, and in support of new inclusionary housing requirements recently adopted by the Portland City Council. Thus, CC2035 is consistent with policies 1.3 – 1.5.

### Administration

43. **Policy 1.10, Compliance with the Comprehensive Plan.** Ensure that amendments to the Comprehensive Plan’s elements, supporting documents, and implementation tools comply with the Comprehensive Plan. “Comply” means that amendments must be evaluated against the

Comprehensive Plan’s applicable goals and policies and on balance be equally or more supportive of the Comprehensive Plan than the existing language or designation.

**1.10.a,** Legislative amendments to the Comprehensive Plan’s elements and implementation tools must also comply with the Guiding Principles.

**1.10.b,** Legislative amendments to the Comprehensive Plan’s elements should be based on the factual basis established in the supporting documents as updated and amended over time.

**1.10.c,** Amendments to the Zoning Map are in compliance with the Comprehensive Plan if they are consistent with the Comprehensive Plan Map.

Council finds that this is a fundamental policy of the Comprehensive Plan that guides the manner in which the Council considers amendments to the Plan itself or any implementing regulations, such as the Zoning Code.

Council interprets the policy to require Council to consider whether, after considering all relevant evidence, an amendment is equally or more supportive of the Comprehensive Plan.

The City Council finds that a proposed amendment is equally supportive when it is on its face directly supported by goals and policies in the Plan. The City Council finds that an amendment is more supportive of the Comprehensive Plan when the amendment will further advance goals and policies, particularly those that are aspirational in nature. The City Council finds that the policy requires consideration as to whether amendments are equally or more supportive of the Plan as a whole. The City Council finds that amendments do not need to be equally or more supportive of individual goals and policies, but rather amendments must be equally or more supportive of the entire Comprehensive Plan. Therefore, the Council finds that there may be instances where specific goals and policies are not supported by the amendments but still the amendment is equally or more supportive of the entire Comprehensive Plan when considered cumulatively. The Council finds that there is no precise mathematical equation for determining when the Plan as a whole is supported but rather such consideration requires Council discretion in evaluating the competing interests and objectives of the plan.

Council notes that the Comprehensive Plan introduction explains that “[t]he Comprehensive Plan contains a broad range of policies for Council to consider. Each policy describes a desirable outcome. But it is unlikely that all policies are relevant to a particular decision and that a particular decision could be expected to advance all of the policies in the plan equally well . . . [E]ven the strongest policies do not automatically trump other policies. Every decision is different, with different facts. The particular policies that matter will change from one decision to another. There is no set formula—no particular number of ‘heavier’ policies equals a larger set of ‘lighter’ policies. In cases where there are competing directions embodied by different policies, City Council may choose the direction they believe best embodies the plan as a whole.” 2035 Comprehensive Plan, page HTU-5.

Council finds that CC2035 equally advances most of the Comprehensive Plan policies. Council further finds that the CC2035 is more supportive of the Comprehensive Plan with regard to the goals and policies as discussed below.

The following policies are advanced through CC2035’s increase in floor area ratios (FAR) at some locations, Map 510-2 and 33.510.200, including policy 3.15 Investments in Centers, 3.21 Role of the Center City, 3.23 Central City Employment, 3.24 Central City Housing, 3.53 Transit-oriented Development, 5.23 Higher Density Housing, and 5.29 Permanently affordable housing.

Other Comprehensive plan policies are advanced with the prioritization of bonus FAR for affordable housing and FAR transfers from historic resources 33.510.205, including Housing goals 5A-E, Goals 4A Context Sensitive Development and 4 B Historic and Cultural Resources; policies 2.4 Eliminate Burdens, 3.24 Central City Housing, 3.3 Equitable Development, 5.16 Involuntary Displacement, 5.23 Higher Density Housing, 5.34 Affordable Housing, 5.35 Inclusionary Housing, 4.46 Historic and Cultural Resource Protection, 4.48 Continuity of Established pattern, and 4.62 Seismic and Energy Retrofits.

Other comprehensive plan goals and policies are advanced with the prohibition of surface parking, 33.510.261, throughout the Central City including Goal 6 Air, Water and Land Resource Quality, Goal 4 A Context Sensitive Design and Development and policies 3.12 Role of Centers , 3.13 Variety of Centers, 3.53 Transit -Oriented Development, and 4.76 Impervious Surfaces.

Other Comprehensive plan goals and policies are advanced with the adoption of the Central City Scenic Resource Protection Plan including policies 4.42 Scenic Resource Protection and 4.44 Building placement, height and massing.

Other Comprehensive plan goals and policies are advanced with the ecoroof requirement 33.510.243 including Goal 6 Air, Water and Land Resource Quality, and policies 3.20 Green Infrastructure in Centers, 4.4 Natural Features and Green Infrastructure , 4.76 Impervious Surfaces and 4.83 Urban Heat Island.

City Council finds the CC2035 Zoning map complies with Comprehensive Plan map with the proposed rezoning of Central Residential (RX) zoned land to Central Commercial (CX) on a number of properties throughout the Central City. CX has produced far more housing than the RX zone over the last 25 years. Analysis demonstrated that these amendments will be sufficient to allow approximately 39,500 units to be developed through the life of the plan. In addition, City Council finds that changes from IG1, General Industrial to EX Central Employment in parts of the Central Eastside and Lower Albina will accommodate more flexible employment uses. Thus the Zoning map is consistent and compliant with the Comprehensive plan and the Comprehensive Plan map.

The findings of this ordinance identify how the CC2035 Plan complies with and is consistent with the *2035 Comprehensive Plan's* Guiding Principles, goals, policies, and maps, as detailed throughout this set of findings. See also findings for PCC 33.835.040 below for additional discussion of the Plan's consistency with the comprehensive plan.

44. **Policy 1.11, Consistency with Metro Urban Growth Management Functional Plan and Urban Growth Boundary.** Ensure that the Comprehensive Plan remains consistent with the Metro Urban Growth Management Functional Plan and supports a tight urban growth boundary for the Portland metropolitan area.
45. **Policy 1.12, Consistency with Statewide Planning Goals.** Ensure that the Comprehensive Plan, supporting documents, and implementation tools remain consistent with the Oregon Statewide Planning Goals.

As noted earlier in these findings, the CC2035 Plan was created consistent with and in a manner designed to further the applicable elements of the Metro Urban Growth Management Functional Plan and Statewide Planning Goals, consistent with the directives of policies 1.11 and 1.12.

46. **Policy 1.13, Consistency with state and federal regulations.** Ensure that the Comprehensive Plan remains consistent with all applicable state and federal regulations, and that implementation measures for the Comprehensive Plan are well coordinated with other City activities that respond to state and federal regulations.

The CC2035 plan was developed to be consistent with applicable state and federal regulations, and all implementing actions of the plan although intended also to be consistent with such regulations will further need to provide consistency with all applicable state and federal requirements once the details of each is further outlined at the time of implementation.

47. **Policy 1.14, Public facility adequacy.** Consider impacts on the existing and future availability and capacity of urban public facilities and services when amending Comprehensive Plan elements and implementation tools. Urban public facilities and services include those provided by the City, neighboring jurisdictions, and partners within Portland’s urban services boundaries, as established by Policies 8.2 and 8.6.

Although the only amendments of CC2035 related to the *2035 Comprehensive Plan* regard limited Comprehensive Plan Map amendments, these and the corresponding Zoning Map amendments are found to be capable of being served by existing public facilities and services or those proposed to be implemented in Volume 5, Implementation Plan.

48. **Policy 1.15, Intergovernmental coordination.** Strive to administer the Comprehensive Plan elements and implementation tools in a manner that supports the efforts and fiscal health of the City, county and regional governments, and partner agencies such as school districts and transit agencies.

A multi-agency Technical Advisory Committee (TAC) was established during the development of the CC2035 Concept Plan and continued to meet to advise the development of the three quadrant plans that lead to the *Proposed Draft* of the CC2035 package of documents. Further, City, state, and federal employees attended open house events, workshops, and participated in other committees and symposiums held in support of plan development. Further, many of these same agencies submitted comments, and some, such as Portland Public Schools and the Portland of Portland, testified before Council on different elements of the plan. This involvement helped to shape the final version of CC2035, consistent with Policy 1.15.

49. **Policy 1.16, Planning and Sustainability Commission review.** Ensure the Planning and Sustainability Commission (PSC) reviews and makes recommendations to the City Council on all proposed legislative amendments to Comprehensive Plan elements, supporting documents, and implementation tools. The PSC advises City Council on the City’s long-range goals, policies, and programs for land use, planning, and sustainability. The membership and powers and duties of the PSC are described in the Zoning Code.

On June 20, 2016, the Proposed Draft of CC2035 was released in preparation for the PSC review of the plan. This draft of the plan was amended from the earlier Discussion Draft based on much of the public input provided during the review period of that draft. Prior to the first PSC public hearing, held on July 26, 2016, open house events were conducted to provide those who may testify before the PSC with more specific information about plan elements.

The PSC held public hearings and work sessions between June 2016 and April 2017. During these meetings, testimony was received on the Proposed Draft, amendments were proposed during work sessions, and an additional hearing was held to receive testimony on PSC proposed amendments before the PSC voted on the final Recommended Draft to be forwarded to City Council. The PSC held meetings for the plan on the following dates:

- Briefing: June 28, 2016
- Hearing: July 26, 2016

- Hearing:	August 9, 2016
- Work Session:	September 27, 2016
- Work Session:	November 16, 2016
- Work Session:	January 10, 2017
- Work Session:	January 24, 2017
- Work Session:	February 14, 2017
- Work Session:	February 28, 2017
- Work Session:	March 14, 2017
- Work Session:	April 11, 2017
- Work Session & Vote:	May 23, 2017

50. **Policy 1.17, Community Involvement Committee.** Establish a Community Involvement Committee to oversee the Community Involvement Program as recognized by Oregon Statewide Planning Goal 1 – Community Involvement and policies 2.15-2.18 of this Comprehensive Plan.

On December 15, 2010, the first of several briefings with the Citizen Involvement Committee was held regarding the CC2035 Plan. This version of the CIC was initially formed to advise on the development of the Portland Plan before shifting focus to the 2035 Comprehensive Plan. The CIC advise CC2035 staff, members participated in various CC2035 public events, and the committee was consulted in development of the plan.

51. **Policy 1.19, Area-specific plans.** Use area-specific plans to provide additional detail or refinements applicable at a smaller geographic scale, such as for centers and corridors, within the policy framework provided by the overall Comprehensive Plan.

**1.19.a,** Area-specific plans that are adopted after the effective date of the 2035 Comprehensive Plan should clearly identify which components amend Comprehensive Plan elements, supporting documents, or implementation tools. Such amendments should be appropriate to the scope of the Comprehensive Plan; be intended to guide land use decisions; and provide geographically-specific detail. Such amendments could include policies specific to the plan area, land use designation changes, zoning map changes, zoning code changes, and public facility projects necessary to serve designated land uses.

**1.19.b,** Area-specific plan components intended as context, general guidance, or directives for future community-driven efforts should not amend the Comprehensive Plan elements or implementation tools but be adopted by resolution as intent. These components include vision statements, historical context, existing conditions, action plans, design preferences, and other background information.

**1.19.c,** Community, area, neighborhood, and other area-specific plans that were adopted by ordinance prior to [date of Comp Plan adoption] are still in effect. However, the elements of this Comprehensive Plan supersede any goals or policies of a community, area, or neighborhood plan that are inconsistent with this Plan.

The CC2025 Plan is an “area-specific plan” as the plan focuses exclusively on the Central City Plan District, and proposes amendments to the Comprehensive Plan Map, Zoning Code and Map, TSP and numerous implementation actions that are consistent with and specifically intended to implement the 2035 Comprehensive Plan within the geography of the Central City, consistent with Policy 1.19.

## Community Involvement: Goals

52. **Goal 2.A: Community involvement as a partnership.** The City of Portland works together as a genuine partner with all Portland communities and interests. The City promotes, builds, and maintains relationships, and communicates with individuals, communities, neighborhoods, businesses, organizations, institutions, and other governments to ensure meaningful community involvement in planning and investment decisions.
53. **Goal 2.B: Social justice and equity.** The City of Portland seeks social justice by expanding choice and opportunity for all community members, recognizing a special responsibility to identify and engage, as genuine partners, under-served and under-represented communities in planning, investment, implementation, and enforcement processes, particularly those with potential to be adversely affected by the results of decisions. The City actively works to improve its planning and investment-related decisions to achieve equitable distribution of burdens and benefits and address past injustices.
54. **Goal 2.C: Value community wisdom and participation.** Portland values and encourages community and civic participation. The City seeks and considers community wisdom and diverse cultural perspectives, and integrates them with technical analysis, to strengthen land use decisions.
55. **Goal 2.D: Transparency and accountability.** City planning and investment decision-making processes are clear, open, and documented. Through these processes a diverse range of community interests are heard and balanced. The City makes it clear to the community who is responsible for making decisions and how community input is considered. Accountability includes monitoring and reporting outcomes.
56. **Goal 2.E: Meaningful participation.** Community members have meaningful opportunities to participate in and influence all stages of planning and decision making. Public processes engage the full diversity of affected community members, including under-served and under-represented individuals and communities. The City will seek and facilitate the involvement of those potentially affected by planning and decision making.
57. **Goal 2.F: Accessible and effective participation.** City planning and investment decision-making processes are designed to be culturally accessible and effective. The City draws from acknowledged best practices and uses a wide variety of tools, including those developed and recommended by under-served and under-represented communities, to promote inclusive, collaborative, culturally-specific, and robust community involvement.
58. **Goal 2.G: Strong civic infrastructure.** Civic institutions, organizations, and processes encourage active and meaningful community involvement and strengthen the capacity of individuals and communities to participate in planning processes and civic life.

The process leading to the final Recommended Draft of Central City 2035 included the development of four initial concept plans (the CC2035 Concept Plan, North/Northeast, West, and South East Quadrant Plans) and included a detailed public engagement process that provided repeated and numerous opportunities for all interested parties to shape and influence the final recommended draft.

For instance, each of the four noted plans were initially developed with the assistance of a Stakeholder Advisory Committee (SAC), specifically developed for each plan area. These SAC's include a diverse membership, including representatives from under-represented communities

who have been impacted by past planning decisions. SAC meetings were open to the public, and public comment periods were a part of each meeting.

In addition to the SAC's, open house events, meetings with neighborhood and business associations, and meetings with numerous interest-based organizations were held, to ensure all interested parties and organizations had a chance to learn about and provide input on the plan.

Further, the BPS website had pages dedicated to each plan effort, and tools such as a Map App page, and contact information for a Central City 2035 help line, each providing additional opportunities to learn about the plan effort, review back ground reports, meeting notes, and numerous ways to comment on the plan.

Once a SAC endorsed plan was created for the Concept Plan and all three quadrant plans, briefings were held with the Planning and Sustainability Commission (PSC), Design Commission, and Landmarks Commission. These meetings were open to the public and PSC meetings were televised and available to review online. Then a public hearing on each plan was held with the PSC, who heard testimony and reviewed written testimony on each plan. These hearings were followed by a series of work sessions where the PSC revised the plan based on their and public input, and a formal PSC Recommended Draft was forwarded to the Portland City Council, where a similar series of briefings, hearings, and work sessions were held on each plan before Council adopted each after making amendments based in part on public testimony.

On June 12, 2015, the Portland Office of the Ombudsman received a complaint noting that West Quadrant Plan SAC members did not disclose conflicts of interest and asking that the SAC recommendations be invalidated. On October 21, 2015, the Ombudsman responded to this complaint by noting that the Oregon Government Ethics Commission makes a distinction between actual and potential conflicts of interest, stating:

*"An actual conflict of interest occurs when an action taken by the official would directly and specifically affect the financial interest of the official, the official's relative or a business with which the official or a relative of the official is associated. A potential conflict of interest exists when an official takes action that could have a financial impact on that official, a relative or a business with which the official or the relative of the official is associated."*

The Ombudsman found that SAC members did not face "actual" conflicts of interest, citing that the Oregon Government Ethics Commission, because "actual conflicts of interest cannot occur where an advisory committee makes non-binding recommendations (Advisory Opinion No. 07A-1001, page 3)." However, the Ombudsman indicated that SAC members could have faced a "potential" conflict, and although that "does not preclude anyone from being a member of the SAC or voting on a recommendation, the Ombudsman, prior to review of the CC2035 Plan by the PSC, recommended that BPS contact SAC members with a request to disclose any conflicts they may have had.

The public was provided opportunities to discuss concerns and suggest amendments in front of both the PSC and Council in response to the potential conflict disclosures. Several members of the public took that opportunity. Based on this testimony Council requested BPS staff to produce a height map of the West Quadrant, with properties owned by West Quadrant SAC members highlighted. Council made this request to determine if there was a basis for claims that SAC members disproportionately benefited from height amendments. Upon reviewing the ownership map, Council determined that no disproportionate benefits were gained by SAC members.

Further opportunities for the public to engage with the PSC and City Council in the legislative review of CC2035 are summarized in the Statewide Planning Goal 1, Citizen Involvement, earlier in these findings.

In response to the remand, the City of Portland is readopting CC2035 with additional findings and evidence to demonstrate that the proposed heights in New Chinatown/Japantown Historic District comply with applicable goals and policies.

Due to the COVID-19 pandemic, Governor Brown has issued a series of executive orders that impact local governments. Notably, on March 8, 2020, Governor Brown issued Executive Order 20-03 declaring a state of emergency due to COVID-19. Later, on March 23, Governor Brown issued Executive Order 20-12 declaring that non-essential gatherings outside of the home or place of residence are prohibited immediately, regardless of size.

On April 15, Governor Brown issued Executive Order No. 20-16 due to the COVID-19 pandemic requiring local governments to conduct public meetings by telephone, video, or other electronic means whenever possible. In order to move forward with city operations, the directive laid out instructions to conduct business virtually during this time. The Bureau of Planning and Sustainability proceeded with public noticing to readopt the CC2035 Plan following the guidelines outlined in the order, providing ample time for public input and participation.

A public notice was sent on May 1, 2020 for a City Council public hearing on the re-adoption of CC2035 to: parties to the appeal; parties that requested notice of the final decision; parties that received notice of Council's initial hearing on CC2035; the City's legislative list; and, people on the CC2035 mailing list.

The record opened on May 1, 2020 and closed June 4, 2020 allowing ample time before and after the hearing for the public to review the re-adoption documents on the project website and submit testimony via the MapApp tool on the project website or by mail to the City Council Clerk. The Findings of Fact Report was made available to public on May 21, 2020, one week prior to the hearing.

On May 28, 2020, the Portland City Council held a virtual public hearing and received written testimony regarding the re-adoption of CC2035. The virtual public meeting was held using the Zoom platform. It was free to participants and it allowed them to provide testimony by phone or computer. Participants were given 2 minutes to testify. Participants could also watch the hearing on YouTube with closed caption accommodations.

At the May 28, 2020 hearing, 30 people testified and by the close of record on June 4, 2020 and 147 written pieces of testimony had been received regarding the remand. The findings have been amended in response.

On July 2, 2020, City Council voted to approve these amended findings and to readopt the elements of the Central City 2035 Plan that were originally part of Ordinance 189000.

Testimony received in opposition to the proposed plan expressed that the re-adoption of CC2035 should be delayed considering COVID-19 and the potential for future pandemics. There were also suggestions that a new approach to urban planning be adopted that results in less dense development in the urban core, and less reliance on zoning that allows tall buildings that use high floor area ratios.

Further, there were suggestions that the current Council should delay voting until after the November 2020 election because since the original 2018 adoption of the CC2035 Plan one council

positions has changed, another will change in January 2020, another is vacant and awaiting the results of an August 2020 special election, and two other positions are being contested in a runoff election.

However, other testimony supported readoption because numerous projects were set in motion that used zoning provisions and standards put in place with the adoption of CC2035, that are no longer in effect due to the remand. This has had unintended consequence, stalling and stopping projects including senior housing, affordable housing and supportive housing. Others said new office, retail, and housing projects need the certainty of a readopted and effective CC2035, especially now, with so many other uncertainties brought about by COVID-19 that are beyond our local control. Council finds that further delay in readopting the Plan could exacerbate this delay of projects that are sorely needed within the Central City.

In consideration of this testimony, City Council recognizes that the CC2035 Plan is a long-range plan that will remain in effect for up to 25 years, and that COVID 19, a temporary but significant event, has stalled development of much needed affordable housing and retail and office projects. Council finds that the current members of the Council are authorized to act on the plan now and there is no justification for requiring a delay until after the elections. Further, Council finds that the evidence supporting the environmental, social and economic benefits outweigh the speculation that density should be reconsidered due to the pandemic, and City Council finds that cities can be dense and still provide places for people to isolate and be physically distant.

Other testimony received suggested that CC2035 allows significant height and density increases and transfer development right (TDR) bonuses will raise the cost of developable land making it harder to provide requisite amount of affordable housing. City Council has seen no evidence from any party to support the statement that the TDR program has significantly raised the cost of developable land or impacted the cost to provide affordable housing.

City Council acknowledges that the Inclusionary housing provisions that predate the CC2035 Plan have and continue to deliver new affordable housing units consistent with the intent of the program adopted by City Council and CC2035 has not modified that program.

Others stated that that the Plan's population projections are wrong. City Council does not find this testimony persuasive. City Council finds that the population projections used to support the 2035 Comprehensive Plan, Volume I, of the Central City Plan, and other background materials remain valid. CC2035 is a 25-year plan and there is no evidence in the record to support the assertion that there will be a population decline over the duration of the plan. Council finds that assertions that Plan's population projections are wrong are unsubstantiated.

Additionally, Council finds that the testimony about population projections was not directed toward any specific state or city goal or policy. Finally, the CC2035 Plan is projected to experience significant growth over the next 25 years. City Council supports the 2035 Comprehensive Plan objective of providing 30 percent of the City's projected growth in the Central City. Council received no compelling evidence that this percentage will change due to COVID.

Other testimony submitted suggested that heights in the Pearl District do not reflect CC2035 or Comprehensive Plan policies of stepping down to the River. As discussed more fully below in response to applicable policies, City Council acknowledges that the Comprehensive Plan stresses the importance of access to light and air (policy 4.11) and the preservation of public views of scenic resources (policy 4.44). In addition, CC2035 policy 5.5 outlines the importance of a dynamic skyline, encouraging the tallest buildings to locate adjacent to transit hubs and corridors, and generally stepping down in height to the Willamette River. However, these policies are met without

a uniform stepdown to the river. City Council finds that CC2035 advances policies such as 3.11 Significant Places recognizing the bridgeheads along the Willamette River as key locations for some of the taller and most dense development along the Central Reach of the river. The plan also promotes development of a similar scale along the transit mall. Conversely, the plan increases the protection of public view corridors reducing heights within and through the city center, promoting solar access to public park spaces, such as the Park Blocks and the Lan Su Classical Chinese Garden, and appropriate scale transitions to adjacent residential neighborhoods and historic district in and outside of the Central City. City Council also finds that policies 3.21 Role of the Central City and 3.22 Model Urban Center are advanced as they encourage a variety of heights throughout the Central City

City Council finds that this plan, and this public engagement process are consistent with Goals 2.A – 2.G of the 2035 Comprehensive Plan.

## Community Involvement: Policies

### Partners in decision making

59. **Policy 2.1, Partnerships and coordination.** Maintain partnerships and coordinate land use engagement with:
- 2.1.a,** Individual community members.
  - 2.1.b,** Communities of color, low-income populations, Limited English Proficient (LEP) communities, Native American communities, and other under-served and under-represented communities.
  - 2.1.c,** District coalitions, neighborhood associations, and business district associations as local experts and communication channels for place-based projects.
  - 2.1.d,** Businesses, unions, employees, and related organizations that reflect Portland’s diversity as the center of regional economic and cultural activity.
  - 2.1.e,** Community-based, faith-based, artistic and cultural, and interest-based non-profits, organizations, and groups.
  - 2.1.f,** Institutions, governments, and Sovereign tribes.
60. **Policy 2.2, Broaden partnerships.** Work with district coalitions, neighborhood associations, and business district associations to increase participation and to help them reflect the diversity of the people and institutions they serve. Facilitate greater communication and collaboration among district coalitions, neighborhood associations, business district associations, culturally-specific organizations, and community-based organizations.

During the development of the CC2035 Plan, staff conducted SAC meetings (57), subcommittee meetings (21), attended community meetings and events (303), and held project specific public open house events and tours (53). All meetings and events were open to the public and included opportunities for public comment. These meetings included those held with neighborhood associations, business associations, district coalitions, City advisory groups, professional organizations, and specific interest groups. Contact and updates to these organizations and individual stakeholders was maintained via email and website updates regarding the plan. A series of Technical Advisory Committee (TAC) meetings were also conducted on the overall CC2035 Plan,

and for each quadrant plan. These TAC meetings included representatives of City, regional, and state government. These efforts demonstrate consistency with Policies 2.1 and 2.2.

## Environmental justice

61. **Policy 2.3, Extend benefits.** Ensure plans and investments promote environmental justice by extending the community benefits associated with environmental assets, land use, and public investments to communities of color, low-income populations, and other under-served or under-represented groups impacted by the decision. Maximize economic, cultural, political, and environmental benefits through ongoing partnerships.
62. **Policy 2.4, Eliminate burdens.** Ensure plans and investments eliminate associated disproportionate burdens (e.g. adverse environmental, economic, or community impacts) for communities of color, low-income populations, and other under-served or under-represented groups impacted by the decision.

**2.4.a,** Minimize or mitigate disproportionate burdens in cases where they cannot be eliminated.

**2.4.b,** Use plans and investments to address disproportionate burdens of previous decisions.

Because CC2035 is a plan for the regional center of the Portland Metropolitan Region, it was critical that the plan address how the economic, cultural, political, environmental benefits deriving from a successful regional center would be shared by all. Beyond these benefits, access to affordable housing, to transit and active transportation, to education, social services, recreation, and other assets was also addressed by the plan.

For instance, regarding housing, the plan contains policies, actions, and regulations that require the development of affordable housing that is also energy efficient and has access to transit. Other elements of the Zoning Code promote housing for families with children, seniors, and students.

Other provisions address work force development, access to affordable workspace, and increasing employment densities in Central City industrial districts to allow for a greater range of employment opportunities for people at a range of educational or skill levels providing access to jobs within incomes at lower and higher wage levels.

These elements of the plan ensure consistency with Policies 2.3 and 2.4.

## Community assessment

63. **Policy 2.8, Channels of communication.** Maintain channels of communication among City Council, the Planning and Sustainability Commission (PSC), project advisory committees, City staff, and community members.

In support of CC2035, the project team conducted regular briefings with the PSC, Design Commission, Landmarks Commission, Portland Development Commission (now Prosper Portland Board), the CIC, TAC's created in support of CC2035 plan efforts, and local neighborhood and business associations, consistent with Policy 2.8.

64. **Policy 2.9, Community analysis.** Collect and evaluate data, including community-validated population data and information, to understand the needs, priorities, and trends and historical context affecting different communities in Portland.
65. **Policy 2.10, Community participation in data collection.** Provide meaningful opportunities for individuals and communities to be involved in inventories, mapping, data analysis, and the

development of alternatives.

Numerous background analysis was conducted in support of CC2035, as identified in Volume 4. Reports such as the Central City 2035 Subdistrict Profiles presented demographic data, housing numbers, economic statistics, transportation, and environmental data, among other information. Other documents provided detailed information about parking or transportation issues associated with specific Subdistricts, while other documents provided detailed information about existing development, as well as unutilized development potential. Much of this data was also available in hard copies as well as online, and some of this data was also integrated into a Map App that allowed individuals to focus on issues related to a single lot, or the Central City. The use of these tools ensure CC2035 was developed consistent with the objectives of Policies 2.9 – 2.10.

### Transparency and accountability

66. **Policy 2.12, Roles and responsibilities.** Establish clear roles, rights, and responsibilities for participants and decision makers in planning and investment processes. Address roles of City bureaus, elected officials, and participants, including community and neighborhood leadership, business, organizations, and individuals.
67. **Policy 2.13, Project scope.** Establish clear expectations about land use project sponsorship, purpose, design, and how decision makers will use the process results.
68. **Policy 2.14, Community influence.** At each stage of the process, identify which elements of a planning and investment process can be influenced or changed through community involvement. Clarify the extent to which those elements can be influenced or changed.
69. **Policy 2.15, Documentation and feedback.** Provide clear documentation for the rationale supporting decisions in planning and investment processes. Communicate to participants about the issues raised in the community involvement process, how public input affected outcomes, and the rationale used to make decisions.

As noted, the process to develop the Recommended CC2035 Plan involved numerous plan efforts, some focusing on Central City-wide policy development, others on specific quadrants or subdistricts of the plan area. Each effort provided numerous opportunities to influence the next version of the plan to be presented to the eventual plans crafted by the PSC and then adopted by City Council.

Throughout these efforts, staff contacted, met with, and coordinated with stakeholders to inform them how to engage in the decision-making process, how the process was structured, and additional opportunities to participate when such opportunities existed.

Further opportunities to for the public to engage with the PSC and City Council in the legislative review of CC2035 are summarized in the Statewide Planning Goal 1, Citizen Involvement, earlier in these findings.

Thus, these efforts are consistent with Policies 2.12 – 2.15.

### Process design and evaluation

70. **Policy 2.24, Representation.** Facilitate participation of a cross-section of the full diversity of affected Portlanders during planning and investment processes. This diversity includes individuals, stakeholders, and communities represented by race, color, national origin, English proficiency, gender, age, disability, religion, sexual orientation, gender identity, and source of income.
71. **Policy 2.25, Early involvement.** Improve opportunities for interested and affected community members to participate early in planning and investment processes, including identifying and

prioritizing issues, needs, and opportunities; participating in process design; and recommending and prioritizing projects and/or other types of implementation.

The community involvement program conducted in support of CC2035 engaged thousands of stakeholders and hundreds of stakeholder organizations. Accommodations were made available for people with disabilities and those that were non-English speaking stakeholders to participate in events and access materials. Also, staff was available to meet with all interested parties, regardless of whether they were directly affected by the plan or had a historic connection to the plan area. Many of these meetings were used to engage the public about issues to be addressed by the plan, confirming existing conditions data, and to refine plan recommendations. These efforts were consistent with policy direction of 2.24 and 2.25.

72. **Policy 2.26, Verifying data.** Use data, including community-validated population data, to guide planning and investment processes and priority setting and to shape community involvement and decision-making efforts.
73. **Policy 2.27, Demographics.** Identify the demographics of potentially affected communities when initiating a planning or investment project.
74. **Policy 2.28, Historical understanding.** To better understand concerns and conditions when initiating a project, research the history, culture, past plans, and other needs of the affected community, particularly under-represented and under-served groups, and persons with limited English proficiency (LEP). Review preliminary findings with members of the community who have institutional and historical knowledge.
75. **Policy 2.29, Project-specific needs.** Customize community involvement processes to meet the needs of those potentially affected by the planning or investment project. Use community involvement techniques that fit the scope, character, and potential impact of the planning or investment decision under consideration.

Prior to initiating the overall CC2035 Plan effort, as well as the individual quadrant plans, a detailed existing conditions analysis was prepared that established baseline demographic data, built conditions, environmental conditions, transportation data, and other important facts regarding past, current, and projected conditions. Further, the policies and objectives of previous plans were analyzed to determine their effectiveness and applicability for CC2035. Lastly, staff engaged the public in open house and other community meetings to verify this data and to identify other data and issues important in the creation of a new plan for the Central City.

76. **Policy 2.30, Culturally-appropriate processes.** Consult with communities to design culturally-appropriate processes to meet the needs of those affected by a planning or investment project. Evaluate, use, and document creative and culturally-appropriate methods, tools, technologies, and spaces to inform and engage people from under-served and under-represented groups about planning or investment projects.
77. **Policy 2.31, Innovative engagement methods.** Develop and document innovative methods, tools, and technologies for community involvement processes for plan and investment projects.
78. **Policy 2.32, Inclusive participation beyond Portland residents.** Design public processes for planning and investment projects to engage affected and interested people who may not live in Portland such as property owners, employees, employers, and students, among others, as practicable.
79. **Policy 2.33, Inclusive participation in Central City planning.** Design public processes for the

Central City that recognize its unique role as the region's center. Engage a wide range of stakeholders from the Central City and throughout the region including employees, employers, social service providers, students, and visitors, as well as regional tourism, institutional, recreation, transportation, and local/regional government representatives, as appropriate.

Consistent with Policies 2.30 – 2.33, throughout the development of CC2035, BPS maintained a webpage dedicated to the effort which provided constant updates including meeting announcements, meeting minutes, draft reports and analysis, links to video of PSC hearings, and the Central City Map App. These tools located on this site provided internet access for people to learn about and provide comments throughout the development of the plan. Further, outreach materials were presented in ten different languages and accommodations were made available for people of those languages to provide comments or receive answers to questions in those languages. More information regarding the total number of meetings and organizations met with can be found in Volume 6, Public Involvement, of the plan.

80. **Policy 2.34, Accessibility.** Ensure that community involvement processes for planning and investment projects are broadly accessible in terms of location, time, and language, and that they support the engagement of individuals with a variety of abilities and limitations on participation.
81. **Policy 2.35, Participation monitoring.** Evaluate and document participant demographics throughout planning and investment processes to assess whether participation reflects the demographics of affected communities. Adapt involvement practices and activities accordingly to increase effectiveness at reaching targeted audiences.
82. **Policy 2.36, Adaptability.** Adapt community involvement processes for planning and investment projects as appropriate to flexibly respond to changes in the scope and priority of the issues, needs, and other factors that may affect the process.
83. **Policy 2.37, Process evaluation.** Evaluate each community involvement process for planning or investment projects from both the City staff and participants' perspectives, and consider feedback and lessons learned to enhance future involvement efforts.

The CC2035 process formally began in 2010 with the initiation of the CC2035 Concept Plan and N/NE Quadrant Plan. At that time information from the 2010 Census was being released and used as an initial baseline for the demographics of the Central City. However, throughout the life of the plan effort, demographic, development, and transportation data was updated and used to inform the final versions of the two plans noted above, as well as the subsequent West and Southeast Quadrant Plans, and final Recommended Draft of CC2035. This ensured that the plan reflected real-time conditions and evolving projects for the plan area, and the information was made available to plan stakeholders and decision makers, consistent with Policies 2.34 – 2.37.

### Information design and development

84. **Policy 2.38, Accommodation.** Ensure accommodations to let individuals with disabilities participate in administrative, quasi-judicial, and legislative land use decisions, consistent with federal regulations.
85. **Policy 2.39, Notification.** Notify affected and interested community members and recognized organizations about administrative, quasi-judicial, and legislative land use decisions with enough lead time to enable effective participation. Consider notification to both property owners and renters.
86. **Policy 2.40, Tools for effective participation.** Provide clear and easy access to information about

administrative, quasi-judicial, and legislative land use decisions in multiple formats and through technological advancements and other ways.

87. **Policy 2.41, Limited English Proficiency (LEP).** Ensure that limited English proficient (LEP) individuals are provided meaningful access to information about administrative, quasi-judicial, and legislative land use decisions, consistent with federal regulations.

Consistent with Policies 2.38 – 2.41, and BPS community involvement practices, meetings, open house events, and all public meetings, described in more detail in the findings for Statewide Goal 1, were held at locations that could accommodate people with disabilities, meetings were noticed, information on the plan were provided to meeting participants as well as online, and accommodations were made to allow LEP individuals learn about and comment on the plan.

## Urban Form: Goals

88. **GOAL 3.A: A city designed for people.** Portland’s built environment is designed to serve the needs and aspirations of all Portlanders, promoting prosperity, health, equity, and resiliency. New development, redevelopment, and public investments reduce disparities and encourage social interaction to create a healthy connected city.
89. **GOAL 3.B: A climate and hazard resilient urban form.** Portland’s compact urban form, sustainable building development practices, green infrastructure, and active transportation system reduce carbon emissions, reduce natural hazard risks and impacts, and improve resilience to the effects of climate change.
90. **GOAL 3.C: Focused growth.** Household and employment growth is focused in the Central City and other centers, corridors, and transit station areas, creating compact urban development in areas with a high level of service and amenities, while allowing the relative stability of lower-density single-family residential areas.
91. **GOAL 3.D: A system of centers and corridors.** Portland’s interconnected system of centers and corridors provides diverse housing options and employment opportunities, robust multimodal transportation connections, access to local services and amenities, and supports low-carbon complete, healthy, and equitable communities.
92. **GOAL 3.E: Connected public realm and open spaces.** A network of parks, streets, City Greenways, and other public spaces supports community interaction; connects neighborhoods, districts, and destinations; and improves air, water, land quality, and environmental health.
93. **GOAL 3.F: Employment districts.** Portland supports job growth in a variety of employment districts to maintain a diverse economy.
94. **GOAL 3.G: Nature in the city.** A system of habitat corridors weaves nature into the city, enhances habitat connectivity, and preserves natural resources and the ecosystem services they provide.

The Urban Design chapter of the 2035 Comprehensive Plan contains goals and policies that view the city as if viewed from above. It considers the natural and urban conditions that shape the city, the unique districts that gives the city a diverse character and considers the network of corridors that link the city internally and with the region. Viewed from this perspective, the CC2035 Plan is intended to shape systems that make up the densest urban center in the State of Oregon. The

Central City is a regional hub for transportation, civic and cultural life, and government. Yet, it is also a collection of 10 individual districts, each with their own character and role, bound together by a close relationship with the Willamette River and a dynamic topography which further defines its character.

Consistent with Goals 3.A – 3.D, CC2035 contains goals, policies, and actions that support the Central City Plan District as the primary center for Portland, as well as the Portland Metropolitan Region. The plan’s policy framework and implementation plan supports a city center that “is composed of diverse, high density districts that feature high-quality spaces and a character that facilitates social interaction” (Goal 5.B) that can provide “equitable benefits to human health, the natural environment and the local economy” (Goal 6.A). The framework further contains policies addressing natural hazard and climate change resiliency (Policies 6.1 and 6.2), and numerous goals, policies, and actions supporting the Central City as the preeminent location for high-density focused growth in terms of economic development, housing, and access to government, cultural, and educational assets.

These goals, policies, and actions are further supported by Zoning Code amendments, such as development standards, FAR and height and development incentives, that on balance increase the development potential of the Central City. For instance, the Zoning Code has increased the base FAR of a number of sites that previously had a base of 4:1 to 5:1. These changes are intended to incent the development of new residential development, especially those containing affordable housing as a result of adopted inclusionary housing provisions. Further, limited portions of the Central Eastside were rezoned from industrial designations to Central Employment (EX) a mixed-use zone that allows higher density development as well as housing in certain situations. These provisions also build upon past and anticipated public investments in transportation infrastructure and respond to projections that the Central City will need to provide for 30% of Portland’s projected growth by 2035.

The CC2035 Plan further contains several elements that further the objective of Goal 3.E. These include the proposed Green Loop, new development standards and actions addressing the use of green infrastructure, expanded tree canopy, and additional vegetated setbacks within and adjacent to the public realm. The plan also contains goals, policies, and actions that support new open space creation, expanded use of the public realm and open space areas for a diversity of uses that enhance social interaction and environmental health.

Beyond the CC2035 policy framework, the plan includes many elements promoting a high-density and diverse economic center. The plan allows for increased employment densities in the Central Eastside, along the transit mall, at key station areas, and at major bridgeheads, consistent with Goal 3.F.

And lastly, as the Willamette River, Sullivan’s Gulch, and West Hills intersect with the Central City, combining with a public open space network that create corridors of habitat through the urban center of the city, CC2035 contains goals and policies promoting enhancement and expansion of these systems, as well as new development standards that require a greater setback from the Willamette River, improved enhancement requirements, greater open space areas at master plan sites, and bird safe design, are consistent with Goal 3.G.

## Urban Form: Policies

### Citywide design and development

95. **Policy 3.2, Growth and stability.** Direct most growth and change to centers, corridors, and transit

station areas, allowing the continuation of the scale and characteristics of Portland’s residential neighborhoods.

CC2035 strategically proposed FAR increases as well as height amendments various parts of the Central City, with an emphasis on the transit mall and new University Place, OMSI, Clinton station area. These amendments, as shown on Maps 510-2, 510-3, and 510-4 of the Central City Plan District (Volume 2A, Part 1 of the revised Recommended Draft of CC2035) were specifically intended to increase development densities in the Central City, with a further emphasis on incenting residential densities. During various points in their review of CC2035, Council proposed additional height and FAR amendments stating that these increases and bonus opportunities could result in additional housing that would help to increase the supply of housing within the city.

City Council received testimony, including from the Pearl neighborhood association, requesting a code change to require the provision for unlimited Floor Area Ratio (FAR) transfer be within the neighborhood of its deployment rather than by floor area transfer sectors. Comments received state that the transfer sector areas are too large, and the goal should be to preserve older buildings and increase the density of the new ones in the same neighborhood.

City Council finds that the CC2035 transfer area sectors proposed in CC2035 align with transportation impact modeling areas. In 2017, as part of the Central City 2035 Plan process, City Council expanded the size of the areas eligible to transfer FAR in response to testimony received. Council approved making each transfer sector as large as possible, while keeping areas in alignment with transportation impact modeling. The larger sector includes the Pearl, Downtown, Old Town/ Chinatown, West End and South Downtown, making a significantly larger pool of unused FAR available for transfer in this area. This addressed concerns received through testimony that the supply would be overly constrained if it remained at the neighborhood district level.

City Council finds that increasing the available pool of unused FAR to larger sectors of the Central City may facilitate high-density mixed-use development for housing, employment, services and amenities to support a growing population in the Central City.

City Council finds that larger sectors are supported by Comprehensive Plan policies 3.2 and, 6.3 in order to facilitate employment growth and to support housing density in the City’s downtown core.

Thus, these amendments increasing development potential are consistent with this policy direction.

96. **Policy 3.3, Equitable development.** Guide development, growth, and public facility investment to reduce disparities, ensure equitable access to opportunities, and produce positive outcomes for all Portlanders.

**3.3.a,** Anticipate, avoid, reduce, and mitigate negative public facility and development impacts, especially where those impacts inequitably burden communities of color, under-served and under-represented communities, and other vulnerable populations.

**3.3.b,** Make needed investments in areas that are deficient in public facilities to reduce disparities and increase equity. Accompany these investments with proactive measures to avoid displacement and increase affordable housing.

**3.3.c,** Encourage use of community benefit agreements to ensure equitable outcomes from development projects that benefit from public facility investments, increased development allowances, or public financial assistance. Consider community benefit agreements as a tool to

mitigate displacement and housing affordability impacts.

**3.3.d,** Consider use of exactions imposed on development and other tools to capture value created by plans and investments, to reduce or mitigate displacement and housing affordability impacts.

**3.3.e,** Coordinate housing, economic development, and public facility plans and investments to create an integrated community development approach to restore communities impacted by past decisions.

97. **Policy 3.4, All ages and abilities.** Strive for a built environment that provides a safe, healthful, and attractive environment for people of all ages and abilities.

The CC2035 Plan expands the boundaries of the existing plan district to include the new Clinton station area, an underutilized industrial area of about 12 acres in size which is now zoned for a mix of residential and employment uses. Other than that, the plan focuses redevelopment of existing underutilized and vacant areas of the Central City, and with uses of a similar character but at higher densities. This approach avoids displacement of existing populations. The plan further contains policies, actions, and development standards that promote housing and essential services for people of different ages and abilities to ensure that Central City neighborhoods are complete and sustainable communities, consistent with Policies 3.3 – 3.4.

98. **Policy 3.5, Energy and resource efficiency.** Support energy-efficient, resource-efficient, and sustainable development and transportation patterns through land use and transportation planning.
99. **Policy 3.6, Land efficiency.** Provide strategic investments and incentives to leverage infill, redevelopment, and promote intensification of scarce urban land while protecting environmental quality.
100. **Policy 3.7, Integrate nature.** Integrate nature and use green infrastructure throughout Portland.
101. **Policy 3.8, Leadership and innovation in design.** Encourage high-performance design and development that demonstrates Portland’s leadership in the design of the built environment, commitment to a more equitable city, and ability to experiment and generate innovative design solutions.

Consistent with the objectives of Policies 3.5 – 3.8, CC2035 promotes high-density and efficient land uses that are constructed to be energy efficient and that incorporate green infrastructure. The plan contains new zoning standards that introduce minimum density requirements in mixed use zones, and require new development pursue energy efficient certification and include ecoroofs. The plan also proposes expansion of transit and active transportation facilities, while reducing allowable parking ratios throughout the Central City.

102. **Policy 3.9, Growth and development.** Evaluate the potential impacts of planning and investment decisions, significant new infrastructure, and significant new development on the physical characteristics of neighborhoods and their residents, particularly under-served and under-represented communities, with attention to displacement and affordability impacts. Identify and implement strategies to mitigate the anticipated impacts.

While CC2035 promotes infill over displacement in existing Central City neighborhoods, the plan also promotes greater access to affordable housing and work space, public schools, community centers, and other amenities that serve under served and growing populations in the city center.

103. **Policy 3.11, Significant places.** Enhance and celebrate significant places throughout Portland with symbolic features or iconic structures that reinforce local identity, histories, and cultures and contribute to way-finding throughout the city. Consider these especially at:

- High-visibility intersections
- Attractions
- Schools, libraries, parks, and other civic places
- Bridges
- Rivers
- Viewpoints and view corridor locations
- Historically or culturally significant places
- Connections to volcanic buttes and other geologic and natural landscape features
- Neighborhood boundaries and transitions

CC2035 takes various tacks at addressing the objectives of Policy 3.11. The plan treats the bridgeheads along the Willamette River as key locations for some of the taller and most dense development along the Central Reach of the river. The plan also promotes development of a similar scale along the transit mall. Conversely, the plan increases the protection of public view corridors within and through the city center, promotes solar access to public park spaces, such as the Park Blocks and the Lan Su Classical Chinese Garden, and appropriate scale transitions to adjacent residential neighborhoods and historic district in and outside of the Central City.

In the New Chinatown/Japantown Historic District, the only MAX light rail station in the district fronts a 40,000 square foot site entirely used for surface parking. The CC2035 plan includes greater heights on the block to promote its redevelopment in line with goals for greater station area densities, the vitality of the historic district and residential activity. The heights are increased from 100 feet to 125 feet on the full block and an additional 75 feet of bonus height to 200 feet on the western half of the block located adjacent to this station area. Although the design of a building at this location, including the ultimate massing and height, would be reviewed for consistency with the applicable historic district design guidelines for the district, such a structure would better support the objective of Policy 3.11 than a vacant or surface parking lot.

## Centers

104. **Policy 3.12, Role of centers.** Enhance centers as anchors of complete neighborhoods that include concentrations of commercial and public services, housing, employment, gathering places, and green spaces.

105. **Policy 3.13, Variety of centers.** Plan for a range of centers across the city to enhance local, equitable access to services, and expand housing opportunities.

The Central City is the largest center on the 2035 Comprehensive Plan Map, a place that is intended to contain government services, civic amenities, a central business district, major institutions, diverse residential neighborhoods, the regional transportation hub, and a center for innovation and exchange. The CC2035 Plan addresses the multiple roles through an integrated policy framework that address economic development, housing opportunities, community development, environmental enhancement, multimodal transportation options, and a public realm and other features that provide for public gathering, discourse and events that benefit typical Central City users, but also the region.

The plan further supports this framework through actions that support new community centers, public schools, diversity of housing types and affordability, and the development and maintenance of essential public services that support residents. Employees, and visitors of the city center. Zoning amendments that address the creation of affordable housing, public open space, multimodal transportation, and essential public services directly implement the objectives of Policies 3.12 and 3.13.

106. **Policy 3.14, Housing in centers.** Provide housing capacity for enough population to support a broad range of commercial services, focusing higher-density housing within a half-mile of the center core.
107. **Policy 3.15, Investments in centers.** Encourage public and private investment in infrastructure, economic development, and community services in centers to ensure that all centers will support the populations they serve.

The CC2035 Plan projects that 30 percent of the city's growth by 2035 will occur in the Central City. This includes 38,000 new households and 51,000 new jobs. The increase in maximum floor area and use allowances of the Zoning Code proposed by the plan are modest, as the preexisting maximum height and FAR can accommodate these projections, based on analysis included in the buildable lands inventory (BLI). However, beyond capacity alone, the plan includes actions, development standards, and development incentives that address the inclusion of services and amenities that will support this continued growth and allow the Central City to sustain growth and the needs of residents and employees through the life of the plan and beyond. Specifically, new Central City Master Plan standards (Section 33,510.255 of the Zoning Code) requires the development of publicly accessible open space at key large development sites, and Section 33.510.2.E of the Zoning Code contains floor area allowance incentives when public services such as schools, community centers, libraries, and daycare are developed. These various elements of the plan are consistent with policies 3.14 and 3.15.

108. **Policy 3.16, Government services.** Encourage the placement of services in centers, including schools and colleges, health services, community centers, daycare, parks and plazas, library services, and justice services.

In direct response to this directive, the policy framework and implementation plan for CC2035 call for the development of new community centers, daycare, public open space, educational facilities, and other essential public services. Development incentives have also been included that encourage the development of such facilities as part of new mixed-use development and as standalone development.

109. **Policy 3.17, Arts and culture.** Ensure that land use plans and infrastructure investments allow for and incorporate arts, culture, and performance arts as central components of centers.

The role and importance of arts and culture to the economy and livability of the Central City is addressed in the policy framework and actions of the plan. The zoning strategy of the plan also supports this directive through the expansion of mixed-use zoning at key station areas where such amenities exist and where additional amenities are proposed, such as the OMSI station area in the Central Eastside.

Amendments to the Zoning Code also protect existing arts and cultural infrastructure. For example, height limit adjustments to new development are possible to protect the Lan Su Classical Chinese Garden, an important cultural asset, adjacent to the New Chinatown/Japantown Historic District. A

shadow study will be required of all new development on the blocks south, southwest and west of the Lan Su Garden. This shadow analysis will be required to ensure the garden, and the various functions it hosts, have access to light and air, and will be free from excessive shadowing from adjacent structures that might otherwise block sunlight during part of the afternoon.

Testimony was received from Lan Su Classical Chinese Garden in support of the re-adoption of CC2035 plan. The Garden conducted an in-house study by a horticulturist and found that the Garden will receive adequate sunlight from the south side from 10 am to 2 pm for most of the year. This is due to the height reduction from 250 ft. to 100 ft. on the block south of the Garden, as proposed by the Central City 2035 plan. Further, the study found that the shadow from a 200-ft. building on the west side would have little or no effect on the plants in the Garden.

City Council finds that this policy is met as this important cultural asset supports the plan and will not be impacted by the proposed adjacent heights.

110. **Policy 3.18, Accessibility.** Design centers to be compact, safe, attractive, and accessible places, where the street environment makes access by transit, walking, biking, and mobility devices such as wheelchairs, safe and attractive for people of all ages and abilities.
111. **Policy 3.19, Center connections.** Connect centers to each other and to other key local and regional destinations, such as schools, parks, and employment areas, by frequent and convenient transit, bicycle sharing, bicycle routes, pedestrian trails and sidewalks, and electric vehicle charging stations.

The existing conditions of the Central City may present the best example of how to address the objectives of Policies 3.18 and 3.19. However, the CC2035 Plan proposes enhancing the accessibility of the city center through additional transit connections, and multimodal infrastructure, like the Green Loop, that offer greater safety and separation for cyclists and pedestrians while connecting key service and destinations throughout the Central City.

112. **Policy 3.20, Green infrastructure in centers.** Integrate nature and green infrastructure into centers and enhance public views and connections to the surrounding natural features.

The policies, actions, and development standards of the plan address this policy by supporting and often requiring the development of energy efficient buildings, ecoroofs, use of green infrastructure on private land and in the public right-of-way, and expansion of greenway setbacks and tree canopy throughout the Central City.

## Central City

113. **Policy 3.21, Role of the Central City.** Encourage continued growth and investment in the Central City and recognize its unique role as the region's premier center for jobs, services, and civic and cultural institutions that support the entire city and region.

The CC2035 Plan proposed modest increases in FAR, as the plan district already contains a significant amount of growth potential through current zoning. However, significant growth is proposed for the transit mall and key station areas. CC2035 amendments increasing FAR and height allowances are shown on Maps 510-2, 510-3, and 510-4 of the Central City Plan District (Volume 2A, Part 1 of the revised Recommended Draft of CC2035). These were specifically intended to increase development densities in the Central City.

The plan also includes Zoning Code development standards allowing higher density employment in the Central Eastside industrial sanctuary. Lastly, the plan focuses on the redevelopment of vacant and under-utilized parcels throughout the city center, and places minimum density requirements for new development in mixed zones, consistent with this policy.

114. **Policy 3.22, Model Urban Center.** Promote the Central City as a living laboratory that demonstrates how the design and function of a dense urban center can concurrently provide equitable benefits to human health, the natural environment, and the local economy.

This policy calls for the Central City to be developed as a vibrant mixed-use center, that includes dense development that contributes to human and environmental health. CC2035 addresses these multiple objectives through elements that require the use of green infrastructure and energy efficient buildings. Additional elements that address environmental enhancement standards, expansion of non-automotive transportation options, a diverse mix of housing and essential public services, and an integrated approach toward transportation, urban design, development, and environmental enhancement, each contribute to the objectives of Policy 3.22.

115. **Policy 3.23, Central City employment.** Encourage the growth of the Central City's regional share of employment and continue its growth as the region's unique center for innovation and exchange through commerce, employment, arts, culture, entertainment, tourism, education, and government.

By the year 2035, the Central City is anticipated to add 51,000 new jobs to the more than 135,000 jobs that already exist. CC2035 contains numerous goals, policies, and actions that directly address expanded employment opportunities, but the plan most directly encourages growth by increasing FAR along the transit mall, at key station areas, and by increasing FAR allowances for higher density employment in the Central Eastside. These and similar elements of the plan ensure that CC2035 increase the Central City's share of regional job growth through the life of the plan, consistent with Policy 3.23.

116. **Policy 3.24, Central City housing.** Encourage the growth of the Central City as Portland's and the region's largest center with the highest concentrations of housing and with a diversity of housing options and services.

Over the life of the CC2035 Plan, the Central City is projected to grow by 38,000 households, and most of this growth will continue in existing districts such as the Pearl, West End, Goose Hollow, and South Waterfront. However, emerging residential neighborhoods in the Lloyd, Old Town/Chinatown, and other districts are expected to densify as well. The plan supports this direction through increased FAR allowances at key station areas, the rezoning of some areas to base zones that have demonstrated the ability to produce more housing, policies supporting a mix of housing types, and through development incentives that encourage affordable housing, as well as community supporting services and amenities, consistent with Policy 3.24.

117. **Policy 3.25, Transportation hub.** Enhance the Central City as the region's multimodal transportation hub and optimize regional access as well as the movement of people and goods among key destinations.

CC2035 amends the City's Transportation Systems Plan (TSP) to add a new goal and 16 new polices addressing various transportation issue, including Policy 9.40 which states:

***Regional transportation hub.** Strengthen the Central City as the highly accessible and multimodal hub for moving people and goods, reinforcing its regional center roles, enabling successful high density employment and housing development, and thereby affirming its role in Metro’s Regional 2040 Framework Plan.*

The plan also contains over 100 transportation related action items that address transit improvements, enhance freight mobility, expand and increase the safety of pedestrian and bicycle facilities, improve intersections and turn movements to the benefit of all modes, and consider the use of the Willamette River for regional transit options, such as high speed ferry service. These and other actions are intended to support and enhance the role of the Central City as the regional transportation hub, consistent with Policy 3.25. For more information regarding how the CC2035 Plan is consistent with all applicable transportation related Comprehensive Plan goals and policies, review “Transportation” findings located later in this findings report.

118. **Policy 3.26, Public places.** Promote public places and the Willamette River waterfront in the Central City as places of business and social activity and gathering for the people of its districts and the broader region.

The CC2035 Plan promotes the role and importance of the Willamette River, public right-of-way, and parks and open space areas in making the Central City a civic and cultural center for innovation and exchange. The plan’s policy framework and implementation plan contain elements supporting enhancement and expansion of public open space and gathering places, such as community centers and allowing limited retail uses in OS zones. The zoning amendments from the plan further provide development incentives to create greater setbacks from the Willamette River than those required by the plan and require that public open space be a part of large master plan sites. The plan contains additional elements that protect solar access from public spaces, promote expanded use of the right-of-way, and support the creation of the Green Loop, a key pedestrian and bicycle access way that links key public places throughout the Central City.

## Corridors

119. **Policy 3.44, Growth and mobility.** Coordinate transportation and land use strategies along corridors to accommodate growth and mobility needs for people of all ages and abilities.
120. **Policy 3.45, Connections.** Improve corridors as multimodal connections providing transit, pedestrian, bicycle, and motor vehicle access and that serve the freight needs of centers and neighborhood business districts.
121. **Policy 3.46, Design.** Encourage street design that balances the important transportation functions of corridors with their roles as the setting for commercial activity and residential living.
122. **Policy 3.47, Green infrastructure in corridors.** Enhance corridors with distinctive green infrastructure, including landscaped stormwater facilities, extensive tree plantings, and other landscaping that both provide environmental function and contribute to a quality pedestrian environment.

The Central City contains several designated Civic Corridors and Neighborhood Corridors. These tend to be major streets that extend from the city center outward into the rest of the city, such as Burnside, Martin Luther King Jr., Naito Parkway, and Broadway, among others. Within the Central City, these streets, their design, and their function may seem very like any number of other streets. However, once these corridors leave the city center, they often serve as both a major route to and

from the Central City, but also a local node of high-density, mixed-use development for the neighborhoods they serve.

That said, the role of these corridors as routes that connect the Central City with other corridors and town centers is an important one. Although these densities, mix of uses, use of green infrastructure, and inclusion of active transportation facilities and transit is not unique to these streets in the city center, the character of development and design and programming of these streets is what often makes them different. The CC2035 plan addresses the unique character of these corridors through Transportation Systems Plan (TSP) designations that address the multiple roles these corridors play. The plan also enhances development standards and use allowances that focus on ground floor activation, glazing standards, building setbacks, landscaping, green infrastructure and other elements that support the objectives of Policies 3.44 – 3.47.

## Civic Corridors

123. **Policy 3.48, Integrated land use and mobility.** Enhance Civic Corridors as distinctive places that are models of ecological urban design, with transit-supportive densities of housing and employment, prominent street trees and other green features, and high-quality transit service and pedestrian and bicycle facilities.
124. **Policy 3.49, Design great places.** Improve public streets and sidewalks along Civic Corridors to support the vitality of business districts, create distinctive places, provide a safe, healthy, and attractive pedestrian environment, and contribute to quality living environments for residents.
125. **Policy 3.50, Mobility corridors.** Improve Civic Corridors as key mobility corridors of citywide importance that accommodate all modes of transportation within their right-of-way or on nearby parallel routes.
126. **Policy 3.51, Freight.** Maintain freight mobility and access on Civic Corridors that are also Major or Priority Truck Streets.

The following streets are designated Civic Corridors within the Central City: Burnside, Broadway, Sandy, Naito Parkway, MLK Jr., SE Powell, and SE Hawthorne. The policies above identify key objectives for designated Civic Corridors. These include integrating freight, transit, and active transportation capacity, and green infrastructure, within a well-designed public realm that promotes human interaction and health. The CC2035 Plan promotes these objectives through development standards that require adjacent development to activate the public realm with a mix of uses and greater amounts of windows. Other Zoning Code standards provide incentives to setback development to create an expanded pedestrian experience. The plan also includes updated classification to the Transportation Systems Plan (TSP) that denote the multiple roles these various streets are required to plan as routes for transit, freight, bike commuting, and general circulation.

## Neighborhood Corridors

127. **Policy 3.52, Neighborhood Corridors.** Enhance Neighborhood Corridors as important places that support vibrant neighborhood business districts with quality multi-family housing, while providing transportation connections that link neighborhoods.

The following streets are designated Neighborhood Corridors within the Central City: NW Lovejoy, East Burnside, SE Belmont, and SE Division. Consistent with the above policy, the plan approach toward the designated Neighborhood Corridors in the Central City is to maintain mixed use zoning along these streets that requires active ground floor uses, such as retail sales and service, offices,

and other uses, with upper stories available for residential, offices, and along the south side of SE Belmont, industrial office uses.

## Transit Station Areas

128. **Policy 3.53, Transit-oriented development.** Encourage transit-oriented development and transit-supportive concentrations of housing and jobs, and multimodal connections at and adjacent to high-capacity transit stations.

Nearly all districts in the Central City have key station areas that are supported by transit-oriented development (TOD). CC2035 continues to support redevelopment in and near these station areas with TOD, and specifically addresses the inclusion of TOD at recently created station areas along the Max Orange Line in the University/South Downtown, South Waterfront, and Central Eastside Districts. An example of this can be found within the OMSI Station Area, where vacant and underutilized lands zoned for lower density employment and light industry use have been up-zoned to allow for these uses, as well as a mix of office, retail, and housing as a conditional use. This area now also enjoys greater maximum FAR and heights, which will allow a denser and greater mix of uses to exist as TOD at this station.

129. **Policy 3.54, Community connections.** Integrate transit stations into surrounding communities and enhance pedestrian and bicycle facilities (including bike sharing) to provide safe and accessible connections to key destinations beyond the station area.
130. **Policy 3.55, Transit station area safety.** Design transit areas to improve pedestrian, bicycle, and personal safety.

The station areas of the Central City are well connected to the multimodal network of bike and pedestrian routes that serve the city center, and CC2035 maintains and proposes to expand this network. The plan also proposes TOD at higher densities, and development standards that create active pedestrian-oriented uses at and adjacent to stations to increase safety of transit riders and other users of these station areas, consistent with Policies 3.54 – 3.55.

131. **Policy 3.56, Center stations.** Encourage transit stations in centers to provide high density concentrations of housing and commercial uses that maximize the ability of residents to live close to both high-quality transit and commercial services.
132. **Policy 3.57, Employment stations.** Encourage concentrations of jobs and employment-focused land uses in and around stations in employment-zoned areas.

CC2035 addresses the objectives of Policies 3.56 and 3.57 in several ways. Along the transit mall and at key station areas, FAR and height allowances have been applied to mixed-use zoned areas where a higher density of uses and development may now occur in response to the transit that has been expanded in the Central City over the last decade. In the Central Eastside, two new station areas located in underutilized low density industrial/employment land have been rezoned to mixed employment, with higher FAR and height allowances. One of these, the Clinton Station, is intended for a mix of residential and employment uses, whereas, the OMSI station area is intended for Employment Transit-Oriented Development (ETOD) and housing is only allowed as a conditional use where it can be found to not erode the viability of industrial employment uses on adjacent parcels.

133. **Policy 3.58, Transit neighborhood stations.** Encourage concentrations of mixed-income residential development and supportive commercial services close to transit neighborhood

stations. Transit neighborhood stations serve mixed-use areas that are not in major centers.

134. **Policy 3.59, Destination stations.** Enhance connections between major destinations and transit facilities and strengthen the role of these station areas as places of focused activity.

Many of the existing stations in the Central City are located at areas with key regional attractions, such as OMSI, the Moda Center, and the Saturday Public Market. Some of these stations have long enjoyed high-density mixed-use zoning, that includes affordable and market rate housing as well as mix of retail and employment uses. However, in situations where redevelopment around these stations has been slow to occur, or where zoning limitations restricted TOD at these locals, CC2035 proposes new base zones, increased height and FAR, and sometimes the creation of Central City Master Plans, that will in part be used to leverage the development of a dense mix of uses at and adjacent to these stations, consistent with Policy 3.58 and 3.59.

### City Greenways

135. **Policy 3.60, Connections.** Create a network of distinctive and attractive City Greenways that link centers, parks, schools, rivers, natural areas, and other key community destinations.
136. **Policy 3.61, Integrated system.** Create an integrated City Greenways system that includes regional trails through natural areas and along Portland’s rivers, connected to neighborhood greenways, and heritage parkways.
137. **Policy 3.62, Multiple benefits.** Design City Greenways that provide multiple benefits that contribute to Portland’s pedestrian, bicycle, green infrastructure, and parks and open space systems.
138. **Policy 3.63, Design.** Use design options such as distinctive street design, motor vehicle diversion, landscaping, tree plantings, scenic views, and other appropriate design options, to create City Greenways that extend the experience of open spaces and nature into neighborhoods, while improving stormwater management and calming traffic.

The Central City contains two primary City Greenways: The Green Loop and Willamette Greenway Trail. CC2035 continues to address the completion of the greenway trail as new and redevelopment activities that trigger trail construction occur along its alignment. As for the Green Loop, designated as an “enhanced greenway corridor,” this is a significant new greenway that will pass through most of the districts in the Central City and furnishes a new type of pedestrian and bicycle infrastructure designed for more cautious riders who prefer a separation from automobile traffic. The loop will provide connections to other pedestrian, bicycle, and transit alignments, and connect various public parks, visitor attractions, and institutions. The distinctive character of the loop, its integration with the multimodal network, and connections to key Central City destinations ensure consistency with the objectives of Policies 3.60 – 3.63.

### Urban habitat corridors

139. **Policy 3.64, Urban habitat corridors.** Establish a system of connected, well-functioning, and diverse habitat corridors that link habitats in Portland and the region, facilitate safe fish and wildlife access and movement through and between habitat areas, enhance the quality and connectivity of existing habitat corridors, and establish new habitat corridors in developed areas.
140. **Policy 3.65, Habitat connection tools.** Improve habitat corridors using a mix of tools including natural resource protection, property acquisition, natural resource restoration, tree planting and landscaping with native plants, and ecological design integrated with new development.

141. **Policy 3.66, Connect habitat corridors.** Ensure that planned connections between habitat corridors, greenways, and trails are located and designed to support the functions of each element, and create positive interrelationships between the elements, while also protecting habitat functions, fish, and wildlife.

The CC2035 amendments are consistent with Policies 3.64, 3.65 and 3.66 in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) identifies features including the 187-mile long Willamette River and riparian area which connects 11,500 square miles of land to the Columbia River and Pacific Ocean. The Willamette River is a migratory corridor for fish and wildlife. Chapter 5, Results, includes recommendations for protecting and maintaining natural resource features and functions and enhancing the resources to improve quality, quantity and connectivity of habitats.
- B. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the Willamette River, floodplains and riparian areas by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The mitigation requirements include planting of native vegetation and a mix of trees, shrubs and groundcover, which will improve habitat quality, quantity and connectivity along the Willamette River.
- C. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. There is a landscaping requirement for the setback that requires native plants to be installed with development. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion and updated landscaping requirement is appropriate because they will improve habitat quality, quantity and connectivity for fish and wildlife.
- D. The regulations for removal and remediation of hazardous substances require the use of biotechnical techniques for bank stabilization and the planting of native vegetation on the river bank. This will enhance fish and wildlife habitat in the Willamette River and riparian areas.
- E. The major trail alignment and completion of the Greenway Trail along the Willamette River will include landscaping that incorporates native vegetation and a mix of trees, shrubs and groundcover, which will improve habitat quality, quantity and connectivity along the Willamette River.
- F. C2035 includes a range of policies that will ensure the City continues progress toward incorporating tree canopy with redevelopment throughout the Central City. Specifically, the Plan contains tree canopy targets for all ten Central City subdistricts. Nine out of the 10 subdistricts are expected to experience increases in tree canopy over the life of the plan. Additional tree canopy will create new habitat connectivity corridors that allow wildlife to move across the urban landscape.
- G. The Green Loop is a multimodal transportation corridor that incorporates green infrastructure including trees and other vegetation into the design. The vegetation included in the Green Loop will create a new habitat connectivity corridor for wildlife to move through the Central City and connect to the Willamette River.
- H. A new standard for the Central City requires that new buildings over 20,000 square feet in net size must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions

including habitat for avian species. Ecoroofs will improve habitat connectivity for birds and insects throughout the urban landscape.

Significant testimony was received at the May 28, 2020 City Council hearing requesting that the ecoroof requirement (33.510.243) be retained as adopted in 2018. One individual requested a change to add the ability to harvest rainwater. City Council has no intention of changing the provision and intends retain and readopt ecoroof requirement in its current form.

## Employment areas

142. **Policy 3.67, Employment area geographies.** Consider the land development and transportation needs of Portland’s employment geographies when creating and amending land use plans and making infrastructure investments.
143. **Policy 3.68, Regional Truck Corridors.** Enhance designated streets to accommodate forecast freight growth and support intensified industrial use in nearby freight districts. *See Figure 3-7 – Employment Areas.* Designated regional truckways and priority truck streets (Transportation System Plan classifications are shown to illustrate this network).

The Central City contains two urban industrial districts: Central Eastside and Lower Albina Districts. Both are predominately zoned for a mix of freight dependent industrial employment uses, both are designated freight districts, and both include mixed-use corridors and major transit stations. CC2035 results in modest changes to the Lower Albina District; however, the plan significantly increases allowed employment densities in the Central Eastside, the rezoning of industrial to mixed use development at light rail stations, while increasing the designation of key freight routes to a higher classification and proposing new couplets and signalization improvements intend to enhance freight mobility and the viability of industrial employment throughout the district, consistent with Policies 3.67 and 3.68.

## Rivers Pattern Area

144. **Policy 3.69, Historic and multi-cultural significance.** Recognize, restore, and protect the historic and multi-cultural significance of the Willamette and Columbia Rivers, including current activities such as subsistence fishing of legally-permitted fish species.

The amendments are consistent with this policy because Willamette River goals, policies and actions promote the Willamette River’s historic and cultural significance, economy, and river recreation including fishing. Specifically:

- A. Willamette River goals state the river’s significant role in the environmental health, economy, recreation and character, that the river is healthy for fish, wildlife and people and the river and adjacent public areas are connected;
- B. Policies 4.1 and district policies 1.SW-2, 4.DT.1 and UD 18, for example, speak to improvements and activities that strengthen the physical, visual and cultural connections to the river and increase awareness of the river’s history, economy and ecological importance;
- C. Other policies focus on river-dependent and river-related uses, improved access to the river and to docks, and safe and enjoyable recreation including fishing such as Policy 4.3, Central Eastside Policy 4.CE-1 and South Waterfront policies 4.SW.1;
- D. Specific Central Citywide actions such as WR5 and district actions such as Old

Town/Chinatown action UD53, call for installation of art, signage and attractions along the riverfront to showcase the river’s past including highlighting Native American and maritime history; and

- E. Specific Central Citywide and district actions call for improved access to the river and to docks (Central Citywide WR4) and district actions promote low impact recreation including fishing (University District/South Downtown action UD62 and South Waterfront action UD 75 and 76).

145. **Policy 3.70, River transportation.** Recognize and enhance the roles of the Willamette and Columbia rivers as part of Portland’s historic, current, and future transportation infrastructure, including for freight, commerce, commuting, and other public and private transportation functions.

The amendments are consistent with this policy because a Transportation goal, along with policies and actions recognize and enhance the role of the Willamette River as part of Portland’s historic, current and future transportation infrastructure through:

- A. Transportation Goal 3A maintains that the Central City has a safe, affordable, efficient and accessible transportation system that prioritizes transit (including river transit in transportation system diagram) and Transportation Policy 3.10 includes exploring river transit;
- B. Numerous policies (e.g. Willamette River 4.4) and actions call for preserving, improving and promoting infrastructure that support commercial and marine freight (e.g. Lower Albina Policy 3.LA-3), river transit (e.g. Central City actions TR4 and TR5), individual watercraft and boating uses (e.g. Downtown TR41); and
- C. See above findings for Policy 3.69, Historic and Cultural Significance, for findings that relate to maritime history.
- D. The Transportation Studies list in CC2035 include a River Transit Study to assess the feasibility of a river transit system.

146. **Policy 3.71, Recreation.** Improve conditions along and within the Willamette and Columbia rivers to accommodate a diverse mix of recreational users and activities. Designate and invest in strategically-located sites along the length of Portland’s riverfronts for passive or active recreation activities that are compatible with nearby land uses, historically and culturally important sites, significant habitat areas, restoration sites, and native fish and wildlife usage.

The CC2035 Plan is consistent with this policy because:

- A. Numerous goals, policies and actions related to the Willamette River accommodate a diverse mix of recreational users and activities. Examples are Willamette River Goals 4A and 4C, Policies 1.5, 4.2 and 4.5, and actions WR 4, WR8 and WR14;
- B. The amendments also designate and include investments in strategically-located sites along the riverfront for recreation that is compatible with nearby land uses and other significant sites. Examples are: Policy 4.11 calls for low impact dock design, Downtown Policy 4.DT-1 addresses diverse recreation and habitat at Central City’s riverfront Governor Tom McCall Waterfront Park, EN17, EN 19 and EN21;

- C. Two Zoning Code use allowances in the Central City Plan District also support improving conditions along the Willamette River for recreational users. One allows a limited amount of retail structures in Open Space zoned properties outside of the river setback, to support parks users and activities. This includes specific OS zoned locations along the riverfront. Portland Parks and Recreation anticipates retail development to serve parks users with food and drink vendors and recreation rentals such as kayaks. The other Zoning Code development standard is for a Riverfront Open Space Bonus that entails a developer dedicating additional open space area adjacent to the river setback to provide more open space opportunities in exchange for additional development potential; and
- D. The new River Overlays Chapter in the Zoning Code includes an expanded river setback of 50' as measured from top of bank, for new development and redevelopment along the riverfront. This increase from the existing 25' setback provides more land area for recreation and other objectives of the Willamette River Greenway.

**147. Policy 3.73, Habitat.** Enhance the roles of the Willamette and Columbia rivers and their confluence as an ecological hub that provides locally and regionally significant habitat for fish and wildlife and habitat restoration opportunities.

The amendments support enhancing the role of the Willamette River as an ecological hub that provides locally and regionally significant fish and wildlife habitat and habitat restoration opportunities. See findings for Statewide Planning Goals 5, 6 and 15, Metro Urban Growth Management Functional Plan Title 3, 2035 Comprehensive Plan Goal 7B and policies: 3.64, 3.65 and 3.66, 7.8, 7.9, 7.10 among other policy findings in Chapter 7 Environment and Watershed Health.

**148. Policy 3.74, Commercial activities.** Enhance the roles of the Willamette and Columbia rivers in supporting local and regional business and commerce, including commercial fishing, tourism, recreation, and leisure.

The CC2035 Plan is consistent with this policy through goals, policies, actions, zoning code and map changes that enhance the role of the Willamette River in supporting local and regional business and commerce, tourism, recreation and leisure.

- A. Goals 4A and 4B state that the Willamette River plays a significant role in diverse aspects including economy and recreation and the river is healthy and supports fish, wildlife and people.
- B. Regional Center policies and actions seek enhancement of the riverfront as a city-wide and regional destination by encouraging shops, restaurants, other attractions and recreation, and support opportunities for river tours, river transit and regional cruises. See policies 1.5, 1-PL.3, 1-CE.3, 1-SW-2 and actions RC20, RC60, and RC63 as examples.
- C. Willamette River policies and actions call for a prosperous and vibrant riverfront with a variety of businesses and attractions that provide jobs and serve riverfront visitors. See policies 4.1, 4.3, 4.4, 4.9, 4-LA.1, and 4-CE-1 and actions TR20, TR74, UD18, UD22, UD55 and UD72.
- D. A Central City Plan District zoning provision also supports commercial activities in the riverfront area. It allows a limited amount of retail structures in Open Space zoned properties outside of the river setback, to support parks users and activities. This includes a sizable amount of OS zoned locations along the riverfront. It is anticipated that retail development will be food and drink vendors and recreation rentals such as kayaks.

- E. The plan includes a zoning map change for the riverfront area in the Central Eastside by the Oregon Museum of Science and Industry (OMSI) that will allow more opportunities for commerce, tourism, recreation and leisure. The new zoning map changes zoning around the OMSI light rail station area from industrial to Central Employment (EX) zone. This zoning map amendment will allow greater opportunities for commercial uses near the river.
- F. A River Overlay Zones development standard expands river-related development in the 50' river setback for Marine Passenger Terminals but limits this activity to a 5,000-square foot building footprint within the setback to balance this development with other Willamette Greenway goals including habitat conservation. Allowed river-related development associated with Marine Passenger Terminals can happen in a multi-story building within the maximum building footprint allowance and can also locate outside the river setback.

**149. Policy 3.75, River neighborhoods.** Enhance the strong river orientation of residential areas that are located along the Willamette and Columbia Rivers.

The amendments support this policy through the CC2035 Plan policy framework that enhance the strong river orientation of river neighborhood developments to/along the Willamette River.

- A. Goals 5A and 4C address a well-designed built environment with views to the surrounding landscape, building orientation and east/west connectivity to the Willamette River;
- B. Central City-wide Policy 4.8 along with specific district policies such as 4.OT-1 and 4CE-2 call for development projects along the riverfront that improve the physical and visual relationship of buildings and activities to the river including the orientation of doors and windows to the river; and
- C. A few actions seek to have new developments connect to the river (see findings for Policy 3.76 below), and direct staff to update the Central City Fundamental Design Guidelines (action UD1), which includes a guideline on the Willamette River that supports this policy.

**150. Policy 3.76, River access.** Enhance and complete Portland's system of river access points and riverside trails, including the Willamette Greenway Trail, and strengthen active transportation connections between neighborhoods and the rivers.

The CC2035 Plan is consistent with this policy through numerous goals, policies and actions and through zoning code implementation.

- A. Goals 3.A, 4.C and 5A prioritize active transportation, east-west access (to the river) and make public areas accessible and connected, e.g. Governor Tom McCall Waterfront Park;
- B. Numerous policies relate to visual and physical connections to the riverfront including to river transportation and improvements to streets and trails such as the Willamette Greenway Trail that connect people to the river, including the following examples of Central City-wide policies: 4.4, 4.5, and 5.12 and specific district policies: 3.DT-1, 3PL-1, 5.OT-3, 5.CE-2 and 3SW-1.
- C. There are numerous Transportation actions that enhance and complete river access and riverside trails and strengthen active transportation connections to the river, examples are: TR44, TR74, TR94, TR107, TR114, UD 25, and UD 77.
- D. Action TR118 states that the Bureau of Development Services will adopt and implement a proposed administrative rule that establishes a formula for determining rough proportionality for major public trail (e.g. Willamette Greenway Trail) exactions from specific proposed developments; to clarify when dedication of trail construction and/or dedication of easements

would be required of a proposed development based on impacts to the trail system.

151. **Policy 3.77, River management and coordination.** Coordinate with federal, state, regional, special districts, and other agencies to address issues of mutual interest and concern, including economic development, recreation, water transportation, flood and floodplain management and protection, regulatory compliance, permitting, emergency management, endangered species recovery, climate change preparation, Portland Harbor Superfund, brownfield cleanup, and habitat restoration.

The CC2035 Plan includes numerous actions that involve coordination with federal, state, regional, special districts and other agencies to address issues of mutual interest and concern related to the Willamette River/riverfront's environment, recreation, transportation and commerce. Action item examples for each topic area follow:

- A. WR7 develops an action plan to enhance and restore habitat throughout the Central Reach;
- B. UD55 improves and enhances boater access to/from the Willamette River at Waterfront Park;
- C. TR51 explores funding mechanisms, phasing and implementation of downtown river transit; and
- D. TR20 supports the creation of privately operated river transit services in the Central Eastside.

152. **Policy 3.80, Willamette River Central Reach.** Enhance the role of the Willamette River Central Reach as the Central City and region's primary riverfront destination for recreation, history and culture, emergency response, water transportation, and as habitat for fish and wildlife.

The CC2035 Plan updates the *Willamette Greenway Plan* (1987) for the Central Reach. The policy framework, zoning map and zoning code regulations and implementation actions enhance the role of the Central Reach as the Central City and region's primary riverfront destination for diverse purposes including recreation, history and culture, water transportation and fish and wildlife habitat. See findings for Statewide Planning Goals 5, 8 and 15, Metro Title 3, and numerous Comprehensive Plan findings such as the following examples: Policy 3.69, 3.70, 3.71, 3.73, 4.41 and 7.1.

153. **Policy 3.82, Willamette River Greenway.** Maintain multi-objective plans and regulations to guide development, infrastructure investments, and natural resource protection and enhancement within and along the Willamette Greenway.

The amendments support maintaining multi-objective plans and regulations to guide development, infrastructure investments and natural resource protection and enhancement within and along the Willamette River in the Central Reach. See findings for Policy 3.80 above.

### Central City Pattern Area

154. **Policy 3.83, Central City districts.** Enhance the distinct identities of the Central City's districts.

Since the adoption of the 1988 Central City Plan, there have been many changes to the urban form of the Central City, including introduction of entirely new neighborhoods such as the Pearl and South Waterfront Districts. To reflect how the districts have and will continue to evolve, the CC2035 identified 10 unique districts in the Central City. Each has a district identity that results from the mix of uses allowed (and often prohibited), block structure, adjacency to the Willamette River, built form and density.

The Central City also includes several Historic Districts such as the NW 13<sup>th</sup> Avenue, East Portland/Grand Avenue, and New Chinatown/Japantown Historic Districts. Maximum building heights in these districts were adjusted to preserve and complement each unique Historic District's contributing resources and the district as a whole.

For instance, in the New Chinatown/Japantown Historic District, a new maximum height of 200 feet, reduced from 425 feet, sets the new datum for height on the district's four northern blocks. An additional full block, an existing surface parking lot, had its maximum height increased from 100 feet to 125 feet with the western half of the block allowed an additional 75 feet to a maximum of 200 feet through bonus height as a means to incent new development on that site adjacent to a light rail station. Even with new height limits any new development will still be required to meet the applicable Historic Resource Review approval criteria for each district, reviewed on a case by case basis.

In Historic Resource Review, the review body will use applicable approval criteria to determine if specific development proposals are compatible with that district's unique established urban fabric—including style, materials, details, massing, and height. Council finds that the code amendments and design review and historic resource review processes demonstrate that the amendments equally or better support this policy compared with the existing language. Consistent with Policy 3.83, CC2035 proposes an urban design concept for each area, applies development standards and use allowance that reinforce each concept, and proposes new design guidelines that address the specific desired character for each district.

155. **Policy 3.84, Central City river orientation.** Enhance and strengthen access and orientation to the Willamette River in the Central City and increase river-focused activities.

The 1972 Downtown and 1988 Central City Plans both included elements striving to better connect the Central City with the Willamette River. Because of these efforts, improvements such as Governor Tom McCall Waterfront Park and the Eastbank Esplanade came to be, as well as visions for new waterfront districts such as South Waterfront and the River District (now the Pearl and Old Town/Chinatown). CC2035 includes numerous additional ways to better connect with the river. These include greater setbacks from the river's edge to provide areas for riparian enhancement, public trails, and gathering spaces. The plan also allows for limited visitor serving retail uses in public parks along the waterfront to attract and support visitor enjoyment of these assets. The plan also allows for a higher density and mix of uses at the OMSI Station Area, the only location on the eastside of the Willamette in the Central City where the urban form of the city and people can directly interface with the Willamette. These and other elements of the plan will enhance the urban cores relationship with the Willamette, consistent with Policy 3.84.

156. **Policy 3.85, Central City pedestrian system.** Maintain and expand the Central City's highly interconnected pedestrian system.

157. **Policy 3.86, Central City bicycle system.** Expand and improve the Central City's bicycle system.

CC2035 results in several TSP amendments and new projects that expand and enhance the existing network of pedestrian and bike routes through the Central City. These include elements such as new traffic signals at key intersections throughout the Central Eastside and improvements along SE Salmon street intended to better connect that district and residential neighborhoods to the east with the Central City and Willamette River. Other elements, such as the Green Loop, attempt to provide routes that separate pedestrians and cyclists from traffic, while providing a safe connection to transit, bikeways, trails, and major Central City destinations, consistent with Policy 3.85 and 3.86.

Projects and studies in the plan increase walking and bicycling opportunities and infrastructure. 64% of TSP projects support pedestrian use and 74% support bicycle use. Policies and actions to develop the Green Loop, design streets as public spaces and enhance the Willamette for people also meet this policy.

	Bike	Ped	Auto, Freight	Transit	Safety	Total
# of projects	87	76	41	8	85	<b>118</b>
% total	73.7%	64.4%	34.7%	6.8%	72.0%	
Cost of projects	\$ 962,419,223	\$ 954,169,223	\$ 563,352,391	\$ 302,000,000	\$ 784,581,249	<b>\$ 1,169,907,301</b>
% total	82.3%	81.6%	48.2%	25.8%	67.1%	

## Design and Development: Goals

158. **Goal 4.A: Context-sensitive design and development.** New development is designed to respond to and enhance the distinctive physical, historic, and cultural qualities of its location, while accommodating growth and change.

City Council interprets the term *distinctive physical, historic, and cultural qualities of its location* to mean *established urban fabric* as described in Policy 4.48.

The CC2035 Plan results in height and limited FAR increases in various locations throughout the Central City. As noted previously, FAR increases generally occur in areas well served by transit and other multimodal transportation infrastructure as well as in areas where previous public investment has been made to support additional density. However, in other situations height and FAR were modified and reduced to ensure that development within designated historic districts will be more compatible with the existing character of these unique areas.

In most situations, the ability to earn bonus height in a Historic District has been repealed, while the ability to earn bonus FAR has been retained. This was done so that applicants could propose utilizing the existing floor area assigned to a site, while creating a building envelope more consistent with those typically found within these historic districts. The one exception is in the New Chinatown/Japantown Historic District, where the height on the vacant and underutilized Block 33 site is increased to 125 feet and, through bonus height, to a maximum of 200 feet on the western half of the block. Currently Block 33 is a surface parking lot that fronts on the neighborhood light rail transit station. Increasing the height on the western half of the block provides flexibility to utilize floor area for denser mixed-use development along the station area while sculpting a new building to maintain lower heights along the eastern half of the block facing the interior of the district. Based on the evidence in the record, including the memo from John M. Tess on May 8, 2020, this arrangement of building height responds to and enhances the physical, historic, and cultural qualities of the district; complements contributing resources by increasing the economic viability of rehabilitation and reuse; and accommodates growth and change in conformance with Goal 4.A.

As also discussed in the findings for Policy 4.48, in the NW 13<sup>th</sup> Avenue, East Portland/Grand Avenue, Irvington, and New Chinatown/Japantown Historic Districts, the maximum allowable height was adjusted to be more consistent with the established urban fabric and applicable Historic Resource Review criteria for each district. Further, the adopted Historic Resource Review approval criteria for each district have been retained. New development in these areas will be reviewed using these district-specific criteria to determine that the new development is responsive to and compatible with the character of the district.

City Council finds that the allowed heights in each of the districts are equally or more supportive of the comprehensive plan goals and policies related to historic resources. Council finds that the adopted historic design guidelines for each district are essential implementation tool to ensure that the designs for each proposed development respond to and enhance physical, historic and cultural qualities of their locations. City Council finds that application of these guidelines as part of Historic Resource Review process, which is a component of the City's Goal 5 program, may result in disapproval of a proposed development at its maximum allowable height and requirement that the building height be modified to respond to the contributing resources found in that particular district. The City Council recognizes the Bureau of Planning and Sustainability memo dated June 3, 2020, as additional evidence supporting Historic Resource Review. Specifically, the City Council agrees with the statement that "Historic Resource Review is discretionary and that the height limits provided on maps 510-3 and 510-4 are maximum allowances, not entitlements, subject to Historic Resource Review and/or other land use reviews."

Outside of Historic Districts, most new development within a non-industrially zoned area, is subject to discretionary Design Review using the Central City Fundamental Design Guidelines. These guidelines work with the existing height and FAR assigned to a site to ensure that new development is designed to respond to and enhance the character of an area, enhances the public realm, and is designed and developed such that the quality and character of the architecture of a structure will not detract from the setting it is located within. The design review process is discretionary. It is intended to result in development that uses some or all of its FAR in a manner that is also consistent with all applicable design guidelines.

159. **Goal 4.B: Historic and cultural resources.** Historic and cultural resources are integral parts of an urban environment that continue to evolve and are preserved.

Over the years, there have been regular additions and evolutions to how historic resources are conserved in the Central City Plan District. Several designated Historic and Conservation Landmarks and Districts were created – NW 13<sup>th</sup> Avenue, East Portland/Grand Avenue, Yamhill, Skidmore/Old Town, Halprin, and New Chinatown/Japantown Historic Districts and the Russell Street Conservation Districts. Other historic districts were also established that are partially within the Central City, such as the Irvington and Alphabet Historic Districts.

Under CC2035, Historic Landmarks listed in the National Register of Historic Places and contributing buildings in Historic Districts will continue to be subject to discretionary Demolition Review. Also, development within all Historic and Conservation Landmark and District boundaries in the Central City will continue to be subject to discretionary Historic Resource Review. District-specific design guidelines have been adopted for most of the Historic Districts in the Central City, providing resource-specific Historic Resource Review approval criteria. This includes Skidmore/Old Town Design Guidelines adopted in 2016 and New Chinatown/Japantown Design Guidelines adopted in 2017, which were developed as an early deliverable of the CC2035 project.

Historic District design guidelines provide guidance to property owners, designers, architects, and developers related to the established urban fabric of the district as well as resource-specific Historic Resource Review approval criteria for alterations, additions, and new construction. These district-specific approval criteria conserve the specific architectural and cultural qualities that make the particular district significant.

The CC2035 Plan retains the design guidelines applicable to each district where they've been adopted. And, although the maximum heights have been adjusted in all or parts of four Central City Historic Districts, the design guidelines for each district will continue to serve as the Historic Resource Review approval criteria to determine if proposals for new development integrate with the established urban fabric of each district on a case by case basis.

The CC2035 Plan also includes new incentives to encourage the preservation and rehabilitation of designated historic resources. Under CC2035, unused FAR on a site containing a Historic or Conservation Landmark or contributing resource in a Historic or Conservation District can be sold and transferred to another site in the Central City Plan District. This creates financial resources to support improvement of the historic building. An additional 3:1 FAR may be transferred if the historic building is seismically upgraded.

The CC2035 Plan generally maintains or reduces maximum height limits in Historic and Conservation Districts. This includes a reduction in the maximum height limit in all or part of four Historic Districts. The specifics of how this was applied varies by district in response to the historic, physical, economic, and planning context of the district.

In January 2017, the Land Conservation and Development Commission adopted a new State Administrative Rule (OAR 660-023-0200) implementing the historic resources provisions of Goal 5. This new Rule applies directly to resources listed in the National Register of Historic Places after January 2017. As of April 2020, the new rule would apply to only two individual resources in the Central City Plan District—Wheeldon Annex and Alco Apartments. The City is advancing a separate code project, the Historic Resources Code Project, to amend Chapter 33.445 to achieve consistency with the provisions of the new State Administrative Rule.

The findings for Comprehensive Plan policies 4.46-4.57 further describe programs for historic resources that support this goal.

Based on the above findings and the evidence in the record, Council finds that CC2035 is equally or more supportive of this goal to preserve historic resources.

160. **Goal 4.C: Human and environmental health.** Neighborhoods and development are efficiently designed and built to enhance human and environmental health: they protect safety and livability; support local access to healthy food; limit negative impacts on water, hydrology, and air quality; reduce carbon emissions; encourage active and sustainable design; protect wildlife; address urban heat islands; and integrate nature and the built environment.
161. **Goal 4.D: Urban resilience.** Buildings, streets, and open spaces are designed to ensure long-term resilience and to adjust to changing demographics, climate, and economy, and withstand and recover from natural disasters.

Whereas the Urban Design chapter of the 2035 Comprehensive Plan takes a bird's eye view of the city's systems and layout, the Design and Development chapter focuses on the specifics of the built environment. Issues such as site design, pedestrian realm, transitions between districts, place making, and scenic and historic resources are considered in fine detail, among other issues. As the

CC2035 plan area includes 10 distinct districts, as well as 5 historic districts, each with their own identity, opportunities, and constraints, the plan strives to address the goals and policies of Chapter 4 at both the macro and micro level.

For instance, to ensure that the plan is sensitive to the unique context and character of each district, CC2035 includes: policies specific to these 15 individual districts; proposes development standards regarding height, floor area ratios, and the pedestrian environment responsive to the distinct character of these areas; and, proposes actions to amend applicable design guidelines to encourage new development that responds to the desire character, context, and historic and cultural resources of these different areas. Existing Historic District design guidelines for districts such as the New Chinatown/Japantown, NW 13<sup>th</sup> Avenue, Skidmore/Old Town, and East Portland/Grand Avenue Historic Districts are maintained to ensure that new maximum height and FAR provided through CC2035 are utilized in a manner consistent with the established design direction for these districts. Similarly, the existing Central City Fundamental Design Guidelines have been retained and will continue to be applicable to most new development within non-industrially zoned areas within the Central City. Further, the plan requires that seismic upgrades to historic structures are a precondition before FAR can be transferred from sites with designated landmarks. These elements of the plan respond to the direction of Goals 4.A and B above.

Consistent with Goal 4.C, C2035 also promotes human and environmental health through new policies, development standards and actions that focus on enhancing human health through the creation of a walkable, safe urban form that provides access to parks, natural areas, community gardens, and full-service grocery stores, among other amenities and services. Further, the plan proposes enhancing the environmental health of the Central City through new development standards that will over time establish an urban form that reduces stormwater discharges, improve air quality, reduce heat island effect and carbon emissions, utilize green infrastructure, and minimize impacts to wildlife. These new regulations include those requiring the development of ecoroofs, energy efficient buildings, bird safe development, and others.

Lastly, the plan includes new policies, standards, and actions intended to enhance the ability of the Central City to: withstand impacts from natural disasters such as earthquakes and flooding; respond to the effects of climate changes while reducing impacts that might contribute to climate change; and continue to serve as the regional center for the Portland Metropolitan Area as population, demographic changes, and the economy of the region evolves through the life of the plan. These elements of CC2035 also ensure that the plan is consistent with Goal 4.D.

## Design and Development: Policies

### Context

162. **Policy 4.1, Pattern areas.** Encourage building and site designs that respect the unique built, natural, historic, and cultural characteristics of Portland's five pattern areas described in Chapter 3: Urban Form.
163. **Policy 4.2, Community identity.** Encourage the development of character-giving design features that are responsive to place and the cultures of communities.
164. **Policy 4.3, Site and context.** Encourage development that responds to and enhances the positive qualities of site and context — the neighborhood, the block, the public realm, and natural features.

The CC2035 Plan focuses on the entire Central City Pattern Area, as well as the Willamette River

Central Reach of the Rivers Pattern Area. As such, the plan contains numerous elements addressing these two pattern areas, and where they overlap, balancing the policy provisions of each through development standards and actions intended to reflect the characteristics unique to both. These include, generally reduced maximum heights in historic districts by eliminating height bonuses, creating height setbacks adjacent to some public parks, increase building setbacks along the Willamette River (except at key bridgehead locations), and street/public realm standards intended to enhance the pedestrian environment in response to specific conditions with the Central City's 10 different districts. These elements of the plan respond to Policies 4.1, 4.2 and 4.3 above.

165. **Policy 4.4, Natural features and green infrastructure.** Integrate natural and green infrastructure such as trees, green spaces, ecoroofs, gardens, green walls, and vegetated stormwater management systems, into the urban environment. Encourage stormwater facilities that are designed to be a functional and attractive element of public spaces, especially in centers and corridors.

The plan includes new development standards requiring the development of ecoroofs on new development, as well as energy efficient development that often utilizes green infrastructure. The plan also contains new standards, actions, and policies intended to increase tree canopy and vegetative stormwater treatment facilities throughout the Central City.

166. **Policy 4.5, Pedestrian-oriented design.** Enhance the pedestrian experience throughout Portland through public and private development that creates accessible, safe, and attractive places for all those who walk and/or use wheelchairs or other mobility devices.

The new Zoning Code provisions and TSP amendments proposed by the plan include regulations that implement this plan by creating new building setbacks in some situations, for instance at sites along the Park Blocks, reducing building heights in others, encouraging the enhancement of the public realm to include new landscape and recreational amenities, among others. The plan also proposes projects, such as the Green Loop, intended to increase pedestrian safety and expand access to areas not currently well served by pedestrian connections.

167. **Policy 4.6, Street orientation.** Promote building and site designs that enhance the pedestrian experience with windows, entrances, pathways, and other features that provide connections to the street environment.

168. **Policy 4.7, Development and public spaces.** Guide development to help create high-quality public places and street environments while considering the role of adjacent development in framing, shaping, and activating the public space of streets and urban parks.

The plan responds to this policy direction by proposing development standards that activate the public realm with active uses, building massing requirements along the public open space features, and ground floor window standards, which are intended to result in building massing and programming that positively influence the experience in the public realm. These elements of the plan are consistent with Policies 4.6 and 4.7 above.

169. **Policy 4.9, Transitional urbanism.** Encourage temporary activities and structures in places that are transitioning to urban areas to promote job creation, entrepreneurship, active streets, and human interaction.

Although the Central City is a fairly established urban area, there remain places where through a combination of under-utilization or a low-density of uses where opportunities exist to increase the use and density of uses. CC2035 contains policies and actions, such as the Green Loop, and the ability to allow limited retail uses in open space area, in response to this policy direction.

## Health and safety

170. **Policy 4.10, Design for active living.** Encourage development and building and site design that promotes a healthy level of physical activity in daily life.

CC2035 contains many elements that promote active living and health. These include but are not limited to the Green Loop, publicly accessible open space features within large master plan sites, an expanded greenway setback, connections to the Willamette River for swimming and boating, the exploration of sites for community centers, and numerous active transportation projects.

171. **Policy 4.11, Access to light and air.** Provide for public access to light and air by managing and shaping the height and mass of buildings while accommodating urban-scale development.
172. **Policy 4.12, Privacy and solar access.** Encourage building and site designs that consider privacy and solar access for residents and neighbors while accommodating urban-scale development.

In response to Policies 4.11 and 4.12, new development standards are proposed for the Central City Plan District that require shade analysis and public view corridor analysis for projects that could have an adverse impact on views or solar access if these factors were not considered during the design of building massing. Specifically, Section 33.510.211 of the Zoning Code has been added, which requires that structures more than 100 feet in height along the eastside of the North and South Park Blocks undergo a shadow analysis to ensure that shadows cast on the blocks do not cover more than 50 percent of any individual block. Additionally, the Zoning Code continues to require small floor plates for taller tower constructed in the North Pearl, South Waterfront, and portions of RiverPlace. These standards ensure consistency with Policy 4.12.

In a very specific situation, sites on the blocks to the west, southwest, and south of the Lan Su Classical Chinese Garden are required to conduct a shadow analysis to ensure that the garden will continue to have access to light and air, free from excessive shadowing, consistent with this policy.

Testimony was received from Lan Su Classical Chinese Garden in support of the re-adoption of CC2035 plan. The Garden conducted an in-house study by a horticulturist and found that the Garden will receive adequate sunlight from the south side from 10 am to 2 pm for most of the year. This is due to the height reduction from 250 ft. to 100 ft. on the block south of the Garden, as proposed by the Central City 2035 plan. Further, the study found that the shadow from a 200-ft. building on the west side would have little or no effect on the plants in the Garden.

City Council finds that this policy is met as this important cultural asset supports the plan and will not be impacted by the proposed adjacent heights.

173. **Policy 4.13, Crime-preventive design.** Encourage building, site, and public infrastructure design approaches that help prevent crime.

The new and enhanced ground activation requirements, Central City Master Plan regulations, and actions addressing updates to the Central City Fundamental Design Guidelines and new lighting strategies for public parks and the public right-of-way respond to this policy direction.

174. **Policy 4.14, Fire prevention and safety.** Encourage building and site design that improves fire prevention, safety, and reduces seismic risks.

Although the building code addresses measures to improve fire prevention and safety, and CC2035 remains consistent with this direction, the plan also proposes new measures to encourage and in some cases, require seismic upgrades, especially to structures with historically significant structures.

## Residential areas

175. **Policy 4.15, Residential area continuity and adaptability.** Encourage more housing choices to accommodate a wider diversity of family sizes, incomes, and ages, and the changing needs of households over time. Allow adaptive reuse of existing buildings, the creation of accessory dwelling units, and other arrangements that bring housing diversity that is compatible with the general scale and patterns of residential areas.

The plan contains policy language that encourages the development of units having two or more bedrooms to support the rapidly growing number of families with children living in the Central City. The Plan includes actions calling for the monitoring of unit and bedroom development going forward and recommends that new incentives or standards be considered by the City if the development of family compatible housing starts to decline. This will help to ensure that studio and single bedroom units are not the only residential options available to Central City residents.

176. **Policy 4.16, Scale and patterns.** Encourage design and development that complements the general scale, character, and natural landscape features of neighborhoods. Consider building forms, scale, street frontage relationships, setbacks, open space patterns, and landscaping. Allow for a range of architectural styles and expression.

In response to this policy direction, CC2035 proposes new building massing and master plan standards, as well as greenway setbacks, building setbacks, and scenic view corridors each intended to address the unique characteristic that exists where the urban environment interfaces with adjacent neighborhoods, the Willamette Greenway, public parks, and regionally significant landscape features. For instance, the amended Central City Master Plan regulations (Section 33.510.255 of the Zoning Code) contain approval criteria regarding establishing building pads and an orientation that complements and does not adversely impact public views, parks, the Willamette Riverfront, and adjacent urban form and character that is to be preserved.

Throughout the Central City, most new development (not zoned industrial or located in an historic district) is subject to Design Review using the Central City Fundamental Design Guidelines. These guidelines work with the existing height and FAR assigned to a site to ensure that the quality and character of the architecture of new development is designed to complement the character and scale of an area and enhance the public realm.

In Historic Districts, other strategies may be used to meet Policy 4.16 including different approaches to height and FAR allowances. Generally, in historic districts bonus FAR may be allowed but bonus height is not. This is to better ensure compatibility of new development with the character and scale of existing development while still allowing for FAR to be used. In certain historic districts, base maximum height limits established prior to the creation of the district have been reduced where warranted by the particular character of the district's established urban fabric as a way to better ensure the compatibility of new development.

For example, in the New Chinatown/Japantown Historic District these type of height and FAR strategies are coupled with new guidelines for the district that identify characteristics of established urban fabric and allow for a variety of ways new development can be designed to complement district character and scale (as described in detail in the findings for Policy 4.48). Also, a shadow analysis is required to establish a step down/transition from the district to the Lan Su Classical Chinese Garden to ensure the garden will maintain access to light and air free from excessive shadowing.

Another example is found in the Pearl District/River District. This was once an industrial district with

an architectural character defined in some subareas by remnant brick industrial buildings that once housed manufacturing and cold storage facilities. Other parts of the district contained surface parking lots, newer mid-century “tilt up” construction industrial buildings, and low-density office buildings. The plan, adopted in the 1990’s, was to preserve buildings with a desired character, while promoting the redevelopment of under-utilized and vacant parcels. A combination of strategies was used to do this including creation of an urban renewal district, development agreements on key properties, and zoning allowances that increased over time as key public investments in transportation, parks and open space, and affordable housing were made.

The Pearl/River District strategies also included designation of an historic district within the larger district. The NW 13<sup>th</sup> Avenue Historic District was established within the Pearl/River district with provisions that encouraged the preservation of a contributing historic structures as well as non-contributing structures that had an historic character. This combination of strategies produced results like re-use and preservation of historically contributing buildings adjacent to new contemporary buildings (e.g. the 24-foot tall Sinclair Building in the NW 13<sup>th</sup> Avenue Historic District and the 175’ tall Casey Condominiums, which is adjacent to the Sinclair Building just outside the historic district boundary. Individually these two buildings are of a very different character, scale and style. Although these two buildings are of very different styles and scale, this differentiation complements the general scale and character of the neighborhood while not detracting or diminishing what is unique about the Sinclair Building.

177. **Policy 4.19, Resource efficient and healthy residential design and development.** Support resource efficient and healthy residential design and development.

The Plan proposes new standards requiring that new development pursue certification of different energy efficiency and green building certification criteria. This includes residential projects throughout the Central City.

### Design and development of centers and corridors

178. **Policy 4.20, Walkable scale.** Focus services and higher-density housing in the core of centers to support a critical mass of demand for commercial services and more walkable access for customers.
179. **Policy 4.21, Street environment.** Encourage development in centers and corridors to include amenities that create a pedestrian-oriented environment and provide places for people to sit, spend time, and gather.

Consistent with Policies 4.20 and 4.21, the plan proposes new Urban Design Policies, including urban design diagrams, that focus on the street hierarchy and development character along key street in the Central City. The plan also includes new development standards intended to implement this urban design direction, as well as actions calling for an update to applicable design guidelines to further respond to this direction. Lastly the Central City Plan District has been amended to expand restrictions to vehicle service and sales uses in transit areas with high pedestrian traffic and prohibits new drive-through facilities throughout the Central City.

180. **Policy 4.22, Relationship between building height and street size.** Encourage development in centers and corridors that is responsive to street space width, thus allowing taller buildings on wider streets.

The Central City has an existing ubiquitous grid pattern of streets typically between 60 and 80 feet

in width, most framed by taller and denser development than found in any other corridors and centers.

181. **Policy 4.23, Design for pedestrian and bicycle access.** Provide accessible sidewalks, high-quality bicycle access, and frequent street connections and crossings in centers and corridors.

CC2035 proposes numerous new projects, such as the Green Loop, multiple active transportation infrastructure projects, new signals at key intersections, and new trail alignments and connections consistent with this policy directive.

182. **Policy 4.24, Drive-through facilities.** Prohibit drive through facilities in the Central City, and limit new development of new ones in the Inner Ring Districts and centers to support a pedestrian-oriented environment.

CC2035 directly responds to this policy by proposing a prohibition on all new drive-through facilities throughout the Central City Plan District.

183. **Policy 4.25, Residential uses on busy streets.** Improve the livability of places and streets with high motor vehicle volumes. Encourage landscaped front setbacks, street trees, and other design approaches to buffer residents from street traffic.

CC2035 proposes a new street hierarchy that identifies key streets where different public right-of-way treatments should be pursued, in response to traffic volumes and the uses most likely to be located along these streets. The plan proposes to implement this new hierarchy through various measures such as encouraging building setbacks on key streets, expanded landscape setbacks and street trees, and new design guidelines that address the appropriate interface of residential uses with the public right-of-way.

184. **Policy 4.26, Active gathering places.** Locate public squares, plazas, and other gathering places in centers and corridors to provide places for community activity and social connections. Encourage location of businesses, services, and arts adjacent to these spaces that relate to and promote the use of the space.

The Plan contains policies, such as Policy 2.1, Complete Neighborhoods, and Policy 2.2, Promote healthy active living, that support the creation of new public open space features in park deficient areas. The plan also includes a new Central City Master Plan, code section 33.510.255, that require the development of publicly accessible parks and plazas within master plan sites. Lastly, a key element of the proposed Green Loop project is to connect existing and new open space amenities along the alignment of the loop, allowing the alignment to serve as a location where new public spaces and new businesses can be sited.

185. **Policy 4.27, Protect defining features.** Protect and enhance defining places and features of centers and corridors, including landmarks, natural features, and historic and cultural resources.

City Council interprets the term “protect and enhance” to mean the same as “preserve and complement” as described in the findings for Policy 4.48 The Plan addresses this policy directive through various measures, including but not limited to establishing new setback allowances along key streets, step down provisions along the north and south Park Blocks, and by amending the maximum heights allowed in certain historic districts, while preserving the ability to use the floor area assigned to individual parcels.

For example, in the East Portland/Grand Avenue and New Chinatown/Japantown Historic Districts the maximum heights, many adopted prior to the establishment of these areas as historic districts, have generally been reduced to a lower maximum height to ensure that new development will

protect and enhance contributing historic resources and the district as a whole while allowing the full base FAR assigned to these same parcels to be proposed for utilization.

In the New Chinatown/Japantown Historic District, four blocks located north of NW Everett have been lowered from a maximum height of 425 feet to 200 feet. The blocks south, southwest, and west located adjacent to west of the Lan Su Classical Chinese Garden will be required to conduct a shadow analysis to ensure that new development along this block face will not create excessive shadowing on the garden while also allowing use of the 9:1 FAR assigned to the block.

Testimony was received from Lan Su Classical Chinese Garden in support of the re-adoption of CC2035 plan. The Garden conducted an in-house study by a horticulturist and found that the Garden will receive adequate sunlight from the south side from 10 am to 2 pm for most of the year. This is due to the height reduction from 250 ft. to 100 ft. on the block south of the Garden, as proposed by the Central City 2035 plan. Further, the study found that the shadow from a 200-ft. building on the west side would have little or no effect on the plants in the Garden.

City Council finds that this policy is met as this important cultural asset supports the plan and will not be impacted by the proposed adjacent heights.

The findings described under Policy 4.46 and 4.48 further describe how CC2035 protects and enhances historic resources.

186. **Policy 4.28, Historic buildings in centers and corridors.** Protect and encourage the restoration and improvement of historic resources in centers and corridors.
187. **Policy 4.29, Public art.** Encourage new development and public places to include design elements and public art that contribute to the distinct identities of centers and corridors, and that highlight the history and diverse cultures of neighborhoods.

The Central City has long featured public art, cultural landmarks, signage and gateways, and incorporated historically significant buildings and building remnants as important elements to enliven of the public realm. CC2035 contains actions to complete the Park Avenue Vision project, Green Loop, and to establish special design guidelines and streetscape improvements for the Cultural District, which would include art and other elements that establish a distinct character in these areas, including historic and cultural aspects of these places, consistent with Policy 4.29.

## Transitions

188. **Policy 4.30, Scale transitions.** Create transitions in building scale in locations where higher-density and higher-intensity development is adjacent to smaller-scale single-dwelling zoning. Ensure that new high-density and large-scale infill development adjacent to single dwelling zones incorporates design elements that soften transitions in scale and limit light and privacy impacts on adjacent residents.
189. **Policy 4.31, Land use transitions.** Improve the interface between non-residential uses and residential uses in areas where commercial or employment uses are adjacent to residentially-zoned land.
190. **Policy 4.32, Industrial edge.** Protect non-industrially zoned parcels from the adverse impacts of facilities and uses on industrially zoned parcels using a variety of tools, including but not limited to vegetation, physical separation, land acquisition, and insulation to establish buffers between industrial sanctuaries and adjacent residential or mixed-use areas to protect both the viability of long-term industrial operations and the livability of adjacent areas.

CC2035 responds to this policy direction by proposing or maintains lower maximum heights and floor area ratios where the Central City transitions with adjacent Central City neighborhoods such as those located outside of the Lloyd and Central Eastside Districts. The Plan also contains development standards for the Central Eastside and OMSI Station Area requiring that residential development, within an area predominately used for industry and employment, be designed to minimize exposure to industrial operations to protect residents and the long-term viability of industrial operations. Lastly, new Zoning Code regulations in PCC 33.510 requiring that non-industrial development record an Industrial Disclosure Statement that acknowledges that lawful impacts related to noise, glare, odors, and freight operations should be expected, regardless of the impact on non-industrial uses also allowed within the Central Eastside. These various elements of the plan are consistent with the policy directives of Policies 4.30 – 4.31 above.

## Off-site impacts

191. **Policy 4.33, Off-site impacts.** Limit and mitigate public health impacts, such as odor, noise, glare, light pollution, air pollutants, and vibration that public facilities, land uses, or development may have on adjacent residential or institutional uses, and on significant fish and wildlife habitat areas. Pay attention to limiting and mitigating impacts to under-served and under-represented communities.

CC2035 responds to this policy primarily by not allowing the expansion of residential development in areas zoned for industrial use. However, in the Central Eastside where industrial zone land directly abuts areas zone for residential and mixed-use development, either by right or as a conditional use, new Plan District zoning regulations require the recording of the Industrial Disclosure Statement noted above. Further, where residential uses are allowed as a conditional use as part of the amended Central City Master Plan section of the Zoning Code (33.510.255), the new development standards require housing be designed to minimize exposure to industry to protect residents and the long-term viability of industrial operations.

192. **Policy 4.34, Auto-oriented facilities, uses, and exterior displays.** Minimize the adverse impacts of highways, auto-oriented uses, vehicle areas, drive-through areas, signage, and exterior display and storage areas on adjacent residential uses.

The Plan responds to this policy in several ways, such as restricting vehicle service and sales uses near transit station areas planned for high-density residential uses, prohibiting the creation of new drive-through facilities Central City-wide, establishing minimum density requirements for new development to discourage the under-utilization of land, and land use allowances and building massing limitations where the Central City has a direct interface with residential zoned areas.

193. **Policy 4.35, Noise impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative noise impacts to building users and residents, particularly in areas near freeways, regional truckways, major city traffic streets, and other sources of noise.
194. **Policy 4.36, Air quality impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative air quality impacts to building users and residents, particularly in areas near freeways, regional truckways, high traffic streets, and other sources of air pollution.
195. **Policy 4.37, Diesel emissions.** Encourage best practices to reduce diesel emissions and related impacts when considering land use and public facilities that will increase truck or train traffic.
196. **Policy 4.38, Light pollution.** Encourage lighting design and practices that reduce the negative impacts of light pollution, including sky glow, glare, energy waste, impacts to public health and safety, disruption of ecosystems, and hazards to wildlife.

In addition to the provisions noted above, CC2035 addresses potential impacts associated with noise, air quality and pollution, and light and glare on building tenants and natural areas through development standards including, but not limited to: wider setbacks for new development along the Willamette riverfront; lighting standards within and adjacent to the river setback; enhanced building setbacks on key streets; and new design guidelines that will address means to design new buildings to shield tenants from these potential impacts. The plan also includes measures to reduce the source of impacts where possible. Lastly, elements of the plan that prohibit new surface parking

## Scenic resources

197. **Policy 4.41, Scenic resources.** Enhance and celebrate Portland’s scenic resources to reinforce local identity, histories, and cultures and contribute toward way-finding throughout the city. Consider views of mountains, hills, buttes, rivers, streams, wetlands, parks, bridges, the Central City skyline, buildings, roads, art, landmarks, or other elements valued for their aesthetic appearance or symbolism.

CC2035 includes the Central City Scenic Resources Protection Plan (CCSRPP), which identifies the scenic resources in and surrounding the Central City. The views addressed in the CCSRPP include views of mountains, hills, buttes, rivers, parks, bridges, skyline, buildings, roads, art and landmarks. The plan includes an economic, social, environmental and energy analysis (ESEE) for the scenic resources. The ESEE includes evaluation of the contribution that scenic resources make towards a sense of place and identify, history and cultures of Portland, and way-finding throughout the city. The results of the CCSRPP are recommendations for when and how to protect and maintain significant scenic resources.

198. **Policy 4.42, Scenic resource protection.** Protect and manage designated significant scenic resources by maintaining scenic resource inventories, protection plans, regulations, and other tools.

The Central City Scenic Resources Protection Plan (CCSRPP) is an update of the 1991 Scenic Resources Protection Plan and includes three parts:

- Part 1 – Summary, Results and Implementation – Includes recommended amendments to the regulations and maps to implement the results of the inventory and ESEE Analysis
- Part 2 – Scenic Resources Inventory – Documentation of the scenic resources located within and surrounding the Central City. Includes views, viewpoints, view streets, scenic corridors, scenic sites and visual focal points.
- Part 3 – Economic, Social, Environmental and Energy Analysis – Provides an analysis and makes recommendations regarding which resources to protect and maintain.

The CCSRPP is implemented through updates to the zoning code including:

1. 33.510, Central City – Map 510-3, Base Heights, is adjusted and a new Map 510-4, Bonus Heights, is added to be protective of views.
2. 33.475, River Overlay Zones – Standards allow for removal of trees, with replacement, and removal of other vegetation from view corridors to maintain views. Requires that when the Greenway Trail is developed, designated viewpoints must also be developed.

Testimony was received that both supported and opposed protecting certain views. City Council finds that protecting scenic resources, including views, is important and maintained protections for almost all of the recommended views. Council finds that the view of Mt Adams from viewpoint SW24, Upper Hall, is not significant enough to warrant protection by limiting heights on many properties in the Central City. Council finds that the view of Vista Bridge from SW Jefferson Street

can be adequately protected while allowing building heights of 75 feet along the north side of the street.

199. **Policy 4.43, Vegetation management.** Maintain regulations and other tools for managing vegetation in a manner that preserves or enhances designated significant scenic resources.

CC2035 includes Zoning Code Chapter 33.475, River Overlay Zones. New standards allow for removal of trees, with replacement, and removal of other vegetation from view corridors to maintain views. Landscaping standards allow flexibility, such as different tree sizes and locations, to allow for maintenance of views.

200. **Policy 4.44, Building placement, height, and massing.** Maintain regulations and other tools related to building placement, height, and massing to preserve designated significant scenic resources.

CC2035 includes Zoning Code Chapter 33.510, Central City. Map 510-3, Base Heights, is adjusted and a new Map 510-4, Bonus Heights, is added to be protective of views.

201. **Policy 4.45, Future development.** Encourage new public and private development to create new public viewpoints providing views of Portland’s rivers, bridges, surrounding mountains, hills and buttes, the Central City skyline, and other landmark features.

CC2035 includes Zoning Code Chapter 33.475, River Overlay Zones. The code requires that when the Greenway Trail is developed, designated viewpoints must also be developed to create formal places where the public can view Portland’s rivers, bridges, mountain, hills, buttes, skyline and other landmarks. The *Central City Scenic Resources Protection Plan* includes management recommendations to improve ADA accessibility to all designated viewpoints and add amenities such as benches, informational signs or lighting.

## Historic and cultural resources

202. **Policy 4.46, Historic and cultural resource protection.** Protect and encourage the restoration of historic buildings, places, and districts that contribute to the distinctive character and history of Portland’s evolving urban environment.

The City Council interprets terms as follows:

“**Protect**” means to defend or guard against loss, injury, or destruction. Policies calling for protection apply to multiple topic areas and can be accomplished or supported using various tools, such as regulations to prohibit or limit an action, investments such as land acquisition, agreements, and community partnerships.

“**Encourage**” means to promote or foster using some combination of voluntary approaches, regulations, or incentives.

“**Restore**” means to recreate elements that are missing; move something back to its original condition; rehabilitate.

“**Historic buildings, places, and districts**” means historic resource. A historic resource is a structure, place, or object that has a relationship to events or conditions of the human past. Historic resources may be significant for architectural, historical, and cultural reasons. Examples include historic landmarks, conservation landmarks, historic districts, conservation districts, and structures or objects that are identified as contributing to the historic significance of a district, including resources that are listed in the National Register of Historic Places. Rank I, II, and III structures, places, and objects that are included in historic inventories are historic resources.

**“Urban environment”** means established urban fabric, as interpreted in the findings for Policy 4.48.

The City Council interprets Policy 4.46 to require that provisions pertaining to demolition and alteration are applied to designated historic resources and that voluntary incentives are made available to support rehabilitation of those resources. The City Council further interprets this policy to mean that historic resources contribute to the city’s distinctive character, history, and urban fabric but that this contribution does not preclude the evolution and change of a living city’s urban fabric. Actions that implement Policy 4.46 are not limited to those that regulate new development; Protecting historic buildings, places, and districts from loss, injury, or destruction includes actions regulating alterations and additions to historic resources, as well as actions that provide economic incentives for historic resources to be preserved, rehabilitated, and reused.

The CC2035 Plan maintains and supplements the City’s regulations for identifying, designating, and protecting historic resources within the Central City Plan District. These regulations codified primarily in Chapter 33.445, Historic Resource Overlay Zone, provide a citywide approach to protecting historic resources consistent with statewide land use Goal 5.

Chapter 33.445 regulations protect Historic Landmarks and Historic Districts (both those designated by the City and those listed on the National Register of Historic Places), Conservation Landmarks and Conservation Districts, and undesignated resources identified in the Historic Resources Inventory as Rank I, II, or III. Existing provisions in Chapter 33.445 provide the following regulations that protect historic resources and encourage their restoration:

1. **Demolition Review.** Historic Landmarks that have been listed on the National Register of Historic Places and contributing resources in Historic Districts are subject to Demolition Review, a Type IV land use procedure that requires approval by the Portland City Council before a demolition permit can be issued. Other historic resources addressed by Chapter 33.445 are subject to 120-day demolition delay.
2. **Historic Resource Review.** Historic and Conservation Landmarks and properties within the boundaries of Historic and Conservation Districts are also subject to Historic Resource Review, a discretionary land use regulation that applies to most exterior alteration and new construction proposals. Historic Resource Review ensures the protection of designated historic resources by considering resource-specific factors such as the repair, alteration and replacement of historic materials; the compatibility of architectural features, massing, and height of additions and new structures; and the continuity of design patterns, cultural associations, and structural resilience. The approval criteria for Historic Resource Review is provided in Chapter 33.846, Historic Resource Reviews. Within the Central City Plan District, the applicable approval criteria are described in Chapter 33.846.060.F, Approval Criteria in the Central City Plan District. Alterations, additions, and new construction are allowed within the boundaries of designated historic resources to allow for the evolution of the city’s urban fabric, with development activities subject to the Historic Resource Review approval criteria.

In general, alterations to Historic and Conservation Landmarks are subject to the approval criteria provided in the code; alterations and new construction in Historic and Conservation Districts are subject to district-specific guidelines, the Central City Fundamental Design Guidelines, subdistrict design guidelines, the approval criteria provided in the code, or a combination of the above. On a site-by-site basis, Historic Resource Review can limit allowed building height, massing, setback, materials, details, or other features to ensure the protection of historic resources. City Council recognizes the discretionary nature of Historic Resource

Review as an integral part of ensuring the protection of Historic and Conservation Landmarks and Districts. Additionally, City Council recognizes and finds credible the Bureau of Planning and Sustainability memo dated June 3, 2020, which provides “that Historic Resource Review already provides the decision-maker with the authority to adjust development allowances in order to find that a given development proposal meets the adopted approval criteria for the site.”

3. **Incentives.** Chapter 33.445 also includes special provisions that increase the potential for historic resources to be rehabilitated by increasing land use flexibility and redevelopment options. These include exceptions from minimum density requirements and a lower review type threshold for conditional use applications in certain zones. CC2035 also includes an expanded floor area transfer bonus as an incentive to preserve historic buildings through seismic upgrades.

The Council finds that, together, the regulations in Chapters 33.445 and 33.846 protect and encourage the restoration of historic resources that contribute to Portland’s evolving urban fabric.

In addition to the regulations of Chapter 33.445, several of the historic districts in the Central City are also part of City designated urban renewal districts. These areas have dedicated public investment resources and redevelopment plans administered by the City’s community development agency, Prosper Portland. These programs help implement Policy 4.46 in these areas through direct investments in public infrastructure and new development, support for development of historic district guidelines and plans, support for business development and community engagement related to development and the historic and cultural character and assets of the district.

City Council finds that these existing regulations, incentives, and programs serve to protect and encourage the restoration of historic resources.

City Council additionally finds that the following new provisions in the CC2035 Plan protect and encourage the restoration of historic resources:

1. **Commercial uses in the RX zone.** This new provision encourages restoration of older buildings, including those that are designated as historic resources, by allowing 100 percent of existing non-residential buildings in the RX zone (e.g. meeting halls, churches, community centers and other special-purpose buildings) to be used for office and retail uses.
2. **Office uses in the IG1 Zone.** This new provision encourages the restoration of historic resources by allowing up to 100% of the floor area of designated historic resources in the IG1 zone to be used as Industrial Office use (plus up to an additional 5,000 square feet in a rooftop addition).
3. **New FAR Transfer Provisions.** The CC2035 Plan revises the FAR bonus and transfer system in the Central City Plan District, a change that supports several of the historic and cultural resource polices. The changes provide an expanded historic resource FAR transfer incentive that requires seismic upgrades but provides an additional 3:1 floor area as a financial incentive to support the upgrades and other restoration activities. These provisions allow for Historic and Conservation Landmarks and contributing resources in Historic and Conservation Districts to transfer unused and additional FAR to sites elsewhere inside and outside the Central City. Transferring FAR provides the owner of the historic resource with monetary value that can be invested in the rehabilitation of the resource.

City Council reviewed testimony received, including from the Pearl neighborhood association, requesting a zoning code change to require the provision for unlimited Floor Area Ratio (FAR) transfer be within the neighborhood of its deployment rather than by floor area transfer sectors.

Comments received state that the transfer sector areas are too large, and the goal should be to preserve older buildings and increase the density of the new ones in the same neighborhood. City Council finds that the CC2035 Plan prioritizes historic resources for preservation under 33.510.205 and reduces redevelopment pressures by expanding the transfer area throughout the Central City.

The Council finds that the existing regulations and the new provisions in the CC2035 Plan protect and encourage the restoration of historic resources. Council finds that the existing and new provisions require the protection of historic resources that contribute to the distinctive character and history of Portland's evolving urban fabric.

203. **Policy 4.47, State and federal historic resource support.** Advocate for state and federal policies, programs, and legislation that would enable stronger historic resource designations, protections, and rehabilitation programs.

The Council finds that the CC2035 Plan responds to this policy through new goals and policies specific to the Central City that call for the rehabilitation and reuse of historic structures, historic district protection measures, and updates to the Historic Resource Inventory.

Specific to Policy 4.47, CC2035 Plan action item UD2 calls for the City to advocate for the passage of a state historic tax credit. The City Council finds that 39 other states have adopted state historic tax credit programs to support the rehabilitation of historic resources. The City Council advocated for establishment of such a credit in the 2019 legislative session, but the proposal was not adopted.

204. **Policy 4.48, Continuity with established patterns.** Encourage development that fills in vacant and underutilized gaps within the established urban fabric, while preserving and complementing historic resources.

The City Council interprets terms as follows:

**"Encourage"** means to promote or foster using some combination of voluntary approaches, regulations, or incentives.

**"Vacant and underutilized gaps"** means sites identified on the Buildable Lands Inventory, sites that include no buildings, and sites that include buildings with significantly less development in terms of square feet than allowed by the base mapped FAR for the site. "Vacant and underutilized gaps" does not include Historic and Conservation Landmarks or contributing resources in Historic and Conservation Districts.

**"Established urban fabric"** means characteristics of the existing and historic built environment of a district or place including, but not limited to, block pattern, arrangement and design of streets and pedestrian realm, street wall, street-level activity, building use, construction type, architectural style, exterior materials, design details, massing, and height.

**"Preserve"** means to save from significant change or loss and reserve for a special purpose.

**"Complement"** means to add to, enhance, or improve.

**"Historic resource"** means a structure, place, or object that has a relationship to events or conditions of the human past. Historic resources may be significant for architectural, historical, and cultural reasons. Examples include historic landmarks, conservation landmarks, historic districts, conservation districts, and structures or objects that are identified as contributing to the historic significance of a district, including resources that are listed in the National Register of Historic

Places. Rank I, II, and III structures, places, and objects that are included in historic inventories are historic resources.

City Council interprets Policy 4.48 to consist of two parts that work together: 1) encouraging development that fills in vacant and underutilized gaps in the established urban fabric and 2) preserving and complementing historic resources. Regarding the first part, City Council finds that meeting this policy requires allowing new development within the existing built environment. This includes new development that is adjacent to individual historic resources and on non-contributing sites in Historic and Conservation Districts. Regarding the second part, City Council finds that Policy 4.48 requires the protection of historic resources and provisions for requiring new development to complement those resources. Historic resources are complemented when the relationship between the characteristics of additions, alterations, and new development improves the ability to preserve, rehabilitate, reuse, or understand the existing historic resource.

City Council interprets this policy to be implemented by the development review processes and provisions described in the findings for Policy 4.46. In Historic and Conservation Districts, this includes the review of new development to add to, enhance, or improve characteristics of the established urban fabric that relate to the historic significance of the district. City Council also finds this policy is implemented by new development because it supports and increases economic opportunities for the preservation, restoration and reuse of historic resources. The businesses, residents, and other uses provided by new development can be critical to preserving or resuscitating the economic and social vitality and sustainability of individual Landmarks, contributing resources in districts, and even districts as a whole.

City Council finds that the CC2035 Plan balances the policy's two objectives to 1) encourage development and 2) preserve and complement historic resources in the following ways:

1. **Encouraging development that fills in vacant and underutilized gaps within the established urban fabric.** The City Council finds that the CC2035 Plan encourages development that will fill in the vacant and underutilized gaps by maximizing the public's significant investment in infrastructure through encouraging development that increases the density of housing and jobs across the Plan District.

City Council's application of the first part of Policy 4.48 is informed both by existing development and by the fact that the CC2035 Plan is intended to guide new development and growth across the Central City Plan District. The Comprehensive Plan and CC2035 plan policies simultaneously encourage development of vacant and underutilized parcels and preservation of historic resources. Policies such as 3.53, Transit-Oriented Development, 5.23, Higher Density Housing, and 6.15 Regionally-competitive development sites support increasing the concentration of housing and jobs near transit stations and encourage infill redevelopment generally across the Plan District. It is only in places identified to include resources to protect - scenic view corridors, open spaces, and Historic and Conservation Districts - where the CC2035 Plan increases the limitations of how infill will integrate with the established urban fabric.

With the exception of historic resources that are subject to demolition protections, the CC2035 Plan is not intended to prevent redevelopment of vacant and underutilized sites. This approach extends to non-contributing sites in historic districts, as explained further below. There are Historic and Conservation Districts in the Central City that have numerous vacant lots, surface parking lots, and 20<sup>th</sup> century redevelopment that detract from the character and vitality of these districts. Even though they contain important Historic Landmarks and contributing

structures, the amount vacant and under-utilized parcels resulted in these districts being designated as blighted and becoming urban renewal districts in the 1970s, 1980s and 1990s.

The infill development promoted by Policy 4.48 is intended to bring back a continuous street wall in these areas. This simultaneously can make the pedestrian realm more active and safe and recreate the intimate urban spaces present historically. The number of vacant and underutilized sites in Historic and Conservation Districts differs by district. The NW 13<sup>th</sup> Avenue Historic District is largely intact with only two non-contributing properties (4% of the land area of the district). The New Chinatown/Japantown Historic District is on the other end of this spectrum with as many as 25 non-contributing properties (58% of the land area of the district).

Across the Central City Plan District, City Council expects that redevelopment of vacant and underutilized sites may not be identical to the existing physical characteristics of the surrounding existing buildings. The CC2035 Plan, Chapter 33.420, Chapter 33.445, and applicable approval criteria supports a variety of approaches to infill, resulting in buildings that complement existing historic resources. This variety of new development allows provides for growth, density, innovation, the ability to meet the needs of a diversity of uses and people, and the ability for urban form and sense of place to appropriately evolve over time. With the exception of Historic and Conservation Landmarks and Districts that are subject to Historic Resource Review, the existing application of the Design Overlay and corresponding discretionary design review in much of the Central City Plan District is an additional way the CC2035 Plan ensures that new buildings will integrate into the established urban fabric, even if new development departs from that fabric in one or more characteristic.

**The role of height and FAR allowances in encouraging development of vacant and underutilized sites in the Central City.**

The Central City is generally divided in a grid pattern that establishes 40,000 square foot blocks, one of the smallest typical downtown town block patterns found in North America. Therefore, it is typical for a development site to occupy an entire city block and when the Zoning Code assigns base FAR to an area it assumes that a full block development will be able to use the full development potential made possible by the assigned FAR allowances.

In many portions of the Pearl, Old Town/Chinatown, Central Eastside, Goose Hollow, South Waterfront, and University District/South Downtown, the Zoning Code has historically assigned a base FAR of 6:1 with the ability to earn an additional bonus 3:1 FAR for a total FAR allowance of 9:1 FAR. On a 40,000 square foot site this allows 360,000 square feet of development potential.

Before a maximum building height is assigned to a site, certain typical building metrics are considered. These include the typical base floor to ceiling heights of the ground floor of a mixed-use building (which on average is 15 feet) as well as those for all other floors in an office and/or residential building (which on average is a minimum of 12 feet for office buildings and 10 feet for residential buildings).

Additionally, the average floor plate size of different types of buildings is also factored in. Generally, the floor area on each floor of the podium, the base of the building, is on average 38,000 square feet in area, and the total floors included in a podium is three stories on average. Thus, the podium typically can use as much as 114,000 square feet on average. This leaves approximately 246,000 square feet of building potential for the tower above the podium.

On average the floor plate size of a residential tower is assumed to be 18,000 square feet, and 30,000 square feet for an office tower.

When these metrics are applied to the development of a residential tower (assuming 10-foot floor-to-ceiling heights, 18,000 square foot floor plates, and 246,000 square feet of remaining development potential), the full use of the remaining allocated FAR would allow for the development of approximately 14 stories above the podium, which would result in a 175-foot tall, 17-story residential mixed-use building on average. The maximum height could vary depending on variations in podium size, tower floor plate sizes, and floor to ceiling heights, all of which vary from building to building. Thus, if all the FAR available through the base and bonus FAR is used (assuming this totals 9:1 FAR) the actual height necessary for this amount of FAR may vary between 175' to 250' for residential development.

For this reason, the maximum building height assigned by the Zoning Code to areas that have a base FAR of 9:1, or the ability to earn 9:1 through a combination of base and bonus FAR, typically ranges between 175 feet and 250 feet on average. In areas subject to Historic Resource Review, the City Council recognizes that FAR and height are allowances and not guaranteed entitlements.

Testimony was received at the May 28, 2020, hearing and in writing requesting that the City codify that zoned heights in historic districts are permissive, not entitled. This testimony sought to confirm that height limits are maximums, but not a guarantee. City Council recognizes and agrees with staff memo, in the record, dated June 3, 2020, that Historic Resource Review already provides the decision-maker with the authority to adjust development allowances in order to find that a given development proposal meets the adopted approval criteria for a site. City Council therefore agrees with the testimony that the height limits provided on maps 510-3 and 510-4 in the zoning code are maximum allowances, not entitlements, subject to Historic Resource Review and/or other land use reviews. City Council does not believe that further changes are needed to establish Historic Resource Review approval criteria as mandatory land use approval criteria that must be met.

2. **Preserving historic resources.** City Council finds that CC2035 does not amend the existing Zoning Code provisions that protect historic resources citywide. These provisions are described in the findings for Policy 4.46. As of April 2020, there are 241 Historic Landmarks, eight Historic Districts (including portions of Historic Districts), and one Conservation District within the Central City Plan District. Within the Historic and Conservation districts, 224 parcels are contributing, and 170 parcels are non-contributing. As described below, the CC2035 Plan adjusts height limits in four Historic Districts to complement the historic resources found in those districts.

The City Council finds that the Central City Plan District, through new FAR transfer provisions, described in detail in the findings for Policy 4.46, encourages new development that supports the preservation of historic resources. The FAR transfer provisions allow owners of Historic and Conservation Landmarks and owners of contributing resources within Historic and Conservation Districts to transfer unused and additional FAR to other sites in the Central City Plan District. Transferring FAR provides monetary value to historic resource owners to fund seismic upgrades and other rehabilitation activities, as well as removes redevelopment potential from historic resource sites that have transferred FAR. Approximately 419 historic resources in the Central City Plan District will be eligible to participate in these new historic

resource FAR transfer provisions. The City Council recognizes that the availability of unused FAR on historic resource sites creates the potential for monetary value that can support rehabilitation; the City Council therefore finds that maintaining existing base FAR for historic resource sites across the Central City supports the preservation of those resources.

3. **Encouraging development that complements individually-listed historic resources.** The City Council finds that the CC2035 Plan encourages development of vacant and underutilized sites that will complement Historic and Conservation Landmarks by increasing the economic viability of preservation, rehabilitation, and reuse.

Council finds that the approach to how new development can complement an individual Historic or Conservation Landmark outside of an Historic District is exemplified by the Ladd Carriage House, a three-story wood construction Historic Landmark building constructed in 1883. The Ladd Carriage House sits alongside the more recently developed 23-story Ladd Tower Apartments. The Ladd Carriage House is protected by the historic resource regulations described in the findings for Policy 4.46, with the CC2035 Plan allowing unused historic resource FAR to be transferred to redevelopment sites to generate money for rehabilitation activities. The adjacent Ladd Tower—with a parking garage that extends under the Ladd Carriage House—provides residents, workers, and parking that directly support the economic viability of the Landmark structure. The Ladd Tower complements the Ladd Carriage House by providing financial viability for a Historic Landmark that was nearly demolished in 2005 due to the high costs of rehabilitation, greatly improving economic opportunities for reuse.

The City Council finds that this policy, outside of Historic and Conservation Landmark and District boundaries, does not require the design of development adjacent to and nearby historic resources to relate to the physical features of those resources. However, within the boundaries of Historic and Conservation Landmarks and Districts, alterations, additions, and new construction are subject to Historic Resource Review (Note that as described in the findings for State Land Use Goal 5, resources listed in the National Register of Historic Places after January 2017 are not subject to Historic Resource Review).

The City Council finds that, within Historic and Conservation Landmark and District boundaries, Historic Resource Review ensures new development activities will complement the physical characteristics of those resources. For sites outside of Historic and Conservation Landmark and District boundaries, the City Council finds that the new development may depart from the physical characteristics of the adjacent and nearby historic resources. The City Council recognizes that for properties within a Design Overlay district, design standards and approval criteria may require new development to relate to one or more physical features of adjacent and nearby historic resources to ensure that new development better integrates into the established urban fabric.

4. **Encouraging development that complements Historic and Conservation Districts.** The City Council finds that the CC2035 Plan encourages development of vacant and underutilized sites in Historic and Conservation Districts that will complement contributing resources by increasing the economic viability of preserving, rehabilitating, and reusing those resources.

The City Council further finds that the CC2035 Plan encourages development of vacant and underutilized sites in Historic and Conservation Districts that will complement the established urban fabric found in those districts. The City Council finds that this policy does not require

development adjacent to and nearby Historic and Conservation Districts to complement the physical features found in those districts, except as required of any Design Overlay standards or approval criteria that may apply to the site.

Policy 4.49 describes Historic Districts as “unique.” The City Council therefore finds that established urban fabric—and the relative importance of the characteristics of that fabric—differs district-by-district. The established urban fabric found in Historic and Conservation Districts includes characteristics of the built environment present during the historic period of significance, as well as those present today. This fabric may include, but is not limited to, block pattern, arrangement and design of streets and pedestrian realm, street wall, street-level activity, building use, construction type, architectural style, exterior materials, design details, massing, and height. Information about the established urban fabric found in a Historic or Conservation District can be found in the nomination for historic designation, the district design guidelines, the built environment today, and, for the CC2035 Plan, additional documentation found in the record.

The CC2035 Plan adjusts maximum height limits in four Historic Districts: NW 13th Avenue, East Portland/Grand Avenue, Irvington, and New Chinatown/Japantown. Building height is one characteristic of established urban fabric, with some historic districts having greater consistency of building height than others. In each of these four Historic Districts, the existing height limits were established prior to the districts being listed in the National Register of Historic Places. The City Council finds that adjusting height limits in these four districts complements the contributing historic resources found in the districts, as well as complement the historic district as a whole.

The City Council recognizes that district-specific design guidelines have been adopted for three of the four Historic Districts - NW 13th Avenue, East Portland/Grand Avenue, and New Chinatown/Japantown. The Council further recognizes that general approval criteria found in Chapter 33.846 applies to the fourth Historic District – Irvington. The three design guideline documents describe each district’s historic significance, important elements of the historic and contemporary established urban fabric, and approval criteria that relate to the districts’ unique significance and fabric. The National Register nominations for each of the four Historic Districts contain similar documentation and description of the elements that comprise each district’s urban fabric. The City Council recognizes the adopted design guidelines and National Register nominations for these districts as additional evidence of established urban fabric and complementing historic resources.

The City Council finds that the CC2035 Plan’s adjustment of maximum height limits in NW 13th Avenue, East Portland/Grand Avenue, Irvington, and New Chinatown/Japantown complements the historic resources found in these districts, as well as complements the districts as wholes. With the exception of one block discussed in the section below, City Council further finds that maintaining base FAR in these districts supports the preservation of the districts’ contributing resources through the CC2035 Plan’s new FAR transfer provisions.

The City Council recognizes the CC2035 Plan retains existing maximum height limits in all other Historic and Conservation Districts.

**NW 13th Avenue Historic District.** The City Council provides the following additional findings on Policy 4.48 specific to the NW 13<sup>th</sup> Avenue Historic District. The City Council finds that NW 13<sup>th</sup> Avenue Historic District’s established urban fabric includes the existing 19 contributing resources, physical characteristics and human activity present during the 1900-1945 period of

significance, existing non-contributing buildings, and existing vacant and underutilized sites. The City Council recognizes the contributing structures, as well as the district as a whole, to be historic resources. The City Council recognizes non-contributing structures, surface parking lots, and vacant lots to be vacant and underutilized.

On all sites in the NW 13<sup>th</sup> Avenue Historic District, proposed alterations, additions, and new buildings must meet the approval criteria in the NW 13<sup>th</sup> Avenue Historic District Design Guidelines. The design guidelines provide approval criteria to ensure that contributing resources are not damaged by exterior alterations and additions. The City Council finds that the existing historic resource overlay zone protections described in the findings for Policy 4.46, the new FAR transfer provisions of the CC2035 Plan, and the district design guidelines preserve contributing resources in the NW 13<sup>th</sup> Avenue Historic District.

The CC235 Plan removes the option for bonus height in the NW 13<sup>th</sup> Avenue Historic District, thereby establishing maximum allowed height limits of 100 feet and 75 feet within the historic district. City Council finds that height is an important aspect of established urban fabric in this historic district. City Council further finds that these height changes preserve and complement historic resources in by encouraging development on vacant and underutilized sites that will increase the economic viability of preserving, rehabilitating, and reusing contributing resources, as well as increase the economic viability and human activity of the district as a whole.

**East Portland/Grand Avenue Historic District.** The City Council provides the following additional findings on Policy 4.48 specific to the East Portland/Grand Avenue Historic District. The City Council finds that NW 13<sup>th</sup> Avenue Historic District's established urban fabric includes the existing 36 contributing resources, physical characteristics and human activity present during the 1883-1930 period of significance, existing non-contributing buildings, and existing vacant and underutilized sites. The City Council recognizes non-contributing structures, surface parking lots, and vacant lots to be vacant and underutilized.

On all sites in the East Portland/Grand Avenue Historic District, proposed alterations, additions, and new buildings must meet the approval criteria in the East Portland/Grand Avenue Historic District Design Guidelines. The design guidelines provide approval criteria to ensure that contributing resources are not damaged by exterior alterations and additions. The City Council finds that the existing historic resource overlay zone protections described in the findings for Policy 4.46, the new FAR transfer provisions of the CC2035 Plan, and the district design guidelines preserve contributing resources in the East Portland/Grand Avenue Historic District.

The CC235 Plan removes the option for bonus height in the East Portland/Grand Avenue Historic District and further reduces height in the center of the historic district to 160 feet. City Council finds that height is an important aspect of established urban fabric in this historic district, with the contributing Weatherly Building providing a 160-foot height datum up to which new development may complement the district. City Council further finds that these height changes preserve and complement historic resources in by encouraging development on vacant and underutilized sites that will increase the economic viability of preserving, rehabilitating, and reusing contributing resources, as well as increase the economic viability and human activity of the district as a whole.

**Irvington Historic District.** The City Council provides the following additional findings on Policy 4.48 specific to the portion of the Irvington Historic District located within the Central City Plan District. The City Council finds that Irvington Historic District's established urban fabric includes the existing 2397 contributing resources, physical characteristics and human activity present

during the 1891-1948 period of significance, existing non-contributing buildings, and existing vacant and underutilized sites. The City Council recognizes non-contributing structures, surface parking lots, and vacant lots to be vacant and underutilized. Approximately nine blocks of the Irvington Historic District containing 24 contributing resources are located within the Central City Plan District.

On all sites in the Irvington Historic District, proposed alterations, additions, and new buildings must meet the approval criteria in Chapter 33.846.060.G. These approval criteria ensure that contributing resources are not damaged by exterior alterations and additions. The City Council finds that the existing historic resource overlay zone protections described in the findings for Policy 4.46, the new FAR transfer provisions of the CC2035 Plan, and the Historic Resource Review approval criteria preserve contributing resources in the Irvington Historic District.

The CC235 Plan reduces the maximum allowed height in the portion of the Irvington Historic District within the Central City to a maximum of 75 feet. City Council finds that height is an important aspect of established urban fabric in the nine blocks of the historic district within the Central City Plan District. City Council further finds that these height changes preserve and complement historic resources in by encouraging development on vacant and underutilized sites that will increase the economic viability of preserving, rehabilitating, and reusing contributing resources, as well as increase the economic viability and human activity of the district as a whole.

**New Chinatown/Japantown Historic District.** The City Council provides the following additional findings on Policy 4.48 specific to the New Chinatown/Japantown Historic District:

#### Zoning history

The New Chinatown/Japantown Historic District was listed in the National Register of Historic Places in 1989, but the intent to establish a historic district there had been formulated by the time the 1988 Central City Plan and zoning amendments were being developed. Prior to the creation of the Historic District and 1988 Central City Plan, the base zoning was Central Commercial (C1), with a Downtown Development overlay (Z). The C1Z zone allowed for uses ranging from high-rise commercial office buildings to residential towers. The maximum height allowance for most of the area was 460 feet. The 1988 Central City Plan reduced this maximum. In the area north of NW Everett, the maximum height allowance was decreased to 350 feet with the ability to reach 425 feet through development bonuses. South of NW Everett, the maximum height allowance was reduced to 100 feet with a few parcels along NW 3rd Avenue in the Skidmore-Old Town Historic District further reduced to a maximum height of 75 feet.

#### Development pattern

As of April 2020, the New Chinatown/Japantown Historic District consists of ten square blocks, each approximately 40,000 square feet in area. The district is bound by NW 5th on the west, NW 3rd on the east, NW Glisan on the north, and West Burnside on the south. The developable land area of the district consists of approximately 9.18 acres of land, 3.31 acres of which, or 40 percent of the district, is covered by 27 structures that are designated as contributing structures in the Historic District. Each of these 27 structures were developed at different points over a period from 1880 to 1943. Two of these are designated as individual Historic Landmarks. The City Council recognizes the 27 contributing structures (inclusive of the two Historic Landmarks), as well as the district as a whole, to be historic resources. Non-contributing structures cover an additional 3.3 acres of land, or 36 percent of the district. The

remaining developable acreage in the district consists of several surface parking lots and one vacant lot. These areas cover approximately 2.17 acres, or 23.6 percent of the developable land area of the historic district. The City Council recognizes these sites to be vacant and underutilized.

### **Defining the established urban fabric in New Chinatown/Japantown Historic District**

The City Council finds that New Chinatown/Japantown's established urban fabric includes the existing 27 contributing resources, physical characteristics and human activity present during the 1880-1943 period of significance, existing non-contributing buildings, and existing vacant and underutilized sites. The City Council further finds the 200-foot square block pattern, street system and Transit Mall are part of the district's established urban fabric. The City Council recognizes the memo submitted by John M. Tess on May 8, 2020, as additional evidence of the established urban fabric found in the district. Among the characteristics that define establish urban fabric, City Council recognizes the following in New Chinatown/Japantown:

#### **Block pattern, arrangement and design of streets, and pedestrian realm.**

The New Chinatown/Japantown Design Guidelines state that the district "originally had 200-foot square blocks surrounded by 60-foot wide streets. Although this spatial framework continues to define the district, changes along West Burnside Street and NW Glisan Street have altered its once-uniform block and street pattern. In 1931, West Burnside was widened from its original 60-foot width to approximately 100 feet. This widening resulted in the reduction of the original 200-foot blocks immediately north of West Burnside Street by 20 feet. Similarly, the 1933 widening of NW Glisan Street between NW 3<sup>rd</sup> and 4<sup>th</sup> Avenues from 60 feet to approximately 80 feet also changed the district's block pattern."

#### **Street wall.**

The district design guidelines provide that "over time, the district's historic block, lot, and street pattern, and construction of contiguous one- to seven-story buildings created a streetscape that defined its urban character at the end of the period of significance. Today, this character and historic framework remain evident with existing buildings constructed to the right-of-way line." At the end of the historic period, the unified continuous street wall was a predominant feature of the district. The City Council recognizes the existing gaps in the street wall diminish the established urban fabric from the historic period.

#### **Street-level activity and building use.**

City Council finds that a variety of building uses are present in the district today, including retail, office, residential, hotel, and social service uses. Historically, a diversity of uses were present in the district, with significant Asian American presence within buildings and contributing to an active street life during the period of significance. The National Register nomination summary of the district's unifying physical characteristics concludes with the statement "the district is significant under criterion A for its historical associations" without any reference to criterion C (architectural significance).

The City Council recognizes that Chinese and Japanese populations were present in the district, with 3<sup>rd</sup> Avenue holding a concentration of uses associated with the Japanese population, NW 4<sup>th</sup> Avenue holding a concentration of uses associated with the Chinese population, and NW 5<sup>th</sup> including Chinese and Japanese associations, but fewer in number. The City Council finds that the presence of vacant and underutilized sites

diminishes the active human presence and dense mix of uses that defined the district during the period of significance.

**Construction type.**

The City Council finds that several building construction typologies exist in the district, primarily unreinforced masonry, concrete, and reinforced concrete.

**Architectural style.**

The City Council recognizes that the contributing resources in the district reflect three architectural styles: 20th Century Commercial, Italianate, and Moderne. Non-contributing buildings depart from these styles, but generally retain elements informed by these styles. The district design guidelines provide that “collectively, these three styles make up three-fourths of all buildings within the district, giving the district an underlying stylistic uniformity.”

**Exterior materials.**

The City Council recognizes the district design guidelines statement that “the most common exterior building materials found within the district are brick and concrete stucco, both in widely varying color ranges.”

**Design details.**

The City Council finds that Chinese and Japanese Cultural design adaptations are an integral characteristic of the district’s historic significance and established urban fabric. As stated in the district design guidelines, “Cultural adaptations to existing and sometimes new buildings within the district were a common and significant expression of Chinese and Japanese culture during the 1880 to 1943 period. These adaptations were predominantly conducted by Chinese occupants and owners and included the repurposing or installation of horizontally-oriented upper-level projecting and/or recessed balconies as extended living space or gardens, altering existing storefronts with signs and cloth awnings, applying horizontal arched awnings at the upper levels, displaying political flags, adding hanging lanterns, installing signs with Asian characters. Although not every building exhibited Chinese and/or Japanese design expressions, on a collective level, these cultural adaptations created a unique urban design aesthetic that defined the district.”

**Massing.**

The City Council finds that blocky building massing is a typical characteristic of the district’s established urban fabric. The district design guidelines state “contributing building forms in the district are simple volumetric shapes, typically square or rectangular with no setbacks.” The same blocky pattern exists for non-contributing buildings, with building volumes generally extending to the lot lines for much or all of the buildings’ height, with the exception of lightwells and some upper story setbacks.

**Building height.**

The City Council finds that contributing buildings in the New Chinatown/Japantown Historic District range in height from one to seven stories and that non-contributing buildings range in height from one to 16 stories. The City Council also finds that since the time of the district’s listing in the National Register, new buildings have been approved at heights of four, five, eight, nine, and 16 stories.

The City Council agrees that “building height is but one component of the urban fabric” as explained in the memo submitted by John M. Tess on May 8, 2020, as additional

expert evidence on the established urban fabric of the district. Furthermore, the City Council finds that building height alone does not determine whether a building is complementary to the character of this particular district. The City Council finds that the National Register nomination that created the district does not address height in its physical description summary. In fact, during the period of significance, buildings in this district were constructed that were two to four times taller than adjacent buildings, perhaps best illustrated by the contributing Mason-Ehrman Building.

#### **The role of district design guidelines in preserving contributing resources and the district as a whole**

City Council reviewed testimony received that argued that new construction at heights of 200 feet could overwhelm the Historic District. Much of this testimony requested that, to avoid this, the Historic Landmarks Commission be empowered to protect the district's character. Testifiers argued that the Historic Landmarks Commission needs the authority to deny proposed tall buildings found to create incompatibility and to require design modifications so that the new construction maintains the street character of the district and does not loom over the existing historic buildings.

City Council finds that on all sites in the New Chinatown/Japantown Historic District, proposed alterations, additions, and new buildings must meet the approval criteria in the New Chinatown/Japantown Design Guidelines, adopted by City Council in September 2017. These guidelines were intentionally developed to be part of the CC2035 Plan package of related policies, regulations, and implementing measures. The design guidelines provide approval criteria to ensure that contributing resources are not damaged by exterior alterations and additions. The City Council finds that the existing historic resource overlay zone protections described in the findings for Policy 4.46, the new FAR transfer provisions of the CC2035 Plan, and the district design guidelines preserve contributing resources in the New Chinatown/Japantown Historic District.

The City Council recognizes the Bureau of Planning and Sustainability memo dated June 3, 2020, as additional and credible evidence. The City Council agrees "that proposals for buildings at the maximum height allowed on sites subject to Historic Resource Review are not entitled to approval." City Council agrees with staff who "do not agree that changes to the zoning code as part of Central City 2035 are necessary to satisfy the requests made by testifiers. In addition to Historic Resource Review, other discretionary land use reviews allow decision-makers to place limits on otherwise allowed development to ensure planning objectives are met, such as protecting trees, limiting shadows on parks, and conserving environmental areas."

#### **Changes to height allowances in the Historic District**

There are two locations in the New Chinatown/Japantown Historic District in which CC2035 changes height limits. The maximum height limit of new development on the four blocks north of NW Everett Street is decreased from 425 feet to 200 feet. The maximum height limit on "Block 33", the full block surface parking lot located at NW 4<sup>th</sup> and NW Davis, is increased from 100 feet to 200 feet on the western half of the site and from 100 feet to 125 feet on the eastern half. The base FAR on Block 33 is increased to 9:1 FAR to encourage development of this vacant site if a new building proposes residential use on all floors above the ground floor on the western half of the block.

**The role of height allowances in preserving and complementing contributing resources in the Historic District**

City Council finds that these height changes preserve and complement historic resources in New Chinatown/Japantown by encouraging development on vacant and underutilized sites that will increase the economic viability of preserving, rehabilitating, and reusing contributing resources, as well as increase the economic viability and human activity of the district as a whole. The blocks subject to height change under CC2035 have 9:1 FAR which determines the total square feet of development the site can hold. City Council finds that with the proposed maximum heights, this amount of FAR can reasonably be proposed for development of new residential and commercial office buildings through standard construction practices. This is based on both Zoning Code development standards, such as those regulating ground floor active uses, as well as standard metrics used by the development industry to create mid- and high-rise residential and commercial towers.

North of NW Everett Street, CC2035 reduces maximum height from 425 feet to 200 feet. On those four blocks, there are 10 contributing resources many of which are adjacent to vacant or underutilized sites. City Council finds the height limit reduction north of NW Everett Street makes new development more likely to be complementary to the blocky building forms found in the district while still allowing proposals that utilize the full 9:1 base FAR. This ability for full development increases the potential for economically feasible projects that add significant user and economic activity to the district. This in turn can benefit the ability of the district to support economically viable rehabilitation and reuse of historic buildings as well. Moreover, the 200 foot maximum height allowance here creates more opportunity for development of a vacant or underutilized portion of a site using FAR transferred from a contributing structure elsewhere on the site. As in the case of the Ladd Carriage House, Council finds that allowing 200 feet of height on the four blocks north of NW Everett in New Chinatown/Japantown allows for a taller new building on part of a site to help preserve a contributing building elsewhere on the site.

Similarly, City Council finds that the height increase from 100 feet to 200 feet on the western half of the Block 33 and increase from 100 feet to 125 feet on the eastern half of the lot can preserve and complement the contributing buildings on the blocks around it. The City Council finds that the additional height and FAR will increase the potential for an economically feasible project that adds uses and economic activity to the district. The City Council recognizes the letter submitted by Timothy Ramis dated June 4, 2020, as additional and credible evidence as it discusses the importance of additional height for the project feasibility, as well as for increasing the supply of market rate and affordable apartments in the Central City Plan District. The increase in FAR adds approximately 120,000 square feet of new development to the Block 33 site. The increase in height allows utilization of this additional floor area in a way that can step down to the core of the district while stepping up to the location at a transit station on the transit mall.

The new development would fill long-standing and large gaps in the street wall and activate street-level commercial uses. A new building on this site that is no taller than the block-faces are long would re-establish the continuity of street wall, blocky massing, and human activity found in the district during the period of significance. The taller height on the western half of the block is consistent with the fact that, according to the design guidelines, NW 5<sup>th</sup> Avenue “includes the tallest contributing buildings within the district.”

New development up to 200 feet in height will complement adjacent and nearby contributing resources because the district design guidelines provide options for site-specific design

responses that can complement those contributing resources, even when the new building is taller. The City Council finds that a 200-foot height limit allows applicants beneficial flexibility to respond to site-specific circumstances with building forms and designs that will complement adjacent and nearby historic resources. City Council finds evidence of this in Design Guideline D3, Vertical Composition, which encourages proposals for taller building to use strategies such as “(v)isually minimizing heights in excess of neighboring buildings through strategies such as step-backs, projecting horizontal elements, change of materials, color shifts, and/or shifting or grouping the pattern of openings and bays above a more regularized base.”

**The role of height allowances in preserving and complementing the Historic District as a whole**

The City Council finds that adjusting height limits on the four northern blocks from 425 feet to 200 feet and on Block 33 from 100 feet to 125 feet and 200 feet also complements the district as a whole.

The City Council finds that significant physical elements of the established urban fabric from the historic period are missing from the district. New development on vacant and underutilized sites that return a uniform street wall, density of building uses and activities, prominent architectural styles, limited exterior material palette, cultural design details, and blocky massing will especially complement the district as a whole. As a specific example of how taller contemporary buildings have complemented the established urban fabric of the district, the City Council notes that the 160-foot tall Pacific Tower is part of the established urban fabric and has supported the preservation of nearby historic resources because it returns residential living to the district, fills in the street wall, integrates consistent exterior materials, and increases the potential for nearby contributing resources to achieve economic viability for rehabilitation and reuse. The City Council further finds there is no evidence in the record that the Pacific Tower adversely affects the District.

City Council recognizes district design guideline D2, Form and Articulation, which provides that “contributing building forms in the district are simple volumetric shapes, typically square or rectangular with no setbacks. This ‘blocky’ overall development form should be evident in new construction.” The City Council finds that since typical blocks in the historic district are 200 feet square, setting the maximum building height at 200 feet is consistent with the typically blocky form of development present in the district.

City Council considered testimony from opponents of these height changes that adjustments to height limits would possibly cause the Historic District to be removed from the National Register. City Council reviewed the expert testimony on both sides. The City Council recognizes letters from the Oregon State Historic Preservation Office and Heritage Consulting Group, which provided no evidence that any National Register historic district in the nation has been removed due to allowed building heights or the height of new construction within the district. Specific to this Historic District, the National Register nomination provides that “Chinatown Historic District is zoned CIZ, which allows for many commercial uses; mid to high rise development, clean labor - intensive industry and manufacturing; and high density apartments.” The City Councils finds that the district was listed in the National Register when the zoning allowed building heights of up to 425 feet. The CC2035 Plan allows a maximum building height of only 200 feet in the district. The City Council therefore concludes the District’s listing on the National Register—as well as the listing of constituent contributing resources—is not endangered by the CC2035 Plan and adjustments to maximum allowed heights.

City Council reviewed testimony received preceding the May 28, 2020 hearing from representatives from Restore Oregon, the Architectural Heritage Center, and the Japanese American Museum noting concerns that the maximum heights proposed for the historic district were too high and out of scale with the existing character of the district. Some noted concern that such heights would impact the district such that the important Chinese, Japanese, and African American cultural heritage would be lost. Two members of Historic Landmarks Commission spoke about the lack of compatibility of taller buildings in relationship to district's historic buildings.

Further, it was suggested that the height limits would result in development that impacts the Chinese, Japanese, and African American cultural heritage of the district —potentially 'swallowed up' by out of scale development. Testifiers also argued that compatible development within historic districts is critical if these districts are to fulfill their role as lively, active parts of the city that transmit important cultural stories.

City Council reviewed testimony from the Old Town Chinatown Association supporting readoption of CC2035 in order to provide regulatory certainty for the development community, and specifically the ability to develop key catalytic sites, such as Block 33, to bring in a denser and more diverse mix of uses, and to reduce the conditions of blight that effect businesses within the district.

Further, City Council reviewed other testimony in support of readopting CC2035 that the addition of workforce and market rate housing, designed to represent key cultural themes of the district such a Japanese and Chinese architecture, can help to create a safe, active and vibrant district with a balance of residents across economic demographics. Testifiers noted that the New Chinatown/Japantown and Skidmore/Old Town historic district design guidelines include strategies to include 'podiums' with heights like nearby historic structures that emphasize the architecture of the historic districts' era of significance.

The City Council finds the height limits are supported by additional evidence received throughout the public process. This evidence includes original LUBA Rec. 14973-14978 (testimony describing why it is consistent with the National Register nomination and the Old Town Chinatown vision statement to leave the height on the North Blocks); Rec. 6320 (testimony explaining the process and unlikelihood of a delisting and increasing height is the best opportunity for development on Block 33); Rec. 49651 (background document describing the North Blocks as "envisioned by the city with the potential for larger-scaled structures, to take advantage of the location's view to the Willamette River in the east and north, and to downtown in the south, and the housing towers in the west."); Rec. 48059 (background finding that new construction is only viable in the District where greater development entitlements and rents can be achieved); Rec. 48140 (interview notes describing Block 33 as a key catalyst site); Rec. 48189 (summary of issues and opportunities identifying that redevelopment of vacant and surface parking lots is important component for revitalizing the area); Rec. 24096 (BPS staff briefing to PSC explaining that the New Chinatown/Japantown Historic District Design Guidelines are intended to allow the Block 33 applicant to make the case for a building that is taller than what the height limits are today); Rec. 24253 (PSC work session considering historic district heights and request to set height on North Blocks at 350 feet); Rec. 15023 (testimony describing that the district's roots are cultural rather than architectural); Rec. 7731-7732 (testimony in support of increased entitlements on Block 33 to encourage development); Rec. 48092 (background document considering high-density housing north of NW Everett along NW Glisan corridor); Rec. 48190 (summary of planning events describing testimony that

development regulations, including height and FAR may be discouraging new development). The evidence submitted by John M. Tess on May 8, 2020 provides expert testimony on the application of Policy 4.48 specific to New Chinatown/Japantown.

The City Council finds this evidence is credible and supports Council's finding that a 200-foot height limit in the New Chinatown/Japantown Historic District preserves and complements the district's contributing resources and the district as a whole.

205. **Policy 4.49, Resolution of conflicts.** Adopt and periodically update design guidelines for unique historic districts. Refine base zoning in historic districts to consider the character of the historic resources in the district.

The City Council finds that Historic Districts in the Central City Plan District are subject to Historic Resource Review, a discretionary land use review described in the findings for Policy 4.46. All or part of nine Historic Districts are located in the Central City Plan District. Adopted design guidelines exist for six of these Historic Districts, including Skidmore/Old Town and New Chinatown/Japantown, both of which were adopted during the CC2035 legislative process. Consistent with Policy 4.49, CC2035 includes action items (UD9 and UD46) calling for updates to the design guidelines that apply in the East Portland/Grand Avenue Historic District and Russell Street Conservation District.

The City Council finds that base zones are not being changed in Historic Districts in the CC2035 Plan. The existing base zones do not conflict with the historic character of the historic resources in the district. The CC2035 Plan includes adjustments to height limits in four Historic Districts, described in the findings for Policy 4.48.

206. **Policy 4.50, Demolition.** Protect historic resources from demolition. Provide opportunities for public comment, and encourage pursuit of alternatives to demolition or other actions that mitigate for the loss.

The City Council finds that demolition protections for historic resources are provided in Chapter 33.445, Historic Resources Overlay Zone, and Chapter 33.846, Historic Resource Reviews. National Register-listed Historic Landmarks and contributing resources in Historic Districts are subject to Demolition Review, with the Portland City Council assigned as the review body for such demolition proposals. These existing regulations protect historic resources, provide opportunities for public comment when a resource is proposed for demolition, and provides decision-maker that ability to require alternatives to demolition.

207. **Policy 4.51, City-owned historic resources.** Maintain City-owned historic resources with necessary upkeep and repair.

208. **Policy 4.52, Historic Resources Inventory.** Maintain and periodically update Portland's Historic Resources Inventory to inform historic and cultural resource preservation strategies.

The City Council finds that the Historic Resources Inventory was last updated in 1984. The City Council recognizes that 2007 changes in State Administrative Rule allow for the Inventory to be updated. The regulations included in Chapter 33.445, Historic Resources Overlay Zone, do not provide a viable land use procedure for updating the Historic Resources Inventory. The CC2035 Plan does not address this, but a separate zoning code project, the Historic Resources Code Project, anticipates addressing this. The CC2035 Plan includes an action item (UD4) calling for updating the Historic Resource Inventory for the Central City, prioritizing the West End and Goose Hollow.

209. **Policy 4.53, Preservation equity.** Expand historic preservation inventories, regulations, and

programs to encourage historic preservation in areas and in communities that have not benefited from past historic preservation efforts, especially in areas with high concentrations of under-served and/or under-represented people.

The City Council finds that this policy requires actions that expand equity in historic resource programs. The CC2035 Plan includes an action item (UD45) that calls for preparation of “a National Register of Historic Places Multiple Property Documentation form for African-American historic resources based on the Cornerstones of Community inventory.” The Multiple Property Documentation was submitted to the State Historic Preservation Office on April 27, 2020.

210. **Policy 4.54, Cultural diversity.** Work with Portland’s diverse communities to identify and preserve places of historic and cultural significance.

The City Council finds that the Multiple Property Documentation submission described in the findings for Policy 4.54 supports this policy. Additionally, an individual National Register Historic Landmark nomination for the Williams Avenue YWCA (Billy Webb Elks Lodge) was submitted to the State Historic Preservation Office on April 27, 2020, at the request of African American lodge members.

211. **Policy 4.55, Cultural and social significance.** Encourage awareness and appreciation of cultural diversity and the social significance of historic places and their roles in enhancing community identity and sense of place.

The City Council finds that the findings for Policies 4.53 and 4.54 supports this policy.

212. **Policy 4.56, Community structures.** Encourage the adaptive reuse of historic community structures, such as former schools, meeting halls, and places of worship, for arts, cultural, and community uses that continue their role as anchors for community and culture.

The City Council finds that adaptive reuse is supported by the existing regulations and CC2035 Plan, as described in the findings for Policy 4.46-4.48. The plan includes an action item calling for an update of the Historic Resources Inventory in the next 2-5 years, which also supports this policy. This process will engage the public at-large as well as stakeholders involved in cultural and historic resource preservation. The process will likely also identify additional publicly and privately-owned structures to be added to the Historic Resources Inventory and some that will qualify for Historic Landmark status and by extension the protections and incentives contained in the Zoning Code. For example, the City-funded nomination of the Williams Avenue YWCA (Billy Webb Elks Lodge) will extend demolition protections to an irreplaceable community structure. Updating the Historic Resource Inventory and advancing targeted Historic Landmark nominations will further support Policies 4.50 – 4.56 above.

213. **Policy 4.57, Economic viability.** Provide options for financial and regulatory incentives to allow for the productive, reasonable, and adaptive reuse of historic resources.

The City Council finds that the existing Oregon Special Assessment of Historic Property Program, the existing incentives described in the findings for Policy 4.46, and the new CC2035 provisions described in findings for Policy 4.46 support the economic viability of historic resources. Additionally, the CC2035 Plan includes an action item calling for the City to advocate for the passage of a state historic tax credit, as described in the findings for Policy 4.47.

214. **Policy 4.58, Archaeological resources.** Protect and preserve archaeological resources, especially those sites and objects associated with Native American cultures. Work in partnership with Sovereign tribes, Native American communities, and the state to protect against disturbance to

### Native American archaeological resources.

The goals, policies, actions, and implementation tools of the Central City 2035 plan remain consistent with this direction and do not conflict with existing laws and measures to protect archaeological resources or to coordinate with Sovereign tribes, and Native American communities.

## Public art

215. **Policy 4.59, Public art and development.** Create incentives for public art as part of public and private development projects.

CC2035 contains policies and actions calling for an expanded presence of public art in the Central City. These include pursuing opportunities to place art in public parks, sections of the Willamette Greenway, and within the public realm.

## Resource-efficient design and development

216. **Policy 4.60, Rehabilitation and adaptive reuse.** Encourage rehabilitation and adaptive reuse of buildings, especially those of historic or cultural significance, to conserve natural resources, reduce waste, and demonstrate stewardship of the built environment.

A key response of CC2035 to this policy direction is a new floor area transfer provision that allows unused floor area to be transferred from sites with a designated historic landmark so long as the landmark has or will be subject to seismic upgrades. The Plan further requires that major new development or alterations that increase floor area pursue green building certification, which typically encourages reduced construction waste, and incentive for adaptive reuse.

217. **Policy 4.61, Compact housing.** Promote the development of compact, space- and energy-efficient housing types that minimize use of resources such as smaller detached homes or accessory dwellings and attached homes.

CC2035 is consistent with this policy as the Central City is zoned for high-density development, including mixed-use residential development. Specifically, the Plan District proposes maintaining, and in some case introducing new, maximum floor area allowances, provides incentives to create denser development, and establishes minimum density requirements.

218. **Policy 4.62, Seismic and energy retrofits.** Promote seismic and energy-efficiency retrofits of historic buildings and other existing structures to reduce carbon emissions, save money, and improve public safety.

Consistent with this policy, CC2035 contains new FAR transfer regulations that incent the transfer of unused floor area from sites with a designated historic resource; however, seismic upgrades necessary to protect the structure and occupants are required as part of the FAR transfer process. Additionally, when new development adds 50,000 sq. ft. or more to an existing development, the Zoning Code amendments require such projects to pursue green building / energy efficient certification.

219. **Policy 4.63, Life cycle efficiency.** Encourage use of technologies, techniques, and materials in building design, construction, and removal that result in the least environmental impact over the life cycle of the structure.

The CC2035 plan includes zoning amendments that require new development to pursue certification from a low carbon building program, such as Leadership in Energy and Environmental Design (LEED), which considers life cycle efficiency to reduce environmental impacts. CC2035 also

requires that new buildings larger than 20,000 square feet install an ecoroof. There was significant testimony provided in support of ecoroofs. City Council finds that ecoroofs are vegetated features that have a longer life expectancy than traditional roofs and reduce heat island effects and filter the air, improving air quality. City Council also finds that ecoroofs reduce energy consumption within the building, which reduces carbon dioxide emissions and improves air quality.

- 220. **Policy 4.64, Deconstruction.** Encourage salvage and reuse of building elements when demolition is necessary or appropriate.
- 221. **Policy 4.65, Materials and practices.** Encourage use of natural, resource-efficient, recycled, recycled content, and non-toxic building materials and energy-efficient building practices.
- 222. **Policy 4.66, Water use efficiency.** Encourage site and building designs that use water efficiently and manage stormwater as a resource.
- 223. **Policy 4.67, Optimizing benefits.** Provide mechanisms to evaluate and optimize the range of benefits from solar and renewable resources, tree canopy, ecoroofs, and building design.
- 224. **Policy 4.68, Energy efficiency.** Encourage and promote energy efficiency significantly beyond the Statewide Building Code and the use of solar and other renewable resources in individual buildings and at a district scale.
- 225. **Policy 4.69, Reduce carbon emissions.** Encourage a development pattern that minimizes carbon emissions from building and transportation energy use.
- 226. **Policy 4.70, District energy systems.** Encourage and remove barriers to the development and expansion of low-carbon heating and cooling systems that serve multiple buildings or a broader district.
- 227. **Policy 4.71, Ecodistricts.** Encourage ecodistricts, where multiple partners work together to achieve sustainability and resource efficiency goals at a district scale.
- 228. **Policy 4.72, Energy-producing development.** Encourage and promote development that uses renewable resources, such as solar, wind, and water to generate power on-site and to contribute to the energy grid.

Consistent with Policies 4.63 – 4.72, CC2035 contains policies addressing: energy efficient buildings design and development; use of green infrastructure; low-carbon district energy systems, and other measure to reduce carbon emission, reduce energy usage, encourage recycling of building materials, and other practices to reduce waste and the carbon footprint of new development. The plan also contains actions directing the City to: develop new regulatory tools and incentives to increase use of green building technologies; encourage the use of solar energy; seek opportunities for water capturing and reuse; and preserve and expand the urban forest. Lastly, the Plan District will be amended to require the use of ecoroofs and for new and significant rehabilitations to pursue green building certification.

### Designing with nature

- 229. **Policy 4.73, Design with nature.** Encourage design and site development practices that enhance, and avoid the degradation of, watershed health and ecosystem services and that incorporate trees and vegetation.
- 230. **Policy 4.74, Flexible development options.** Encouraging flexibility in the division of land, the siting and design of buildings, and other improvements to reduce the impact of development on environmentally-sensitive areas and to retain healthy native and beneficial vegetation and trees.

The CC2035 amendments are consistent with Policy 4.73 and 4.74 in the following ways:

- A. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the existing natural resources identified in the *Willamette River Central Reach Natural Resources Protection Plan* (NRPP), by avoiding impacts on natural resources, limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The mitigation requirements include planting of native vegetation and a mix of trees, shrubs and groundcover, which will improve watershed health and ecosystem services.
- B. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. There is a landscaping requirement for the setback that requires native plants to be installed with development but allows flexibility in the size and location of trees to be compatible with adjacent development. Testimony was received that supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback and landscaping will improve watershed health and ecosystem services.
- C. The regulations for removal and remediation of hazardous substances, the use of biotechnical techniques for bank stabilization and the planting of native vegetation on the riverbank to improve watershed health and ecosystem services.
- D. CC2035 includes a range of policies that will ensure the City continues progress toward incorporating tree canopy with redevelopment throughout the Central City. Specifically, the Plan contains tree canopy targets for all ten Central City subdistricts. Nine out of the 10 subdistricts are expected to experience increases in tree canopy over the life of the plan.
- E. The Green Loop is a multimodal transportation corridor that incorporates green infrastructure including trees and other vegetation into the design. The vegetation included in the Green Loop will create new habitat for wildlife alongside development.
- F. The street setback requirements in some parts of the Central City are updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees.
- G. A new standard for the Central City requires that new buildings over 20,000 square feet in net size must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple ecosystem services.

231. **Policy 4.75, Low-impact development and best practices.** Encourage use of low-impact development, habitat-friendly development, bird-friendly design, and green infrastructure.

The CC2035 amendments are consistent with this policy in the following ways:

- A. A new standard for the Central City requires that new buildings over 20,000 square feet in net size must install an ecoroof over 60% of the roof area. Ecoroofs are a type of green infrastructure and provide multiple ecosystem services including providing habitat for avian species.
- B. A new standard for bird-friendly development requires that windows in the first 60 feet of new developments and major remodels be treated with a bird-safe glaze or pattern to reduce the risk of bird-to-building collisions.

- C. The street setback requirements in some parts of the Central City are updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees.
- D. Existing regulations including the Stormwater Management Manual are applicable to future development. The regulations require that new impervious surfaces be treated for stormwater runoff quantity and/or quality. The manual requires onsite infiltration to the maximum extent possible through green infrastructure techniques.

232. **Policy 4.76, Impervious surfaces.** Limit use of and strive to reduce impervious surfaces and associated impacts on hydrologic function, air and water quality, habitat connectivity, tree canopy, and urban heat island effects.

The CC2035 amendments are consistent with this policy in the following ways:

- A. Existing regulations including the Stormwater Management Manual are applicable to future development. The regulations encourage reduction of impervious surfaces and require that new impervious surfaces be treated for stormwater runoff quantity and/or quality. The manual requires onsite infiltration to the maximum extent possible through green infrastructure techniques. This includes tree canopy, ecoroofs, bioswales and pervious paving. Green infrastructure that includes vegetation also improves air quality and reduce heat island effects.
- B. A new standard for the Central City requires that new buildings over 20,000 square feet in net size must install an ecoroof over 60% of the roof area. Ecoroofs are a type of green infrastructure that reduces impervious surface area and provides multiple ecosystem services including managing stormwater runoff for quantity and quality, improving air quality and reducing heat island effects.
- C. C2035 includes a range of policies that will ensure the City continues progress toward incorporating tree canopy with redevelopment throughout the Central City. Specifically, the Plan contains tree canopy targets for all ten Central City subdistricts. Nine out of the 10 subdistricts are expected to experience increases in tree canopy over the life of the plan. One way the targets can be attained is by planting more trees along public rights-of-way. Some street setback requirements throughout the Central City are updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees.

233. **Policy 4.77, Hazards to wildlife.** Encourage building, lighting, site, and infrastructure design and practices that provide safe fish and wildlife passage, and reduce or mitigate hazards to birds, bats, and other wildlife.

The CC2035 amendments are consistent with this policy in the following ways:

- A. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the existing wildlife by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The mitigation requirements include planting of native vegetation and a mix of trees, shrubs and groundcover, which will improve fish and wildlife safe passage along and to the river.
- B. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. There is a landscaping requirement for the setback that requires native plants to be installed

with development but allows flexibility in the size and location of trees to be compatible with adjacent development. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback and landscaping will improve fish and wildlife safe passage along and to the river.

- C. New standards for lighting along the Willamette River will require lighting to be located away from the natural resource areas except when associated with trails, docks and public roads. In all situations lighting must be directed down, limiting impacts to birds, bats and other wildlife, and cannot shine directly into the water, limiting impacts on fish.
- D. A new standard for bird-friendly development requires that windows in the first 60 feet of new developments and major remodels be treated with a bird-safe glaze or pattern to reduce the risk of bird-to-building collisions.

234. **Policy 4.78, Access to nature.** Promote equitable, safe, and well-designed physical and visual access to nature for all Portlanders, while also maintaining the functions and values of significant natural resources, fish, and wildlife. Provide access to major natural features, including:

- Water bodies such as the Willamette and Columbia rivers, Smith and Bybee Lakes, creeks, streams, and sloughs.
- Major topographic features such as the West Hills, Mt. Tabor, and the East Buttes.
- Natural areas such as Forest Park and Oaks Bottom.

The CC2035 amendments are consistent with this policy in the following ways:

- A. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback maintains space for public access to the Willamette River, including a major public trail and viewpoints, and natural resource enhancement.
- B. The major trail alignment and completion of the Greenway Trail along the Willamette River will improve public access along and to the Willamette River.
- C. The Green Loop is a multimodal transportation corridor that will improve public access around all the Central City, as well as to and across the Willamette River.
- D. The Central City Scenic Resources Protection Plan (CCSRPP) and zoning code amendments in 33.475, River Overlay Zones, protect view corridors and maintain the visual access to the Willamette River, major topographic features including mountains and buttes, and natural areas including parks.

## Hazard-resilient design

235. **Policy 4.79, Natural hazards and climate change risks and impacts.** Limit development in or near areas prone to natural hazards, using the most current hazard and climate change-related information and maps.

The amendments are consistent with this policy in the following ways:

- A. The Health and Environment Goal and related policies and actions provide for resilience to climate change impacts and natural hazards including flooding and earthquakes, through planning, design, education and implementation of green infrastructure and infrastructure retrofits.

- B. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) includes an updated inventory of natural resource features and functions in the Central City. The NRPP evaluates the functions above and the ecosystem services (e.g., natural hazard management, public health, climate resiliency, etc.) provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions.
- C. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. By applying new River Environmental overlay zoning for identified natural resource areas in the Central City, including resources located in the water, in the floodplain and on land, the plan reduces risks associated with flooding, landslides and wildfire.
- D. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because it reduces the risk of flooding and landslide on development near the river. In addition, there is a landscaping requirement for the setback that requires additional native plants to be planted. The setback and landscaping retain space that mitigates the risks associated with river flooding. Landscaping also sequesters carbon, reduces the heat island effect and helps improve air quality.
- E. Actions call for partnerships between local, regional, state and federal regulatory, Sovereign nations, non-profit organization, neighborhoods and property owners. One action is to work with FEMA to address the NOAA Fisheries biological opinion regarding the floodplain development and impacts on species listed under the Endangered Species Act. This will include a remapping of the floodplain in the Central City. Another action is to amend the flood-related regulations and other guidelines to, a) help prevent or minimize the risk of flood damage to new, redeveloped and rehabilitated buildings located in the 100-year floodplain; b) avoid, minimize and mitigate the impacts of such development on floodplain functions; and, c) comply with updated NFIP requirements.
- F. Increasing the resiliency of the urban forest is a critical component of the CC2035 Plan. Maintaining and increasing the number of native species underlies the CC2035 tree planting strategy. For example, Policy 6.9, Strategic tree canopy enhancement, of the Plan encourages the planting of Northwest native and climate change-resilient trees. The Plan also includes strategies to expand efforts to reestablish and expand native, large canopy tree species in Portland's parks and natural areas.
- G. A new standard for the Central City requires that new buildings over 20,000 square feet in net size must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions including sequestering carbon, reducing heat island impacts and managing stormwater runoff – all of which makes development more resilient to climate change.
- H. Existing regulations though City Code Title 24, Building Regulations, are also applicable to future development. These regulations require review of impacts within the river and floodplain including a test of no net rise and balancing of fill placed in the floodplain with an equal cut.

- I. CC2035 maintains existing Environmental conservation overlay zones on Sullivan’s Gulch. The regulations limit development on the steep slope and reduce risk of landslides and wildfire on development.

236. **Policy 4.80, Geological hazards.** Evaluate slope and soil characteristics, including liquefaction potential, landslide hazards, and other geologic hazards.

The amendments are consistent with this policy in the following ways:

- A. The Health and Environment Goal and related policies and actions provide for resilience to climate change impacts and natural hazards including flooding and earthquakes, through planning, design, education and implementation of green infrastructure and infrastructure retrofits.
- B. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) includes an updated inventory of natural resources features and functions in the Central City. The NRPP evaluates the functions above and the ecosystem services (e.g., natural hazard management, public health, climate resiliency, etc.) provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions.
- C. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. By applying new River Environmental overlay zoning for identified natural resource areas in the Central City, including resources located in the water, in the floodplain and on land, the plan reduces risks associated with flooding, landslides and wildfire.
- D. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because it reduces the risk of flooding and landslide on development near the river. In addition, there is a landscaping requirement for the setback that requires additional native plants to be planted. The setback and landscaping retain space that mitigates the risks associated with river flooding. Landscaping also sequesters carbon, reduces the heat island effect and helps improve air quality.
- E. Actions call for partnerships between local, regional, state and federal regulatory, Sovereign nations, non-profit organization, neighborhoods and property owners. One action is to work with FEMA to address the NOAA Fisheries biological opinion regarding the floodplain development and impacts on species listed under the Endangered Species Act. This will include a remapping of the floodplain in the Central City. Another action is to amend the flood-related regulations and other guidelines to: a) help prevent or minimize the risk of flood damage to new, redeveloped and rehabilitated buildings located in the 100-year floodplain; b) avoid, minimize and mitigate the impacts of such development on floodplain functions; and, c) comply with updated NFIP requirements.
- F. Increasing the resiliency of the urban forest is a critical component of the CC2035 Plan. Maintaining and increasing the number of native species underlies the CC2035 tree planting strategy. For example, Policy 6.9, Strategic tree canopy enhancement, of the Plan encourages the planting of Northwest native and climate change-resilient trees. The Plan also includes

strategies to expand efforts to reestablish and expand native, large canopy tree species in Portland’s parks and natural areas.

- G. A new standard for the Central City requires that new buildings over 20,000 square feet in net building area must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions including sequestering carbon, reducing heat island impacts and managing stormwater runoff – all of which makes development more resilient to climate change.
- H. Existing regulations though City Code Title 24, Building Regulations, are also applicable to future development. These regulations require review of impacts within the river and floodplain including a test of no net rise and balancing of fill placed in the floodplain with an equal cut.
- I. CC2035 maintains existing Environmental conservation overlay zones on Sullivan’s Gulch. The regulations limit development on a steep slope and reduce the risk of landslides and wildfire on development.

237. **Policy 4.81, Disaster-resilient development.** Encourage development and site-management approaches that reduce the risks and impacts of natural disasters or other major disturbances and that improve the ability of people, wildlife, natural systems, and property to withstand and recover from such events.

Consistent with the policy direction of Policies 4.79 – 4.81, Volume 1, Goals and Policies, of CC2035 contains a chapter on Health and Environment that includes goals and policies address the following topics: natural hazard resilience; climate change resilience; and flood ready development. The Plan District also contains new development incentives intended to encourage seismic upgrades for historic structures, and the Plan includes various actions that call for: amending flood-related regulations and guidelines; new development to include early warning systems regarding fire protection; and revising seismic upgrade standards.

238. **Policy 4.83, Urban heat islands.** Encourage development, building, landscaping, and infrastructure design that reduce urban heat island effects.

CC2035 contains policies that call for site and building designs that incorporate vegetation to address urban heat island effect. Further, the Plan District contains a new development standard that requires that ecoroofs be constructed on buildings having a net-building area of at least 20,000 sq. ft., and that new development of at least 50,000 sq. ft. and rehabilitations that add 50,000 sq. ft. of floor area must pursue green building certification, which could include other design elements that address heat island effect.

239. **Policy 4.84, Planning and disaster recovery.** Facilitate effective disaster recovery by providing recommended updates to land use designations and development codes, in preparation for natural disasters.

As noted above, the Plan includes various actions directing the City to update flood plain management and seismic standards enforced by the City, and to implement new fire early warning systems in new development, consistent with this policy.

## Healthy food

240. **Policy 4.85, Grocery stores and markets in centers.** Facilitate the retention and development of grocery stores, neighborhood-based markets, and farmer’s markets offering fresh produce in

centers.

241. **Policy 4.86, Neighborhood food access.** Encourage small, neighborhood-based retail food opportunities, such as corner markets, food co-ops, food buying clubs, and community-supported agriculture pickup/drop-off sites, to fill in service gaps in food access across the city.

The zoning pattern for most of the Central City, especially those areas where residential mixed-use development is allowed, also allow for retail uses, such as grocery stores, and temporary activities such as farmers markets and other fresh food distribution activities. CC2035 continues to support this zoning pattern and furthers the directives of Policies 4.85 and 4.86 through policies, such as 2.1, Complete Neighborhoods, and 2.2, Promote healthy active living, that promote new grocery store development and publicly accessible locations for farmer’s markets and similar activities.

242. **Policy 4.87, Growing food.** Increase opportunities to grow food for personal consumption, donation, sales, and educational purposes.
243. **Policy 4.88, Access to community gardens.** Ensure that community gardens are allowed in areas close to or accessible via transit to people living in areas zoned for mixed-use or multi-dwelling development, where residents have few opportunities to grow food in yards.

Consistent with these policies 4.87 and 4.88, CC2035 contains policies calling for “access to locally grown and healthy foods,” while the Plan also calls for the expansion of publicly accessible open space and park amenities, including but not limited to community gardens, and the use of under-utilized public right-of-way and land for such uses.

## Housing: Goals

244. **Goal 5.A: Housing diversity.** Portlanders have access to high-quality affordable housing that accommodates their needs, preferences, and financial capabilities in terms of different types, tenures, density, sizes, costs, and locations.
245. **Goal 5.B: Equitable access to housing.** Portland ensures equitable access to housing, making a special effort to remove disparities in housing access for people with disabilities, people of color, low-income households, diverse household types, and older adults.
246. **Goal 5.C: Healthy connected city.** Portlanders live in safe, healthy housing that provides convenient access to jobs and to goods and services that meet daily needs. This housing is connected to the rest of the city and region by safe, convenient, and affordable multimodal transportation.
247. **Goal 5.D: Affordable housing.** Portland has an adequate supply of affordable housing units to meet the needs of residents vulnerable to increasing housing costs.
248. **Goal 5.E: High-performance housing.** Portland residents have access to resource-efficient and high-performance housing for people of all abilities and income levels.

In 2016 there were approximately 24,092 housing units within the Central City Plan District. CC2035 is intended to support the development of an additional 39,500 units by the year 2035. This is a 165 percent increase, and accounts for 30 percent of city-wide projected housing growth, but in an area equal to only 3 percent of the city’s land mass. Further analysis of the existing housing stock reveals that 74 percent of it consists of studio and 1-bedroom units, even though between 2010 and 2015, an average of 231 children annually were born to families living in the Central City. This data suggests that the demographics of the Central City are changing faster than the housing that

supports it. It also suggests that a greater array of essential public services, schools, playgrounds, daycare, community centers, and libraries, will be needed during the life of the CC2035 Plan.

As for affordability, in 2015, approximately 7,978 units of regulated affordable housing was in the Central City, or 37.6 percent of all housing. However, most of these units are studio and 1-bedroom units, and with the median family income (MFI) for a family of two in Portland being \$53,230 and maximum monthly housing cost (considered affordable) for the same family being \$1,331, most market rate housing in the Central City is not affordable to the average Portland family with children.

Central City 2035 builds upon the recently adopted Inclusionary Housing Program adopted by the City of Portland, by including policies, such as 2.1, Complete Neighborhoods, and 2.2, Promote healthy active living, that address the need to provide affordable housing, middle income housing, senior and student housing, and family compatible housing at all income levels, as well as neighborhood amenities and essential public services that allow for sustained community development by providing for the needs of people at all ages, income levels, and abilities.

Specific Zoning Code amendments, such as development standard 3.510.200.E, which provides floor area bonuses when public services and amenities are developed as part of a mixed-use project, help to implement different desired outcomes of these goals. Also, during the review of the Recommended Draft of CC2035, Council received testimony both for and against the maximum heights proposed by the plan and considered various amendments to increase heights at different locations throughout the Central City. In most cases, Council noted a desire to allow increased heights as a way to incent new residential development throughout the Central City, expand the supply of housing and reduce pressure on increased housing costs.

These and other elements of the plan ensure that CC2035 is consistent with Goals 5.A – 5.E, and the following applicable policies.

## Housing: Policies

### Diverse and expanding housing supply

249. **Policy 5.1, Housing supply.** Maintain sufficient residential development capacity to accommodate Portland's projected share of regional household growth.
250. **Policy 5.2, Housing growth.** Strive to capture at least 25 percent of the seven-county region's residential growth (Multnomah, Washington, Clackamas, Yamhill, Columbia, Clark, and Skamania counties).
251. **Policy 5.3, Housing potential.** Evaluate plans and investments for their impact on housing capacity, particularly the impact on the supply of housing units that can serve low- and moderate-income households, and identify opportunities to meet future demand.

Most the base zones in the Central City allow housing by right, and over 1,100 acres of the plan district have such zoning applied to it. These include the RH and RX zones, which focus on housing production, but also the CX and EX zones, commercial and employment mixed use zones where historically the most housing has been created since 1990. CC2035 maintains this supply of land zoned for these purposes and expands the total area of mixed-use zoning allowing housing outright or as a conditional use in the Central City by over 100 acres.

Further, during the review of the Recommended Draft of CC2035, Council received testimony for and against the maximum heights proposed by the plan, as well as various amendments by Council

to increase heights at different locations throughout the Central City. In most cases, Council noted a desire to allow increased heights as a way to incent new residential development throughout the Central City, expand the supply of housing and reduce pressure on increased housing costs.

There are limited situations where City Council reduced the maximum height in historic districts, while maintaining the floor area ratios of the effected properties. In the New Chinatown/Japantown Historic District, the FAR available to all the affected lots remains the same with the exception of one lot that has the potential to increase the base floor area from 6:1 to 9:1 if the western half of the block, adjacent to the transit station, is all residential development above the ground floor. Thus, the total housing potential in the district remains the same with an opportunity for an increase on this additional lot adjacent to the transit station.

In summary, the CC2035 does not rely upon the full utilization of all buildable FAR within the plan district to satisfy the projected housing potential of the CC2035 Plan, 2035 Comprehensive Plan, or Metro 2040 Framework Plan. Specifically, the buildable lands analysis for the 2035 Comprehensive Plan found that the zoning in place for the Central City prior to the amendments proposed by the Central City 2035 Plan, which overall increased development potential throughout the Central City, would have been sufficient to meet the housing projections targeted by the 2035 Comprehensive Plan. Therefore, these amendments to the Zoning Code are consistent with and further the objectives of Policies 5.1 - 5.3.

252. **Policy 5.5, Housing in centers.** Apply zoning in and around centers that allows for and supports a diversity of housing that can accommodate a broad range of households, including multi-dwelling and family-friendly housing options.

The zoning pattern for the Central City is intended to produce high-density, multifamily housing. The applicable development standards do not focus on any specific tenure, unit type, or intended user. However, CC2035 contains policies that support the development and additional efforts to monitor housing supply through the life of the plan to ensure that Central City housing production keeps pace with the diverse needs or the city center’s increasingly diversifying population. This includes a focus on the total number of housing units compatible with families with children, senior units, student housing, and middle-income units, consistent with Policy 5.5.

253. **Policy 5.8, Physically-accessible housing.** Allow and support a robust and diverse supply of affordable, accessible housing to meet the needs of older adults and people with disabilities, especially in centers, station areas, and other places that are proximate to services and transit.

254. **Policy 5.9, Accessible design for all.** Encourage new construction and retrofitting to create physically-accessible housing, extending from the individual unit to the community, using Universal Design Principles.

Goal 2.A of CC2035 states: *“The Central City is a successful dense mixed-use center composed of livable neighborhoods with housing, services and amenities that support the needs of people of all ages, incomes, and abilities.”* CC2035 further supports the objectives of Policies 5.8 – 5.9 by maintaining and expanding the supply of land zoned for high-density multifamily housing in the city center, much of which is designed for people at different ages and abilities and is in areas well served by transit and a safe pedestrian environment.

## Housing access

255. **Policy 5.11, Remove barriers.** Remove potential regulatory barriers to housing choice for people in protected classes to ensure freedom of choice in housing type, tenure, and location.

256. **Policy 5.12, Impact analysis.** Evaluate plans and investments, significant new infrastructure, and significant new development to identify potential disparate impacts on housing choice, access, and affordability for protected classes and low-income households. Identify and implement strategies to mitigate the anticipated impacts.

CC2035 promotes the development of studio, and 1-, 2-, and 3-bedroom units, to ensure that the housing needs for different household types, be they single occupant or families with children, are being met. The plan further expands the amount of mixed-use zoned land in the Central City Plan District and increases the floor area ratios applicable in parts of the Central City in areas with high levels of transit service. Further, in conjunction with the recently adopted inclusionary housing regulations and new development bonus system for commercial development, CC2035 will result in a more predictable ongoing supply of units affordable to people earning less than 80 percent median family income. These provisions are anticipated to result in greater diversity of unit type and increased access to affordable units, consistent with Policies 5.11 – 5.12.

257. **Policy 5.13, Housing stability.** Coordinate plans and investments with programs that prevent avoidable, involuntary evictions and foreclosures.
258. **Policy 5.14, Preserve communities.** Encourage plans and investments to protect and/or restore the socioeconomic diversity and cultural stability of established communities.
259. **Policy 5.15, Gentrification/displacement risk.** Evaluate plans and investments, significant new infrastructure, and significant new development for the potential to increase housing costs for, or cause displacement of communities of color, low- and moderate-income households, and renters. Identify and implement strategies to mitigate the anticipated impacts.
260. **Policy 5.16, Involuntary displacement.** When plans and investments are expected to create neighborhood change, limit the involuntary displacement of those who are under-served and under-represented. Use public investments and programs, and coordinate with nonprofit housing organizations (such as land trusts and housing providers) to create permanently-affordable housing and to mitigate the impacts of market pressures that cause involuntary displacement.

CC2035 is consistent with Policies 5.13 – 5.16, as the plan proposes infill of vacant and under-utilized land in the Central City. Most of these sites do not currently contain housing or tenants that could be impacted by new housing. Further, the plan and new inclusionary housing program work together to promote the retention and expansion of affordable housing options throughout the city center, to prevent displacement and expand opportunities for vulnerable populations.

## Housing location

261. **Policy 5.22, New development in opportunity areas.** Locate new affordable housing in areas that have high/medium levels of opportunity in terms of access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities.
262. **Policy 5.23, Higher-density housing.** Locate higher-density housing, including units that are affordable and accessible, in and around centers to take advantage of the access to active transportation, jobs, open spaces, schools, and various services and amenities.

CC2035 is consistent with Policies 5.22 and 5.23 as the plan proposes housing development at higher levels than are achievable anywhere else in the city, and within an urban environment with the greatest access to transit, active transportation options, employment, and numerous open space amenities.

Also, as noted above, during the review of the Recommended Draft of CC2035, Council received testimony for and against the maximum heights proposed by the plan and considered various amendments to increase heights at different locations throughout the Central City. In most cases, Council noted a desire to allow increased heights as a way to incent new residential development throughout the Central City, expand the supply of housing and, reduce pressure on increased housing cost.

Through CC2033 the base FAR of a number of sites have been increased, that previously had a base of 4:1, to 5:1. These changes are intended to incent the development of new residential development, As a result of the adopted inclusionary housing provisions, these areas will contain a mix of market rate and affordable housing.

In addition, in Central City historic districts floor area ratios have not been reduced even though maximum heights have been lowered to ensure that high density development potential is still available in these areas. In fact, in New Chinatown/Japantown Historic District, to encourage future residential development, one lot has the potential to increase the base floor area from 6:1 to 9:1 if the western half of the block, adjacent to the transit station, is all residential development above the ground floor.

Further, limited portions of the Central Eastside were rezoned from industrial designations to Central Employment (EX) a mixed-use zone that allows higher density development as well as housing in certain situations.

The plan further proposes working with PPS to expand access to K-12 public schools and offers development incentives when these and other essential public services, such as libraries, community centers, and daycare, are included within mixed-use development projects.

263. **Policy 5.24, Impact of housing on schools.** Evaluate plans and investments for the effect of housing development on school enrollment, financial stability, and student mobility. Coordinate with school districts to ensure plans are aligned with school facility plans.

The entire Central City is located within Portland Public Schools (PPS) boundaries. PPS staff were consulted and were members of the Technical Advisory Committee (TAC) for CC2035. In this role, housing projections and where and how the plan proposes to encourage additional housing were shared with PPS staff. Thus, development incentives regarding the inclusion of public schools in mixed-use development were included, as well as actions calling for the City to work with PPS to expand access to public schools for families living in the Central City, consistent with this policy.

## Housing affordability

264. **Policy 5.25, Housing preservation.** Preserve and produce affordable housing to meet needs that are not met by the private market by coordinating plans and investments with housing providers and organizations.
265. **Policy 5.26, Regulated affordable housing target.** Strive to produce at least 10,000 new regulated affordable housing units citywide by 2035 that will be affordable to households in the 0-80 percent MFI bracket.
266. **Policy 5.29, Permanently-affordable housing.** Increase the supply of permanently-affordable housing, including both rental and homeownership opportunities.

CC2035 proposes new FAR bonus allowances that award additional floor area for development when applicants for non-residential development pay into an affordable housing fund that will be used by the Portland Housing Bureau to create new affordable units or to preserve existing units

for providing affordable units. This bonus and the new requirements for inclusionary housing are intended to secure at least 30 percent of the housing in the city center as affordable to people earning less than 80 percent MFI by 2035, consistent with Policies 5.25, 5.26, and 5.29.

267. **Policy 5.30, Housing cost burden.** Evaluate plans and investments for their impact on household cost, and consider ways to reduce the combined cost of housing, utilities, and/or transportation. Encourage energy-efficiency investments to reduce overall housing costs.
268. **Policy 5.31, Household prosperity.** Facilitate expanding the variety of types and sizes of affordable housing units, and do so in locations that provide low-income households with greater access to convenient transit and transportation, education and training opportunities, the Central City, industrial districts, and other employment areas.
269. **Policy 5.33, Central City affordable housing.** Encourage the preservation and production of affordable housing in the Central City to take advantage of the area's unique concentration of active transportation access, jobs, open spaces, and supportive services and amenities.
270. **Policy 5.34, Affordable housing resources.** Pursue a variety of funding sources and mechanisms including new financial and regulatory tools to preserve and develop housing units and various assistance programs for households whose needs are not met by the private market.
271. **Policy 5.35, Inclusionary housing.** Use inclusionary zoning and other regulatory tools to effectively link the production of affordable housing to the production of market-rate housing.
272. **Policy 5.36, Impact of regulations on affordability.** Evaluate how existing and new regulations affect private development of affordable housing, and minimize negative impacts where possible. Avoid regulations that facilitate economically-exclusive neighborhoods.
273. **Policy 5.38, Workforce housing.** Encourage private development of a robust supply of housing that is affordable to moderate-income households located near convenient multimodal transportation that provides access to education and training opportunities, the Central City, industrial districts, and other employment areas.

As noted, the City of Portland recently adopted inclusionary zoning regulations that apply to all projects that result in more than 20 new residential units. Due to the typical scale of development in the Central City, this means between 10 to 20 percent of nearly all new residential development will consist of housing affordable to people earning between 60 to 80 percent MFI. However, the previously noted floor area bonus for commercial development, and policies of the plan will further assist in expanding the supply of affordable housing, including workforce housing, throughout the city center. Thus, CC2035 is consistent with the above policies as follows:

- A. Policy 5.30, Housing cost burden: the plan requires new development to pursue green-building certification which should reduce the heating and energy costs for residents. The plan also expands access to transit and other multimodal transportation options, which should reduce household transportation expenses. Lastly, the plan includes development bonuses that will expand the supply of affordable housing in the Central City.
- B. Policy 5.31, Household prosperity: Policies, such as 2.8, Family-compatible housing, which support expanded access to units with 2 or more bedrooms, as well as action items calling for the monitoring of unit production for affordable housing, combined with the recently adopted inclusionary housing provisions of the Zoning Code ensure that CC2035 will expand "the variety of types and sizes of affordable units" in the Central City.

- C. Policy 5.33, Central City affordable housing, Policy 5.34, Affordable housing resources, and Policy 5.35, Inclusionary housing: The plan contains new development bonuses that provide additional floor area in exchange for a contribution to the City's affordable housing fund. This combined with the recently adopted inclusionary housing regulations of the Zoning Code will expand the supply of affordable housing in the Central City.
- D. Policy 5.36, Impact of regulations on affordability, and Policy 5.38, Workforce housing: The recently adopted inclusionary housing provisions of the Zoning Code, and restructuring of the development bonuses allowances of the code to prioritize affordable housing are intended to significantly expand access to affordable housing, including workforce housing in the Central City. These provisions have also been crafted to minimize the impact of existing regulations and administrative costs, such as the cost of design review for affordable housing projects.

## Homelessness

274. **Policy 5.46, Housing continuum.** Prevent homelessness and reduce the time spent being homeless by ensuring that a continuum of safe and affordable housing opportunities and related supportive services are allowed, including but not limited to Permanent Supportive Housing, transitional housing, self-built micro housing communities, emergency shelters, temporary shelters such as warming centers, and transitional campgrounds.

CC2035 addresses the objectives of Policy 5.46 by maintaining and expanding zoning that allows for shelters, transitional housing, and social services that support this population, while also expanding the number of affordable units Central City-wide. The plan also includes policies and actions that focus on job training, transitional housing, and human and health services to aid vulnerable populations within the Central City.

## Health, safety, and well-being

275. **Policy 5.49, Housing quality.** Encourage housing that provides high indoor air quality, access to sunlight and outdoor spaces, and is protected from excessive noise, pests, and hazardous environmental conditions.
276. **Policy 5.50, High-performance housing.** Encourage energy efficiency, green building practices, materials, and design to produce healthy, efficient, durable, and adaptable homes that are affordable or reasonably priced.

CC2035 includes new development standards (33.510. 244) that require new development or redevelopment, that results in 50,000 square feet or more of new floor area, pursue low-carbon/green building certification. Buildings receiving such certification typically receive points for the use of materials and design elements that promote human health. Further, the plan contains approval criteria for the design and siting of some housing located in the Central Eastside Industrial District to minimize the impact of adjacent industrial uses on new housing (see Central City Master Plans, Section 33.510.255. These elements of the plan will further the objectives of Policies 5.49 and 5.50.

277. **Policy 5.51, Healthy and active living.** Encourage housing that provides features supportive of healthy eating and active living such as useable open areas, recreation areas, community gardens, crime-preventive design, and community kitchens in multifamily housing.
278. **Policy 5.52, Walkable surroundings.** Encourage active transportation in residential areas through the development of pathways, sidewalks, and high-quality onsite amenities such as secure bicycle parking.

279. **Policy 5.53, Responding to social isolation.** Encourage site designs and relationship to adjacent developments that reduce social isolation for groups that often experience it, such as older adults, people with disabilities, communities of color, and immigrant communities.

CC2035 Policy 6.5 states:

***Human health.** Encourage the use of active modes of transportation by creating and enhancing a network of bike and pedestrian facilities that provide access to services and destinations including natural areas. Improve access for all people to locally grown and healthy foods. Encourage the use of building construction methods, materials and products that do not have harmful effects on human health and the environment. Encourage social health by fostering community in a hospitable public realm.*

Policies 5.51 – 5.53 are supported by amendments to the Zoning Code and Transportation Systems Plan that will modify the experience and range of uses allowed in the public realm and expand the amount of publicly accessible open space in the Central City. These measures will also expand access to active transportation facilities and recreation opportunities. The plan further calls for a community center, community gardens, and new parks and open space features to be developed during the life of the plan to support the additional 38,000 households projected by the year 2035.

## Economic Development: Goals

280. **Goal 6.A: Prosperity.** Portland has vigorous economic growth and a healthy, diverse economy that supports prosperity and equitable access to employment opportunities for an increasingly diverse population. A strong economy that is keeping up with population growth and attracting resources and talent can:

- Create opportunity for people to achieve their full potential.
- Improve public health.
- Support a healthy environment.
- Support the fiscal well-being of the city.

A healthy local economy, access to good, stable employment, and a stable and growing tax base, is important to the ability of the City to support its residents and businesses with the services they need to thrive. A strong, local economy also correlates to better health and educational outcomes for individuals. As such, the recently adopted 2035 Comprehensive Plan promotes the growth of 141,643 new jobs, 44,740 of which will be located with the Central City. This accounts for 32 percent of all projected job growth.

The job growth targeted by CC2035 to support these projections is addressed within the commercially as well as industrially zoned portions of the plan district, as well at institutions located within the Central City. A combination of base zone amendments, FAR increases, and development standards that will allow a broader and denser array of industrial jobs, will allow for employment opportunities for people at various income, skill, and employment levels, allowing the plan to further the objectives of Goal 6.A.

281. **Goal 6.B: Development.** Portland supports an attractive environment for industrial, commercial, and institutional job growth and development by: 1) maintaining an adequate land supply; 2) a local development review system that is nimble, predictable, and fair; and 3) high-quality public facilities and services.

CC2035 is consistent with the objectives of this goal as follows:

- A. The plan increases the existing supply of mixed-commercial and mixed-employment lands and allows for higher densities of industrial office uses in the Central Eastside, while offering development incentives for the creation of ground floor industrial uses. The plan also brings in approximately 12 acres at the Clinton Station Area into the Central Eastside and zones the area for high density mixed-employment uses. Lastly, the plan increases land use densities within mixed-use zones along the transit mall and at key station areas.
- B. The plan simplifies many preexisting development standards, land use allowances, and parking regulations, to create a more streamline and predictable development review system. The plan also contains actions calling for an update to the design guidelines applicable to the Central City, and the periodic review of different development standards and incentives.
- C. The plan proposes numerous projects to the transportation system, parks and open space network, and public infrastructure that support commercial office, retail, institutional, and other employment uses in the Central City. The plan also proposes strategies to seismically upgrade numerous structures for employment uses, promotes expansion of the amount of green-infrastructure, the creation of an Innovation Quadrant, a permanent location for a day laborer facility, and strategies to expand the skilled workforce, provide affordable workspace, and create new employment partnerships in the Central Eastside.

282. **Goal 6.C: Business district vitality.** Portland implements land use policy and investments to:

- Ensure that commercial, institutional, and industrial districts support business retention and expansion.
- Encourage the growth of districts that support productive and creative synergies among local businesses.
- Provide convenient access to goods, services, and markets.
- Take advantage of our location and quality of life advantages as a gateway to world-class natural landscapes in Northwest Oregon, Southwest Washington, and the Columbia River Basin, and a robust interconnected system of natural landscapes within the region's Urban Growth Boundary.

CC2035 addresses the objectives of Goal 6.C through support of the emerging Innovation Quadrant, located within the Central Eastside, South Waterfront, and University/South Downtown District and through potential investments in infrastructure and strategies that leverage employment and traded sector growth in the Central City. The plan also contains actions intended to address skill gaps within high-growth, high-demand occupations, the creation of a new business improvement district in the Central Eastside, and continued collaboration with existing business associations on infrastructure improvements and strategies that may affect the viability of member businesses.

## Economic Development: Policies

### Diverse, expanding city economy

283. **Policy 6.1, Diverse and growing community.** Expand economic opportunity and improve economic equity for Portland's diverse, growing population through sustained business growth.

284. **Policy 6.2, Diverse and expanding economy.** Align plans and investments to maintain the diversity of Portland’s economy and status as Oregon’s largest job center with growth across all sectors (commercial, industrial, creative, and institutional) and across all parts of the city.
285. **Policy 6.3, Employment growth.** Strive to capture at least 25 percent of the seven-county region’s employment growth (Multnomah, Washington, Clackamas, Yamhill, Columbia, Clark, and Skamania counties).

Consistent with these policies, the plan proposes zone changes, increased FAR allowances, new use allowances, and development standards and bonuses, all of which are intended to facilitate new office development, new incubator industrial uses, and retail and other commercial service businesses and jobs to grow in all Central City districts. This approach does not target any one job sector, nor does it focus on jobs that require a specific skill level, or educational level. Rather, these elements of the plan seek to increase the supply of land and amount of multi-story buildings throughout the city center available for employment and industrial uses.

At the same time, the plan contains actions that focus on job/skill development, affordable work space, and partnerships between government and the private sector aimed at leveraging new job and industrial sector growth. These elements will allow the Central City to create upwards of 51,000 new jobs and will contribute to the city’s ability to capture 25 percent of the projected regional employment growth.

City Council received testimony, including from the Pearl neighborhood association, requesting a code change to require the provision for unlimited Floor Area Ratio (FAR) transfer be within the neighborhood of its deployment rather than by floor area transfer sectors. Comments received state that the transfer sector areas are too large, and the goal should be to preserve older buildings and increase the density of the new ones in the same neighborhood.

City Council finds that the CC2035 transfer area sectors proposed in CC2035 align with transportation impact modeling areas. In 2017, as part of the Central City 2035 Plan process, City Council expanded the size of the areas eligible to transfer FAR in response to testimony received. Council approved making each transfer sector as large as possible, while keeping areas in alignment with transportation impact modeling. The larger sector includes the Pearl, Downtown, Old Town/ Chinatown, West End and South Downtown, making a significantly larger pool of unused FAR available for transfer in this area. This addressed concerns received through testimony that the supply was overly constrained if it remained at the neighborhood district level. City Council finds that larger sectors are supported by Comprehensive Plan policy 6.3 in order to facilitate employment growth and policy 5.23 encouraging high density housing in the City’s downtown core.

286. **Policy 6.4, Fiscally-stable city.** Promote a high citywide jobs-to-households ratio that supports tax revenue growth at pace with residential demand for municipal services.

CC2035 proposes several elements that are intended to result in an additional 51,000 new jobs and 38,000 new households within the Central City by the year 2035, which is 30 percent of the projected city-wide growth targeted by the 2035 Comprehensive Plan. If these targets are achieved, the Central City will contain approximately 174,565 jobs and 62,092 households, continuing to make it the densest center within the city, and a strong source of tax revenue supporting municipal services city-wide.

287. **Policy 6.5, Economic resilience.** Improve Portland’s economic resilience to impacts from climate change and natural disasters through a strong local economy and equitable opportunities for prosperity.
288. **Policy 6.6, Low-carbon and renewable energy economy.** Align plans and investments with efforts to improve energy efficiency and reduce lifecycle carbon emissions from business operations. Promote employment opportunities associated with energy efficiency projects, waste reduction, production of more durable goods, and recycling.

CC2035 addresses Policies 6.5 and 6.6 as follows:

- A. The plan contains goals and policies that support continued investments that support the goal of making the Central City resilient to climate change and natural hazards. Further, the plan contains specific actions that address flood plain protection, seismic upgrades, green infrastructure, and green-development strategies.
- B. The Zoning Code amendments of the plan increase the setback for development along the Willamette River, require the inclusion of ecoroofs on new buildings, and that new development pursue green-building certification.

Testimony received in opposition to the proposed plan expressed that the readoption of CC2035 should be delayed considering COVID-19 and the potential for future pandemics. There were also suggestions that a new approach to urban planning be adopted that results in less dense development in the urban core, and less reliance on zoning that allows tall buildings that use high floor area ratios.

Further, there were suggestions that the current Council should delay voting until after the November 2020 election because since the original 2018 adoption of the CC2035 Plan one council positions has changed, another will change in January 2020, another is vacant and awaiting the results of an August 2020 special election, and two other positions are being contested in a runoff election.

However, other testimony supported readoption because numerous projects were set in motion that used zoning provisions and standards put in place with the adoption of CC2035, that are no longer in effect due to the remand. This has had unintended consequence, stalling and stopping projects including senior housing, affordable housing and supportive housing. Others said new office, retail, and housing projects need the certainty of a readopted and effective CC2035, especially now, with so many other uncertainties brought about by COVID-19 that are beyond our local control. Council finds that further delay in readopting the Plan could exacerbate this delay of projects that are sorely needed within the Central City.

In consideration of this testimony, City Council recognizes that the CC2035 Plan is a long-range plan that will remain in effect for up to 25 years, and that COVID 19, a temporary but significant event, has stalled development of much needed affordable housing and retail and office projects. Council finds that the current members of the Council are authorized to act on the plan now and there is no justification for requiring a delay until after the elections. Further, Council finds that the evidence supporting the environmental, social and economic benefits outweigh the speculation that density should be reconsidered due to the pandemic, and City Council finds that cities can be dense and still provide places for people to isolate and be physically distant.

In addition, significant testimony was received requesting that the ecoroof requirement (33.510.243) be retained as adopted in 2018. One individual requested a change to add the ability to harvest rainwater. City Council intends retain and readopt ecoroof requirement in its current form.

289. **Policy 6.7, Competitive advantages.** Maintain and strengthen the city’s comparative economic advantages including access to a high-quality workforce, business diversity, competitive business climate, and multimodal transportation infrastructure.
290. **Policy 6.8, Business environment.** Use plans and investments to help create a positive business environment in the city and provide strategic assistance to retain, expand, and attract businesses.
291. **Policy 6.9, Small business development.** Facilitate the success and growth of small businesses and coordinate plans and investments with programs that provide technical and financial assistance to promote sustainable operating practices.

CC2035 responds to Policies 6.7 – 6.9 as follows:

- A. The plan promotes development of office, industrial, and institution uses throughout the Central City, and creates additional development capacity in areas targeted for high density employment. The plan also proposes numerous transportation improvements intended to facilitate freight mobility, and work force commutes by multiple means, including ground and river transit, active transportation, and through carpooling.
- B. The plan contains actions supporting the creation of a business improvement district for the Central Eastside, promotes district parking in underserved areas for employees and customers, and promotes the creation of affordable work space for new and emerging businesses.
- C. The plan seeks the creation of an Innovation Quadrant where institutions and the training, and research and development conducted can be commercialized by local businesses in the Central City. The plan also promotes skill development through programs and partnerships between business associations and PCC and PPS.

292. **Policy 6.10, Business innovation.** Encourage innovation, research, development, and commercialization of new technologies, products, and services through responsive regulations and public sector approaches.

In response to this goal, CC2035 promotes the creation of an Innovation Quadrant that links the research and development functions of PSU and OHSU with businesses operations in and around the Central City, with a focus on the University District/South Downtown, South Waterfront, and Central Eastside districts. The plan contains policies and actions supportive of this effort, as well as new development standards and use allowances that are intended to increase employment densities and diversify the range of industrial and high-tech businesses operating in the Central City.

293. **Policy 6.12, Economic role of livability and ecosystem services.** Conserve and enhance Portland’s cultural, historic, recreational, educational, food-related, and ecosystem assets and services for their contribution to the local economy and their importance for retention and attraction of skilled workers and businesses.

The Central City has become a large draw for employers and residents because of the many amenities it contains. These include access to recreational, cultural, and educational assets including access to food, entertainment, and retail. For example, the river setback and Greenway Trail standards in 33.475, River Overlay Zones, ensure adequate land is available for public access to

the Willamette River for recreation. Access to government services and a diverse multimodal transportation network also attract skilled workers and businesses. CC2035 supports the objectives of this goal by: 1) maintaining the zoning and use allowances that have allowed these assets to flourish in the Central City; and 2) by expanding the zoning and supporting continued investment in the maintenance and enhancement of the Central City as the primary location where these assets and more can be found.

## Land development

294. **Policy 6.13, Land supply.** Provide supplies of employment land that are sufficient to meet the long-term and short-term employment growth forecasts, adequate in terms of amounts and types of sites, available and practical for development and intended uses. Types of sites are distinguished primarily by employment geographies identified in the Economic Opportunities Analysis, although capacity needs for building types with similar site characteristics can be met in other employment geographies.
295. **Policy 6.15, Regionally-competitive development sites.** Improve the competitiveness of vacant and underutilized sites located in Portland’s employment areas using incentives, and regional and state assistance for needed infrastructure and site readiness improvements.

The Economic Opportunity Analysis (EOA), adopted June 2016, considers the Central City as the location of two primary types of economic uses: commercial office, and close-in incubator industrial. The EOA found that of the 141,600 new jobs forecasted for the City of Portland by 2035, that 44,741 jobs (32 percent) will be generated in the Central City with 34,124 assigned to commercial uses, and 19,171 assigned to industrial uses. This forecast translates into a needed capacity of 60 acres of commercially zoned land, and 90 acres of industrial zoned land.

As for commercial land, the analysis found the Central City has 201-acre supply of land for these uses, or an excess capacity of 141 acres. Conversely, the same analysis found that there is a demand for 90 acres of industrial zoned land capacity, but only 65 acres of supply available for the industrial uses allowed in the Central City. This means the CC2035 Plan needed to develop a means to create additional capacity for close-in incubator industrial uses. As the ability to create new industrial supply in the land locked urban center was not a possibility, the only option was to incent ways to encourage denser, vertical industrial prototypes.

The primary two methods used by CC2035 to achieve this is by expanding the acreage where industrial office uses may be sited and offering development incentives to create more industrial office uses when traditional industrial uses are located on the ground floor of industrial office projects. Thus, the plan modifies the use allowances for the IG1 (General Industrial 1) zone to include industrial office uses up to a maximum of 3:1 FAR per site in the Central Eastside District. This expands the ability to do such uses from a previous maximum of 60,000 sq. ft. per site, and from a subarea of only 48 acres to over 240 acres of IG1 zoned land. These new use allowances for the Central Eastside are intended to create much of the industrial demand noted by the EOA. The created capacity, as well as the untapped capacity of the Lower Albina District will allow the demand for close-in industrial uses to be met by the year 2035.

Further, the plan proposes freight and other infrastructure investments, as additional strategies to increase the density of jobs in both industrial districts to ensure the demand for industrial jobs is met and possibly exceeded, consistent with Policies 6.13 and 6.15.

296. **Policy 6.16, Regulatory climate.** Improve development review processes and regulations to encourage predictability and support local and equitable employment growth and encourage

business retention, including:

**6.16.a,** Assess and understand cumulative regulatory costs to promote Portland’s financial competitiveness with other comparable cities.

**6.16.b,** Promote certainty for new development through appropriate allowed uses and “clear and objective” standards to permit typical development types without a discretionary review.

**6.16.c,** Allow discretionary review to facilitate flexible and innovative approaches to meet requirements.

**6.16.d,** Design and monitor development review processes to avoid unnecessary delays.

**6.16.e,** Promote cost effective compliance with federal and state mandates, productive intergovernmental coordination, and efficient, well-coordinated development review and permitting procedures.

The Central City 2035 Plan includes numerous Zoning Code amendments that will provide more certainty for development proposals, while reducing the cost and time to review uses. For instance, as noted above, the ability to develop Industrial Office uses in the Central Eastside was once set at a maximum of 60,000 sq. ft. per site; however, there exists a demand to create much more of this use in the district, which previously was only possible through an uncertain, costly, and long conditional use review. CC2035 removes these barriers by increasing the amount of floor area that can be created for this use by-right. The plan also results in similar code amendments that simplify the review process for other land uses, and parking, throughout the Central City.

The plan further contains actions directing a review and amendments to the discretionary design review process applicable to most development in the Central City, to streamline and simplify the process currently in effect. These and other elements of the plan respond to the various objectives of Policy 6.16. Additional information regarding how the plan improves the conditions that affected under-utilized and vacant sites can be found under the “Goal 9, Economic Development” section of this findings report.

297. **Policy 6.17, Short-term land supply.** Provide for a competitive supply of development-ready sites with different site sizes and types, to meet five-year demand for employment growth in the Central City, industrial areas, campus institutions, and neighborhood business districts.

CC2035 contains new use allowance for industrial areas in the Central Eastside that will allow higher-density industrial uses to location throughout the district. Then plan also includes zone changes to some under-performing industrial sites located at transit station areas from low density light industrial zoning to high density, mixed-use employment zoning to increase employment growth. Analysis conducted in support of the 2035 Comprehensive Plan and CC2035 Plan (see “Goal 9, Economic Development” section of this findings report), demonstrated how these elements of the plan increase the acreage available for employment in the Central City.

298. **Policy 6.19, Corporate headquarters.** Provide land opportunities for development of corporate headquarters campuses in locations with suitable transportation facilities.

The mixed-use and industrial zoning found in the Central City allows for the siting of corporate headquarters, and over the last few years the number of headquarters in the city center has grown substantially. These businesses are served by numerous public and private assets attractive to employers and employees alike, including access to a diverse multimodal transportation network that connects the Central City to the regional, Oregon and Washington, and points beyond.

## Traded sector competitiveness

299. **Policy 6.20, Traded sector competitiveness.** Align plans and investments with efforts to improve the city and regional business environment for traded sector and export growth. Participate in regional and statewide initiatives.
300. **Policy 6.21, Traded sector diversity.** Encourage partnerships to foster the growth, small business vitality, and diversity of traded sectors.
301. **Policy 6.22, Clusters.** Align plans and investments with efforts that direct strategic business development resources to enhance the competitiveness of businesses in traded sector clusters.

CC2035 has many elements that will strengthen the ability to retain and expanded traded sector businesses in the Central City. These include expanding the use allowances in the industrial districts to include a suite of new emerging industrial sectors previously prohibited from locating in close-in industrial areas. The plan also increases the FAR allowances for these and commercial office uses and proposes a series of infrastructure and strategic investments that will benefit traded sector businesses.

302. **Policy 6.23, Trade and freight hub.** Encourage investment in transportation systems and services that will retain and expand Portland's competitive position as a West Coast trade gateway and freight distribution hub.

CC2035 strengthens classifications in the Transportation System Plan (TSP) regarding freight mobility and proposes system enhancements, including new traffic signals and a freight couplet, intended to improve freight operations in the Central City.

Further, CC2035 policies 3.1 and 3.2 address the Central City as a regional hub. In addition, policies 3.LA-2 and 3.CE-2 emphasize freight movement and access improvements in Lower Albina and the Central Eastside. There are also several freight-specific TSP projects and studies that will increase and protect freight movement and the Central City's role as a multimodal system and hub. Freight district and freight street classifications in the TSP also address this policy. Major freight-related projects in CC2035 include the Broadway/Weidler (Rose Quarter) Interchange Project (now an adopted element of the City's TSP), Central Eastside Access and Circulation, N River St Reconstruction, Yamhill & Water Traffic Improvements, I-405/Glisan Traffic Improvements, SW Broadway Traffic Improvements, and Southern Triangle Access Improvements.

303. **Policy 6.24, Traded sector land supply.** Foster traded sector retention, growth, and competitive advantages in industrial districts and the Central City. Recognize the concentration of traded-sector businesses in these districts.

The Central City has a concentration of traded sector businesses, and CC2035 maintains and expands the capacity of these businesses in the district by expanding zoning that allows employment, increases FAR allowances in areas targeted for employment growth, and expands the range of industrial uses allowed in the city center, consistent with Policy 6.24.

304. **Policy 6.26, Business opportunities in urban innovation.** Strive to have Portland's built environment, businesses, and infrastructure systems showcase examples of best practices of innovation and sustainability.

The Central City currently is home to many engineering, architectural, and development firms that have pioneered sustainable practices in the built environment, both for the public and private development. This work has also translated into the creation of many LEED certified buildings, district energy facilities, green infrastructure investments, and an expansive and growing active

transportation system. CC2035 continues this positive trend with a policy framework that supports further public investment in these areas and proposes an expansion of green infrastructure throughout the Central City. Lastly, the plan includes Zoning Code amendments that make previous incentives to develop ecoroofs or pursue green building certification into requirements for most development and redevelopment projects. These plan elements are consistent with Policy 6.26.

### Equitable household prosperity

305. **Policy 6.27, Income self-sufficiency.** Expand access to self-sufficient wage levels and career ladders for low-income people by maintaining an adequate and viable supply of employment land and public facilities to support and expand opportunities in Portland for middle- and high-wage jobs that do not require a 4-year college degree.

**6.27.a,** Support the role of industrial districts as a leading source of middle-wage jobs that do not require a 4-year college degree and as a major source of wage-disparity reduction for underserved and under-represented communities.

**6.27.b,** Evaluate and limit negative impacts of plans and investments on middle and high wage job creation and retention.

306. **Policy 6.29, Poverty reduction.** Encourage investment in, and alignment of, poverty-reduction efforts that address economic development, land use, transportation, housing, social services, public health, community development, and workforce development.

Consistent with Policies 6.27 and 6.29, CC2035 strategically maintains the industrial sanctuary zoning for the Central Eastside and Lower Albina industrial districts, while increasing the diversity of industrial uses allowed in the Central Eastside and offering incentives to create additional capacity for manufacturing, industrial service, wholesale sales, and warehouse uses. The plan further promotes expansion of the supply of affordable housing in the Central City, while expanding access to transit to areas outside of the city center where lower wage and lesser skill laborers may live. These elements of the plan are specifically intended to ensure that the Central City remains and expands its availability to workers at all skill and income levels.

### Central City

307. **Policy 6.33, Central City.** Improve the Central City's regional share of employment and continue its growth as the unique center of both the city and the region for innovation and exchange through commerce, employment, arts, culture, entertainment, tourism, education, and government.

CC2035 is consistent with Policy 6.33 in several ways. The plan expands the amount of mixed-use zoning in the Central City and increases FAR ratios in areas targeted for substantial employment growth. The plan expands protection of industrial zoned lands while allowing for increase employment densities in industrial districts. The plan also promotes public investment in new infrastructure and strategies intended to support the role of the Central City as the regional center for employment, governance, education, tourism, and arts, culture, and entertainment.

308. **Policy 6.34, Central City industrial districts.** Protect and facilitate the long-term success of Central City industrial districts, while supporting their evolution into places with a broad mix of businesses with high employment densities.

As noted below, CC2035 implements the objectives of Policy 6.34 through new use allowances that expand the diversity of industrial uses allowed in the Central Eastside, that promote higher density industrial uses, and incent the development of buildings that incorporate traditional and emerging industrial sectors. The plan also includes Zoning Code amendments that reduce the total amount of

non-industrial uses, such as Retail Sales and Service and Traditional Office uses allowed in the IG1 zone, the predominate industrial zone within the Central City. The plan lastly maintains existing prohibitions regarding the development of housing within industrial zoned land.

309. **Policy 6.35, Innovation districts.** Provide for expanding campus institutions in the Central City and Marquam Hill, and encourage business development that builds on their research and development strengths.

CC2035 responds to Policy 6.35 by increasing the maximum height and FAR allowances in and around PSU and the OMSI station area, maintains high density development allowances in South Waterfront where OHSU is expanding operations from the Marquam Hill campus to the new Schnitzer Campus, and through higher density industrial use provisions applicable to sites across the Tillikum Bridge in the Central Eastside.

### Industrial and employment districts

310. **Policy 6.36, Industrial land.** Provide industrial land that encourages industrial business retention, growth, and traded sector competitiveness as a West Coast trade and freight hub, a regional center of diverse manufacturing, and a widely accessible base of family-wage jobs, particularly for under-served and under-represented people.
311. **Policy 6.37, Industrial sanctuaries.** Protect industrial land as industrial sanctuaries identified on the Comprehensive Plan Map primarily for manufacturing and distribution uses and to encourage the growth of industrial activities in the city.

CC2035 maintains over 300 acres of IG1 zoned land, and 15.4 of IH zoned land that is considered prime industrial land. As the IG1 and IH zones are two of the three zones that implement industrial sanctuary policies, and CC2035 strengthens protections of the IG1 zone by reducing the amount of retail and traditional office uses allowed in the IG1 zoned portions of the Central Eastside, the plan is consistent with Policies 6.36 and 6.37.

312. **Policy 6.38, Prime industrial land retention.** Protect the multimodal freight-hub industrial districts at the Portland Harbor, Columbia Corridor, and Brooklyn Yard as prime industrial land that is prioritized for long-term retention.

**6.38.a,** Protect prime industrial lands from quasi-judicial Comprehensive Plan Map amendments that convert prime industrial land to non-industrial uses, and consider the potential for other map amendments to otherwise diminish the economic competitiveness or viability of prime industrial land.

**6.38.b,** Limit conversion of prime industrial land through land use plans, regulations, or public land acquisition for non-industrial uses, especially land that can be used by river-dependent and river-related industrial uses.

**6.38.c,** Limit regulatory impacts on the capacity, affordability, and viability of industrial uses in the prime industrial area while ensuring environmental resources are also protected.

**6.38.d,** Strive to offset the reduction of development capacity as needed, with additional prime industrial capacity that includes consideration of comparable site characteristics. Offsets may include but are not limited to additional brownfield remediation, industrial use intensification, strategic investments, and other innovative tools and partnerships that increase industrial utilization of industrial land.

**6.38.e,** Protect prime industrial land for siting of parks, schools, large-format places of assembly,

and large-format retail sales.

**6.38.f, Promote efficient use of freight hub infrastructure and prime industrial land by limiting non-industrial uses that do not need to be in the prime industrial area.**

The Central City contains a limited amount of prime industrial land, all of which is in the Lower Albina District surrounding the Albina Rail Yard. These lands have a stronger relationship with the Portland North Harbor area than the Central City, and thus, CC2035 preserves these lands for prime industrial uses by proposing no amendments to the protections, in terms of use allowance and development standards, that have been applicable to these lands prior to the adoption of CC2035.

313. **Policy 6.41, Multimodal freight corridors.** Encourage freight-oriented industrial development to locate where it can maximize the use of and support reinvestment in multimodal freight corridors.

The Central Eastside and Lower Albina Districts within the Central City are heavily reliant on freight to deliver supplies and distribute product made in these areas. Further, as major center, most uses in the Central City depend on freight deliveries be they commercial, industrial, residential, or institutional uses. Thus, CC2035 continues to support freight mobility in the city center by designating new freight routes, proposing new freight-oriented infrastructure, and proposing strategies to enhance freight movement while expanding active transportation options, consistent with Policy 6.41.

314. **Policy 6.43, Dispersed employment areas.** Provide small, dispersed employment areas for a flexible and affordable mix of office, creative services, small-scale manufacturing, traded sector and distribution, and other small-format light industrial and commercial uses with access to nearby freeways or truck streets.

315. **Policy 6.44, Industrial land use intensification.** Encourage reinvestment in, and intensification of, industrial land use, as measured by output and throughput per acre.

As noted in the “Goal 9, Economic Development” section of this findings report the recently adopted EOA identified a deficit of industrial land capacity necessary to meet projected demand. Thus, CC2035 includes measures that allow for denser industrial development, and a diversification of the types of industrial uses allowed in the Central City to meet and exceed the growth projected by 2035, consistent with Policy 6.44.

316. **Policy 6.46, Impact analysis.** Evaluate and monitor the impacts on industrial land capacity that may result from land use plans, regulations, public land acquisition, public facility development, and other public actions to protect and preserve existing industrial lands.

CC2035 contains actions calling for additional studies and analysis regarding jobs development and creation of an Innovation Quadrant in the Central Eastside. These actions will ensure that additional analysis of how CC2035 elements are affecting industry in the district will be conducted consistent with this policy. Further, this plan implements the Central City components of *the 2035 Comprehensive Plan*, and the development of that plan included numerous studies of industrial land capacity (see Findings for Statewide Planning Goal 9, Economic Development, earlier in these findings).

317. **Policy 6.47, Clean, safe, and green.** Encourage improvements to the cleanliness, safety, and ecological performance of industrial development and freight corridors by facilitating adoption of market feasible new technology and design.

CC2035 includes new requirements that new development construct ecoroofs and pursue green building certification, even in industrial districts. The plan also includes strategies to expand the use

of green infrastructure, and improve freight mobility by reducing cueing at intersections, consistent with the objectives of Policy 6.47.

318. **Policy 6.52, Residential and commercial reuse.** Facilitate compatible industrial or employment redevelopment on residential or commercial sites that become available for reuse if the site is in or near prime industrial areas, and near a freeway or on a freight street.

CC2035 is consistent with the directive of this policy as the zoning pattern implemented by the plan allows for employment and industrial uses on EX zoned lands where such uses occur, and because the EX zone of is the primary mixed-use zone used within and adjacent to industrial districts in the Central City.

319. **Policy 6.55, Neighborhood park use.** Allow neighborhood park development within industrial zones where needed to provide adequate park service within one-half mile of every resident.

The existing zoning pattern in the Central City allows for the development of public parks and recreational assets within the Lower Albina and Central Eastside districts, and this pattern is maintained by CC2035. Further, the Plan and quadrant plans contain actions seeking opportunities to locate such facilities in and near these districts as they continue to densify through the life of the plan.

## Campus institutions

320. **Policy 6.56, Campus institutions.** Provide for the stability and growth of Portland's major campus institutions as essential service providers, centers of innovation, workforce development resources, and major employers.

321. **Policy 6.57, Campus land use.** Provide for major campus institutions as a type of employment land, allowing uses typically associated with health care and higher education institutions. Coordinate with institutions in changing campus zoning to provide land supply that is practical for development and intended uses.

Portland State University and Oregon Health Sciences University have institutional campuses in the Central City. Additionally, Portland Community College, Pacific Northwest College of Art, the University of Oregon, and other colleges have facilities in the city center, as is Portland Public School's Lincoln High School campus. CC2035 contains some minor zoning amendments that will ensure these facilities are within mixed-use employment or commercial zones, where they are an allowed use. The plan also proposes continued work on the Innovation Quadrant, which seeks to leverage the educational training, research, and skill training that occurs at these institutions to create new jobs, job sectors, and businesses in the Central City, consistent with Policies 6.56 and 6.57.

322. **Policy 6.61, Satellite facilities.** Encourage opportunities for expansion of uses, not integral to campus functions, to locate in centers and corridors to support their economic vitality.

Portland Community College (PCC) and the University of Oregon (U of O) have satellite facilities in the Central City, both of which are located there as the programs they contain relate to skills and job sectors important to the economy of the city center. As noted above, the plan results in minor zoning amendments, that in the case of PCC allows it to enjoy the same zoning as U of O, whereby both are uses allowed outright, and thus have additional capacity to grow and densify within the Central City, consistent with this policy.

## Neighborhood business districts

323. **Policy 6.62, Neighborhood business districts.** Provide for the growth, economic equity, and vitality of neighborhood business districts.
324. **Policy 6.63, District function.** Enhance the function of neighborhood business districts as a foundation of neighborhood livability.

The Central City Plan District is home to a few business districts and associations, including the Portland Business Alliance (PBA), Central Eastside Industrial Council (CEIC), Pearl District Business Association (PDBA). CC2035 is consistent with Policies 6.62 and 6.63 as the plan includes several actions that include these organizations as implementers and calls for additional strategies and partnerships between the City and these organizations in implementing different elements of the plan that address transportation and economic development.

325. **Policy 6.64, Small, independent businesses.** Facilitate the retention and growth of small and locally-owned businesses.

CC2035 includes actions calling for additional strategy development and new partnerships intended to support the retention of small incubator businesses in the Central Eastside, as well as strategies to expand the growth of such industries in the Central Eastside and Lower Albina industrial districts, consistent with this policy directive.

326. **Policy 6.67, Retail development.** Provide for a competitive supply of retail sites that support the wide range of consumer needs for convenience, affordability, accessibility, and diversity of goods and services, especially in under-served areas of Portland.

The mixed-use and industrial zoning found in the Central City allows for Retail Sales and Service uses outright. These allowances ensure that neighborhood as well as regional serving retail uses can locate throughout most of the Central City serving businesses, employees, residents, and visitors alike, consistent with Policy 6.67.

327. **Policy 6.70, Involuntary commercial displacement.** Evaluate plans and investments for their impact on existing businesses.

**6.70.a,** Limit involuntary commercial displacement in areas at risk of gentrification, and incorporate tools to reduce the cost burden of rapid neighborhood change on small business owners vulnerable to displacement.

**6.70.b,** Encourage the preservation and creation of affordable neighborhood commercial space to support a broad range of small business owners.

The objectives of this policy are perhaps most applicable to the close-in industrial districts of the Central City where land values and lease rates for commercial uses tend to be lower than in the mixed-use zoned portions of the Central City. CC2035 addresses these objectives by maintaining the zoning that implements the industrial sanctuary policies of the 2035 Comprehensive Plan. CC2035 also increases the amount of commercial development allowed in the Central Eastside by right, which may increase the supply of space available for such uses, and thus prevent excessive lease rate increases and displacement of commercial businesses.

328. **Policy 6.71, Temporary and informal markets and structures.** Acknowledge and support the role that temporary markets (farmer's markets, craft markets, flea markets, etc.) and other temporary or mobile-vending structures play in enabling startup business activity. Also, acknowledge that temporary uses may ultimately be replaced by more permanent development and uses.

CC2035 maintains and expands a zoning pattern where the uses mentioned by Policy 6.71 are typically allowed by right. The plan also includes new use allowances applicable to the Open Space zone, whereby a limited amount of retail activity is allowed. These elements of the plan ensure consistency with Policy 6.71.

329. **Policy 6.73, Centers.** Encourage concentrations of commercial services and employment opportunities in centers.

**6.73.a,** Encourage a broad range of neighborhood commercial services in centers to help residents and others in the area meet daily needs and/or serve as neighborhood gathering places.

**6.73.b,** Encourage the retention and further development of grocery stores and local markets as essential elements of centers.

**6.73.c,** Enhance opportunities for services and activities in centers that are responsive to the needs of the populations and cultural groups of the surrounding area.

**6.73.d,** Require ground-level building spaces in core areas of centers accommodate commercial or other street-activating uses and services.

**6.73.e,** Encourage employment opportunities as a key function of centers, including connections between centers, institutions, and other major employers to reinforce their roles as vibrant centers of activity.

CC2035 addresses the objectives of Policy 6.73 largely by maintaining and expanding the area of the Central City zoned for mixed-use development. The plan also refines development standards that require ground floor activation of buildings with uses, including commercial retail and office uses. These elements and the existing flexibility of Central City mixed-use zones ensure that the objectives of this policy will be met by the plan.

## Environmental and Watershed Health: Goals

330. **Goal 7.A: Climate.** Carbon emissions are reduced to 50 percent below 1990 levels by 2035.

The amendments are consistent with this policy in the following ways:

- A. The Health and Environment Goal and related policies and actions provide for resilience to climate change impacts and natural hazards including flooding and earthquakes, through planning, design, education and implementation of green infrastructure and infrastructure retrofits.
- B. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) identifies features and functions provided by the existing natural resources in the Central City. The NRPP evaluates the functions provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. The evaluation includes an assessment of how the natural resources improve the resiliency of the Central City and help manage risks, such as flooding and heat island, associated with Climate Change. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the Willamette River, floodplains and riparian areas by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a

detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of natural resources features or functions in the Central City.

- C. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. There is a landscaping requirement for the setback that requires additional native plants to be planted. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback and landscaping retain space that mitigates the risks associated with river flooding. Landscaping also sequesters carbon, reduces the heat island effect and helps improve air quality.
- D. Some street setback requirements in the Central City are updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees. Increasing vegetation coverage and tree canopy in the Central City will sequester carbon, improve air quality and reduce heat island impacts.
- E. A new standard for the Central City requires that new buildings over 20,000 square feet in net building area must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions including sequestering carbon and reducing heat island impacts.
- F. The major trail alignment and completion of the Greenway Trail along the Willamette River will reduce carbon emissions by establishing a public trail that serves as transportation corridors for pedestrians and cyclists and connecting people throughout the Central City and to adjacent neighborhoods. Increasing the number of trips conducted by bike or walking will reduce vehicle miles traveled and reduce air pollution.
- G. The Green Loop is a multimodal transportation corridor that will encourage trips conducted within the Central City to be by bike or walking, thus reducing vehicle miles traveled and reduce air pollution.
- H. The new Low-Carbon Building standard, Section 33.510.244, requires that green building certification be pursued for most new development in the Central City, and those that become certified or follow green building design and programming criteria, will result in reductions of carbon as compared to more traditional building methods.

331. **Goal 7.B: Healthy watersheds and environment.** Ecosystem services and ecosystem functions are maintained and watershed conditions have improved over time, supporting public health and safety, environmental quality, fish and wildlife, cultural values, economic prosperity, and the intrinsic value of nature.

The amendments are consistent with this policy in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) identifies features and functions provided by the existing natural resources in the Central City. The NRPP evaluates the services (e.g., environmental quality, fish and wildlife, public health, etc.) provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. The evaluation includes assessment of the contributions of services to public and ecological health and safety, cultural values and economic prosperity. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when

development has a detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of natural resource functions in the Central City.

- B. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback is intended to preserve the in-water habitat, riverbanks (flood area, soils and vegetation) and riparian area (flood area, soils and vegetation) for enhancement of natural resource features and functions and for public uses such as a major public trail, scenic viewpoints and education.
- C. The regulations for removal and remediation of hazardous substances will ensure that the cleanup actions will occur in a way that improve environmental quality.
- D. Some street setback requirements in the Central City are updated to allow for additional space between buildings and the public right-of-way for installation of vegetation including trees. Increasing vegetation coverage and tree canopy in the Central City will improve environmental quality and public health.
- E. A new standard for the Central City requires that new buildings over 20,000 square feet in net building area must install an ecoroof over 60% of the roof area. Ecoroofs improve air and water quality and provide habitat for avian wildlife species.

332. **Goal 7.C: Resilience.** Portland's built and natural environments function in complementary ways and are resilient in the face of climate change and natural hazards.

The amendments are consistent with this goal because the amendments by:

- A. Applying a new River Environmental overlay zone to significant natural resources including rivers, streams, flood areas and riparian areas. The River Environmental overlay zone regulations will limit or strictly limit development, encourage environmentally sensitive development that has fewer impacts on natural resource function than traditional development and will require mitigation for unavoidable adverse impacts on significant natural resources;
- B. Retaining the river setback in the River General overlay zone, which requires all non-water-dependent and non-water-related development to be setback from the Willamette River. The setback is increasing to 50 feet from the top of bank of the river. **Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate** because the purpose of the river setback is to reserve space for the conservation and enhancement of natural resources and to provide the opportunity for public access where appropriate;
- C. Update the River General overlay zone landscaping setback to require a minimum quantity and diversity of plantings on the riverbank and within the riparian area; and
- D. Maintaining regulations that require balanced cut and fill within areas subject to flooding.

333. **Goal 7.D: Environmental equity.** All Portlanders have access to clean air and water, can experience nature in their daily lives, and benefit from development designed to lessen the impacts of natural hazards and environmental contamination.

The amendments are consistent with this goal in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) evaluates the ecosystem services (e.g., water quality, flood management, public health, etc.) provided by natural resource features. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The Willamette River is a regional natural resource that serves all of Portland. Ecological health is important to everyone who lives, works and recreates along and in the river. Protecting and enhancing the Willamette River and riparian areas contributes towards environmental equity in Portland.
- B. The city's requirements regarding clean-up of hazardous substances in the Central City have been clarified to ensure that cleanup occurs in a way that meets City goals and policies including goals related to the conservation of existing natural resources including water quality.
- C. Existing regulations though City Code Title 24, Building Regulations, are applicable to future development. These regulations require review of impacts within the river and floodplain including a test of no net rise and balancing of fill placed in the floodplain with an equal cut. These regulations ensure that future development will not increase risk to people or property from flooding.
- D. The major trail alignment and completion of the Greenway Trail along the Willamette River and the proposed Green Loop will improve air quality in the Central City by establishing a public trail that serves as transportation corridors for pedestrians and cyclists and connects people throughout the Central City and to adjacent neighborhoods.

334. **Goal 7.E: Community stewardship.** Portlanders actively participate in efforts to maintain and improve the environment, including watershed health.

The amendments are consistent with this goal in the following ways:

- A. CC2035 includes multiple goals, policies and actions that foster community stewardship. For example, additional residential and commercial development is encouraged along the frontage streets of the Willamette River to bring more people to the river's edge.
- B. The major trail alignment and completion of the Greenway Trail along the Willamette River and the proposed Green Loop will improve air quality by establishing a public trail that serves as a transportation corridor for pedestrians and cyclists and connects people throughout the Central City and to adjacent neighborhoods.
- C. Scenic viewpoints are identified along the Greenway Trail and the zoning code requires that when the trail is developed, formal viewpoints also be constructed. Scenic viewpoints offer places for people to see the Willamette River, riverbanks and city skyline. This will foster community stewardship.

## Environmental and Watershed Health: Policies

### Improving environmental quality and resilience

335. **Policy 7.1, Environmental quality.** Protect or support efforts to protect air, water, and soil quality, and associated benefits to public and ecological health and safety, through plans and investments.

The amendments are consistent with this policy in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) identifies features and functions provided by the existing natural resources in the Central City. The NRPP evaluates the services (e.g., water quality, air quality, heat island, public health, etc.) provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. The evaluation includes assessment of the contributions of services to public and ecological health and safety. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of natural resource functions in the Central City.
- B. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback is intended to preserve the shallow water habitat, riverbanks (flood area, soils and vegetation) and riparian area (flood area, soils and vegetation) for enhancement of natural resource feature and functions and for public uses such as a major public trail and scenic viewpoints.
- C. The regulations for removal and remediation of hazardous substances ensure that the cleanup actions will occur in a way that improve environmental quality.
- D. Some street setback requirements in the Central City are updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees. Increasing vegetation coverage and tree canopy in the Central City will enhance air, water and soil quality and improve public and ecological health.
- E. A new standard for the Central City requires that new buildings over 20,000 square feet in net building area must install an ecoroof over 60% of the roof area. Ecoroofs improve air and water quality.
- F. The major trail alignment and completion of the Greenway Trail along the Willamette River and the proposed Green Loop will improve air quality by establishing a public trail that serves as a transportation corridor for pedestrians and cyclists and connects people throughout the Central City and to adjacent neighborhoods.

336. **Policy 7.2, Environmental equity.** Prevent or reduce adverse environment-related disparities affecting under-served and under-represented communities through plans and investments. This includes addressing disparities relating to air and water quality, natural hazards, contamination, climate change, and access to nature.

The amendments are consistent with this goal in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) evaluates the ecosystem services (e.g., water quality, flood management, public health, etc.) provided by natural resource features. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The Willamette River is a regional natural resource that serves all of Portland.

Ecological health is important to everyone who lives, works and recreates along and in the river. Protecting and enhancing the Willamette River and riparian areas contributes towards environmental equity in Portland.

- B. The city's requirements regarding clean-up of hazardous substances in the Central City have been clarified to ensure that cleanup occurs in a way that meets City goals and policies including goals related to the conservation of existing natural resources including water quality.
- C. Existing regulations though City Code Title 24, Building Regulations, are applicable to future development. These regulations require review of impacts within the river and floodplain including a test of no net rise and balancing of fill placed in the floodplain with an equal cut. These regulations ensure that future development will not increase risk to people or property from flooding.
- D. The major trail alignment and completion of the Greenway Trail along the Willamette River and the proposed Green Loop will improve air quality in the Central City by establishing a public trail that serve as a transportation corridor for pedestrians and cyclists and connects people throughout the Central City and to adjacent neighborhoods.

**337. Policy 7.3, Ecosystem services. Consider the benefits provided by healthy ecosystems that contribute to the livability and economic health of the city.**

The amendments are consistent with this policy in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) identifies features and functions provided by the existing natural resources in the Central City. The NRPP evaluates the ecosystem services provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. The evaluation includes assessment of the contributions of ecosystem services to livability and economic health of the Central City. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resources and ecosystem services by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of ecosystem functions in the Central City.
- B. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback is intended to preserve the shallow water habitat, riverbank and riparian area for enhancement of natural resources and ecosystem services and for public uses such as a major public trail and scenic viewpoints.
- C. The regulations for removal and remediation of hazardous substances ensure that the cleanup actions will occur in a way that meets the City's policies including protecting and enhancing natural resources and ecosystem services.
- D. Some street setback requirements in the Central City are updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees. Increasing vegetation coverage and tree canopy in the Central City will enhance ecosystem service and improve stormwater management and reduce heat island impacts.

- E. A new standard for the Central City requires that new buildings over 20,000 square feet in net building area must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple ecosystem services including stormwater management, reducing heat island impacts and providing habitat for avian species. Ecoroofs can be designed as open space areas to improve livability.
- F. The major trail alignment and completion of the Greenway Trail along the Willamette River and the proposed Green Loop will improve air quality by establishing a public trail that serve as transportation corridors for pedestrians and cyclists and connects people throughout the Central City and to adjacent neighborhoods.

338. **Policy 7.4, Climate change.** Update and implement strategies to reduce carbon emissions and impacts, and increase resilience through plans and investments and public education.

**7.4.a, Carbon sequestration.** Enhance the capacity of Portland’s urban forest, soils, wetlands, and other water bodies to serve as carbon reserves.

**7.4.b, Climate adaptation and resilience.** Enhance the ability of rivers, streams, wetlands, floodplains, urban forest, habitats, and wildlife to limit and adapt to climate-exacerbated flooding, landslides, wildfire, and urban heat island effects.

The amendments are consistent with this policy in the following ways:

- A. The Health and Environment Goal and related policies and actions provide for resilience to climate change impacts and natural hazards including flooding and earthquakes, through planning, design, education and implementation of green infrastructure and infrastructure retrofits.
- B. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) identifies features and functions provided by the existing natural resources in the Central City. The NRPP evaluates the functions provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. The evaluation includes an assessment how the natural resources improve the resiliency of the Central City and help manage risks, such as flooding and heat island, associated with Climate Change. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the Willamette River, floodplains and riparian areas by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of natural resource features or functions in the Central City.
- C. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. There is a landscaping requirement for the setback that requires additional native plants to be planted. Testimony was received that supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback and landscaping retain space that mitigates the risks associated with river flooding. Council also finds that landscaping sequesters carbon, reduces the heat island effect and helps improve air quality.
- D. Some street setback requirements in the Central City are updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees. Increasing vegetation coverage and tree canopy in the Central City will sequester carbon, improve air quality and reduce heat island impacts.

- E. A new standard for the Central City requires that new buildings over 20,000 square feet in net building area must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions including sequestering carbon and reducing heat island impacts.
- F. The major trail alignment and completion of the Greenway Trail along the Willamette River will reduce carbon emissions by establishing a public trail that serves as a transportation corridor for pedestrians and cyclists and connecting people throughout the Central City and to adjacent neighborhoods. Increasing the number of trips conducted by bike or walking will reduce vehicle miles traveled and reduce air pollution.
- G. The Green Loop is a multimodal transportation corridor that will encourage trips conducted within the Central City to be by bike or walking, thus reducing vehicle miles traveled and reduce air pollution.

339. **Policy 7.5, Air quality.** Improve, or support efforts to improve, air quality through plans and investments, including reducing exposure to air toxics, criteria pollutants, and urban heat island effects. Consider the impacts of air quality on the health of all Portlanders.

The amendments are consistent with this policy in the following ways:

- A. The major trail alignment and completion of the Greenway Trail along the Willamette River will reduce air pollution by establishing a public trail that serves as a transportation corridor for pedestrians and cyclists and connect people throughout the Central City and to adjacent neighborhoods. Increasing the number of trips conducted by bike or walking will reduce vehicle miles traveled and reduce air pollution.
- B. The Green Loop is a multimodal transportation corridor that will encourage trips conducted within the Central City to be by bike or walking, thus reducing vehicle miles traveled and reduce air pollution.
- C. Some street setback requirements in the Central City are updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees. Increasing vegetation coverage and tree canopy in the Central City will improve air quality and reduce heat island impacts.
- D. A new standard for the Central City requires that new buildings over 20,000 square feet in net building area must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions including sequestering carbon and reducing heat island impacts.
- E. The new River Environmental overlay zone will protect and maintain the Willamette River and vegetated riparian areas. Open water bodies and vegetated riparian corridors cool the air and reduce heat island impacts.

340. **Policy 7.6, Hydrology.** Through plans and investments, improve or support efforts to improve watershed hydrology to achieve more natural flow and enhance conveyance and storage capacity in rivers, streams, floodplains, wetlands, and aquifers. Minimize impacts from development and associated impervious surfaces, especially in areas with poorly-infiltrating soils and limited public stormwater discharge points, and encourage restoration of degraded hydrologic functions.

The amendments are consistent with this policy in the following ways:

- A. By applying new River Environmental overlay zoning for identified natural resource areas in the Central City, including resources located on the land and in the water, the plan maintains existing the hydrology of the Willamette River. The environmental zoning will protect and

conserve the hydrologic functions by limiting development within natural resource areas, will encourage environmentally sensitive development, and will require mitigation when development has a detrimental impact on the functions and values, including hydrology.

- B. Development that is not river-dependent or river-related is required to setback 50 feet from the top of bank of the Willamette River in the River General overlay zone. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback will limit development impacts on the Willamette River.
- C. Actions call for partnerships between local, regional, state and federal regulatory, Sovereign nations, non-profit organization, neighborhoods and property owners. One action is to work with FEMA to address the NOAA Fisheries biological opinion regarding the floodplain development and impacts on critical habitat for species listed under the Endangered Species Act. This will include a remapping of the floodplain in the Central City. Another action is to amend the flood-related regulations and other guidelines to, a) help prevent or minimize the risk of flood damage to new, redeveloped and rehabilitated buildings located in the 100-year floodplain; b) avoid, minimize and mitigate the impacts of such development on floodplain functions; and, c) comply with updated National Flood Insurance Program (NFIP) requirements.
- D. Existing regulations though City Code Title 24, Building Regulations, are also applicable to future development. These regulations require review of impacts within the river and floodplain including a test of no net rise and balancing of fill placed in the floodplain with an equal cut.
- E. Existing regulations including City Zoning Title 10, Erosion Control, and the Stormwater Management Manual are applicable to future development. These regulations will maintain and improve stormwater runoff.

341. **Policy 7.7, Water quality.** Improve, or support efforts to improve, water quality in rivers, streams, floodplains, groundwater, and wetlands through land use plans and investments, to address water quality issues including toxics, bacteria, temperature, metals, and sediment pollution. Consider the impacts of water quality on the health of all Portlanders.

The amendments are consistent with this policy in the following ways:

- A. By applying new River Environmental overlay zoning for identified natural resource areas in the Central City, including resources located on the land and in the water, water quality of the Willamette River will be maintained and improved. The plan includes a natural resource inventory that identifies riparian resources and functional values. The environmental zoning will protect and conserve the identified resources by limiting development within natural resource areas, will encourage environmentally sensitive development, and will require mitigation when development has a detrimental impact on the functions and values of the identified resource.
- B. The city's requirements regarding clean-up of hazardous substances in the Central City have been clarified to ensure that cleanup occurs in a way that meets City goals and policies including goals related to the conservation of existing natural resources including water quality.
- C. Existing regulations including City Zoning Title 10, Erosion Control, and the Stormwater Management Manual are applicable to future development. These regulations will maintain and improve water quality;
- D. A new standard for the Central City requires that new buildings over 20,000 square feet in net size must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions

including sequestering carbon and reducing heat island impacts, while also reducing the flow of stormwater into city systems.

- E. The street setback requirements enacted in some sections of the Central City have been updated to allow for additional space between buildings and the public rights-of-way for installation of vegetation including trees. Increasing vegetation coverage and tree canopy in the Central City will manage stormwater and improve water quality.

342. **Policy 7.8, Biodiversity.** Strive to achieve and maintain self-sustaining populations of native species, including native plants, native resident and migratory fish and wildlife species, at-risk species, and beneficial insects (such as pollinators) through plans and investments.

The amendments are consistent with this policy in the following ways:

- A. A new River Environmental overlay zone is applied to high and medium ranked natural resources, which includes wildlife habitat and special habitat areas in the *Willamette River Central Reach Natural Resource Protection Plan* (NRPP). The plan includes an updated natural resources inventory that identifies significant features and functions including fish and wildlife habitat. The River Environmental overlay zone regulations will limit or strictly limit development, encourage environmentally sensitive development that has fewer impacts on natural resource functions than traditional development and will require mitigation for unavoidable adverse impacts on significant natural resources;
- B. The river setback in the River General overlay zone is retained. The setback requires all non-water-dependent and non-water-related development to be setback from the Willamette River. The setback is increased to 50 feet from the top of bank of the river. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the purpose of the setback is to reserve space for the conservation and enhancement of fish and wildlife habitat;
- C. The River General overlay zone also includes updates to the landscaping standards that apply within the river setback. The landscaping standard requires a mix of vegetation types and densities including trees, shrubs and ground cover. The purpose of the landscaping standard is to enhance the quality, quantity and diversity of vegetation in the riparian area. Diverse vegetation within the riparian area will support a diversity of fish and wildlife.
- D. The regulations that apply to the removal and remediation of hazardous substances encourage the use of biotechnical techniques for bank stabilization and the planting of native vegetation on the river bank.

343. **Policy 7.9, Habitat and biological communities.** Ensure that plans and investments are consistent with and advance efforts to improve, or support efforts to improve fish and wildlife habitat and biological communities. Use plans and investments to enhance the diversity, quantity, and quality of habitats habitat corridors, and especially habitats that:

- Are rare or declining.
- Support at-risk plant and animal species and communities.
- Support recovery of species under the Endangered Species Act, and prevent new listings.
- Provide culturally important food sources, including those associated with Native American fishing rights.

The amendments are consistent with this policy in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) identifies features and functions provided by the existing natural resources in the Central City. The NRPP recommends protection of habitats that support rare or declining species, supports at-risk species and supports recovery of species that are listed under the Endangered Species Act and aides in preventing new listings by applying zoning code 33.475, River Overlay Zones, and 33.865, River Review, to natural resources. The zoning code limits development within natural resource areas, encourages environmentally sensitive development and requires mitigation when development has a detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of natural resource functions in the Central City.
- B. The NRPP also recommends protection of the Willamette River and riparian areas as culturally important areas associated with Native American fishing rights.
- C. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback is intended to preserve the shallow water habitat, riverbanks (flood area, soils and vegetation) and riparian area (flood area, soils and vegetation) to protect rare and declining species and support recovery of species listed under the Endangered Species Act.
- D. The regulations for removal and remediation of hazardous substances ensure that the cleanup actions will occur in a way that improve environmental quality and create habitat that supports rare and declining species and recovery of species listed under the Endangered Species Act.

344. **Policy 7.10, Habitat connectivity.** Improve or support efforts to improve terrestrial and aquatic habitat connectivity for fish and wildlife by using plans and investments, to:

- Prevent and repair habitat fragmentation.
- Improve habitat quality.
- Weave habitat into sites as new development occurs.
- Enhance or create habitat corridors that allow fish and wildlife to safely access and move through and between habitat areas.
- Promote restoration and protection of floodplains.

The amendments are consistent with this policy in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) recommends protection of the Willamette River and land within at least 50 feet of top of bank as a habitat connectivity corridor. The River Environmental and River General overlay zone require development to be setback from the river, natural resources to be maintained and native vegetation to be planted. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback will improve habitat connectivity and habitat quality over time.
- B. Existing regulations though City Code Title 24, Building Regulations, are also applicable to future development. These regulations require review of impacts within the river and floodplain including a test of no net rise and balancing of fill placed in the floodplain with an equal cut.

- C. The Green Loop is a multimodal transportation corridor that will incorporate vegetation into design and development. Trees and vegetation along the Green Loop will serve to improve habitat connectivity throughout the urban landscape.
- D. A new standard for the Central City requires that new buildings over 20,000 square feet in net size must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions including habitat for avian species. Ecoroofs will improve habitat connectivity for birds and insects throughout the urban landscape.

345. **Policy 7.11, Urban forest.** Improve, or support efforts to improve the quantity, quality, and equitable distribution of Portland’s urban forest through plans and investments.

346. **7.11.a, Tree preservation.** Require or encourage preservation of large healthy trees, native trees and vegetation, tree groves, and forested areas.

CC2035 encourages the preservation of medium- and large-form native trees throughout the Central City, wherever possible. Policies specifically aimed at preserving these types of trees include the following:

- Policy 6.9, Strategic tree canopy enhancement, encourages the preservation of large, healthy, non-nuisance and native trees.
- Policy 6.10, Effective tree planting, includes policy directives to encourage wider sidewalk corridors to better accommodate larger canopy trees, as well as innovative design strategies that accommodate healthy trees already on site.

CC2035 also applies a new River Environmental overlay zone (river e-zone) to tree canopy that is located on the Willamette riverbank or contiguous to the riverbank. The river e-zone generally requires that existing trees be protected. If trees must be removed for development, there are tree replacement standards to ensure no net loss of tree canopy over time.

347. **7.11.b, Urban forest diversity.** Coordinate plans and investments with efforts to improve tree species diversity and age diversity.

An underlying aim of the CC2035 Plan is to encourage or mandate the incorporation of a variety of trees species and ages. Examples of policies and regulations to that end include the following:

- Policy 6.9, Strategic tree canopy enhancement, b. Tree Diversity, specifically sets a goal to “improve tree species and age diversity throughout the Central City.”
- Policy 6.3, Multiple Functions, and Policy 6.12, City investment in street trees, directs the City to plant, and encourage the planting of, street trees that provide multiple benefits, such as stormwater management and, urban heat island reduction. These policies are expected to expand the number of tree species planted within the Central City.
- Policy 4DT-1b, Governor Tom McCall Waterfront Park, directs the Parks and Recreation bureau to incorporate large trees within the park and along public ROW adjacent to the park.

Central City Master Plan code (33.510.255) encourages the incorporation of medium- and large-form trees by providing additional flexibility in the tree density standard for these larger sites. This option is expected to significantly increase the diversity of new trees planted, when compared to a traditional master plan development.

348. **7.11.c, Tree canopy.** Support progress toward meeting City tree canopy targets.

CC2035 includes a range of policies that will ensure the City continues progress toward its overall tree canopy targets. Specifically, the Plan contains tree canopy targets for all ten Central City

subdistricts. Nine out of the 10 subdistricts are expected to experience increases in tree canopy over the life of the plan. The low end of the range for the South Downtown/University subdistrict projects a slight reduction in tree canopy but the high-end projects an increase.

349. **7.11.d, Tree planting.** Invest in tree planting and maintenance, especially in low-canopy areas, neighborhoods with under-served or under-represented communities, and within and near urban habitat corridors.

CC2035 includes a few policies focused on ensuring tree planting in mixed-use commercial areas, along rights-of-way, and other areas with limited existing canopy. The CC2035 canopy targets incorporate the expectation that the Bureau of Environmental Services (BES) will double its current street tree planting frequency to increase canopy in the Central City, especially low-canopy areas and in historically under-served neighborhoods. Additionally, Policy 6.8, Upland habitat connections, specifically aims to create “an upland wildlife habitat corridor using trees, native vegetation in landscaping” and ecoroofs.

350. **7.11.e, Vegetation in natural resource areas.** Require native trees and vegetation in significant natural resource areas.

CC2035 applies a new River Environmental overlay zone (river e-zone) to vegetated riverbanks and riparian areas within a minimum of 50 feet from top of bank. The regulations of the river e-zone minimize removal of vegetation and require replacement plants to ensure no net loss of riparian vegetation over time. In addition, the River General overlay zone also includes updates to the landscaping standards that apply within the river setback. The landscaping standard requires a mix of vegetation types and densities including trees, shrubs and ground cover. The purpose of the landscaping standard is to enhance the quality, quantity and diversity of native vegetation in the riparian area.

351. **7.11.f, Resilient urban forest.** Encourage planting of Pacific Northwest hardy and climate change resilient native trees and vegetation generally, and especially in urban habitat corridors.

Increasing the resiliency of the urban forest is critical component of the CC2035 Plan. Maintaining and increasing the number of native species underlies the CC2035 tree planting strategy. For example, Policy 6.9, Strategic tree canopy enhancement, of the Plan encourages the planting of Northwest native and climate change-resilient trees. The Plan also includes strategies to expand efforts to reestablish and expand native, large canopy tree species in Portland’s parks and natural areas.

352. **7.11.g, Trees in land use planning.** Identify priority areas for tree preservation and planting in land use plans.

The CC2035 Plan utilized a detailed and comprehensive methodology to develop aspirational, yet achievable, tree canopy targets. As a part of this effort, specific areas within the Central City expected to maintain or accommodate new trees were identified. Detailed analyses of tree canopy were completed on a variety of areas within the Central City, including:

1. Existing parcels likely to be developed or redeveloped, including trees planted within optional Central City building setbacks;
2. Trees placed on upper floors of new buildings, as a part of ecoroofs or rooftop gardens;
3. Future planting of currently vacant planting strips;
4. Changes in tree canopy in existing parks;
5. New trees planted within the expanded Willamette River setback;

6. Future enhancements to the Willamette riverbank resulting from public and private investment.

Collectively, these represent priority areas within the Central City that can reach tree canopy targets over the life of the plan.

Specifically, CC2035 applies a new River Environmental overlay zone to trees identified in the NRPP as providing natural resource functions. The regulations require that trees be preserved when possible and tree replacement occur when trees must be removed. In addition, the River General overlay requires landscaping of the riverbank and riparian area, including planting a diversity of tree species.

353. **7.11.h, Managing wildfire risk.** Address wildfire hazard risks and management priorities through plans and investments.

The River overlay zones applies to areas of natural vegetation on steep slopes; these areas are susceptible to wildfire risk. The River Environmental overlay zone regulates removal of native plants along the Willamette River and requires replanting disturbance areas with native vegetation. The River General overlay zone require landscaping that includes removal of non-native and invasive species along with planting of native vegetation. Native vegetation is less susceptible to wildlife risk than non-native and invasive species.

CC2035 maintains the existing regulations applied to Sullivan’s Gulch, including the Environmental conservation overlay zone (c-zone). The c-zone regulations encourage maintenance of native vegetation and removal of invasive species. In addition, an action in CC2035 calls for developing a multi-objective management strategy for enhancing Sullivan’s Gulch that includes trail development, removal of invasive species and revegetation. Landscaping associated with completion of the trail will include native vegetation.

354. **Policy 7.12, Invasive species.** Prevent the spread of invasive plants, and support efforts to reduce the impacts of invasive plants, animals, and insects, through plans, investments, and education.

The regulations of the River Environmental and River General overlay zones require removal of invasive species and planting of native vegetation on the riverbank and riparian area of the Willamette River. In addition, the City of Portland maintains a list of invasive plant species that must be removed whenever identified. The requirement is intended to eradicate these invasive species.

355. **Policy 7.13, Soils.** Coordinate plans and investments with programs that address human-induced soil loss, erosion, contamination, or other impairments to soil quality and function.

The amendments are consistent with this policy in the following ways:

- A. The River Environmental overlay zone applies to riverbanks and riparian areas along the Willamette River. The regulations maintain soil by limiting development, including ground disturbance, and requiring mitigation for unavoidable impacts, including application of top soil before planting. The River Environmental overlay zone also includes regulations for removal and remediation of hazardous substances ensure that the cleanup actions will occur in a way that improve soil structure and soil quality.
- B. The River General overlay zone requires that non-river-dependent or river-related development be setback 50 feet from the top of bank of the Willamette River. This will reduce impacts of development on the soil and reduce erosion. The regulations also require landscaping the setback with native plants, which will retain soil structure and improve soil quality over time.

- C. Existing regulations including City Zoning Title 10, Erosion Control, and the Stormwater Management Manual are applicable to future development. These regulations require erosion control during development activities and maintain and improve stormwater runoff.

356. **Policy 7.14, Natural hazards.** Prevent development-related degradation of natural systems and associated increases in landslide, wildfire, flooding, and earthquake risks.

The amendments are consistent with this policy in the following ways:

- A. By applying new River Environmental overlay zoning for identified natural resource areas in the Central City, including resources located in the water, in the floodplain and on land, the plan reduces risks associated with flooding, landslides and wildfire. The environmental zoning will protect and conserve the natural functions by limiting development within natural resource areas, will encourage environmentally sensitive development, and will require mitigation when development has a detrimental impact on the functions and values.
- B. Development that is not river-dependent or river-related is required to setback 50 feet from the top of bank of the Willamette River in the River General overlay zone. This reduces the risk of flooding and landslide on development near the river.
- C. Actions call for partnerships between local, regional, state and federal regulatory, Sovereign nations, non-profit organization, neighborhoods and property owners. One action is to work with FEMA to address the NOAA Fisheries biological opinion regarding the floodplain development and impacts on species listed under the Endangered Species Act. This will include a remapping of the floodplain in the Central City. Another action is to amend the flood-related regulations and other guidelines to, a) help prevent or minimize the risk of flood damage to new, redeveloped and rehabilitated buildings located in the 100-year floodplain; b) avoid, minimize and mitigate the impacts of such development on floodplain functions; and, c) comply with updated NFIP requirements.
- D. Existing regulations through City Code Title 24, Building Regulations, are also applicable to future development. These regulations require review of impacts within the river and floodplain including a test of no net rise and balancing of fill placed in the floodplain with an equal cut.
- E. CC2035 maintains existing Environmental conservation overlay zones on Sullivan's Gulch. The regulations limit development on the steep slope and reduce risk of landslides and wildfire on development.

357. **Policy 7.15, Brownfield remediation.** Improve environmental quality and watershed health by promoting and facilitating brownfield remediation and redevelopment that incorporates ecological site design and resource enhancement.

The River Environmental overlay zone regulations for removal and remediation of hazardous substances ensure that the cleanup actions will occur in a way that improves environmental quality and public health and create habitat.

358. **Policy 7.16, Adaptive management.** Evaluate trends in watershed and environmental health using current monitoring data and information to guide and support improvements in the effectiveness of City plans and investments.

The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) evaluates trends in watershed and environmental health using best available science, current monitoring data and information and new technological advances to produce the inventory of natural resources and

assess the tradeoffs associated with protecting those natural resources. The NRPP pulls together information from many other sources and background documents. The outcome is recommended protections for natural resources. The NRPP supports City plans, including CC2035, and investments, such as environmental restoration projects.

359. **Policy 7.17, Restoration partnerships.** Coordinate plans and investments with other jurisdictions, air and water quality regulators, watershed councils, soil and water conservation districts, Sovereign nations, and community organizations and groups including under-served and under-represented communities, to optimize the benefits, distribution, and cost-effectiveness of watershed restoration and enhancement efforts.

The amendments are consistent with this policy in the following ways:

- A. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) and the *Riverbank Restoration Target* memo identified opportunities for natural resource enhancement and restoration actions.
- B. Actions call for partnerships between local, regional, state and federal regulatory, Sovereign nations, non-profit organization, neighborhoods and property owners. Examples of those actions include:
- Work with FEMA to address the NOAA Fisheries biological opinion regarding the floodplain development and impacts on species listed under the Endangered Species Act.
  - Explore concepts and partnerships to enhance fish and wildlife habitat along the Eastbank Esplanade.
  - Coordinate system planning efforts among city bureaus and potential private investors for green infrastructure improvements.
  - Identify tree preservation and planting opportunities and implement strategies that meet multiple objectives including reducing heat island, improving air quality and intercepting rainfall.
  - Improve water quality by integrating green infrastructure with streetscape improvements in areas served by the separated storm system.
  - Evaluate options to increase property owner interest in street tree plantings.

360. **Policy 7.18, Community stewardship.** Encourage voluntary cooperation between property owners, community organizations, and public agencies to restore or re-create habitat on their property, including removing invasive plants and planting native species.

The amendments are consistent with this goal in the following ways:

- A. CC2035 includes multiple goals, policies and actions that foster community stewardship. For example, additional residential and commercial development is encouraged along the frontage streets of the Willamette River to bring more people to the river's edge.
- B. The major trail alignment and completion of the Greenway Trail along the Willamette River and the proposed Green Loop will improve air quality by establishing a public trail that serve as transportation corridor for pedestrians and cyclists and connects people throughout the Central City and to adjacent neighborhoods.
- C. Scenic viewpoints are identified along the Greenway Trail and the zoning code requires that when the trail is developed, formal viewpoints also be constructed. Scenic viewpoints offer

places for people to see the Willamette River, riverbanks and city skyline. This will foster community stewardship.

## Planning for natural resource protection

361. **Policy 7.19, Natural resource protection.** Protect the quantity, quality, and function of significant natural resources identified in the City's natural resource inventory, including:

- Rivers, streams, sloughs, and drainageways.
- Floodplains.
- Riparian corridors.
- Wetlands.
- Groundwater.
- Native and other beneficial vegetation species and communities.
- Aquatic and terrestrial habitats, including special habitats or habitats of concern, large anchor habitats, habitat complexes and corridors, rare and declining habitats such as wetlands, native oak, bottomland hardwood forest, grassland habitat, shallow water habitat, and habitats that support special-status or at-risk plant and wildlife species.
- Other resources identified in natural resource inventories.

The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) includes an updated inventory of natural resources features and functions in the Central City. The NRPP documents the quantity and quality of the following features: river, streams, drainageways, wetlands, flood areas, riverbank treatments, forests, woodlands, shrublands, herbaceous vegetation, steep slopes and special habitat areas, which area unique, rare or declining habitats and habitats that support special status or at-risk fish, wildlife and plant species. The functions evaluated in the inventory include: microclimate and shade; stream flow moderation and water storage; bank function, and sediment, pollution and nutrient control; large wood and channel dynamics; organic inputs, food web and nutrient cycling; riparian wildlife movement corridor; habitat patch size and interior area; connectivity between habitat patches; and proximity to water.

The NRPP evaluates the functions above and the ecosystem services (e.g., natural hazard management, public health, climate resiliency, etc.) provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. The evaluation also includes assessment of the contributions of services to cultural values and economic prosperity. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions.

Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of natural resource functions in the Central City.

362. **Policy 7.20, Natural resource inventory.** Maintain an up-to-date inventory by identifying the location and evaluating the relative quantity and quality of natural resources.

The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) includes an up-to-date inventory, based on best available sciences, of relative quantity and quality of natural resource features and functions in the Central City.

363. **Policy 7.21, Environmental plans and regulations.** Maintain up-to-date environmental protection

plans and regulations that specify the significant natural resources to be protected and the types of protections to be applied, based on the best data and science available and on an evaluation of cumulative environmental, social, and economic impacts and tradeoffs. *See Figure 7-2 — Adopted Environmental Plans.*

**7.21.a.** Improve the effectiveness of environmental protection plans and regulations to protect and encourage enhancement of ecological functions and ecosystem services.

The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) includes recommendations to protect and enhancement natural resource features and functions. The NRPP is based on best available data and sciences. The NRPP includes an assessment of the environmental, social and economic impacts and tradeoffs associated with protecting the natural resource features and functions. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of natural resource functions in the Central City.

364. **Policy 7.22, Land acquisition priorities and coordination.** Maintain a land acquisition program as a tool to protect and support natural resources and their functions. Coordinate land acquisition with the programs of City bureaus and other agencies and organizations.

CC2035 includes actions to increase public parks, open space and recreation opportunities through acquisition. Parks and open spaces in the Central City typically include natural resources such as trees and shrubs and provide opportunities for additional green infrastructure to provide functions like reducing heat island effects and managing stormwater runoff.

### Protecting natural resources in development situations

365. **Policy 7.23, Impact evaluation.** Evaluate the potential adverse impacts of proposed development on significant natural resources, their functions, and the ecosystem services they provide to inform and guide development design and mitigation consistent with policies 7.24-7.26, and other relevant Comprehensive Plan policies.

The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) evaluates relative impacts of different development (called conflicting uses) on the natural resource features and functions in the Central City. The River Environmental overlay zone includes exemptions for some necessary development, such as maintenance, repair and replacement of existing structures, standards for environmental sensitive development and river review for more impactful development. Mitigation for unavoidable negative impacts on natural resource features and functions is required.

Zoning code 33.865, River Review, regulations require the following information:

- Existing conditions site plan that documents the existing natural resource features; and
- Proposed site development plan that depicts the natural resource feature impacted including temporary and permanent disturbance areas.

366. **Policy 7.24, Regulatory hierarchy: avoid, minimize, mitigate.** Maintain regulations requiring that the potential adverse impacts of new development on significant natural resources and their functions first be avoided where practicable, then minimized, then lastly, mitigated.

Zoning code 33.475, River Environmental overlay zones, includes standards that avoid and minimize impacts of development on natural resource features and function. The standards also include a requirement for unavoidable impacts on natural resource features and functions to be mitigated. Development that cannot meet the standards must go through River Review. Zoning code 33.865, River Review includes the following approval criteria:

- Proposed development minimizes the loss of identified natural or scenic resources and functional values consistent with the uses that are generally permitted or allowed in the base zone without a land use review, or permitted or allowed by an approved conditional use review;
- Proposed development locations, designs, and construction methods are less detrimental to identified natural and scenic resources and functional values than practicable and significantly different alternatives, including alternatives on the same site, but outside of the River Environmental overlay zone;
- There will be no significant detrimental impact on areas of the site reserved for mitigation, areas within the River Environmental overlay zone not proposed for development now, downstream river habitat within the Central Reach, or other sites in the Central Reach where environmental restoration is in progress or complete; and
- The mitigation plan demonstrates that there will be compensation for all significant detrimental impacts on identified scenic and natural resources and functional values.

367. **Policy 7.25, Mitigation effectiveness.** Require that mitigation approaches compensate fully for adverse impacts on locally and regionally significant natural resources and functions. Require mitigation to be located as close to the impact as possible. Mitigation must also take place within the same watershed or portion of the watershed that is within the Portland Urban Services Boundary, unless mitigating outside of these areas will provide a greater local ecological benefit. Mitigation will be subject to the following preference hierarchy:

- On the site of the resource subject to impact with the same kind of resource; if that is not possible, then
- Off-site with the same kind of resource; if that is not possible, then
- On-site with a different kind of resource; if that is not possible, then
- Off-site with a different kind of resource.

Zoning code 33.865, River Review includes the following approval criteria:

- To the extent practicable, the natural and scenic resources and functional values restored or enhanced as mitigation must be the same kind of resource, performing the same functions as the lost resource;
- The amount of natural resource mitigation due as compensation must be based on the amount and relative condition of the resources and functional values impacted by the proposal. The amount of natural resource mitigation required will be at a ratio of no less than 1.5:1 of mitigation area to project impact area;
- Mitigation must occur on-site when practicable, and ecologically beneficial;
- If on-site mitigation is not practicable or ecologically beneficial, the applicant may perform mitigation off-site. The off-site mitigation must meet all other approval criteria in this Subparagraph and the following:

- Mitigation must occur at a minimum 3:1 FAR ratio of mitigation area to protect the impact area; and,
- The mitigation area must be located within the Willamette River Central Reach.

368. **Policy 7.26, Improving environmental conditions through development.** Encourage ecological site design, site enhancement, or other tools to improve ecological functions and ecosystem services in conjunction with new development and alterations to existing development.

Zoning code 33.475, River General overlay zone, regulations require that at the time of development the river setback, which includes the riverbank and land within 50 feet of the top of bank, be landscaped with a mix of native vegetation. The landscaping standard allows for flexibility in the mix of tree sizes and requires that a diversity of trees, shrubs and ground cover be planted. This will improve ecological functions and ecosystem services over time.

Zoning code 33.475, River Environmental overlay zone, and Zoning code 33.865, River Review, regulations require that site development be designed to avoid impacts on protected natural resources and mitigate for unavoidable negative impacts. There are also clear and objective standards for site enhancement and for remediation and cleanup of hazardous substances. These regulations will improve ecological functions and ecosystem services during development.

## Willamette River Watershed

The findings under Statewide Goal 15, Willamette Greenway, also demonstrate that the amendments are consistent with these policies and goals

369. **Policy 7.33, Fish habitat.** Provide adequate intervals of ecologically-functional shallow-water habitat for native fish along the entire length of the Willamette River within the city, and at the confluences of its tributaries.

The amendments are consistent with this policy in the following ways:

- A. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback is intended to preserve the shallow water habitat, riverbanks (flood area, soils and vegetation) and riparian area (flood area, soils and vegetation) to protect fish habitat and support recovery of species listed under the Endangered Species Act.
- B. The River Environmental overlay zone is applied to the Willamette River, riverbanks and riparian areas. The overlay zone protects the eight existing shallow water habitats in the Central Reach by limited development and requiring mitigation for negative impacts to natural resource features and functions. The regulations will result in no net loss of fish habitat over time and support recovery of species listed under the Endangered Species Act.
- C. CC2035 includes an action to restore five shallow water habitat areas and to enhance 12,600 linear feet of riverbanks in the Central Reach. The actions will improve fish habitat and support recovery of species listed under the Endangered Species Act.

370. **Policy 7.34, Stream connectivity.** Improve stream connectivity between the Willamette River and its tributaries.

There are no surface tributary streams to the Willamette River in the Central Reach. However, regulations and actions to protect and enhance in-water and riparian habitat in the Central Reach

support fish that migrate from tributary streams through the Central Reach to the Columbia River and back.

371. **Policy 7.35, River bank conditions.** Preserve existing river bank habitat and encourage the rehabilitation of river bank sections that have been significantly altered due to development with more fish and wildlife friendly riverbank conditions.

The amendments are consistent with this policy in the following ways:

- A. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because the setback is intended to preserve the shallow water habitat, riverbanks (flood area, soils and vegetation) and riparian area (flood area, soils and vegetation) to protect fish habitat and support recovery of species listed under the Endangered Species Act.
- B. The River Environmental overlay zone is applied to the Willamette River, riverbanks and riparian areas. The overlay zone protects the eight existing shallow water habitats by limited development and requiring mitigation for negative impacts to natural resource features and functions. The regulations will result in no net loss of fish habitat over time and support recovery of species listed under the Endangered Species Act.
- C. CC2035 includes an action to restore five shallow water habitat areas and to enhance 12,600 linear feet of riverbanks in the Central Reach. The actions will improve fish habitat and support recovery of species listed under the Endangered Species Act.

372. **Policy 7.37, Contaminated sites.** Promote and support programs that facilitate the cleanup, reuse, and restoration of the Portland Harbor Superfund site and other contaminated upland sites.

The Portland Harbor Superfund site is not within the Central Reach. The River Environmental overlay zone regulations for removal and remediation of hazardous substances ensure that the cleanup actions in the Central Reach will occur in a way that improves environmental quality and public health and creates habitat.

373. **Policy 7.38, Sensitive habitats.** Protect and enhance grasslands, beaches, floodplains, wetlands, remnant native oak, bottomland hardwood forest, and other key habitats for native wildlife including shorebirds, waterfowl, and species that migrate along the Pacific Flyway and the Willamette River corridor.

The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) includes an updated inventory of natural resources features and functions in the Central City. The NRPP documents the quantity and quality of special habitat areas. Special habitat areas include: areas containing sensitive or unique plant populations, wetlands and associated seeps, spring and streams that are part of the wetland complex; native oaks; bottomland hardwood forests; riverine islands; river deltas; migratory stopover habitat; habitat corridors between patches or habitats; areas that support at-risk fish and wildlife species; elk migratory corridors; upland habitats or landscape features important to grassland-associated species; and unique resources or structures that provide critical or unique habitat functions (such as bridges).

Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development

has a detrimental impact on the resources. The mitigation requirement will ensure that overall there is no net loss of natural resource functions in the Central City.

374. **Policy 7.39, Riparian corridors.** Increase the width and quality of vegetated riparian buffers along the Willamette River.

Zoning code 33.475, River General overlay zone, increases the width of the river setback from 25 feet to 50 feet from the top of bank. Development that is not river-dependent or river-related must be setback. This increases the width of the riparian area. The River General overlay zone also includes a landscaping standard that requires that at the time of development or alterations to development, the river setback be landscaped with native vegetation. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because this will improve the quality of the riparian area.

Zone code 33.475, River Environmental overlay zone, protects the Willamette River, riverbanks and riparian areas by limiting development and requiring unavoidable impacts to natural resource features and functions to be mitigated.

375. **Policy 7.40, Connected upland and river habitats.** Enhance habitat quality and connectivity between the Willamette riverfront, the Willamette's floodplain, and upland natural resource areas.

The amendments are consistent with this policy in the following ways:

- A. Zoning code 33.475, River Environmental overlay zone, applies to the Willamette River and its undeveloped floodplain. The regulations protected the habitat and connectivity between the in-water and floodplain habitats by limiting development and requiring mitigation for unavoidable negative impacts on natural resource features and functions, including habitat connectivity. The River General overlay zone requires that the river setback, which includes the riverbank and land within 50 feet of the top of bank, be landscaped, which enhances the habitat quality and connectivity between the riparian areas and the Willamette River.
- B. The Green Loop is a multimodal transportation corridor that will incorporate vegetation into design and development. Trees and vegetation along the Green Loop will serve to improve habitat connectivity between uplands and the Willamette River.
- C. A new standard for the Central City requires that new buildings over 20,000 square feet in net size must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions including habitat for avian species. Ecoroofs will improve habitat connectivity for birds and insects between uplands and the Willamette River.

376. **Policy 7.41, River-dependent and river-related uses.** Develop and maintain plans and regulations that recognize the needs of river-dependent and river-related uses, while also supporting ecologically-sensitive site design and practices.

The amendments are consistent with this policy in the following ways:

- A. Zoning code 33.910.030, Definitions, maintains the definition of river-dependent and includes uses which can only be carried out on, in or adjacent to the river. The definition is updated to clarify that a dock or gangway is river-dependent because it can only be built on, in or over the river.
- B. Zoning code 33.910.030, Definitions, maintains the definition of river-related and includes uses that while not directly dependent on river access are uses that provide goods or services

directly associated with river-dependent uses or development. There is a list of uses that are not river-related, such as residences, parking areas, restaurants, and businesses. There is a list of uses that are considered river-related, such as trails and viewpoints adjacent to the river, bridge exist and entrance ramps and removal or remediation of hazardous substances. The river-related definition is updated to include resource enhancement projects and passenger waiting and queuing areas, security checkpoints and machine shops associated with marine passenger docks for sub-regional travel and marine passenger terminals for regional travel. The update to include some uses for marine passenger travel supports river-dependent uses.

- C. Zoning code 33.475, River Environmental overlay zones, limits the footprint of the area that can be developed for river-related uses associated with marine passenger docks and terminals to no more than 5,000 square feet. Mitigation for impacts to natural resources is required. This supports river-dependent and river-related uses in the Central City while also supporting ecological site design.

## Public Facilities and Services: Goals

377. **Goal 8.A: Quality public facilities and services.** High-quality public facilities and services provide Portlanders with optimal levels of service throughout the city, based on system needs and community goals, and in compliance with regulatory mandates.
378. **Goal 8.B: Multiple benefits.** Public facility and service investments improve equitable service provision, support economic prosperity, and enhance human and environmental health.
379. **Goal 8.C: Reliability and resiliency.** Public facilities and services are reliable, able to withstand or recover from catastrophic natural and manmade events, and are adaptable and resilient in the face of long-term changes in the climate, economy, and technology.
380. **Goal 8.D: Public rights-of-way.** Public rights-of-way enhance the public realm and provide a multi-purpose, connected, safe, and healthy physical space for movement and travel, public and private utilities, and other appropriate public functions and uses.
381. **Goal 8.E: Sanitary and stormwater systems.** Wastewater and stormwater are managed, conveyed, and/or treated to protect public health, safety, and the environment, and to meet the needs of the community on an equitable, efficient, and sustainable basis.
382. **Goal 8.F: Flood management.** Flood management systems and facilities support watershed health and manage flooding to reduce adverse impacts on Portlanders' health, safety, and property.
383. **Goal 8.G: Water.** Reliable and adequate water supply and delivery systems provide sufficient quantities of high-quality water at adequate pressures to meet the needs of the community on an equitable, efficient, and sustainable basis.
384. **Goal 8.H: Parks, natural areas, and recreation.** All Portlanders have safe, convenient, and equitable access to high-quality parks, natural areas, trails, and recreational opportunities in their daily lives, which contribute to their health and well-being. The City manages its natural areas and urban forest to protect unique urban habitats and offer Portlanders an opportunity to connect with nature.

385. **Goal 8.I: Public safety and emergency response.** Portland is a safe, resilient, and peaceful community where public safety, emergency response, and emergency management facilities and services are coordinated and able to effectively and efficiently meet community needs.
386. **Goal 8.J: Solid waste management.** Residents and businesses have access to waste management services and are encouraged to be thoughtful consumers to minimize upstream impacts and avoid generating waste destined for the landfill. Solid waste — including food, yard debris, recyclables, electronics, and construction and demolition debris — is managed, recycled, and composted to ensure the highest and best use of materials.
387. **Goal 8.K: School facilities.** Public schools are honored places of learning as well as multifunctional neighborhood anchors serving Portlanders of all ages, abilities, and cultures.
388. **Goal 8.L: Technology and communications.** All Portland residences, businesses, and institutions have access to universal, affordable, and reliable state-of-the-art communication and technology services.
389. **Goal 8.M: Energy infrastructure and services.** Residents, businesses, and institutions are served by reliable energy infrastructure that provides efficient, low-carbon, affordable energy through decision-making based on integrated resource planning.

The CC2035 Plan is intended to result in the creation of: 51,000 new jobs; 39,500 new housing units; 12,600 linear feet of riverbank enhancement; between 386 and 456 acres of tree canopy; and, increase the time people spend in Central City public spaces by 20 percent. Although the Central City is well served by existing public facilities, infrastructure, and services, as the density of uses and people in the city center intensify over time there will be a need to expand access to services and to create additional infrastructure to support this projected growth.

As such, the plan proposes increases in floor area ratios for office, industrial, and residential uses, new development standards requiring ecoroofs development; new river/environmental standards addressing riverbank enhancement, provisions and actions seeking to increase public open space and access to open space amenities, and revised landscaping and tree canopy requirements. The plan also requires seismic upgrades to historic landmarks when certain development incentives are pursued, a greater setback for new development from the Willamette River, and the development of “green” energy efficient buildings. Further, the plan includes numerous actions over the life of the plan to develop new and rehab existing public infrastructure to be resilient to natural disaster and climate change. These elements of the plan are consistent with Goals 8.A – 8.C.

Because the public right-of-way covers nearly 40 percent of the landscape of the Central City and is by far the most dominate factor influencing the character of the urban environment, the plan seeks to utilize this feature for multiple purposes and to achieve multiple benefits. Thus, consistent with Goal 8.D, the plan proposes numerous improvements to public right-of-way intended to improve mobility and safety for all modes, the expansion of green infrastructure to enhance environmental health, and greater use of the right-of-way for uses other than transportation alone.

In response to the sanitary and stormwater objectives of Goal 8.E, CC2035 proposes new requirements regarding the development of ecoroofs and “green” energy efficient buildings, and includes actions to expand the use of green infrastructure in the public right-of-way and in private development, all to support better stormwater management among other goals. And, consistent with Goal 8.F, the plan increases the setback for development along the Willamette River, requires riverbank enhancement, and includes stormwater regulations that are intended to decrease runoff to the river. Additionally, the plan supports continued collaboration between the city, state, and

federal agencies in working to create new flood-related regulations as a follow-up to recent litigation regarding the impacts of development within the 100-year flood plain and impacts on listed threatened and endangered species.

Regarding the parks, natural areas, and recreation objectives of Goal 8.H, the plan contains new development standards and incentives to increase the amount of setback along the Willamette River to, in part, create expanded places for passive and active recreation. The plan also proposes actions to expand greater use of the public right-of-way for recreational and active transportation uses, most notably through the creation of the Green Loop which is a dedicated active transportation facility that would also link to public parks and open space features. The plan further proposes actions to create new public park and recreation services in the Central City, including a new Community Center.

Lastly, CC2035 calls for continued coordination with emergency service providers, waste management providers, Portland Public Schools, and utility providers, as the Central City population grows and diversifies, consistent with Goals 8.I – 8.M.

## Public benefits

390. **Policy 8.31, Application of Guiding Principles.** Plan and invest in public facilities in ways that promote and balance the Guiding Principles established in The Vision and Guiding Principles of this Comprehensive Plan.

CC2035 and the proposed investments in public facilities made by the plan are summarized as follows:

- **Economic Prosperity.** Support a low-carbon economy and foster employment growth, competitiveness and equitably distributed household prosperity.

The plan promotes: growth on former brownfields, at major institutions (such as PSU and OHSU); the creation of a new Innovation Quadrant that links institutions to industrial sector job creation; intensification of industrial uses; and a significant expansion of green buildings, green infrastructure, and active transportation options.

- **Human Health.** Avoid or minimize negative health impacts and improve opportunities for Portlanders to lead healthy, active lives.

The plan supports the growth of essential public services, such as schools, parks, community centers, and libraries as the residential population of the Central City grows, to provide essential services and amenities to the broader community. The plan also proposes new recreational facilities, bike and pedestrian trails, and access to the Willamette River for swimming and non-motorized boating.

- **Environmental Health.** Weave nature into the city and foster a healthy environment that sustains people, neighborhoods, and fish and wildlife. Recognize the intrinsic value of nature and sustain the ecosystem services of Portland's air, water and land.

The plan proposes an expansion of the urban tree canopy, a wider and more vegetated river setback, the use of green infrastructure, and additional landscaped setbacks and open space areas, to expand the urban forest and the many benefits it provides to the Central City.

- **Equity.** Promote equity and environmental justice by reducing disparities, minimizing burdens, extending community benefits, increasing the amount of affordable housing,

affirmatively furthering fair housing, proactively fighting displacement, and improving socio-economic opportunities for under-served and under-represented populations. Intentionally engage under-served and under-represented populations in decisions that affect them. Specifically recognize, address and prevent repetition of the injustices suffered by communities of color throughout Portland’s history.

The plan includes new development bonuses to create affordable housing, some which may be publicly owned, expand essential public services that would benefit Central City residents, especially families with children, and expand transit and active transportation facilities to provide non-auto transportation options.

- **Resilience.** Reduce risk and improve the ability of individuals, communities, economic systems, and the natural and build environments to withstand, recover from, and adapt to changes from natural hazards, human-made disasters, climate change, and economic shifts.

The plan includes incentives to seismically retrofit at-risk buildings, study a possible expansion of the flood plain, expand the use of green buildings and infrastructure, and study how public facilities can be used following major natural disasters, all to improve the resiliency of the Central City.

391. **Policy 8.32, Community benefit agreements.** Encourage the use of negotiated community benefit agreements for large public facility projects as appropriate to address environmental justice policies in Chapter 2: Community Involvement.
392. **Policy 8.33, Community knowledge and experience.** Encourage public engagement processes and strategies for larger public facility projects to include community members in identifying potential impacts, mitigation measures and community benefits.

The environmental justice policies of Chapter 2 of the Comprehensive Plan call for plans and investments to *“promote environmental justice by extending the community benefits associated with environmental assets, land use, and public investments to communities of color, low-income populations, and other under-served or under-represented groups impacted by the decision. Maximize economic, cultural, political, and environmental benefits through ongoing partnerships.”* These policies also call for: the elimination of associated disproportionate burdens for communities of color, low-income populations, and other under-served or under-represented groups impacted by decisions; the minimization or mitigation of disproportionate burdens in cases where they cannot be eliminated; and, the use of plans and investments to address disproportionate burdens of previous decisions.

CC2035 establishes a policy framework to guide future planning efforts and decision making. Policies of the plan addressing economic development and housing will support “access to and expansion of economic opportunities in the Central City for all groups facing longstanding disparities, including education, housing and employment barriers” (Policy 1.9), and the maintenance of “economic and cultural diversity of established communities in and around the Central City” (Policy 2.7). Additionally, the plan contains policies addressing diverse community structure, access to social services, housing affordability, and access to essential public services.

Further, the plan contains actions that support worker/day laborers rights, employment skills and career training, and the creation of affordable work spaces. The plan also has actions supporting investment in affordable housing, public schools and parks in areas where there is and will be a growing population of residents who depend on affordable housing.

Projects and plans implementing these policies and actions, will including public engagement elements that address the community benefits that are desired and appropriate because of land public facility projects, consistent with Policies 8.23 and 8.33, as well as the environmental justice policies of the Comprehensive Plan.

393. **Policy 8.34, Resource efficiency.** Reduce the energy and resource use, waste, and carbon emissions from facilities necessary to serve designated land uses to meet adopted City goals and targets.
394. **Policy 8.35, Natural systems.** Protect, enhance, and restore natural systems and features for their infrastructure service and other values.

CC2035 contains elements that address resource efficiency and natural systems in many ways. For instance, the plan contains new development standards that require that ecoroofs be incorporated into new development and that development 50,000 sq. ft. or larger pursue green building certification. The plan also proposes new active transportation and transit facilities, the use of green infrastructure in the public right-of-way, expansion of the urban forest, river bank habitat restoration, including wider setbacks from the Willamette River, and bird safe development requirements. These amendments to the Zoning Code and Transportation Systems Plan, as well as numerous goals, policies, and actions addressing resource efficiency, resiliency, and environmental enhancements, respond to the direction of Policies 8.34 and 8.35.

395. **Policy 8.36, Context-sensitive infrastructure.** Design, improve, and maintain public rights-of-way and facilities in ways that are compatible with, and that minimize negative impacts on, their physical, environmental, and community context.

One of the “Big Ideas” emerging from CC2035 is a reexamination of the street hierarchy and development character resulting from how the public right-of-way is designed and used. This is because approximately 40 percent of the land area of the Central City consists of public right-of-way. The plan seeks to integrate active transportation and recreational infrastructure, including major projects such as the Green Loop, in a manner that allows this infrastructure to complement but not conflict with adjacent land uses, and other key purposes for the right-of-way, such as auto and freight mobility, and improve the local environment and health of its users, consistent with Policy 8.36.

396. **Policy 8.38, Age-friendly public facilities.** Promote public facility designs that make Portland more age-friendly.

Consistent with Policy 8.38, CC2035 contains policies and actions calling for new public services and amenities that serve the needs of residents, employees, and visitors of all ages and abilities. Although not all facilities may meet the needs of any one group, CC2035 proposes new facilities where a greater variety of abilities and needs are addressed, such as the Green Loop meeting the abilities of pedestrians and cyclists with more flexibility than a standard bike land or sidewalk improvement.

## Public rights-of-way

397. **Policy 8.39, Interconnected network.** Establish a safe and connected rights-of-way system that equitably provides infrastructure services throughout the city.
398. **Policy 8.40, Transportation function.** Improve and maintain the right-of-way to support multimodal transportation mobility and access to goods and services as is consistent with the designated street classification.

Consistent with Policies 8.39 and 8.40, CC2035 strives to expand and enhance existing elements of the public right-of-way to provide safe routes for all modes with an emphasis on the street network, street diversity and amenities in the street. For instance, policies, such as Optimized Street Network (Policy 3.3), Transportation System Plan (Policy 3.4), Street Diversity (Policy 3.6), and Streetscapes (Policy 3.7), all support the objectives of the policies above. Further, TSP elements addressing the Central Eastside propose numerous new signalized intersections, and the reconfiguration of certain streets to be more attractive to freight, while others are improved for cycling, and others for general auto traffic. These actions will address all mode by providing safer and preferred routes for each, while enhancing mobility and safety for all types of users.

Further, there are several freight specific TSP projects and studies that will increase and protect freight movement and the Central City's role as a multimodal system and hub. TSP Freight district and freight street classifications also address this policy. Major freight-related projects in CC2035 include the Broadway/Weidler (Rose Quarter) Interchange Project (now an adopted element of the City's TSP), Central Eastside Access and Circulation, N River St Reconstruction, Yamhill & Water Traffic Improvements, I-405/Glisan Traffic Improvements, SW Broadway Traffic Improvements, and Southern Triangle Access Improvements.

399. **Policy 8.42, Stormwater management function.** Improve rights-of-way to integrate green infrastructure and other stormwater management facilities to meet desired levels-of-service and economic, social, and environmental objectives.
400. **Policy 8.43, Trees in rights-of-way.** Integrate trees into public rights-of-way to support City canopy goals, transportation functions, and economic, social, and environmental objectives.
401. **Policy 8.44, Community uses.** Allow community use of rights-of-way for purposes such as public gathering space, events, or temporary festivals, if the community uses are integrated in ways that balance and minimize conflict with the designated through movement and access roles of rights-of-ways.

As noted above, the sheer extent of the amount of right-of-way, and open space, in the Central City requires it to serve a multitude of functions beyond allowing people to get from one location to another. The right-of-way must also be where most public and private utilities are located, where stormwater is treated, where street trees and most of the other landscaping that constitutes the urban forest is planted, and furnishings, amenities, and services that enliven the public realm are located.

CC2035 contains the following policies, to ensure the Central City's right-of-way will continue to serve multiple functions, and that opportunities to expand these functions are pursued through the life of the plan:

- Policy 5.8, Public realm. *Enhance the character and function of the public realm through design standards, guidelines, amenities and land uses that activate the pedestrian environment and encourage community gathering.*
- Policy 6.3, Multiple functions. *Encourage green infrastructure, parks, open space, and recreation opportunities in the Central City that serve multiple functions to provide capacity during flood event, improve stormwater management, reduce heat island effects, create pockets of fish and wildlife refuge, and provide places of respite and recreation for employees, residents, and visitors.*
- Policy 6.4, Green infrastructure. *Increase the use of trees, ecoroofs, vertical gardens, sustainable site development, landscaped setbacks and courtyards, living walls and other*

*vegetated facilities to manage stormwater, improve the pedestrian environment, reduce heat island effects, improve air and water quality and create habitat for birds and pollinators.*

402. **Policy 8.45, Pedestrian amenities.** Encourage facilities that enhance pedestrian enjoyment, such as transit shelters, garbage containers, benches, etc. in the right-of-way.
403. **Policy 8.46, Commercial uses.** Accommodate allowable commercial uses of the rights-of-way for enhancing commercial vitality, if the commercial uses can be integrated in ways that balance and minimize conflict with the other functions of the right-of-way.
404. **Policy 8.47, Flexible design.** Allow flexibility in right-of-way design and development standards to appropriately reflect the pattern area and other relevant physical, community, and environmental contexts and local needs.
405. **Policy 8.48, Corridors and City Greenways.** Ensure public facilities located along Civic Corridors, Neighborhood Corridors, and City Greenways support the multiple objectives established for these corridors.

CC2035 is consistent with Policies 8.45 – 8.48, CC2035 contains policies that support a walkable pedestrian environment in the Central City, such as Policy 3.7, Streetscape, and Policy 3.8, Walking. Further, policies such as 5.7, which states “Enhance the character and function of the public realm through design standards, guidelines, amenities and land uses that activate the pedestrian environment...”, and actions such as TR32, which states “lighting within public realm and ground floor programming will be designed to create a safe and attractive environment for pedestrians...”, and amended development standard 33.510.215, Required Building Lines, that has the stated purpose to “create diverse street character based street hierarchy...that promote active uses, pedestrian movement, and opportunities for stopping and gathering...”. Also, the optimized street network policies in each Central City district emphasize and recognize unique features on Civic Corridors and City Greenways for infrastructure improvements.

## Trails

406. **Policy 8.53, Public trails.** Establish, improve, and maintain a citywide system of public trails that provide transportation and/or recreation options and are a component of larger network of facilities for bicyclists, pedestrians, and recreational users.
407. **Policy 8.54, Trail system connectivity.** Plan, improve, and maintain the citywide trail system so that it connects and improves access to Portland’s neighborhoods, commercial areas, employment centers, schools, parks, natural areas, recreational facilities, regional destinations, the regional trail system, and other key places that Portlanders access in their daily lives.
408. **Policy 8.55, Trail coordination.** Coordinate planning, design, improvement, and maintenance of the trail system among City agencies, other public agencies, non-governmental partners, and adjacent landowners.
409. **Policy 8.56, Trail diversity.** Allow a variety of trail types to reflect a trail’s transportation and recreation roles, requirements, and physical context.

The Central City, with its proximity to the Willamette River, and nexus for most regional transportation options, all contribute to it also being a major hub for the city’s pedestrian and bicycle trail network. The CC2035 Plan contains policies that support continued enhancement and improvements to the existing network, while proposing new connections and new infrastructure, such as the Green Loop. The plan also contains new master plan standards that require the design of circulation on large master plan sites to connect with trails, and to enhance those sections of the

network that bypass these sites. The plan also calls for coordination between PBOT, Parks, and other entities responsible for maintaining the city's part of the regional trail network. These elements of the plan ensure CC2035 is consistent with Policies 8.53 – 8.56.

- 410. **Policy 8.57, Public access requirements.** Require public access and improvement of public trails along the future public trail alignments shown in Figure 8-2 — Future Public Trail Alignments.
- 411. **Policy 8.58, Trail and City Greenway coordination.** Coordinate the planning and improvement of trails as part of the City Greenways system.
- 412. **Policy 8.59, Trail and Habitat Corridor coordination.** Coordinate the planning and improvement of trails with the establishment, enhancement, preservation, and access to habitat corridors.

CC2035 includes amendments to Section 33.272, Public Trails, of the Zoning Code that clarify the role of the City in requiring trail easements and improvements to trails found on figure 8-2 of the 2035 Comprehensive Plan. Specifically, that figure identifies trails, such as the Willamette Greenway Trail, Sullivan's Gulch Trail, and OMSI – Springwater Trail, that bisect the Central City Plan District. As such, the development of segments of those trails may be required to be constructed when certain development actions occur. CC2035 clarifies that "when a proposed development will increase the use of the trail system or will contribute to the need for additional trail facilities, and application of the regulations is determined to be roughly proportional to the impacts of the proposed development" provisions of the code requiring trail easements and development may be applied. These standards allow the integrated regional trail network within the Central City to be completed to the benefit of trail users and sites near the trail network to benefit visitors, employees, residents, and customers, consistent with Policies 8.57 – 8.59.

- 413. **Policy 8.60, Intertwine coordination.** Coordinate with the Intertwine Alliance and its partners, including local and regional parks providers, to integrate Portland's trail and active transportation network with the bi-state regional trail system.

The City of Portland is a member of the Intertwine Alliance, and additional work to complete and coordinate with other alliance partners to complete and connect unfinished segments of the "Intertwine" within the Central City Plan District will be coordinated, consistent with Policy 8.60 above.

## Stormwater Systems

- 414. **Policy 8.68, Stormwater facilities.** Provide adequate stormwater facilities for conveyance, flow control, and pollution reduction.
- 415. **Policy 8.69, Stormwater as a resource.** Manage stormwater as a resource for watershed health and public use in ways that protect and restore the natural hydrology, water quality, and habitat of Portland's watersheds.

CC2035 contains several elements that respond to Policies 8.68 and 8.69. Policies 3.CE-3, Green Streets, and 5.UD-3, Montgomery Green Street, support the incorporation of green facilities in the public right-of-way. Also, the Zoning Code amendments include requirements to incorporate ecoroofs into new development, and the plan contains provisions incenting the use of green infrastructure on private property and within public right-of-way.

- 416. **Policy 8.71, Green infrastructure.** Promote the use of green infrastructure, such as natural areas, the urban forest, and landscaped stormwater facilities, to manage stormwater.

Policy 6.4 of CC2035 calls for increasing “the use of trees, ecoroofs, vertical gardens, sustainable site development, landscaped setbacks and courtyards, living walls and other vegetated facilities to manage stormwater...” The plan also contains Zoning Code regulations requiring the use of ecoroofs, and contains incentives to create vegetated setbacks on key streets in the Central City. These elements of the plan further the objectives of Policy 8.71.

## Flood management

417. **Policy 8.76, Flood management.** Improve and maintain the functions of natural and managed drainageways, wetlands, and floodplains to protect health, safety, and property, provide water conveyance and storage, improve water quality, and maintain and enhance fish and wildlife habitat.
418. **Policy 8.77, Floodplain management.** Manage floodplains to protect and restore associated natural resources and functions and to minimize the risks to life and property from flooding.
419. **Policy 8.78, Flood management facilities.** Establish, improve, and maintain flood management facilities to serve designated land uses through planning, investment and regulatory requirements.

The amendments are consistent with Policies 8.76, 8.77 and 8.78 in the following ways:

- A. The Health and Environment Goal and related policies and actions provide for resilience to climate change impacts and natural hazards including flooding through planning, design, education and implementation of green infrastructure and infrastructure retrofits.
- B. The *Willamette River Central Reach Natural Resources Protection Plan* (NRPP) includes an updated inventory of natural resources features and functions in the Central City. The NRPP evaluates the functions above and the ecosystem services, including floodplain and flood management, provided by those features in Chapter 4, Analysis of Protection Options and General Recommendations. Chapter 5, Results, includes recommendations for maintaining natural resource features and functions.
- C. Zoning code 33.475, River Overlay Zones, and 33.865, River Review, will protect and conserve the identified resource features and functions by limiting development within natural resource areas, encouraging environmentally sensitive development and requiring mitigation when development has a detrimental impact on the resources. By applying the new River Environmental overlay zoning for identified natural resource areas in the Central City, including resources located in the water, in the floodplain and on land, the plan reduces risks to people and property from flooding.
- D. The River setback is increased. The setback requires that development that is not river-dependent or river-related be setback 50 feet from the top of bank of the Willamette River. Testimony was received that both supported and opposed the expanded setback. City Council finds that the expansion is appropriate because this reduces the risk of flooding impacts on development near the river. In addition, there is a landscaping requirement for the setback that requires additional native plants to be planted. The setback and landscaping retain space that mitigate the risks associated with river flooding.
- E. Actions call for partnerships between local, regional, state and federal regulatory, Sovereign nations, non-profit organization, neighborhoods and property owners. One action is to work with FEMA to address the NOAA Fisheries biological opinion regarding the floodplain development and impacts on species listed under the Endangered Species Act. This will include a remapping of the floodplain in the Central City. Another action is to amend the flood-related

regulations and other guidelines to, a) help prevent or minimize the risk of flood damage to new, redeveloped and rehabilitated buildings located in the 100-year floodplain; b) avoid, minimize and mitigate the impacts of such development on floodplain functions; and, c) comply with updated NFIP requirements.

- F. A new standard for the Central City requires that new buildings over 20,000 square feet in net building area must install an ecoroof over 60% of the roof area. Ecoroofs provide multiple functions including managing stormwater runoff. This reduces localized flooding.
- G. Existing regulations through City Code Title 24, Building Regulations, are also applicable to future development. These regulations require review of impacts within the river and floodplain including a test of no net rise and balancing of fill placed in the floodplain with an equal cut.

## Parks and recreation

- 420. **Policy 8.92, Acquisition, development, and maintenance.** Provide and maintain an adequate supply and variety of parkland and recreational facilities to serve the city's current and future population based on identified level-of-service standards and community needs.
- 421. **Policy 8.93, Service equity.** Invest in acquisition and development of parks and recreation facilities in areas where service-level deficiencies exist.
- 422. **Policy 8.95, Park planning.** Improve parks, recreational facilities, natural areas, and the urban forest in accordance with current master plans, management plans, or adopted strategies that reflect user group needs, development priorities, development and maintenance costs, program opportunities, financing strategies, and community input.
- 423. **Policy 8.96, Recreational trails.** Establish, improve, and maintain a complete and connected system of public recreational trails, consistent with Portland Parks & Recreation's trail strategy.

The goals and policies, Volume 1, and action items, Volume 5 (Implementation Plan) of CC2035 support Policies 8.92 – 8.96 by supporting new public park development and planning, as well as the maintenance and enhancement of new park assets to support current Central City residents, employees, and visitors, as well as projected growth in the Central City through the life of the plan. The proposed Green Loop elements of the plan also further the objectives of these two policies by providing a new urban trail that provides for passive and active transportation opportunities, and an alignment that links trail users to numerous other trails and parks within the Central City.

- 424. **Policy 8.97, Natural resources.** Preserve, enhance, and manage City-owned natural areas and resources to protect and improve their ecological health, in accordance with both the natural area acquisition and restoration strategies, and to provide compatible public access.
- 425. **Policy 8.98, Urban forest management.** Manage urban trees as green infrastructure with associated ecological, community, and economic functions, through planning, planting, and maintenance activities, education, and regulation.

CC2035 contains elements calling for increased street tree planting, expansion of tree canopy on public and private property, an increased setback from the Willamette River, and establishing new targets for river bank enhancement, consistent with Policies 8.97 and 8.98.

- 426. **Policy 8.99, Recreational facilities.** Provide a variety of recreational facilities and services that contribute to the health and well-being of Portlanders of all ages and abilities.

Volume 1 and Volume 5, Implementation Plan, of CC2035 contain policies and actions pursuing the use of green infrastructure in the right-of-way, a public community center, new restrooms in parks, additional trails, play areas, and other recreational amenities and services, consistent with Policy 8.99.

## School facilities

427. **Policy 8.113, School district capacity.** Consider the overall enrollment capacity of a school district – as defined in an adopted school facility plan that meets the requirements of Oregon Revised Statute 195 – as a factor in land use decisions that increase capacity for residential development.
428. **Policy 8.114, Facilities Planning.** Facilitate coordinated planning among school districts and City bureaus, including Portland Parks and Recreation, to accommodate school site/facility needs in response to most up-to-date growth forecasts.
429. **Policy 8.115, Co-location.** Encourage public school districts, Multnomah County, the City of Portland, and other providers to co-locate facilities and programs in ways that optimize service provision and intergenerational and intercultural use.
430. **Policy 8.116, Community use.** Encourage public use of public school grounds for community purposes while meeting educational and student safety needs and balancing impacts on surrounding neighborhoods.
431. **Policy 8.117, Recreational use.** Encourage publicly-available recreational amenities (e.g. athletic fields, green spaces, community gardens, and playgrounds) on public school grounds for public recreational use, particularly in neighborhoods with limited access to parks.
432. **Policy 8.118, Schools as emergency aid centers.** Encourage the use of seismically-safe school facilities as gathering and aid-distribution locations during natural disasters and other emergencies.
433. **Policy 8.119, Facility adaptability.** Ensure that public schools may be upgraded to flexibly accommodate multiple community-serving uses and adapt to changes in educational approaches, technology, and student needs over time.
434. **Policy 8.120, Leverage public investment.** Encourage City public facility investments that complement and leverage local public school districts’ major capital investments.
435. **Policy 8.122, Private institutions.** Encourage collaboration with private schools and educational institutions to support community and recreational use of their facilities.

Consistent with Policies 8.113 – 8.122, CC2035 contains elements that encourage coordination with Portland Public Schools, and private education providers, that consider how to address the growing school age population within the Central City, and as it grows over time, address the capacity of their programs, and the diversity of programming needs. Specifically, the plan considers these facilities as essential public services that beyond education have the capacity to serve community gathering functions, and areas where additional recreational needs can be provided. As such, the plan contains policies and actions encouraging cooperation between PPS and the City when existing facilities are upgraded and new facilities planned. Further, the plan promotes the development of public school facilities, among other essential services, and provides a floor area ratio (FAR) bonus when such facilities are included in a development project. Lastly, Goal 3.1 of the plan emphasizes walking and biking as the preferred means of transportation in the district to increase safe access to schools.

## Energy infrastructure

436. **Policy 8.125, Energy efficiency.** Promote efficient and sustainable production and use of energy resources by residents and businesses, including low-carbon renewable energy sources, district energy systems, and distributed generation, through land use plans, zoning, and other legislative land use decisions.

CC2035 contains goals and policies that support actions like and consistent with Policy 8.125, and the Zoning Code amendments further this direction by requiring that new development with a net building area of at least 50,000 sq. ft. pursue low-carbon, energy efficient certification.

## Transportation: Goals

437. **GOAL 9.A: Safety.** Transportation safety impacts the livability of a city and the comfort and security of those using City streets. Comprehensive efforts to improve transportation safety through engineering, education, enforcement and evaluation will be used to eliminate traffic-related fatalities and serious injuries from Portland's transportation system.

CC2035 meets this goal with the plan's emphasis on a safe affordable, efficient and accessible transportation system that prioritizes walking, bicycling and transit (Goal 3.A). Further, the Broadway/Weidler (Rose Quarter) Interchange Project (now an adopted element of the City's TSP), is an ODOT project, created in partnership with the City of Portland, intended to reduce collisions on a section of Interstate 5 (I-5) that has the highest collision count of anywhere in the State of Oregon.

During City Council review of the CC2035 Plan there was a significant amount of testimony on this project, much suggesting the project was intended solely to increase capacity and decrease congestion. Conversely, Council received testimony in support of the project from the various stakeholders who depend on reliable freight delivery, delivery often impacted when collisions in this section of I-5 halt or significantly slow traffic.

As result of this testimony, Council sought input from PBOT and ODOT staff who noted that the project was intended to reduce congestion and improve safety on I-5, but would also result in new overpasses with improved pedestrian and bicycle facilities over I-5 in the Rose Quarter, an area of concern to PBOT with regard to pedestrian and cycling safety. After considering the testimony, and staff input on the project, Council decided to continue supporting the Broadway/Weidler Interchange Project, which had previously been added to the TSP project list by City Council through adoption of the *2035 Comprehensive Plan* (Ordinance 187832) prior to its review of the CC2035 Plan.

438. **Goal 9.B: Multiple goals.** Portland's transportation system is funded and maintained to achieve multiple goals and measurable outcomes for people and the environment. The transportation system is safe, complete, interconnected, multimodal, and fulfills daily needs for people and businesses.

CC2035 meets this goal with the plan's emphasis on a safe affordable, efficient and accessible transportation system that prioritizes walking, bicycling and transit (Goal 3.A) along with goals and policies that emphasize green infrastructure, nature, connections to the river and the development of the Green Loop.

439. **GOAL 9.C: Great places.** Portland's transportation system enhances quality of life for all Portlanders, reinforces existing neighborhoods and great places, and helps make new great places in town centers, neighborhood centers and corridors, and civic corridors.

CC2035 meets this goal with the policies and actions emphasizing the development of the Green Loop, celebrating Portland's civic and cultural life, and designing streets to be great places. Policies related to streetscapes, optimized street networks, street diversity and street policies specific to the different districts in the Central City address this policy as well.

440. **GOAL 9.D: Environmentally sustainable.** The transportation system increasingly uses active transportation, renewable energy, or electricity from renewable sources, achieves adopted carbon reduction targets, and reduces air pollution, water pollution, noise, and Portlanders' reliance on private vehicles.

CC2035 meets this goal with the policies and actions emphasizing the development of the Green Loop, decreases in parking, an emphasis on green streets, transportation demand management and on walking, bicycling and transit in the central city. In addition, Zoning Code updates establish lower maximum parking ratios and encourage the shared use of existing and new parking facilities. Transportation modeling of the elements of this plan indicate that, compared with a base scenario (using as a base case the 2016 adopted Portland Comprehensive Plan), the Central City in 2035 because of CC2035 is expected to have fewer single-occupancy vehicle trips and more walking, biking and transit trips, with the result that by 2035 the model indicates that the commute mode split would be 80.2%, meeting the transportation performance target set by this plan and found in Volume 5A.

441. **GOAL 9.E: Equitable transportation.** The transportation system provides all Portlanders options to move about the city and meet their daily needs by using a variety of safe, efficient, convenient, and affordable modes of transportation. Transportation investments are responsive to the distinct needs of each community.

CC2035 meets this goal with the plan's emphasis on a safe affordable, efficient and accessible transportation system that prioritizes walking, bicycling and transit (Goal 3.A). Street optimization policies in each district are responsive to the distinct needs of the community. Studies that are a part of the plan will also address distinct needs in each community. Example studies include the Goose Hollow Access and Circulation Plan, Old Town Chinatown Access and Circulation Plan, and University District Access and Circulation Plan.

442. **GOAL 9.F: Positive health outcomes.** The transportation system promotes positive health outcomes and minimizes negative impacts for all Portlanders by supporting active transportation, physical activity, and community and individual health.

CC2035 meets this goal with the plan's emphasis on a safe affordable, efficient and accessible transportation system that prioritizes walking, bicycling and transit (Goal 3.A). Transportation modeling of the elements of this plan indicate that, compared with a base scenario (using as a base case the 2016 adopted Portland Comprehensive Plan), the Central City in 2035 as a result of CC2035 is expected to have fewer single-occupancy vehicle trips and more walking, biking and transit trips, with the end result that by 2035 the model indicates that the commute mode split would be 80.2%, meeting the transportation performance target set by this plan and found in Volume 5A. The project list also includes 109 projects that are primarily focused on active transportation.

Lastly, Council support of the Broadway/Weidler Interchange Project also further supports this Goal, as ODOT has previously noted that the project is expected to reduce collisions in the Rose Quarter section of I-5, resulting in reduced emissions from vehicle idling.

443. **GOAL 9.G: Opportunities for prosperity.** The transportation system supports a strong and diverse economy, enhances the competitiveness of the city and region, and maintains Portland’s role as a West Coast trade gateway and freight hub by providing efficient and reliable goods movement, multimodal access to employment areas and educational institutions, as well as enhanced freight access to industrial areas and intermodal freight facilities. The transportation system helps people and businesses reduce spending and keep money in the local economy by providing affordable alternatives to driving.

CC2035 meets this goal with transportation policies that support a regional hub (Policy 3.1 and 3.2); support loading of goods in the Central City (Policy 3.15); enhance freight movement in the Central Eastside (Policy 3.CE-2); and support institutional and visitor parking (Policy 3.SW-3). Projects and studies will also address this policy. The project list includes 9 projects that are primarily focused on freight access and mobility, and 85 projects that provide affordable alternatives to driving.

Further, Council received testimony from stakeholders including the Port of Portland, Central Eastside Industrial Council, trades groups, and ODOT, in support of the Broadway/Weidler Interchange Project as necessary to improve safety and ensure freight and employees were less impacted by collisions in this section of I-5 in the Rose Quarter. As a result of this testimony and input from PBOT and ODOT staff, Council decided to continue supporting this project, previously adopted via the *2035 Comprehensive Plan* (Ordinance 187832).

## Transportation: Policies

### Designing and planning

444. **Policy 9.1, Street design classifications.** Maintain and implement street design classifications consistent with land use plans, environmental context, urban design pattern areas, and the Neighborhood Corridor and Civic Corridor Urban Design Framework designations.

CC2035 meets this policy as TSP Street Design Classification descriptions were adopted in the Comprehensive Plan Task 5 (December 2016) and are consistent with land use plans, environmental context, urban design pattern areas, and were not changed as part of the CC2035. CC2035 includes an update to the street design classification map in the Central City.

445. **Policy 9.2, Street policy classifications.** Maintain and implement street policy classifications for pedestrian, bicycle, transit, freight, emergency vehicle, and automotive movement, while considering access for all modes, connectivity, adjacent planned land uses, and state and regional requirements.

CC2035 meets this policy because TSP Classification descriptions were updated in Comp Plan Task 5 (December 2016) and TSP Stage 3 (in process) and are consistent with land use plans, environmental context, urban design pattern areas, and were not changed as part of CC2035. CC2035 includes updates to the modal classification maps in the Central City.

**9.2.a,** Designate district classifications that emphasize freight mobility and access in industrial and employment areas serving high levels of truck traffic and to accommodate the needs of intermodal freight movement.

CC2035 meet this policy because Freight districts were adopted as part of the Freight Master Plan and the Southeast quadrant plan and reflects this policy.

**9.2.b,** Designate district classifications that give priority to pedestrian access in areas where high levels of pedestrian activity exist or are planned, including the Central City, Gateway regional

center, town centers, neighborhood centers, and transit station areas.

CC2035 meets this policy because Pedestrian Districts were adopted as part of the 2007 TSP and were not changed as part of the CC2035 plan.

**9.2.c.** Designate district classifications that give priority to bicycle access and mobility in areas where high levels of bicycle activity exist or are planned, including Downtown, the River District, Lloyd District, Gateway Regional Center, town centers, neighborhood centers, and transit station areas.

CC2035 meets Policy 9.2.c because Bicycle Districts were created in the non-industrial areas of the Central City as part of the plan. Bicycle Districts were developed as part of the adopted Portland Bicycle Plan for 2030, and were expanded to additional areas as part of CC2035.

446. **Policy 9.3, Transportation System Plan.** Maintain and implement the Transportation System Plan (TSP) as the decision-making tool for transportation-related projects, policies, programs, and street design.

CC2035 meets this policy because the TSP will be updated as part of the CC2035 legislative process with an updated projects list and street classification maps.

447. **Policy 9.4, Use of classifications.** Plan, develop, implement, and manage the transportation system in accordance with street design and policy classifications outlined in the Transportation System Plan.

CC2035 meets Policy 6.4 because it is consistent with the updated TSP classifications from Comp Plan Task 5 and the existing TSP 2007 classification descriptions.

448. **Policy 9.5, Mode share goals and Vehicle Miles Travelled (VMT) reduction.** Increase the share of trips made using active and low-carbon transportation modes. Reduce VMT to achieve targets set in the most current Climate Action Plan and Transportation System Plan, and meet or exceed Metro's mode share and VMT targets.

CC2035 meets this policy with a target (Volume 5A) that at least 80% of commute trips to and from the Central City will be made by non-single occupancy vehicles. Transportation modeling of the elements of this plan indicate that, compared with a base scenario (using as a base case the 2016 adopted Portland Comprehensive Plan), the Central City in 2035 because of CC2035 is expected to have fewer single-occupancy vehicle trips and more walking, biking and transit trips, with the result that by 2035 the model indicates that the commute mode split would be 80.2%.

449. **Policy 9.6, Transportation strategy for people movement.** Design the system to accommodate the most vulnerable users, including those that need special accommodation under the Americans with Disabilities Act (ADA). Implement a prioritization of modes for people movement by making transportation system decisions per the following ordered list:

- Walking
- Bicycling
- Transit
- Taxi / commercial transit / shared vehicles
- Zero emission vehicles
- Other single-occupancy vehicles
- When implementing this prioritization ensure that:

- The needs and safety of each group of users are considered, and changes do not make existing conditions worse for the most vulnerable users.
- All users’ needs are balanced with the intent of optimizing the right of way for multiple modes on the same street.
- When necessary to ensure safety, accommodate some users on parallel streets as part of multi-street corridors.
- Land use and system plans, network functionality for all modes, other street functions, and complete street policies, are maintained.
- Policy-based rationale is provided if modes lower in the ordered list are prioritized.

CC2035 meets this policy because Goal 3.A prioritizes walking, bicycling and transit. Active transportation policies (Policies 3.5 – 3.11) prioritize walking, bicycling, and transportation demand management. Projects and studies in the plan increase walking and bicycling opportunities and infrastructure. Policies and actions to develop the Green Loop, design streets as public spaces and enhance the Willamette for people also meet this policy. Most proposed TSP projects have a bicycle, pedestrian and transit component, such as the Broadway/Weidler Interchange Project, and only about a third have an auto component.

	Bike	Ped	Auto, Freight	Transit	Safety	Total
# of projects	87	76	41	8	85	118
% total	73.7%	64.4%	34.7%	6.8%	72.0%	
Cost of projects	\$ 962,419,223	\$ 954,169,223	\$ 563,352,391	\$ 302,000,000	\$ 784,581,249	\$ 1,169,907,301
% total	82.3%	81.6%	48.2%	25.8%	67.1%	

450. **Policy 9.7, Moving goods and delivering services.** In tandem with people movement, maintain efficient and reliable movement of goods and services as a critical transportation system function. Prioritize freight system reliability improvements over single-occupancy vehicle mobility where there are solutions that distinctly address those different needs.

CC2035 meets this policy with an emphasis on supporting the Central City as a regional hub (policies 3.1-3.2) as well as supporting loading (Policy 3.15); enhancing the freight system in the Central Eastside (Policy 3.CE-2) and Lower Albina (Policy 3.LA-2) and preserving rail and inter modal access in the Albina Yards (Policy 3.LA-3).

Further, there are several TSP freight specific projects and studies that will increase and protect freight movement and the Central City’s role as a multimodal system and hub. TSP Freight district and freight street classifications also address this policy. Major freight-related projects in CC2035 include the Broadway/Weidler (Rose Quarter) Interchange Project (now an adopted project in the City’s TSP), Central Eastside Access and Circulation project, N River St Reconstruction, Yamhill & Water Traffic Improvements, I-405/Glisan Traffic Improvements, SW Broadway Traffic Improvements, and Southern Triangle Access Improvements.

451. **Policy 9.8, Affordability.** Improve and maintain the transportation system to increase access to convenient and affordable transportation options for all Portlanders, especially those who have

traditionally been under-served or under-represented or have historically borne unequal burdens.

CC2035 proposes an expansion of new, and enhancement of existing transit options and active transportation infrastructure between the Central City and other areas of the city, including those that have historically been under-represented, to provide better access to affordable multimodal transportation options, consistent with Policy 9.8.

452. **Policy 9.9, Accessible and age-friendly transportation system.** Ensure that transportation facilities are accessible to people of all ages and abilities, and that all improvements to the transportation system (traffic, transit, bicycle, and pedestrian) in the public right-of-way comply with the Americans with Disabilities Act of 1990. Improve and adapt the transportation system to better meet the needs of the most vulnerable users, including the young, older adults, and people with different abilities.

CC2035 meets this policy with Goal 3.A's emphasis on walking, bicycling and transit plus streetscape and optimized street network policies in each district.

453. **Policy 9.10, Geographic policies.** Adopt geographically-specific policies in the Transportation System Plan to ensure that transportation infrastructure reflects the unique topography, historic character, natural features, system gaps, economic needs, demographics, and land uses of each area. Use the Pattern Areas identified in Chapter 3: Urban Form as the basis for area policies.

CC2035 meets this policy since it is a geographically specific plan that also has district policies that reflect unique topography, historic character, natural features, system gaps, economic needs, demographics, and land uses of each area.

## Land use, development, and placemaking

454. **Policy 9.11, Land use and transportation coordination.** Implement the Comprehensive Plan Map and the Urban Design Framework through coordinated long-range transportation and land use planning. Ensure that street policy and design classifications and land uses complement one another.

CC2025 meets this policy since BPS and PBOT worked cooperatively on the CC2035 plan and Chapter 3. Transportation of the CC2035 has an emphasis on transportation supporting different land uses in the districts/quadrants. Further, the plan proposes significant FAR increases at key station areas where various connections to the Central City's multimodal network exists.

455. **Policy 9.12, Growth strategy.** Use street design and policy classifications to support Goals 3A-3G in Chapter 3: Urban Form. Consider the different design contexts and transportation functions in Town Centers, Neighborhood Centers, Neighborhood Corridors, Employment Areas, Freight Corridors, Civic Corridors, Transit Station Areas, and Greenways.

CC2035 meets this policy by including street classification policy descriptions and maps that were adopted in 2007 or as part of the Comp Plan in 2016.

456. **Policy 9.13, Development and street design.** Evaluate adjacent land uses to help inform street classifications in framing, shaping, and activating the public space of streets. Guide development and land use to create the kinds of places and street environments intended for different types of streets.

CC2035 meets this policy with the inclusion of the street classification, streetscape and optimized street network policies; street diversity policies as well as projects that reflect the classifications and additional studies to refine projects.

## Streets as public spaces

457. **Policy 9.14, Streets for transportation and public spaces.** Integrate both placemaking and transportation functions when designing and managing streets by encouraging design, development, and operation of streets to enhance opportunities for them to serve as places for community interaction, environmental function, open space, tree canopy, recreation, and other community purposes.
458. **Policy 9.15, Repurposing street space.** Encourage repurposing street segments that are not critical for transportation connectivity to other community purposes.

CC2035 meets this goal with the policies and actions emphasizing the development of the Green Loop, celebrating Portland's civic and cultural life, and designing streets to be great places. Policies related to streetscapes, optimized street networks, street diversity and street policies specific to the different districts in the Central City address this policy as well. There are also projects and studies that will create additional connections with transportation and public spaces. Major projects that meet this policy include the Burnside/10th Pedestrian Improvements, Burnside/Broadway Pedestrian Improvements, Burnside/20th Pedestrian Improvements, Collins Circle Public Space Improvements, Firefighters Park Public Space Improvements, Clackamas Flexible Street Strategy, Cultural District Streetscape Plan.

459. **Policy 9.16, Design with nature.** Promote street alignments and designs that respond to topography and natural features, when feasible, and protect streams, wildlife habitat, and native trees.

CC2035 meets this goal with the policies and actions emphasizing the development of the Green Loop, celebrating Portland's civic and cultural life, and designing streets to be great places. Additional policies support connections to the river; green streets and connections to parks.

## Modal policies

460. **Policy 9.17, Pedestrian transportation.** Encourage walking as the most attractive mode of transportation for most short trips, within and to centers, corridors, and major destinations, and as a means for accessing transit.
461. **Policy 9.18, Pedestrian networks.** Create more complete networks of pedestrian facilities, and improve the quality of the pedestrian environment.
462. **Policy 9.19, Pedestrian safety and accessibility.** Improve pedestrian safety, accessibility, and convenience for people of all ages and abilities.

CC2035 meets these policies because Goals 3.A and 3.8 prioritize walking. Projects and studies in the plan increase walking opportunities and infrastructure. The policies and actions relate to developing the Green Loop, designing streets as public spaces and enhancing the Willamette for people also meet this policy. Optimized street network policies in each district, street diversity policies and green street policies also enhance the pedestrian network. Pedestrian street classifications and Pedestrian Districts increase the emphasis on walking in the Central City. CC2035 has 85 projects that focus on pedestrian safety and access.

463. **Policy 9.20, Bicycle transportation.** Create conditions that make bicycling more attractive than driving for most trips of approximately three miles or less.
464. **Policy 9.21, Accessible bicycle system.** Create a bicycle transportation system that is safe, comfortable, and accessible to people of all ages and abilities.

CC2035 meets these policies because Goals 3.A and 3.9 prioritizes bicycling. Projects and studies in the plan that increase bicycling opportunities and infrastructure. The policies and actions related to developing the Green Loop, designing streets as public spaces and enhancing the Willamette for people also meet this policy. Optimized street network policies in each district, street diversity policies and green street policies also enhance the bicycling network. Bicycle street classifications and Bicycle Districts increase the emphasis on bicycling in the Central City. CC2035 has 85 projects that focus on bicycle safety and access.

465. **Policy 9.22, Public transportation.** Coordinate with public transit agencies to create conditions that make transit the preferred mode of travel for trips that are not made by walking or bicycling.
466. **Policy 9.23, Transportation to job centers.** Promote and enhance transit to be more convenient and economical than the automobile for people travelling more than three miles to and from the Central City and Gateway. Enhance regional access to the Central City and access from Portland to other regional job centers.
467. **Policy 9.24, Transit service.** In partnership with TriMet, develop a public transportation system that conveniently, safely, comfortably, and equitably serves residents and workers 24 hours a day, 7 days a week.
468. **Policy 9.25, Transit equity.** In partnership with TriMet, maintain and expand high-quality frequent transit service to all Town Centers, Civic Corridors, Neighborhood Centers, Neighborhood Corridors, and other major concentrations of employment, and improve service to areas with high concentrations of poverty and historically under-served and under-represented communities.
469. **Policy 9.26, Transit funding.** Consider funding strategies and partnership opportunities that improve access to and equity in transit service, such as raising metro-wide funding to improve service and decrease user fees/fares.
470. **Policy 9.27, Transit service to centers and corridors.** Use transit investments to shape the city's growth and increase transit use. In partnership with TriMet and Metro, maintain, expand, and enhance Portland Streetcar, frequent service bus, and high-capacity transit, to better serve centers and corridors with the highest intensity of potential employment and household growth.

CC2035 meets these policies because Goal 3.A and Policy 3.10 prioritizes transit. Incorporated TriMet service enhancement plans and there are projects and studies in the plan increase transit opportunities and infrastructure. Major transit-related studies include the Central City Transit Network Study, Central City Light Rail Stations Study, Central City Transit Capacity Study, and the River Transit Feasibility Study. Major transit-related projects include the Portland Streetcar Operational Improvements, SW Main/Madison Bikeway and Transit Improvements, Oregon/Grand and Grand/Weidler Streetcar Turnarounds, and Steel Bridge Transit Improvements.

The Council finds this policy has not been satisfied to date around the MAX stations in the New Chinatown/Japantown historic district. The policy supports high-density development along MAX routes, and City Council recognizes the memo submitted by Tim Ramis on May 8, 2020 as evidence in the record that demonstrates the height limits on some blocks created a disincentive for redevelopment in the historic district. The Council acknowledges the transit investment was made by TriMet. and this policy encourages the city to shape growth around MAX stations with height and FAR to support transit use. The adopted height limits strike the appropriate balance between historic preservation and increased use of the transit investments made in the MAX light rail, and the new height limits are equally or more supportive of the Comprehensive Plan than the existing height limits.

471. **Policy 9.28, Intercity passenger service.** Coordinate planning and project development to expand intercity passenger transportation services in the Willamette Valley, and from Portland to Seattle and Vancouver, BC.

CC2035 meets this policy through Policy 3.OT-2, Union Station multi-modal hub which calls for enhancing Union Station and there is also a project for upgrading Union Station.

472. **Policy 9.29, Regional trafficways and transitways.** Maintain capacity of regional transitways and existing regional trafficways to accommodate through-traffic.

CC2035 meets this policy with polices 3.1 and 3.2 related to the Central City as a regional hub.

473. **Policy 9.30, Multimodal goods movement.** Develop, maintain, and enhance a multimodal freight transportation system for the safe, reliable, sustainable, and efficient movement of goods within and through the city.

474. **Policy 9.31, Economic development and industrial lands.** Ensure that the transportation system supports traded sector economic development plans and full utilization of prime industrial land, including brownfield redevelopment.

475. **Policy 9.32, Multimodal system and hub.** Maintain Portland's role as a multimodal hub for global and regional movement of goods. Enhance Portland's network of multimodal freight corridors.

476. **Policy 9.33, Freight network.** Develop, manage, and maintain a safe, efficient, and reliable freight street network to provide freight access to and from intermodal freight facilities, industrial and commercial districts, and the regional transportation system. Invest to accommodate forecasted growth of interregional freight volumes and provide access to truck, marine, rail, and air transportation systems. Ensure designated routes and facilities are adequate for over-dimensional trucks and emergency equipment.

477. **Policy 9.34, Sustainable freight system.** Support the efficient delivery of goods and services to businesses and neighborhoods, while also reducing environmental and neighborhood impacts. Encourage the use of energy efficient and clean delivery vehicles, and manage on- and off-street loading spaces to ensure adequate access for deliveries to businesses, while maintaining access to homes and businesses.

CC2035 meets this policy with polices 3.1 and 3.2 related to the Central City as a regional hub. In addition, polices 3.LA-2 and 3.CE-2 are to emphasize freight movement and access improvements in Lower Albina and the Central Eastside. There are also several freight specific projects and studies that will increase and protect freight movement and the Central City's role as a multimodal system and hub. Freight district and freight street classifications also address this policy. Major freight-related projects in CC2035 include the Broadway/Weidler (Rose Quarter) Interchange Project, Central Eastside Access and Circulation, N River St Reconstruction, Yamhill & Water Traffic Improvements, I-405/Glisan Traffic Improvements, SW Broadway Traffic Improvements, and Southern Triangle Access Improvements.

478. **Policy 9.35, Freight rail network.** Coordinate with stakeholders and regional partners to support continued reinvestment in, and modernization of, the freight rail network.

CC2035 meets this policy with policy 3.LA-3, Rail and Marine in Lower Albina. In addition, there is a Central Eastside quiet zone study.

479. **Policy 9.37, Portland Heliport.** Maintain Portland's Heliport functionality in the Central City.

CC2035 is consistent with this policy as nothing in the plan, projects or studies, impedes maintaining Portland's Heliport functionality in the Central City.

480. **Policy 9.38, Automobile transportation.** Maintain acceptable levels of mobility and access for private automobiles while reducing overall vehicle miles traveled (VMT) and negative impacts of private automobiles on the environment and human health.

Modeling indicates that the Central City will maintain acceptable levels for automobiles. Further, consistent with Policy 9.38, there are projects and studies that assist to maintain these levels.

481. **Policy 9.39, Automobile efficiency.** Coordinate land use and transportation plans and programs with other public and private stakeholders to encourage vehicle technology innovation, shifts toward electric and other cleaner, more energy-efficient vehicles and fuels, integration of smart vehicle technology with intelligent transportation systems, and greater use of options such as car-share, carpool, and taxi.

Modeling indicates that the Central City will maintains acceptable levels for automobiles, and there are ITS projects in the plan that assist to maintain efficiency, including I-405 Corridor ITS and Central City TSM. The plan also contains policies and actions to support the use of electric vehicles and development of charging stations in the Central City.

482. **Policy 9.40, Emergency response.** Maintain a network of accessible emergency response streets to facilitate safe and expedient emergency response and evacuation. Ensure that police, fire, ambulance, and other emergency providers can reach their destinations in a timely fashion, without negatively impacting traffic calming and other measures intended to reduce crashes and improve safety.

CC2035 meets this policy with the incorporation of the new Secondary Emergency Response Routes and all other Emergency Response Route Classifications as proposed on TSP Stage 3. Emergency Response classification maps have been updated in CC2035.

## System management

483. **Policy 9.45, System management.** Give preference to transportation improvements that use existing roadway capacity efficiently and that improve the safety of the system for all users.

484. **Policy 9.46, Traffic management.** Evaluate and encourage traffic speed and volume to be consistent with street classifications and desired land uses to improve safety, preserve and enhance neighborhood livability, and meet system goals of calming vehicle traffic through a combination of enforcement, engineering, and education efforts.

485. **Policy 9.47, Connectivity.** Establish an interconnected, multimodal transportation system to serve centers and other significant locations. Promote a logical, direct, and connected street system through street spacing guidelines and district-specific street plans found in the Transportation System Plan, and prioritize access to specific places by certain modes in accordance with policies 9.6 and 9.7.

CC2035 meets these policies with an emphasis in Goal 3.A on an efficient and accessible transportation that prioritizes walking, bicycling and transit and addresses district and street specific needs in projects and studies.

During City Council review of this plan, there was extensive testimony in opposition to the proposed I-5 Broadway/Weidler Interchange Improvements Facility Plan. That plan is a joint City of Portland and Oregon Department of Transportation project to improve bicycle, pedestrian, and

automobile safety in the vicinity of the I-5 and I-84 interchange, Broadway/Weidler off-ramps, and Broadway/Weidler street over passes. Many, but not all, who testified stated an opposition to the project and characterized it as a freeway widening project designed to increase capacity of the freeway system.

Much of this testimony was presented during CC2035 hearings because this project was initially addressed during the N/NE Quadrant Plan process. However, since the adoption of that plan by City Council on October 25, 2012, the I-5 Broadway/Weidler Interchange Improvements Facility Plan and its associated transportation projects were adopted as part of the City of Portland's Transportation Systems Plan (TSP) and it is no longer an element of the Central City 2035 Plan. The TSP amendments were adopted by Ordinance 187832.

486. **Policy 9.51, Multimodal Mixed-Use Area.** Designate a Central City Multimodal Mixed-Use Area (MMA) in the geography indicated in Figure 9-2, which will render state congestion / mobility standards inapplicable to proposed plan amendments under OAR 660-0012-0060(10), subject to ODOT concurrence and execution of an agreement between ODOT and the City of Portland. The agreement should emphasize potential safety and operational impacts.

A Central City MMA has been established, consistent with this policy, in coordination between the City of Portland and Oregon Department of Transportation. Specific MMA findings are presented earlier in this report under Goal 12, Transportation in the "Findings on Statewide Planning Goals" section of these findings.

Additionally, Central City 2035 Policy 3.5, Regional multimodal access, calls for the City to *"Work with the Oregon Department of Transportation on improvements to 1-405, 1-5 and US Highway 26 to enhance regional access to the Central City. Minimize through traffic on Central City streets, improve pedestrian and bicycle connectivity across freeways and create opportunities for capping freeways to lessen the barrier effect of the freeway and open new areas for potential development and/or parks, open space, and recreational opportunities."* Thus, these elements of the plan are consistent with Policy 9.51, and others related to coordinating efforts to increase multimodal access to and through the Central City.

## Transportation Demand Management

487. **Policy 9.52, Outreach.** Create and maintain TDM outreach programs that work with Transportation Management Associations (TMA), residents, employers, and employees that increase the modal share of walking, bicycling, and shared vehicle trips while reducing private vehicle ownership, parking demand, and drive-alone trips, especially during peak periods.
488. **Policy 9.53, New development.** Create and maintain TDM regulations and services that prevent and reduce traffic and parking impacts from new development and redevelopment. Encourage coordinated area-wide delivery of TDM programs. Monitor and improve the performance of private-sector TDM programs.
489. **Policy 9.54, Projects and programs.** Integrate TDM information into transportation project and program development and implementation to increase use of new multimodal transportation projects and services.

CC2035 meets these policies with an emphasis in Goal 3.A on an efficient and accessible transportation that prioritizes walking, bicycling and transit and policy 3.11 transportation demand management. There are also policies and actions to study and implement TDM. The plan also contains reduced parking ratios for the Central City, encourages shared parking or existing and new parking facilities, and prohibits the development of new surface parking in most of the plan area.

## Parking management

490. **Policy 9.55, Parking management.** Reduce parking demand and manage supply to improve pedestrian, bicycle and transit mode share, neighborhood livability, safety, business district vitality, vehicle miles traveled (VMT) reduction, and air quality. Implement strategies that reduce demand for new parking and private vehicle ownership, and that help maintain optimal parking occupancy and availability.
491. **Policy 9.56, Curb Zone.** Recognize that the Curb Zone is a public space, a physical and spatial asset that has value and cost. Evaluate whether, when, and where parking is the highest and best use of this public space in support of broad City policy goals and local land use context. Establish thresholds to utilize parking management and pricing tools in areas with high parking demand to ensure adequate on-street parking supply during peak periods.
492. **Policy 9.57, On-street parking.** Manage parking and loading demand, supply, and operations in the public right of way to achieve mode share objectives, and to encourage safety, economic vitality, and livability. Use transportation demand management and pricing of parking in areas with high parking demand.
493. **Policy 9.58, Off-street parking.** Limit the development of new parking spaces to achieve land use, transportation, and environmental goals, especially in locations with frequent transit service. Regulate off-street parking to achieve mode share objectives, promote compact and walkable urban form, encourage lower rates of car ownership, and promote the vitality of commercial and employment areas. Use transportation demand management and pricing of parking in areas with high parking demand.
494. **Policy 9.59, Share space and resources.** Encourage the shared use of parking and vehicles to maximize the efficient use of limited urban space.
495. **Policy 9.60, Cost and price.** Recognize the high public and private cost of parking by encouraging prices that reflect the cost of providing parking and balance demand and supply. Discourage employee and resident parking subsidies.

CC2035 meets parking policies through many policies and code changes. Shared parking is encouraged and the use of new technologies such as dynamic pricing and balancing other needs of the curb zone further meet these policies. (policies 3.12 – 3315; 3.DT-2; 3.SW-3). The plan and changes to the zoning code, found in the parking section of the Central City Plan District (Volume 3A) emphasize limiting the overall growth of parking while maximizing joint use. The zoning code amendments maintains no minimum auto parking requirements and sets maximums on all uses. It allows for commercial share of parking that is expected to result in better use of existing parking assets and less new parking being built. In addition, the zoning code includes new prohibitions on surface parking lots (except for allowing up to 20 stalls for surface parking for industrial uses only). Transportation modeling done by Metro indicates that the parking policies in the plan lead to a reduction of auto trips and increase in non-auto trips, supporting many City and Central City goals.

496. **Policy 9.61, Bicycle parking.** Promote the development of new bicycle parking facilities including dedicated bike parking in the public right-of-way. Provide sufficient bicycle parking at high-capacity transit stations to enhance bicycle connection opportunities. Require provision of adequate off-street bicycle parking for new development and redevelopment. Encourage the provision of parking for different types of bicycles. In establishing the standards for long-term bicycle parking, consider the needs of persons with different levels of ability.

CC2035 meets this policy through Policy 3.13 which encourages bike parking to serve additional bike trips in the Central City.

### Finance, programs, and coordination

497. **Policy 9.62, Coordination.** Coordinate with state and federal agencies, local and regional governments, special districts, other City bureaus, and providers of transportation services when planning for, developing, and funding transportation facilities and services.
498. **Policy 9.63, New development impacts.** Prevent, reduce, and mitigate the impacts of new development and redevelopment on the transportation system. Utilize strategies including transportation and parking demand management, transportation system analysis, and system and local impact mitigation improvements and fees.
499. **Policy 9.64, Education and encouragement.** Create, maintain, and coordinate educational and encouragement programs that support multimodal transportation and that emphasize safety for all modes of transportation. Ensure that these programs are accessible to historically under-served and under-represented populations.
500. **Policy 9.65, Telecommuting.** Promote telecommuting and the use of communications technology to reduce travel demand.

CC2035 meets this policy through Policy 3.11 Transportation Demand Management which includes encouragement of telecommuting.

501. **Policy 9.66, Project and program selection criteria.** Establish transportation project and program selection criteria consistent with goals 9A through 9I, to cost-effectively achieve access, placemaking, sustainability, equity, health, prosperity, and safety goals.

CC2035 met this policy when the project team used the TSP Project Selection Criteria (based on this policy and the TSP Outcomes) to choose and prioritize projects to be included in the plan and the TSP.

502. **Policy 9.67, Funding.** Encourage the development of a range of stable transportation funding sources that provide adequate resources to build and maintain an equitable and sustainable transportation system.

CC2035 meets this policy through funding coordination in studies and project implementation with partners such as ODOT, TriMet, and BES. The new proposed TSP projects found in Volume 2B amount to \$47 million and are within a budget allocation for the entire TSP that is financially constrained, being based on assumptions for future funding from past trends and likely sources of revenue.

### Land Use Designations and Zoning: Goals

503. **Goal 10.A: Land use designations and zoning.** Effectively and efficiently carry out the goals and policies of the Comprehensive Plan through the land use designations, Zoning Map, and the Zoning Code.

The CC2035 Plan is consistent with this goal as the plan use land use designations, development standards, use allowances and prohibitions, development incentives, and design guidelines to maintain and guide the development of a Central City urban form that is consistent with and

furtheres the goals and policies of the different applicable chapters of the Comprehensive Plan, as detailed by the findings of this ordinance.

## Land Use Designations and Zoning: Policies

### Land use designations

504. **Policy 10.1, Land use designations.** Apply a land use designation to all land and water within the City's Urban Services Boundary. Apply the designation that best advances the Comprehensive Plan goals and policies. The land use designations are shown on the adopted Land Use Map and on official Zoning Maps.

1. **Open Space.** This designation is intended for lands that serve a recreational, public open space, or ecological function, or provide visual relief. Lands in this designation are primarily publicly-owned but can be in private ownership. Lands intended for the Open Space designation include parks, public plazas, natural areas, scenic lands, golf courses, cemeteries, open space buffers along freeway margins, railroads or abutting industrial areas, and large water bodies. The corresponding zone is OS.

The CC2035 Plan continues to apply to OS zoned land for these purposes, and amendments to 33.510, Central City Plan District, allow for limited Retail Sales and Service Uses on OS properties in the Central City. Section 33.510.115, Additional Uses Allowed in the Open Space Zone provides that up to 1,000 sq. ft. of such uses are allowed on OS sites 5 acres or less in size, and no more than 10,000 sq. ft. of such uses are allowed on sites larger than 5 acres.

2. **High-Density Multi-Dwelling.** This designation is intended for the Central City, Gateway Regional Center, Town Centers, and transit station areas where a residential focus is desired and urban public services including access to high-capacity transit, very frequent bus service, or streetcar service are available or planned. This designation is intended to allow high-density multi-dwelling structures at an urban scale. Maximum density is based on a floor-area-ratio, not on a unit-per-square-foot basis. Densities will range from 80 to 125 units per acre. The corresponding zone is RH.
3. **Central Residential.** This designation allows the highest density and most intensely developed multi-dwelling structures. Limited commercial uses are also allowed as part of new development. The designation is intended for the Central City and Gateway Regional Center where urban public services are available or planned including access to high-capacity transit, very frequent bus service, or streetcar service. Development will generally be oriented to pedestrians. Maximum density is based on a floor area ratio, not on a units-per-square-foot basis. Densities allowed exceed 100 units per acre. The corresponding zone is RX.

Although analysis has demonstrated that these two land use designations and their corresponding Zoning Map designations have not historically produced as much residential units as the CX and EX zones, the RH and RX zones do work to preserve a primarily residential character where applied. This is because these two zones allow for limited uses outside of housing and set limits on the extent that retail or office uses may be developed. For this reason, these designations continue to be used especially in targeted areas of the Goose Hollow and West End Subdistricts.

4. **Central Commercial.** This designation is intended to provide for commercial development within Portland's Central City and Gateway Regional Center. A broad range of uses can reflect Portland's role as a commercial, cultural, and governmental center. Development is intended

to be very intense with high building coverage, large buildings, and buildings placed close together along a pedestrian-oriented, safe, and attractive streetscape. The corresponding zone is Central Commercial (CX).

The Central Commercial Comprehensive Plan and Zoning Map designation is the predominately used designation in the Central City. The designation allows for a vibrant mix of retail, institutional, office, and residential uses. Although the zone is described as a commercial mixed use zone, there are more mixed-use residential projects and more housing units per residentially developed acre in the CX than any other zone applied within the Central City. CC2035 results in approximately 728 acres of CX zoned land throughout the Central City Plan District.

Consistent with Policy 10.1, the CX zone continues to be used to further Comprehensive Plan goals and policies regarding housing production, economic development, and job creation and retention.

5. **Central Employment.** The designation allows for a full range of commercial, light-industrial, and residential uses. This designation is intended to provide for mixed-use areas within the Central City and Gateway Regional Center where urban public services are available or planned, including access to high-capacity transit or streetcar service. The intensity of development will be higher than in other mixed-use land designations. The corresponding zone is Central Employment (EX).

The Central Employment Comprehensive Plan and Zoning Map designation is the second most used designation in the Central City. The designation allows for a vibrant mix of retail, institutional, office, residential, and industrial uses. This zone is usually applied to areas where existing industrial operations are intended to be phased out over time to become more residential/commercial mix (as in the Pearl District), or where mixed-use commercial and residential projects are expected to exist near industrial zoned lands and operations and where the preservation of the Industrial Sanctuary is key objective (such as the Central Eastside District). The CC2035 Plan will result in 669 acres of EX zoned land throughout the Central City Plan District.

Consistent with Policy 10.1, the EX zone continues to be used to further Comprehensive Plan goals and policies regarding housing production, economic development, job creation and retention, and inclusion of industrial uses and services in the Central City.

6. **Industrial Sanctuary.** This designation is intended to reserve areas that are attractive for manufacturing and distribution operations and encourage the growth of industrial activities in the parts of the city where important freight and distribution infrastructure exists, including navigable rivers, airports, railways, and pipelines. A full range of industrial uses are permitted and encouraged. Nonindustrial uses are significantly restricted to facilitate freight mobility, retain market feasibility for industrial development, prevent land use conflicts, reduce human exposure to freight traffic and potential air quality, noise, and pedestrian safety impacts, and to preserve land for sustained industrial use. The corresponding zones are General Industrial 1 (IG1), General Industrial 2 (IG2), and Heavy Industrial (IH).

In the Central City, the Industrial Sanctuary Comprehensive Plan Map designation is implemented through the IG1 and IH zones. These two zones are used only within the Lower Albina and Central Eastside Subdistricts, which, despite containing some mixed-use employment zoning, the districts primarily maintain an Industrial Sanctuary designation.

The IH zone is used in areas that maintain heavy industrial uses as well as uses that still rely on rail and river/marine connections. The Lower Albina Subdistrict continues to contain approximately 15 acres of IH zoned land located adjacent to the Union Pacific Albina Yard facility. In the Central Eastside, only 2 acres remain, and this is only applied to the existing concrete batch plant operated by Ross Island Sand and Gravel who requested this area remain in that designation despite an earlier proposal to rezone the area to EX.

## The Zoning Map and the Zoning Code

505. **Policy 10.2, Relationship of land use designations to base zones.** Apply a base zone to all land and water within the City's urban services boundary. The base zone applied must either be a zone that corresponds to the land use designation or be a zone that does not correspond but is allowed per Figure 10-1 — Corresponding and Less-Intense Zones for Each Plan Map Designation. In some situations, there are long-term or short-term obstacles to achieving the level of development intended by the land use designation (e.g., an infrastructure improvement to serve the higher level of development is planned but not yet funded). In these situations, a less intense zone (listed in Figure 10-1) may be applied. When a land use designation is amended, the zone may also have to be changed to a corresponding zone or a zone that does not correspond but is allowed.

As part of CC2035, the Comprehensive Plan Map and Zoning Map designations have been amended to be consistent with corresponding designations. Prior to the adoption of CC2035 there were a few areas where the designations did not match, mostly a few properties along SE 3<sup>rd</sup> Avenue and SE 6<sup>th</sup> Avenue where properties long were within the Central Employment Comprehensive Map designation, but were zoned IG1, implementing the Industrial Sanctuary designation. The areas up-zoned to these more intense Comprehensive Plan Map designations have been found to be capable to handle the resulting intensification of uses due to improvements that have already been made or those proposed by CC2035. Thus, CC2035 is consistent with Policy 10.2.

506. **Policy 10.3, Amending the Zoning Map.**

**10.3.a,** Amending a base zone may be done legislatively or quasi-judicially.

**10.3.b,** When amending a base zone quasi-judicially, the amendment must be to a corresponding zone (see Figure 10-1 — Corresponding and Allowed Zones for Each Land Use Designation). When a designation has more than one corresponding zone, the most appropriate zone, based on the purpose of the zone and the zoning and general land uses of surrounding lands, will be applied.

**10.3.c,** When amending a base zone legislatively, the amendment may be to a corresponding zone or to a zone that does not correspond but is allowed (see Figure 10-1 — Corresponding and Allowed Zones for each Land Use Designation for zones that are allowed). A legislative Zoning Map amendment may not be to a zone that is not allowed.

**10.3.d,** An amendment to a base zone consistent with the land use designation must be approved when it is found that current public services can support the uses allowed by the zone, or that public services can be made capable by the time the development is complete. The adequacy of services is based on the proposed use and development. If a specific use and development proposal is not submitted, services must be able to support the range of uses and development allowed by the zone. For the purposes of this requirement, services include water supply, sanitary sewage disposal, stormwater management, transportation, school district capacity (where a school facility plan exists), and police and fire protection.

**10.3.e.** An amendment to apply or remove an overlay zone or plan district may be done legislatively or quasi-judicially, and must be based on a study or plan document that identifies a specific characteristic, situation, or problem that is not adequately addressed by the base zone or other regulations.

As noted, CC2035 results in the rezoning of a limited amount of the Central City from one zone to another, and most of the existing zoning has been retained, although various land use regulations and development standards have been amended by the plan. Specifically, the table below identifies the total amount of one land use designation shifting from one to another designation:

Existing Being Rezoned	New OS	New CX	New EX
OS	NA	NA	0.4 acres
RH	NA	15.7 acres	NA
RX	NA	41.4 acres	NA
CG	NA	NA	1.7 acres
CX	2.3 acres	NA	NA
EG1	NA	1.8 acres	9.9 acres
EG2	NA	NA	12.9 acres
EX	NA	0.1 acres	NA
IH	0.8	17.6	NA
IG1	NA	0.3 acres	47.2 acres
Total	3.1 acres	76.9 acres	72.1 acres

These amendments are legislative in nature, and the analysis and background reports of CC2035 support current public services can support the uses allowed by the zone, or that public services can be made capable by the time the development is complete, consistent with Comprehensive Plan Policy 10.3.

507. **Policy 10.4, Amending the Zoning Code.** Amendments to the zoning regulations must be done legislatively and should be clear, concise, and applicable to a broad range of development situations faced by a growing city. Amendments should:

**10.4.a,** Promote good planning:

Effectively and efficiently implement the Comprehensive Plan.

Address existing and potential land use problems.

Balance the benefits of regulations against the costs of implementation and compliance.

Maintain Portland's competitiveness with other jurisdictions as a location in which to live, invest, and do business.

**10.4.b,** Ensure good administration of land use regulations:

Keep regulations as simple as possible.

Use clear and objective standards wherever possible.

Maintain consistent procedures and limit their number.

Establish specific approval criteria for land use reviews.

Establish application requirements that are as reasonable as possible, and ensure they are

directly tied to approval criteria.

Emphasize administrative procedures for land use reviews.

Avoid overlapping reviews.

**10.4.c, Strive to improve the code document:**

- Use clear language.
- Maintain a clear and logical organization.
- Use a format and layout that enables use of the document by lay people as well as professionals.
- Use tables and drawings to clarify and shorten the document.
- Identify and act on regulatory improvement suggestions.

Volumes 2A, Parts 1-3, of CC2035 present legislative amendments to the Zoning Code proposed to implement the goals and policies for the Central City, presented in Volume 1 of this ordinance. These amendments have been made in some cases to correct or update existing regulations to be consistent with the direction of CC2035, or to include new regulations and standards to allow implementation of CC2035 as no other provisions may exist to accomplish that task. In all cases, the Zoning Code amendments are presented in as clear and objective of a way possible to ensure the intended uses will be able understand and utilize the Zoning Code as it applies to their development proposals, land use, and properties, consistent with Comprehensive Plan Policy 10.4.

## **Findings on Zoning Code Amendment Criteria**

### **33.835.040 Approval Criteria**

508. **A. Amendments to the zoning code.** Text amendments to the zoning code must be found to be consistent with the Comprehensive Plan, Urban Growth Management Functional Plan, and the Statewide Planning Goals. In addition, the amendments must be consistent with the intent or purpose statement for the base zone, overlay zone, plan district, use and development, or land division regulation where the amendment is proposed, and any plan associated with the regulations. The creation of a new plan district is subject to the approval criteria stated in 33.500.050.

#### **Findings:**

The findings demonstrate how the CC2035 Plan is consistent with the 2035 Comprehensive Plan, the Urban Growth Management Functional Plan, and the Statewide Planning Goals.

The Council interprets this criterion to require the ordinance is consistent with the Comprehensive Plan. Council finds that the dictionary defines “consistent” to mean “marked by harmony.” Council notes that Comprehensive Plan also defines the phrase “consistent with” to mean “the subject meets the requirements of, satisfies, or adheres to the regulations, mandate, or plan listed in the goal or policy.” Council finds that the Comprehensive Plan’s definition applies to the term as used in the Comprehensive Plan, not the Zoning Code. However, Council interprets that for the purposes of considering consistency with the Comprehensive Plan, “consistent with” requires that an ordinance adheres to the Comprehensive Plan.

Council finds that PCC 33.835.040(A) requires Council to demonstrate that the CC2035 is consistent with, or adheres to, the entire Comprehensive Plan. Council finds that PCC 33.835.040(A) does not require Council to demonstrate that the CC2035 is consistent with, or adheres to, individual goals and policies but rather the entire plan. Regardless, here, Council finds that as demonstrated in this

exhibit, Council has considered all applicable goals and policies and finds that CC2035 is consistent with all the individual goals and policies. Council finds that there is no applicable goal or policy that is not consistent with the CC2035.

Council further finds this criterion operates in conjunction with Comprehensive Plan Policy 1.10 which requires that amendments to the comprehensive Plan's supporting documents, such as the Zoning Code, must "comply" with the Comprehensive Plan. "Comply" means "that amendments must be evaluated against the Comprehensive Plan's applicable goals and policies and on balance be equally or more supportive of the Comprehensive Plan as a whole than the existing language or designation."

Council finds that a proposed amendment is equally supportive when it is on its face directly supported by goals and policies in the Plan. The City Council finds that an amendment is more supportive of the Comprehensive Plan when the amendment will further advance goals and policies, particularly those that are aspirational in nature. The City Council finds that the policy requires consideration as to whether amendments are equally or more supportive of the Plan as a whole. The City Council finds that amendments do not need to be equally or more supportive of individual goals and policies, but rather amendments must be equally or more supportive of the entire Comprehensive Plan. Therefore, the Council finds that there may be instances where specific goals and policies are not supported by the amendments but still the amendment is equally or more supportive of the entire Comprehensive Plan when considered cumulatively. The Council finds that there is no precise mathematical equation for determining when the Plan as a whole is supported but rather such consideration requires Council discretion in evaluating the competing interests and objectives of the plan.

Council finds that CC2035 equally advances most of the Comprehensive Plan policies. Council further finds that the CC2035 is more supportive of the Comprehensive Plan with regard to the goals and policies as discussed below.

The following policies are advanced through CC2035's increase in floor area ratios (FAR) at some locations, Map 510-2 and 33.510.200, including policy 3.15 Investments in Centers, 3.21 Role of the Center City, 3.23 Central City Employment, 3.24 Central City Housing, 3.53 Transit-oriented Development, 5.23 Higher Density Housing, and 5.29 Permanently affordable housing.

Other Comprehensive plan policies are advanced with the prioritization of bonus FAR for affordable housing and FAR transfers from historic resources 33.510.205, including Housing goals 5A-E, Goals 4A Context Sensitive Development and 4 B Historic and Cultural Resources; policies 2.4 Eliminate Burdens, 3.3 Equitable Development, 5.16 Involuntary Displacement, 5.23 Higher Density Housing, 4.46 Historic and Cultural Resource Protection, 4.48 Continuity of Established pattern, and 4.62 Seismic and Energy Retrofits.

Other comprehensive plan goals and policies are advanced with the prohibition of surface parking, 33.510.261, throughout the Central City including Goal 6 Air, Water and Land Resource Quality, Goal 4 A Context Sensitive Design and Development and policies 3.12 Role of Centers , 3.13 Variety of Centers, 3.53 Transit -Oriented Development, and 4.76 Impervious Surfaces.

Other Comprehensive plan goals and policies are advanced with the adoption of the Central City Scenic Resource Protection Plan including policies 4.42 Scenic resource protection and 4.44 Building placement, height and massing.

Other Comprehensive plan goals and policies are advanced with the ecoroof requirement 33.510.243 including Goal 6 Air, Water and Land Resource Quality, and policies 3.20 Green

Infrastructure in Centers, 4.4 Natural Features and Green Infrastructure, 4.76 Impervious Surfaces and 4.83 Urban Heat Island.

Applying both the Zoning Code criterion and Policy 1.10 together, as discussed above, Council finds that the ordinance is consistent and complies with the Comprehensive Plan.

Council also finds that this criterion requires Council to consider whether the CC2035 is consistent with Urban Growth Management Functional Plan and Statewide Planning Goals. As discussed fully above, Council finds that the CC2035 is consistent with both the Urban Growth Management Functional Plan and the Statewide Planning goals.

Finally, as discussed below, the Council finds that this ordinance is consistent with the intent or purpose statement for the base zones, overlay zones, plan district, use and development where the amendments have been proposed. The CC2035 Plan replaces the existing purpose statement in Chapter 33.510. The new purpose statement for the Central City Plan District is:

**The Central City plan district implements the Central City 2035 Plan. The regulations address the unique role the Central City plays as the region’s premier center for jobs, health and human services, tourism, entertainment and urban living. The regulations encourage a high-density urban area with a broad mix of commercial, residential, industrial and institutional uses, and foster transit- supportive development, pedestrian and bicycle-friendly streets, a vibrant public realm and a healthy urban river.**

As described in more detail in the findings of consistency and compliance with the comprehensive plan goals and policies (particularly Goals 3.E Connected Public Realm, Goal 6.B Development, Goal 12 Transportation; Policies 3.13 Variety of Centers, 3.2 Growth and Stability, 3.25 Transportation Hub, 3.36 Public places, 3.56 Center Stations, 3.53 Transit-Oriented Development, 5.23 High density housing, 6.35 Innovation district, and 9.27 Transit Services to Centers and Corridors), the CC2035 zoning code amendments encourage high-density development with a mix of uses; promote development that is supportive of the extensive transit network in the central city and pedestrian and bicycle friendly streets; support an active, vibrant public realm and healthy river. Council finds the CC2035 zoning code amendments are consistent with this purpose statement.

Changes to Chapters 33.120, 33,140, 33,158, 33.293, 33.420, 33.445, 33.580, 33.720, 33.808, 33.815, 33.825, 33.846, and 33.920 were not substantive and were necessary for consistency with the plan district amendments. The Council has considered the purpose statements relevant to each of these amendments and finds the changes are consistent with the purpose statements for those chapters.

The CC2035 Plan creates a new chapter, River Overlay zones 33.475, which establishes the development regulations for sites within the Willamette Greenway boundary in the Central Reach, except for sites within the South Waterfront Subdistrict and sites zoned industrial. In order to have the new chapter applied to the Central City, 33.440 Greenway Overlays chapter had to be updated to remove the Central City.

The purpose statement for 33.475 is:

The River Overlay zones generally promote the protection, conservation, restoration, enhancement and maintenance of the economic, natural, scenic, and recreational qualities of lands along the central reach of the Willamette River. This purpose is achieved by applying regulations that control

development of land, change of use and intensification of use. The regulations reflect the desired character of the central reach of the Willamette River—a character that includes:

- A healthy river and watershed;
- A thriving riverfront with regional gathering spaces, active and passive recreational uses, maritime and commercial activities, and a welcoming mixed-use community; and
- Access to, along and in the river.

The River Overlay Zones also implement the City’s responsibilities under ORS 390.310 to 390.368.

As described in more detail in the findings of consistency and compliance with the comprehensive plan goals and policies (particularly 3.69, Historic and multi-cultural significance, 3.70, River transportation, 3.71, Recreation, 3.73, Habitat, 3.74, Commercial activities, 3.75, River neighborhoods, 3.80, Willamette River Central Reach, 4.43, Vegetation management, Environmental and Watershed Health Goals 7A, B, and D; policies 7.15 Brownfield Remediation, 7.19 Natural Resource protection,, 7.21 Environmental plans and regulations, 7.33 Fish habitat, 7.35 River bank conditions, 7.37 Contaminated sites, 7.41 River-dependent and river-related uses), the CC2035 zoning code amendments promote the protection, conservation, restoration, enhancement and maintenance of the economic, natural, scenic, and recreational qualities of lands along the central reach of the Willamette River.

The CC2035 Plan creates a new land use review, River Review 33.865. This is a new chapter and it replaces Greenway Review in the Central Reach. It contains the review process, application requirements and approval criteria for River Review. River Review is intended to:

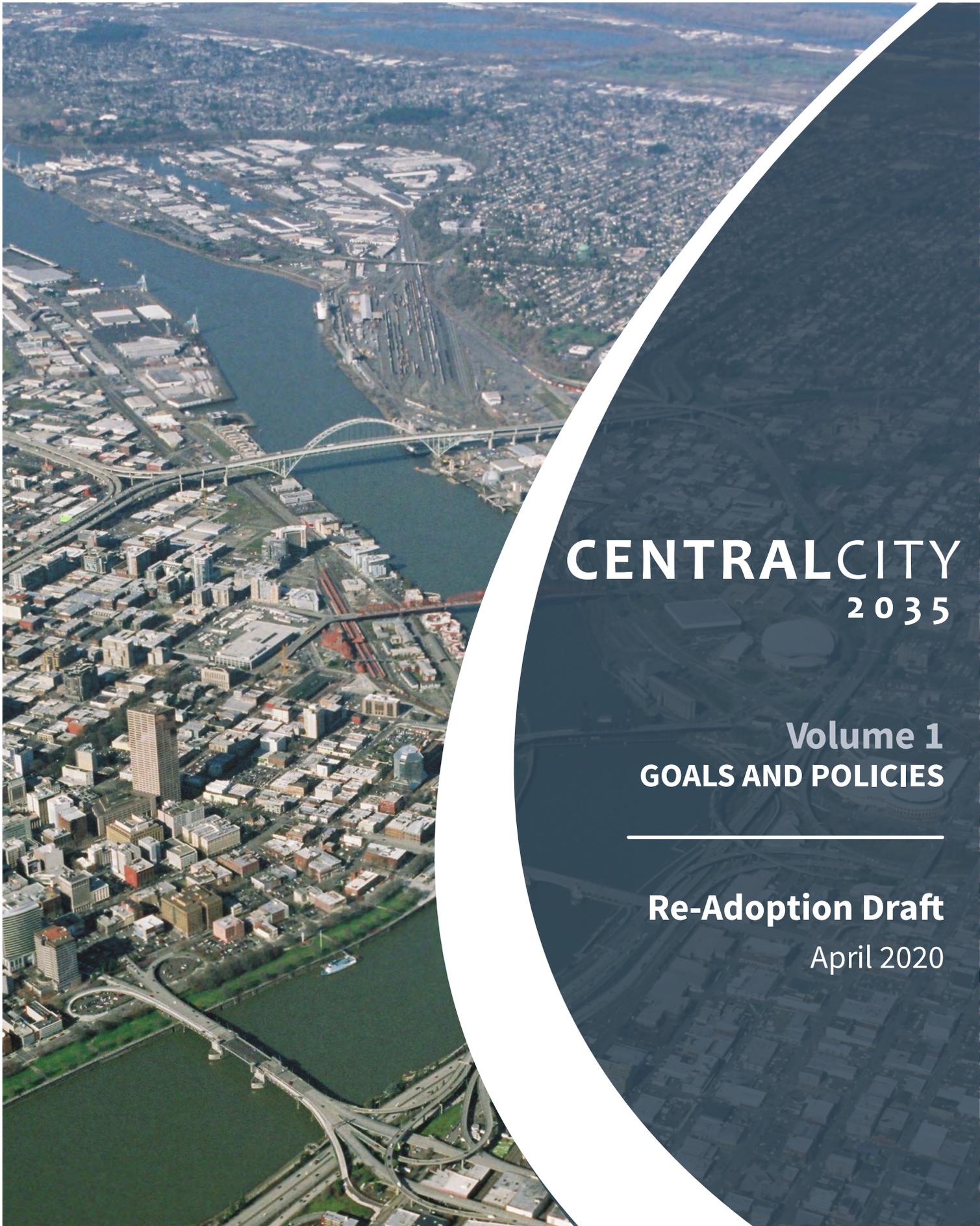
- Protect, conserve and enhance identified resources and functional values in the River Environmental overlay zone, compensate for unavoidable significant detrimental impact to those resources and functional values, and ensure the success of mitigation and enhancement activities;
- Help the City meet existing and future requirements pursuant to federal and state laws including the Clean Water Act, the Safe Drinking Water Act, the Endangered Species Act, the Migratory Bird Treaty Act, and the National Flood Insurance Act;
- Provide flexibility for unusual situations. River Review allows for evaluation of alternative development scenarios that may have less detrimental impact on protected resources, and allows for the evaluation of off-site mitigation proposals;
- Provide a mechanism for the evaluation of detailed, site-specific information on the location or quality of resources and functional values;
- Provide a mechanism for modifying the location of the River Environmental overlay zone to reflect permitted changes in the location or quality of resources and functional values.
- Provide for the replacement of resources and functional values that are lost through violations of the River Environmental overlay zone standards;
- Provide a mechanism to modify the River Environmental overlay zone standards of Chapter 33.475, River Overlay Zones; and
- Allow for modifications to site-related development standards when modification will result in greater resource protection.

As described in more detail in the findings of consistency and compliance with the comprehensive plan goals and policies related to Planning for natural resource protection including Policy 7.23, Impact evaluation; Policy 7.24, Regulatory hierarchy: avoid, minimize, mitigate; Policy 7.25, Mitigation effectiveness; and Policy 7.26, Improving environmental conditions through development, the CC2035 zoning code amendments protect, conserve and enhance resources and functional values in the River Environmental overlay zone; help the city meet federal and state laws; provide flexibility through the review of alternative development scenarios, provide for replacement of resources lost and allow for modifications if they result in greater resource protection.

Changes to Chapter 33.10, Legal Framework and Relationships, and 33.930, Measurements were substantive changes that support the purpose statements of 33.475 and 33.865. As described in more detail in the findings of consistency and compliance with the comprehensive plan goals and policies related to Planning for natural resource protection including Goal 7.B: Healthy watersheds and environment; Policy 7.33, Fish habitat; Policy 7.35, River bank conditions; Policy 7.37, Contaminated sites; Policy 7.41, River-dependent and river-related uses; Policy 3.71, Recreation; and Policy 3.73, Habitat.

Changes to Chapters 33.272, 33.910, 33.248, 33.258, 33.299, 33.465, 33.508, 33.515, 33.700, 33.840 and 33.920 were not substantive and were necessary for consistency with the plan district amendments. The Council has considered the purpose statements relevant to each of these amendments and finds the changes are consistent with the purpose statements for those chapters.

For all of these reasons, Council finds that CC2035 is consistent and complies with the Comprehensive Plan, Urban Growth Management Functional Plan, the Statewide Planning Goals, and relevant purpose statements.



# CENTRALCITY 2035

## Volume 1 GOALS AND POLICIES

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Re-Adoption Draft  
April 2020



Bureau of Planning and Sustainability  
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City of Portland, Oregon  
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City of Portland, Oregon

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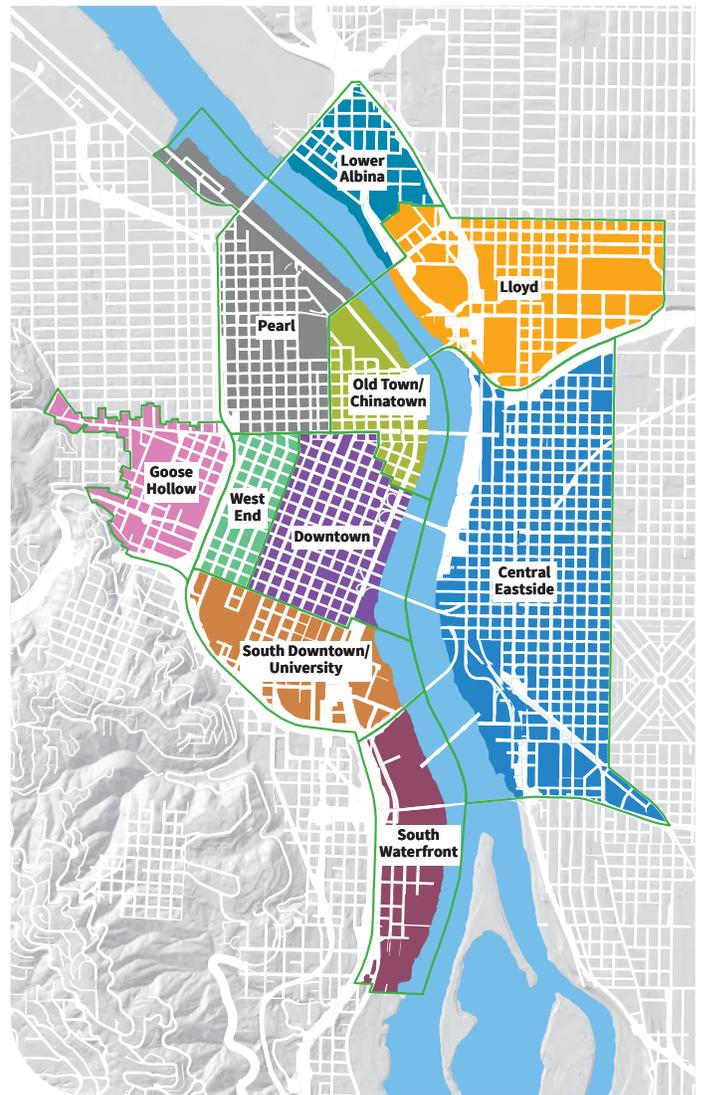
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# CENTRALCITY 2035

INTRO

## INTRODUCTION



Portland's Central City has a rich history shaped by abundant natural resources, two working rivers and a temperate climate. From the Native Americans who fished for salmon in the Willamette River centuries ago to the South Waterfront Greenway Trail's visitors today, Portlanders have appreciated this special gathering place. People from around the world are drawn to the Central City's urban vitality and public spaces, employment opportunities, transportation network, cultural amenities and natural beauty.

Today the Central City is the center of the metropolitan region, with Oregon's densest concentration of people and jobs. Home to 32,000 people in slightly less than five square miles and accounting for 130,000 jobs, the Central City is vital to Portland and the region.

A collection of 14 different neighborhoods, the Central City stretches from the West Hills to East 12th Avenue, and from the Pearl and Lower Albina to the South Waterfront area and Powell Boulevard. For planning purposes, the Central City is divided into 10 districts.

While the Central City is vibrant and blessed with many resources — natural, economic, cultural and historical — it will continue to face challenges as the city grows, becomes more diverse, and experiences the effects of climate change. The Central City 2035 Plan (CC2035) aims to meet those challenges and to improve and build upon the city's traditions, honoring the history of the place while boldly moving forward in new directions.

# WHAT IS THE CENTRAL CITY 2035 PLAN?

The current Central City Plan (1988) was intended to meet the challenge posed by Lewis Mumford, a prominent architectural critic and urban theorist of the early 20th century. He praised Portland’s beauty and natural resources but questioned whether Portlanders would have the “intelligence, imagination and cooperation” necessary to “make the best of these opportunities” and to use resources wisely. The 1988 Plan aimed to create a place that Portlanders felt was “not just a good city, but a great city.”

While Mumford’s call for greatness remains, today Portland faces new challenges. The Central City 2035 Plan (CC2035) responds with carefully designed goals, policies and tools to guide growth and development well into the 21st century and make the Central City a place that every Portlander can be proud to call their own.

The CC2035 Plan will replace the 1988 Central City Plan as the primary guiding policy document for the Central City. It will be part of Portland’s new Comprehensive Plan, a 20-year plan for the physical development of the city. Both plans will help implement The Portland Plan (2012), which called for actions to make Portland prosperous, educated, healthy and equitable. Because Portland cannot be a great city without a vibrant, accessible and ecologically rich riverfront, the new plan also includes an update to the plan for the Central Reach of the Willamette River.

## PORTLAND’S COMPREHENSIVE PLAN

The Central City 2035 Plan is part of Portland’s new 2035 Comprehensive Plan. Many of the policies and projects in CC2035 were shaped by the Comp Plan’s Guiding Principles and Vision, which reinforce a balanced, integrated and multi-disciplinary approach.

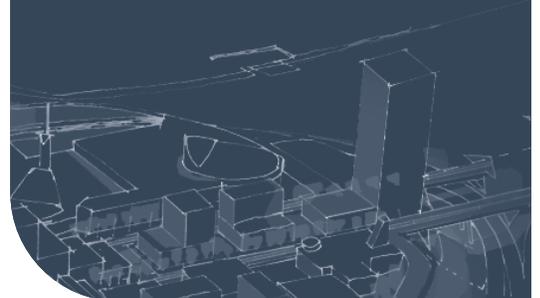
### GUIDING PRINCIPLES

The Comprehensive Plan includes five guiding principles related to:

1. Economic prosperity
2. Human health
3. Environmental health
4. Equity
5. Resilience

### VISION

Portland is a prosperous, healthy, equitable and resilient city, where everyone has access to opportunity and is engaged in shaping decisions that affect their lives.



# CENTRAL CITY: THE HEART OF PORTLAND



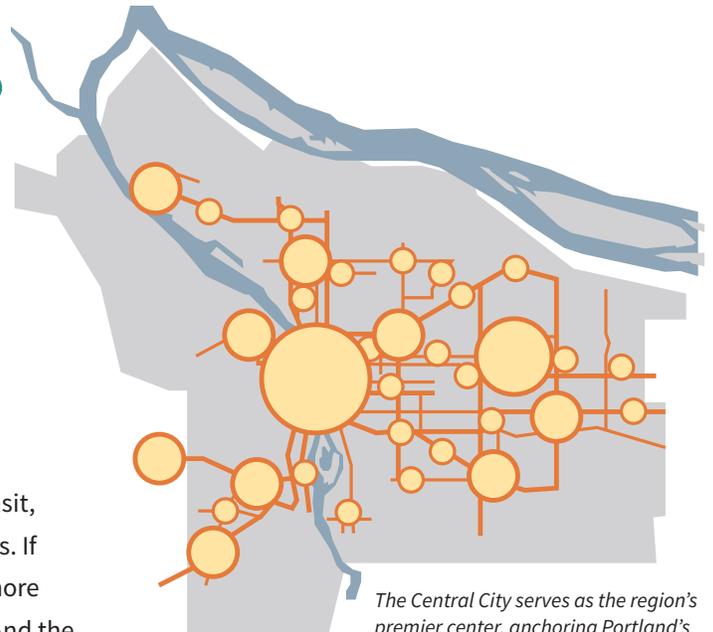
**Healthy cities need healthy hearts.** And Portland's Central City is the heart of the metropolitan region, with the densest population of people and jobs in Oregon.

Central City 2035 is the culmination of more than five years of careful planning. The process engaged thousands of Portlanders who gave their time, experience and expertise to improve their community. The goals, policies and actions contained in the CC2035 Plan represent the intentions and aspirations of thousands of Portlanders. This is their plan for the future of the heart of the city.

# WHY PLAN NOW?

## PORTLAND IS GROWING AND MUCH OF THIS GROWTH WILL OCCUR IN THE CENTRAL CITY.

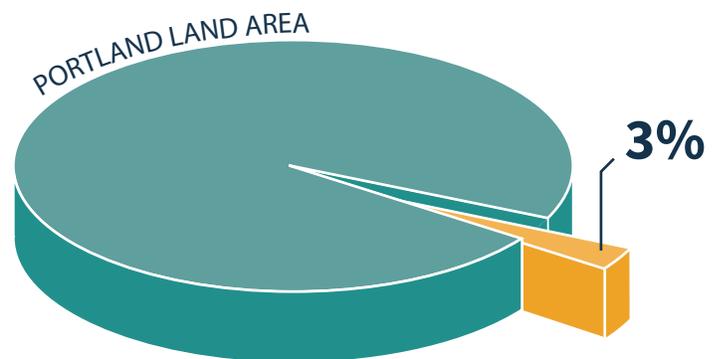
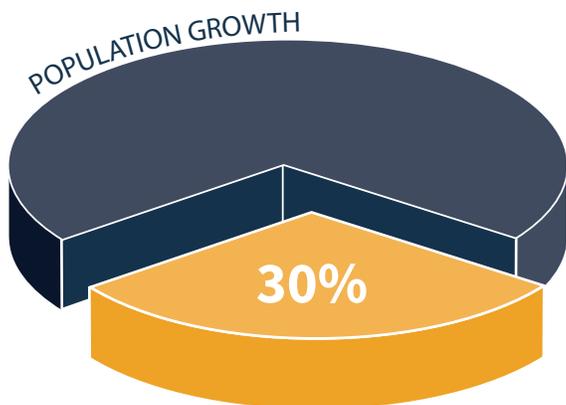
The City’s Comprehensive Plan proposes to leverage population and job growth to make great places, directing new residents and businesses to the city’s network of vibrant centers and bustling corridors. The idea is to give more people better access to the transit, businesses, services and amenities in these rich and diverse places. If the Plan is successful, these centers and corridors will also have more housing options for households and employment opportunities. And the result will be more complete, prosperous, healthy, equitable and resilient communities.



*The Central City serves as the region's premier center, anchoring Portland's system of centers and corridors.*

As the largest “center” in the city, by 2035 the Central City will be home to 30 percent of Portland’s population growth — on just 3 percent of the city’s land. Between 2010 and 2035, the Central City will gain approximately 38,000 new households (a roughly 160-percent increase) and about 51,000 new jobs (a roughly 40-percent increase).

## 30 PERCENT OF THE GROWTH → *in* → 3 PERCENT OF THE LAND AREA



## URBAN DESIGN

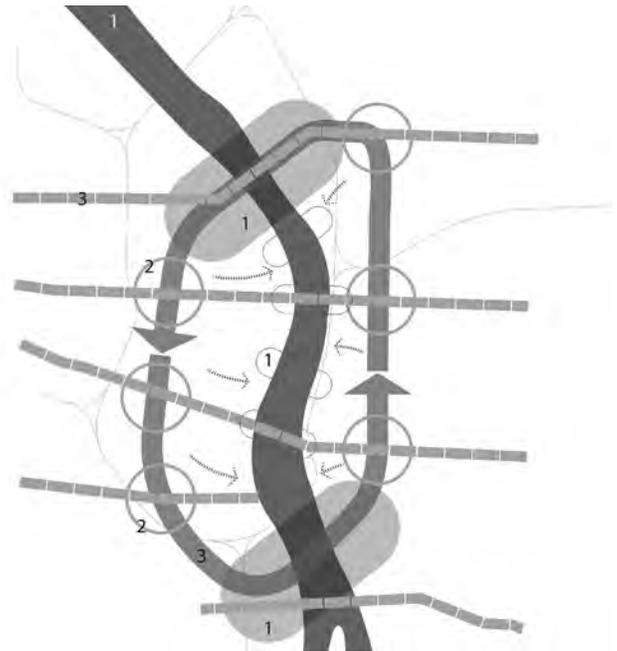
The “language” of urban design provides a way of sharing ideas about the natural features and built form within a city. This broad context is helpful for understanding and making decisions related to specific issues or areas within the Central City.

The CC2035 Plan has two simple urban design diagrams that illustrate how the growth strategy could affect the design and development of the Central City, The Urban Design Concept and Urban Design Framework.

## URBAN DESIGN CONCEPT

The Urban Design Concept quickly and simply identifies the primary design and development themes that will shape the city through 2035:

- 1** **CENTRAL RIVER** – Reconnecting with the Willamette River.
- 2** **DISTINCT DISTRICTS** – Recognizing and cultivating the specific characteristics of the Central City’s 10 districts.
- 3** **CONNECTED PUBLIC REALM** – Creating a more fully connected public realm consisting of streets, the greenway, streetcar loops, and bicycle and pedestrian trails.



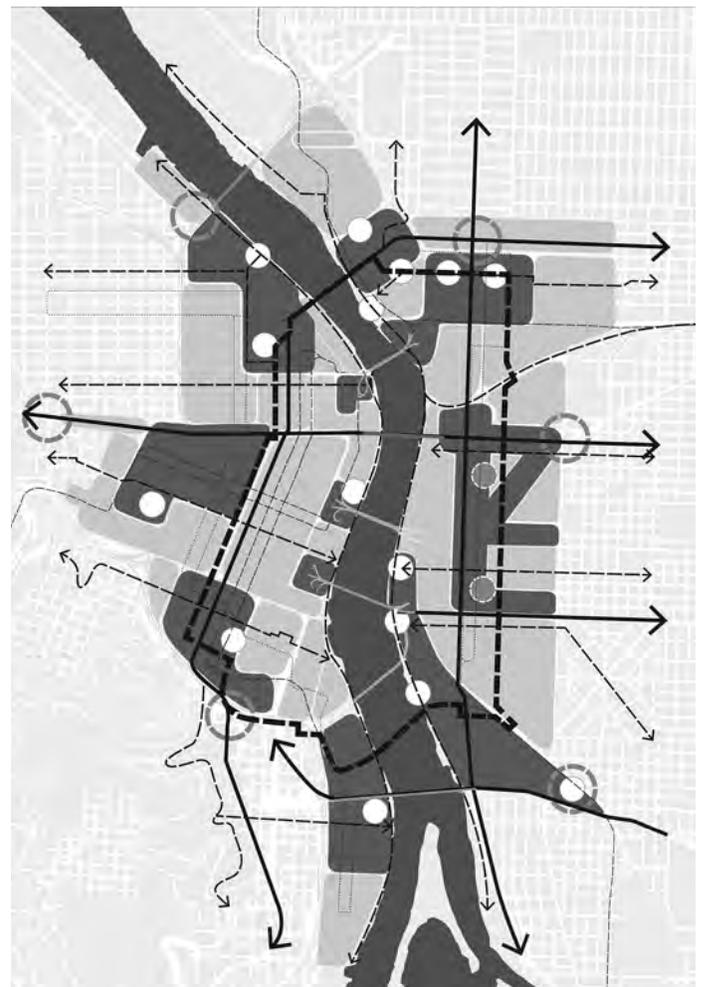
## URBAN DESIGN FRAMEWORK

The Urban Design Framework reflects the concept themes and provides more detail about :

- **PUBLIC REALM FEATURES** – Key corridors and open spaces
- **TRANSIT** – Existing streetcar and light rail alignments
- **AREAS OF CHANGE** – Areas anticipated to experience more or less change over the next 25 years
- **GATEWAYS** – Key locations for entrance into the Central City

### LEGEND

PUBLIC REALM	
	New or reconfigured open spaces
	Desired new open space within area
	Potential “Green Loop”
	Civic corridor
	Key pedestrian/bicycle corridor
RAIL TRANSIT	
	Streetcar
	Light rail
AREAS OF CHANGE	
	more change
	less change
	gateways



# CC2035 BUILDS UPON THE AREA’S EXISTING STRENGTHS, ADDRESSES CHALLENGES AND GUIDES CENTRAL CITY GROWTH TO BENEFIT THE ENTIRE REGION



*Today, the Central City is:*

## **A MAJOR ECONOMIC, EDUCATION AND EMPLOYMENT CENTER**

Thirteen percent of the region’s jobs are in Portland’s city center, and it has the highest concentration of Class A office space in the state. There is growing demand for office and creative space from startup and growing smaller businesses. Higher education institutions (Portland State University, Oregon Health and Science University, Pacific Northwest College of Art, University of Oregon and others) are important parts of the economic mix and strength of the Central City.

*Over the next 20 years:*

Grow the Central City’s share of regional employment and increase the ability of all Portlanders to benefit from this new growth in jobs.



*Today, the Central City is:*

## **THE CULTURAL AND ENTERTAINMENT HEART OF THE CITY AND REGION**

The concentration of major cultural and entertainment venues in the Central City — including the Portland Art Museum, Oregon Historical Society, Providence Park, Portland Opera, Oregon Museum of Science and Industry (OMSI), Portland’s Centers for the Arts, Governor Tom McCall Waterfront Park, Moda Center and the Oregon Convention Center — is the largest in the state and an asset for the entire region.

*Over the next 20 years:*

Support and grow existing Central City institutions, programming and events as well as continually inspire the development of new attractions. Increase and improve the area’s unique public spaces in order to attract and benefit Portlanders from across the city and the region.



*Today, the Central City is:*

## **A GREAT PLACE TO LIVE WITHIN A COMMUNITY THAT CARES**

The Central City offers a variety of attractive housing types and neighborhoods. It has a vibrant mix of uses and is rich in transit and transportation options. It is home to many low income residents who benefit from the accessible location, supply of affordable housing and social services — including adult and family services, workforce training and health services.

*Over the next 20 years:*

Grow and enhance the Central City’s neighborhoods and make sure they are vibrant, livable, accessible, affordable, inclusive and cohesive.



*Today, the Central City is:*

**TRANSIT AND TRANSPORTATION HUB LINKING PEOPLE, PLACES AND BUSINESSES**

With Amtrak, five MAX light rail lines, two streetcar lines, the Transit Mall, two major freeways, an aerial tram and a brand new pedestrian, bicycle and transit bridge, the Central City is the region's hub for transit and transportation. It also has an evolving network of sidewalks, trails and bikeways, increasing the number of commute trips that don't require a car.

*Over the next 20 years:*

Maintain the strength and safety of Central City transportation facilities. Decrease trips made by car, while continuing to improve transit and other transportation options. Build more accessible, complete and healthy neighborhoods to encourage walking, biking and transit uses.



*Today, the Central City is:*

**A CITY OF PUBLIC SPACES AND CORRIDORS**

The Central City's small, 200-foot-by-200-foot block pattern is distinctive and iconic. Nearly 40 percent of the land in the urban core is in the public realm, a much larger percentage than in most other cities (San Francisco is about 25 percent). Together, these rights-of-way serve as the Central City's major public spaces. The design, character and organization of uses within these spaces are key ingredients of the Central City's livability.

*Over the next 20 years:*

Continue taking advantage of this unique asset, enhancing streets, trails, parks, public spaces and the Willamette Riverfront. The economic and social vibrancy of the Central City depends on it.



*Today, the Central City is:*

**DEFINED BY NATURAL SYSTEMS**

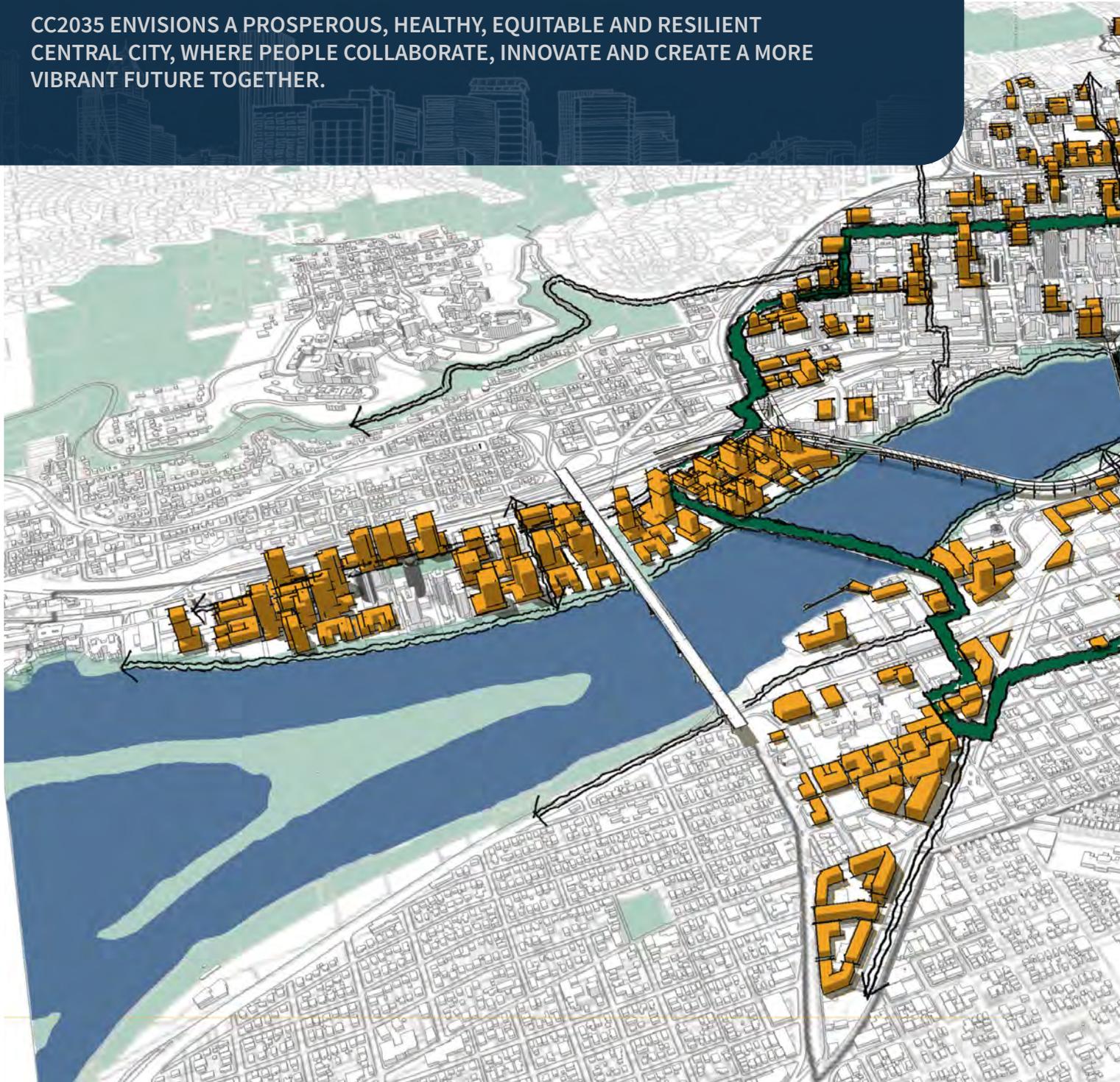
In contrast to other cities, many of Portland's iconic features are not buildings — but winding rivers, historic bridges and signature open spaces. In particular, the Central City is defined by the Willamette River, which is home to 17 endangered species and is a critical corridor for wildlife.

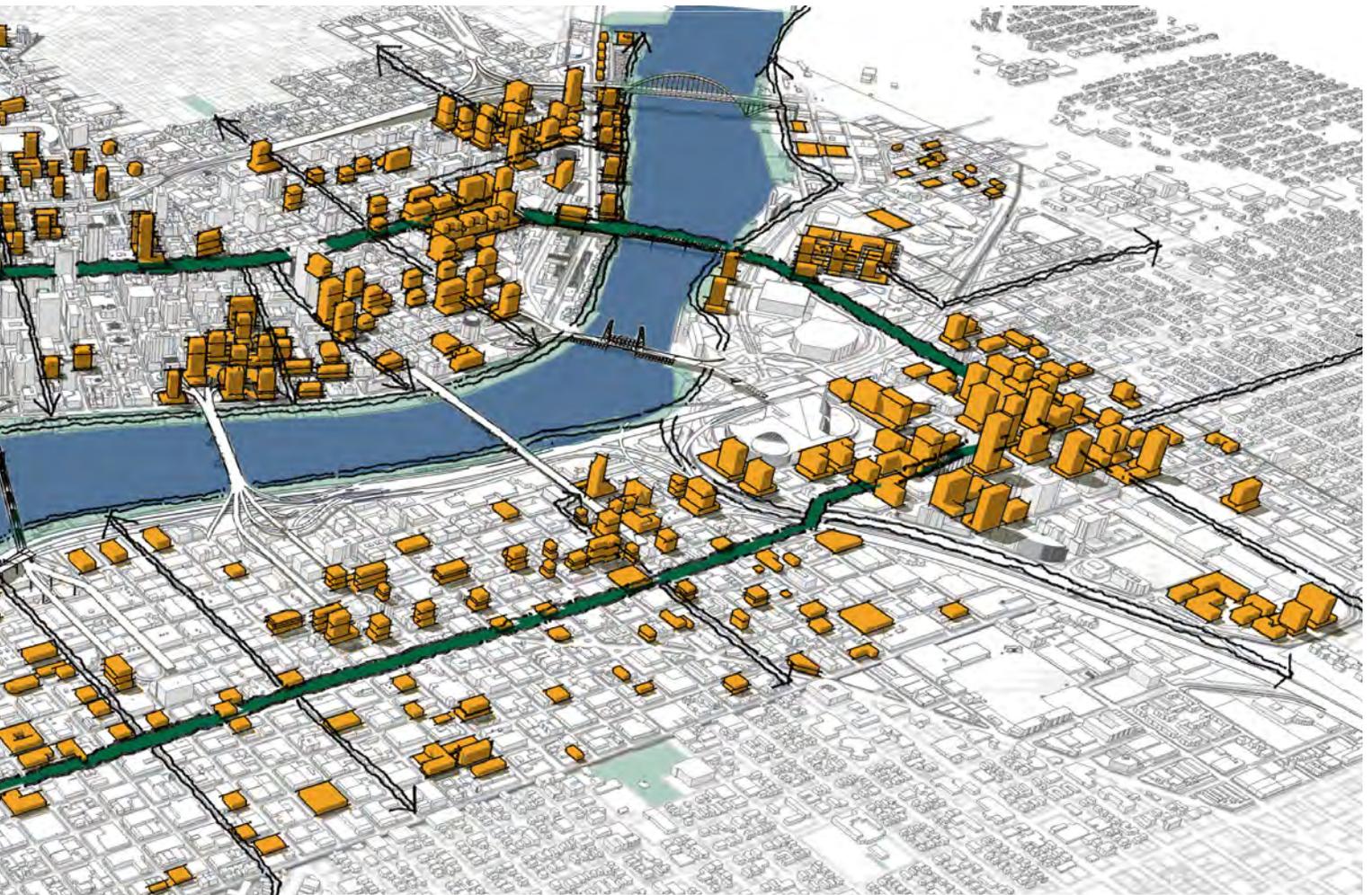
*Over the next 20 years:*

Protect the Willamette River, restoring habitat in and along the waterfront. Future efforts will support new and improved open spaces and recreation, along with innovative green infrastructure throughout the Central City.

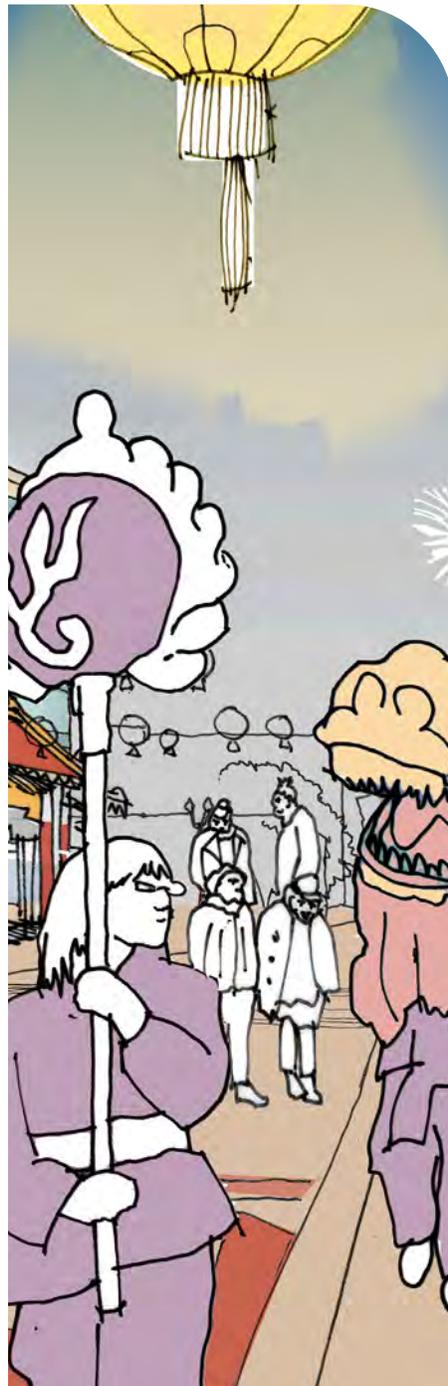
# CENTRAL CITY 2035 VISION: A CENTER FOR INNOVATION AND EXCHANGE

CC2035 ENVISIONS A PROSPEROUS, HEALTHY, EQUITABLE AND RESILIENT CENTRAL CITY, WHERE PEOPLE COLLABORATE, INNOVATE AND CREATE A MORE VIBRANT FUTURE TOGETHER.





The illustration on these pages depicts what the Central City might look like in the future. The orange shapes suggest new buildings on redevelopment sites, places that are expected to change because they are currently vacant or surface parking lots or they have a low utilization of their current development potential. The proposed “green loop” is shown conceptually with a series of key connections, linking the Central City districts together and connecting them to the riverfront and surrounding communities.

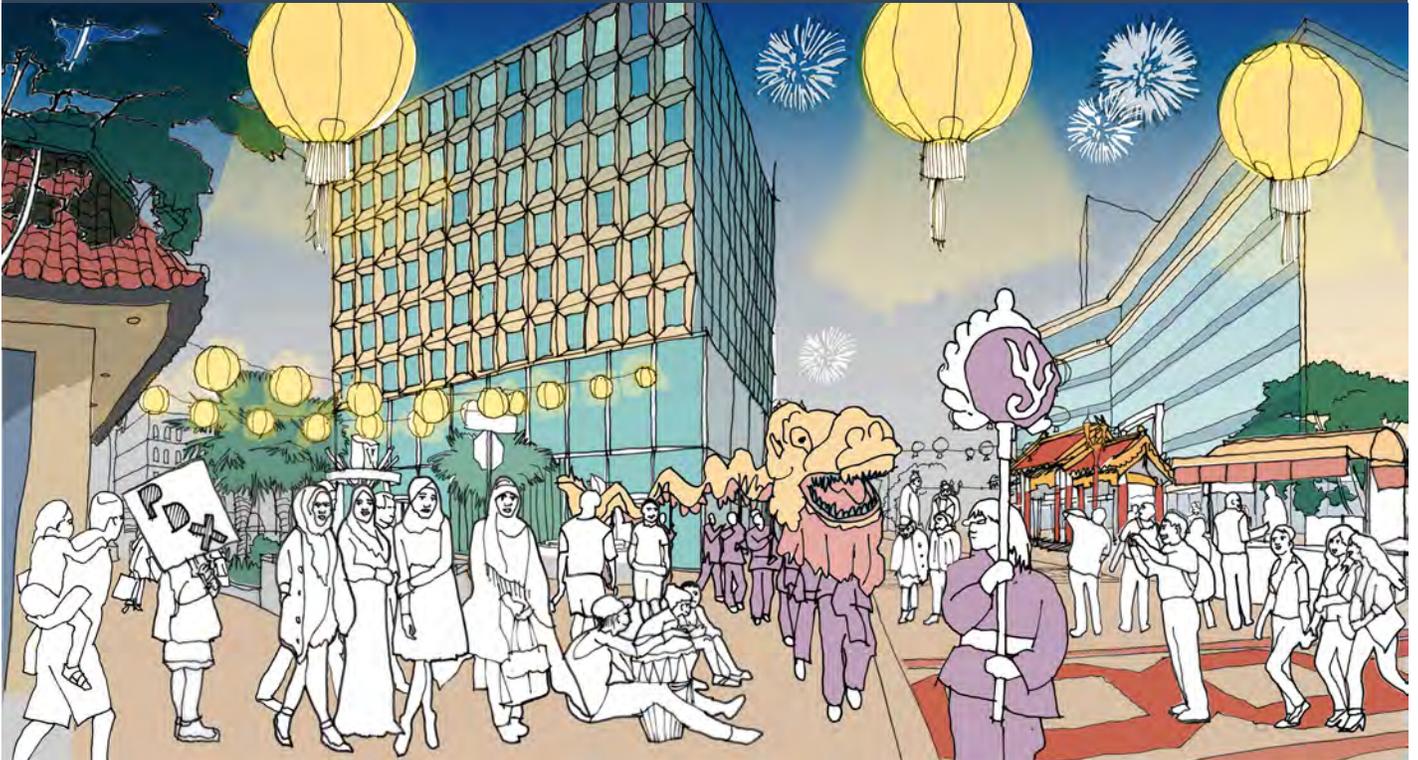


# THE BIG IDEAS

Long range planning encourages creativity and aspirational thinking. Six “big ideas” for the Central City emerged during the planning process. These helped inform the development of the plan’s goals, policies and implementing actions.



## Celebrate Portland's Civic and Cultural Life



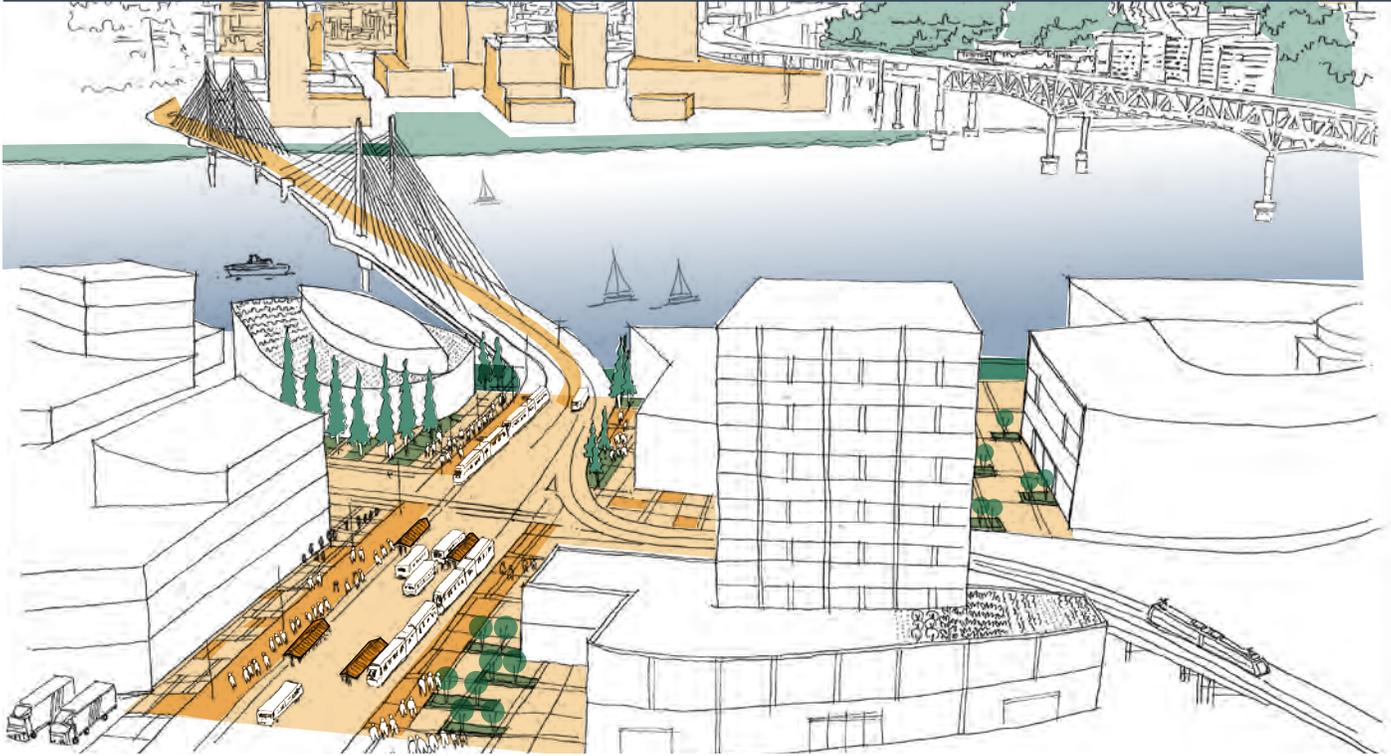
The Central City is more than just a center for commerce. It is an incubator of civic culture and action. Portland's city center is home to myriad venues, historical and cultural assets, public spaces, and recreational attractions — a place people from the entire region can enjoy.

This plan embraces existing institutions and attractions such as Pioneer Square, Waterfront Park, the Lan Su Chinese Garden and Schnitzer Auditorium, OMSI, the Moda Center and more. The plan also calls for encouraging new attractions, particularly

those that connect with communities that might not otherwise feel a strong tie to the Central City.

The CC2035 Plan includes a range of actions related to civic and cultural life: streetscape improvements in the Cultural District; expanded recreation opportunities and public event programming for a broad range of Portlanders; a community center to foster public interaction; ways to accommodate food carts as redevelopment occurs; and support for new, signature public art.

# Foster Creativity, Innovation and Productivity

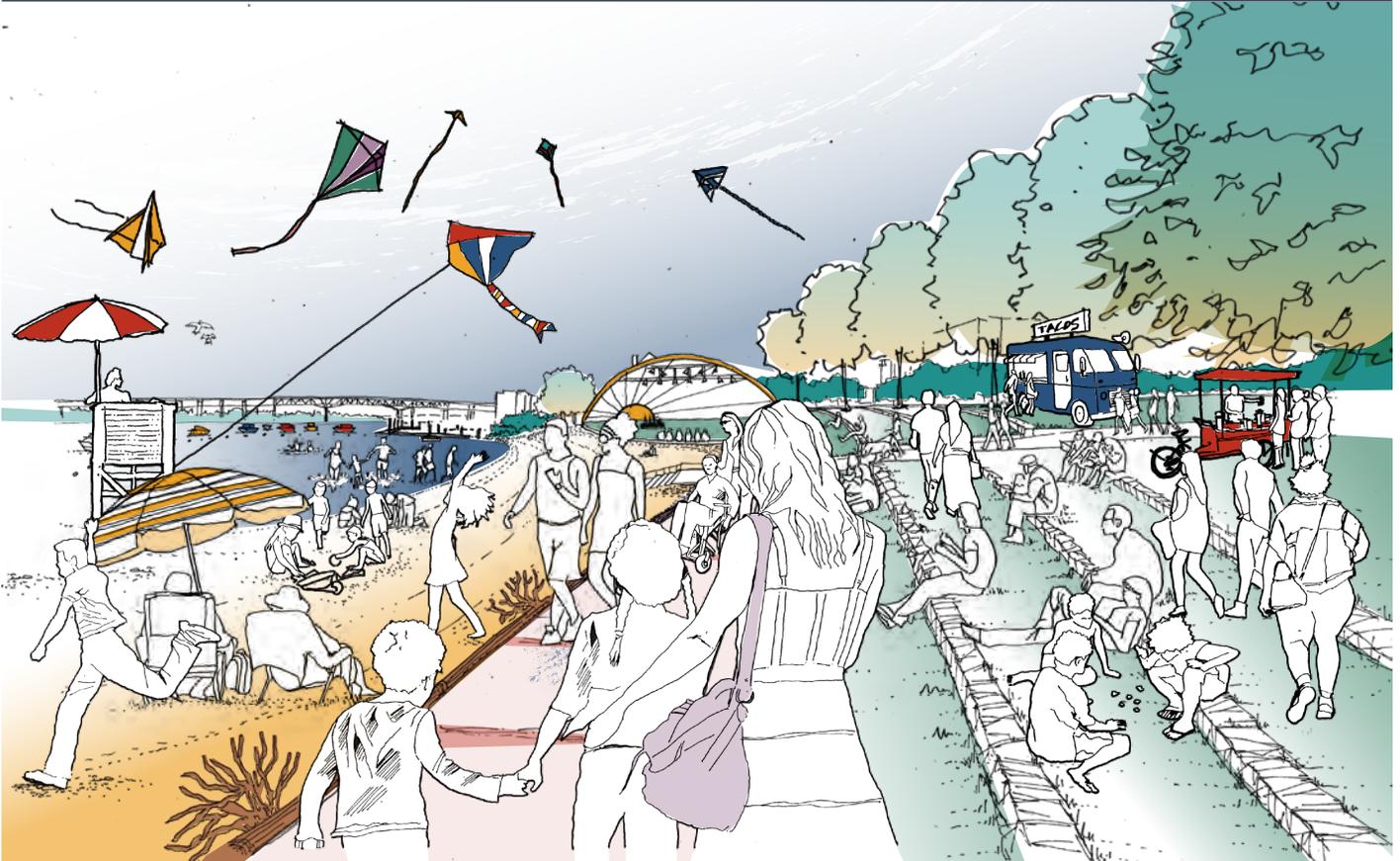


Historically, cities are uniquely productive places. They bring together a mix of people, ideas, businesses and investments that create opportunities, inventions and jobs. Cities can be particularly productive where universities, research institutions and businesses cross pollinate and collaborate. In Portland, the Innovation Quadrant — which spans from South Waterfront to the

top of Markham Hill, and the University District to the Central Eastside — could be such a place.

The plan supports growth in the Innovation Quadrant, building on synergies between OHSU, PSU, OMSI and Portland Community College as well as businesses and research enterprises.

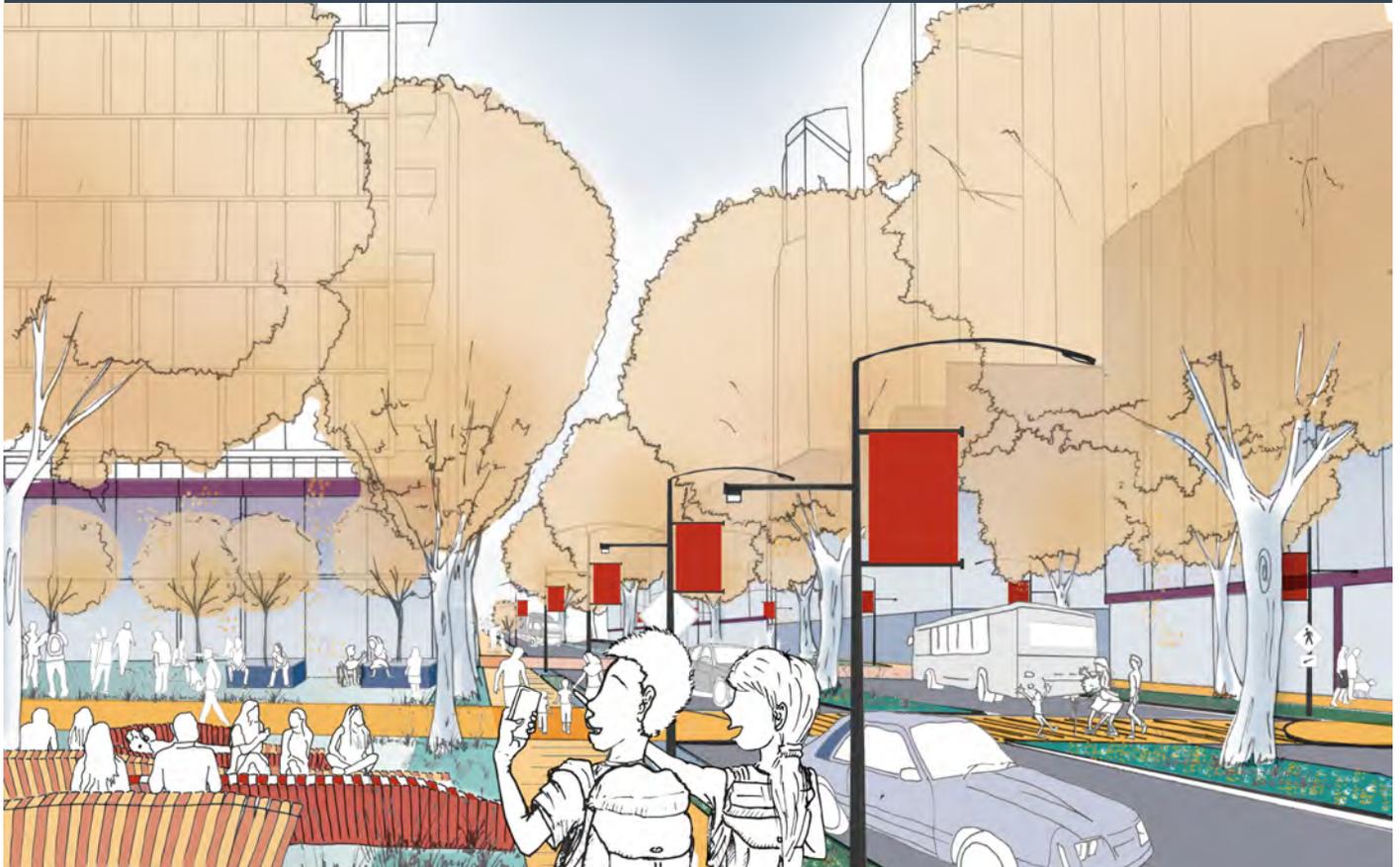
# Enhance the Willamette for People and Wildlife



Perhaps more than anything else, the Willamette River has shaped the development of Portland and the Central City. The Willamette is integral to the city’s history, identity and place in the region. The 1988 Plan called for “embracing the river,” so parks, plazas, trails and other uses were added to the riverfront. But there is still great potential for the waterfront on both sides of the river.

The CC2035 Plan promotes a 21st-century urban riverfront that supports the health of both wildlife and people. Better water quality and more habitat increase fish and wildlife populations. Swimming, boating and paddling in the river help make the Willamette a natural element of healthy living. The quality of public spaces as well as new development and activity on Naito Parkway will also bring more people to the riverfront, honoring the cultural, historical, economic and ecological significance of the Willamette River.

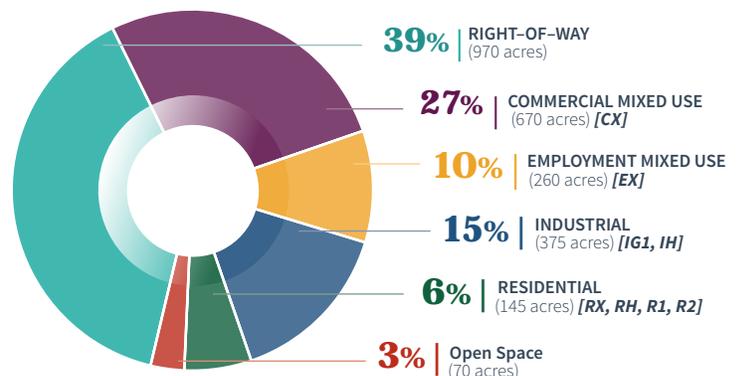
# Design Streets to be Great Places



Portland's Central City is blessed with streets that are narrow and blocks that are short, full of people who are biking and strolling, window shopping, eating at outdoor cafes, and enjoying the sights and sounds of the city center. These streets, sidewalks, intersections and building frontages are a big part of the public realm. And the design and use of these spaces has been the secret to creating the Central City's best public places.

To optimize the use of the entire network of public spaces, CC2035 rethinks the role of Central City streets. Most of these streets handle relatively high volumes of multimodal traffic, but they have different characters: some are great retail streets; some are better for office or residential uses; others offer views of signature landmarks or regional features; and still others may be able to take on a quieter and more flexible role for a variety of activities. By considering the street network in terms of these

different roles, the Central City's most accessible public spaces can become a more varied, rich and inclusive set of great places for more people.



**The graph illustrates that rights-of-way comprise most of the Central City's land area, at 39 percent.**

## Develop the Next Generation of Public Space: *The Green Loop*



With new street organization and larger efforts to repurpose public rights-of-way for better community use, CC2035 calls for the development of the “Green Loop.” A roughly six-mile linear park with bicycle and pedestrian facilities under a green tree canopy, the Loop will invite residents, workers and visitors to experience the Central City in an entirely new way.

A key element of the city’s active transportation network and Citywide Greenway System, the Green Loop will offer thousands of people an easy and safe way to walk, jog or bike

the Central City. This urban promenade will promote healthier lifestyles and connect people to amenities and each other. It will link neighborhoods, retail and employment centers, civic and cultural institutions, parks and attractions to each other and the rest of Portland. Finally, it will attract people of all ages and abilities from throughout the region to enjoy safe, green and active recreation.

## Increase the Resilience of the Central City



A resilient city is one that can better respond to forces outside its control. It is a city that has the business, workforce and social strength to recover from economic downturns. It has the infrastructure and resources to recover from a natural disaster. And it has the foresight and commitment to prepare for the impacts of climate change. By focusing on resilience, we can ensure the Central City remains a great place for current and future generations.

The plan strives for greater economic resilience by encouraging diversity in the mix of businesses and workforce opportunities in the Central City. It strives for greater social resilience by preserving and increasing affordable housing in the Central City, allowing particularly vulnerable households access to the infrastructure, services and opportunities there. The plan also promotes environmental and natural hazard resilience through land use policies, seismic incentives, strategic investments in infrastructure and green systems, a more diverse transportation network and lower carbon emissions from new development.



# CENTRALCITY 2035

G&P

## GOALS AND POLICIES





# HOW AND WHEN IS THE PLAN USED?

As part of Portland’s Comprehensive Plan, the Central City 2035 Plan is used to make land use decisions in the Central City. This includes decisions about how land is used or developed, as well as public facility investments related to those uses or developments.

The Plan and tools are not static and are expected to change over time. City Council will consider decisions to adopt, amend or repeal parts of the Plan or implementation tools in response to changing conditions, needs and trends.

## HOW ARE THE POLICIES IN THIS DOCUMENT USED IN DECISION-MAKING?

The Central City 2035 Plan is part of Portland’s Comprehensive Plan and, therefore, all legislative changes and some quasi-judicial decisions must document how the proposed decision complies with the Comprehensive Plan’s policies.

The Comprehensive Plan contains a broad range of policies, each describing a desirable outcome. However, it is unlikely that all policies will be relevant to a particular decision.

Council must weigh and balance applicable policies. In cases where there are competing directions embodied by different policies, City Council may choose the direction it believes best embodies the Plan as a whole. The Central City 2035 Vision, as well as the Comprehensive Plan Vision and Guiding Principles help to provide additional guidance when policies are balanced.

More information on how this plan is used in decision-making and other uses of the plan, can be found in the “How to Use the Plan” section of the Comprehensive Plan.

### CC2035 GOALS & POLICIES WILL BE USED WHEN:

- Amending the Comprehensive Plan Map
- Amending the Zoning Map or Code
- Meeting certain approval criteria in the Code
- Adding projects to the Transportation System Plan project list (PBOT)
- Developing urban renewal and area plans

# HOW TO READ THE CC2035 GOALS AND POLICIES

## CC2035 PLAN GOALS AND POLICIES ARE ORGANIZED INTO SIX SECTIONS:

- 1 | Regional Center
- 2 | Housing and Neighborhoods
- 3 | Transportation
- 4 | Willamette River
- 5 | Urban Design
- 6 | Health and Environment

Each section begins with a set of goals and policies that applies to the entire Central City Plan District. These are followed by a set of district policies that apply only in those respective areas.

For additional information about each district, see the Central City Districts section starting on page 85 of this document.

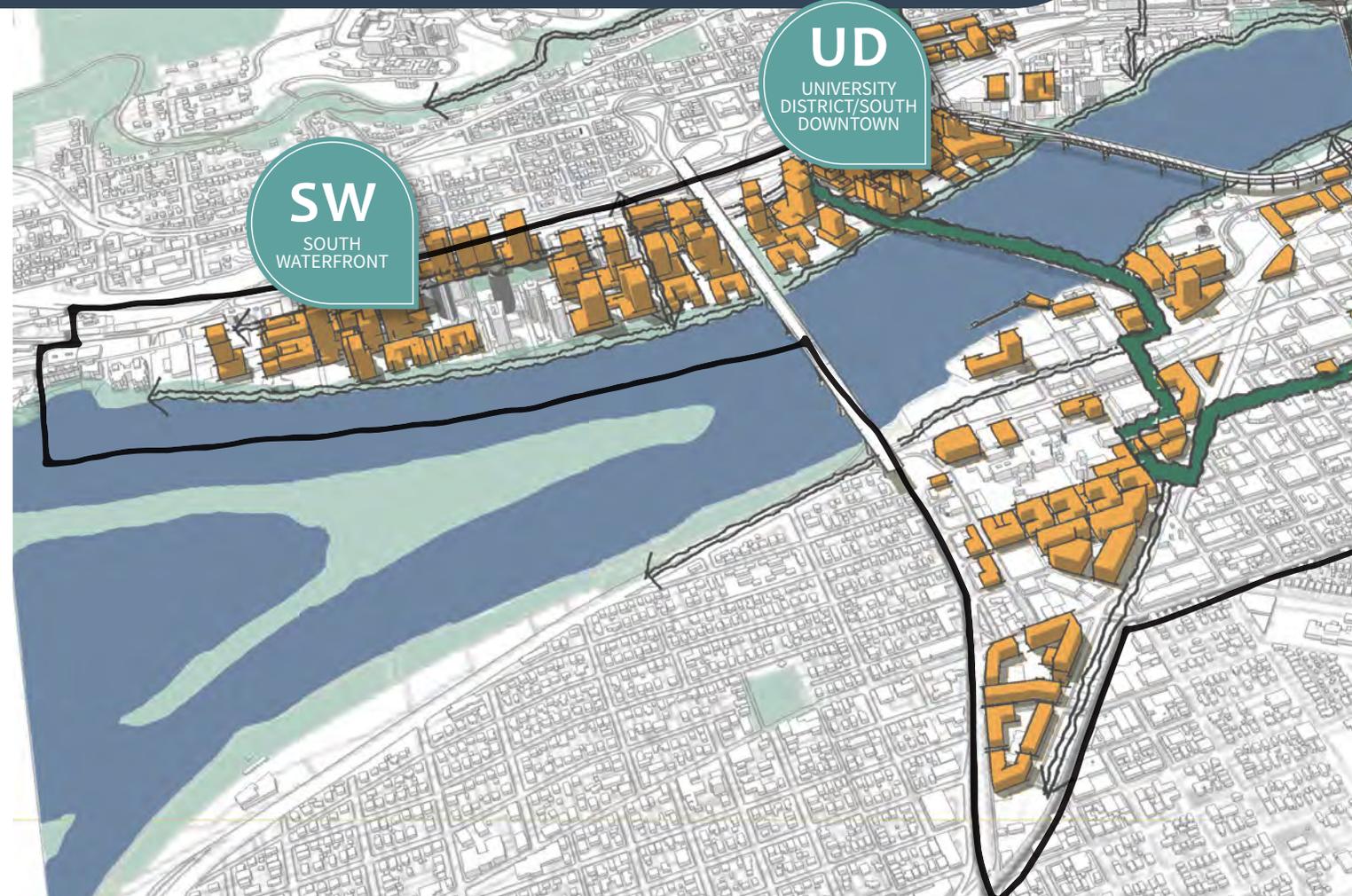
**WE**  
WEST END

**UD**

UNIVERSITY  
DISTRICT/SOUTH  
DOWNTOWN

**SW**

SOUTH  
WATERFRONT



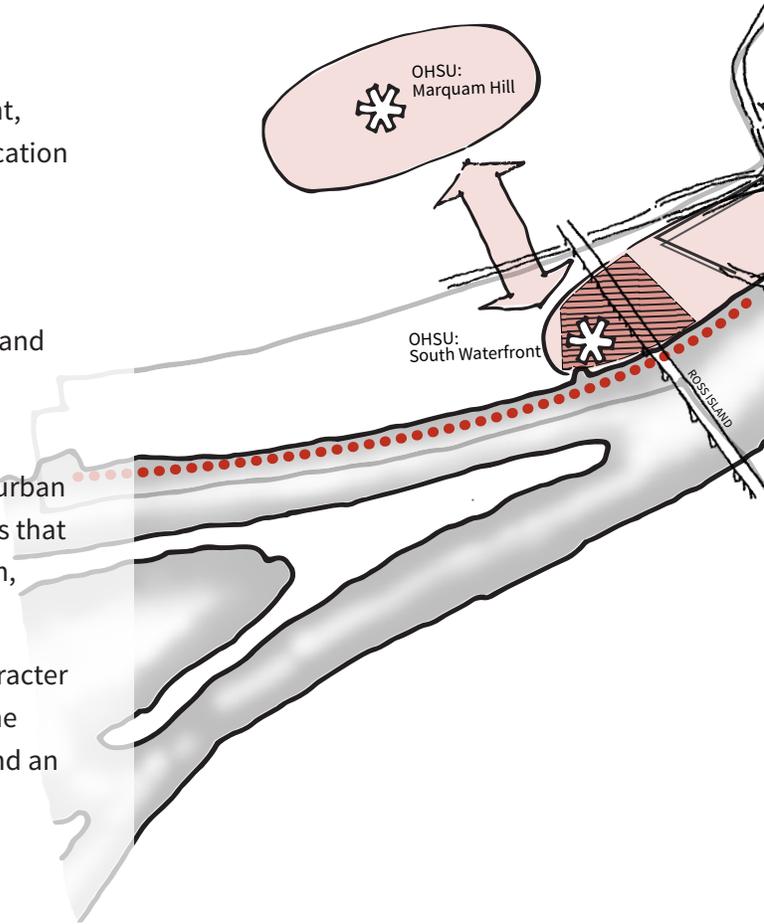


# 1. REGIONAL CENTER

Portland’s Central City serves as the region’s economic, cultural and civic center. To maintain and enhance this role, the following policies support economic growth, particularly in traded sector industries; protect industrial and employment districts; capitalize on opportunities for partnering with higher education institutions; and address affordability barriers so that entrepreneurs and small businesses can thrive.

## CENTRAL CITY GOALS

- GOAL 1.A:** Portland’s Central City is the preeminent regional center for commerce and employment, arts and culture, entertainment, tourism, education and government.
- GOAL 1.B:** The Central City is economically competitive, especially relative to West Coast and regional markets, with robust and expanding business and development activity.
- GOAL 1.C:** Portland’s Central City is a national leader for innovation in business, higher education and urban development with physical and social qualities that foster and attract diverse creativity, innovation, entrepreneurship and civic engagement.
- GOAL 1.D:** The experience of the Central City’s urban character and livability make it the leading location in the region for business and commercial activity and an attractive location for new development.





# CENTRAL CITY POLICIES: REGIONAL CENTER

## CIVIC AND CULTURAL CENTER

Portland's City Center contains a broad array of institutions, venues, cultural assets, historic resources and the Willamette River, making it the heart of the region's civic and cultural life. Policies in this section support the role of the Central City as the civic and cultural center of the region, serving all Portlanders.

- POLICY 1.1**     **Regional image.** Strengthen the roles of the Central City and Willamette River in enhancing a positive image for the city, region and state.
- POLICY 1.2**     **Center of higher education.** Support the ability of major universities and other higher education institutions to strengthen the Central City as a center of learning, business and innovation.
- POLICY 1.3**     **Center of urban innovation.** Strengthen the role and stature of the Central City as a laboratory and showcase for innovative urban development and as a regional leader in the development of businesses related to clean technology, green practices and design, and resource conservation.
- POLICY 1.4**     **Tourism, retail and entertainment.** Expand upon activities in the Central City that support tourism and complement economic success, vibrancy, and livability, with a special focus on retail, cultural events and institutions, public spaces, arts and entertainment, urban design, and transportation.  
  
See district policies section for related policies in: DT, WE, GH, PL, OT, LD, CE, SW, UD
- POLICY 1.5**     **Destination Willamette River.** Enhance the riverfront as a destination by encouraging shops; restaurants; art; cultural, historic, ecological and maritime attractions; and recreation. Support opportunities and amenities for river tours, river transit and regional cruises to and from the riverfront.

## ECONOMIC VITALITY

The Central City is home to professional service industries that support the entire region a growing number of colleges and universities and a manufacturing base that hosts a number of emerging business sectors. Policies in this section support the continued economic vitality of the Central City, Portland and the region.

- POLICY 1.6**     **Traded sector growth.** Enhance business development efforts and assistance for targeted industry clusters and high growth sector companies.
- POLICY 1.7**     **Entrepreneurship and business innovation.** Strengthen the Central City as a location for job creation by addressing development issues that affect businesses and supporting economic development strategies and programs that facilitate economic growth in the Central City.

- POLICY 1.8 Innovation Quadrant.** Capitalize upon the physical connections created by the Tilikum Crossing to connect Central Eastside industries with westside institutional assets such as Oregon Health Science University (OHSU) and Portland State University (PSU). Facilitate the growth of traditional and emerging industries in service to the Innovation Quadrant and encourage venues such as the Oregon Museum of Science and Industry (OMSI) to showcase the diversity of research, economic development, and educational activities occurring within the quadrant.
- Encourage a range of businesses from start-up firms to corporate headquarters, with particular focus on knowledge-based industries such as technology and research and development, to locate in the area (see Regional Center map on page 34).
- POLICY 1.9 Equity and the economy.** Support greater access to and expansion of economic opportunities in the Central City for all groups facing longstanding disparities, including education, housing and employment so that they can achieve an equitable allocation of the benefits of development and economic prosperity. Accomplish this through land use tools (e.g., FAR bonuses and transfers) and/or other programs.
- POLICY 1.10 Next generation industrial/employment sanctuaries.** Foster the long-term success of Central City industrial districts and the continuation of these areas as prime locations for investment and new industrial businesses, while supporting their evolution into places with a broader mix of businesses, living-wage jobs, and higher employment densities.
- See district policies section for related policies in: LA, CE
- POLICY 1.11 Commercial affordability.** Support efforts to make the Central City a competitive location for development and business location and operation.
- POLICY 1.12 Day laborer organization and education.** Continue efforts and initiatives within the Central City that organize and centralize day laborer services that can provide for worker rights education, outreach, and protect the rights of laborers.
- POLICY 1.13 Surface parking.** Support strategies and tools to encourage the redevelopment of surface parking lots. Discourage the development of new surface parking and ensure buildings will not be demolished to provide surface parking.
- See district policies section for related policies in: WE, GH, OT
- POLICY 1.14 Flexible building design.** Encourage flexible building design and construction, including structured parking, that allows buildings to be repurposed and accommodate a variety of uses in the future.

## DISTRICT POLICIES: REGIONAL CENTER

This section contains Regional Center policies specific to a particular Central City district.

### Downtown

**POLICY 1.DT-1 Office core.** Maintain the Downtown office core as the region’s preeminent office employment district. Encourage new office development, with the largest buildings near the Transit Mall.

**POLICY 1.DT-2 Retail core.** Encourage the growth and success of the retail core with new retail and supportive development. Expand the retail core north, west and east to Waterfront Park.

**POLICY 1.DT-3 Government center.** Encourage the concentration of government services in the vicinity of Chapman and Lowndale Squares.

**POLICY 1.DT-4 Tourism, retail and entertainment.**

- a. **Tourist information.** Maintain Pioneer Square as an important “first stop” for tourist information with Governor Tom McCall Waterfront Park becoming a complementary “second stop.”
- b. **Events.** Encourage a wide range of entertainment opportunities and event venues including small-scale, more frequent events as well as large-scale episodic events.
- c. **Cultural district.** Enhance the concentration of arts and cultural institutions and activities on and near the South Park Blocks between SW Salmon and SW Jefferson Streets. Expand the range of unique cultural and historic attractions along the Willamette River.



### **CULTURAL DISTRICT BLOCKS**

*Conceptual drawing of a vibrant Cultural District on the north end of the South Park Blocks that includes regional cultural attractions like the Portland Art Museum, the Arlene Schnitzer Hall, the Portland’s Centers for Performing Arts and the Oregon Historical Society. The concept also incorporates stronger connections to nearby signature open spaces like Director Park and Pioneer Courthouse Square. (Otak 2013)*

## West End

### POLICY 1.WE-1 **North of Taylor.**

- a. **Mixed use emphasis.** Encourage a broad mix of land uses in the West End, particularly north of SW Taylor Street, including office and retail opportunities in addition to residential.
- b. **Retail core expansion.** Expand the Downtown Retail Core west to I-405 and north into the Pearl and encourage a broad mix of activity and retail opportunities at the street level.

POLICY 1.WE-2 **Tourism, retail and entertainment.** Support the West End's unique concentration of arts and cultural institutions.

POLICY 1.WE-3 **Surface parking.** Encourage new development on surface parking lots and vacant lots.

## Goose Hollow

POLICY 1.GH-1 **Mixed use emphasis.** Encourage vibrant, mixed-use development, especially residential, office and active floor uses in the area bounded by SW 18th, West Burnside, I-405 and SW Salmon to serve the needs of, and provide employment opportunities for, a substantial and growing residential population.

### POLICY 1.GH-2 **Tourism, retail and entertainment**

- a. **Stadium supportive development.** Capitalize on activity generated by Providence Park, encouraging complementary redevelopment in the area near the stadium, emphasizing local businesses of moderate scale and supporting year-round functions, such as theaters, restaurants, hotels, pubs, cafes and galleries.
- b. **Event frequency.** Expand the frequency and range of event types at Providence Park. Capitalize on this expanded activity to support complementary development of sustainable local business activities.

POLICY 1.GH-3 **Surface parking.** Encourage new development on surface parking lots and vacant lots on West Burnside and SW 18th Avenue.

## The Pearl

POLICY 1.PL-1 **Mixed use office center.** Support the continued development of a vibrant, mixed-use area with new commercial, retail, office and creative office opportunities.

POLICY 1.PL-2 **Large site employment opportunity.** Encourage redevelopment of large sites to include regional employment opportunities such as major office or campus uses.

**POLICY 1.PL-3 Tourism, retail and entertainment.** Enhance the success of this urban mixed use district, drawing new visitors and supporting attractions, including unique retail, dining, riverfront and entertainment opportunities.

## **Old Town/Chinatown**

**POLICY 1.OT-1 Institutions, creative economy and target sector industries.** Support the success of higher education institutions, capitalizing on them as lasting anchors for creative industries and businesses.

Support entrepreneurial incubation and encourage business start-ups and the City's economic development cluster industries to locate in the district.

**POLICY 1.OT-2 Tourism, retail and entertainment.** Support unique attractions in the district, including: cultural institutions; Governor Tom McCall Waterfront Park; retail, dining, and performance venues; and nightlife attractions. Expand the festival and event programming of public spaces in the district; manage activities in a way that controls negative impacts.

**POLICY 1.OT-3 Cultural assets.** Support the protection and enhancement of the rich cultural and multi-ethnic history and diversity of Old Town/Chinatown, including its unique physical characteristics, cultural and arts institutions, community organizations, and mix of businesses.

**POLICY 1.OT-4 Strategic redevelopment.** Encourage the reuse, rehabilitation and seismic upgrade of underutilized buildings to increase useable space and economic activity in the district. Support location of retail uses in the ground floors of buildings, including retail businesses that complement and enhance the cultural and historical significance of the area.

**POLICY 1.OT-5 Surface parking.** Encourage new mixed-use infill development on vacant lots and surface parking lots while supporting existing businesses.

## **Lower Albina**

**POLICY 1.LA-1 Next generation industrial/employment sanctuaries.** Diversify the range of employment activities allowed in the area east of the Union Pacific railroad and near the MAX station.

**POLICY 1.LA-2 Incubator.** Support existing businesses and foster the district as an industrial and employment incubator.

**POLICY 1.LA-3 Russell Street vitality.** Support the urban vibrancy of Russell Street and its unique blend of working daytime industrial activity with compatible nighttime restaurant and entertainment activity.

## Lloyd

### POLICY 1.LD-1 **Employment core.**

**a. Office core.** Foster the Lloyd as an employment center for headquarters office, institutions, professional services and the government sector.

**b. Retail.** Support existing and new retail development including regionally focused uses in and around the Lloyd Center Mall and neighborhood-serving uses along the NE Broadway corridor.

POLICY 1.LD-2 **Sustainability innovation center.** Promote Lloyd as a center for innovation and application of sustainable business and development practices, foster job creation in sustainable industries and encourage the incorporation of green technology and practices into businesses and development.

POLICY 1.LD-3 **Tourism, retail and entertainment.** Support the continued success of the Rose Quarter and the Oregon Convention Center and encourage new development and businesses that complement and balance the episodic nature of event activity. Expand civic attractions to enhance tourism, regional attractions and the district's growing residential character.

POLICY 1.LD-4 **Union Pacific alignment.** Support relocation of the Union Pacific rail tracks to improve freight and passenger rail operations.

## Central Eastside

### POLICY 1.CE-1 **Next generation industrial/employment sanctuaries.**

**a. Industrial center.** Protect the Central Eastside as a centralized hub of industrial businesses and services that support the regional economy by serving other industrial districts and businesses located throughout the Portland metropolitan area.

**b. Industrial diversification.** Support growth of new industrial sectors, protect existing sectors, and protect the Central Eastside as a place where startups and incubators can transition to mature and established businesses and sectors.



#### **EMPLOYMENT TRANSIT ORIENTED DESIGN**

*Conceptual rendering showing a flexible building in the Central Eastside with a mix of manufacturing, warehousing, distribution and industrial office uses. To reduce conflicts, some streets are pedestrian oriented while others are designed for loading activities. (VIA 2014)*

- POLICY 1.CE-2 Employment supportive mixed-use corridors.** Enhance the vibrancy of major mixed-use corridors to optimize their potential to attract investment and the development of new retail, commercial office, and residential uses that complement and serve employees and businesses in the Central Eastside.
- POLICY 1.CE-3 Southern triangle.** Encourage redevelopment of large sites to include employment opportunities such as industrial office and headquarters office opportunities, and invest in new infrastructure to address transportation constraints.
- a. Clinton Station Area.** Facilitate the development of employment and residential, as well as neighborhood serving retail and community services that serve the Central Eastside and inner Southeast Portland neighborhoods.
  - b. OMSI Station Area.** Create a major and active riverfront station area that includes land and water based transportation, as well as educational and recreational opportunities. Promote visitor-serving attractions, amenities, and retail, as well as a mix of high-density commercial office, institutional and industrial employment uses.
- POLICY 1.CE-4 Workforce development institutions.** Support institutions such as Benson High School, Portland Community College’s CLIMB Center, OMSI, and others in their unique roles associated with workforce development through programs and partnerships that prepare Portlanders at different education and skill levels for employment in Central Eastside industries.
- POLICY 1.CE-5 Tourism, retail and entertainment.** Support river and riverfront uses and activities along the Eastbank Esplanade and near OMSI including active and passive recreation, ecological and maritime tourism, retail kiosks, restaurants and river transportation.

## South Waterfront

- POLICY 1.SW-1 Research and education institutions.** Support the development and expansion of institutions, such as Oregon Health and Science University, Portland State University and Oregon State University, as well as complementary knowledge, health and science-based industries.
- POLICY 1.SW-2 Tourism, retail and entertainment.** Support river and riverfront uses and activities along and near the greenway including active and passive recreation; historic, ecological, maritime and cultural displays; and river transit. Encourage shops and restaurants to locate adjacent to the greenway at key locations.

## University District/South Downtown

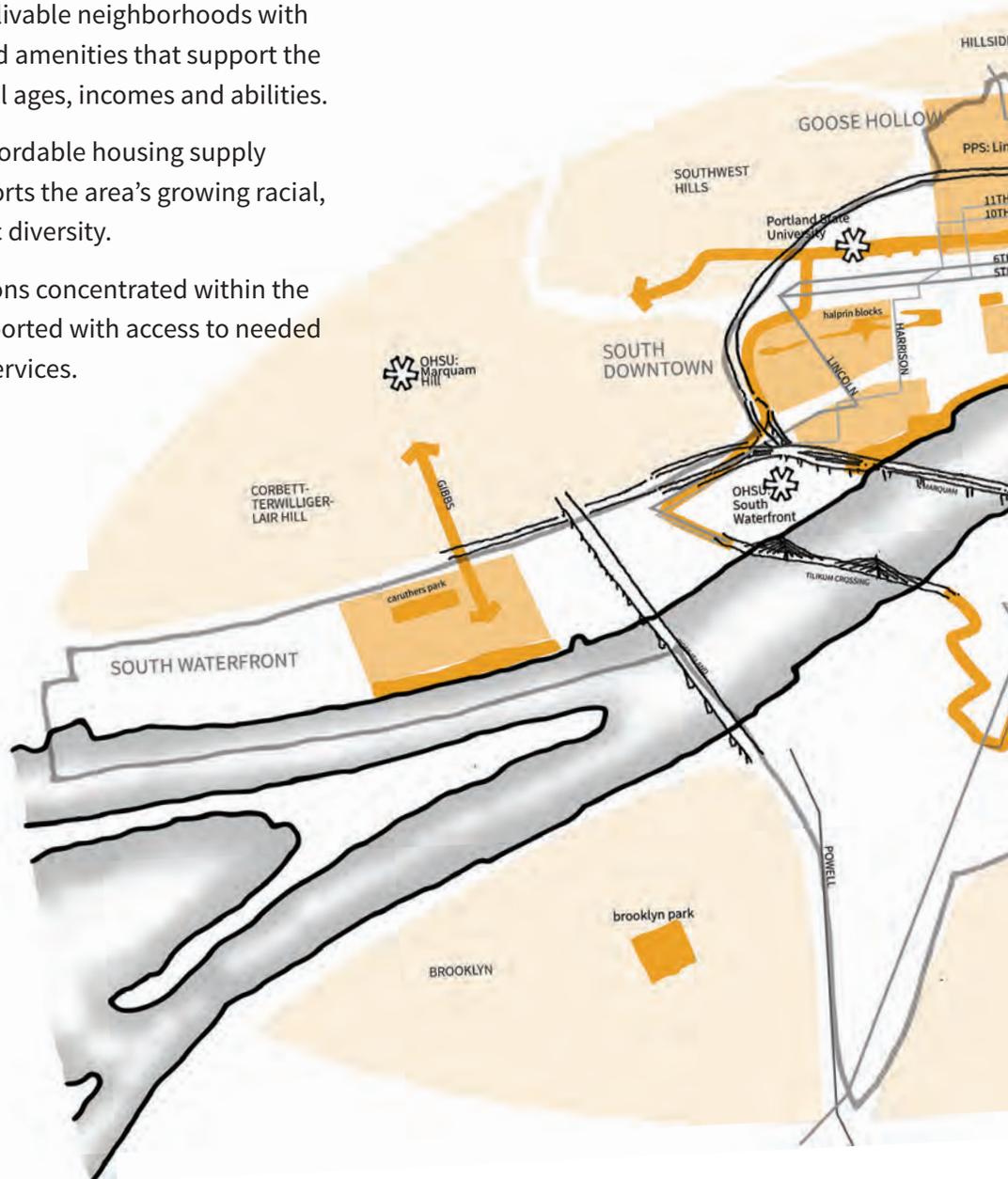
- POLICY 1.UD-1 Portland State University.** Support the continued success and growth of Portland State University. Specifically, encourage new university development and partnerships with public and private development in the district to promote a vibrant and diverse neighborhood.
- POLICY 1.UD-2 Tourism, retail and entertainment.** Increase the number of visitors to the district by encouraging new and enhancing existing riverfront shops, restaurants and recreational opportunities at RiverPlace.
- POLICY 1.UD-3 Strategic redevelopment.** Encourage public and private redevelopment in the district, while supporting the existing residential redevelopment, particularly in the areas around Naito Parkway/ Harbor Drive, SW 4th Avenue, the Lincoln MAX Station and along the SW 5th and SW 6th Avenue Transit Mall. Where possible, encourage new development that includes public-private partnerships and activities and helps meet Portland State University space needs.

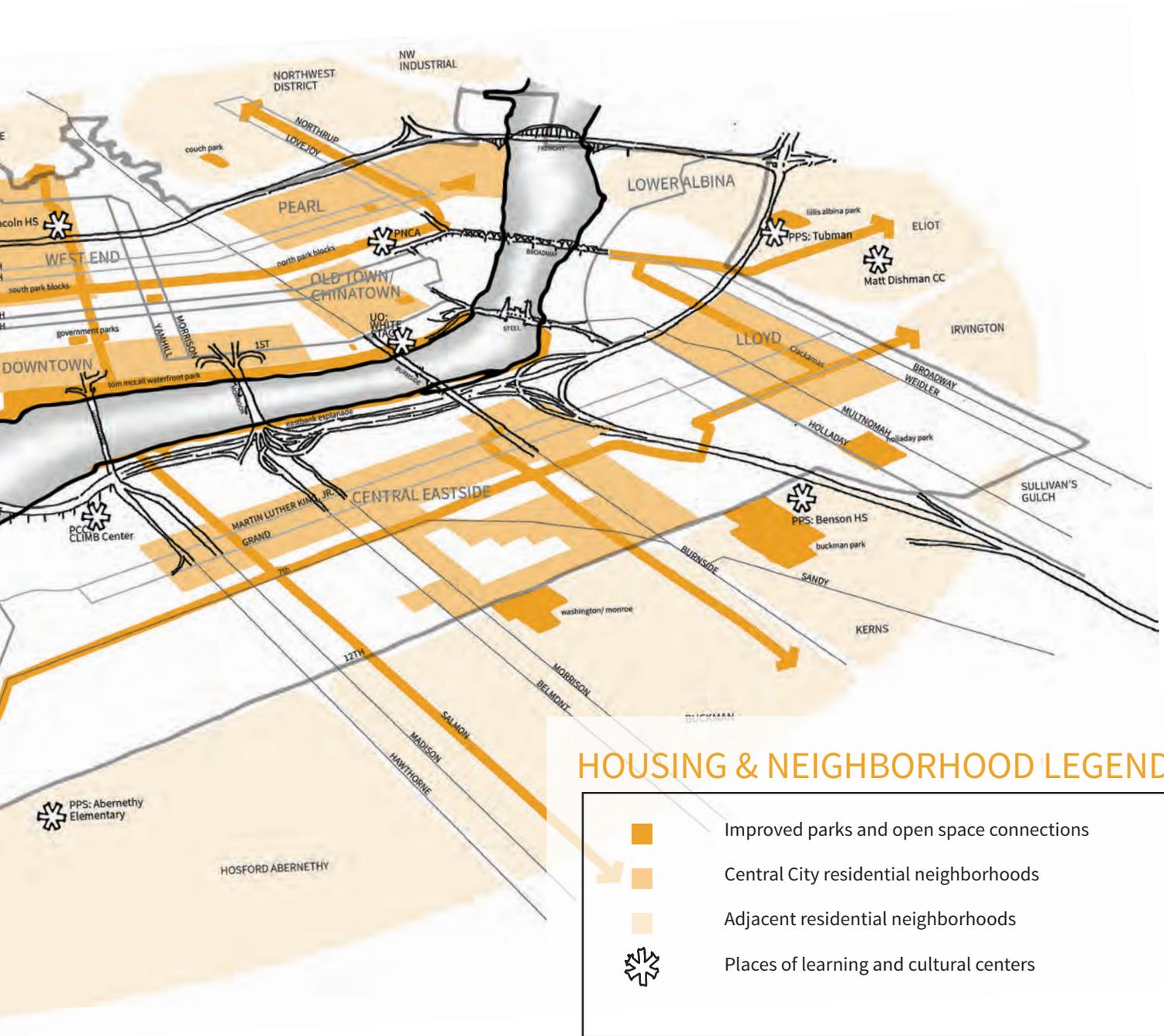
## 2. HOUSING AND NEIGHBORHOODS

When the last Central City Plan was developed nearly 30 years ago, there were relatively few people living in Portland’s Central City. Today, it has become the fastest growing area in the city. The following policies encourage a broad range of housing types that are accessible for households at all income levels, near Central City jobs and situated within complete neighborhoods that include a variety of amenities, including public spaces.

### CENTRAL CITY GOALS

- GOAL 2.A:** The Central City is a successful dense mixed-use center composed of livable neighborhoods with housing, services and amenities that support the needs of people of all ages, incomes and abilities.
- GOAL 2.B:** The Central City’s affordable housing supply maintains and supports the area’s growing racial, ethnic and economic diversity.
- GOAL 2.C:** Vulnerable populations concentrated within the Central City are supported with access to needed human and health services.





# CENTRAL CITY POLICIES: HOUSING AND NEIGHBORHOODS

## Neighborhood livability

A livable Central City is a dense, compact, connected network of unique neighborhoods that are inclusive, vibrant, accessible, healthy and safe. These policies support Central City livability.

- POLICY 2.1 Complete neighborhoods.** Ensure Central City neighborhoods have access to essential public services, including parks, open space and recreation opportunities, senior centers community centers and spaces, family serving amenities such as public schools, urban canopy, grocery stores and other neighborhood-serving retail and commercial services that support sustainable and diverse community structure.
- See district policies section for related policies in: DT, WE, GH, PL, OT, LD, CE, SW, UD
- POLICY 2.2 Promote healthy active living.** Design Central City neighborhoods to support physically and socially active healthy lifestyles for all people through the inclusion of plazas, parks, open spaces, and recreation opportunities, a safe and inviting public realm, access to healthy food and active transportation and the density of development needed to support these economically.
- POLICY 2.3 Social services.** Support development of social services facilities that are responsive to the needs of vulnerable members of the Portland community.
- See district policies section for related policies in: WE, PL, OT
- POLICY 2.4 Safe and secure Central City.** Maintain adequate public safety and security services and reduce sources of conflict and nuisance crime through design, regulation and management.
- POLICY 2.5 Mixed-use compatibility.** Promote design solutions and construction techniques to ensure that new development is compatible with existing uses, taking into account noise and other pre-existing conditions.
- POLICY 2.6 Conflict reduction strategies.** Expand ongoing strategies and programs that reduce potential conflicts between special needs populations and other Central City residents, employees, visitors and businesses.
- POLICY 2.7 Reconnecting neighborhoods across infrastructure.** Develop and implement strategies to lessen the impact of freeways and other transportation systems on neighborhood continuity including capping, burying or other innovative approaches.
- POLICY 2.8 Family-compatible housing.** Encourage the development of housing projects and units that are compatible with the needs of families with children.

**POLICY 2.9 Family supportive services.** Provide and create access to public schools, parks, daycare facilities, playgrounds, community centers, libraries, and other essential services needed to sustain families in the Central City.

## Housing affordability

Many households in the city have to spend significantly more than the recommended 30 percent of their income on housing. More and more households are falling into this category because of steep increases in home prices and a tight rental market. Policies in this section support housing affordability in the Central City.

**POLICY 2.10 Minimize displacement.** Maintain the economic and cultural diversity of established communities in and around the Central City. Utilize investments, incentives and other policy tools to minimize or mitigate involuntary displacement resulting from new development in the Central City and close-in neighborhoods.

**POLICY 2.11 Housing diversity.** Create attractive, dense, high-quality affordable housing throughout the Central City that accommodates a broad range of needs, preferences, and financial capability in terms of different types, tenures, sizes, costs and locations. Support new housing opportunities for students, families and older adults.

See district policies section for related policies in: DT, WE, GH, PL, OT, LD, SW, UD

**POLICY 2.12 Housing affordability.** Encourage the preservation and production of affordable housing to take advantage of the Central City's unique concentration of active transportation access, jobs, open spaces, and supportive services and amenities.

**POLICY 2.13 Housing affordability targets.**

**a. Low income.** Continue to develop new affordable housing so that approximately 30 percent of the Central City's total housing is affordable to households in the 0-80 percent MFI bracket.

**b. No Net Loss.** In accordance with the City's 2001 No Net Loss policy, retain at least the number, type and affordability levels of Central City housing units for households in the 0-60 percent MFI bracket, through preservation or replacement, as existed in 2001.

**POLICY 2.14 Public investment in affordable housing.** For public affordable housing resources, prioritize funding for housing programs and investment to meet the unmet needs of extremely low and very low-income households (0-50 percent MFI).

**POLICY 2.15 Transitional housing and services.** Provide housing and services that directly assist at-risk populations and allow people to transition to more stable living conditions.

## DISTRICT POLICIES: HOUSING AND NEIGHBORHOODS

This section contains Housing and Neighborhood policies specific to a particular Central City district.

### Downtown

- POLICY 2.DT-1 Complete neighborhoods.** Encourage the development of community space to serve the district, and a dog park.
- POLICY 2.DT-2 Encourage evening and weekend activity.** Encourage the development of uses that are active in the evenings and on weekends such as restaurants, galleries, retail stores and performance spaces. In particular, encourage evening activities within Governor Tom McCall Waterfront Park and along Naito Parkway.
- POLICY 2.DT-3 Housing diversity.** Encourage new housing development along SW Naito Parkway and near the South Park Blocks.



### **WATERFRONT NEIGHBORHOOD**

*Conceptual sketch depicting how a currently under-developed neighborhood by the waterfront could redevelop over time and become more dense, vibrant and connected to the Willamette River and Governor Tom McCall Waterfront Park. (Otak 2013)*

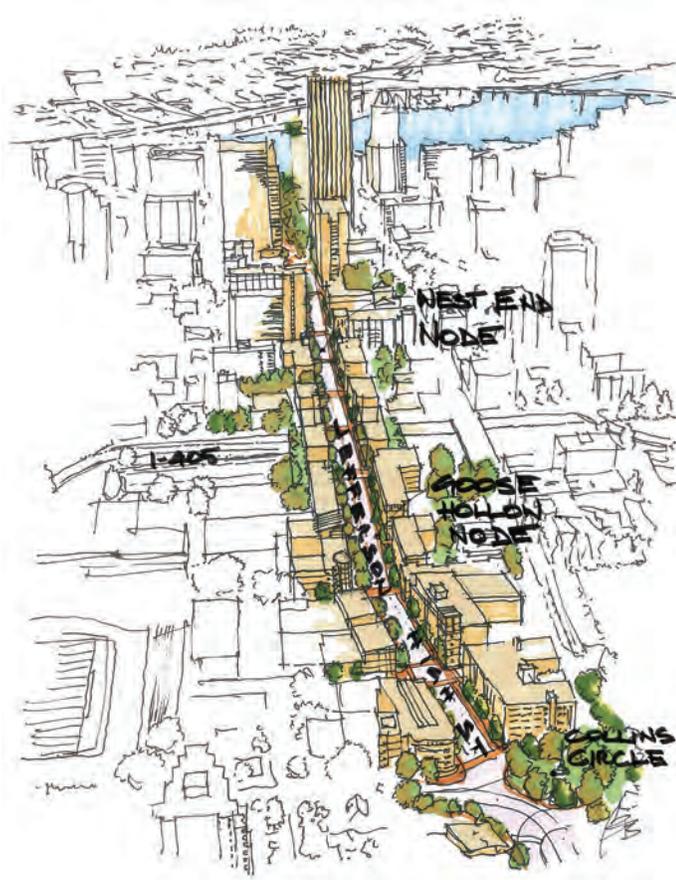
### West End

- POLICY 2.WE-1 Complete neighborhoods.** Encourage the development of child-friendly play areas, schools, a neighborhood park, dog park and contemplative spaces.
- POLICY 2.WE-2 West End Jefferson main street.** Encourage redevelopment and rehabilitation along SW Jefferson to create a vibrant neighborhood main street environment with pedestrian and bicycle-friendly street design, green infrastructure improvements and contiguous neighborhood retail linking the West End to Goose Hollow and Downtown.

- POLICY 2.WE-3 Social services.** Support existing social service and shelter functions in the district. Discourage the location of additional social services in close proximity to existing services.
- POLICY 2.WE-4 Religious institutions.** Support the district's unique concentration of places of worship.
- POLICY 2.WE-5 Housing diversity.** South of Salmon Street, encourage residential development as the predominant use; to the north encourage it as a major component of new development. In particular, encourage multi-family housing supportive of families.

## Goose Hollow

- POLICY 2.GH-1 Complete neighborhoods.** Encourage the development of community space and accessible open space to serve the district.
- POLICY 2.GH-2 Goose Hollow Jefferson main street.** Encourage redevelopment and rehabilitation along SW Jefferson Street between I-405 and SW 20th to create a vibrant neighborhood main street environment with pedestrian-friendly design, green infrastructure features, and contiguous neighborhood retail.



### JEFFERSON MAIN STREET

*Conceptual drawing of a strengthened Jefferson main street generated during discussions with the Goose Hollow and the West End neighborhoods. The illustration depicts a potential freeway cap over I-405 and two possible nodes along the street, one in the heart of each neighborhood. (Otak 2013)*

POLICY 2.GH-3 **West Burnside.** Encourage redevelopment, rehabilitation and streetscape improvements on West Burnside Street that support a vibrant and safe retail and commercial corridor.

POLICY 2.GH-4 **Housing diversity.** Support development that complements the distinctive residential feel of the district, especially within the predominantly residential areas south of SW Columbia Street. In particular, encourage multi-family housing supportive of families.

## The Pearl

POLICY 2.PL-1 **Complete neighborhoods.** Enhance bicycle and pedestrian connections between existing parks, as well as future parks. Encourage the development of new public schools to serve the district.

POLICY 2.PL-2 **Social services.** Encourage development of social services to support vulnerable members of the community and further a more equitable distribution of these services throughout the Central City.

POLICY 2.PL-3 **Housing diversity.** Encourage new development, including housing, along Naito Parkway in order to bring more people and activities to the riverfront. Throughout the district, encourage multifamily housing supportive of families and students.

## Old Town/Chinatown

POLICY 2.OT-1 **Complete neighborhoods.** Encourage new and enhanced services to support district residents and workers, including commercial, retail, educational, medical, recreational, cultural, transportation, entertainment, and emergency services.

POLICY 2.OT-2 **Social services.** Support existing social service and shelter functions in the district. Limit the significant expansion of these services and do not locate additional major social services in the district.

POLICY 2.OT-3 **Housing diversity.** Encourage market rate and middle-income housing.

## Lloyd

POLICY 2.LD-1 **Complete neighborhoods.** Improve access to parks and open space, and encourage development of grocery stores, neighborhood businesses, daycares and schools.

POLICY 2.LD-2 **Successful neighborhood business districts.** Expand local main street business areas within the Lloyd and in adjacent neighborhoods. Cluster a diverse mix of neighborhood scale businesses within the NE Broadway Business District and on new district retail/commercial streets as a means of concentrating activity and promoting successful retail areas.

- POLICY 2.LD-3 Community building.** Encourage public spaces, public art and activities that celebrate the history of the district and that help build a community in the Lloyd and with surrounding neighborhoods.
- POLICY 2.LD-4 Housing diversity.** Encourage development of new housing, especially in Central Lloyd and on the Irvington and Sullivan’s Gulch edges to foster a sense of community and support efficient provision of residential amenities and services.

### Central Eastside

- POLICY 2.CE-1 Complete neighborhoods.** Ensure access to essential public services such as parks and open spaces, schools, and community centers.
- POLICY 2.CE-2 Compatible development and redevelopment.** Protect the existing industrial businesses and the livability of new employment and residential uses through development designed and constructed to insulate non-industrial uses from the characteristics common to industrial operations such as noise, fumes, and freight operations.

### South Waterfront

- POLICY 2.SW-1 Complete neighborhoods.** Encourage development of a K-8 public school facility to serve the district, parks and greenway, a full-service grocery store, community space, senior center and daycare facilities.
- POLICY 2.SW-2 Ground floor vitality.** Support street-level neighborhood vitality by encouraging active but compatible ground floor uses in predominantly residential buildings.
- POLICY 2.SW-3 Housing diversity.** Encourage multi-family housing supportive of families and students.

### University District/South Downtown

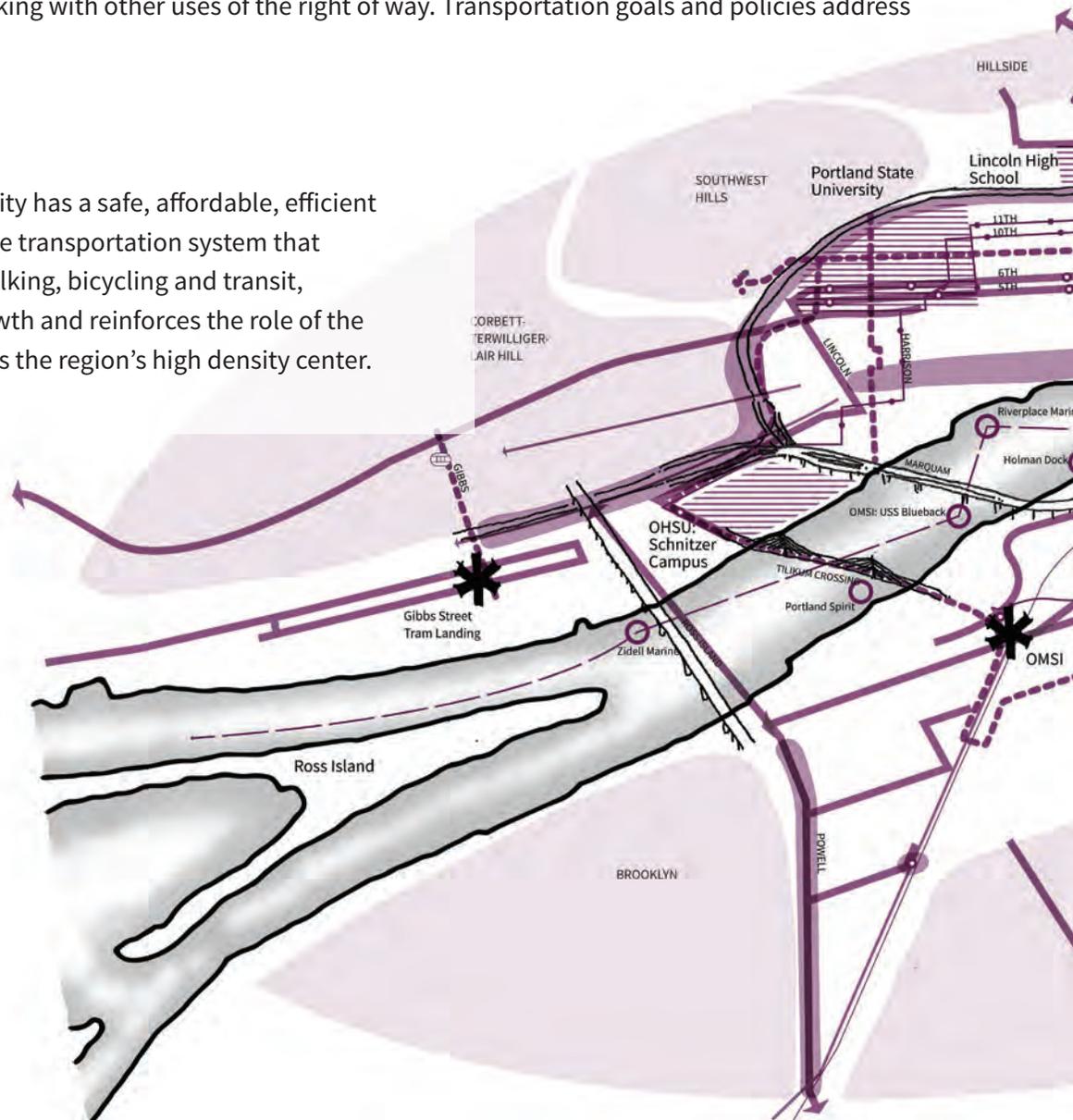
- POLICY 2.UD-1 Complete neighborhoods.** Encourage the development of a grocery store, new and improved open spaces, playground, daycare facilities, a small hotel, and a community or senior center.
- POLICY 2.UD-2 Community cohesiveness.** Support a cohesive, connected community. Create and enhance successful neighborhood-oriented retail/commercial areas near Portland State University, the Halprin Open Space Sequence and in RiverPlace.
- POLICY 2.UD-3 Evening and weekend activity.** Encourage the development of uses that are active in the evenings and on weekends such as restaurants, galleries, retail stores and performance spaces. Provide a safe and secure 24-hour environment, particularly in car-free pedestrian areas including the PSU campus, South Auditorium and RiverPlace Esplanade.
- POLICY 2.UD-4 Housing diversity.** Encourage multi-family housing supportive of families and students.

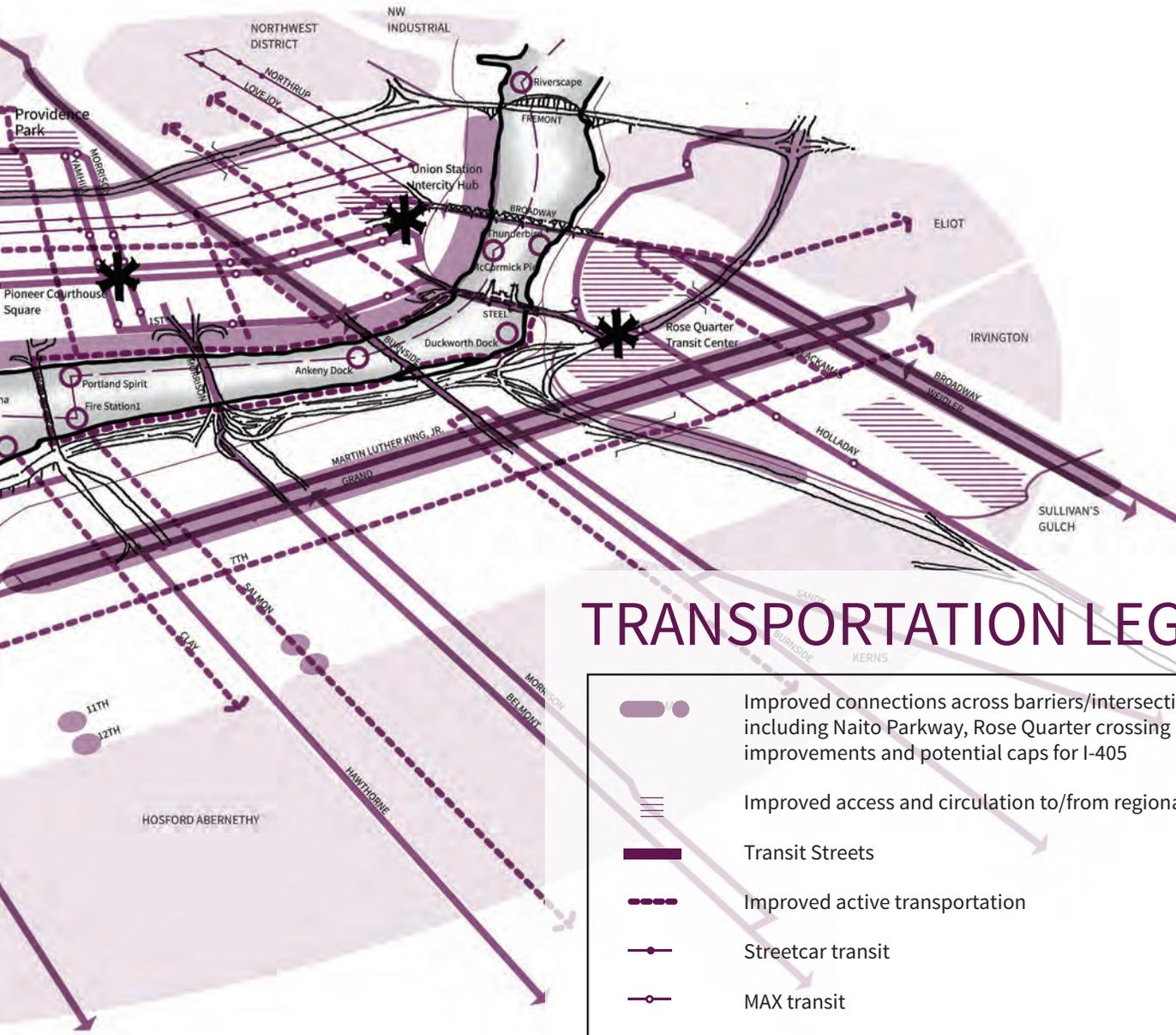
### 3. TRANSPORTATION

As the Central City grows over the next 20 years, the efficiency and safety of the transportation network must be maximized, emphasizing walking, bicycling and transit use. Improvements will be needed to keep people walking and cycling safely and comfortably to and through the Central City. Efficient transportation of freight within and through the Central City is important to support local and regional business growth. Parking will remain important to the local economy, so the management of parking should allow flexibility to optimize use of the limited supply and balance the need for parking with other uses of the right of way. Transportation goals and policies address these priorities.

#### CENTRAL CITY GOALS

**GOAL 3.A:** The Central City has a safe, affordable, efficient and accessible transportation system that prioritizes walking, bicycling and transit, supports growth and reinforces the role of the Central City as the region’s high density center.





## TRANSPORTATION LEGEND

	Improved connections across barriers/intersections, including Naito Parkway, Rose Quarter crossing improvements and potential caps for I-405
	Improved access and circulation to/from regional attraction
	Transit Streets
	Improved active transportation
	Streetcar transit
	MAX transit
	Potential river transit
	Heavy rail
	Multimodal hubs

# CENTRAL CITY POLICIES: TRANSPORTATION

## Regional hub

Policies in this section address the unique role the Central City plays as the hub in Portland’s “hub and spoke” pattern, which reinforces the sense of it being the center for commerce, entertainment and civic life. The following policies support this unique role.

- POLICY 3.1      Regional transportation hub.** Strengthen the Central City as the highly accessible and multimodal hub for moving people and goods, reinforcing its regional center roles, enabling successful high density employment and housing development, and thereby affirming its role in Metro’s Region 2040 Framework Plan.
- POLICY 3.2      Portals.** Manage entry points into the Central City to provide balanced multimodal access to efficiently accommodate the increase in person trips and goods delivery as a result of growth and development. Discourage through trips from using Central City streets.

## Street network

Policies in this section support the efficiency, safety, connectedness and experience of Portland’s street network for all users and modes.

- POLICY 3.3      Optimized street network.** Improve street design and function to increase efficiency and safety for all transportation modes and the ability of the existing network to meet the access needs of businesses, shoppers, residents and visitors. Establish a system and standards that emphasize walking, bicycling, transit use and freight access while continuing to provide automobile access.  
  
See District Policies section for related policies in: DT, WE, GH, PL, OT, LA, LD, CE, SW, UD
- POLICY 3.4      Transportation system management.** Manage access and circulation to reduce traffic speeds and provide for safe street crossings, while balancing the need for vehicle and freight access to and from the district. Manage the roadway system within the Central City in a way that allows greater levels of traffic congestion. In congested areas, prioritize modes other than automobiles to accommodate travel demand.
- POLICY 3.5      Regional multimodal access.** Work with the Oregon Department of Transportation on improvements to 1-405, 1-5 and US Highway 26 to enhance regional access to the Central City. Minimize through traffic on Central City streets, improve pedestrian and bicycle connectivity across freeways and create opportunities for capping freeways to lessen the barrier effect of the freeway and open new areas for potential development and/or parks, open space, and recreational opportunities.

- POLICY 3.6**     **Mode split.** Strive to achieve the Central City targets set in the most current Transportation System Plan.
- POLICY 3.7**     **Street diversity.** Differentiate the character of key streets to offer a diversity of urban experiences and connections, reflect the character of unique districts and expand open space and recreation functions in the right-of-way where possible.
- POLICY 3.8**     **Streetscape.** Improve the street environment and pedestrian experience by providing urban greenery and community uses of the right-of-way and by integrating high-density uses.

### **Active transportation, Transit and Demand Management**

Policies in this section support a reduction in single occupancy vehicle (SOV) trips by encouraging active transportation, including walking, bicycling and transit, as well as the use of carsharing and carpooling.

- POLICY 3.9**     **Walking.** Encourage walking as the principal way to get around the Central City, with improved on-street and off-street infrastructure that enhances safety and closes access gaps to areas within, and adjacent to, the Central City.
- POLICY 3.10**    **Bicycling.** Prioritize bicycling by implementing world-class on-street and off-street infrastructure that is safe, comfortable and convenient for people of all ages and abilities. Augment capital improvements with robust encouragement, education and enforcement efforts.
- POLICY 3.11**    **Transit.** Continue to strengthen the regional role of transit in the Central City. Support increased frequency, span-of-service, reliability and safety, as well as expansion of the rail, bus and streetcar systems. Explore river transit opportunities. Facilitate safe, pleasant and efficient access and transfer opportunities for transit riders via a clear, intuitive and convenient transit network that consolidates fragmented routes and provides high standards of transit amenities.
- POLICY 3.12**    **Transportation demand management.** Foster the development of business and property owner supported programs, incentives and activities that encourage employees, residents, students and visitors to use walking, cycling, transit, carpool and car-share, as well as telecommuting and traveling outside the hours of peak congestion.

## Parking and loading

Policies in this section address Central City parking, particularly to support retail, employment, tourism and residential growth, as well as loading to support the delivery of goods within the Central City.

- POLICY 3.13 Auto parking.** Support Central City parking needs, particularly for retail, employment and residential growth, as well as for access to major attractions such as universities and event venues. Continue to limit the growth of the overall auto parking supply, and maximize the joint use of existing and new stalls to manage parking in a more efficient and dynamic manner, lower the costs of construction and meet mode split and climate action goals for the city. Maintain no auto parking minimum requirements in the Central City and set maximum auto parking ratios to encourage other modes and allow new long-term parking only if associated with new development or to serve buildings with little parking.
- POLICY 3.14 Bicycle parking.** Encourage the provision of bicycle parking to serve the expected increase in bicycle trips in the Central City.
- POLICY 3.15 Public Parking.** Continue to manage public parking on the street system and in public garages to support Central City parking needs, prioritizing short trips and turnover to serve retail and visitor needs. Develop a performance-based parking program that manages Central City public parking to meet performance targets via dynamic pricing and other parking management tools and by providing clear and transparent parking information. Balance the need for on street parking with other uses of the curb zone. In managing the supply of on-street parking, the first priority is for short-term parking, followed by carpool and finally long-term parking.
- POLICY 3.16 Loading.** Support the delivery of goods in the Central City. Pursue strategies that bring new ways of delivering goods to the Central City in a way that optimizes loading and freight access and makes efficient use of limited urban space.

## DISTRICT POLICIES: TRANSPORTATION

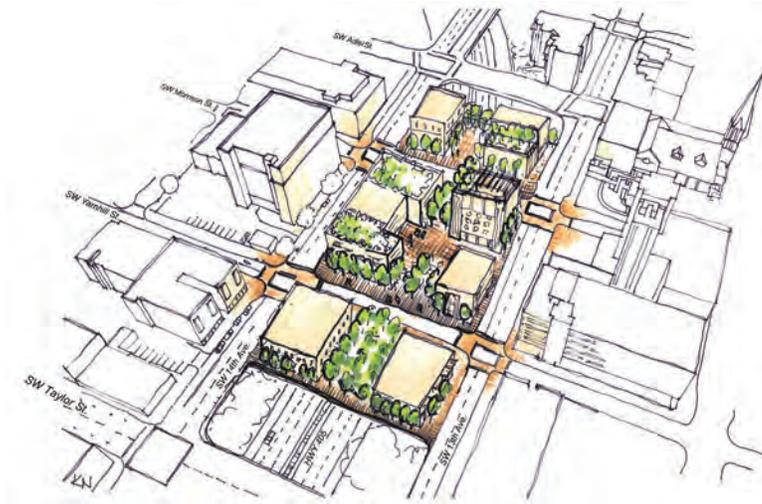
This section contains Transportation policies specific to a particular Central City district.

### Downtown

- POLICY 3.DT-1 Optimized street network.** Improve connections across West Burnside Street and across SW Naito Parkway to Governor Tom McCall Waterfront Park, the Greenway Trail and Willamette River.
- POLICY 3.DT-2 Downtown parking.** Recognize that parking is an important asset for Downtown to support regional activity and growth, while encouraging other modes and controlling traffic, design, and environmental impacts.

## West End

- POLICY 3.WE-1 Optimized street network.** Improve pedestrian and bike facilities across I-405 to Goose Hollow and across West Burnside to the Pearl.
- POLICY 3.WE-2 SW 12th Avenue opportunity.** Support the reconfiguration of SW 12th Avenue right of way to encourage pedestrian and bicycle access.



### **MORRISON/YAMHILL I-405 CAP**

*Conceptual drawing of a possible I-405 cap connecting the Goose Hollow and the West End neighborhoods together, creating new multimodal connections, developable land and open space. The Morrison and Yamhill streets already function together as active transit streets, and building this cap could provide a desirable location for a new MAX stop to help activate this area. (Otak 2013)*

## Goose Hollow

- POLICY 3.GH-1 Optimized street network.** Improve connections across I-405 to the West End and across West Burnside to Northwest Portland. Encourage additional connections through large sites and blocks.
- POLICY 3.GH-2 Goose Hollow regional attractions.** Provide multimodal access and circulation to and from Goose Hollow’s major attractions (including Providence Park, Lincoln High School and Multnomah Athletic Club) to support their viability and increase entertainment activity, shopping and tourism while also maintaining local access.

Manage available parking to efficiently accommodate the unique parking needs of major event facilities while continuing to promote transit and active transportation.

## The Pearl

- POLICY 3.PL-1 Optimized street network.** Improve pedestrian and bicycle connections across I-405, West Burnside and to major parks. Encourage new pedestrian and bicycle connections to the Willamette River and through large sites and blocks, including the US Post Office site.
- POLICY 3.PL-2 Transit service.** Enhance transit service to meet the demands of residents, students, employees and visitors as the district continues to grow. Improve access to transit particularly in the north end of the district and along the riverfront.

## Old Town/Chinatown

- POLICY 3.OT-1 **Optimized street network.** Improve connections to adjacent areas including Downtown and the Pearl; and along the Willamette River, bridgeheads and Waterfront Park.
- POLICY 3.OT-2 **Union Station multi-modal hub.** Enhance the viability of Union Station as Portland's inter-city rail and multi-modal passenger transportation hub. Improve access to the station for people walking, bicycling and taking transit.
- POLICY 3.OT-3 **Historic district parking.** Strive to meet existing and future parking needs in a way that supports historic properties, while limiting the growth of parking as redevelopment occurs.

## Lower Albina

- POLICY 3.LA-1 **Optimized street network.** Improve connections to adjacent areas, including the Rose Quarter, the Vancouver/Williams Corridor and Mississippi Avenue. Improve pedestrian connections to Interstate MAX and bus service to enhance access to employment opportunities in the area.
- POLICY 3.LA-2 **Freight system.** Emphasize freight movement and improve access from industrial areas to the regional freeway system while maintaining and improving the safety, efficiency and convenience of the transportation system for all modes.
- POLICY 3.LA-3 **Rail and marine.** Preserve rail and inter-modal access to the Albina Rail Yards, marine freight facilities and local industries.

## Lloyd

- POLICY 3.LD-1 **Optimized street network.** Increase the number of connections across barriers within and to the district, including major arterials, large blocks, freeways, rail lines, and natural features, and with adjacent neighborhoods.
- POLICY 3.LD-2 **Rose Quarter and regional attractions.** Provide access and circulation to and from the Lloyd that attracts and supports regional development, shopping and tourism. Promote the use of walking, bicycling and transit to access the area, including light rail, streetcar, bus, and a potential water taxi service.

## Central Eastside

- POLICY 3.CE-1 **Optimized street network.** Improve connectivity to and throughout the district for all modes by creating safe, accessible and convenient routes with improved signalization and clear signage to link landward portions of the district with major attractors and the riverfront.

- POLICY 3.CE-2 Freight system.** Enhance freight movement in and through the district and maintain and improve access to and from the district and regional freeway system.
- POLICY 3.CE-3 Green Streets.** Strategically support the enhancement of east-west city walkways and bikeways to serve the multiple objectives of travel, stormwater management, open space and recreation, and placemaking. Routes should also strengthen connections to the river and riverfront. Green Streets should be chosen to avoid significantly impacting freight movement as identified by Transportation System Plan freight designations.
- POLICY 3.CE-4 Reduce trail conflicts.** Reduce bicycle and pedestrian conflicts on the Eastbank Esplanade and the Greenway Trail through design modifications like separating bicycle and pedestrian facilities, education, signage and other means.

### South Waterfront

- POLICY 3.SW-1 Optimized street network.** Improve connections to adjacent areas, including South Portland, the Willamette River and South Downtown/University; and encourage an urban grid system that provides for internal circulation and connects to adjacent neighborhoods, as well as to the Greenway Trail.
- POLICY 3.SW-2 Collaborative Life Sciences Building and Schnitzer Campus.** Enhance multimodal access to the Collaborative Life Sciences Building and Schnitzer Campus from South Downtown/University, South Portland and the riverfront. Enhance circulation around campus for cyclists and pedestrians to create a highly walkable campus.
- POLICY 3.SW-3 Institution and visitor parking.** Enhance patient and visitor parking to serve healthcare facilities. Develop creative ways to provide, share and manage parking to support many types of trips and a diverse mix of land uses, including the unique needs of large educational/research institutions.

### University District/South Downtown

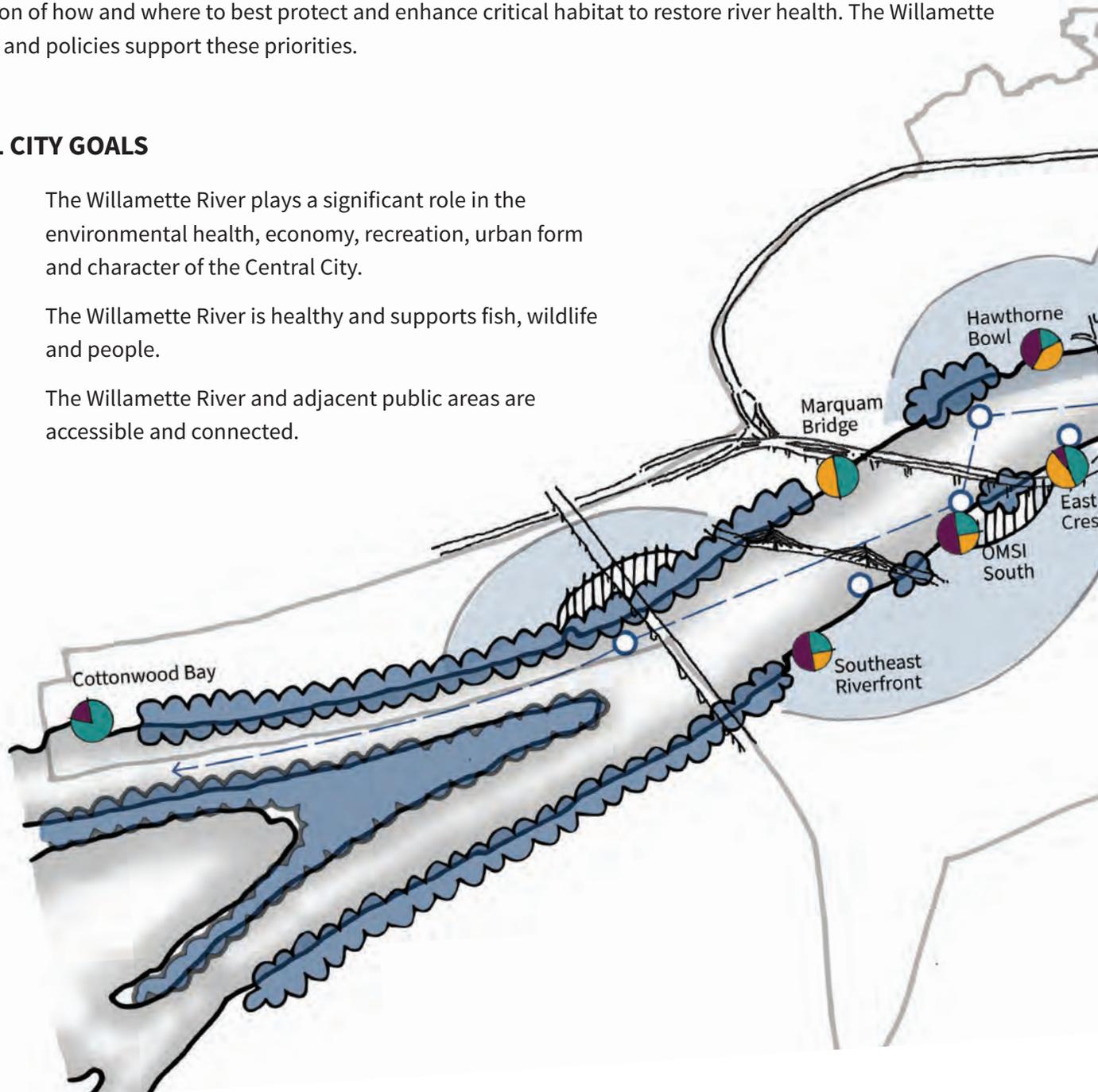
- POLICY 3.UJ-1 Optimized street network.** Improve connections to adjacent areas, including South Portland, South Waterfront, Goose Hollow, Downtown and the Willamette River. Support east-west pedestrian and bicycle connectivity between Portland State University and the Willamette River bridgeheads.
- POLICY 3.UJ-2 Portland State University.** Enhance multimodal access to Portland State University from South Waterfront, Goose Hollow and Downtown. Address parking and circulation issues around campus and address barriers for cyclists and pedestrians.
- POLICY 5.UJ-3 Montgomery Green Street.** Support development of the SW Montgomery Green Street as a key east-west green connection from the West Hills and Goose Hollow to the Willamette River.

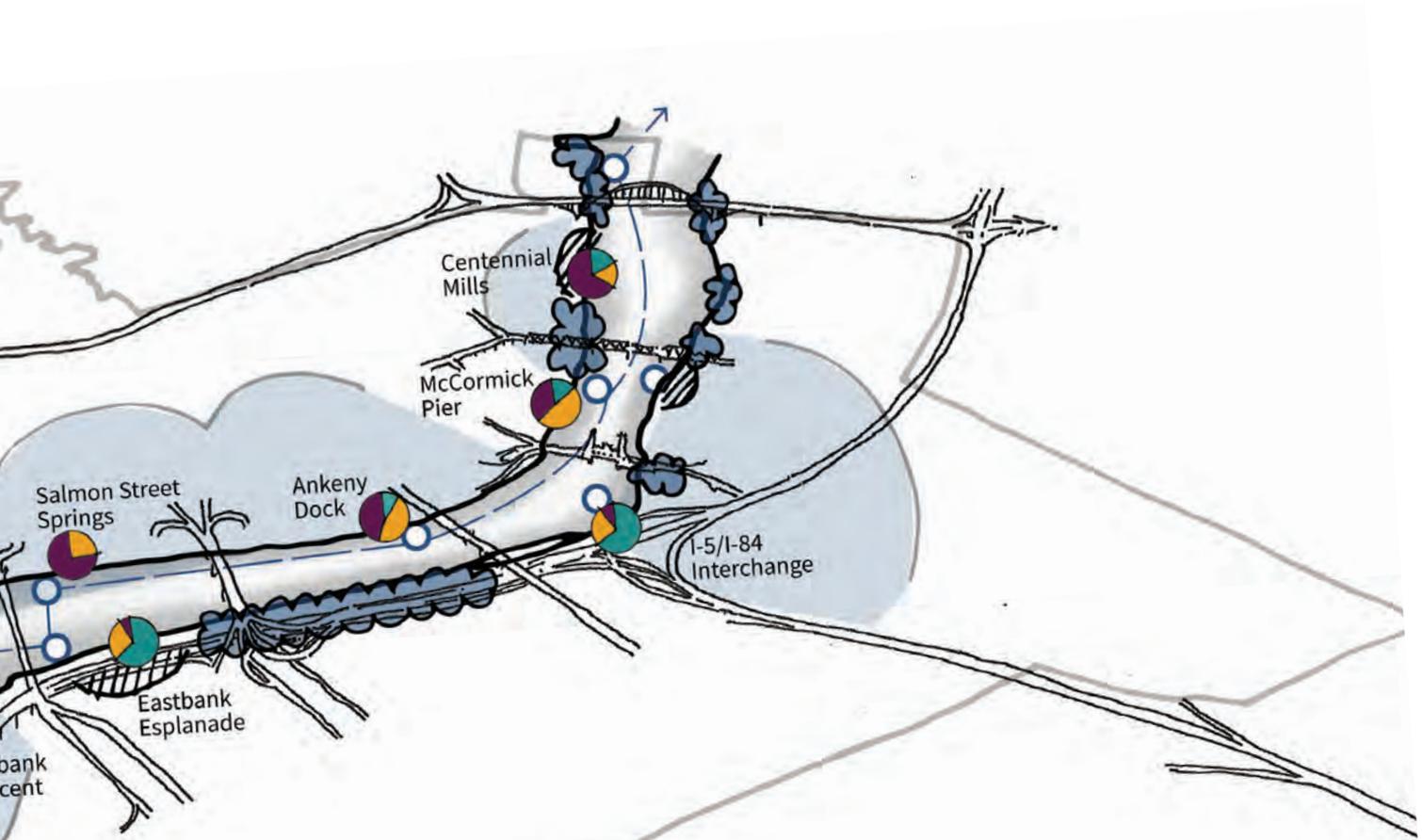
## 4. WILLAMETTE RIVER

More than any other feature in the regional landscape, the Willamette River has influenced human settlement patterns in what is now Portland. The extremely high usage of public riverfront spaces like Governor Tom McCall Waterfront Park and the Vera Katz Eastbank Esplanade speak to the public’s desire to activate the riverfront as a vital Central City feature. As the city developed, docks, sea walls, buildings, roads and bridges were constructed in the riverfront area that greatly altered its natural function and habitat. Improvements are needed to restore the physical, social, environmental, economic and historical connections to the Willamette River. Priorities include more river-related commerce; increased opportunities for riverfront and river-based recreation and transit; and identification of how and where to best protect and enhance critical habitat to restore river health. The Willamette River goals and policies support these priorities.

### CENTRAL CITY GOALS

- GOAL 4.A:** The Willamette River plays a significant role in the environmental health, economy, recreation, urban form and character of the Central City.
- GOAL 4.B:** The Willamette River is healthy and supports fish, wildlife and people.
- GOAL 4.C:** The Willamette River and adjacent public areas are accessible and connected.





## WILLAMETTE RIVER LEGEND

	Expanded activities and riverfront attractions
	Habitat enhancement area
	Potential new riverfront open space
	Fish/ Wildlife Habitat restoration and enhancement
	In-water recreation
	Development/Activities
	Trail

# CENTRAL CITY POLICIES: WILLAMETTE RIVER

## Multifunctional river

The Willamette River and its riverfront support a broad array of uses and functions, including boating, swimming, walking, biking, large and small events, commerce, education, natural resources, habitat for fish and wildlife, and flood control. It is the heart of the Central City for residents, employees and visitors. These policies support the role of the Willamette River as a defining feature of the Central City and the region.

- POLICY 4.1**      **Portland’s commons.** Promote improvements and activities on the riverfront and in the Willamette River to strengthen the physical, visual, and cultural connections between the river and the rest of the Central City. Increase public awareness of the river’s historical, economic and ecological importance.
- POLICY 4.2**      **Willamette River recreation.** Provide for safe, enjoyable and valuable active and passive recreational experiences for all users on, along and in the river. Enhance the interconnected system of parks, trails, docks, natural areas and destinations adjacent to and within the river.
- POLICY 4.3**      **Prosperous and vibrant Willamette River waterfront.** Support river-dependent, river-related and other uses that capitalize on the river and riverfront locations, expand tourism and commercial uses, and reinforce the distinctive character of the different riverfront districts.
- POLICY 4.4**      **Willamette River transportation.** Improve infrastructure that supports commercial, river transit, individual watercraft, tourist and recreational boating uses. Ensure that new river transportation terminals and docks are connected by streets and trails that provide direct access to transit from points throughout the Central City.
- POLICY 4.5**      **Connections to the Willamette River.** Increase the community’s enjoyment of and direct experience with the Willamette River. Improve physical and visual connections between the districts and the Willamette River.
- POLICY 4.6**      **Watershed health and native species recovery.**
- a. Watershed Health.** Improve the quality, quantity, connectivity and overall function of the ecological system including upland, riparian and in-water habitat to protect public health and support the conservation and restoration of native fish and wildlife populations.
  - b. Threatened, endangered and at risk species.** Restore in-water, riparian and floodplain habitat that supports fish and wildlife populations at risk of becoming or are currently threatened or endangered.
  - c. Floodplains.** Improve the ability of floodplains to store water, reduce risks on the public and provide habitat functions.

**d. Stormwater Management.** Reduce stormwater entering into the separated sewer system.

**e. Riverbank enhancement targets.** Strive to meet Central City targets related to riverbank enhancement and restoration.

See district policies section for related policies in: DT, PL, OT, LD, CE, SW, UD

## River-oriented development

These policies address considerations for new development near the Willamette River and along Naito Parkway on the west side.

- POLICY 4.7**     **Periodic flooding.** Minimize the risk to new and existing development and infrastructure from flood events, while also maintaining and enhancing ecological functions associated with the river and floodplain.
- POLICY 4.8**     **Relationship to the river.** Encourage development adjacent to the Willamette River to orient buildings towards the river, at appropriate setback distances. Add entrances, visual and physical connections, art installments and other amenities in order to create a relationship between the built environment and activities along the river.
- POLICY 4.9**     **Commercial development.** Encourage new clusters of commercial uses adjacent to the Willamette River, at appropriate setback distances, in order to bring more people, events and activities to the riverfront.
- POLICY 4.10**    **Bridgehead redevelopment.** Support the redevelopment of bridgehead sites to create dynamic places that bring a diversity of residents, workers and visitors to the riverfront and link east- and west-side districts of the Central City.
- POLICY 4.11**    **Low impact development.** Incorporate low-impact design in new and replacement docks and require appropriate setback distances for new development near the river.

## DISTRICT POLICIES: WILLAMETTE RIVER

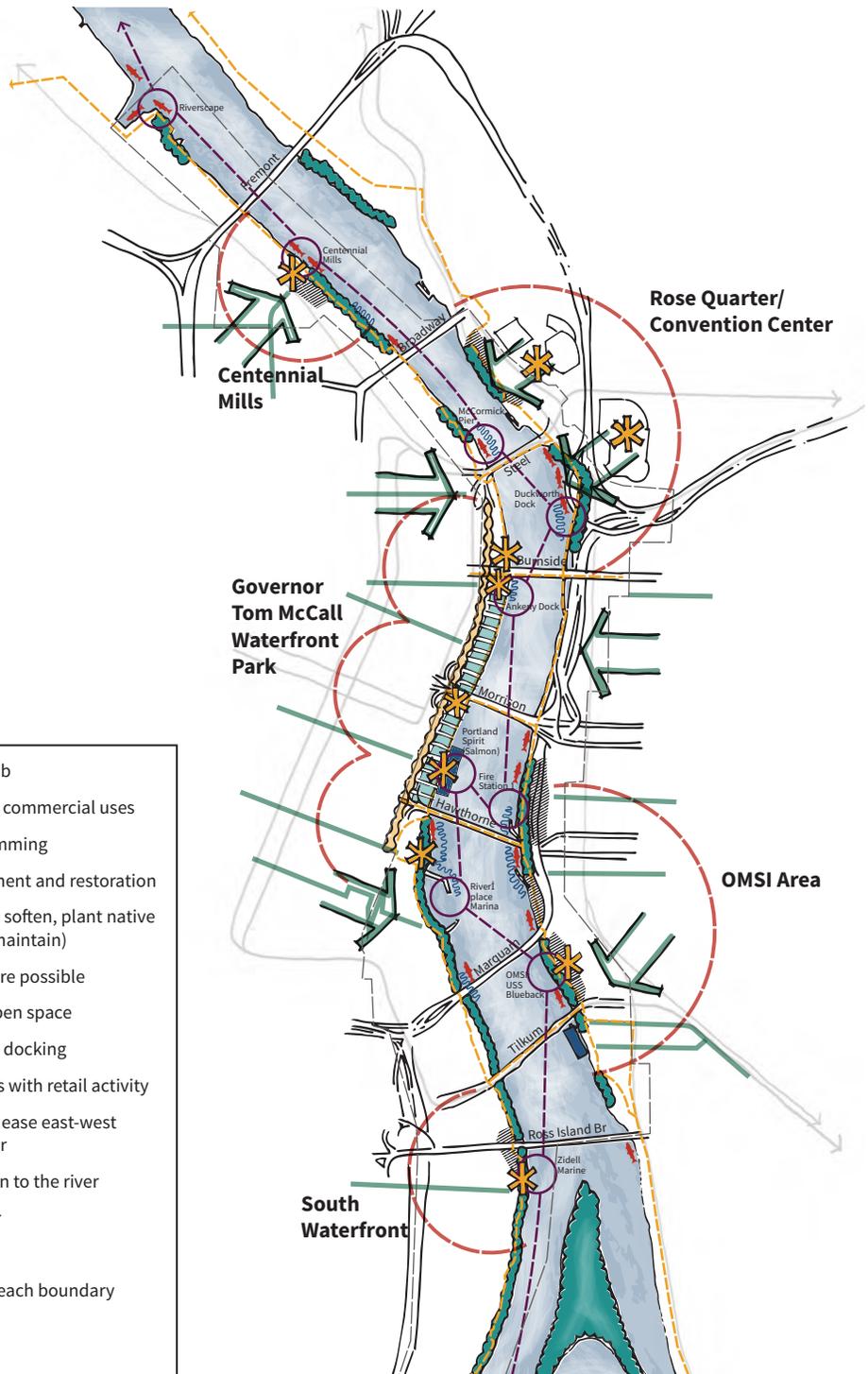
This section contains Willamette River policies specific to Central City districts adjacent to the Willamette River.

### WILLAMETTE RIVER: CENTRAL REACH URBAN DESIGN CONCEPT

This concept diagram was created in collaboration with stakeholders and an ad hoc working group. Reach-wide goals include: increasing shallow river habitat, increasing access to the river, activating the riverfront in key places, and enhancing the bank with connections to upland habitat.

### LEGEND

	Major riverfront activity hub
	Riverfront attractions with commercial uses
	Public access to river/ swimming
	In-water habitat enhancement and restoration
	Riverbank restoration (e.g. soften, plant native trees and vegetation and maintain)
	Add native vegetation where possible
	Potential new riverfront open space
	Potential passenger vessel docking
	Potential river transit stops with retail activity
	Enhance Naito Parkway to ease east-west movement toward the river
	Resolve difficult connection to the river
	"Green fingers" to the river
	Trail
	Willamette River Central Reach boundary
	MAX
	Heavy rail



## DOWNTOWN

### POLICY 4.DT-1 **Governor Tom McCall Waterfront Park.**

- a. **Promotion.** Promote the park, including the Willamette River, as a key regional attraction and asset serving visitors, employees and residents of the Central City.
- b. **Watershed health and native species recovery.** Enhance watershed health and conditions for native species by: incorporating native vegetation and large canopy trees into landscaping within the park and public rights-of-way next to the park; improving in-water habitat complexity and increasing flood capacity at the Hawthorne Bowl; and exploring innovative technologies for adding habitat features along the seawall.
- c. **Improvements.** Facilitate planned improvements that activate the park; improve connectivity between the park and the districts; and provide for a mix of river recreation and transportation.
- d. **Activities and amenities.** Expand the range of public activities and attractors in the park including but not limited to events; recreation; small-scale retail; and art, culture, ecological and historic displays.
- e. **Events.** Create a balance between large events, small events and other park activities to maximize public use and enjoyment of the park, especially during the summer when multiple large-scale events take place.
- f. **Flood Risk.** Explore options to increase flood capacity and reduce risks from flooding on critical infrastructure and improvements within and adjacent to the park.

## The Pearl

POLICY 4.PL-1 **Pearl urban riverfront.** Encourage the development of a distinctly urban riverfront that balances public activities including river transportation, recreation and development with habitat enhancement.

POLICY 4.PL-2 **Watershed health and native species recovery.** Enhance watershed health and conditions for native species by replacing invasive, non-native plants with native plants on the river banks between Centennial Mills and McCormick Pier. Improve in-water and riparian habitat complexity and increase flood capacity at Centennial Mills.

## Old Town/Chinatown

POLICY 4.OT-1 **Old Town/Chinatown urban riverfront.** Encourage the development of a distinctly urban riverfront that that brings people closer to the riverfront. Encourage doors and windows with orientation toward SW Naito Parkway and the Willamette River.

POLICY 4.OT-2 **Watershed health and species recovery.** Enhance watershed health and conditions for native species by replacing invasive, non-native plants with native plants on the river banks between McCormick Pier and Centennial Mills. Improve in-water and riparian habitat complexity at McCormick Pier.

## Lower Albina

POLICY 4.LA-1 **Working harbor.** Protect the Lower Albina working harbor and support river-dependent uses.

## Lloyd

POLICY 4.LD-1 **Lloyd urban riverfront.** Encourage redevelopment of the Thunderbird site with a unique development that provides public access to and enjoyment of the Willamette River and connects the district to the river.

POLICY 4.LD-2 **Public trails.** Improve public trail connections between the Eastbank Esplanade, the Convention Center and the Coliseum and create a public trail connection from the Eastbank Esplanade to the Broadway Bridge.

POLICY 4.LD-3 **Watershed health and native species recovery.** Enhance watershed health and conditions for native species by replacing invasive, non-native plants with native plants on the river banks between the Steel and Burnside Bridge. Improve in-water and riparian habitat and increase flood capacity near the Duckworth Dock.

## Central Eastside

POLICY 4.CE-1 **River economy.** Leverage the Willamette River as an important component of the Central Eastside's local economy by supporting river-dependent and river-related commercial and mixed uses that bring more people to and on the river.

POLICY 4.CE-2 **Southeast riverfront.** Improve the physical relationship between buildings, activities and the Willamette River. Utilize building design, active ground floors facing the river, new uses, open areas and connections that encourage people's enjoyment of the river in both public and private spaces.

POLICY 4.CE-3 **Watershed health and native species recovery.** Enhance in-water and riparian habitat from the Burnside Bridge to the Ross Island Bridge by replacing invasive and non-native plants with native plants and trees and creating complexity in shallow water areas. Restore in-water, riparian and upland habitat and increase flood capacity at the Eastbank Crescent.

## South Waterfront

- POLICY 4.SW-1 **River access, greenway and recreation.** Encourage improvements along the Willamette River in South Waterfront to enhance resident, employee and visitor access to and enjoyment of the river for activities such as contemplation, recreational boating, swimming and fishing.
- POLICY 4.SW-2 **Watershed health and native species recovery.** Enhance in-water habitat, support innovative stormwater management opportunities, increase flood capacity and replace invasive, non-native plants with native plants and trees on the river bank. Improve in-water habitat complexity between the Marquam Bridge and Cottonwood Bay.

## University District/South Downtown

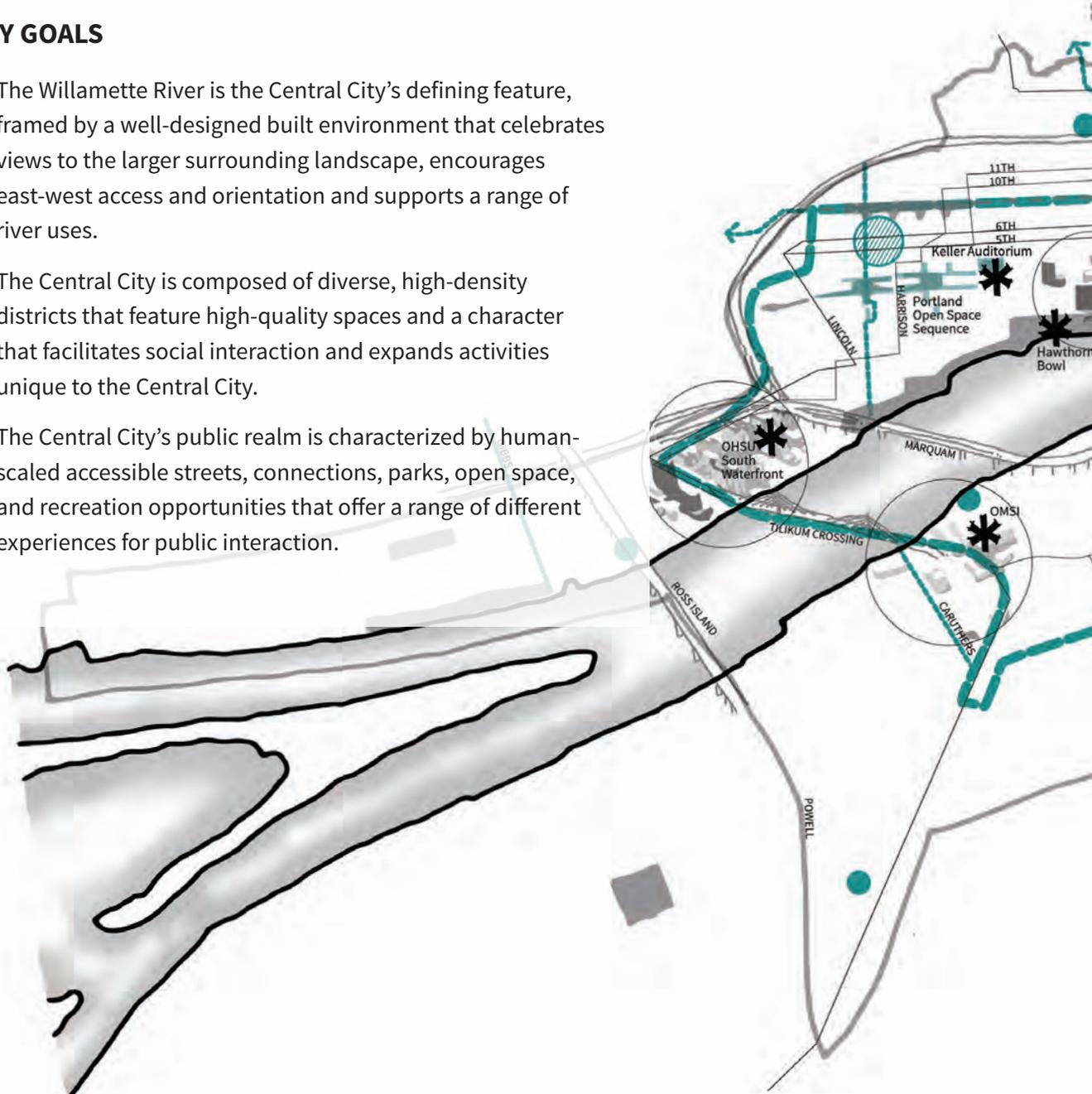
- POLICY 4.UD-1 **South Downtown urban riverfront.** Leverage existing development, including RiverPlace Marina, and redevelopment to provide additional in-water and on-land recreational and commercial access along the riverfront.
- POLICY 4.UD-2 **Watershed health and native species recovery.** Enhance in-water and riparian habitat and increase flood capacity at the Riverplace Marina and under the Marquam Bridge and replace invasive, non-native plants with native plants on the river banks from the Hawthorne Bowl to South Waterfront. Improve in-water habitat complexity under the Marquam Bridge.

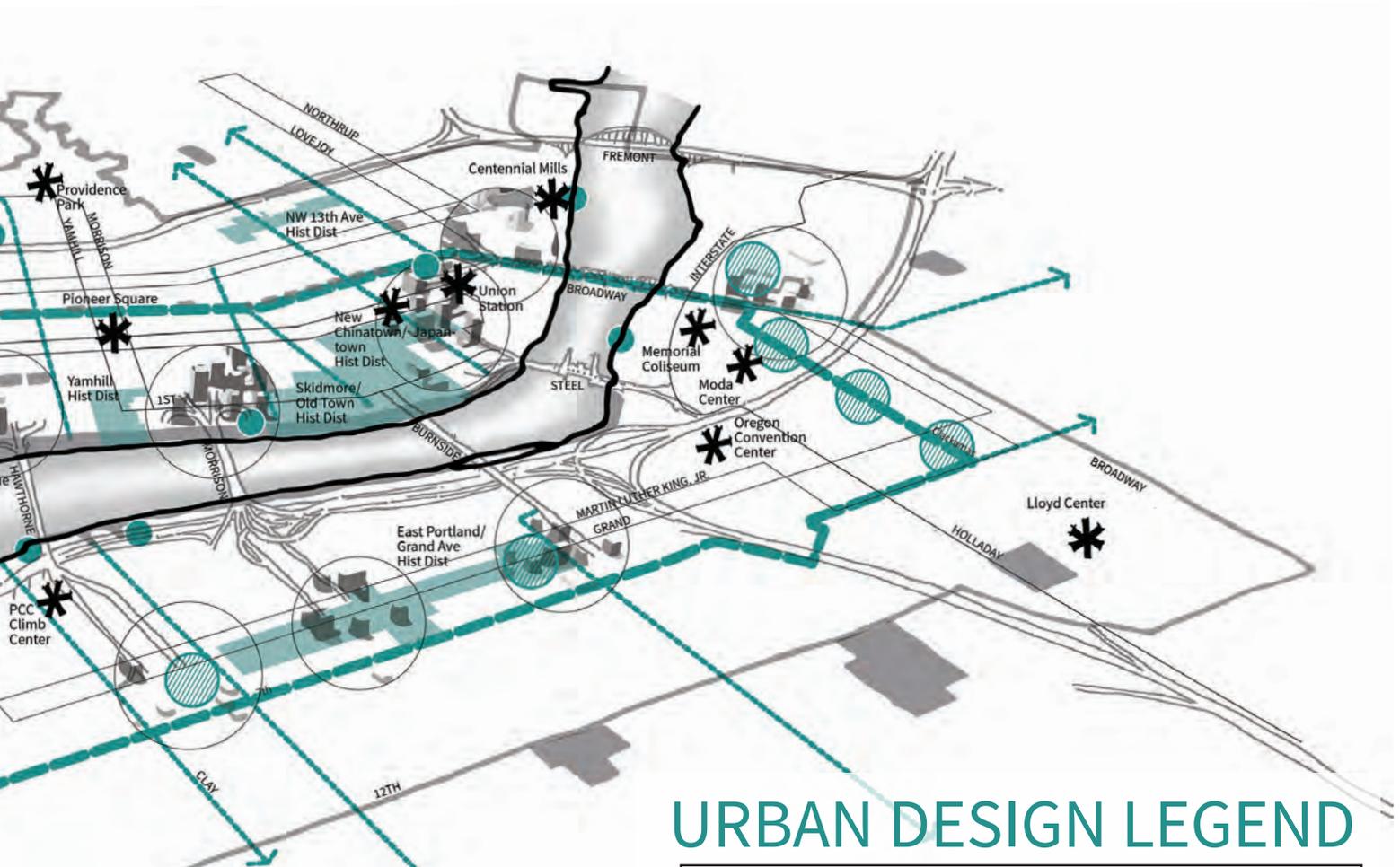
## 5. URBAN DESIGN

The practice of urban design involves the physical features of both the built and natural environments that define the character of a place. It can be thought of as the art of making places for people to thrive. Urban design works at a variety of scales. It includes everything from urban form of the entire city down to the design of buildings, streets and the public realm, parks and open spaces, and historic districts.

### CENTRAL CITY GOALS

- GOAL 5.A:** The Willamette River is the Central City’s defining feature, framed by a well-designed built environment that celebrates views to the larger surrounding landscape, encourages east-west access and orientation and supports a range of river uses.
- GOAL 5.B:** The Central City is composed of diverse, high-density districts that feature high-quality spaces and a character that facilitates social interaction and expands activities unique to the Central City.
- GOAL 5.C:** The Central City’s public realm is characterized by human-scaled accessible streets, connections, parks, open space, and recreation opportunities that offer a range of different experiences for public interaction.





## URBAN DESIGN LEGEND

	Central City historic districts
	Existing open spaces
	Potential new open space with redevelopment Potential new open space with redevelopment in park deficient areas (locations unspecified)
	Open space connection
	Potential "Green Loop" linear open space connection
	Attractions
	Bridgehead locations

# CENTRAL CITY POLICIES: URBAN DESIGN

## Context and Form

These policies address the context and form of the Central City as the most densely developed area in the region, a place where large numbers of people live, work and visit, as well as how it relates to the region, its surrounding neighborhoods and the natural landscape.

- POLICY 5.1      Experimentation and innovation.** Support the design of new places and uses, both permanent and temporary that promote innovation, experimentation and exchange in the Central City.
- POLICY 5.2      Central, connected Willamette River.** Create a network of open space and tree canopy corridors to make ecological and design connections to the river.
- POLICY 5.3      Dynamic skyline.** Encourage the tallest buildings to locate adjacent to transit hubs and corridors, generally stepping down in height to the Willamette River. Allow taller buildings at bridgeheads and encourage contextually sensitive heights within historic districts. Encourage heights and building forms that preserve sunlight on public open spaces and parks.
- POLICY 5.4      Scenic Resources.** Protect public views of key landmarks and scenic resources (Vista Bridge, Union Station, Mt. Hood, Willamette River bridges) which define the Central City, help with wayfinding, and connect residents, employees and visitors to Portland’s varied and unique landscape.
- POLICY 5.5      Large site development.** Encourage redevelopment of large sites that includes new compatible uses, green buildings and equity considerations, scenic resource preservation, new pedestrian connections through the site, strong street presence, green infrastructure, and new open space amenities.
- POLICY 5.6      Distinct and vibrant districts.** Enhance the existing character and diversity of the Central City and its districts, strengthening existing places and fostering the creation of new urban places and experiences.
- POLICY 5.7      Neighborhood transitions.** Establish transitions between the Central City’s denser, taller and more commercial and industrial land uses and adjacent neighborhoods, while highlighting key gateway locations.

## Connected Public Realm

These policies support a more intentional approach to the design, function, connectivity and character that define the Central City’s public realm.

- POLICY 5.8**      **Public realm.** Enhance the character and function of the public realm through design standards, guidelines, amenities and land uses that activate the pedestrian environment and encourage community gathering.
  
- POLICY 5.9**      **Wayfinding.** Develop wayfinding strategies and tools that allow residents, employees, visitors and customers to navigate the Central City and locate key attractions, businesses, institutions, the riverfront and other destinations in a safe, intuitive and enjoyable manner.
  
- POLICY 5.10**    **Street hierarchy and development character.** Establish a more intentional street hierarchy with a greater diversity of street characters, distinguishing three main types: retail/commercial, boulevard and flexible.

See district policies section for related policies in: DT, WE, GH, PL, OT, LA, LD, CE, SW, UD





**RETAIL COMMERCIAL**

*These are busy, continuous streets with retail activity throughout the day, evenings and weekends. Ground floors of buildings along these streets feature plaza-like setbacks for outdoor dining, gathering and socializing.*



**BOULEVARD**

*These are busy great streets – they could be the “second” street of a couplet pair or help to define a district edge. They have fewer retail storefronts and have a greener character with more landscaped setbacks that have seating areas, more trees and distinctive planted areas.*



**FLEXIBLE**

*These streets, pathways and trails are part of a pedestrian and bicycle oriented network that offers quieter, low-stress walking, jogging, rolling or bicycling experiences. Due to their “flexible” character of these connections, the ground floor responses of adjacent buildings varies considerably.*

**POLICY 5.11 Regional corridors and connections.** Promote the presence, character and role of physical and visual corridors such as trails, transit lines, streets and scenic corridors, helping to bridge neighborhoods across physical and psychological barriers.

- POLICY 5.12     **“Green Loop” concept.** Create a “Green Loop” that connects east and west side neighborhoods to open spaces and the Willamette River, with high quality bicycle accommodations, tree canopy, innovative, park-like pedestrian environments, and wildlife habitat connections. Enhance connections to the “Green Loop” alignment on key corridors throughout the Central City to improve access, create activity nodes and support neighborhood attractions and economic development.
- POLICY 5.13     **MAX-Portland Streetcar interchanges.** Create supportive environments for transit connections that occur where MAX light rail lines cross Portland Streetcar lines in the West End, Lloyd and the Central Eastside.
- POLICY 5.14     **Streetcar lines.** Require active uses near Portland Streetcar stations and limit auto-oriented development.
- POLICY 5.15     **Limit auto-oriented development.** Prohibit drive-throughs with new development.

## Parks and Open Space

These policies support enhancements to existing open spaces and expansion of the Central City’s parks and open space network.

- POLICY 5.16     **Signature open spaces.** Enhance the Central City’s iconic interconnected system of parks, trails, and natural areas by offering a wide range of social, recreational, contemplative, respite and ecological functions to serve an increasingly diverse population of residents, workers and visitors.
- POLICY 5.17     **Open space network.** Beyond signature open spaces, acquire new parks and open spaces and expand opportunities in existing parks and open spaces to meet the needs of Central City residents, workers and visitors for both passive and active recreation, especially in areas zoned for high density, mixed use development. Enhance the network by improving connections among parks, open spaces, and the riverfront. Encourage the provision of publicly accessible private plazas and pocket parks with new development.

See district policies section for related policies in: DT, WE, GH, PL, LD, CE, SW, UD; see Governor Tom McCall Waterfront Park policies in Willamette River, Downtown district section

## Historic Preservation

The Central City is rich with designated historic landmarks and historic districts that help create a sense of place, contribute to neighborhood character and recognize Portland’s history. These policies support the protection and preservation of historic and culturally significant resources in the city as it continues to grow and change.

- POLICY 5.18     **Rehabilitation and reuse.** Encourage the use, preservation, and rehabilitation of historic buildings.

**POLICY 5.19 Historic resources and districts.** Enhance the identity of historically, culturally and architecturally significant buildings and places, while promoting contextually-sensitive infill development on vacant and surface parking lots.

See district policies section for related policies in: DT, WE, PL, OT, LA, CE, GH

**POLICY 5.20 Preservation incentives.** Provide financial and regulatory incentives that support the economic feasibility of the preservation, rehabilitation and seismic upgrade of historic resources.

## **DISTRICT POLICIES: URBAN DESIGN**

This section contains Urban Design policies specific to a particular Central City district.

### **Downtown**

**POLICY 5.DT-1 Retail core.** Design a unified identity for the retail core through signage, banners, lighting, street furnishings and plantings.

**POLICY 5.DT-2 Transit Mall.** Provide a safe and pleasant street environment for transit riders and other pedestrians along SW 5th and 6th Avenues. Maintain the consistent streetscape, transit furnishings, and public art along the corridor.

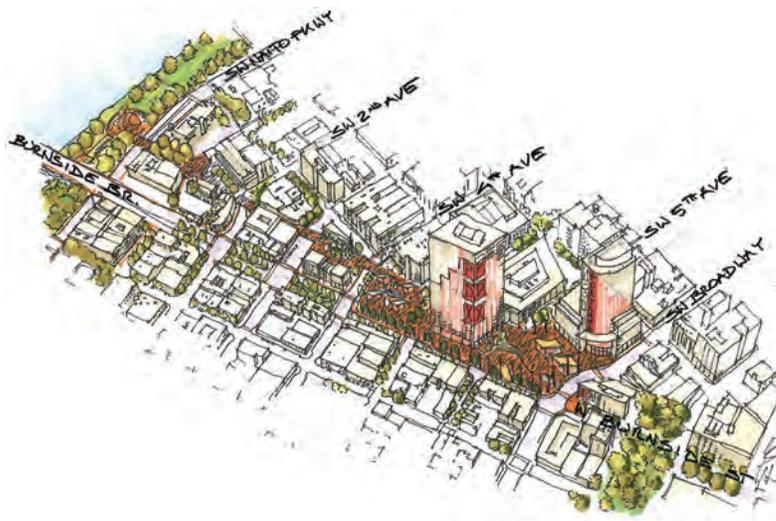
**POLICY 5.DT-3 Street hierarchy and development character.** Support the signature retail/commercial character of SW Morrison, SW Yamhill, SW Broadway, SW Alder and West Burnside; the signature boulevard character of 5th, 6th and Naito Parkway; and the signature boulevard/flexible character of SW Salmon; and the flexible character of SW Oak and SW Ankeny.

**POLICY 5.DT-4 Open space network.**

**a. Civic gathering places.** Provide safe and accessible urban spaces for large public gatherings including festivals, parades, concerts, sports events and other assemblies. Reinforce Broadway as Portland's theater and bright lights district.

**b. South Park Blocks.** Preserve the South Park Blocks as one of Portland's signature open spaces and integrate them with high quality pedestrian and bicycle facilities as well as improved opportunities for habitat.

**POLICY 5.DT-5 Historic resources and districts.** Protect historic resources throughout the district. In particular, protect the historic character and architecturally significant resources of the Yamhill Historic District.



### A PORTLAND TIMES SQUARE

Conceptual sketch exploring how the section of W Burnside St between the Burnside Bridge and SW Broadway could be transformed into a series of signature public open spaces culminating in a “Times Square”-style plaza. A “Fountains Walk” pedestrian path on Ankeny Alley would connect the new square to the river through a series of existing and new fountains, linking some portions of Ankeny Alley that are already pedestrian oriented. (Otak 2013)

## West End

- POLICY 5.WE-1 South Park Blocks frontages.** Encourage active ground floor building frontages along the Park Blocks.
- POLICY 5.WE-2 Street hierarchy and development character.** Support the retail/commercial character of SW 10th Avenue, Jefferson and Yamhill streets, and develop the boulevard character of Morrison, Columbia, Clay and Market streets and 12th Avenue, and the boulevard/flexible character of SW Salmon Street.
- POLICY 5.WE-3 Historic resources and districts.** Protect the personality and character of the West End by encouraging the use, preservation and rehabilitation of existing buildings and historic resources that represent a wide range of architectural styles, scales and eras.

## Goose Hollow

- POLICY 5.GH-1 Distinctive building character.** Encourage the diversity and unique character of Goose Hollow and its wide range of uses, building types, ages and scales. Seek ways to bring new uses and energy into the district while maintaining positive characteristics of existing buildings.
- POLICY 5.GH-2 Natural features.** Enhance existing natural features resulting from the district’s proximity to the West Hills, such as the varied topography, trees, and vegetation.
- POLICY 5.GH-3 Street hierarchy and development character.** Support the retail/commercial character of West Burnside, SW Yamhill, and SW Jefferson; the unique flexible/boulevard character of SW Salmon; and the flexible character of SW 20th and 16th. Activate ground floor facades throughout the district.

- POLICY 5.GH-4 Open space network.** Enhance existing open spaces, including Collins Circle, Firefighters Park and the stadium plazas to be more usable, engaging spaces and improve access to Washington Park. Support the inclusion of publicly accessible green open space in the redevelopment of Lincoln High School.
- POLICY 5.GH-5 Historic resources and districts.** Identify significant historic resources within the district. Retain the personality and character of Goose Hollow by encouraging the preservation and rehabilitation of existing buildings that represent a wide range of architectural styles, scales and eras.

## The Pearl

- POLICY 5.PL-1 NW 13th Avenue Historic District and main street.** Protect the historic warehouse character and architecturally significant resources within the district. Continue the active character of the street environment north of the historic district by encouraging active uses; adding and maintaining loading docks; and maintaining lower building heights along NW 13th Avenue from NW Davis Street to the north.
- POLICY 5.PL-2 Under I-405 repurposing.** Support redevelopment of areas under I-405 to create safe, attractive, and engaging spaces.
- POLICY 5.PL-3 Street hierarchy and development character.** Support the retail/commercial character of NW 11th, 13th, Lovejoy, and Glisan; as well as the flexible character of NW Davis, Flanders, Johnson, Marshall and Pettygrove.
- POLICY 5.PL-4 Open space network.** Require the development of publicly accessible open space at the Centennial Mills and US Postal Service sites as part of redevelopment to provide linkages to street tree canopy and other open spaces.
- POLICY 5.PL-5 Historic resources and districts.** Encourage the preservation of older and often smaller buildings with historic character.

## Old Town/Chinatown

- POLICY 5.OT-1 New Chinatown/Japantown.** Protect significant resources and enhance the historic multi-cultural significance of the New Chinatown/Japantown Historic District. Support the district's historic character, multi-ethnic history and today's Pan-Asian culture.
- POLICY 5.OT-2 Skidmore/Old Town.** Protect historic and architecturally significant resources of the Skidmore/Old Town National Historic Landmark District. Support the district's historic commercial character, history of social service and connection to the Willamette River. Encourage the incorporation of cast-iron architectural artifacts in new development within the district.

- POLICY 5.OT-3 **East-west connectivity.** Increase east-west connections to the Pearl and the riverfront and strengthen the Festival Streets along NW Davis and Flanders streets through supportive adjacent new development and active programming.
- POLICY 5.OT-4 **Active uses.** Increase the number of ground floor activating uses and eliminate gaps in the built environment.
- POLICY 5.OT-5 **Street hierarchy and development character.** Support the retail/commercial character of W Burnside, NW Broadway, NW Glisan and NW 4th; the boulevard character of NW 5th and 6th, Naito Parkway and NW Everett; and the flexible character of NW Flanders and Davis.
- POLICY 5.OT-6 **Historic resources and districts.** Protect the rich historic and cultural character of Old Town/Chinatown. Preserve and rehabilitate historic resources throughout the district.

## Lower Albina

- POLICY 5.LA-1 **Russell Street.** Strengthen the character of Russell Street and reestablish the historic connection between Lower Albina and the Vancouver/Williams Corridor by encouraging new mixed uses, rehabilitated buildings and a nighttime orientation.
- POLICY 5.LA-2 **Industrial character.** Preserve the industrial character and functionality of the Lower Albina industrial area.
- POLICY 5.LA-3 **Street hierarchy and development character.** Support the retail/commercial character of NE Russell; the boulevard character of Interstate Avenue; and the flexible character of the “strand” connection.
- POLICY 5.LA-4 **Historic resources and districts.** Encourage the preservation, rehabilitation and celebration of historic structures in Lower Albina, including those in the Russell Street Conservation District and culturally significant African- American resources identified in the Cornerstones of Community Inventory.

## Lloyd

- POLICY 5.LD-1 **Diverse and distinctive urban places.** Foster more intense development in the Central Lloyd area and Rose Quarter while strengthening the distinct character of the existing Lloyd subareas.
- POLICY 5.LD-2 **Connectivity through large blocks.** Take advantage of the unique opportunity for dense, large site development made possible by the large blocks found in the Lloyd. Integrate this development into the surrounding blocks through well designed internal green spaces and pedestrian connections.
- POLICY 5.LD-3 **Pedestrian-oriented development.** Discourage new automobile-oriented uses and encourage the eventual redevelopment of large surface parking lots with development that is oriented to the street and enhances the pedestrian environment.

- POLICY 5.LD-4 Street hierarchy and development character.** Support the retail/commercial character of NE Broadway, MLK and Grand; the boulevard character of NE Weidler, Interstate Avenue, NE Lloyd and NE 15th; and the flexible character of NE Clackamas, NE 2nd, 6th and 12th.
- POLICY 5.LD-5 Open space network.** Develop a signature sequence of open spaces, linked through a pedestrian wayfinding system that serves the Central Lloyd area, becomes a primary organizing structure for new development, and offers a diversity of character, experiences, and recreational functions for district residents, workers and visitors.

## Central Eastside

- POLICY 5.CE-1 East Portland Grand Avenue Historic District.** Promote the rehabilitation of historic buildings and sensitive infill development in the Grand Avenue Historic District through updated design guidelines and regulations that incent rehabilitation and reuse over demolition. Encourage adaptive reuse of existing structures.
- POLICY 5.CE-2 OMSI Station area.** Create an urban form at the OMSI Station area that facilitates public access from the streetcar and light rail stations to the greenway trail and riverfront, PCC, OMSI, Portland Opera, Portland Spirit, the Oregon Rail Heritage Foundation sites, through public realm enhancements and ground floor active uses that create a safe and vibrant environment.
- POLICY 5.CE-3 Clinton Station area.** Establish an urban form at the Clinton Station area that creates a safe and active environment by incorporating a mix of uses that serve transit riders as well as residents and employees of the station area, Central Eastside, and inner Southeast Portland neighborhoods.
- POLICY 5.CE-4 Urban form on large blocks.** Use building massing and orientation, accessways, and open spaces in the development of large blocks and sites to establish an urban form and block configuration consistent with the rest of the Central Eastside.
- POLICY 5.CE-5 Open space network.** Increase public parks, open space, and recreation opportunities in the district, especially in areas zoned for high density, mixed-use development. Broaden the number and range of available recreation opportunities.
- POLICY 5.CE-6 Street hierarchy and development character.** Support the retail/commercial character of East Burnside, NE Sandy, SE Grand, SE Division, SE Hawthorne and SE Morrison; the boulevard character of SE Stark, NE Couch, SE 11th and SE 12th; and the flexible character of SE Ankeny, SE Salmon, SE Clay, SE 7th and SE Caruthers. Create transitions between industrial and mixed use areas.

POLICY 5.CE-7 **Historic resources and districts.**

- a. Industrial character.** Promote the historic industrial character of the Central Eastside through the preservation and enhancement of historic buildings and infrastructure that reflect past uses and architectural styles while serving existing and emerging industrial employment uses.
- b. Historic main streets.** Enhance the character and visibility of historic streets throughout the district such as SE Morrison Street, including areas under viaducts, through public realm improvements and building rehabilitations that acknowledge these streets' historic role in shaping the district, while elevating their current status as important streets for commerce and employment.

**MORRISON VIADUCT**

*Conceptual rendering illustrating the historic main street under the Morrison Bridge viaduct and how the space could possibly be activated by additional uses during the day and at night.*

**South Waterfront**

POLICY 5.SW-1 **Street hierarchy and development character.** Support the retail/commercial character of SW Bond Avenue and SW Gibbs St and the boulevard character of SW Moody.

POLICY 5.SW-2 **Open space network.** Create an exemplary open space network that embraces the river as the district's "front yard" and provides a range of urban amenities, passive and active recreation experiences and ecological functions.

**University District/South Downtown**

POLICY 5.UD-1 **Portland State University character.** Encourage the continued development of a pedestrian-oriented, predominantly university campus environment centered on the South Park Blocks. Encourage the development of an integrated urban environment with a rich mix of public and private institutions, commercial uses and housing west of Broadway to SW 4th Avenue.

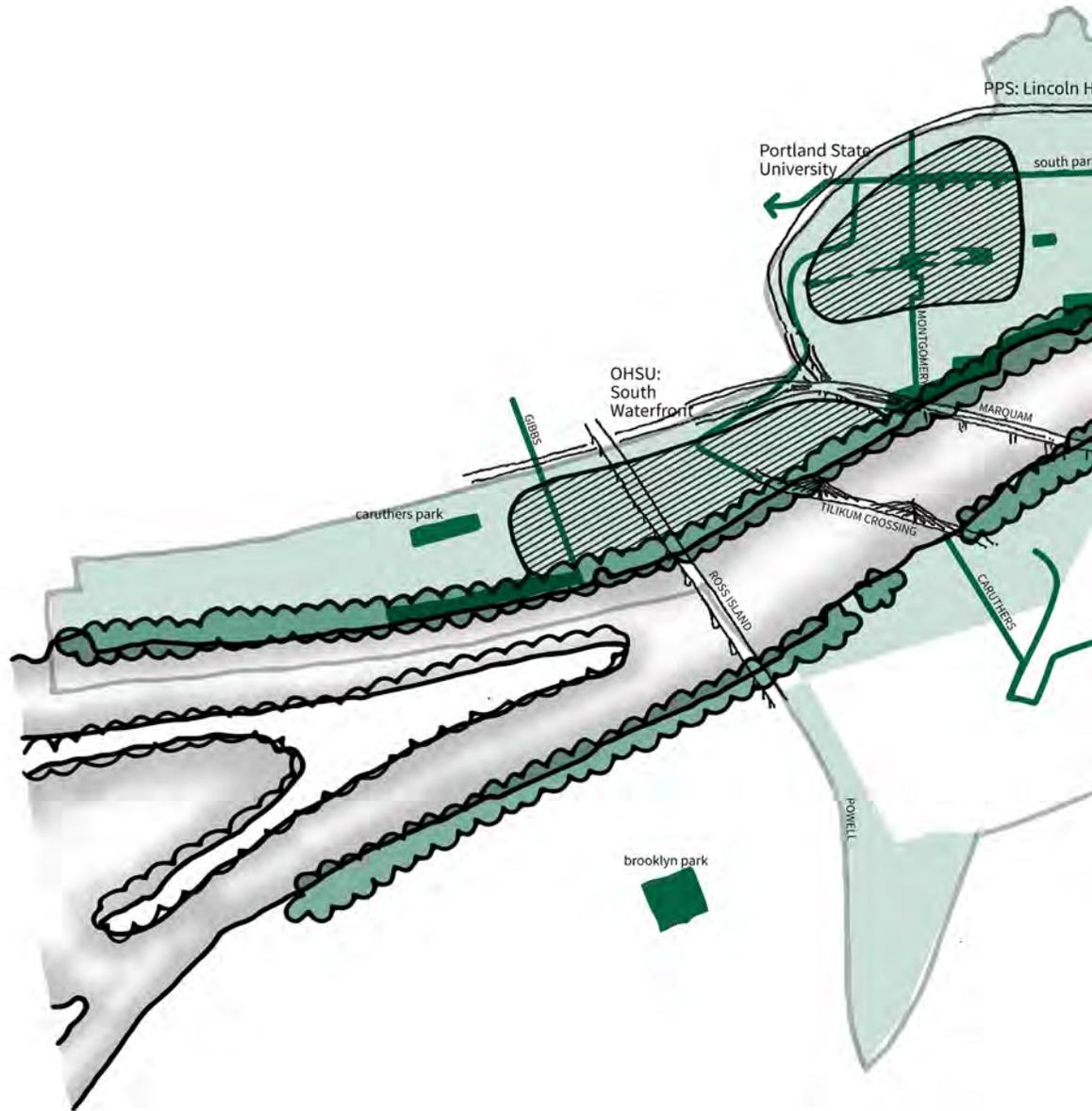
- POLICY 5.UD-2 **South Auditorium character.** Retain the modernist feel and pedestrian-focused character of the South Auditorium Plan District, respecting in particular the National Register of Historic Places Halprin Open Space Sequence. Add new uses to increase pedestrian activity in the district. Connect the pedestrian pathways to adjacent districts while maintaining the character, safety, and livability of this neighborhood.
- POLICY 5.UD-3 **RiverPlace character.** Encourage the continued development of RiverPlace with a broad mix of residential, commercial, recreational and boating uses. Maintain and enhance the cohesive design aesthetic, generous landscaping, and close relationship of the public realm to the river.
- POLICY 5.UD-4 **Street hierarchy and development character.** Support the retail/commercial character of 4th Avenue, Broadway and College Streets; as well as the flexible character of Park Avenue and Montgomery Street.
- POLICY 5.UD-5 **Open space network.** Support existing open spaces, including the Halprin Open Space Sequence and the Willamette River, to be more accessible, usable and engaging spaces for the community while also supporting the development of new open spaces where opportunities arise. Broaden the range of available recreation experiences.





# 6. HEALTH AND ENVIRONMENT CENTRAL CITY GOALS

GOAL 6.A:





# CENTRAL CITY POLICIES: HEALTH AND ENVIRONMENT

## Resilience

These policies support the Central City’s ability to prepare for and respond to natural hazards and disasters. They create strategies that mitigate and adapt to climate change.

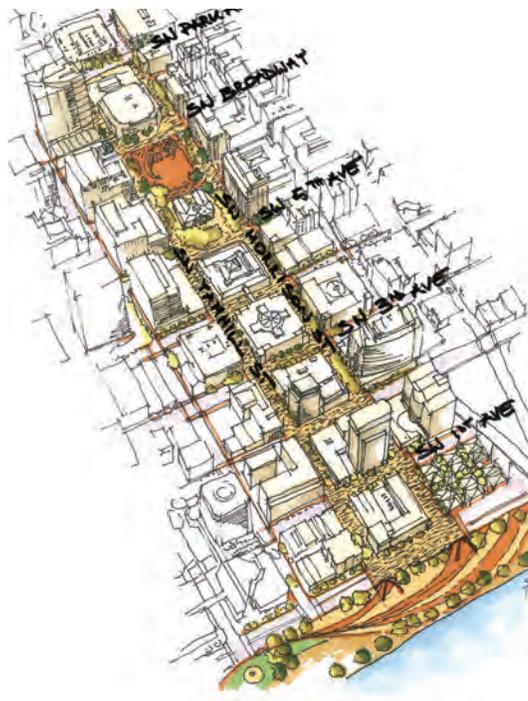
- POLICY 6.1**      **Natural hazard resilience.** Encourage planning, design and education in the Central City to help prevent or minimize the impacts of natural hazards such as earthquakes, floods and other hazards identified in the citywide Natural Hazard Mitigation Plan.
- a. New development.** Encourage approaches to reduce future natural hazard risks and impacts when planning for or evaluating the location and design of new development.
  - b. Retrofitting.** Encourage the retrofitting of buildings and infrastructure to withstand natural hazards. Prioritize the seismic retrofitting of unreinforced masonry buildings while preserving their architectural character. Support Multnomah County’s efforts to seismically retrofit Central City bridges, recognizing the Burnside Bridge as the regionally-designated priority.
  - c. Preparedness.** Support Central City residents’ and businesses’ efforts to prepare for natural hazards. Ensure the Central City’s most vulnerable populations are included in these efforts.
  - d. Code review.** Monitor relevant codes to incorporate current knowledge and standards for seismic design and flood protection.
- POLICY 6.2**      **Climate change resilience.** Support planning, service system upgrades, and infrastructure in the Central City to anticipate, respond to, and reduce the risks and adverse impacts associated with evolving climate change conditions.
- a. Flooding.** Adapt to changes in hydrology, including future river levels, changes in flood frequency and duration, and changes in stormwater runoff rates.
  - b. Heat island.** Encourage site designs, building designs and vegetation that reduce the adverse impacts of urban heat islands on public health and safety, especially those affecting more vulnerable communities.
  - c. Fish and wildlife habitat.** Improve the quality, diversity, connectivity, safety, and accessibility of terrestrial and aquatic wildlife habitat areas.
- POLICY 6.3**      **Multiple functions.** Encourage green infrastructure, parks, open space, and recreation opportunities in the Central City that serve multiple functions to provide capacity during flood event, improve stormwater management, reduce heat island effects, create pockets of fish and wildlife refuge, and provide places of respite and recreation for employees, residents and visitors.

- POLICY 6.4 **Green infrastructure.** Increase the use of trees, ecoroofs, vertical gardens, sustainable site development, landscaped setbacks and courtyards, living walls and other vegetated facilities to manage stormwater, improve the pedestrian environment, reduce heat island effects, improve air and water quality and create habitat for birds and pollinators.
- a. Separated storm systems.** Promote green infrastructure enhancements within the separated stormwater system to improve water quality in the Willamette River and at riverfront recreation areas.
  - b. Ecoroof.** Support progress toward Central City ecoroof coverage targets.
- POLICY 6.5 Flood ready development. Reduce risks of flooding on existing and new buildings, transportation system and infrastructure.
- a. Impervious surface retrofits.** Enhance flood capacity within the developed floodplain by retrofitting impervious surfaces with pervious surfaces and landscaping.
  - b. Flood capacity.** Improve flood capacity by reducing development impacts and requiring mitigation for fill within the 100-year floodplain.
  - c. Building design.** Encourage innovated building design along the Willamette River and in the 100-year floodplain to allow for ground floor flooding.

## Health

These policies support the health and livability of the Central City environment, for all its inhabitants and visitors.

- POLICY 6.6 **Human health.** Encourage the use of active modes of transportation by creating and enhancing a network of bike and pedestrian facilities that provide access to services and destinations including natural areas. Improve access for all people to locally grown and healthy foods. Encourage the use of building construction methods, materials, products and best practices in lighting design that do not have harmful effects on human health and the environment. Encourage social health by fostering community in a hospitable public realm.



### **PEDESTRIAN DOWNTOWN CORE**

*Conceptual drawing illustrating an opportunity to enhance the pedestrian environment on key streets within the downtown core for an increasing number of people to live, work and play within the Central City. The transition from today's car-accessible streets to a pedestrian priority central area could happen incrementally, starting with streets that already experience low levels of car traffic, such as SW Yamhill St, and eventually expand to the entire retail core, spilling across Naito Parkway to the Willamette Riverfront. (Otak 2013)*

**POLICY 6.7 Light, Noise and Vibration Pollution.** Encourage land use patterns, building design and landscape to limit and mitigate negative impacts of lighting, noise and vibration on public health and safety, disruption of ecosystems, and hazards to wildlife.

**POLICY 6.8 Upland habitat connections.** Create an upland wildlife habitat corridor using trees, native vegetation in landscaping, public open spaces ecoroofs, and bird safe building design and practices that provide a safe, functional connection for avian and pollinator species between the West Hills, Mt. Tabor, Powell Butte, Rocky Butte and the Willamette River.

**POLICY 6.9 Strategic tree canopy enhancement.** Plant trees on tax lots, in parks and public spaces, and along rights-of-way, throughout the Central City to meet urban forestry and other Central City goals and guiding principles including resiliency, human and environmental health, livability, equity, and active transportation.

**a. Tree priorities.** Encourage planting and preservation of large, healthy non-nuisance trees, native trees, and climate change-resilient trees.

**b. Tree Diversity.** Improve tree species and age diversity throughout the Central City.

**c. Heritage trees.** Encourage the protection of designated Heritage and Landmark Trees.

**b. Tree Canopy.** Support progress toward meeting Central City tree canopy targets.

See district policies section for related policies in: CE

- POLICY 6.10 Effective tree planting.** Optimize tree planting opportunities and conditions throughout the Central City.
- a. Tree size.** Require that trees planted along rights-of-way are as large as is appropriate for the planting space.
  - b. Soil volume.** Encourage the provision of increased subsurface soil volumes to improve tree health and increase tree canopy coverage, especially in conjunction with development and infrastructure improvement project design and construction.
  - c. Tree accommodation.** Encourage wider sidewalk corridor furnishing zones and other right-of-way design elements (e.g., medians, bulb-outs) to facilitate planting and accommodation of larger canopy tree species.
  - d. Innovative design.** Encourage innovative design strategies that accommodate existing healthy non-nuisance trees on site and incorporate new trees on sites and buildings. Trees on buildings may be placed on balconies and podium roof decks, planted in conjunction with an ecoroof, or in other locations.

### **Building, infrastructure and site development**

These policies support environmentally friendly, energy efficient development, pushing Portland's Central City forward as a leader in sustainable urban development.

- POLICY 6.11 Buildings and energy.** Increase the energy efficiency of buildings, the use of onsite renewable energy systems, and the development of low-carbon district energy systems. Conserve resources by encouraging the reuse of existing building stock, salvaging architectural elements when demolition is necessary and recycling materials from construction and demolition.
- POLICY 6.12 City investment in street trees.** Invest in street trees as a valuable public infrastructure asset.
- a. Multiple benefits.** Plant street trees to provide multiple benefits, including stormwater management, quality pedestrian environment, reduction in urban heat island, and wildlife habitat.
  - b. Maintenance.** Support innovative approaches, including public/private partnerships, to ensure adequate long-term maintenance of street trees to address tree-related concerns such as sidewalk repair.
- POLICY 6.13 Bird and wildlife-safe development.** Encourage bird-friendly building and lighting design and management practices, to reduce hazards to resident and migrating birds, fish and other wildlife species.

- POLICY 6.14 **Low-carbon development.** Reduce carbon emissions from existing and new buildings, transportation systems and infrastructure.
- a. **Healthy retrofits.** Support retrofits to existing buildings to reduce energy use and improve indoor air quality.
  - b. **Green building.** Encourage high-performance new buildings that meet the energy targets of the Architecture 2030 Challenge and 2015 Climate Action Plan, including net-zero energy use in all new buildings by 2030.
  - c. **High performance areas.** Encourage “high performance areas” that conserve energy and water; use renewable energy sources; reduce waste and recycle; manage stormwater; improve occupant health; and enhance the character of the neighborhood, particularly in areas with large amounts of planned new development or redevelopment.
  - d. **Solar energy.** Encourage the installation of on-site solar photovoltaic systems.
  - e. **Clean district energy.** Enable the expansion and establishment of district energy systems that reduce carbon emissions.
  - f. **Low-carbon transportation.** Reduce carbon emissions from transportation systems, including supporting electric vehicle infrastructure.
  - g. **Carbon sequestration.** Support the use of green infrastructure to increase carbon sequestration and reduce energy needed to cool buildings in summer.

## DISTRICT POLICIES: HEALTH AND ENVIRONMENT

This section contains Health and Environment policies specific to a particular Central City district.

### West End

- POLICY 6.WE-1 **Build on existing high performance areas.** Encourage “high performance areas” that promote energy efficiency and green building technologies and practices at a neighborhood scale, particularly in new development adjacent to the Pearl’s Brewery Blocks.

### Goose Hollow

- POLICY 6.GH-1 **High performance Lincoln High School.** Encourage “high performance areas” in areas with large amounts of planned new development or redevelopment, especially the Lincoln High School site.
- POLICY 6.GH-2 **Water management and reuse.** Take advantage of Goose Hollow’s topography, identify opportunities for stormwater management, as well as rainwater harvesting and reuse within the district.

## The Pearl

**POLICY 6.PL-1 High performance large sites.** Encourage “high performance areas” that promote energy efficiency, green building technologies, sustainable site design and practices at a neighborhood scale, particularly in areas with large amounts of planned new development or redevelopment such as the US Postal Service site.

## Old Town/Chinatown

**POLICY 6.OT-1 High performance rehabilitation.** Support the inclusion of carbon reducing and environmentally friendly features and technologies in the rehabilitation of historic structures while preserving their historic character.

## Lloyd

**POLICY 6.LD-1 Sustainable district.** Promote innovation and leadership in the Lloyd in the areas of sustainable and restorative development, energy efficiency, water conservation, waste reduction and climate adaptation. Support partnerships that facilitate district-wide strategies.



### **LLOYD/WEIDLER REDEVELOPMENT**

*Conceptual rendering of possible new development along NE Weidler Street facing east, illustrating improved bicycle and pedestrian infrastructure, tree canopy enhancement and green infrastructure features.*

**POLICY 6.LD-2 Sullivan’s Gulch.** Enhance natural resources within Sullivan’s Gulch to improve its function as a habitat corridor, reduce the risk of wildfire and landslide, and maintain and enhance public views, while providing flexibility to incorporate a recreation trail.

## Central Eastside

- POLICY 6.CE-1 **Freight-compatible green infrastructure.** Plan for the development of green infrastructure, in the public right-of-way and on private property, taking into account freight street hierarchy by prioritizing city walkways and bikeways and mixed-use corridors for improvements such as trees and living walls throughout the district. Support the industrial area’s functional relationship to the river.
- POLICY 6.CE-2 **Strategic tree canopy enhancement.** Promote planting, district-wide, and especially along mixed use commercial corridors with higher employment densities and residential uses, and along pedestrian and bike corridors. Select trees and locations that provide adequate clearance for freight movement on streets prioritized for freight mobility.

## South Waterfront

- POLICY 6.SW-1 **High performance district.** Encourage “high performance areas” that promote energy efficiently and green building technologies and practices at a neighborhood scale particularly in areas with large amounts of planned new development.

## University District/South Downtown

- POLICY 6.UD-1 **High performance university campus.** Support PSU as an urban laboratory to promote energy efficiency and green building technologies and practices, as well as sustainable site design and development.

# CENTRALCITY 2035



DIST

THE CENTRAL CITY DISTRICTS



Ave.  
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# THE DISTRICTS

DT

DOWNTOWN

LA

LOWER ALBINA

WE

WEST END

LD

LLOYD

GH

GOOSE HOLLOW

CE

CENTRAL EASTSIDE

PL

THE PEARL

SW

SOUTH WATERFRONT

OT

OLD TOWN/  
CHINATOWN

UD

UNIVERSITY DISTRICT/  
SOUTH DOWNTOWN



DT

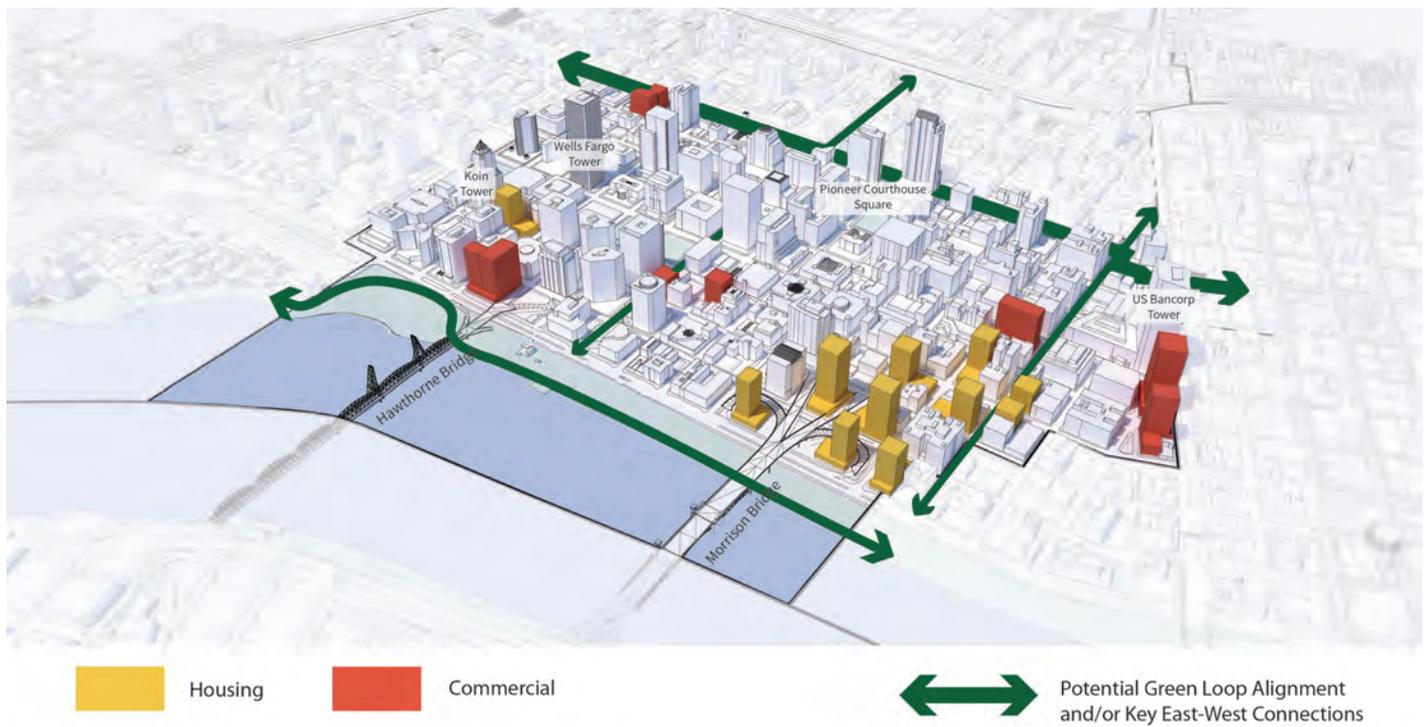
DOWNTOWN



Downtown contains many of the city’s iconic features, such as tall buildings, Pioneer Courthouse Square, museums, performance halls, civic buildings, the Willamette River and Waterfront Park, and historic bridges. Downtown has been shaped by centuries of history, from Native Americans to the settlement era; the expansion of commerce and trade; urban renewal; urban flight; and renewed efforts at revitalization and residential development. Downtown can continue to be the most important gathering place for Portlanders and visitors, as well as a center for innovation and exchange.

## 2035 VISION

Downtown is the economic and symbolic heart of the region and the preeminent location for office employment, retail, tourism, arts and culture, entertainment, government, urban living and ceremonial activities. At the center of the region’s multimodal transportation system, and anchored by the Willamette River and signature public spaces, it is the most intensely urban and easily recognized district in Portland’s Central City.



*Between 2010 and 2035, Downtown is expected to grow by 3,000 households and 7,000 jobs, for a total of 4,600 households and 55,200 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.*

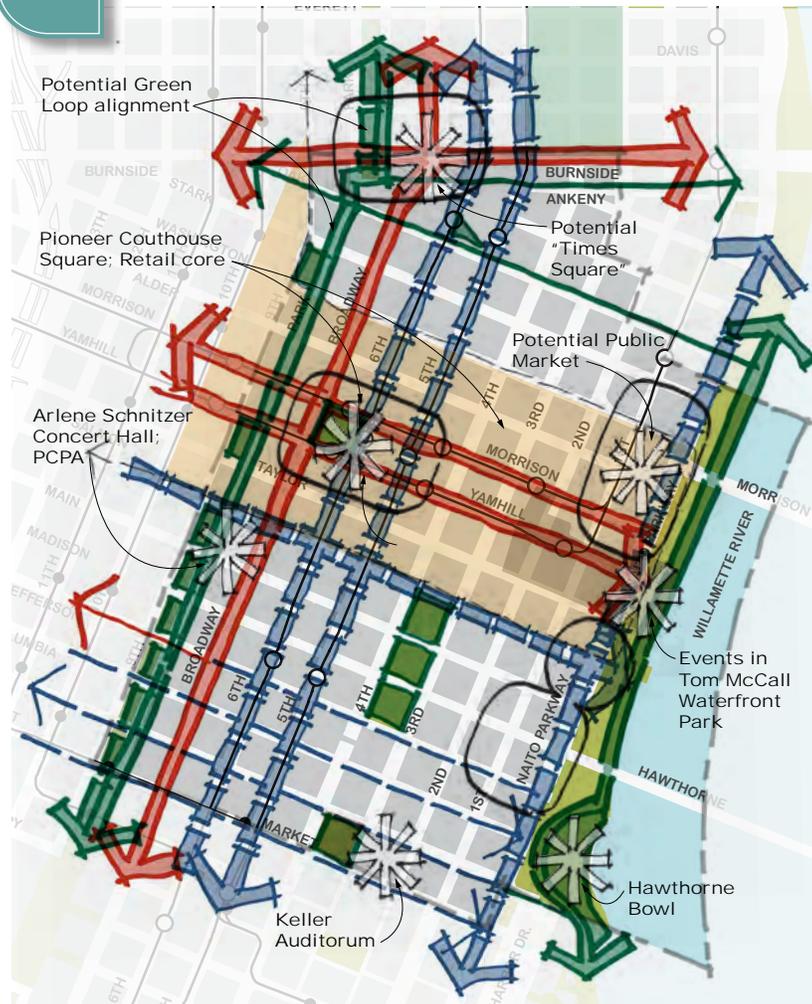
## KEY ELEMENTS

- Extend the Retail Core to the north and to the riverfront
- Establish a clearer set of east-west connections
- Enhance the character of Naito Parkway
- Support a future Green Loop alignment along the South Park Blocks

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

## DT URBAN DESIGN CONCEPT DIAGRAM



Downtown serves as both the office and retail core for the Central City. The area is home to numerous parks and attractions, including Pioneer Courthouse Square, Governor Tom McCall Waterfront Park, the Arlene Schnitzer Concert Hall and Keller Auditorium. Key intersections and gateways include the Willamette River bridgeheads; SW Broadway and West Burnside; and the Pioneer Square MAX interchange area on the Transit Mall.

The concept diagram also highlights the desired retail/commercial character of SW Morrison and Yamhill streets, West Burnside Street and SW Broadway; the desired boulevard character of 5th and 6th avenues and Naito Parkway; the signature east-west connection of SW Salmon Street; the potential Green Loop alignment along SW Park Avenue and the Willamette Greenway trail along the waterfront.

**WE** WEST END



The West End is a downtown mixed use and residential neighborhood. Its urban character is shaped by numerous historic buildings, new housing projects, many restaurants and retail activities, as well as a strong relationship with the South Park Blocks and Cultural District. However, the area also contains a number of surface parking lots. Over the last decade, the West End has established stronger ties with Portland State University to the south and the Pearl to the north, effectively stretching the retail core from Downtown to the Brewery Blocks.

## 2035 VISION

The West End is a thriving, mixed use urban residential neighborhood with a diverse and distinctive architectural character, a range of building ages and scales, and a wealth of historical, cultural, institutional and open space assets. The district benefits from its pedestrian orientation and central location, with excellent multimodal access to Portland State University, the South Park Blocks, Goose Hollow and Providence Park, the Pearl and the Downtown retail core.

The West End hosts an attractive mixture of urban, family-friendly residential development with a range of scales, types and amenities that accommodate a socio-economically diverse population. It is a true mixed use environment, where residents live in harmony with successful retail, cultural and office development.



Housing
  Commercial
  Potential Green Loop Alignment and/or Key East-West Connections

*Between 2010 and 2035, the West End is expected to grow by 3,000 households and 3,000 jobs, for a total of 6,800 households and 9,900 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.*

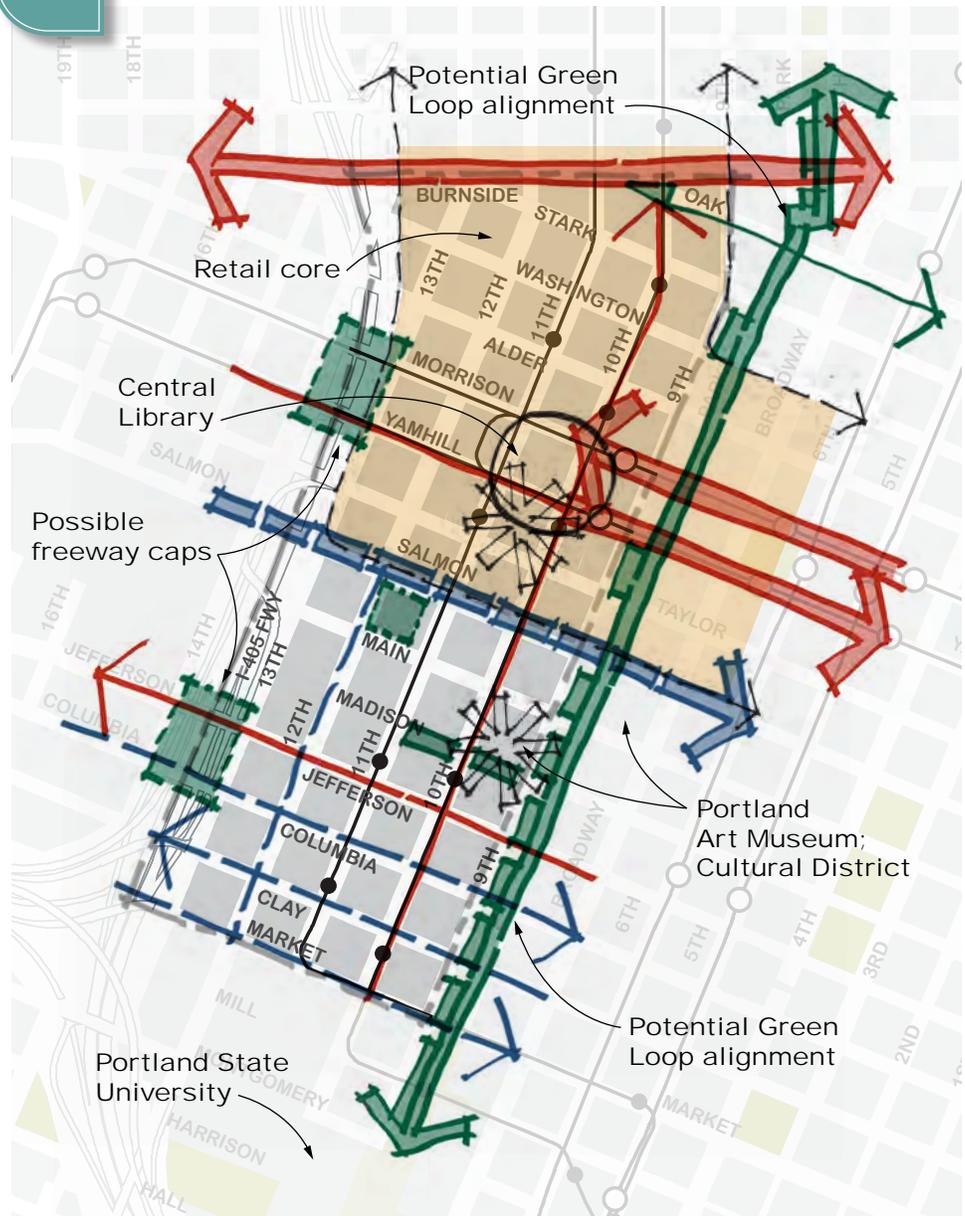
## KEY ELEMENTS

- Strengthen Jefferson main street as a neighborhood-serving retail commercial corridor
- Integrate new development with historic fabric
- Explore freeway capping opportunities to better connect with Goose Hollow
- Highlight the MAX/Streetcar interchange as a civic place
- Re-envision SW 12th Avenue as a boulevard

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

## WE URBAN DESIGN CONCEPT DIAGRAM

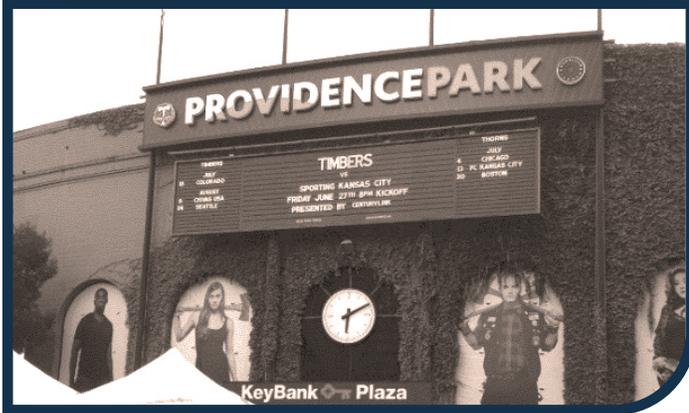


The West End has a predominantly residential character south of SW Salmon Street and a more mixed use character to the north. The area is home to numerous attractions, including the Portland Art Museum and Central Library. Key intersections and gateways include SW Morrison and Yamhill streets between 10th and 11th avenues, where the MAX and streetcar lines intersect. Potential I-405 caps are also shown at SW Jefferson/Columbia and SW Yamhill/Morrison streets.

The concept diagram also highlights the desired retail/commercial character of SW 10th Avenue, West Burnside Street, SW Jefferson into Goose Hollow, Morrison and Yamhill streets; the desired boulevard character of SW Columbia, Clay and Market streets and SW 12th Avenue; and the signature east-west connection of SW Salmon Street. Potential I-405 caps are shown at SW Morrison/Yamhill and Columbia/Jefferson, potentially offering new open space opportunities and improved crossing experiences.



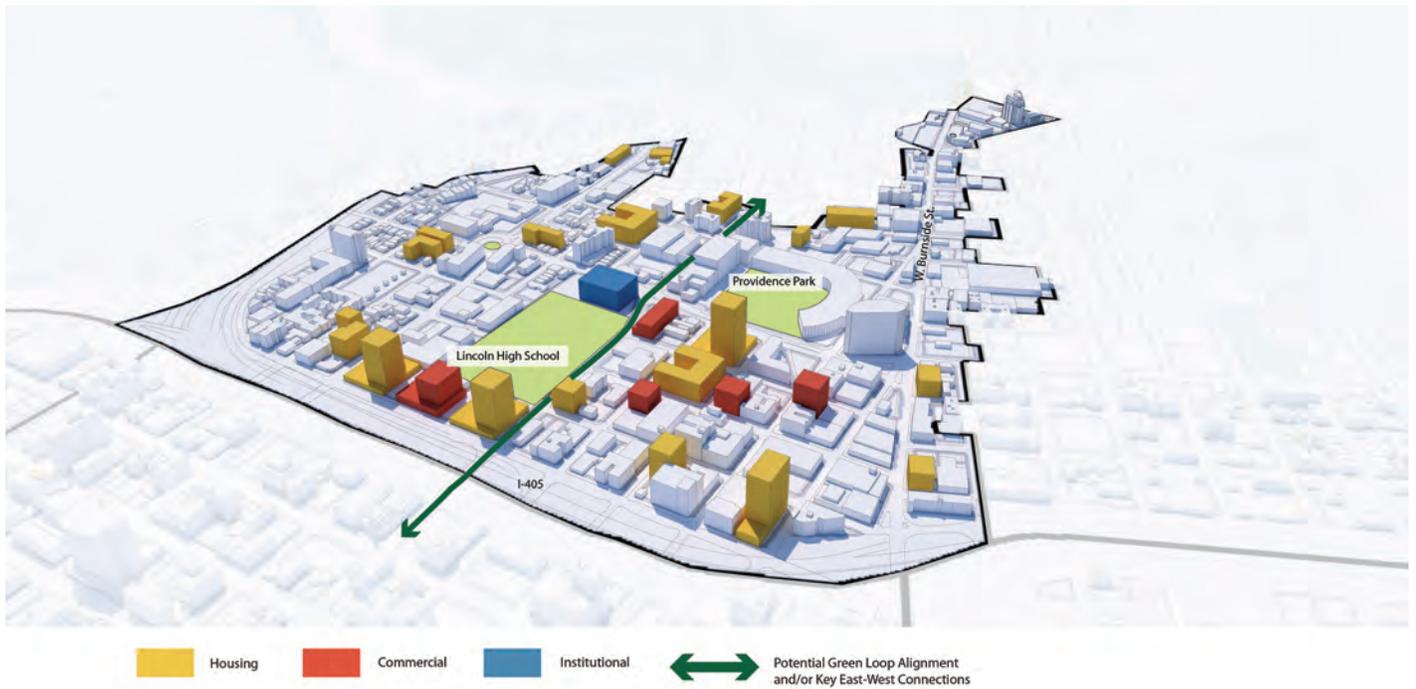
# GOOSE HOLLOW



Goose Hollow is a mixed use district with diverse residential, commercial and institutional uses. There is an eclectic mix of building types and ages, including a number of historic landmarks. Housing in the district ranges from high-rise apartments and condominiums to single-family homes. Goose Hollow is home to several large institutions, which attract high volumes of people to the area. With light rail running through the heart of Goose Hollow, it is highly accessible.

## 2035 VISION

Goose Hollow is a family-friendly urban community with thriving neighborhood businesses and excellent multimodal access to downtown, Portland State University, the Northwest District and Washington Park. The district’s major attractions, including Providence Park, Lincoln High School, the Multnomah Athletic Club and religious institutions, exist in harmony with surrounding mixed use development and attract visitors from all over the region to dine, shop and play in Goose Hollow. Bordering Washington Park, the Vista Bridge and West Hills, the district is known for its natural beauty.



Between 2010 and 2035, Goose Hollow is expected to grow by 1,000 households and 2,000 jobs, for a total of 4,900 households and 7,300 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate key flexible street connections leading to the river and adjacent neighborhoods.

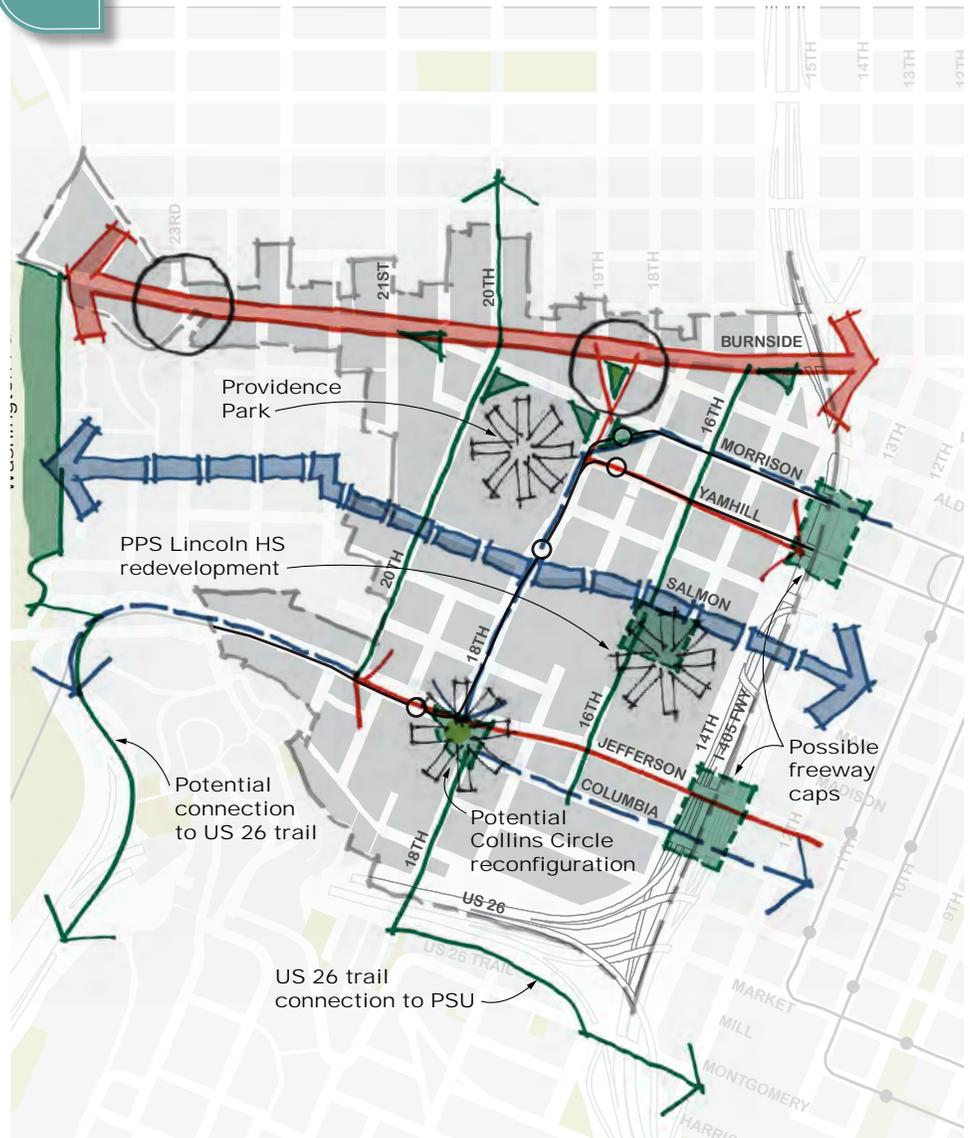
## KEY ELEMENTS

- Develop Jefferson Street as the center of a residential community
- Improve the character of and create new places along West Burnside
- Create new public spaces at Lincoln High School
- Strengthen the identity of SW Salmon as a key east-west green corridor
- Explore freeway capping opportunities across I-405

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

## GH URBAN DESIGN CONCEPT DIAGRAM



Goose Hollow has a diverse mix of residential, commercial and institutional uses. The area is home to numerous attractions, including Providence Park, Lincoln High School and the Collins Circle/Jefferson main street area. Key intersections and gateways include West Burnside Street and 23rd Avenue as well as West Burnside Street and 18th Avenue.

Potential I-405 caps are shown at SW Jefferson/Columbia and SW Yamhill/Morrison streets, and new or improved open spaces are shown at potential future reconfigurations of Collins Circle and Lincoln High School. The concept diagram also highlights the desired retail/commercial character of West Burnside Street, SW Yamhill and Jefferson streets; the desired boulevard character of SW Columbia Street; the central portion of SW 18th Avenue, SW Morrison Street and the western end of SW Jefferson Street. The diagram highlights the unique opportunity presented by SW Salmon Street, a potential signature green corridor linking Goose Hollow to the West End and Downtown, and the desired flexible character of SW 20th and 16th avenues, offering improved north-south access through the district.

PL

THE PEARL

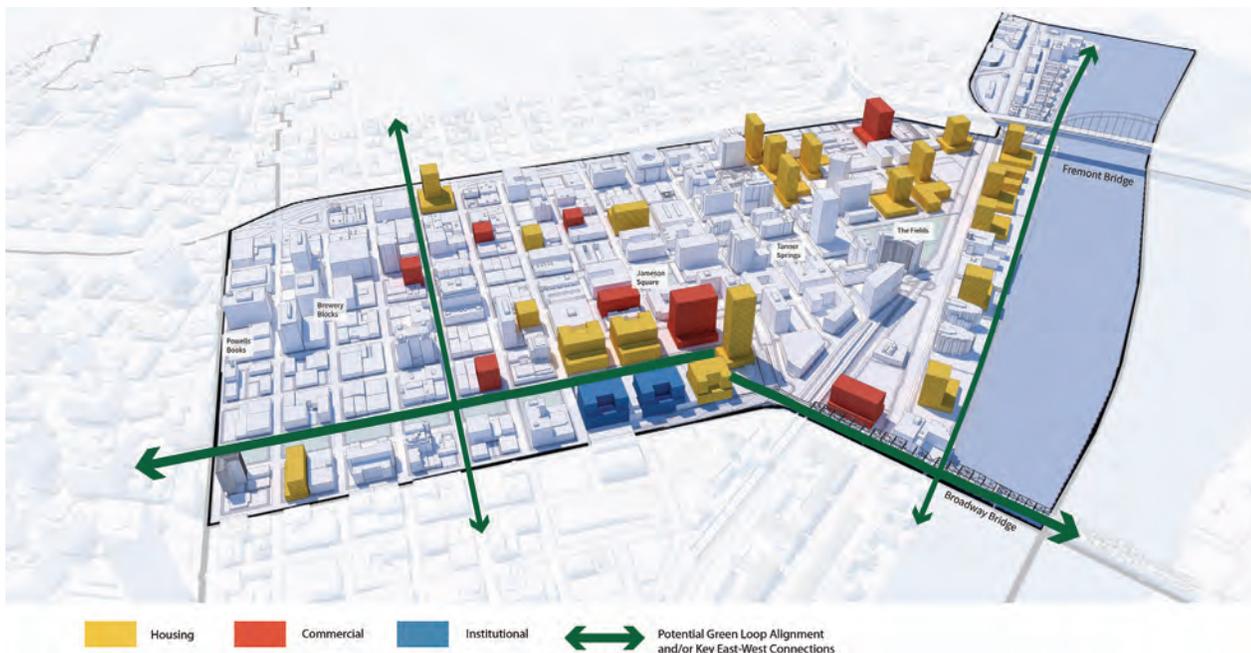


Characterized by a mix of housing, employment, retail and arts and entertainment establishments, the Pearl is supported by a multimodal transportation network, a system of parks, affordable and market rate housing, and a growing job base. The area combines new architecture within the context of its industrial past, with many former warehouse and industrial service buildings now repurposed for new uses. The residents of the Pearl are some of the most diverse in the Central City and include people at all income levels, families with children, seniors and students.

## 2035 VISION

A highly livable and multimodal urban neighborhood, the Pearl is a culturally and ethnically diverse, family-friendly complete community, with excellent access to public amenities including the Willamette River, retail services, cultural institutions and public transportation.

The district is a 21st-century model of social, environmental and economic sustainability. Its industrial past and historical assets, high quality mixed use development, exciting urban riverfront, shops, art galleries and restaurants attract visitors from all over the world, creating an ideal setting for its numerous creative sector businesses.



Between 2010 and 2035, the Pearl is expected to grow by 6,000 households and 4,000 jobs, for a total of 11,600 households and 14,700 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.

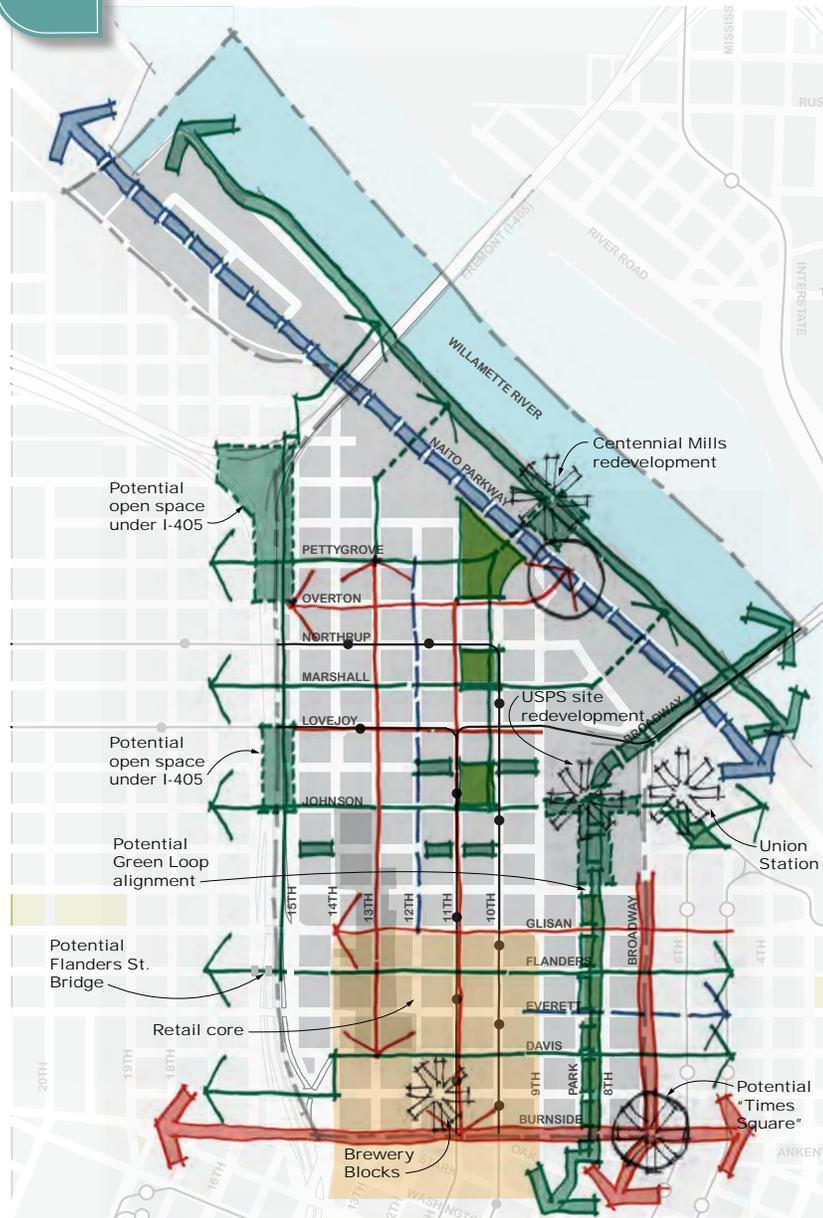
## KEY ELEMENTS

- Extend the retail core to NW Glisan
- Explore open spaces uses for parcels under I-405
- Redevelop the US Postal Service site for high density employment and signature city attractions
- Create a unique urban riverfront with Centennial Mills serving as the centerpiece
- Develop the Green Loop through the North Park Blocks to the Broadway Bridge

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

## PL URBAN DESIGN CONCEPT DIAGRAM



The Pearl hosts a truly diverse mix of residential, commercial, industrial and institutional uses. Attractions include the Brewery Blocks and Powell's City of Books. Great potential for new attractions exists at the United States Postal Service (USPS) site and at Centennial Mills. Key intersections and gateways include NW 9th Avenue and Naito Parkway and West Burnside Street and NW Broadway.

The concept diagram also highlights the desired retail/commercial character of NW 11th and 13th avenues, NW Overton, Glisan and West Burnside streets, and NW Broadway; the desired boulevard character of Naito Parkway, NW 12th Avenue and NW Everett Street; and the desired flexible character of NW Davis, Flanders, Johnson, Marshall and Pettygrove streets. The diagram also shows the potential Green Loop alignment along Park Avenue through the USPS site, with connections via NW Johnson and Flanders to Northwest Portland and the greenway trail.

OT

OLD TOWN/CHINATOWN

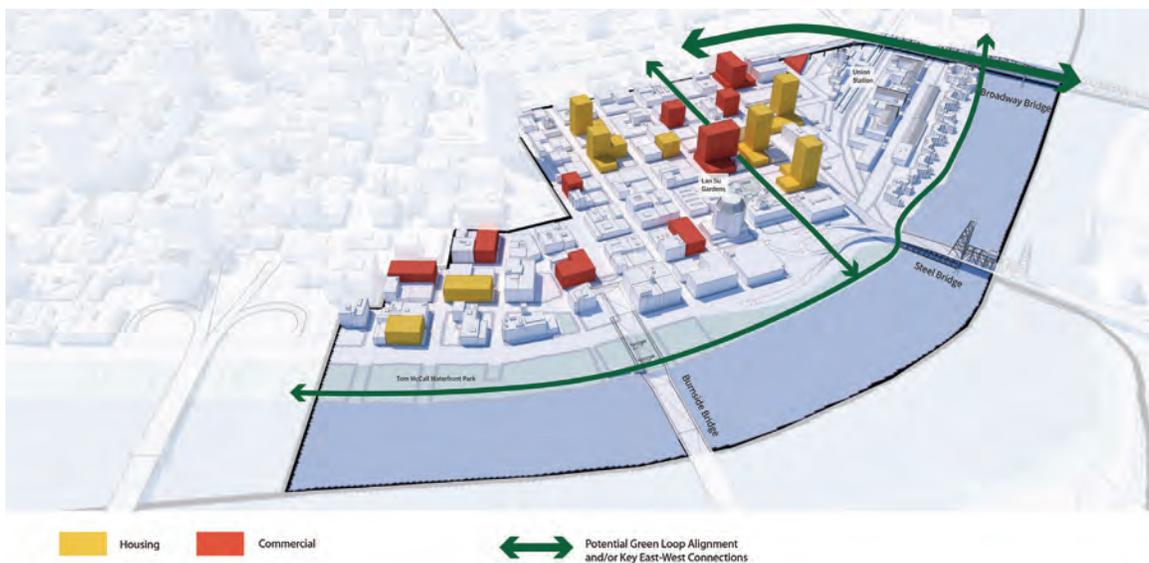


The site of Portland’s earliest commercial development, the Old Town/Chinatown area is rich in culture and historic buildings that evoke the city’s early years. More than 40 percent of the area lies within two historic districts: the Skidmore/Old Town Historic District and New Chinatown/Japantown Historic District. Skidmore/Old Town is home to one of the largest collections of 19th-century commercial cast iron buildings in the country and is designated as a National Historic Landmark. New Chinatown/Japantown commemorates Portland’s 19th and early 20th-century Asian heritage. NW Broadway runs through the western portion of the area, connecting downtown to iconic Union Station and the Broadway Bridge.

## 2035 VISION

Old Town/Chinatown is a vibrant, resilient, 24-hour neighborhood rooted in a rich cultural and historical past. The district’s two thriving historic districts, numerous multi-cultural attractions and higher education institutions foster a thriving mix of office employers, creative industry start-ups, retail shops and a range of entertainment venues, restaurants and special events.

The district has a balanced mix of market rate, student and affordable housing. Its social service agencies continue to play a critical public health role within the Portland region. The district has a mix of human-scaled, restored historic buildings and contextually sensitive infill development. It is well connected to the rest of the Central City and the region through excellent multimodal transportation facilities and safe and attractive street connections to adjacent neighborhoods and an active riverfront.



Between 2010 and 2035, Old Town/Chinatown is expected to grow by 2,000 households and 3,000 jobs, for a total of 3,900 households and 8,200 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.

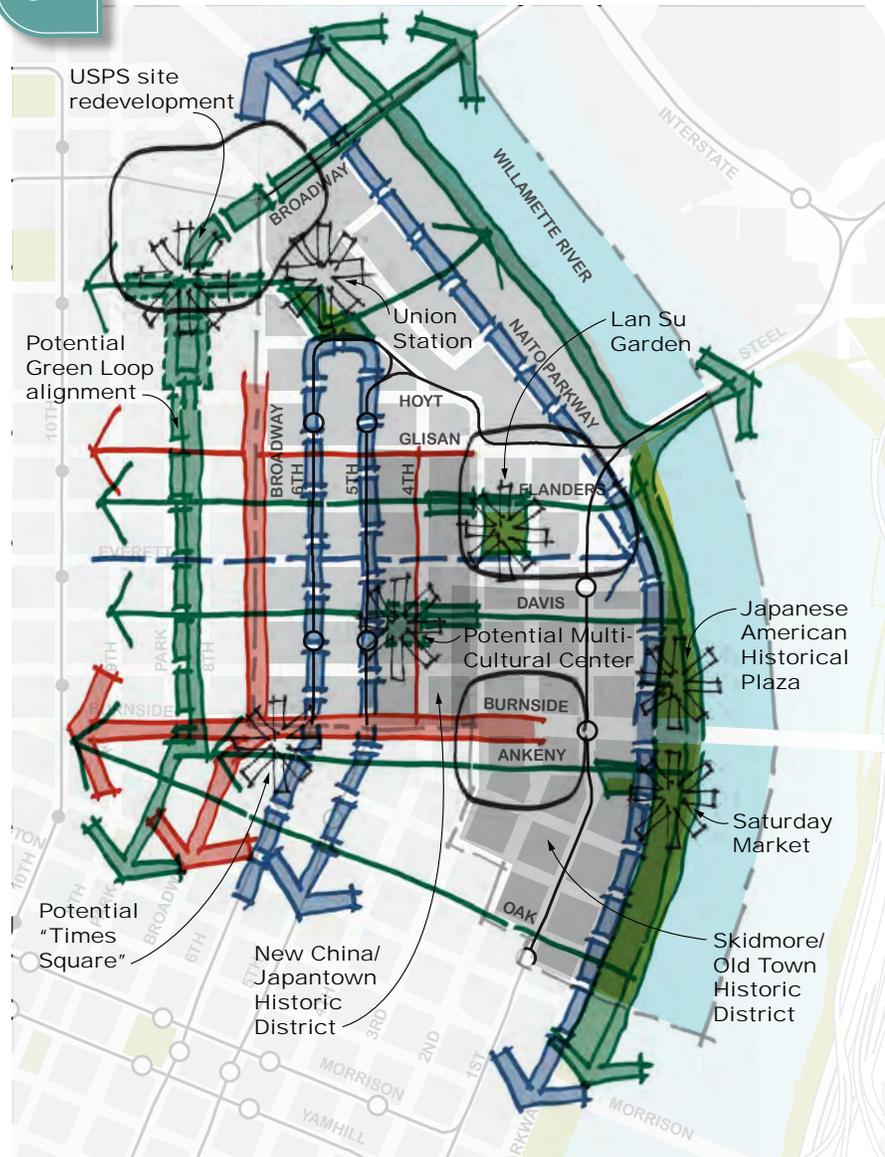
## KEY ELEMENTS

- Highlight the intersection at NW Broadway and West Burnside
- Strengthen east-west connections between the North Park Blocks and the river
- Explore development of a multi-cultural history center
- Create a NW 4th Avenue main street

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

## OT URBAN DESIGN CONCEPT DIAGRAM

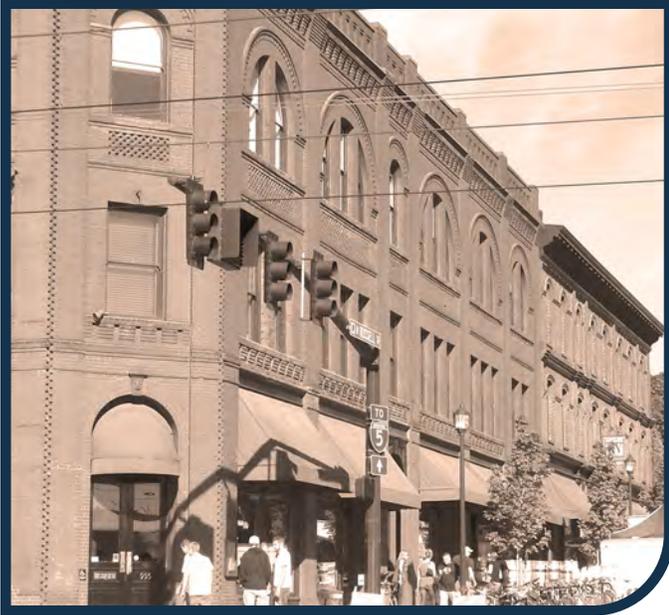


Old Town/Chinatown has several distinct subareas: the Skidmore/Old Town Historic District to the south, the New Chinatown/Japantown Historic District flanked by the NW Glisan Street corridor to the north, and the NW Broadway area to the west. While this area already features some signature public attractions, including the Lan Su Garden and Union Station, it could benefit from new ones, such as a possible multi-cultural history center and a new public space at the intersection of NW Broadway and West Burnside Street. Key intersections and gateways include the Burnside and Steel bridgeheads as well as the Chinatown Gate at West Burnside Street and 4th Avenue.

The concept diagram also highlights the desired retail/commercial character of West Burnside Street, NW Broadway, NW Glisan Street and NW 4th Avenue; the desired boulevard character of NW 5th and 6th avenues, Naito Parkway and NW Everett Street; and the flexible character and key east-west connections of NW Flanders and Davis streets to the Willamette River greenway trail.

LA

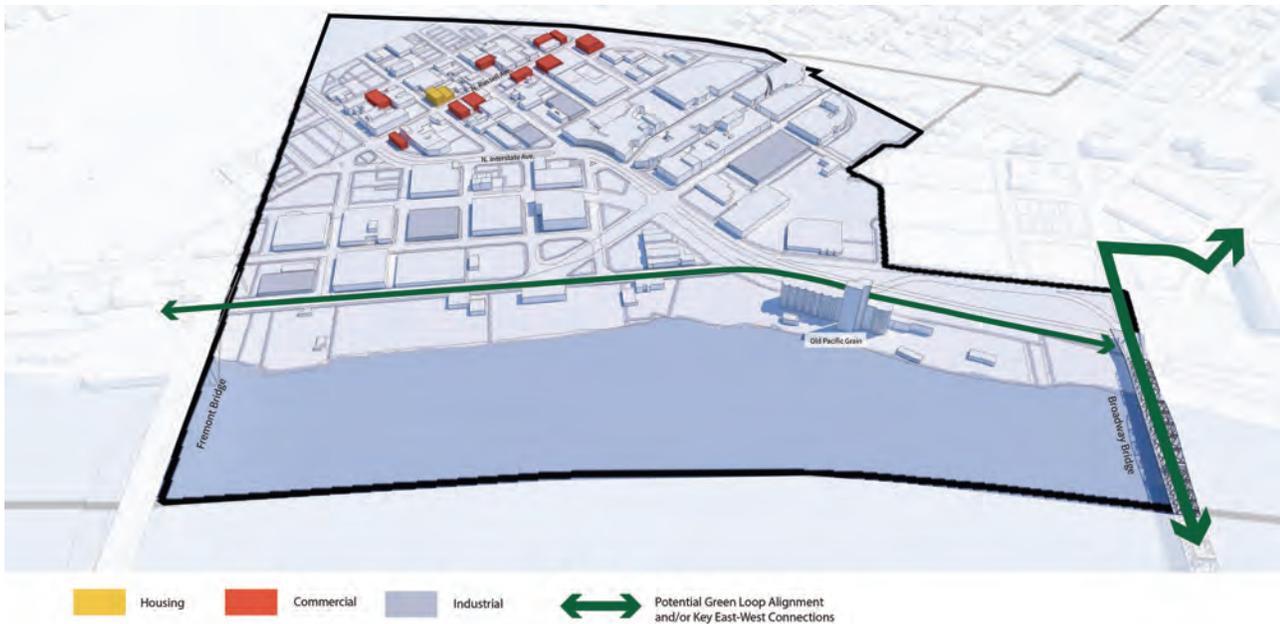
LOWER ALBINA



Lower Albina is primarily an industrial district, with a working harbor area, an important living-wage job base and a small mixed use historic area along N Russell Street. Freight movement by trucks and trains is an important part of the economic well-being of Lower Albina. The access route to I-5 South and I-84 is NE Broadway to the Wheeler on-ramp. Interstate Avenue is the major north/south arterial in Lower Albina and is used for automobiles, trucks, light rail, transit, bicycles and pedestrians. Russell Street is the main east-west connection. Interstate Avenue is the most important north-south multimodal connection, with light rail, bicycle facilities and motor vehicle access to north Portland. The nearby Union Pacific rail yard is classified as a Freight District. Planning efforts from the last few decades in Lower Albina have focused on retaining and enhancing the industrial and employment functions of the district.

## 2035 VISION

Lower Albina is a strong industrial and employment area supported by the working harbor, providing diverse employment and development opportunities. The historic N Russell Street is vibrant and rich, with mixed use and commercial activities that are compatible with nearby industrial and employment uses.



Between 2010 and 2035, Lower Albina is expected to grow by about 200 households and 200 jobs, for a total of 300 households and 2,300 jobs. This rendering illustrates a possible development scenario showing what growth might look like in the district. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.

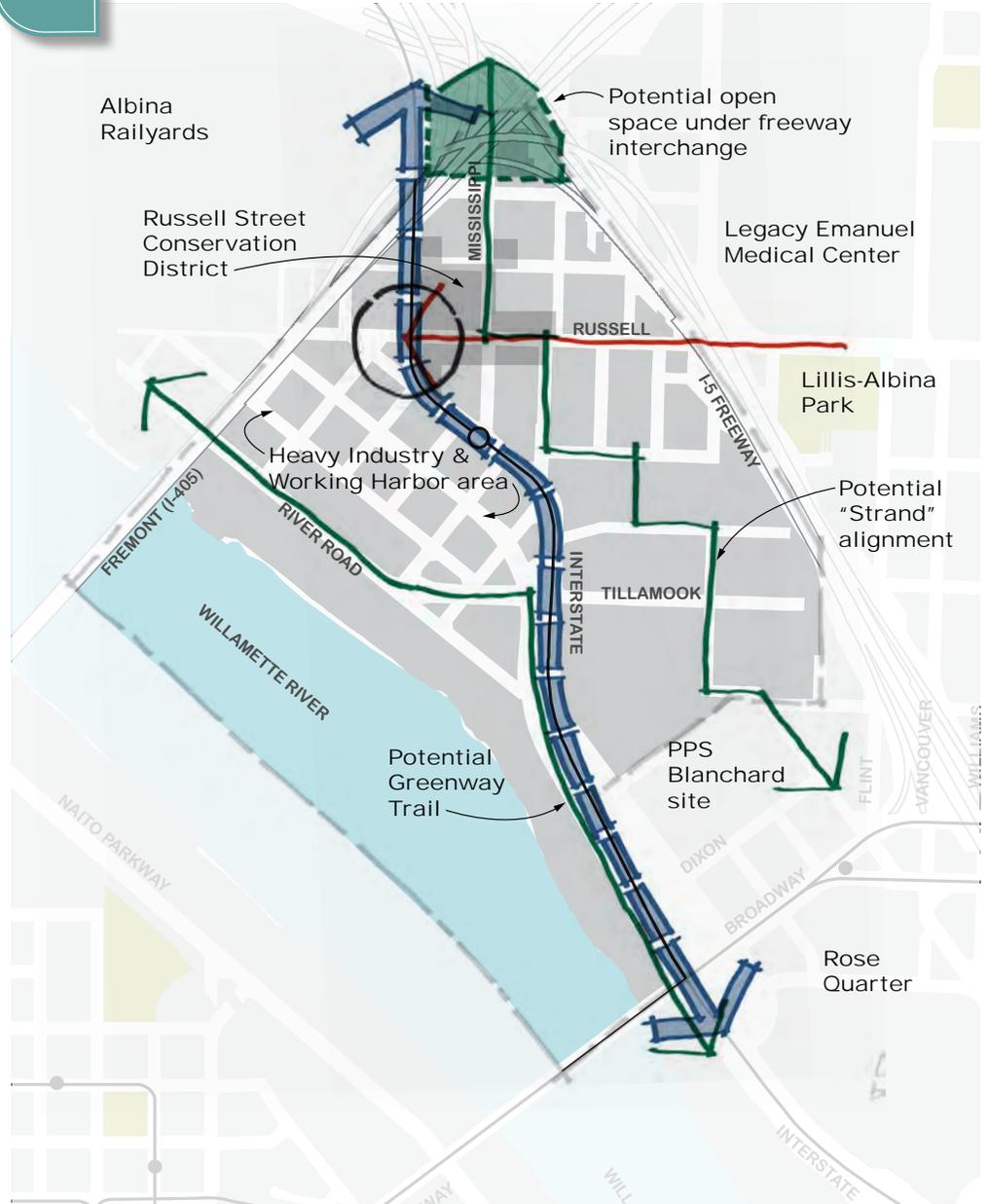
## KEY ELEMENTS

- Celebrate historic N Russell Street and expand retail and commercial activity east, re-establishing the historic connection between Lower Albina and the Vancouver/Williams corridor
- Preserve the district's industrial character while adding flexibility for some commercial uses
- Support regionally significant heavy industry and the working harbor

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

## LA URBAN DESIGN CONCEPT DIAGRAM



Lower Albina is largely an industrial and employment area, with a heavy industrial and working harbor area west of Interstate Avenue; a general industrial area east of Interstate Avenue; and the historic N Russell Street mixed use area. Attractions include establishments along N Russell Street, including restaurants, bars and the Widmer Brothers Brewing Company. Key intersections and gateways include N Russell Street and N Interstate Avenue.

A potential new open space is shown under the I-405/I-5 freeway interchange. The concept diagram also highlights the desired retail/commercial character of N Russell Street; the desired boulevard character of N Interstate Avenue; the opportunity for a new flexible "strand" connection, and future Greenway Trail improvements along River Road.



# LLOYD



The Lloyd district is characterized by a number of large region-serving facilities, including the Moda Center, Oregon Convention Center and the Lloyd Center shopping mall, as well as a concentration of large office buildings and neighborhood-serving retail on the eastern portion of NE Broadway. The Lloyd district has been the focus of a number of planning efforts in the past few decades, many seeking to build on the district’s existing assets, such as its regional transportation connections and concentration of regionally significant event facilities. The Lloyd district has also been identified as an “EcoDistrict,” with a focus on equitable, sustainable and resilient urban regeneration. The district contains an enormous amount of development potential and unique opportunities for placemaking. As the district redevelops, there also will be opportunities to integrate nature into a densely developed urban area and to become a model of sustainable urban development.

## 2035 VISION

Lloyd is an intensely urban eastside center of the Central City with regional attractions and high quality multimodal infrastructure, including several light rail and bus lines that converge at the Rose Quarter Transit Center. It is one of the most vital and livable districts in the Central City, with a strong employment base, successful residential communities with market rate and affordable housing options, as well as a variety of amenities. The district is a model of sustainability and resilience, complete with well-designed open spaces, streets, and high-performance green buildings and infrastructure.



Between 2010 and 2035, Lloyd is expected to grow by 8,000 households and 9,000 jobs, for a total of 9,000 households and 25,800 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.

## KEY ELEMENTS

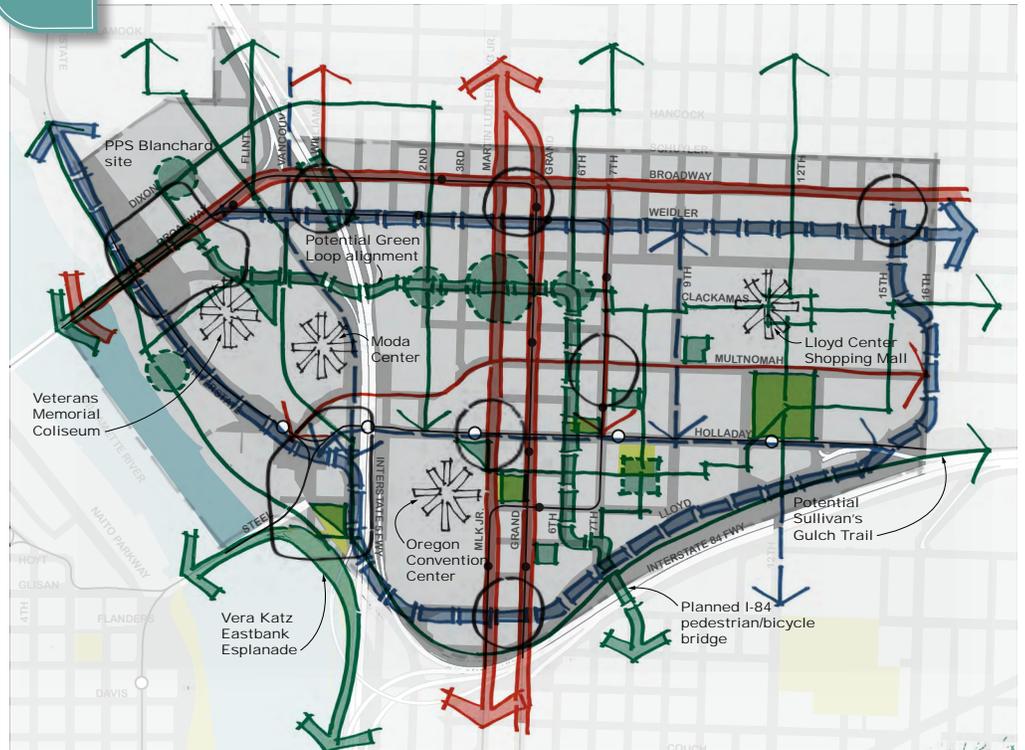
- Create an east-west open space spine
- Promote high-density, mixed use development and supportive amenities in the core
- Encourage sustainable development, including green buildings, green infrastructure and habitat enhancement
- Support the development of unique gateways into and out of the district

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

LD

## URBAN DESIGN CONCEPT DIAGRAM



Lloyd is a high-density, mixed use area with well-established office and entertainment functions and a growing residential community. Attractions include the Rose Quarter, Oregon Convention Center and Lloyd Center Mall. Key intersections and gateways are identified circling the district, with several located on the NE Broadway/Weidler street corridor and others along N Interstate Avenue and NE Lloyd Boulevard.

The diagram incorporates design concepts for a new freeway interchange at Broadway/Weidler, as well as several potential new open spaces throughout the district, including a string of desired parks roughly along NE Clackamas Street. The concept diagram also highlights the desired retail/commercial character of NE Broadway, MLK Boulevard and Grand Avenue; the desired boulevard character of NE Weidler Street, N Interstate Avenue, NE Wheeler and 15th Avenues and NE Lloyd Boulevard; and a system of flexible connections on NE Clackamas Street, NE 2nd, 6th and 12th Avenues, with a potential Green Loop alignment along 6th/7th and Clackamas.

CE

CENTRAL EASTSIDE

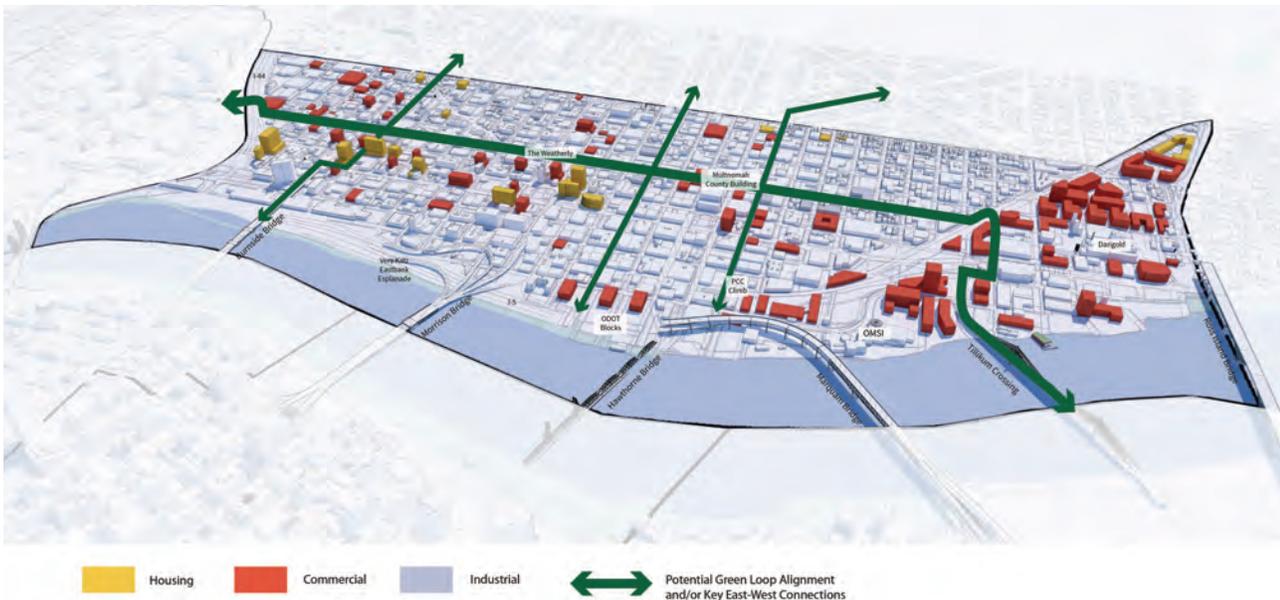


The Central Eastside is one of the most dynamic and rapidly changing parts of Portland’s Central City. Ever since its initial development in the late 19th century, the district has had a unique mix of industrial, commercial and residential uses. This continues today with new residential and office buildings being built along historic main streets lined with older warehouses that have been rehabilitated for manufacturing and compatible industries.

## 2035 VISION

The Central Eastside is a large, multimodal and vibrant employment district where existing industrial and distribution businesses continue to thrive while the district’s job base grows and diversifies to attract new and emerging industries. Bridges and other connections between industry in the district and academic partners west of the river support access, collaboration, innovation and business development activities.

The district’s riverfront is a regional amenity and destination for employees, residents and visitors, with a variety of attractions and activities that bring people to, along and in the river. The riverfront by the OMSI light rail transit station area is a major hub for a variety of commercial, educational and other uses. River recreation and transportation flourish along the riverfront, supported by docks and other amenities.



Between 2010 and 2035, the Central Eastside is expected to grow by 7,000 households and 8,000 jobs, for a total of 7,900 households and 25,000 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.

## KEY ELEMENTS

- Preserve the industrial sanctuary while allowing for higher employment density
- Strengthen the transportation system for all; promote active transportation and accommodate freight
- Support manufacturing, industrial services and other Central Eastside sectors as part of the Innovation Quadrant
- Enhance livability and activate mixed use corridors
- Create a regional riverfront destination

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

## CE URBAN DESIGN CONCEPT DIAGRAM



The Central Eastside is predominately an industrial and employment area organized around several mixed use corridors. Attractions include the Oregon Museum of Science and Industry (OMSI) and the Vera Katz Eastbank Esplanade. Key intersections and gateways include the Willamette River bridgeheads, East Burnside and Sandy Boulevard.

The diagram highlights several sites for potential new parks or open spaces in the district, many of which are along the waterfront or adjacent to new transit station areas. The concept diagram also highlights the desired retail/commercial character of Sandy, Hawthorne, Powell and northern MLK boulevards; Grand and Water avenues, East Burnside, SE Morrison, Belmont, and Division streets; and the desired boulevard character of SE 11th and 12th avenues, NE Couch, Stark, Belmont and Madison streets. The diagram also shows a few potential alternatives for the Green Loop alignment through the district, acknowledging that more process is needed to effectively balance freight movement with active transportation facilities. It identifies a flexible design character for SE Ankeny, SE Salmon, Clay and Caruthers, 6th and 7th avenues, the Vera Katz Eastside Esplanade, and the areas under the Morrison and Hawthorne viaducts.

SW

SOUTH WATERFRONT

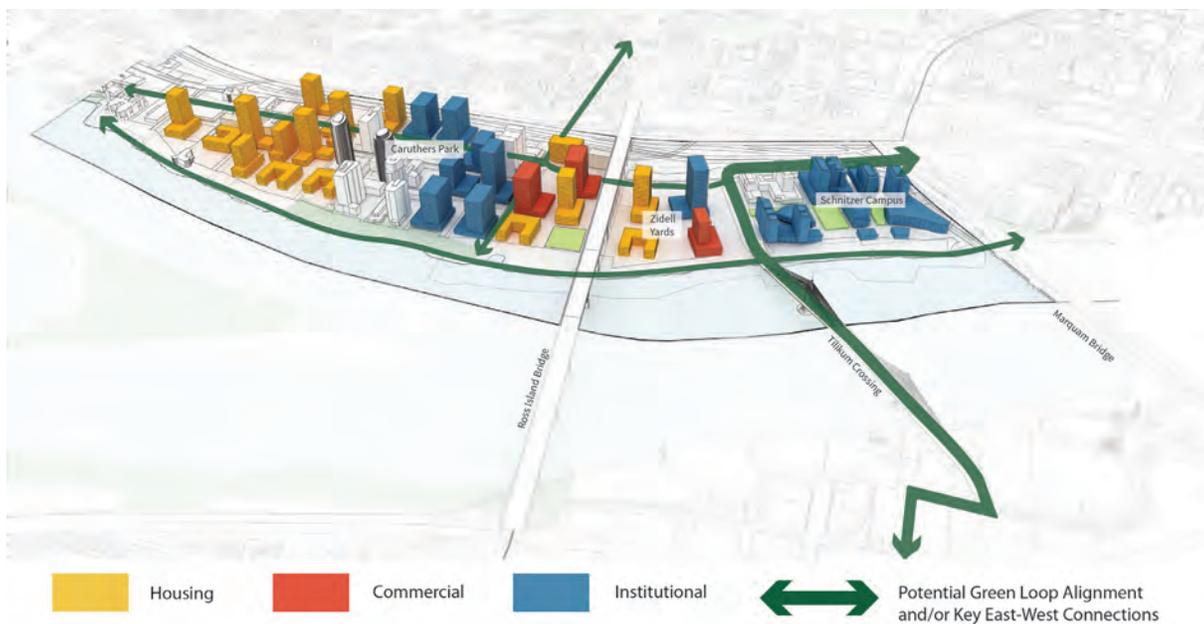


A decade ago South Waterfront was characterized by vacant brownfield sites and underutilized buildings. Now the district is home to more than 1,300 housing units, a growing mix of jobs, new parks and greenway amenities. It will soon be connected with the most diverse multimodal transportation network in the state. Oregon Health and Science University is beginning to develop the Schnitzer Campus, a science and high tech research university. A public/private development partnership is also underway for the Zidell properties, which includes the potential for new parks, greenway connections, housing and office development.

## 2035 VISION

The southern gateway to the Central City, South Waterfront is a dense, vibrant, walkable, distinctly urban mixed use community, with market rate and affordable housing options. It has excellent access to transit, parks and neighborhood amenities, as well as the Willamette River and greenway trail. The district serves as a model for sustainable development.

The district benefits from strong connections to the South Downtown/University District, Downtown, the Central Eastside, adjacent neighborhoods and a clean and healthy river that provides a range of urban amenities, recreational opportunities, beautiful views and ecological functions.



Between 2010 and 2035, South Waterfront is expected to grow by 4,000 households and 10,000 jobs, for a total of 5,100 households and 11,200 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.

## KEY ELEMENTS

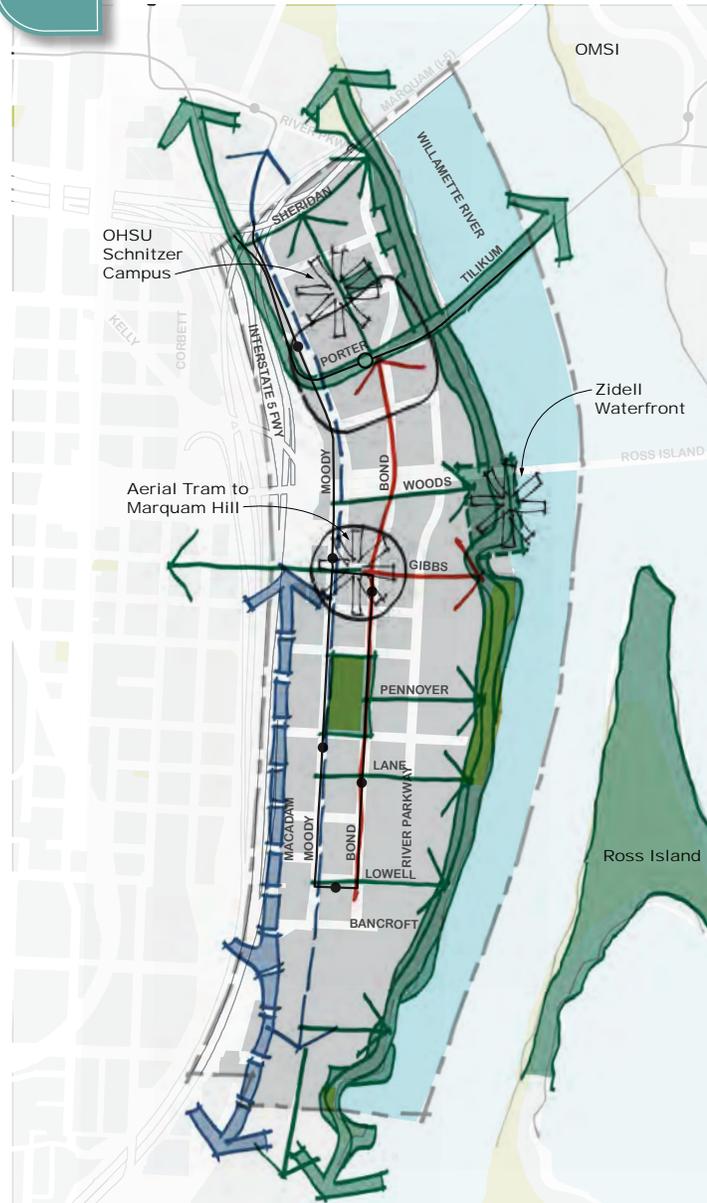
- Create a signature riverfront open space as part of the greenway system
- Enhance the transit hub at the tram landing
- Concentrate retail along SW Bond and Gibbs
- Improve multimodal connections to the south and west

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

SW

## URBAN DESIGN CONCEPT DIAGRAM



South Waterfront is a predominately institutional and residential mixed use district. Attractions include the Schnitzer Campus of Oregon Health and Science University, the Collaborative Life Sciences Building, Aerial Tram and South Waterfront Greenway. Key intersections and gateways include the Tilikum Crossing bridgehead and SW Moody and Gibbs streets.

The diagram highlights potential new open spaces at the base of the Ross Island Bridge and in the northern part of the district on the OHSU Schnitzer Campus. The concept diagram also highlights the desired retail/commercial character of SW Bond and Gibbs streets; the boulevard character of SW Macadam and Moody avenues; and the flexible character of the greenway trail and a series of east-west connections to it.



## UNIVERSITY DISTRICT/ SOUTH DOWNTOWN

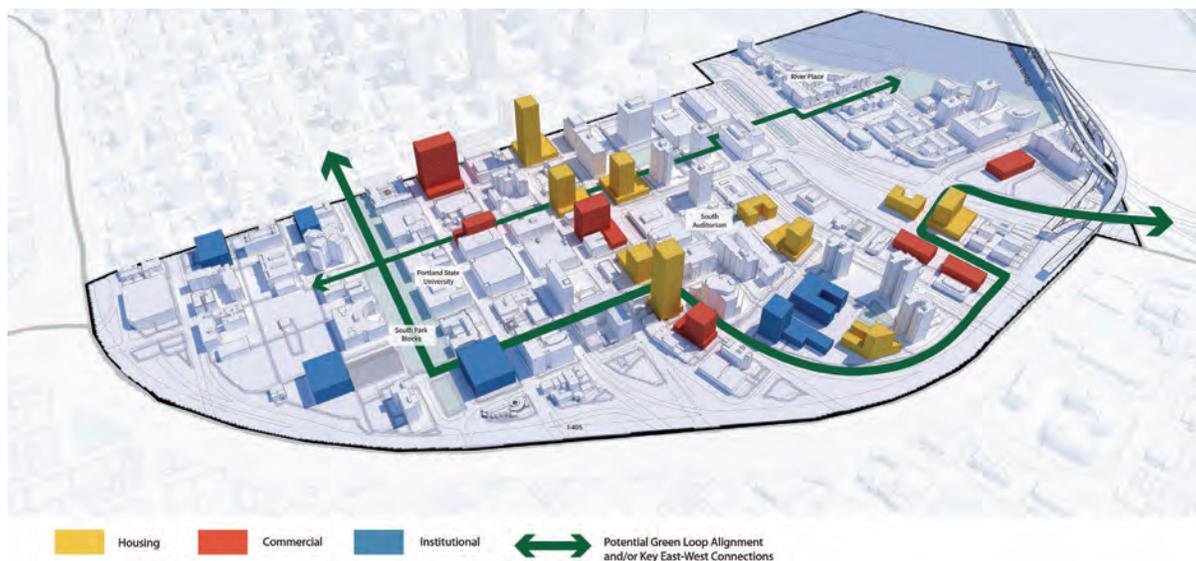


The University District/South Downtown includes three distinct urban districts: Portland State University (PSU), the South Auditorium blocks and RiverPlace. With close to 30,000 enrolled students, PSU's growth and development is guided by the University District Framework Plan (2010). The strategic direction for the Central City as a center for innovation and exchange aligns strongly with PSU and its surrounding area. The South Auditorium Project, developed in the 1960s, was the city's first urban renewal area and now includes modern office buildings and apartment towers. The area is connected by a system of Lawrence Halprin-designed parks, fountains and pedestrian pathways. A community of apartments, condos and ground floor retail, RiverPlace is one of the few places in the Central City with direct access to the water's edge.

## 2035 VISION

University District/South Downtown is the livable, accessible home to: 1) Portland State University, Oregon's largest university; 2) the South Auditorium District, a unique open space, commercial and residential landscape created through Portland's first experiment with urban renewal; and 3) RiverPlace, a dynamic, dense residential and commercial district with an intimate relationship to the Willamette River.

While each of these three areas has its distinct character, they are well connected to each other and to adjacent districts with multimodal facilities, including light rail and streetcar. In combination, they provide the setting for a growing international, multi-cultural center of learning, fostering information exchange and innovation. The district plays a key role in accommodating and incubating the Portland region's growing cluster of knowledge-based, research-oriented enterprises while remaining an attractive, vibrant and livable residential area.



Between 2010 and 2035, South Downtown/University is expected to grow by 3,000 households and 4,000 jobs, for a total of 6,200 households and 14,400 jobs. This rendering illustrates a possible development scenario approximating future growth. The arrows illustrate a potential Green Loop alignment and key flexible street connections leading to the river and adjacent neighborhoods.

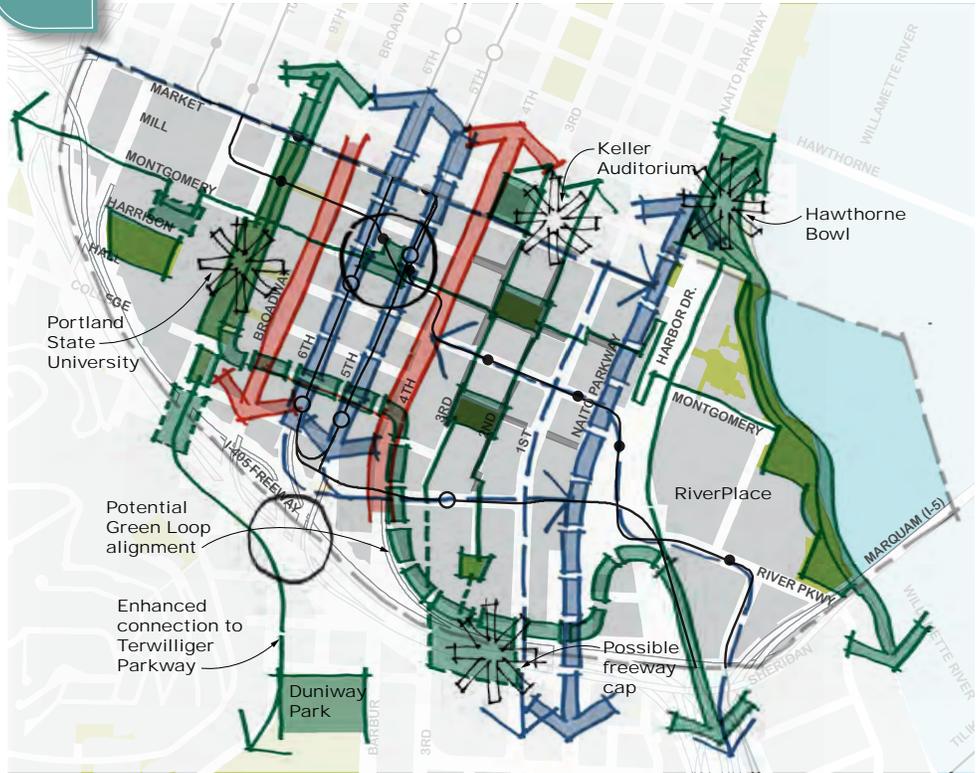
## KEY ELEMENTS

- Develop key a Green Loop connection between the South Park Blocks and SW Moody Street
- Focus new retail activity on SW 4th Avenue, College and Broadway
- Improve multi-modal connections across I-405
- Strengthen routes to the Willamette River

### DIAGRAM LEGEND:

-  Retail/commercial character
-  Boulevard character
-  Flexible character
-  Key intersection, gateway or bridgehead location
-  Potential new open space
-  Attraction

## UD URBAN DESIGN CONCEPT DIAGRAM



University District/South Downtown has three distinct subareas, each with its own unique character: 1) Portland State University (PSU); 2) the South Auditorium District, including the Halprin Open Space Sequence; and 3) RiverPlace. Major attractions include Portland State University, the Halprin Open Space Sequence and the shops and restaurants at RiverPlace. Key intersections and gateways include PSU's Urban Plaza bounded by SW 5th, 6th, Mill and Montgomery.

The diagram shows a potential I-405 cap at SW 1st Avenue, which could offer new open space opportunities and stronger connections to the south. The concept diagram also highlights the desired retail/commercial character of SW Broadway, SW College Street, and SW 4th Avenue and the boulevard character of Naito Parkway, SW 1st, and 5th and 6th avenues. A potential Green Loop alignment is shown toward the southern end of the district, as well as the southerly extensions of the SW 2nd and 3rd pedestrian paths, connecting the South Auditorium District and PSU to the Tilikum Crossing and the greenway trail.

# WHAT'S IN THE CENTRAL CITY 2035 PLAN?

## **Volume 1: Goals and Policies**

## **Volume 2A: Zoning Code and Map Amendments**

- Part 1: Central City Plan District
- Part 2: Willamette River and Trails
- Part 3: Environmental and Scenic

## **Volume 2B: Transportation System Plan Amendments**

## **Volume 3A: Scenic Resources Protection Plan**

- Part 1: Summary, Results and Implementation
- Part 2: Scenic Resources Inventory
- Part 3: Economic, Social, Environmental and Energy Analysis

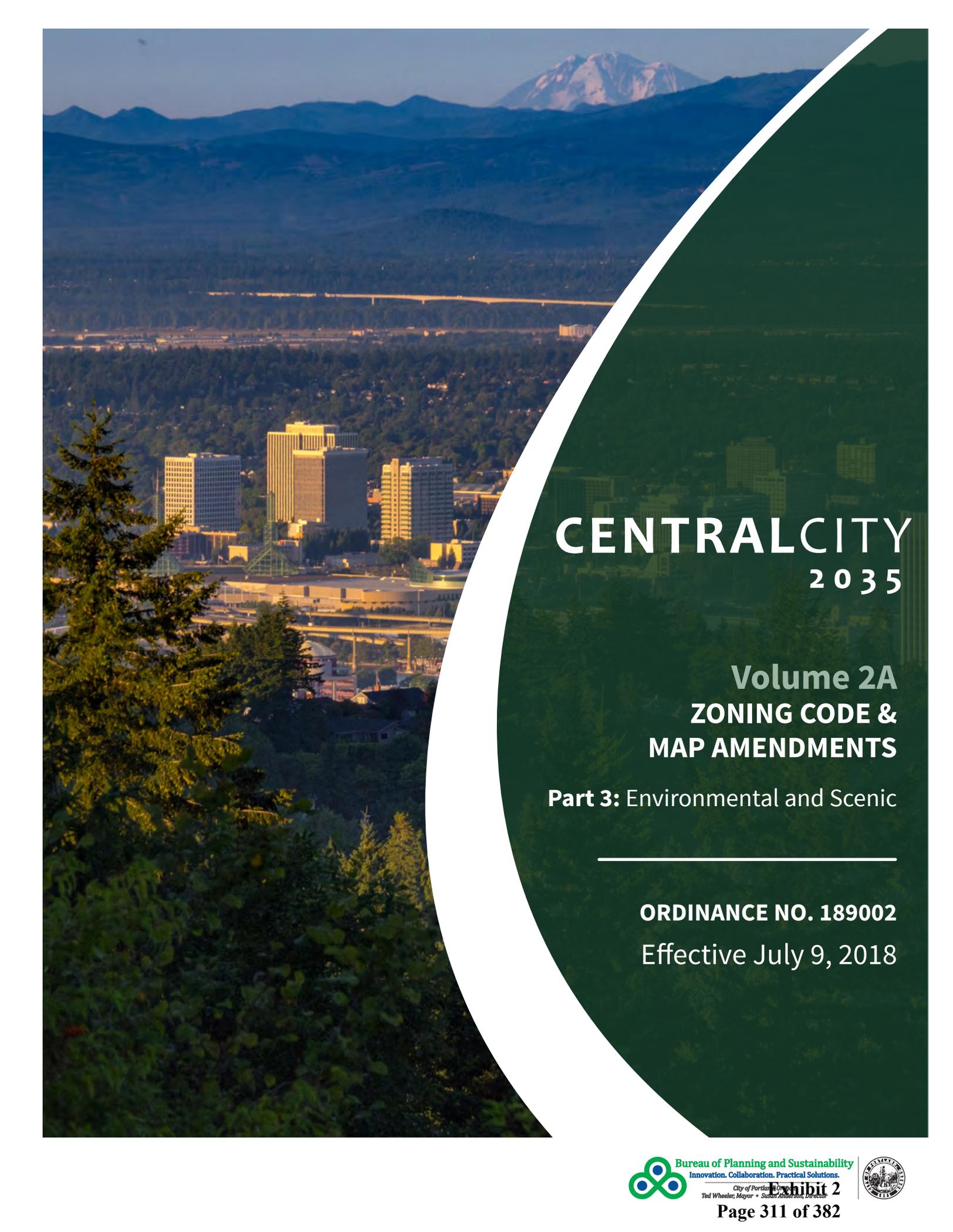
## **Volume 3B: Willamette River Central Reach Natural Resources Protection Plan**

## **Volume 4: Background Materials**

## **Volume 5A: Implementation - Performance Targets and Action Plans**

## **Volume 5B: Implementation - The Green Loop**

## **Volume 6: Public Involvement**



# CENTRALCITY

2035

## Volume 2A ZONING CODE & MAP AMENDMENTS

**Part 3:** Environmental and Scenic

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**ORDINANCE NO. 189002**

Effective July 9, 2018



**Bureau of Planning and Sustainability**

Innovation. Collaboration. Practical Solutions.

City of Portland, Oregon  
Ted Wheeler, Mayor • Susan Anderson, Director



**Exhibit 2**  
**Page 311 of 382**

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Xafiiska Qorshaynta iyo Sugnaanta waxay u-heellan yihiin bixinta helitaan loo-siman yahay ee macluumaad iyo dhagaysiyada. Haddii aad u baahan tahat qabanqaabo gaar ah, afcelin ama turumaad, fadlan wac 503-823-7700, TTY-ga 503-823-6868 ama Xafiiska Gudbinta Oregon ee 711 muddo ah 48 saac gudahood kahor xafladda.

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# ACKNOWLEDGEMENTS

This plan is the culmination of work over the past five years on the Central City Concept Plan, three quadrant plans (North/Northeast Quadrant Plan, West Quadrant Plan, Southeast Quadrant Plan), Natural and Scenic Resources protection plans, and the Bonus and Transfer Study. Many thanks to the thousands of stakeholders who participated in those processes and whose contributions helped to shape this plan.

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*Special thanks to the current and former PSC members who chaired Central City Plan committees: Don Hanson, Katherine Schultz and Michelle Rudd.*



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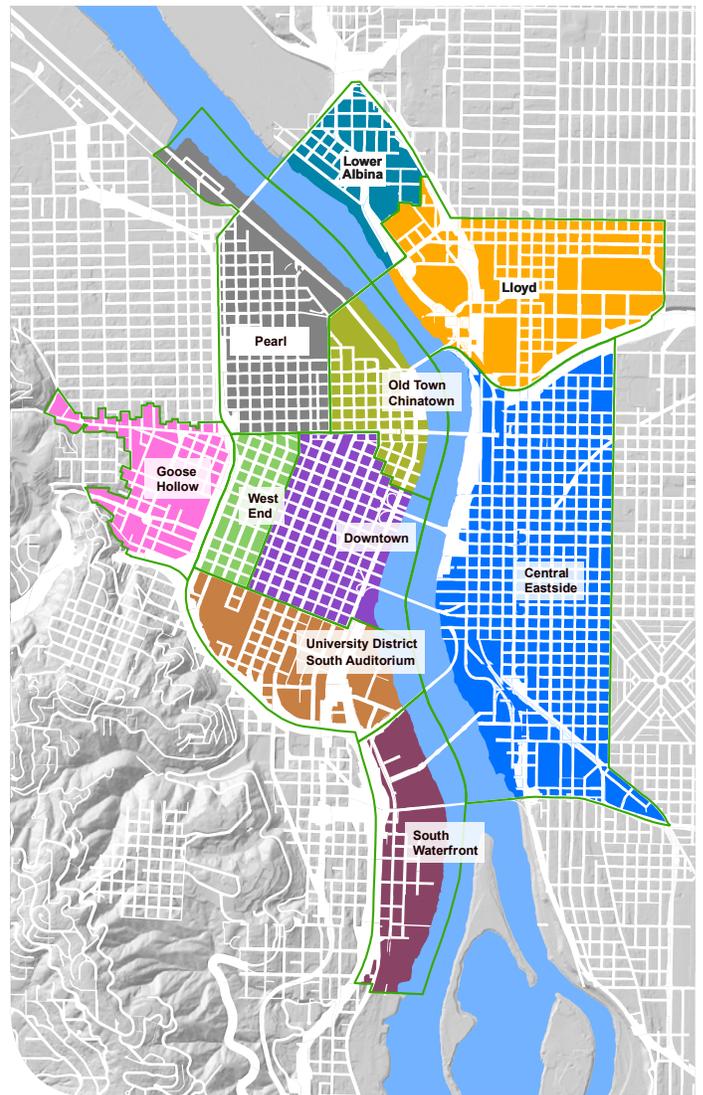
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## Consultants

Various consultants contributed to the development of the Central City Concept Plan, three quadrant plans (North/Northeast Quadrant Plan, West Quadrant Plan, Southeast Quadrant Plan), Natural and Scenic Resources inventories, and the Bonus and Transfer Study. We are grateful for their technical assistance and for helping facilitate our advisory committee and public events.

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### 33.430.033

The Scenic Resources zone is applied to view corridors and scenic corridors throughout Portland. Scenic resources are addressed by statewide land use planning Goal 5, along with natural, cultural and historic resources. When a scenic (s) overlay is applied in the same location as a conservation (c) or protection (p) overlay, the regulations of both this chapter and chapter 33.480 must be met. The recommendations of the Economic, Social, Environmental and Energy Analysis (ESEE) for the scenic resources, which are contained in various scenic resource protection plans, must be considered as part of environmental review.

## 33.430 Environmental Overlay Zones

430

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## Commentary

Language to be added is underlined.  
Language to be deleted is shown in ~~strike through~~.

#### Corrections to Violations of This Chapter

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Map 430-3 East Buttes, Terraces and Wetlands Conservation Plan Area

Map 430-4 Fanno Creek and Tributaries Conservation Plan Area

Map 430-5 Johnson Creek Basin Protection Plan Area

Map 430-6 Northwest Hills Natural Areas Protection Plan Area

Map 430-7 Skyline West Resource Protection Plan Area

Map 430-8 Southwest Hills Resource Protection Plan Area

Map 430-9 East Columbia Neighborhood Natural Resources Management Plan Area

Map 430-10 (Smith and Bybee Lakes Natural Resources Management Plan Area — repealed on 12/31/13)

Map 430-11 Forest Park Natural Resources Management Plan Area

Map 430-12 Peninsula One Natural Resources Management Plan Area

Map 430-13 Middle Columbia Corridor/Airport Natural Resources Inventory Environmental Mapping Project Area

Map 430-14 Bank Reconfiguration and Basking Features Area

### **33.430.020 Environmental Reports**

The application of the environmental zones is based on detailed studies that have been carried out within ~~eight~~eighteen separate areas of the City. The City's policy objectives for these study areas are described in the reports. Each study report identifies the resources and describes the functional values of the resource sites. Functional values are the benefits provided by resources. The values for each resource site are described in the inventory section of these reports. The City has adopted the following ~~eight~~eighteen environmental study reports:

- Balch Creek Watershed Protection Plan
- Columbia Corridor Industrial and Environmental Mapping Project
- East Buttes, Terraces and Wetlands Conservation Plan
- Fanno Creek and Tributaries Conservation Plan
- Johnson Creek Basin Protection Plan
- Northwest Hills Natural Areas Protection Plan
- Skyline West Conservation Plan
- Southwest Hills Resource Protection Plan

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## Commentary

### 33.430.033

Zoning code Chapter 33.480, *Scenic Resource Zone*, applies a scenic (s) overlay to view corridors. View corridors were designated in the *Scenic Resources Protection Plan* (1991). 33.480 is clear that if the s overlay overlaps with an environmental overlay zone, then the regulations of 33.430 must be met.

### 33.430.080.C.7.

Chapter 33.10 states that the city does regulate dredging within the river. This exemption allows dredging and channel maintenance within deep waters of the river and within the federal navigation channels. However, dredging in or near shallow water and beaches could have significant detrimental impacts on the habitat that the shallow water provides and is not exempt. Beaches and shallow water play important roles in the life cycle of aquatic species, including salmon, and impacts to these areas should be avoided and mitigated if the impacts can't be avoided. Shallow water is identified as water between zero and 20 feet deep, however using 35 feet as the trigger for review because the area between 20 and 35 feet deep represents an area of concern where the impacts of dredging could affect the habitat in the shallower areas.

Language to be added is underlined.  
Language to be deleted is shown in ~~strike through~~.

- ESEE Analysis and Recommendation for Natural, Scenic and Open Space Resources within Multnomah County Unincorporated Areas
- Middle Columbia Corridor/Airport Economic, Social, Environmental and Energy (ESEE) Analysis

### **33.430.033 Relationship to Scenic Resource Zone**

When a Scenic Resource zone has been applied at the location of an environmental zone environmental review must include consideration of the development standards of Chapter 33.480, and the scenic qualities of the resource as identified in the *Scenic Resources Protection Plan* or the *Central City Scenic Resources Protection Plan*.

### **33.430.080 Items Exempt From These Regulations**

The following items, unless prohibited by Section 33.430.090, below, are exempt from the regulations of this chapter. Other City regulations such as Title 10, Erosion Control, must still be met:

- A.-B. No change
- C. Existing development, operations, and improvements, including the following activities:
  1. Maintenance, repair, and replacement of existing structures, exterior improvements, roads, public ~~recreational~~ trails, public rest points, public viewing ~~points~~ areas, public interpretative facilities, and utilities. Replacement is not exempt whenever coverage or utility size is increased;
  - 2.-6. No change

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## Commentary

### 33.430.080.C.8.

The exemption applies to full removal of a tree or other vegetation as well as trimming of trees or vegetation.

Within a view corridor with special height restrictions trees may be removed or trimmed to preserve the view. There are two documents that designated view corridors with special height restrictions:

- The *Scenic Resources Protection Plan* (1991) applies to whole city.
- The *Central City Scenic Resources Protection Plan* (2017) applies to the Central City Plan District and surrounding lands. For the view corridors designated in the *Central City Scenic Resources Protection Plan*, the special height restrictions supersede the special height restrictions in the *Scenic Resources Protection Plan*. If the view corridor is not designated in the *Central City Scenic Resources Protection Plan*, then the special height restrictions of the *Scenic Resources Protection Plan* apply.

Language to be added is underlined.  
Language to be deleted is shown in ~~strike through~~.

7. Removal or trimming of vegetation when no development or other activities subject to the development standards or review requirements of this chapter are proposed, if the following are met:
- a. All vegetation removal or trimming activities must be surrounded or protected to prevent erosion and sediment from leaving the site or negatively impacting resources on the site. Permanent erosion control, such as replanting areas of bare soil, must be installed.
  - b. The vegetation proposed for removal or trimming is one of the following:
    - (1) Trees or plants listed on the Nuisance Plant List;
    - (2) Dead, dying, or dangerous trees or portions of trees when they pose an immediate danger, as determined by the City Forester or an arborist. Removing these portions is exempt only if all sections of wood more than 12 inches in diameter either:
      - Remain, or are placed, in the resource are of the same ownership on which they are cut; or
      - Are removed, if the City Forester authorizes removal of diseased wood because it will threaten the health of other trees;
    - (3) Non-native non-nuisance trees and plants;
    - (4) Trees or tree limbs that are within 10 feet of an existing building and structures attached to buildings, such as decks, stairs and carports;
    - (5) Trees or plants that exceed the height restriction of a view corridor with special height restrictions designated in the *Scenic Resources Protection Plan* or *Central City Scenic Resources Protection Plan*. ~~Trees that exceed the height restrictions of a City-designated view corridor may be removed or pruned to maintain the view corridor.; or~~
    - (6) Within the Scenic Resource zone, tree limbs may be trimmed to maintain a view. Tree removal is not exempt.

8.-11. No change

**D.-E.** No change

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## Commentary

Language to be added is underlined.  
Language to be deleted is shown in ~~striketrough~~.

### 33.430.170 Standards for Resource Enhancement Projects

**A. Bank reconfiguration.** The following standards apply to bank reconfiguration projects that take place in the Bank Reconfiguration and Basking Features Area shown on Map 430-14. Slough and drainageway banks, which are the area between the ordinary high water mark and the top of bank, may be regraded when all of the following are met:

- 1.-7. No change
8. No structures are proposed except for public viewing areas developed as part of the project. The public viewing areas must meet the following:
  - a. The viewing area contains no more than 500 square feet of permanent disturbance area;
  - b. The viewing area is at least 30 feet from the top of bank of a stream, drainageway, wetland or other water body;

### 33.430.190 Standards for Major Public Recreational-Trails

The following standards apply to major public recreational trails and ~~public~~ viewing areas developed in conjunction with the ~~recreational~~ major public trail. All of the standards must be met.

**A.-C.** No change

~~**D.** Tree removal and replacement standards are as follows:~~

- ~~1. Native trees 12 or more inches in diameter may not be removed. Each native tree more than 6 but less than 12 inches in diameter removed must be replaced as shown in Table 430-3;~~
- ~~2. Non-native non-nuisance trees may be removed if each tree at least 6 inches in diameter is replaced as shown in Table 430-3;~~
- ~~3. Trees listed on the Nuisance Plants List may be removed if each tree at least 6 inches in diameter is replaced with one tree; and~~
- ~~4. Replacement trees and shrubs must meet the planting standards of Subsection 33.430.140.K; and~~

**ED.** If a public viewing area is proposed, the following must be met:

1. The viewing area may create up to 500 square feet of permanent disturbance area;
2. The viewing area is at least 30 feet from the top of bank of a stream, drainageway, wetland or other water body; and
3. The viewing area is not in the floodway;

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## Commentary

### 33.430.190.E.

Tree removal was 33.430.190.D. It was moved to the end of the subsection because tree removal is allowed in both the trail and the viewing area associated with the trail. The tree removal standards were also updated to simplify them and make them the same as the standards for tree removal within a scenic (s) resources overlay zone.

### 33.430.195

The regulations for the scenic (s) overlay zone are found in 33.480. The regulations are different for scenic corridors and view corridors. In scenic corridors, the intention is to preserve tree canopy. In view corridors, the intention is to allow some tree removal. This regulation in the Environmental overlay zone is to be clear that tree removal in view corridors that correspond with a conservation or protection overlay is allowed per the standard. This standard does not apply to scenic corridors.

The standard is intended to allow trees to be removed that are blocking a view. Natural resources, including trees, and scenic resources, including views, are both State Land Use Planning Goal 5 resources. The standards balance the benefits of both trees and the view by allowing tree removal within the view corridor and requiring those trees to be replaced outside of the view corridor. Native trees that are larger than 12 inches in diameter can be removed through Environmental Review.

Language to be added is underlined.  
Language to be deleted is shown in ~~strike through~~.

**E. Tree removal and replacement standards:**

1. Native trees up to 12 inches in diameter and non-native trees of any size may be removed with hand-held equipment or equipment with a wheel/surface-to-ground pressure of no more than 7.5 psi;
2. Trees that are more than 6 inches in diameter that are removed must be replaced as shown in Table 430-3; and
3. Replacement trees must meet the planting standards in 33.430.140.K.

**33.430.195 Standards for Tree Removal in the Scenic Resource Zone**

The following standards apply to removal of native trees up to 12 inches in diameter and non-native trees of any size that are located within an Environmental overlay zone and the Scenic Resource zone:

- A. Trees may be removed with hand-held equipment or equipment with a wheel/surface-to-ground pressure of no more than 7.5 psi;
- B. Trees that are more than 6 inches in diameter that are removed must be replaced as shown in Table 430-3, and replacement trees must be planted outside of the Scenic Resource overlay zone;
- C. Temporary disturbance areas caused by the tree removal must be replanted to meet one of the following options. Shrubs planted to meet this standard may be counted towards meeting the replacement requirements shown in Table 430-3:
  1. Option 1. Three shrubs and four other plants must be planted for every 100 square feet of temporary disturbance area; or
  2. Option 2. Three shrubs must be planted for every 100 square feet of temporary disturbance area and the remainder of the temporary disturbance area must be seeded with a grass and forb seed mix at a ratio of 30 pounds per acre; and
- D. Replacement plantings must meet the planting standards in 33.430.140.K.

**Environmental Review**

**33.430.250 Approval Criteria**

**A.–B.** No change

**C. Public recreational facilities.** In resource areas of environmental zones, public recreational trails, rest points, ~~public viewing points~~ areas, and interpretative facilities will be approved if the applicant's impact evaluation demonstrates that all of the following are met:

**D.–E.** No change

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## Commentary

### 33.480.010 Purpose

BPS has produced a new scenic resources inventory and protection plan for the Central City and areas with view of or across the Central City. The *Central City Scenic Resources Protection Plan* updates and replaces some of the information and decisions of the *Scenic Resources Protection Plan (1991)*.

### 33.480.020 Map Symbol

Before application of the environmental conservation and protection overlay zones there were scenic overlay zones based on the *Scenic Resources Protection Plan (1991)*. The scenic overlays were removed when the environmental conservation and protection overlays were applied. It was assumed at that time that scenic resources would be addressed by Environmental Review. However, without the scenic overlays it is not possible to know when scenic resources must be considered. Therefore, the City reapplied the scenic overlay zones where they overlap with the environmental overlay zones.

## 33.480 Scenic Resource Zones

480

### Sections:

- 33.480.010 Purpose
- 33.480.020 Map Symbol
- 33.480.030 Application of the Scenic Resource Zone
- 33.480.040 Development Standards
- 33.480.050 Tree Removal Review
- ~~33.480.060 Relationship to Environmental Zones~~

### ~~Map 480-1 Scenic Resources~~

#### 33.480.010 Purpose

The Scenic Resource zone is intended to:

- Protect Portland's significant scenic resources that provide benefits to the public as identified by the City in the *Scenic Resources Protection Plan (1991)* and the *Central City Scenic Resources Protection Plan (2017)*;
- Enhance the appearance of Portland to make it a better place to live and work;
- Create attractive entrance ways to Portland and its districts;
- Improve Portland's economic vitality by enhancing the City's attractiveness to its citizens and to visitors; and
- Implement the scenic resource policies, goals and objectives of Portland's Comprehensive Plan.

The purposes of the Scenic Resource zone are achieved by establishing height limits within view corridors to protect significant views and by establishing additional landscaping and screening standards to preserve and enhance identified scenic resources.

#### 33.480.020 Map Symbol

The Scenic Resource zone is shown on the Official Zoning Maps with a letter "s" map symbol.

#### 33.480.030 Application

The Scenic Resource zone is to be applied to all significant scenic resources identified in *the Scenic Resources Protection Plan* or the *Central City Scenic Resources Protection Plan*. Any changes to land or development, including rights-of-way, within the Scenic Resource zone are subject to the regulations of this chapter.

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## Commentary

### 33.480.040.A.2

The base zones include height limits for development and vegetation. When the view corridor, shown in the *Scenic Resources Protection Plan* or the *Central City Scenic Resources Protection Plan* sets a height limit that is more restrictive than the base zone, the view corridor height limit takes precedence. In some situations, the view corridor height limit is **not** more restrictive than the height limits of the base zone; therefore, the base zone takes precedence.

Language to be added is underlined.  
Language to be deleted is shown in ~~strike through~~.

### **33.480.040 Development Standards**

The development standards of the Scenic Resource zone apply based on the mapping designations shown in the *Scenic Resources Protection Plan* or the *Central City Scenic Resources Protection Plan*. The standards for each subsection below apply only to areas with that designation in the respective Plan. The resource is defined as the width of the right-of-way or top of bank to top of bank for scenic corridors. Setbacks are measured from the outer boundary of the right-of-way unless specified otherwise in the ESEE Analysis and as shown on the Official Zoning Maps. In some cases, more than one development standard applies. For example, within a scenic corridor, a view corridor standard will apply where a specific view has been identified for protection.

- A. View Corridors.** All development and vegetation with a view corridor designation in the *Scenic Resources Protection Plan* or *Central City Scenic Resources Protection Plan* are subject to the regulations of this Subsection.
1. Purpose. The intent of the view corridor designation is to establish maximum heights within view corridors to protect ~~significant~~ views from ~~specific~~ designated viewpoints.
  2. Standard. All development within the designated view corridors are subject to the height limits of the base zone, overlay zone or plan district, except when a more restrictive height limit is established by the view corridor. In those instances, the view corridor height limit applies to both development and vegetation. Removal of trees or limbs necessary to maintain the view corridor is allowed. When no development is proposed, tree removal is subject to the requirements of Title 11, Trees. Public safety facilities are exempt from this standard.
- B. Scenic Corridors.** All development and vegetation within a scenic corridor designation in the *Scenic Resources Protection Plan* or the *Central City Scenic Resources Protection Plan* are subject to the regulations of this Subsection.
1. Purpose. The scenic corridor designation is intended to preserve and enhance the scenic character along corridors, and where possible, scenic vistas from corridors. This is accomplished by limiting the length of buildings, preserving existing trees, providing additional landscaping, preventing development in side setbacks, screening mechanical equipment, and restricting signs. Property owners and others are encouraged to make every effort to locate buildings, easements, parking strips, sidewalks, and vehicle areas to preserve the maximum number of trees.
  2. Standards.
    - a. Scenic ~~Corridor~~ Setback. A scenic corridor setback per Table 480-1 applies along street lot lines that abut the Scenic Corridor identified in the Scenic Resources Protection Plan.
    - b. Side building setbacks. Buildings, garages, and covered accessory structures are not allowed within the side building setbacks within the first 100 feet from the designated resource.

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## Commentary

Language to be added is underlined.  
 Language to be deleted is shown in ~~strike through~~.

Table 480-1 <b>Scenic Corridor Setback [1]</b>	
<b>Zone</b>	<b>Minimum Setback from Street Lot Line</b>
IR	1' per 2' of building height, not less than 10'
R1	3'
EG1, IH	5'
EG2, IG2	25'
All other base zones	20'

[1] Larger minimum setbacks in overlay zone and plan district supersede this setback

- c. ~~Limiting s~~Structure length. No more than 80 percent of the length of any site can be occupied by structures, excluding fences, as measured parallel to the scenic corridor. This standard applies to an entire attached housing project rather than to individual units.
- d. Limiting blank facades. Long, blank facades create uninteresting elements along a scenic corridor. This standard applies to all portions of buildings within 100 feet of the designated resource. Residential structures are exempt from this standard. Blank facades must be mitigated for in at least one of the following ways:
  - (1) The maximum length of any building facade is 100 feet.
  - (2) Two rows of trees, one deciduous and one evergreen, must be planted on 30-foot centers along the length of the building between the structure and the protected resource.
  - (3) Facades facing the scenic corridor must have a minimum of 40 percent of surface area in glass. Mirrored glass with a reflectance greater than 20 percent is prohibited.
- e. Landscaping. The entire required scenic corridor setback must be landscaped to at least the L1 level unless the more stringent standards below or in other chapters of this Title apply. Up to 25 percent of the entire area of the scenic corridor setback may be used for vehicle and pedestrian areas except that each lot is allowed at least a 9-foot wide driveway or parking area and a 6-foot wide pedestrian area. Additionally, areas within the adjacent right of way must be landscaped to standards approved by the City engineer. The required landscaping in the setback and adjacent right of way must be provided at the time of development, except as allowed in B.2.e(1) below.

**Chapter 33.480, Scenic Resource Zones**

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## Commentary

h.1 Most scenic corridors will have multiple view corridors located along the street or trail. Removal of some trees within the view corridors may be needed to maintain view.

Language to be added is underlined.  
Language to be deleted is shown in ~~strike through~~.

- (1) When alterations are made to a site with an existing nonconforming use, allowed use, limited use, or conditional use, and the alterations are over the threshold stated in 33.258.070.D.2.a, the site must be brought into conformance with the landscape standards above. The value of the alterations is based on the entire project, not individual building permits. The cost of the upgrades required by this chapter may be counted toward the cost of upgrades required by Subsection 33.258.070.D. However, the upgrades required by this chapter must be completed first.
  - (2) Area of required improvements. Except as provided in 33.258.070.D.2.c(2), Exception for Sites With Ground Leases, required improvements must be made to the entire site and adjacent right of way. If the ground lease is adjacent to a right of way within the scenic corridor, the upgrades required by this chapter also apply to the right of way adjacent to the ground lease.
  - (3) Timing and cost of required improvements. The timing and cost of the required improvements is specified in 33.258.070.D.2.d. However, where 33.258.070.D.2.d refers to the standards listed in 33.258.070.D.2.b, the landscape standards above, are also included.
- f. Screening. All exterior garbage cans, garbage and recycling collection areas, and mechanical equipment (including heat pumps, air conditioners, emergency generators, and water pumps) must be screened from view or not visible from the designated scenic corridor. Small rooftop mechanical equipment, including vents, need not be screened if the total area of such equipment does not exceed 10 square feet per structure.
  - g. Fences and hedges. The total maximum height of fences, hedges, and berms within the scenic corridor setback, and when allowed in the adjacent right of way is 3-1/2 feet. This provision does not apply to any required screening and buffering.
  - h. Preservation of trees. This provision does not apply if the property is regulated by state statutes for forest management practices. All trees 6 or more inches in diameter that are within the scenic corridor setback and right of way must be retained unless removal conforms to one or more of the following standards.
    - (1) The tree is located within a view corridor designated in the *Scenic Resources Protection Plan (1991)* or the *Central City Scenic Resources Protection Plan (2017)*;

## Chapter 33.480, Scenic Resource Zones

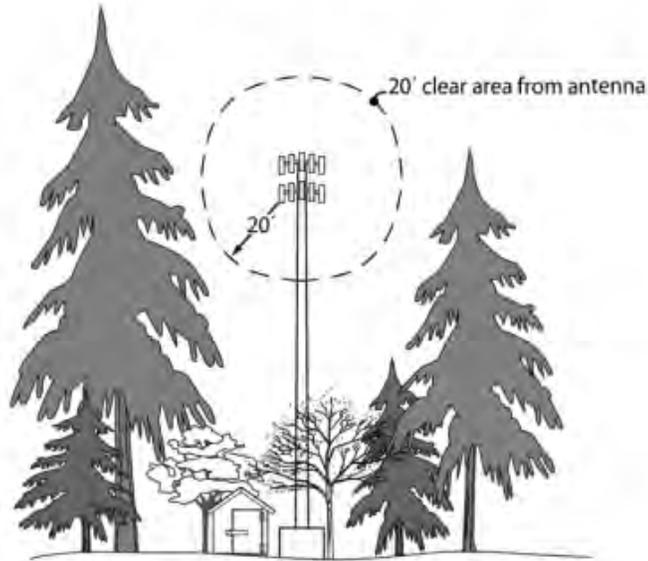
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## Commentary

Language to be added is underlined>.  
 Language to be deleted is shown in ~~strike through~~.

**Figure 480-1**  
**Measuring from an RF Transmission Facility Antenna**



<b>Table 480-2</b> <b>Tree Replacement Requirements</b> <b>In Scenic Overlay Zone</b>		
Applicants may choose either Option A or Option B [1]		
Size of tree to be removed (inches in diameter)	Option A (no. of trees to be planted)	Option B (combination of trees and shrubs)
Up to 9	1 tree	Not applicable
More than 9 and up to 12	3 trees	2 trees and 2 shrubs
More than 12	Tree Review Required (see 33.480.050 below)	

[1] *Trees and Shrubs must be species listed in the Scenic Resources Protection Plan*

- (~~12~~) The tree is located within the footprint or within 10 feet of existing or proposed buildings and structures attached to buildings, such as decks, stairs, and carports, or within 10 feet of a proposed driveway;
- (~~23~~) The tree is determined by an arborist to be dead, dying or dangerous;
- (~~34~~) The tree is on the *Nuisance Plants List*;

**Chapter 33.480, Scenic Resource Zones**

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## Commentary

### **33.480.060**

This was removed from 33.480, Scenic Resource Zones, and 33.430, Environmental Zones, was updated to reflect this language.

Language to be added is underlined.  
Language to be deleted is shown in ~~striketrough~~.

- (45) The tree must be removed due to installation, repair, or maintenance of water, sewer, or stormwater services. For new installation of services, tree removal allowed under this provision is limited to a single 10 foot wide utility corridor on each site;
- (56) The tree is within a proposed roadway or City-required construction easement, including areas devoted to curbs, parking strips or sidewalks, or vehicle areas;
- (67) The tree is within 20 feet of a Radio Frequency Transmission Facility antenna that is a public safety facility. The distance to the antenna is measured vertically and horizontally from the edge of the antenna. See Figure 480-1.; or (78)
- (78) The tree is at least 6 and up to 12 inches in diameter and does not meet any of the other standards of this subparagraph, but is replaced within the scenic corridor setback or adjacent right of way according to Table 480-2.  
Replacement plantings must meet Section 33.248.030, Plant Materials.

### **33.480.050 Tree Removal Review.**

- A. Tree removal without development. When no development is proposed, tree removal allowed by the standards of Subparagraph 33.480.040.B.2.h is subject to the tree permit requirements of Title 11, Trees.
- B. Tree removal in development situations. When tree removal is proposed as part of development, the standards of Subparagraph 33.480.040.B.2.h apply in addition to the tree preservation standards of Title 11, Trees.
- C. Trees that do not qualify for removal under Subparagraph 33.480.040.B.2.h may be removed if approved through tree review as provided in Chapter 33.853, Tree Review. However, where the tree removal would require environmental review, only environmental review is required.

### **~~33.480.060 Relationship to Environmental Zones~~**

~~When an environmental zone has been applied at the location of a designated scenic resource, the environmental review must include consideration of the scenic qualities of the resource as identified in the ESE Analysis for Scenic Resources. The development standards of this Chapter must be considered as part of that review.~~

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## Commentary

### **Scenic Resources Overlay Zones**

The Scenic Resource (s) overlay zone is being reapplied to view corridors designated in the 1991 *Scenic Resources Protection Plan (SRPP)* where the view corridor overlaps with an Environmental Conservation (c) or Environmental Protection (p) overlay zone. This is necessary to clarify where the new tree and vegetation trimming standard in 33.430 apply.

## Recommended Scenic Resource Overlay Zone Maps

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This section includes the recommended scenic (s) overlay zone maps.

### Scenic Resource Overlay Zone Maps

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## Commentary

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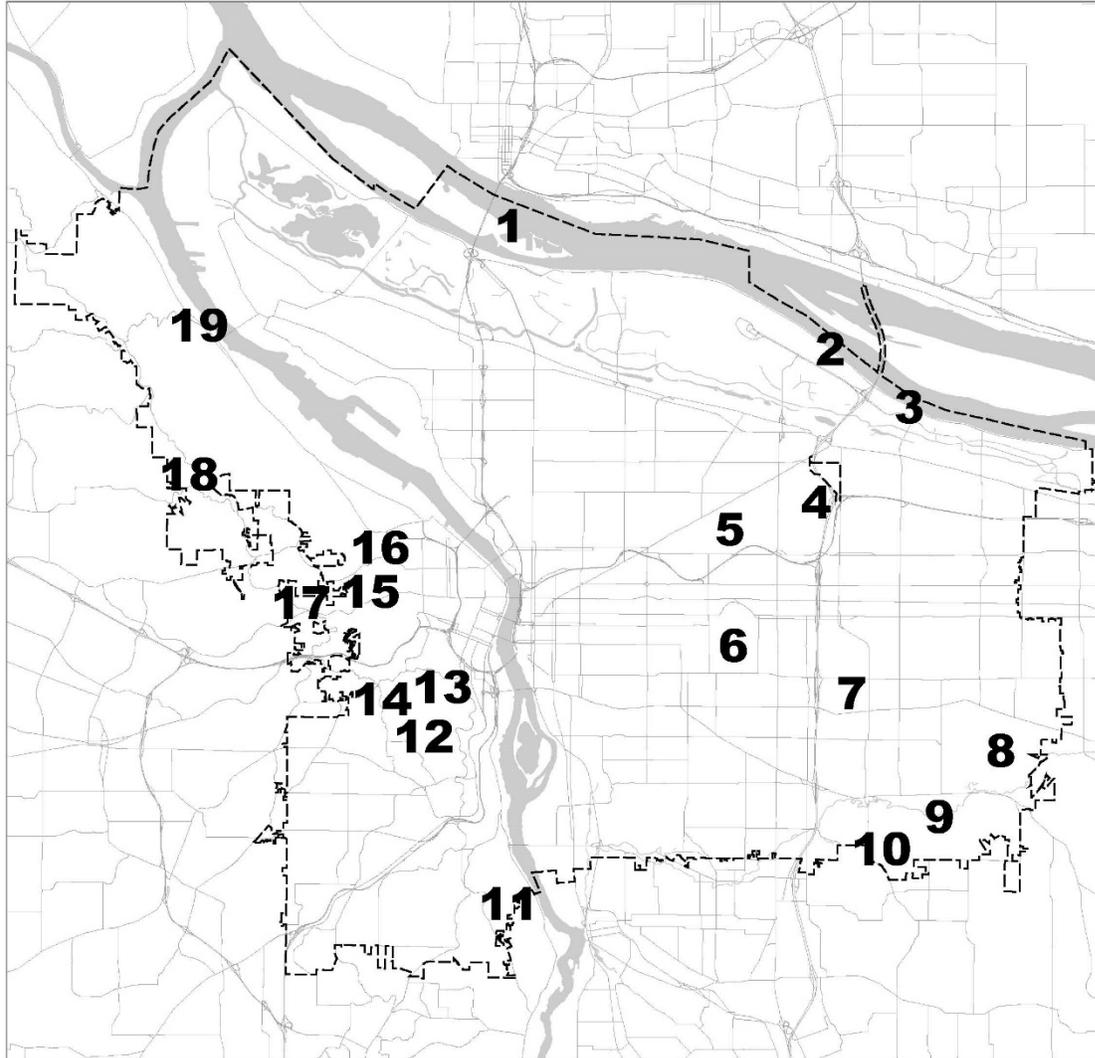
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

Index Map

August 2017



----- City Boundary



## Scenic Resource Overlay Zone Maps

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## Commentary

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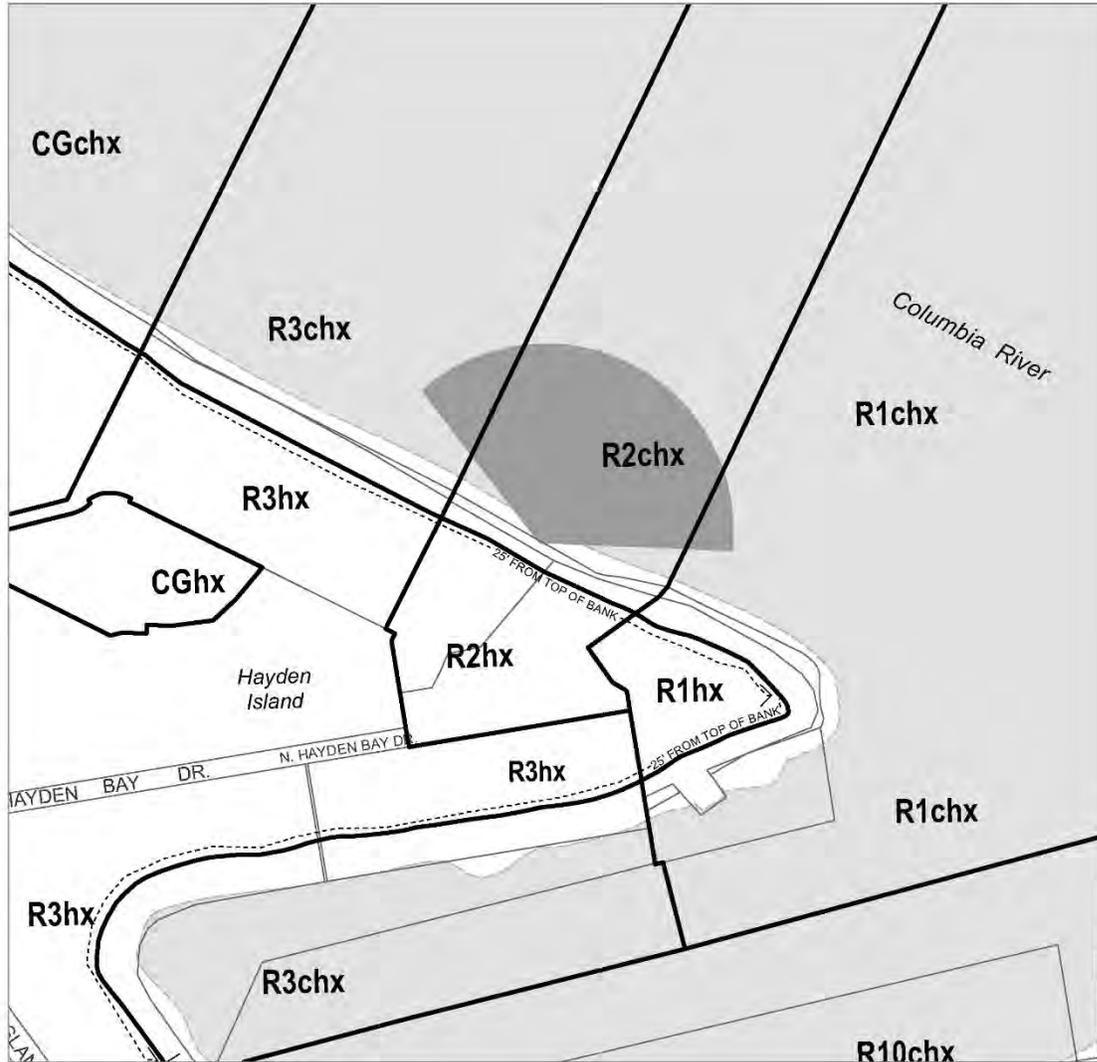
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

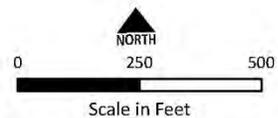
Map 1 of 19

August 2017



**Legend**

- Recommended Scenic (s) Overlay Zone
- Existing Zoning & Overlay zones
- Lot lines
- Waterbody



Bureau of Planning and Sustainability  
Portland, Oregon

## Scenic Resource Overlay Zone Maps

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## Commentary

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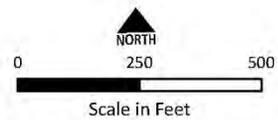
## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones



**Legend**

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



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Portland, Oregon

## Scenic Resource Overlay Zone Maps

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## Commentary

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## Scenic Resource Overlay Zone Maps



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## Commentary

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## Scenic Resource Overlay Zone Maps



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## Commentary

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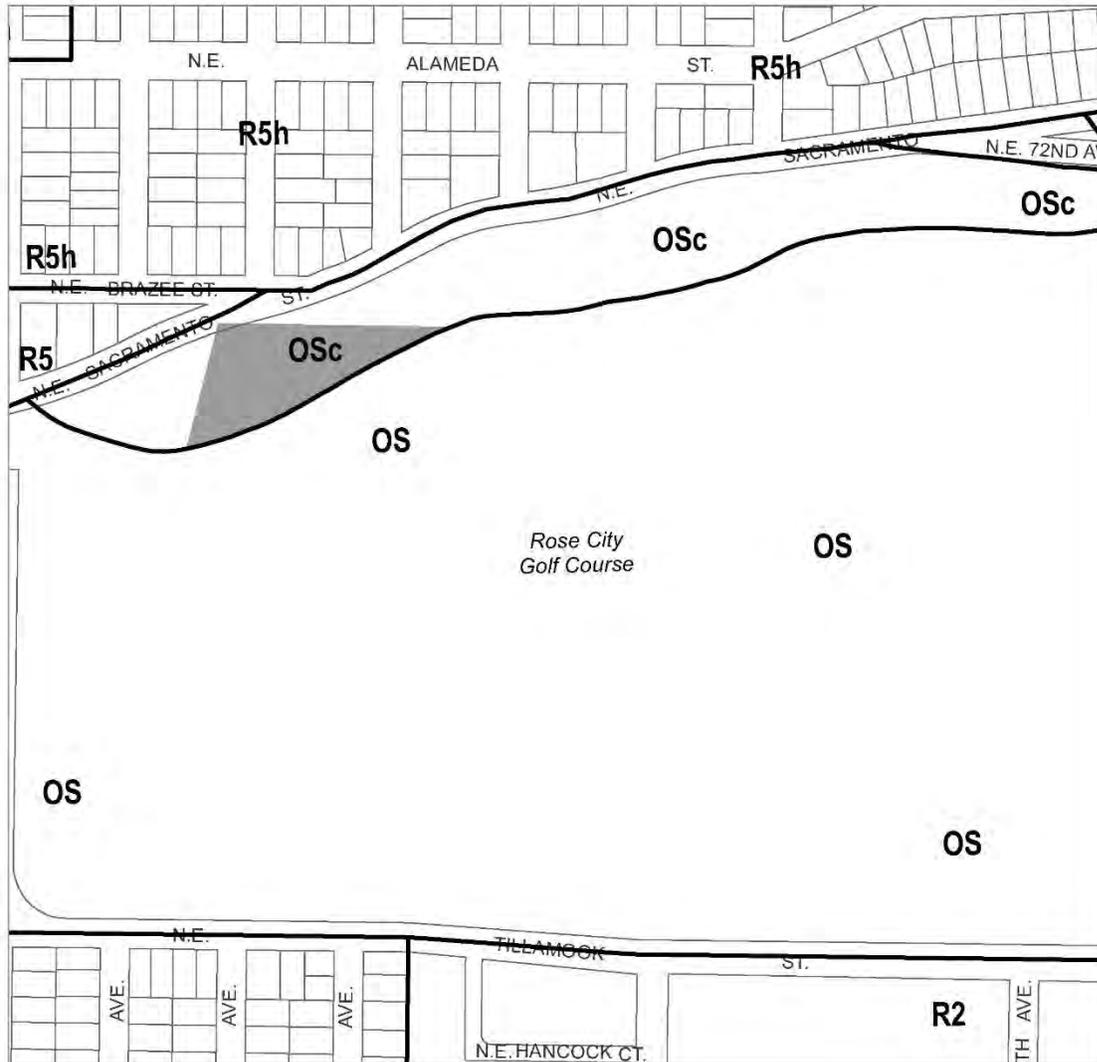
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

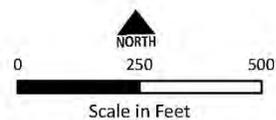
Map 5 of 19

August 2017



**Legend**

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



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Portland, Oregon

## Scenic Resource Overlay Zone Maps

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## Commentary

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## Scenic Resource Overlay Zone Maps

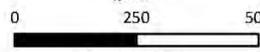
# Recommended Scenic Resource Overlay Zones

Map 6 of 19

August 2017



- Legend
- Recommended Scenic (s) Overlay Zone
  - Existing Zoning & Overlay zones
  - Lot lines
  - Waterbody

  
 NORTH  
  
 0 250 500  
 Scale in Feet  
 Bureau of Planning and Sustainability  
 Portland, Oregon

## Scenic Resource Overlay Zone Maps

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## Commentary

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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

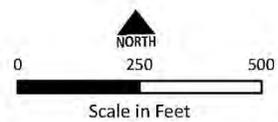
Map 7 of 19

August 2017



**Legend**

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



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**Scenic Resource Overlay Zone Maps**

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## Commentary

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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

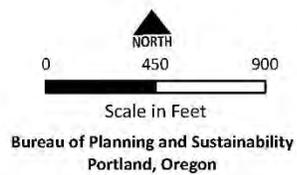
Map 8 of 19

August 2017



**Legend**

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



**Scenic Resource Overlay Zone Maps**

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## Commentary

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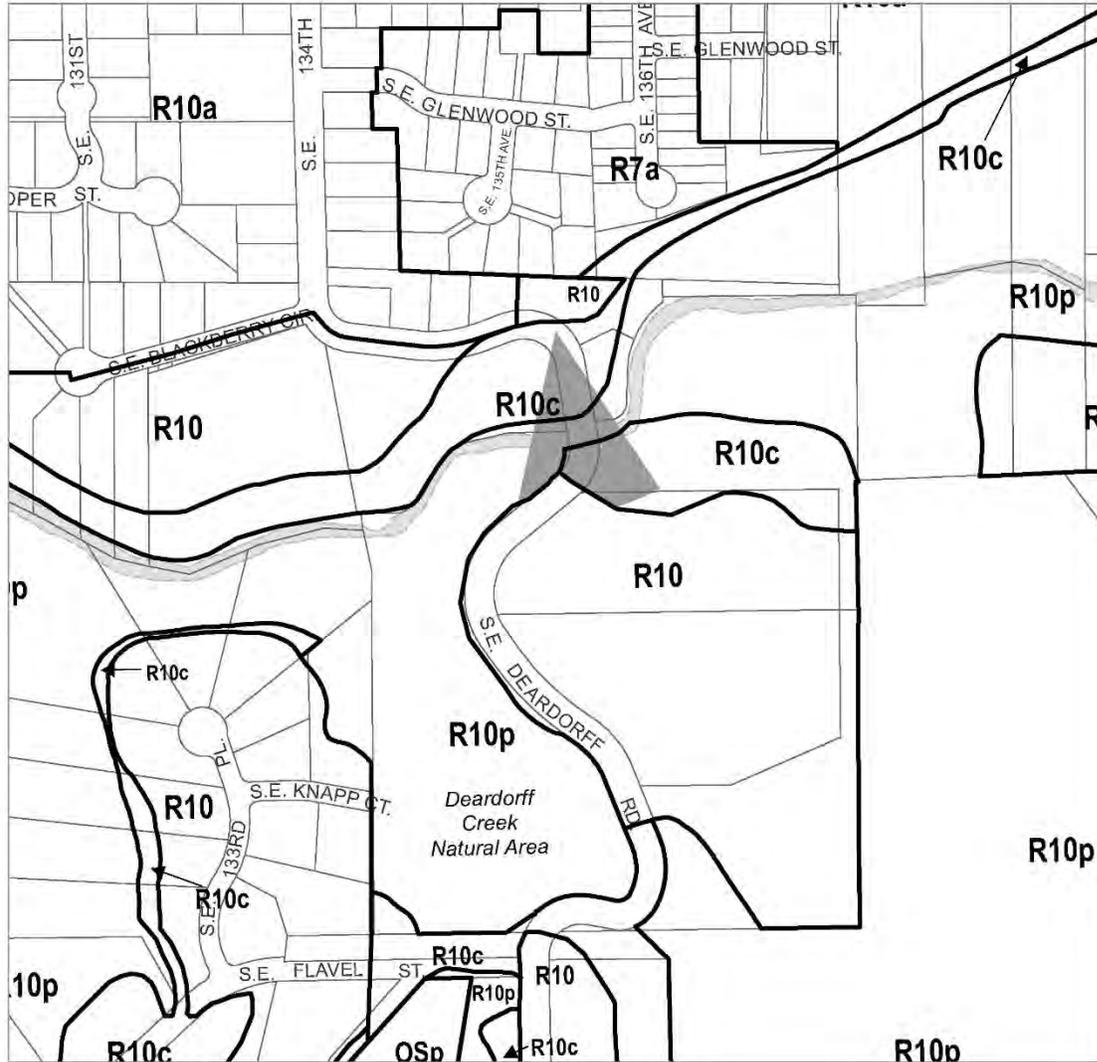
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## Scenic Resource Overlay Zone Maps

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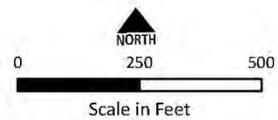
Map 9 of 19

August 2017



Legend

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



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Scenic Resource Overlay Zone Maps

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## Commentary

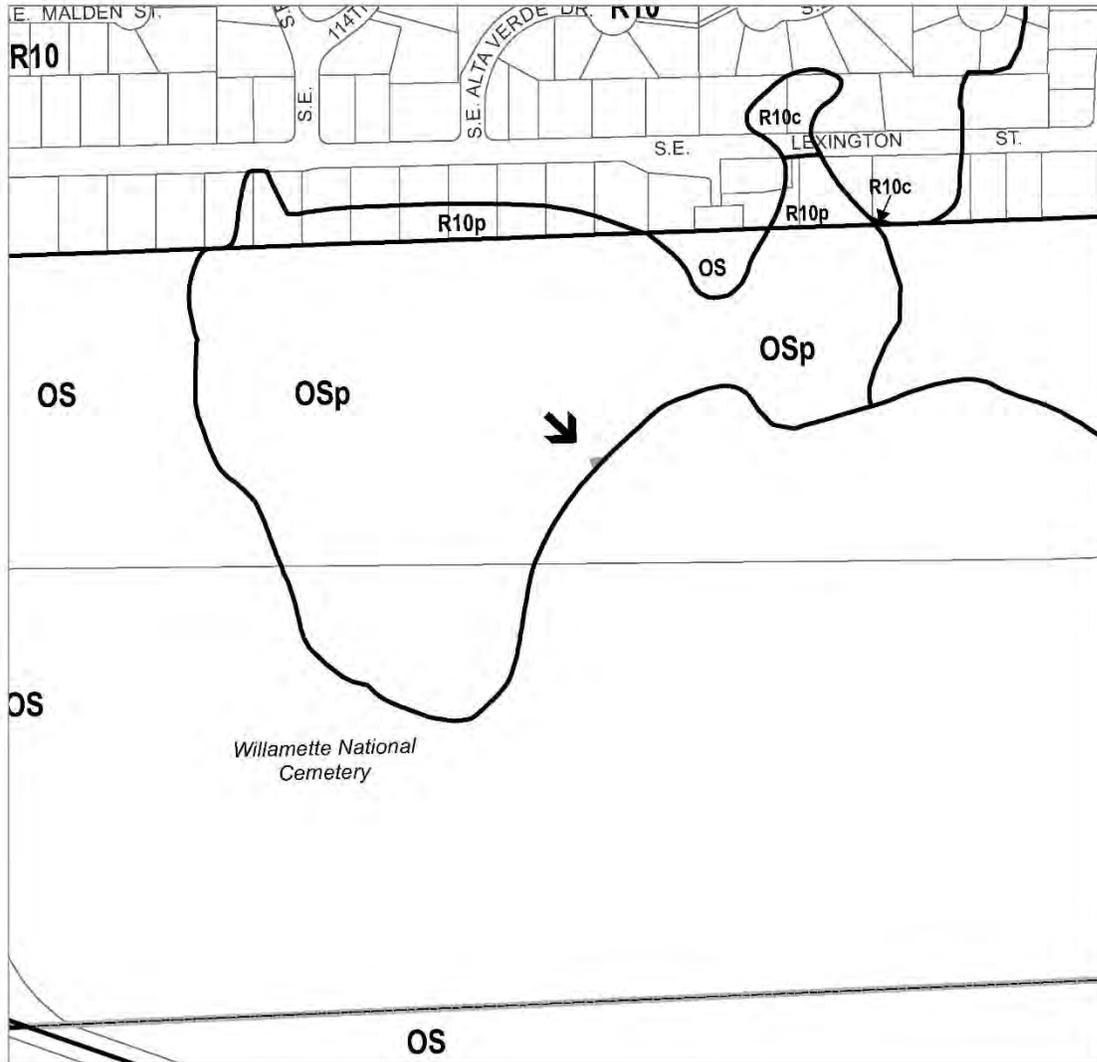
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## Scenic Resource Overlay Zone Maps

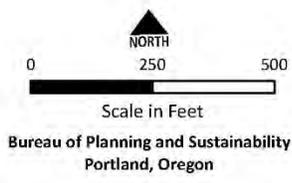
# Recommended Scenic Resource Overlay Zones

August 2017



Legend

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



Scenic Resource Overlay Zone Maps

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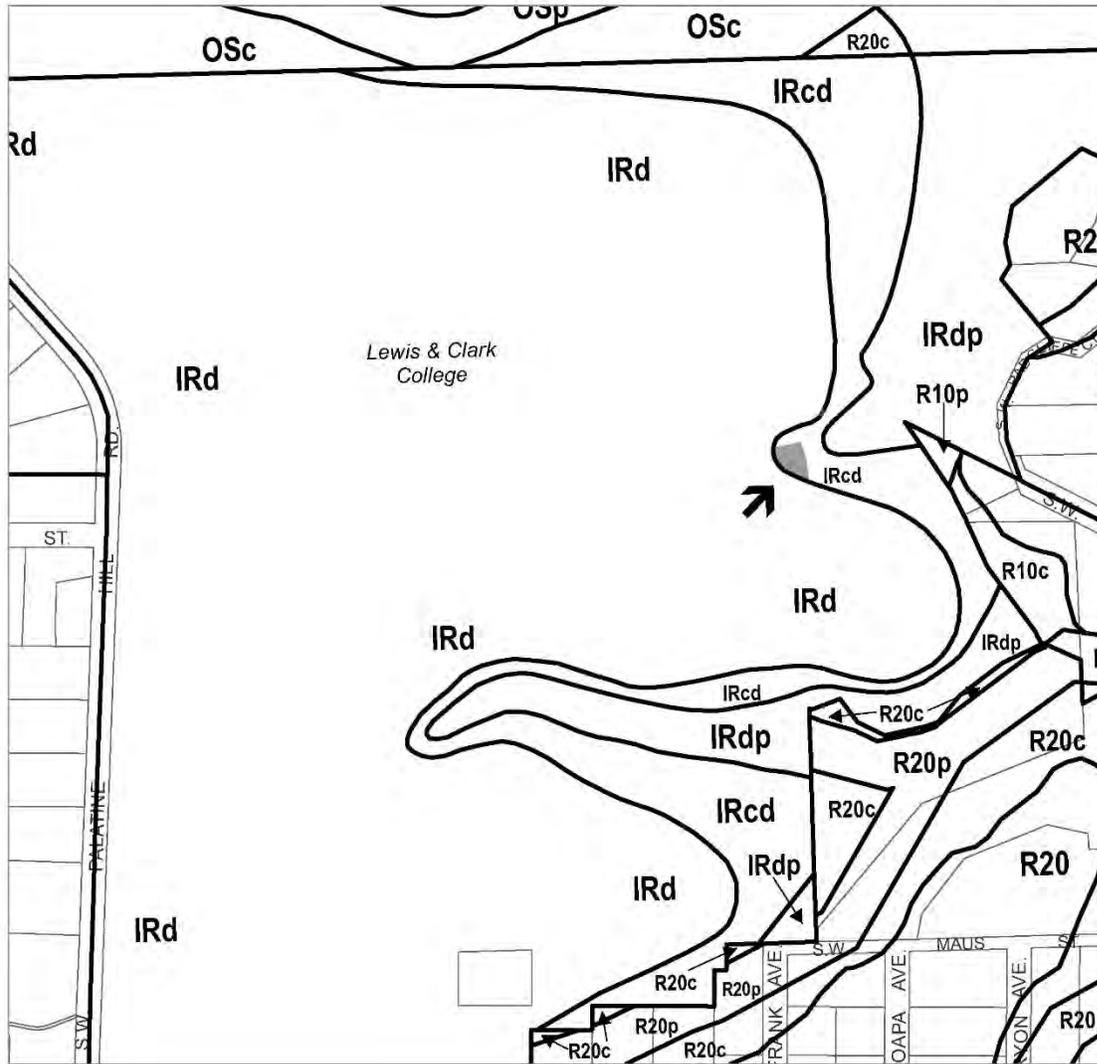
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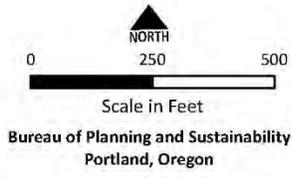
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones



- Legend
- Recommended Scenic (s) Overlay Zone
  - Existing Zoning & Overlay zones
  - Lot lines
  - Waterbody



Scenic Resource Overlay Zone Maps

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## Commentary

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## Scenic Resource Overlay Zone Maps



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## Commentary

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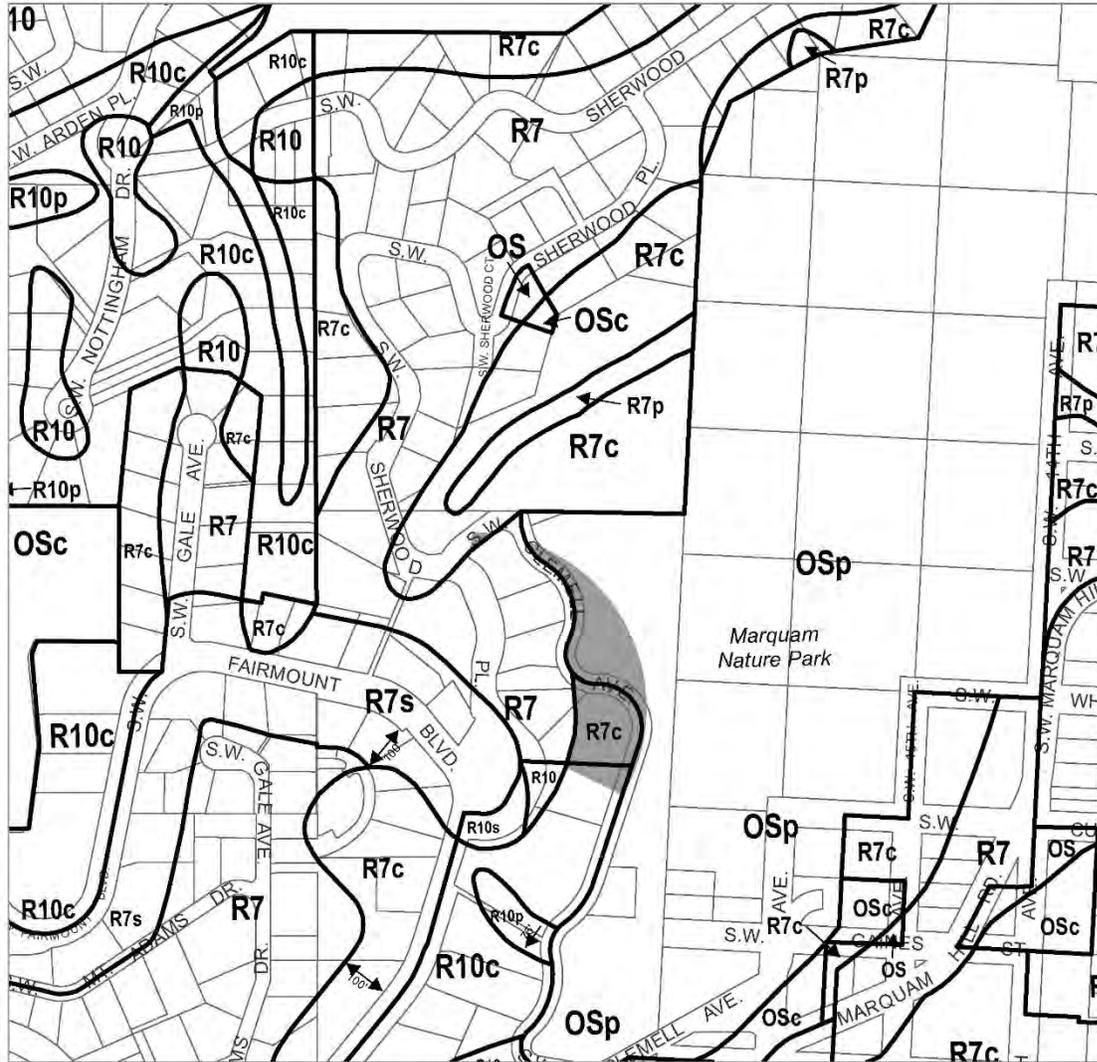
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

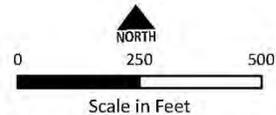
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August 2017



**Legend**

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



Scale in Feet  
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Scenic Resource Overlay Zone Maps

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## Commentary

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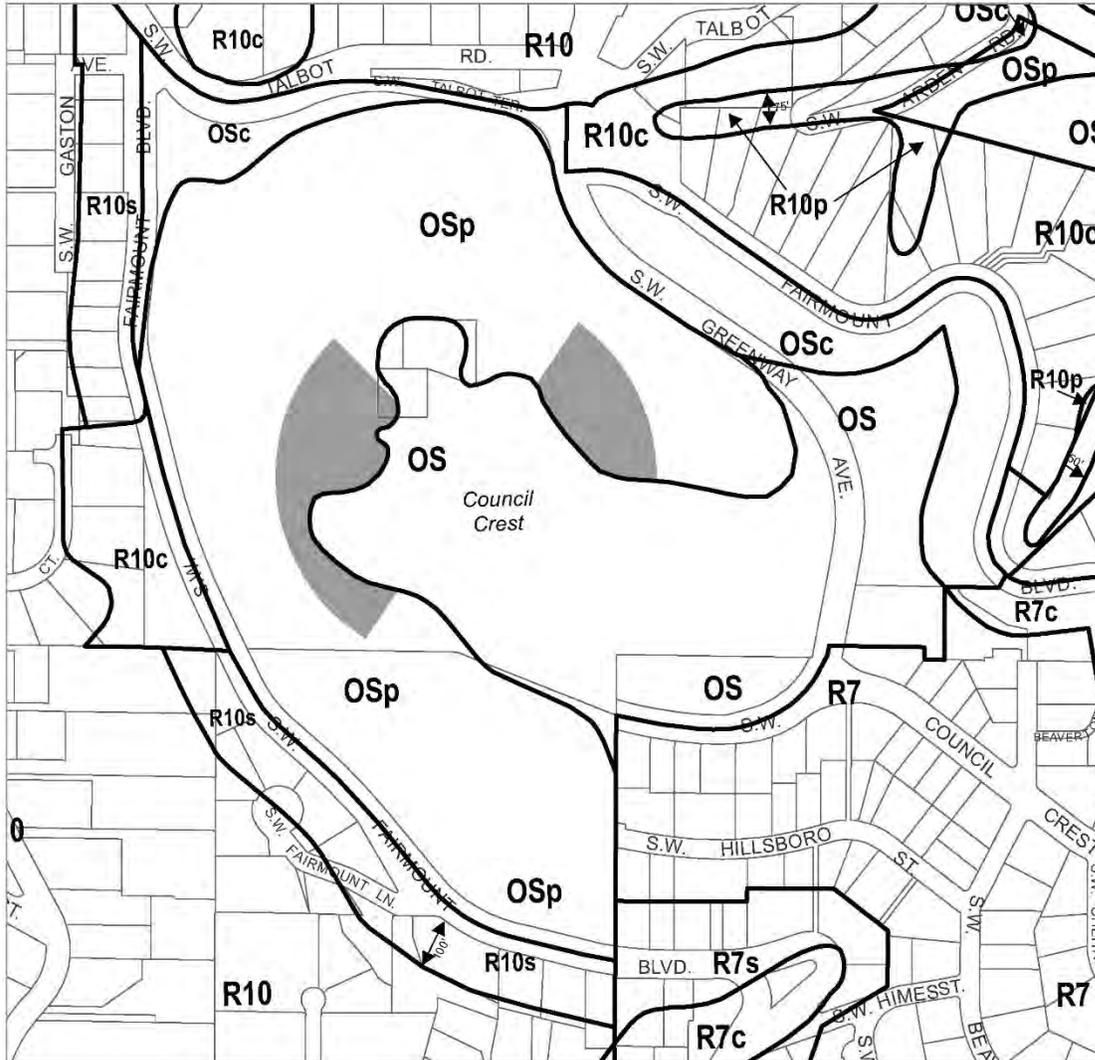
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## Scenic Resource Overlay Zone Maps

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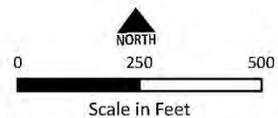
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August 2017



**Legend**

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



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**Scenic Resource Overlay Zone Maps**

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## Commentary

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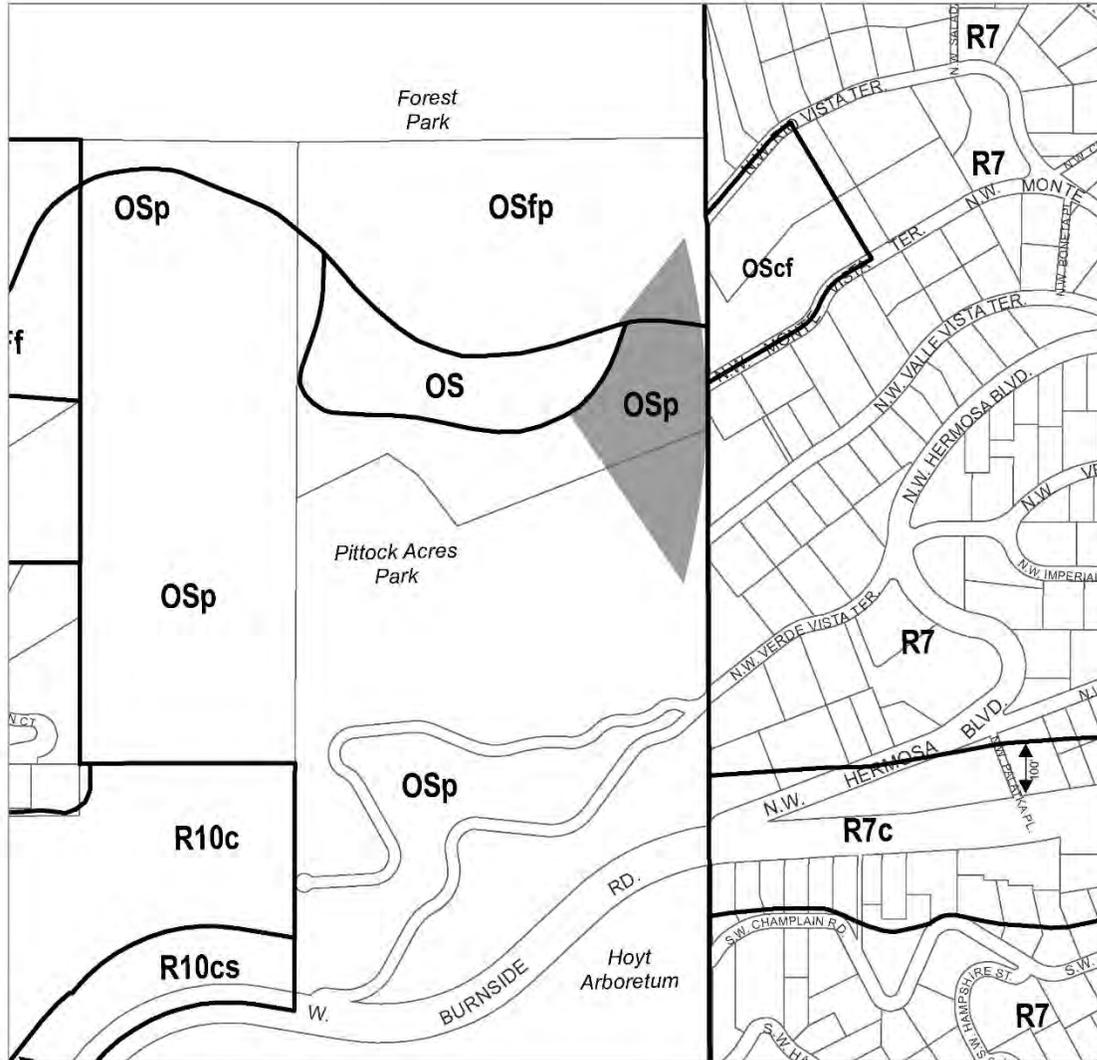
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

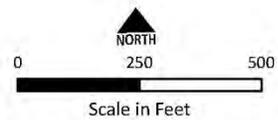
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August 2017



Legend

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



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## Scenic Resource Overlay Zone Maps

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## Commentary

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## Scenic Resource Overlay Zone Maps



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## Commentary

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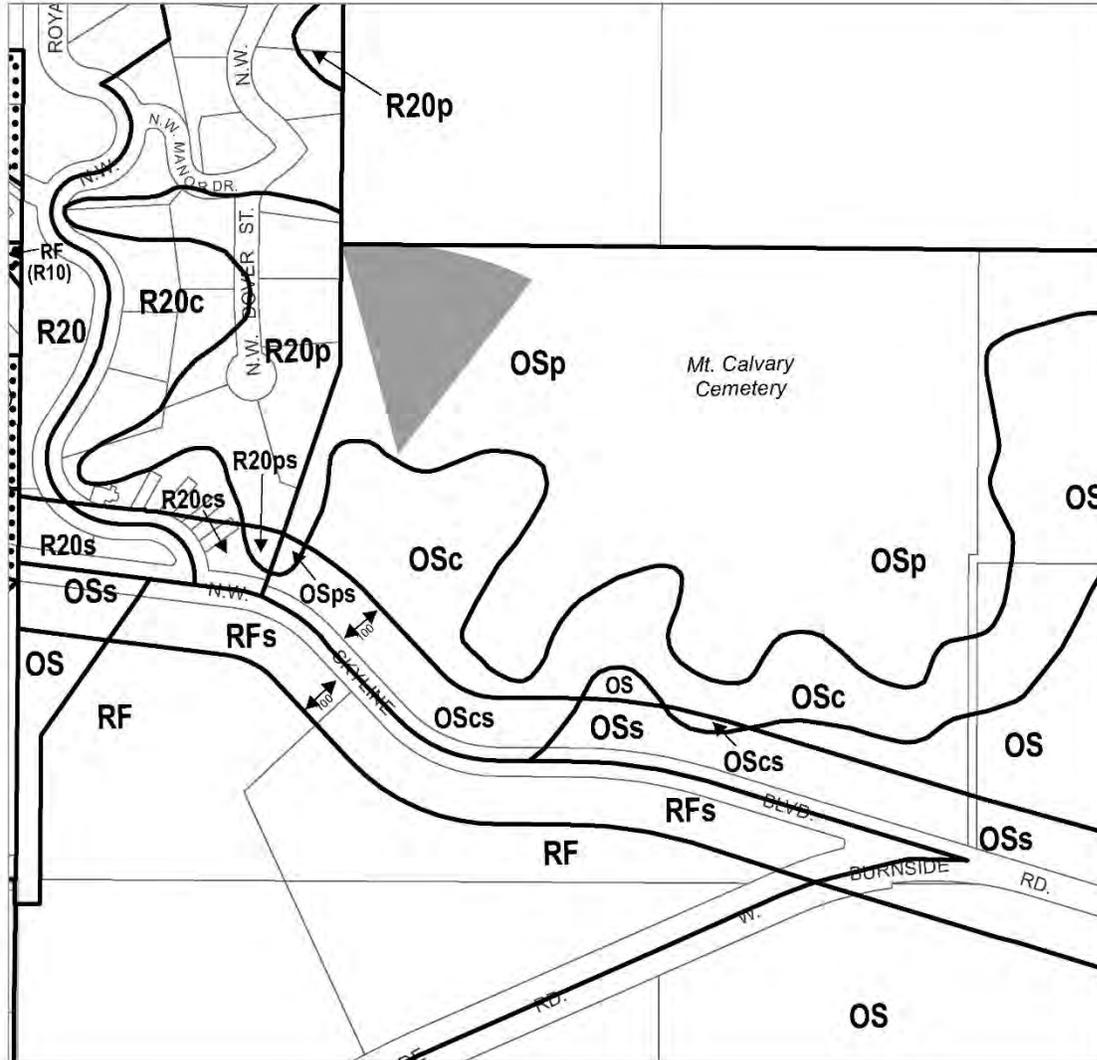
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

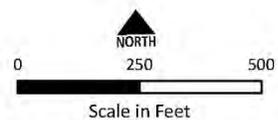
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August 2017



**Legend**

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



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**Scenic Resource Overlay Zone Maps**

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## Commentary

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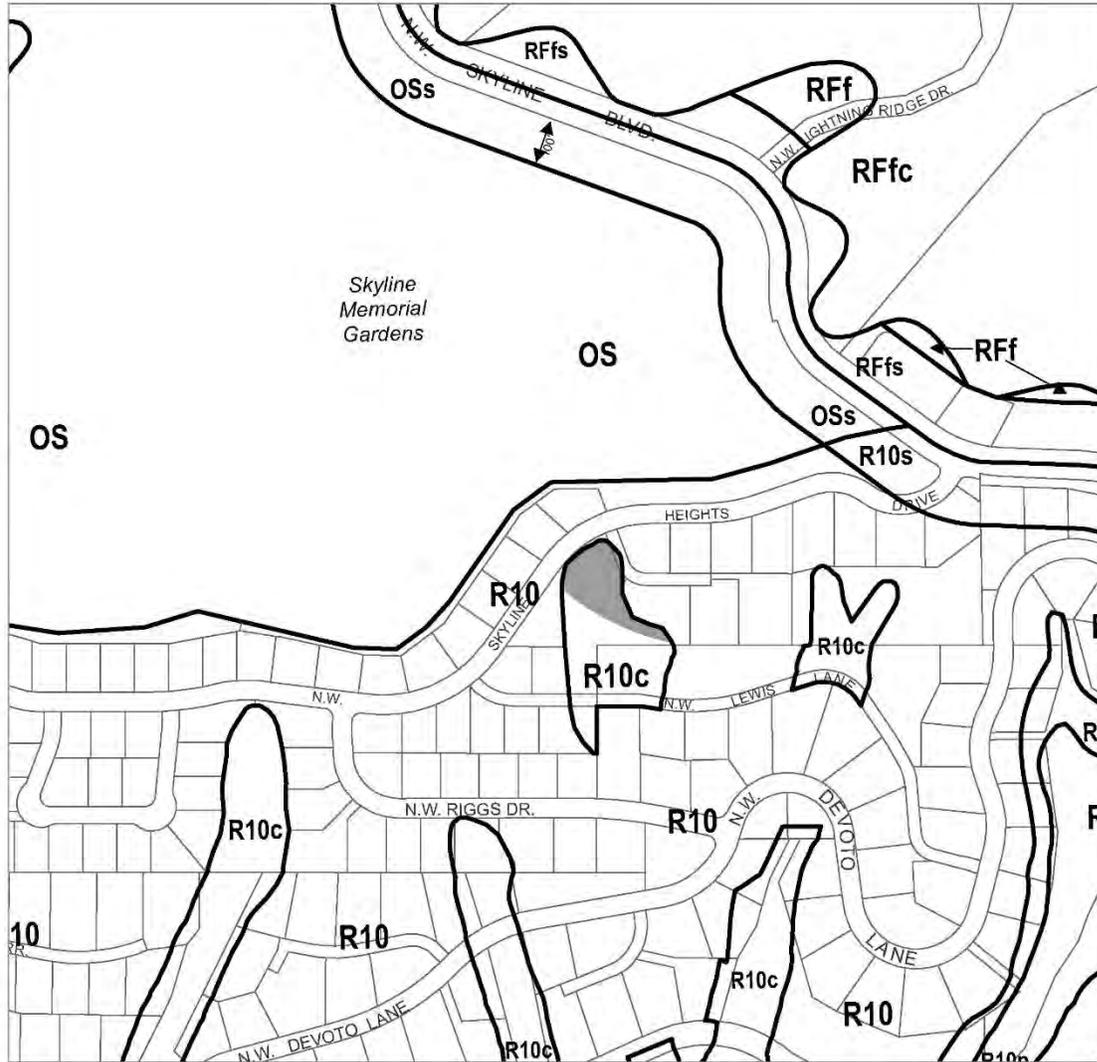
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## Scenic Resource Overlay Zone Maps

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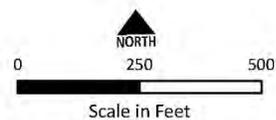
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August 2017



**Legend**

-  Recommended Scenic (s) Overlay Zone
-  Existing Zoning & Overlay zones
-  Lot lines
-  Waterbody



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**Scenic Resource Overlay Zone Maps**

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## Commentary

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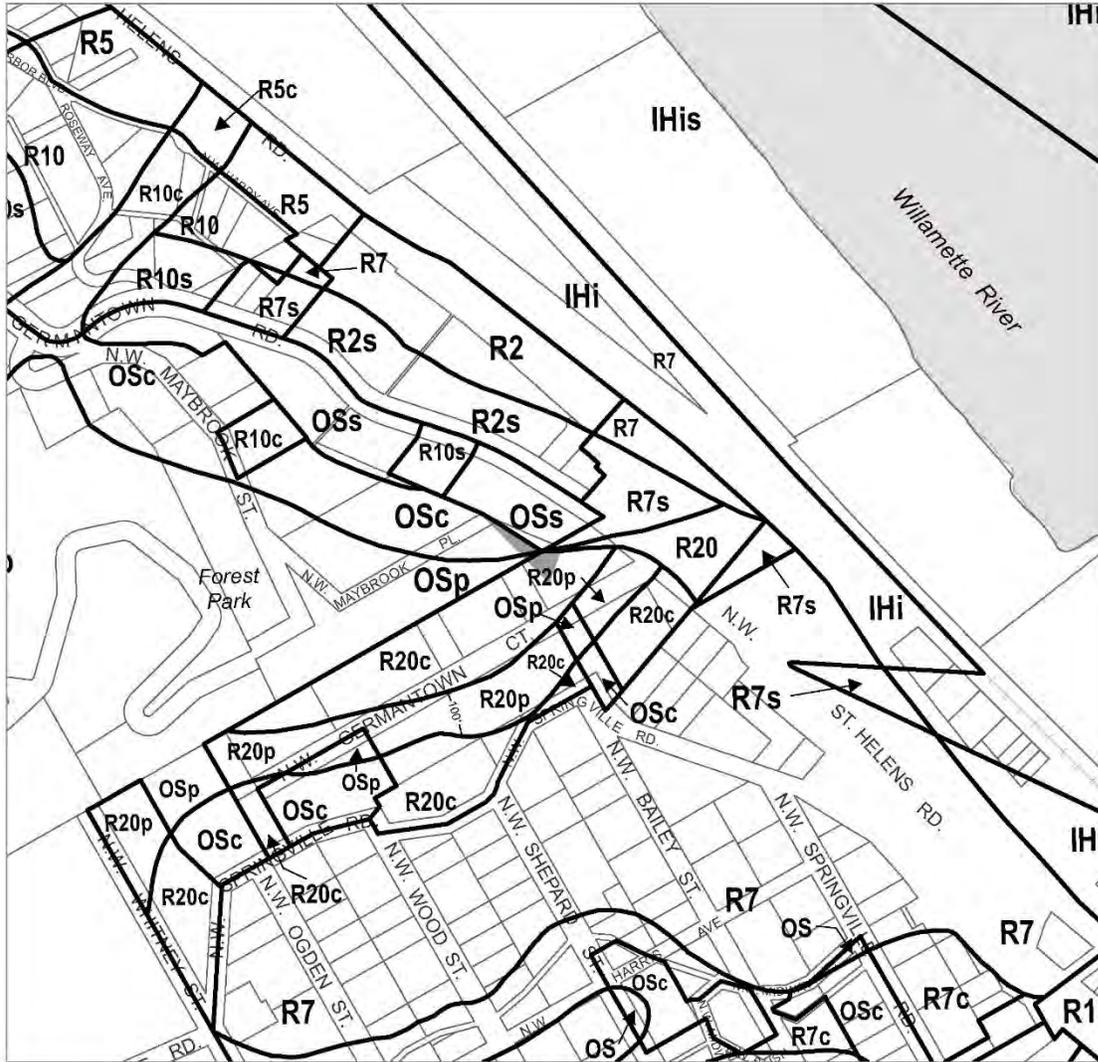
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

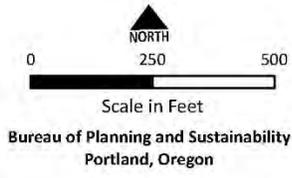
Map 19 of 19

August 2017



**Legend**

- Recommended Scenic (s) Overlay Zone
- Existing Zoning & Overlay zones
- Lot lines
- Waterbody



**Scenic Resource Overlay Zone Maps**

# WHAT'S IN THE CENTRAL CITY 2035 PLAN?

## **Volume 1: Goals and Policies**

## **Volume 2A: Zoning Code and Map Amendments**

- Part 1: Central City Plan District
- Part 2: Willamette River and Trails
- Part 3: Environmental and Scenic

## **Volume 2B: Transportation System Plan Amendments**

## **Volume 3A: Scenic Resources Protection Plan**

- Part 1: Summary, Results and Implementation
- Part 2: Scenic Resources Inventory
- Part 3: Economic, Social, Environmental and Energy Analysis

## **Volume 3B: Willamette River Central Reach Natural Resources Protection Plan**

## **Volume 4: Background Materials**

## **Volume 5A: Implementation - Performance Targets and Action Plans**

## **Volume 5B: Implementation - The Green Loop**

## **Volume 6: Public Involvement**

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## Commentary

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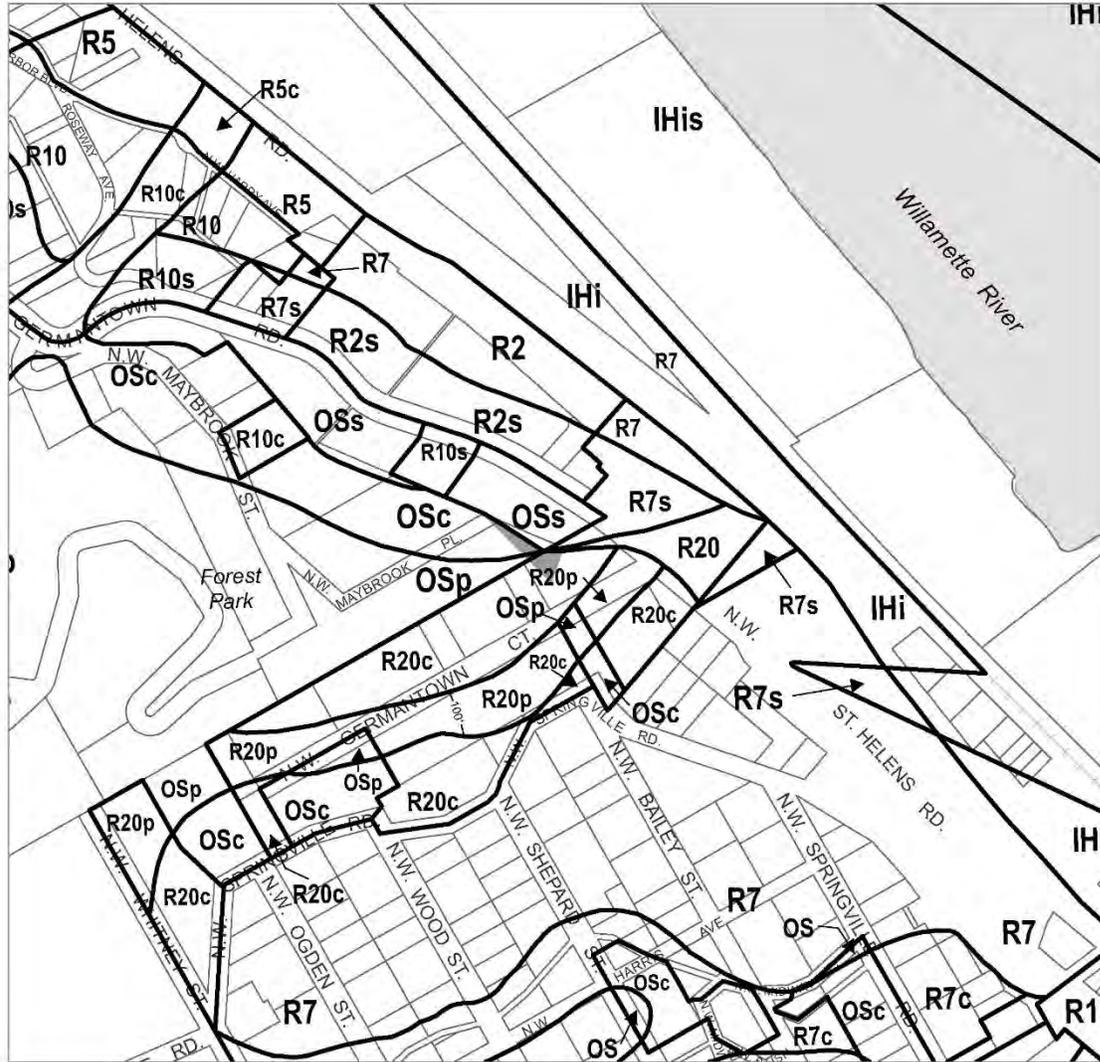
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## Scenic Resource Overlay Zone Maps

# Recommended Scenic Resource Overlay Zones

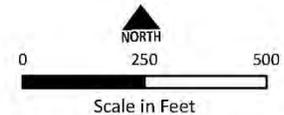
Map 19 of 19

August 2017



**Legend**

- Recommended Scenic (s) Overlay Zone
- Existing Zoning & Overlay zones
- Lot lines
- Waterbody



Scale in Feet  
 Bureau of Planning and Sustainability  
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**Scenic Resource Overlay Zone Maps**

# WHAT'S IN THE CENTRAL CITY 2035 PLAN?

## **Volume 1: Goals and Policies**

## **Volume 2A: Zoning Code and Map Amendments**

- Part 1: Central City Plan District
- Part 2: Willamette River and Trails
- Part 3: Environmental and Scenic

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## **Volume 4: Background Materials**

## **Volume 5A: Implementation - Performance Targets and Action Plans**

## **Volume 5B: Implementation - The Green Loop**

## **Volume 6: Public Involvement**

## **ORDINANCE No. 190076 As Amended**

Amend Planning and Zoning Code to extend the expiration date for some land use approvals, maintain inclusionary housing rates outside the Central City and Gateway Plan Districts, and allow for virtual neighborhood contact meetings; and postpone the effective dates of FY20-21 System Development Charges for the Bureaus of Environmental Services and Transportation (Ordinance introduced by Mayor Wheeler; Second Reading Agenda 617; amend Title 33; amend Ordinance Nos. 189972 and 189975).

The City of Portland Ordains:

Section 1. The Council finds:

### **General Findings**

1. On March 8, 2020, Governor Kate Brown declared a state of emergency in Oregon due to the COVID-19 pandemic.
2. On March 11, 2020 Mayor Ted Wheeler declared a state of emergency for the City of Portland.
3. The emergency declarations have led to widespread business and institutional shutdowns and social distancing requirements. These measures precipitated widespread economic and social disruptions that impacts all Portlanders.
4. On March 18, 2020, the Development Services Center was closed to the public for normal business operations due to COVID-19 health concerns. Land use review and building permit submittal transitioned to online and by appointment only submittals. Permit submittals, processing, and issuances were tiered to prioritize projects with public benefits.
5. A major effect of the public health emergency measures is uncertainty in development and construction and a slowdown in the permitting and development review process. This has led to a weakened real estate market and challenges for applicants to obtain project financing.
6. Social distancing requirements have also led to work slowdowns on construction sites as fewer workers are able to be on site at the same time. This has slowed down the pace of all development.
7. Title 33, Planning and Zoning, specifies when approved land use decisions expire. Typically, if a building permit is not issued or the approved activity has not begun within three years of the final land use decision, the land use decision expires. A land division approval expires if a final plat application has not been submitted within three years of the final decision on the preliminary plan. Title 33 states that once a final plat application is submitted, it must be completed within three years from the first city response to the submittal. The code further states that the application expires after 180 days if an

applicant has not responded to a request for information from City staff or otherwise demonstrated activity on the final plat application.

8. Given the current economic and social disruptions, applicants with approved land use decisions or who have submitted final plat applications, are not always able to proceed forward with their projects. Under typical economic and social conditions, development projects generally can meet the existing expiration periods. However, projects that would otherwise have proceeded to completion in normal times are now delayed, and face the expiration of their approvals.
9. Once expired, these projects must go through the entire land use review process again at substantial cost and further delay. This cost and delay could further slow the City's economic recovery. Additionally, conducting such land use reviews for a second time would divert limited City staff resources from other priority projects. Extending the expiration period for approved land use decisions and final plat reviews expedites Portland economic recovery by allowing these approved projects to proceed to the building permit review process.
10. In recognition of the economic difficulties following the 2008 economic crash, in May 2009 City Council amended the Zoning Code to extend the time in which applicants were required to obtain a building permit or submit a final plat application following an approved land use decision (Ordinance # 182810) through 2012. When market conditions did not improve as expected by 2012, City Council amended the Zoning Code to further extended those land use reviews until 2014 (Ordinance # 185333).
11. Title 33 states that a Northwest Master Plan expires after 10 years unless the plan is amended. There is one active Northwest Master Plan, the Con-way Master Plan, which was approved on October 2, 2012 under land use case file LU 12-135162 MS and will expire on October 2, 2022.
12. The current economic and social disruptions have impacted applicants that are subject to a Northwest Master Plan. Under normal economic and social conditions, the Master Plan projects can proceed at a regular pace and generally meet the timeframes set out in the Zoning Code, but with the delays in construction, challenges obtaining financing, and softened market conditions, these projects can be delayed beyond the 10-year timeframe of the Master Plan. Additionally, if the Master Plan were to expire, the community engagement and neighborhood cooperation that went into the creation of the plan could be lost.
13. Title 33 also states that nonconforming upgrades that are triggered by a building permit may be delayed by a specified period of time provided a covenant is recorded outlining the work to be completed and the compliance period within which that work must be inspected and approved. Typically, the compliance period ranges from 2 to 5 years.
14. Property owners subject to a nonconforming upgrade covenant face the same economic disruption and construction delays as those facing development review delays.

15. Title 33 states that a pre-application conference expires if a building permit has not been submitted within one year of the pre-application conference.
16. Pre-application conference applicants also face challenges submitting a building permit within the required timeframe due to economic uncertainty, softening construction and real estate markets, and construction and development review slowdowns. Additionally, the one-year timeframe is challenging for applicants under normal conditions, especially for larger or more complex projects. For these larger projects, it is not uncommon for a pre-application conference to expire before a building permit can be submitted, which therefore requires applicants to go through the extra time and expense of an additional pre-application conference.
17. Title 33 states that, for land use reviews and building permits that trigger the Neighborhood Contact requirements of PCC 33.705, a public meeting must be held to present the project to neighbors and interested parties. Title 33 specifies that the meeting must be held at a location within the neighborhood where the project is proposed or within two miles of the boundary of that neighborhood.
18. The COVID-19 state of emergency declarations mandated social distancing that limited the size of meetings and led to the closure of most public spaces that can accommodate public meetings. To allow applicants to meet the public health guidelines, the Bureau of Development Services began accepting receipt of virtual public meetings that were held via videoconferencing technology in March of 2020.
19. In December 2016, the City Council passed Ordinance # 188162 adding the Inclusionary Housing program to the City's affordable housing development tools to increase the number and types of units available to households earning 80 percent or less of the median family income in high opportunity areas. Ordinance # 188162 required that new buildings with 20 or more dwelling units and alterations to existing buildings that add 20 or more dwelling units are subject to the Inclusionary Housing Standards in PCC 33.245.
20. In an effort to phase in the mandatory inclusionary housing obligations, City Council required that before January 1, 2019, development outside the Central City and Gateway plan districts must provide 15% of the units at regulated affordable rents for households at 0-80% AMI or provide 8% of units at 0-60%. Those rates were set to increase to 20% of the units at regulated affordable rents for households at 0-80% AMI or provide 10% of units at 0-60%. On December 12, 2018, City Council passed Ordinance # 189303 extending the inclusionary housing phase in period for an additional two years, through January 1, 2021.
21. Due to the economic impacts of the COVID-19 pandemic, it will be difficult for developers to meet the higher inclusionary housing rates.
22. The proposed amendment to Title 33 will extend the timelines for land use approvals and Northwest Master Plans through January 1, 2024 (see Exhibit A, Section I). It will also extend the timeframe for a final plat application from 180 days with no activity to 365 days, and extend the expiration of all pre-application conferences from one year after the

conference to two years. The proposal will also extend the extend the compliance period for nonconforming upgrades until January 1, 2022 or until the recorded compliance period ends, whichever is later.

23. The proposed amendment respects the value of the existing timeframes in the Zoning Code by extending these timelines for a limited period, while acknowledging the challenges posed by the economic and social disruption caused by the COVID-19 pandemic. These extensions acknowledge that the existing timelines in Title 33 are intended to better ensure that regulations and policies that referenced at a pre-application conference or applied at the time of land use approval or building permit issuance continue to be valid at the time the project is built or the improvements are made.
24. The proposed amendment to Title 33 will also allow building permit and land use review applicants subject to the neighborhood contact requirements of PCC 33.705 to conduct those meetings virtually using videoconferencing technology provided a telephone option is provided through January 1, 2021.
25. The proposed Title 33 amendment also extends the current inclusionary rates through January 1, 2024 for development outside the Central City and Gateway Plan Districts. This recognizes that the economic disruption of the COVID-19 pandemic makes it more difficult for housing developers to meet higher affordable housing goals in areas outside the Central City and Gateway Plan Districts.
26. The ordinance postpones the effective dates of the Bureaus of Environmental Services, ~~Water~~ and Transportation FY20-21 system development charges. The impacts to staffing levels and building permit processing at the Bureau of Development Services has limited the number of building permit applications received during the pandemic. Building permit activity typically increases in June preceding permit and SDC fee increases that take effect on July 1. Applicants desiring to minimize financial impacts to SDC fee increases have not been able to do so due to constraints in the permit process this spring. The delayed effective date of the new rates until August 1, 2020 allows applicants to minimize the financial impact of the SDC fee increases.

NOW, THEREFORE, the Council directs:

- a. Adopt Exhibit A, Findings of Fact Report dated June 15, 2020, As Amended.
- b. Adopt the Expiration Date Extension Project, Recommended Draft dated June 2020 attached as Exhibit B.
- c. Amend Title 33, Planning and Zoning, as shown in Exhibit B, Expiration Date Extension Project, Recommended Draft dated June 2020.
- d. Amend Ordinance Nos. 189972 and 189975 to postpone the effective dates of Bureau of Environmental Services ~~and Water Bureau~~ FY20-21 system development charges and amend the rates adopted by the Bureau of Transportation under TRN-3.450. The system development and connection charge rates listed on section E of Exhibit C will remain in effect until August 1, 2020, after which the new rates will go into effect. ~~The system development charges listed in Exhibit D will remain in effect until August 1, 2020, after~~

~~which the new rates will go into effect.~~ The Transportation System Development Charges (TSDC) rates listed in Exhibit ~~DE~~ will remain in effect until August 1, 2010, after which the new rate will go into effect.

Section 2. If any section, subsection, sentence, clause, phrase, diagram or drawing contained in this ordinance, or the map, report, inventory, analysis, or document it adopts or amends, is held to be deficient, invalid or unconstitutional, that shall not affect the validity of the remaining portions. The Council declares that it would have adopted the map, report, inventory, analysis, or document each section, subsection, sentence, clause, phrase, diagram and drawing thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, diagrams or drawings contained in this Ordinance, may be found to be deficient, invalid or unconstitutional.

Section 3. The Council declares that an emergency exists because a delay would result in additional land use reviews becoming expired; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: **07/29/2020**

**Mary Hull Caballero**  
Auditor of the City of Portland

By *CPhillips*

Mayor Ted Wheeler  
Prepared by: Jason McNeil

Deputy

Agenda No.  
**ORDINANCE NO. 190076 As Amended**

Title

Amend Planning and Zoning Code to extend the expiration date for some land use approvals, maintain inclusionary housing rates outside the Central City and Gateway Plan Districts, and allow for virtual neighborhood contact meetings; and postpone the effective dates of FY20-21 System Development Charges for the Bureaus of Environmental Services and Transportation (~~Ordinance; amend Title 33; amend Ordinance Nos. 189972 and 189975~~)

<p style="text-align: center;"><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Ted Wheeler</b></p>	<p>CLERK USE: DATE FILED <u>6/29/20</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p>
<p>Mayor—Finance &amp; Administration - Wheeler <small>Musafa Washington Digitally signed by Mustafa Washington Date: 2020.06.29 12:34:59 -07'00'</small></p>	
<p>Position 1/Utilities - Fritz</p>	
<p>Position 2/Works - Vacant</p>	
<p>Position 3/Affairs - Hardesty</p>	
<p>Position 4/Safety - Eudaly</p>	<p>By: <u>Keelan McClymont</u> <small>Digitally signed by Keelan McClymont Date: 2020.06.29 17:13:03 -07'00'</small> Deputy</p> <p><b>ACTION TAKEN:</b> <b>July 8, 2020 Continued to July 22, 2020 at 3:30 p.m. Time Certain</b> <b>July 22, 2020 Passed to Second Reading July 29, 2020 at 10:00 a.m</b> <b>Time Certain As Amended</b></p>
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p>	
<p>Bureau: Planning and Sustainability Bureau Head: <u>Andrea Durbin</u> <small>Digitally signed by Andrea Durbin Date: 2020.06.16 14:24:37 -07'00'</small></p>	
<p>Prepared by: <u>Jason McNeil</u> Date Prepared: <u>6/15/20</u></p>	
<p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p><b>City Auditor Office Approval:</b> required for Code Ordinances</p>	
<p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter <small>Lauren A. King 2020.06.15 12:06:02 -07'00'</small></p>	
<p>Council Meeting Date <u>7/8/20</u></p>	

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input checked="" type="checkbox"/> Start time: <u>2:00 pm</u> <b>Total amount of time needed: <u>2 hours</u></b> (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/> <b>Total amount of time needed: _____</b> (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz	
2. Vacant	2. Vacant	
3. Hardesty	3. Hardesty	
4. Eudaly	4. Eudaly	
Wheeler	Wheeler	



## Portland Planning and Sustainability Commission

Eli Spevak, Chair

Chris Smith  
 Jeff Bachrach  
 Ben Bortolazzo

Mike Houck  
 Katie Larsell  
 Oriana Magnera

Daisy Quiñonez  
 Steph Routh, Vice Chair  
 Katherine Schultz, Vice Chair

June 22, 2020

Mayor Ted Wheeler and Members of Portland City Council  
 Portland City Hall  
 1221 SW Fourth Avenue  
 Portland, OR 97204

Dear Mayor Wheeler and City Commissioners,

The Planning and Sustainability Commission (PSC) is pleased to forward our recommendation for the Expiration Date Extension Project. The proposal is intended to provide relief to development review applicants impacted by the economic and social disruption caused by the COVID-19 pandemic. It amends the Zoning Code to extend the expiration date of some land use reviews, maintain inclusionary housing rates that are set to increase, and allow for virtual neighborhood contact meetings.

On May 26, 2020, the PSC held a hearing on the staff proposal and heard positive testimony on the proposals from stakeholders along with some suggestions for changes and amendments. The PSC voted unanimously, 8-0, to recommend the staff proposal with noted amendments. Our amendments to the original proposal that are included in the Recommended Draft include:

- Permanently extend pre-application conference approvals from one year to two years.
- Extend the compliance period for sites subject to non-conforming upgrade covenants.
- Extend the expiration of already approved NW Master Plans until January 1, 2024.

**Recommendation**

The PSC recommends that the City Council take the following actions:

1. Adopt the *Expiration Date Extension Project – Recommended Draft*.
2. Amend the Zoning Code (Title 33) as shown in the Recommended Draft.

Thank you for the opportunity to participate in the review of this project and for considering our recommendations.

Sincerely,

Eli Spevak  
 Chair



City of Portland, Oregon | Bureau of Planning and Sustainability | [www.portlandoregon.gov/bps](http://www.portlandoregon.gov/bps)  
 1900 SW 4th Avenue, Suite 7100, Portland, OR 97201 | phone: 503-823-7700 | fax: 503-823-7800 | tty: 503-823-6868

Printed on 100% post-consumer waste recycled paper.

# Exhibit A:

## Findings of Fact Report

### July 15, 2020, As Amended

#### **Introduction and Summary of the Expiration Date Extension Project (EDEP) amendments.**

The Expiration Date Extension Project (EDEP) addresses several issues related to the administration of the Portland Zoning Code (Title 33) and the economic impacts of the COVID-19 pandemic on the development market. It amends the Zoning Code to extend the expiration date of some land use reviews, final plats, and pre-application conferences; temporarily maintains inclusionary housing rates that were set to increase; and allows for virtual neighborhood contact meetings, to allow applicants to follow state guidelines relating to limiting social gatherings while adhering to zoning code contact requirements.

Specifically, EDEP amendments:

- Extend the expiration date for most land use reviews until January 1, 2024.
- Extend the expiration date for pre-application conferences from one year to two years. This change is permanent, and will apply to all pre-apps
- Allow pending final plats submitted before January 1, 2021 up to 365 days of inactivity before the cases are voided.
- Allow neighborhood contact meetings to be held remotely using video conferencing technology.
- Extend the timeframe for imposing higher inclusionary housing rates outside the Central City and Gateway plan districts from January 1, 2021 to January 1, 2022.
- Extend the compliance period for sites subject to non-conforming upgrade covenants that are in effect on March 8, 2020 until January 1, 2022. (Typical compliance periods vary from 2 to 5 years based on site size).
- Extend the expiration of NW Master Plans already approved until January 1, 2024.

#### **General.**

Legislative amendments to the Comprehensive Plan goals, policies and map must be found to be consistent with the goals and policies of the Comprehensive Plan, Metro's Urban Growth Management Functional Plan, the Statewide Planning Goals, and any relevant area plans adopted by City Council. (33.835.040 and 33.810.050).

The Comprehensive Plan requires that amendments to its elements, supporting documents, and implementation tools comply with the plan itself. "Comply" means that the amendments must be evaluated against the comprehensive plan's applicable goals and policies and on balance be equally or more supportive of the Comprehensive Plan as a whole than the existing language or designation. (Policy 1.10)

Text amendments to the zoning code must be found to be consistent with the Comprehensive Plan, Urban Growth Management Functional Plan, and the Statewide Planning Goals. In addition, the amendments must be consistent with the intent or purpose statement for the base zone, overlay zone, and plan district where the amendment is proposed, and any plan associated with the regulations. (33.835.040)

Legislative zoning map amendments must be found to comply with the Comprehensive Plan Map with a zone change to a corresponding zone of the Comprehensive Plan Map. The change also must demonstrate that there are adequate public services capable of supporting the uses allowed by the zone. In addition, the school district(s) within which the sites are located must have adequate enrollment capacity to accommodate any projected increase in student population over the number that would result from development in the existing zone. This criterion applies only to sites that are within the David Douglas School District, which has an adopted school facility plan that has been acknowledged by the City of Portland. (33.855.050)

1. **Finding:** The City Council has identified and addressed all relevant and applicable goals and policies in this document.
2. **Finding:** The City Council has considered public testimony and has found that the amendments are consistent and comply with all applicable policies.

## Part I. Statewide Planning Goals

State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with the Statewide Planning Goals.

**The Statewide Planning Goals that apply to Portland are:**

- Goal 1 Citizen Involvement
- Goal 2 Land Use Planning
- Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces
- Goal 6 Air, Water and Land Resource Quality
- Goal 7 Areas Subject to Natural Hazards
- Goal 8 Recreational Needs
- Goal 9 Economic Development
- Goal 10 Housing
- Goal 11 Public Facilities and Services
- Goal 12 Transportation
- Goal 13 Energy Conservation
- Goal 14 Urbanization
- Goal 15 Willamette River Greenway

There are approximately 560 acres of land both within Portland’s municipal boundaries and beyond the regional urban service boundary that can be classified as rural land. In 1991, as part of Ordinance 164517, the City Council took an exception to Goal 3 and 4. the agriculture and forestry goals. Because of the acknowledged exception, the following goals do not apply:

- Goal 3 Agricultural Lands
- Goal 4 Forest Lands

Other Statewide Planning Goals apply only within Oregon’s coastal zone. Since Portland is not within Oregon’s coastal zone, the following goals do not apply to this decision:

- Goal 16 Estuarine Resources
- Goal 17 Coastal Shorelands
- Goal 18 Beaches and Dunes
- Goal 19 Ocean Resources

**Goal 1. Citizen Involvement.** To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

3. **Finding:** Portland adopted a Community Involvement Program on June 15, 2016. The Community Involvement Program serves as a framework to carry out policies from Chapter 2 — Community Involvement, of the 2035 Comprehensive Plan, and applies to legislative land use and transportation projects initiated by the City. Among the commitments that the City is asked to make in the Comprehensive Plan are the following:

- To provide a wide range of opportunities for involvement in planning and investment decisions.
- To achieve greater equity in land use actions through setting priorities and making decisions with meaningful involvement of under-served and under-represented communities.
- To meaningfully involve, in decision making, those who potentially will be adversely affected by the results of those decisions.
- To provide this meaningful involvement throughout the phases of planning and investment

projects - issue identification and project design through implementation, monitoring, evaluation and enforcement.

- To provide well-designed, relevant, responsive and culturally-responsive public involvement.
- To build community capacity for meaningful participation and leadership in planning and investment decisions.

A Community Involvement Committee was appointed in June 2018 to oversee implementation of the program. Council finds that community members were afforded opportunities to be involved in all phases of the planning process. Detailed findings outlining those opportunities are found in response to Comprehensive Plan Chapter 2 goals and policies.

**Goal 2. Land Use Planning.** To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

4. **Finding:** Goal 2, as it applies to the EDEP amendments, requires the City to follow its established procedures for legislative amendments to the Comprehensive Plan policies, the Comprehensive Plan map, the Zoning Code, and the Zoning Map. The amendments comply with this goal because, as demonstrated by these findings, the amendments were developed consistent with the Statewide Planning Goals, the Metro Urban Growth Management Functional Plan, 2035 Comprehensive Plan and Portland Zoning Code, as detailed in this ordinance.

Other government agencies received notice from the 35-day DLCD notice and the City's legislative notice. The City did not receive any requests from other government agencies to modify the EDEP amendments.

The City Council's decision is based on the findings in this document, which are based on the factual evidence presented to the Planning and Sustainability Commission and City Council that are incorporated in the record that provides the adequate factual basis for this decision.

**Goal 5. Open Space, Scenic and Historic Areas, and Natural Resources.** To protect natural resources and conserve scenic and historic areas and open spaces.

5. **Finding:** Goal 5 addresses open spaces, scenic resources, historic resources, and natural resources.

**Open Spaces.** The EDEP amendments do not involve map changes, and the proposed code changes do not affect current regulations that apply to designated open spaces (OS map designations).

**Scenic Resources.** The City has designated scenic resources in an adopted inventory and protects them through an overlay zone (Chapter 33.480) which address landscaping, setbacks, screening, building facades and tree removal. The EDEP amendments do not change this program. The EDEP code amendments do not impact landscaping, setback, screening, tree removal, or building standards. Therefore, the EDEP package is consistent with the scenic elements of Goal 5.

**Historic Resources.** Historic resources are located throughout the City. Council is not amending historic resource protections (Chapter 33.445). Any proposed alteration to historic structures will require conformance with existing historic resource protection measures including historic resource review, demolition delay or review, or design standards as applicable. Therefore, the EDEP package is consistent with the historic elements of Goal 5.

**Natural Resources.** Existing natural resource protections are not amended with the EDEP package. Therefore, the EDEP package is consistent with the natural resource elements of Goal 5.

**Generally.** As noted below in the findings for the 2035 Comprehensive Plan, the EDEP amendments are consistent with the goals and policies of Chapter 4 (Design and Development, including Historic and Cultural Resources) and Chapter 7 (Environment and Watershed Health) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. Therefore, EDEP amendments are consistent with the requirements of Statewide Planning Goal 5.

**Goal 6. Air, Water, and Land Resource Quality.** To maintain and improve the quality of the air, water and land resources of the state.

6. **Finding:** Goal 6 requires the maintenance and improvement of the quality of air, water, and land resources. The State has not yet adopted specific requirements for complying with Statewide Planning Goal 6. The City is in compliance with environmental standards and statutes, including the federal Clean Water Act and Clean Air Act. Existing City regulations including Title 10 (Erosion Control) and the Stormwater Management Manual will remain in effect and are applicable to future development. As noted below in the findings for the 2035 Comprehensive Plan, the EDEP amendments are consistent with the goals and policies of Chapter 7 (Environment and Watershed Health) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. Therefore, the amendments are consistent with the requirements of Statewide Planning Goal 6.

**Goal 7, Areas Subject to Natural Disasters and Hazards.** To protect people and property from natural hazards.

**Finding:** The State has not yet adopted specific requirements for complying with Statewide Planning Goal 7. The Buildable Land Inventory (BLI), which was adopted (Ordinance 187831) and acknowledged by LCDC on April 25, 2017, included a development constraint analysis that identified parts of Portland that are subject to natural hazards. The EDEP code changes will not expose people to additional hazards because the EDEP amendments do not include amendments to any programs or regulations that implement floodplain or landslide hazard policies. The EDEP amendments concern the land use review procedural requirements and affordable housing inclusionary zoning rates rather than site development or design standards. Floodplain and landslide hazard regulations would continue to apply to any development also subject to the EDEP amendments.

As noted below in the findings for the 2035 Comprehensive Plan, the EDEP amendments are consistent with the goals and policies of Chapter 7 (Environment and Watershed Health) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. Therefore, these amendments continue to protect people and property from natural hazards, consistent with the requirements of Statewide Planning Goal 7.

**Goal 8. Recreational Needs.** To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

7. **Finding:** Goal 8 focuses on the provision of destination resorts. However, it does impose a general obligation on the City to plan for meeting its residents' recreational needs: "(1) in coordination with private enterprise; (2) in appropriate proportions; and (3) in such quantity, quality and locations as is consistent with the availability of the resources to meet such requirements."

Goal 8 provides that "Recreation Needs -- refers to existing and future demand by citizens and visitors for recreations areas, facilities and opportunities." Goal 8 also provides that "Recreation

Areas, Facilities and Opportunities -- provide for human development and enrichment, and include but are not limited to: open space and scenic landscapes; recreational lands; history, archaeology and natural science resources; scenic roads and travelers; sports and cultural events; camping, picnicking and recreational lodging; tourist facilities and accommodations; trails; waterway use facilities; hunting; angling; winter sports; mineral resources; active and passive games and activities.”

The City of Portland has a robust and diverse system of parks, recreation areas and open spaces, and the EDEP amendments do not change this program. The EDEP amendments do not affect any land designated as open space nor development standards or use regulations. Therefore, there is no impact to Goal 8.

**Goal 9. Economic Development.** To provide adequate opportunities throughout the state for a variety of economic activities vital to health, welfare, and prosperity of Oregon’s citizens.

8. **Finding:** Goal 9 requires cities to consider economic activities vital to the health, welfare, and prosperity of Oregon's citizens. Comprehensive plans for urban areas are required to include, among other things: an analysis of economic patterns, potentialities, strengths, and deficiencies; policies concerning economic development; and land use maps that provide for at least an adequate supply of sites for a variety of industrial and commercial uses.

The *2035 Comprehensive Plan* demonstrates compliance with Goal 9. Land needs for a variety of industrial and commercial uses are identified in the *Economic Opportunities Analysis* (EOA), which was adopted (Ordinance 187831) and acknowledged by LCDC on April 25, 2017.

The EDEP amendments can be grouped into two “buckets”. The first bucket contains several amendments that provide flexibility to deadlines and neighborhood contact during the land use review process, while the second bucket is an amendment that maintains an existing exception that allows a lower amount of affordable housing for Inclusionary Housing projects outside of the Central City and Gateway Plan Districts. All of the amendments are intended to grant some measure of relief to applicants affected by the COVID-19 pandemic during a time of economic uncertainty in the housing market. According to the U.S. Census Bureau, housing construction in March 2020 was down 22% over the previous month, the largest monthly decline since 1984. Without the relief provided by these amendments, some previously approved projects and some currently pending approvals will not be completed within the current statutory deadlines. The time delay and additional costs associated with reviewing projects a second time through a subsequent land use review procedure decreases the feasibility that such projects would therefore occur. Increasing the required rate of affordable units for inclusionary housing projects in less certain economic conditions impacts the ability for these projects to move forward. Without the relief provided by EDEP, the City’s ability to weather the impending economic downturn will be further hampered. This relief for economic activities is vital for the **health, welfare, and prosperity of Oregon’s citizens.**

**Goal 10. Housing.** To provide for the housing needs of citizens of the state.

9. **Finding:** Goal 10 specifies that each city must plan for and accommodate needed housing types. As used in ORS 197.307 “needed housing” means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, and includes attached and detached single-family housing and multiple family housing for both owner and renter occupancy.

Goal 10 requires each city to inventory its buildable residential lands, forecast future needs, and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Goal 10 and its implementing administrative rules contain the following specific requirements:

1. Identify future housing needs by amount, type, tenure and affordability;
2. Maintain a residential Buildable Lands Inventory (BLI) with sufficient land to meet identified needs;
3. Adopt land use maps, public facility plans and policies to accommodate needed housing (housing capacity, as well as type, tenure and affordability);
4. Meet minimum density and housing mix requirements (including the Metropolitan Housing Rule);
5. Adopt clear and objective standards for needed housing.

The adopted *2035 Comprehensive Plan* conducted city-wide analysis to demonstrate compliance with Goal 10. The City's Housing Needs Analysis, which was adopted (Ordinance 185657) and acknowledged by LCDC on June 11, 2014, consists of five distinct reports that analyzed the state of housing supply, housing affordability issues and the City's ability to meet projected housing demand. The Buildable Land Inventory (BLI), which was adopted (Ordinance 187831) and acknowledged by LCDC on April 25, 2017, identified the supply of land available to provide this needed housing.

As noted below in the findings for the 2035 Comprehensive Plan, the EDEP amendments are consistent with the goals and policies of Chapter 5 (Housing) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. Therefore, the EDEP amendments are consistent with the requirements of Statewide Planning Goal 10.

**Goal 11. Public Facilities and Services.** To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

**10. Finding:** Statewide Planning Goal 11, Public Facilities, requires cities to adopt and update public facilities plans. Public facilities plans ensure that urban development is guided and supported by types and levels of water, sewer and transportation facilities appropriate for the needs and requirements of the urban areas to be serviced, and that those facilities and services are provided in a timely, orderly and efficient arrangement.

The adopted 2035 Comprehensive Plan includes the Citywide Systems Plan (CSP), which was adopted (Ordinance 185657) and acknowledged by LCDC on April 25, 2017. The CSP includes the Public Facilities Plan with information on current and future transportation, water, sanitary sewer, and stormwater infrastructure needs and projects, consistent with the requirements of Statewide Planning Goal 11.

As noted below in the findings for the 2035 Comprehensive Plan, the EDEP amendments are consistent with the goals and policies of Chapter 8 (Public Facilities and Services) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. Therefore, the EDEP amendments are consistent with the requirements of Statewide Planning Goal 11.

**Goal 12. Transportation.** To provide and encourage a safe, convenient and economic transportation system.

- 11. Finding** This goal requires Portland to adopt a *Transportation System Plan (TSP)* that supports safe, convenient and economical movement of people and goods, and supports a pattern of travel that will avoid air pollution, traffic and livability problems. Parts but not all of the City's *TSP* have to be adopted as part of the *Comprehensive Plan*

All cities are required to provide safe and convenient motor vehicle, pedestrian and bicycle travel on a well-connected network of streets. Larger cities are required to provide for transit service and to promote more efficient performance of existing transportation facilities through transportation system management and demand management measures.

Goal 12 rules require coordination with the state and regional transportation plans (such as the *Oregon Highway Plan* and the *Regional Transportation Plan*), and with other transportation providers. OAR 660-012-0060 states that if an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would have a significant negative impact on an existing or planned transportation facility, then the local government must take mitigating action, or plan for additional facilities to accommodate the expected impact. Generally, a jurisdiction cannot take action that significantly increases traffic on a facility that is failing to meet state, regional, or local mobility standards.

The EDEP Code amendments do not increase housing allowances or modify existing residential or employment allocation beyond what has already been analyzed as part of the 2035 Comprehensive Plan and Transportation Systems Plan.

The EDEP Code amendments do not change the functional classification of an existing or planned transportation facility or change the standards implementing a functional classification system. Therefore, the amendments do not have a significant effect under (a), (b) or (c).

As noted below in the findings for the 2035 Comprehensive Plan, the EDEP Code amendments are consistent with the goals and policies of Chapter 9 (Transportation) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. Therefore, the EDEP Code amendments are consistent with the requirements of Statewide Planning Goal 12.

**Goal 13. Energy Conservation. To conserve energy.**

- 12. Finding:** The State has not adopted specific rules for complying with Statewide Planning Goal 13. Goal 13 generally requires that land use plans contribute to energy conservation.

The EDEP amendments do not adopt or amend a local energy policy or implementing provisions. The focus of the amendments is to provide more procedural deadline flexibility for land use review applicants and maintain current levels of financial impact for housing developments subject to affordability requirements. The amendments do not change any site or building development standards. The proposed amendment is consistent with this goal as it does not change the policy or intent of any of the existing regulations pertaining to energy conservation.

**Goal 14. Urbanization. To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.**

- 13. Finding:** Metro exercises Goal 14 obligations on behalf of Portland and other cities within the Metropolitan region. Metro has adopted an Urban Growth Management Functional Plan and

compliance with this plan by constituent cities assures compliance with Goal 14, which is discussed in Part II of this document and those findings are incorporated by reference.

The proposed amendments are consistent with this goal as they do not change the policy or intent of any of the existing regulations pertaining to urbanization.

**Goal 15. Willamette River Greenway.** To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

14. **Finding:** Goal 15 requires cities to adopt local greenway plans, along with criteria for new development, new uses, and the increase of uses along the river. The proposed amendments are consistent with this goal as they do not change the policy or intent of any of the existing regulations pertaining to the Willamette River Greenway.

## Part II. Metro Urban Growth Management Functional Plan

Under ORS 268.380 and its Charter, Metro has the authority to adopt regional plans and require city and county comprehensive plans to comply with the regional plan. Metro adopted its Urban Growth Management Functional Plan under this authority.

In Metro’s June 2011 update to its 2010 compliance report Metro found, “The City of Portland is in compliance with all Urban Growth Management Functional Plan requirements in effect on December 15, 2010, except for Title 13, Nature in Neighborhoods.” On January 16, 2013 the City received a letter from Metro stating that Portland had achieved compliance with Title 13.

**Title 1. Housing Capacity.** The Regional Framework Plan calls for a compact urban form and a “fair-share” approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity, especially in centers, corridors, main streets, and station communities, except as provided in section 3.07.120.

15. **Finding:** This element of the regional plan limits down-zoning in 2040 places – specifically Regional Centers, Town Centers, Corridors, Station Communities, and Main Streets. For purposes of this title, Metro measures “minimum zoned capacity.” The title is clear that individual parcels may be down-zoned, provided the impact on the citywide minimum zoned capacity is negligible.

The EDEP Code land use process amendments will not change zoned housing capacity. The amendment related to inclusionary housing requirements will extend the provisions of an existing program for one year and do not significantly affect development and growth. These amendments have no impact on minimum zoned capacity in 2040 places.

**Title 2. Regional Parking Policy.** (Repealed Ord. 10-1241B, Sec. 6, 1997)

**Title 3. Water Quality and Flood Management.** To protect the beneficial water uses and functions and values of resources within the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas from development activities and protecting life and property from dangers associated with flooding.

16. **Finding:** Title 3 calls for the protection of the beneficial water uses and functional values of resources within Metro-defined Water Quality and Flood Management Areas by limiting or mitigating the impact of development in these areas. Title 3 establishes performance standards for 1) flood management; 2) erosion and sediment control; and 3) water quality. The City has adopted overlay zones and land use regulations (33.430, 33.465, 33.537, 33.563, 33.564, 33.631, 33.640) as

well as Title 10 Erosion Control and the balanced cut-and-fill standards in Title 24 Building Regulations, that, in the June 2011 update to its 2010 compliance report, Metro found sufficient to comply with Title 3. This ordinance does not change any of these overlays or regulations. Therefore, the City remains in compliance with Title 3.

**Title 4. Industrial and Other Employment Areas.** The Regional Framework Plan calls for a strong regional economy. To improve the economy, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region's transportation system for the movement of goods and services and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities. The Metro Council will evaluate the effectiveness of Title 4 in achieving these purposes as part of its periodic analysis of the capacity of the urban growth boundary.

17. **Finding:** The purpose of Title 4 is to maintain a regional supply of existing industrial and employment land by limiting competing uses for this land. Metro has not adopted a Statewide Planning Goal 9 economic opportunities analysis for the region, so Title 4 is not based on an assessment of the land needed for various employment types, nor do the Title 4 maps necessarily depict lands most suitable to accommodate future job growth. Rather, Title 4 seeks to protect the manufacturing, warehousing, and distribution of goods within three types of mapped areas by limiting competing uses. These three areas are Regionally Significant Industrial Areas (RSIAs), Industrial Areas, and Employment Areas.

The EDEP amendments that relate to land use review procedural deadlines and do not change the policy or intent of any of the existing regulations pertaining to lands in Metro designated Employment Areas. The EDEP amendment that relates to inclusionary housing extends the provisions of an existing program for one year and does not significantly affect development and growth. These amendments have no direct impact on Regionally Significant Industrial Areas, Industrial Areas, and Employment Areas because they provide for more time for pending and approved projects to be permitted. Furthermore, industrial and employment base zones prohibit or discourage residential development, so the amendments relating to inclusionary housing are irrelevant in the context of Title 4. Therefore, the amendments are consistent with the requirements of Metro Title 4.

**Title 5. Neighboring Cities** (Repealed Ord. 10-1238A, Sec. 4, 1997)

**Title 6. Centers, Corridors, Station Communities and Main Streets.** The Regional Framework Plan identifies Centers, Corridors, Main Streets and Station Communities throughout the region and recognizes them as the principal centers of urban life in the region. Title 6 calls for actions and investments by cities and counties, complemented by regional investments, to enhance this role. A regional investment is an investment in a new high-capacity transit line or designated a regional investment in a grant or funding program administered by Metro or subject to Metro's approval.

18. **Finding:** Title 6 establishes eligibility criteria for certain regional investments, and the use of more flexible trip generation assumptions when evaluating transportation impacts. Title 6 also contains aspirational activity level targets for different Metro 2040 place types. This title is incentive-based, so these findings simply serve to document intent. There are no specific mandatory compliance standards in Title 6 that apply to this ordinance. The EDEP amendments do not change actions or

planned investments in and around Centers, Corridors, Station Communities and Main Streets; therefore, the amendments are consistent with Title 6.

**Title 7. Housing Choice.** The Regional Framework Plan calls for establishment of voluntary affordable housing production goals to be adopted by local governments and assistance from local governments on reports on progress towards increasing the supply of affordable housing. It is the intent of Title 7 to implement these policies of the Regional Framework Plan.

19. **Finding:** Title 7 addresses housing choice. Metro adopted voluntary affordable housing goals for each city and county in the region for the years 2001 to 2006, but never updated them. Therefore, Title 7 does not apply. Nevertheless, the recently adopted 2035 *Comprehensive Plan* includes city-wide affordable housing production goals that greatly exceed those adopted by the outdated Title 7 (Ordinance 178832). The EDEP amendments delay the imposition of higher rates of affordable units in projects outside the Central City and Gateway Regional Center that are subject to inclusionary housing requirements. The current effective rates are 8% of units must be affordable to households earning up to 60% of the median family income (MFI), or 15% of units must be affordable to households earning up to 80% MFI. These were supposed to increase to 10% and 20% respectively on January 1, 2021. However, this increase reduces the financial feasibility of projects to be delivered, and consequently no affordable units would be realized. By extending this date to January 1, 2022 this allows currently pending and future projects more financial headroom to deliver housing units at current inclusionary housing rates. This delay represents a small potential reduction in the delivery of affordable housing and may even provide sufficient relief for projects to move ahead with some affordable units as opposed to no units at all. Therefore, the EDEP amendments continue to support Title 7.

**Title 8. Compliance Procedures.** Title 8 addresses compliance procedures and establishes a process for ensuring city or county compliance with requirements of the Urban Growth Management Functional Plan and for evaluating and informing the region about the effectiveness of those requirements. An amendment to a city or county comprehensive plan or land use regulation shall be deemed to comply with the functional plan upon the expiration of the appropriate appeal period specified in ORS 197.830 or 197.650 or, if an appeal is made, upon the final decision on appeal. Once the amendment is deemed to comply, the functional plan requirement shall no longer apply to land use decisions made in conformance with the amendment. A city or county proposing an amendment to a comprehensive plan or land use regulation shall submit the proposed amendment to Metro at least 35 days prior to the first evidentiary hearing on the amendment.

20. **Finding:** Required notice was provided to Metro. Title 8 also requires the City to provide findings of compliance with the *Urban Growth Management Functional Plan*. These findings meet this requirement. All applicable requirements of Title 8 have been met.

**Title 9. Performance Measures.** (repealed Ord. 10-1244B, Sec. 8, 2010)

**Title 10. Functional Plan Definitions.** Title 10 contains definitions. When 2035 Comprehensive Plan uses a term found in Title 10 either the term has the same meaning found in Title 10, or the difference is explained.

21. **Finding:** When 2035 Comprehensive Plan uses a term found in Title 10 either the term has the same meaning found in Title 10, or the difference is explained. The EDEP amendments do not

change any definitions in the 2035 Comprehensive Plan that are also found in Title 10. All applicable requirements of Title 10 requirements have been met.

**Title 11. Planning for New Urban Areas.** The purpose of Title 11 to guide long range planning for urban reserves and areas added to the UGB. It also provides interim protection for areas added to the UGB until city or county amendments to land use regulations to allow urbanization become applicable to the areas.

22. **Finding:** The amendments do not add areas to the UGB. Therefore, this Title is not applicable.

**Title 12. Protection of Residential Neighborhoods.** Existing neighborhoods are essential to the success of the 2040 Growth Concept. The intent of Title 12 of the Urban Growth Management Functional Plan is to protect the region's residential neighborhoods. The purpose of Title 12 is to help implement the policy of the Regional Framework Plan to protect existing residential neighborhoods from air and water pollution, noise, and crime and to provide adequate levels of public services.

In order to protect these areas, Metro shall not require any city or county to authorize an increase in the residential density of a single-family neighborhood in an area mapped solely as Neighborhood. In addition, specific limits on access to commercial services are applied to commercial uses within designated neighborhood centers in order to reduce air pollution and traffic congestion. This Title also calls on Cities to establish a level of service standard for parks and greenspaces that calls for a park facility within a specified distance of all residences.

23. **Finding:** Title 12 addresses protection of residential neighborhoods. This title largely restricts Metro's authority to plan and regulate density in single-family neighborhoods. The 2035 Comprehensive Plan does not employ any of the optional provisions of Title 12. The EDEP amendments do not employ any of the optional provisions of Title 12. Therefore, this title does not apply to this ordinance.

**Title 13. Nature in Neighborhoods.** The purposes of this program are to (1) conserve, protect, and restore a continuous ecologically viable streamside corridor system, from the streams' headwaters to their confluence with other streams and rivers, and with their floodplains in a manner that is integrated with upland wildlife habitat and with the surrounding urban landscape; and (2) to control and prevent water pollution for the protection of the public health and safety, and to maintain and improve water quality throughout the region.

24. **Finding:** Title 13 is expressly intended to provide a minimum baseline level of protection for identified Habitat Conservation Areas. Local jurisdictions may achieve substantial compliance with Title 13 using regulatory and/or non-regulatory tools. The City of Portland implements Title 13 through its adopted Natural Resources Inventory (NRI) and subsequent protection measures through the environmental overlay zones, which Metro has found to be in substantial compliance with Title 13.

No changes to the environmental overlay zones are proposed as part of this project. Therefore, the amendments are consistent with the requirements of Title 13.

**Title 14. Urban Growth Management Plan.** Title 14 addresses the regional urban growth boundary.

25. **Finding:** This ordinance does not require, nor initiate, a boundary change, Title 14 does not apply.

#### **Summary, Urban Growth Management Functional Plan Findings**

26. **Finding:** The Metro Title 10 definition of comply or compliance means "substantial" rather than absolute compliance. "Substantial compliance" means city comprehensive plans and implementing

ordinances, on the whole, conform with the purposes of the performance standards in the functional plan and any failure to meet individual performance standard requirements is technical or minor in nature.

For the facts and reasons stated above this ordinance substantially complies with all Urban Growth Management Functional Plan requirements applicable to the EDEP amendments.

## Part III. Portland's Comprehensive Plan –

Portland's 2035 Comprehensive Plan was adopted as part of Task Four of Periodic Review. Task Four was adopted by Ordinance No. 187832 on June 15, 2016. The 2035 Comprehensive Plan was amended as part of Task Five of Periodic Review, which was adopted by Ordinance No. 188177 on December 21, 2016. Both ordinances were made effective on May 24, 2018 by Ordinance No. 188695, and both Tasks Four and Five were approved by LCDC Order 18 – WKTSK – 001897 on August 8, 2018.

27. **Finding:** The City Council has identified the following guiding principles, goals and policies to be applicable to the EDEP amendments. If a Comprehensive Plan policy is not addressed below, it was determined to not apply to this proposal.

### Guiding Principles

The 2035 Comprehensive Plan adopted five “guiding principles” in addition to the goals and policies typically included in a comprehensive plan. These principles were adopted to reinforce that implementation of the plan needs to be balanced, integrated and multi-disciplinary, and the influence of each principle helps to shape the overall policy framework of the plan. While the policies in the Comprehensive Plan effectively ensure that the guiding principles are met, the findings below further demonstrate that in addition to meeting those specific policies on balance, the EDEP amendments are consistent with these guiding principles as described below.

**Economic Prosperity.** Support a low-carbon economy and foster employment growth, competitiveness and equitably distributed household prosperity.

28. **Finding:** The EDEP amendments do not change the comprehensive plan designations on any currently designated employment lands. The EDEP amendments include extensions to land use review deadlines in an effort to provide relief to applicants impacted by COVID-19 and the resulting economic disruption. They do not change any zoning code development regulations that apply to commercial or employment areas, but do extend the timeframe before mandatory inclusionary housing rates are increased in areas outside the Central City and Gateway regional center. These changes are temporary extensions to provide necessary economic relief to foster employment growth and reduce impacts on the overall economy and prosperity during and following the COVID-19 crisis.

**Human Health.** Avoid or minimize negative health impacts and improve opportunities for Portlanders to lead healthy, active lives.

29. **Finding:** Homelessness and the housing cost burden has a direct health impact on many Portlanders – either through added economic stress and the inability to afford medical care, or through the direct impact of living outdoors. The EDEP is supporting human health because it helps to keep current and planned housing projects feasible by maintaining current levels of inclusionary housing requirements and extending expiration dates to reduce the need for projects to reapply for approvals.

**Environmental Health.** Weave nature into the city and foster a healthy environment that sustains people, neighborhoods, and fish and wildlife. Recognize the intrinsic value of nature and sustain the ecosystem services of Portland’s air, water and land.

30. **Finding:** This guiding principle is to support a healthy environment that sustains people, neighborhoods, and fish and wildlife. The EDEP amendments do not affect existing rules that weave nature into the city and foster a healthy environment. Therefore, there is no direct impact to environmental health.

**Equity.** Promote equity and environmental justice by reducing disparities, minimizing burdens, extending community benefits, increasing the amount of affordable housing, affirmatively furthering fair housing, proactively fighting displacement, and improving socio-economic opportunities for under-served and under-represented populations. Intentionally engage under-served and under-represented populations in decisions that affect them. Specifically recognize, address and prevent repetition of the injustices suffered by communities of color throughout Portland’s history.

31. **Finding:** The EDEP amendments support the continued development of more affordable and market-rate housing units. The amendments related to land use review processes support this guiding principal by keeping projects that are in the design and permitting stages of development moving forward during the economic disruption caused by COVID-19. The proposal to extend the expiration date an additional one year for the lower inclusionary housing rates that apply outside the Central City and Gateway plan districts will continue to support the development of affordable housing by providing flexibility to developers that may otherwise not be able to build more inclusionary housing units because of the uncertainties of the market due to COVID-19. This flexibility will increase the likelihood that developers are able to provide much needed new affordable and market-rate housing units. These amendments advance housing stability for historically inequitably burdened communities of color, underserved and under-represented communities, and other vulnerable populations.

**Resilience.** Reduce risk and improve the ability of individuals, communities, economic systems, and the natural and built environments to withstand, recover from, and adapt to changes from natural hazards, human-made disasters, climate change, and economic shifts.

32. **Finding:** The EDEP amendments are a response to an unanticipated health and economic disaster. The amendments provide resilience for the development and construction market, an important sector of Portland’s economic system. This response reduces risk and improves the ability of individuals, communities, and economic systems to withstand, recover from, and adapt to changes from natural hazards and human-made disasters.

## Chapter 1: The Plan

**Goal 1.A: Multiple goals.** Portland’s Comprehensive Plan provides a framework to guide land use, development, and public facility investments. It is based on a set of Guiding Principles that call for integrated approaches, actions, and outcomes that meet multiple goals to ensure Portland is prosperous, healthy, equitable, and resilient.

**Goal 1.B: Regional partnership.** Portland’s Comprehensive Plan acknowledges Portland’s role within the region, and it is coordinated with the policies of governmental partners.

**Goal 1.C: A well-functioning plan.** Portland’s Comprehensive Plan is effective, its elements are aligned, and it is updated periodically to be current and to address mandates, community needs, and identified problems.

**Goal 1.D: Implementation tools.** Portland’s Comprehensive Plan is executed through a variety of implementation tools, both regulatory and non-regulatory. Implementation tools comply with the Comprehensive Plan and are carried out in a coordinated and efficient manner. They protect the public’s current and future interests and balance the need for providing certainty for future development with the need for flexibility and the opportunity to promote innovation.

**Goal 1.E: Administration.** Portland’s Comprehensive Plan is administered efficiently and effectively and in ways that forward the intent of the Plan. It is administered in accordance with regional plans and state and federal law.

**33. Finding:** As noted above, the EDEP amendments are consistent with the guiding principles of the Comprehensive Plan. As part of an integrated approach to meet multiple goals, the City Council has considered applicable policies to determine that this ordinance complies with the Comprehensive Plan. As described below, the City Council’s decision to adopt the EDEP amendments has considered the multiple goals of the comprehensive plan, including the guiding principles, to determine that the adoption of this ordinance will ensure that Portland is prosperous, healthy, equitable, and resilient.

The findings in this exhibit demonstrate how the EDEP amendments are consistent with the 2035 Comprehensive Plan including advancing multiple goals and utilizing regulatory implementation tools that promote current and future interests, provide certainty in terms of development entitlements while allowing flexibility in uncertain times. The findings additionally show how the amendments are consistent with the Urban Growth Management Functional Plan, and the Statewide Planning Goals. Metro, TriMet, and other state agencies received notice of the proposed EDEP amendments from the 35-day DLCD notice and the City’s legislative notice.

*Note: Council finds that only specific policies are applicable and provides responsive findings for the applicable policies below.*

### The Comprehensive Plan

**Policy 1.1. Comprehensive Plan elements.** Maintain a Comprehensive Plan that includes these elements:

- **Vision and Guiding Principles.** The Vision is a statement of where the City aspires to be in 2035. The Guiding Principles call for decisions that meet multiple goals to ensure Portland is prosperous, healthy, equitable, and resilient.
- **Goals and policies.** The goals and policies of the Comprehensive Plan, including the Urban Design Framework, provide the long-range planning direction for the development and

redevelopment of the city.

- **Comprehensive Plan Map.** The Comprehensive Plan Map is the official long-range planning guide for spatially defining the desired land uses and development in Portland. The Comprehensive Plan Map is a series of maps, which together show the boundaries of municipal incorporation, the Urban Service Boundary, land use designations, and the recognized boundaries of the Central City, Gateway regional center, town centers, and neighborhood centers.
- **List of Significant Projects.** The List of Significant Projects identifies the public facility projects needed to serve designated land uses through 2035 including expected new housing and jobs. It is based on the framework provided by a supporting Public Facilities Plan (PFP). The Citywide Systems Plan (CSP) is the City’s public facilities plan. The Transportation System Plan (TSP) includes the transportation-related list of significant projects. The list element of the TSP is also an element of the Comprehensive Plan.
- **Transportation policies, street classifications, and street plans.** The policies, street classifications, and street plan maps contained in the Transportation System Plan (TSP) are an element of the Comprehensive Plan. Other parts of the TSP function as a supporting document, as described in Policy 1.2.

34. **Finding:** The EDEP amendments do not change the structure of these plan elements. This policy does not apply.

## Supporting Documents

**Policy 1.2. Comprehensive Plan supporting documents.** Maintain and periodically update the following Comprehensive Plan supporting documents.

1. **Inventories and analyses.** The following inventories and analyses are supporting documents to the Comprehensive Plan:
  - Economic Opportunities Analysis (EOA)
  - Buildable Lands Inventory (BLI)
  - Natural Resource Inventory (NRI)
  - Housing Needs Analysis (HNA)

35. **Finding:** The above-noted supporting documents are not impacted by the EDEP amendments. This Policy is not applicable.

2. **Public Facilities Plan.** The Public Facilities Plan (PFP) is a coordinated plan for the provision of urban public facilities and services within Portland’s Urban Services Boundary. The Citywide Systems Plan (CSP) is the City’s public facilities plan.

36. **Finding:** As demonstrated in the findings for Statewide Planning Goal 11, the EDEP amendments do not significantly impact the provision of public services and are consistent with the adopted Citywide Systems Plan (CSP). The CSP, which was adopted (Ordinance 185657) and acknowledged by LCDC on April 25, 2017, includes the Public Facilities Plan with information on current and future transportation, water, sanitary sewer, and stormwater infrastructure needs and projects, consistent with the requirements of Statewide Planning Goal 11. The EDEP amendments do not amend the Citywide Systems Plan (CSP)

3. **Transportation System Plan (TSP).** The TSP is the detailed long-range plan to guide transportation system functions and investments. The TSP ensures that new development and

allowed land uses are consistent with the identified function and capacity of, and adopted performance measures for, affected transportation facilities. The TSP includes a financial plan to identify revenue sources for planned transportation facilities included on the List of Significant Projects. The TSP is the transportation element of the Public Facilities Plan. Certain components of the TSP are elements of the Comprehensive Plan. *See Policy 1.1.*

**37. Finding:** As demonstrated in the findings for Statewide Planning Goal 12 (Transportation) and the goals and policies of Chapter 9 (Transportation), the EDEP amendments do not impact key facilities on the surrounding transportation system. The EDEP land use process amendments extend the timelines for land use processes that evaluate transportation impacts within the parameters of those reviews. The Inclusionary Housing amendment extends the provisions of an existing program for one year and does not significantly affect development and growth.

**4. School Facility Plans.** School facility plans that were developed in consultation with the City, adopted by school districts serving the City, and that meet the requirements of ORS 195 are considered supporting documents to the Comprehensive Plan.

**38. Finding:** The EDEP land use process amendments extend the timelines for land use processes that evaluate school facility impacts within the parameters of those reviews. The Inclusionary Housing amendment extends the provisions of an existing program for one year. These amendments do not significantly affect development and growth.

## Implementation tools

**Policy 1.3. Implementation tools subject to the Comprehensive Plan.** Maintain Comprehensive Plan implementation tools that are derived from, and comply with, the Comprehensive Plan.

*Implementation tools include those identified in policies 1.4 through 1.9.*

**39. Finding:** The EDEP amendments maintain and amend the comprehensive plan implementation tools as described below in Policies 1.4 through 1.9. Consistency with the applicable comprehensive policies and guiding principles for relevant amendments are demonstrated elsewhere in these findings.

**Policy 1.4. Zoning Code.** Maintain a Zoning Code that establishes the regulations that apply to various zones, districts, uses, and development types.

**Policy 1.5 Zoning Map.** Maintain a Zoning Map that identifies the boundaries of various zones, districts, and other special features.

**Policy 1.6 Service coordination agreements.** Maintain coordination agreements with local governments of adjoining jurisdictions concerning mutual recognition of urban service boundaries; special service districts concerning public facilities and services within Portland's Urban Services Boundary; and public school districts concerning educational facilities within Portland's Urban Services Boundary.

**Policy 1.7 Annexations.** Provide a process incorporating urban and urbanizable land within the City's Urban Services Boundary through annexation. See policies 8.11-8.19 for service extension requirements for annexations.

**Policy 1.8 Urban renewal plans.** Coordinate Comprehensive Plan implementation with urban renewal plans and implementation activities. A decision to adopt a new urban renewal district, adopt or amend goals and objectives that will guide investment priorities within a district, or amend the boundaries of an existing district, must comply with the Comprehensive Plan.

**Policy 1.9 Development agreements.** Consider development agreements entered into by the City of Portland and pursuant to Oregon Revised Statute 94 a Comprehensive Plan implementation tool.

## Administration

**Policy 1.10. Compliance with the Comprehensive Plan.** Ensure that amendments to the Comprehensive Plan's elements, supporting documents, and implementation tools comply with the Comprehensive Plan. "Comply" means that amendments must be evaluated against the Comprehensive Plan's applicable goals and policies and on balance be equally or more supportive of the Comprehensive Plan than the existing language or designation.

**1.10.a** Legislative amendments to the Comprehensive Plan's elements and implementation tools must also comply with the Guiding Principles.

**1.10.b** Legislative amendments to the Comprehensive Plan's elements should be based on the factual basis established in the supporting documents as updated and amended over time.

**1.10.c** Amendments to the Zoning Map are in compliance with the Comprehensive Plan if they are consistent with the Comprehensive Plan Map.

**40. Finding:** The City Council finds that this is a fundamental policy of the Comprehensive Plan that guides the manner in which the Council considers amendments to the Plan itself or any implementing regulations, such as the Zoning Code. These findings identify how the EDEP amendments comply with the 2035 Comprehensive Plan. Council finds all applicable policies are met and are consistent and compliant with the Comprehensive Plan.

**Policy 1.11. Consistency with Metro Urban Growth Management Functional Plan and Urban Growth Boundary.** Ensure that the Comprehensive Plan remains consistent with the Metro Urban Growth Management Functional Plan and supports a tight urban growth boundary for the Portland Metropolitan area.

**Policy 1.12. Consistency with Statewide Planning Goals.** Ensure that the Comprehensive Plan, supporting documents, and implementation tools remain consistent with the Oregon Statewide Planning Goals.

**41. Finding:** As noted earlier in these findings, the EDEP amendments are consistent with and designed to further the applicable elements of the Metro Urban Growth Management Functional Plan and Statewide Planning Goals, consistent with the directives of policies 1.11 and 1.12.

**Policy 1.13. Consistency with state and federal regulations.** Ensure that the Comprehensive Plan remains consistent with all applicable state and federal regulations, and that implementation measures for the Comprehensive Plan are well coordinated with other City activities that respond to state and federal regulations.

**42. Finding:** The EDEP amendments were developed to be consistent with applicable state and federal regulations, including the fair housing act.

**Policy 1.14. Public facility adequacy.** Consider impacts on the existing and future availability and capacity of urban public facilities and services when amending Comprehensive Plan elements and implementation tools. Urban public facilities and services include those provided by the City, neighboring jurisdictions, and partners within Portland's urban services boundaries, as established by Policies 8.2 and 8.6.

43. **Finding:** As demonstrated in the findings for Statewide Planning Goal 11 and Chapter 8 (Public Facilities and Services) of the Comprehensive Plan, the EDEP amendments do not significantly impact the provision of public services to these sites.

**Policy 1.15. Intergovernmental coordination.** Strive to administer the Comprehensive Plan elements and implementation tools in a manner that supports the efforts and fiscal health of the City, county and regional governments, and partner agencies such as school districts and transit agencies.

44. **Finding:** As demonstrated in the findings for Statewide Planning Goal 2, the City filed the required 35-day notice with Oregon Department of Land Conservation and Development to notify other government agencies of the proposed EDEP amendments. There were no other government agencies that raised issues or concerns with the EDEP amendments.

**Policy 1.16. Planning and Sustainability Commission review.** Ensure the Planning and Sustainability Commission (PSC) reviews and makes recommendations to the City Council on all proposed legislative amendments to Comprehensive Plan elements, supporting documents, and implementation tools. The PSC advises City Council on the City's long-range goals, policies, and programs for land use, planning, and sustainability. The membership and powers and duties of the PSC are described in the Zoning Code.

45. **Finding:** On May 26, 2020, the PSC was given a briefing on the Proposed Draft of the EDEP amendments. The PSC held a public hearing the same day on May 26, 2020. At the hearing, testimony was received on the Proposed Draft. On May 26, 2020, the PSC considered amendments and voted on the final Recommended Draft to be forwarded to City Council.

**Policy 1.17. Community Involvement Committee.** Establish a Community Involvement Committee to oversee the Community Involvement Program as recognized by Oregon Statewide Planning Goal 1 – Community Involvement and policies 2.15-2.18 of this Comprehensive Plan.

46. **Finding:** The Community Involvement Committee was appointed in June 2018 and reviews and advises the way City staff engage with the public in land use and transportation planning. The EDEP amendments have no impact on the establishment or undertakings of the CIC. This project's community involvement program is detailed more in the findings for Chapter 2, Community Involvement.

**Policy 1.18. Quasi-judicial amendments to the Comprehensive Plan Map.** Applicants for quasi-judicial amendments to the Comprehensive Plan Map must show that the requested change adheres to Policies 1.10 through 1.15 and:

- Is compatible with the land use pattern established by the Comprehensive Plan Map.
- Is not in conflict with applicable adopted area-specific plans as described in Policy 1.19, or the applicable hearings body determines that the identified conflict represents a circumstance where the area specific plan is in conflict with the Comprehensive Plan and the proposed amendment is consistent with the Comprehensive Plan.

The Hearings Officer must review and make recommendations to the City Council on all quasi-judicial amendments to the Comprehensive Plan Map using procedures outlined in the Zoning Code.

47. **Finding:** This policy concerns quasi-judicial amendments to the Comprehensive Plan Map and is not applicable to this project, which is a legislative project.

**Policy 1.19. Area-specific plans.** Use area-specific plans to provide additional detail or refinements applicable at a smaller geographic scale, such as for centers and corridors, within the policy

framework provided by the overall Comprehensive Plan.

**1.19.a** Area-specific plans that are adopted after May 24, 2018, should clearly identify which components amend Comprehensive Plan elements, supporting documents, or implementation tools. Such amendments should be appropriate to the scope of the Comprehensive Plan; be intended to guide land use decisions; and provide geographically-specific detail. Such amendments could include policies specific to the plan area, land use designation changes, zoning map changes, zoning code changes, and public facility projects necessary to serve designated land uses.

**1.19.b** Area-specific plan components intended as context, general guidance, or directives for future community-driven efforts should not amend the Comprehensive Plan elements or implementation tools but be adopted by resolution as intent. These components include vision statements, historical context, existing conditions, action plans, design preferences, and other background information.

**1.19.c** Community, area, neighborhood, and other area-specific plans that were adopted by ordinance prior to January 1, 2018 are still in effect. However, the elements of this Comprehensive Plan supersede any goals or policies of a community, area, or neighborhood plan that are inconsistent with this Plan.

- 48. Finding:** The EDEP amendments do not include or amend area specific plans. Policy 1.19 directs that existing area-specific plans be used to provide additional detail or refinements at a smaller geographic scale, like centers or corridors. The EDEP land use review amendments are administrative in nature and will apply citywide and will apply uniformly in all areas of the city. The EDEP Inclusionary Housing amendment applies to all areas of the city outside of the Central City and the Gateway Regional Center. It extends an existing program for one year and will have minimal impact on growth and development in areas outside of the Central City and Gateway. The community, area, neighborhood and other area specific plans do not specify review deadlines, and while some may speak to the need for engaging with residents early as part of more significant development plans, the manner for such engagement is not prescribed, and does not contradict the proposed allowances for holding meetings with neighborhoods virtually. The findings included herein demonstrate that the amendments are consistent with the 2035 comprehensive plan.

## Chapter 2: Community Involvement

**Goal 2.A: Community involvement as a partnership.** The City of Portland works together as a genuine partner with all Portland communities and interests. The City promotes, builds, and maintains relationships, and communicates with individuals, communities, neighborhoods, businesses, organizations, institutions, and other governments to ensure meaningful community involvement in planning and investment decisions.

**Goal 2.B: Social justice and equity.** The City of Portland seeks social justice by expanding choice and opportunity for all community members, recognizing a special responsibility to identify and engage, as genuine partners, under-served and under-represented communities in planning, investment, implementation, and enforcement processes, particularly those with potential to be adversely affected by the results of decisions. The City actively works to improve its planning and investment-related decisions to achieve equitable distribution of burdens and benefits and address past injustices.

**Goal 2.C: Value community wisdom and participation.** Portland values and encourages community and civic participation. The City seeks and considers community wisdom and diverse cultural perspectives, and integrates them with technical analysis, to strengthen land use decisions.

**Goal 2.D: Transparency and accountability.** City planning and investment decision-making processes are clear, open, and documented. Through these processes a diverse range of community interests are heard and balanced. The City makes it clear to the community who is responsible for making decisions and how community input is considered. Accountability includes monitoring and reporting outcomes.

**Goal 2.E: Meaningful participation.** Community members have meaningful opportunities to participate in and influence all stages of planning and decision making. Public processes engage the full diversity of affected community members, including under-served and under-represented individuals and communities. The City will seek and facilitate the involvement of those potentially affected by planning and decision making.

**Goal 2.F: Accessible and effective participation.** City planning and investment decision-making processes are designed to be culturally accessible and effective. The City draws from acknowledged best practices and uses a wide variety of tools, including those developed and recommended by under-served and under-represented communities, to promote inclusive, collaborative, culturally-specific, and robust community involvement.

**Goal 2.G: Strong civic infrastructure.** Civic institutions, organizations, and processes encourage active and meaningful community involvement and strengthen the capacity of individuals and communities to participate in planning processes and civic life.

**49. Finding:** The public engagement process provided opportunities for all interested parties to comment on and influence the recommended draft and the final decision before City Council.

*Proposed Draft.* The Proposed Draft was published on April 27, 2020 in preparation for the Planning and Sustainability Commission (PSC) hearing on May 26, 2020. As part of the Proposed Draft publication and legislative process requirements, the following legal notices were also sent:

- Form 1 Notice  
Sent to the Department of Land Conservation and Development (DLCD)
- Legislative Notice  
Sent to interested parties, recognized organizations, affected bureaus, TriMet, Metro and ODOT and published in the Daily Journal of Commerce

In addition to these legal requirements, information about the PSC hearings was featured in a blog post on the project website. Staff engaged directly with the public or made the following presentations during the Proposed Draft phase:

- Presentation to the BDS Development Review Advisory Committee (DRAC) on April 16, 2020
- Presentation to the Portland Building and Urban Development Council on May 5, 2020

Staff gave a briefing to the Planning and Sustainability Commission (PSC) on May 26, 2020. The PSC also held a public hearing on May 26, 2020, deliberated on the Proposed Draft, and voted to recommend the changes to City Council. The PSC hearing was held using Zoom virtual meeting software and including opportunities for the public to testify both online or by telephone. The meeting was streamed live and is also available for viewing on the Bureau website.

On June 2, 2020 the Recommended Draft was published, presenting the PSC's recommendations to City Council. On June 18, 2020, a legislative notice of the City Council Hearing was sent to interested parties and anyone who testified to the PSC on the proposed draft and supplied contact information. City Council held a public hearing on July 8, 2020, to receive testimony on the Recommended Draft.

On July 8, 2020, City Council held a public hearing on the Recommended Draft and several amendments were introduced to that draft based on testimony and communication with the public and stakeholders:

1. Retroactivity amendment: The Recommended Draft contained language that would set the "start date" for the proposal as three years prior to the effective date of this ordinance. Because the impacts of the pandemic on city permitting functions and on the economy began in March 2020, Council decided to apply the EDEP land use review extension amendment retroactively, but carving out land division approvals and those approvals that applied to the unincorporated county under Title 33 jurisdiction ("County pockets") pursuant to ORS 92.285 and ORS 215.110.

There was a request from a testifier at the hearing to extend the retroactivity further back in time, for a start date of September 1, 2016. Council addressed this request at the hearing and noted that the request exceeded the scope of the project's goal of providing relief to applicants that were impacted by the COVID-19 pandemic and, therefore, the proposal would not be extended further to meet this request.

2. Neighborhood Contact amendment: Further extend the allowance for virtual neighborhood contact meetings from January 1, 2021 to January 1, 2024. Council felt that extending the virtual public meeting allowance was necessary because it is not clear how long the pandemic's effects will last and there seems to be some benefit to virtual neighborhood contact in allowing more people to participate in the meetings.
3. Inclusionary Housing amendment: Reduce the extension for the lower provision of affordable housing outside the Central City from three years to one year. Council felt the reduction from three years to one year would give staff one year to further study the IH program and identify steps to better calibrate the program to maximize affordable housing.

Testimony was presented to Council in support of the original proposal to extend the lower IH rates for three years. Council deliberated the timeframe for the extension and felt that the one-year extension was the appropriate amount of time to allow staff more time to

study the rates without locking in the lower rates for three years. It was noted that, if deemed necessary, the lower rates could be further extended before the end of the one-year extension.

As noted below in these findings, the EDEP amendments are consistent with the goals and policies of Chapter 2 (Community Involvement) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. The events and outreach strategies summarized here demonstrate consistency with the requirements of Statewide Planning Goal 1. The amendments introduced at the first Council hearing were developed in partnership with the community and reflect community wisdom and participation.

The BPS website had a project page with the available documents and the public was provided opportunities to express concerns and suggest amendments in front of both the PSC and City Council. In summary, the public engagement process provided opportunities for interested parties to comment on and influence the Recommended Draft and the final decision before City Council supporting the goal of meaningful community involvement.

*Note: Council finds that only specific policies are applicable and provides responsive findings for the applicable policies below.*

## Partners in decision making

**Policy 2.1. Partnerships and coordination.** Maintain partnerships and coordinate land use engagement with:

**2.1.a** Individual community members.

**2.1.b** Communities of color, low-income populations, Limited English Proficient (LEP) communities, Native American communities, and other under-served and under-represented communities.

**2.1.c** District coalitions, neighborhood associations, and business district associations as local experts and communication channels for place-based projects.

**2.1.d** Businesses, unions, employees, and related organizations that reflect Portland's diversity as the center of regional economic and cultural activity.

**2.1.e** Community-based, faith-based, artistic and cultural, and interest-based non-profits, organizations, and groups.

**2.1.f** Institutions, governments, and Sovereign tribes.

**Policy 2.2. Broaden partnerships.** Work with district coalitions, neighborhood associations, and business district associations to increase participation and to help them reflect the diversity of the people and institutions they serve. Facilitate greater communication and collaboration among district coalitions, neighborhood associations, business district associations, culturally-specific organizations, and community-based organizations.

**50. Finding:** The EDEP amendment to the neighborhood contact requirements of Chapter 705 supports these policies by allowing public meetings to be held virtually during the COVID-19 pandemic. As a result, land use review applicants and developers can continue to coordinate and receive feedback on projects while still meeting social distancing guidelines.

## Environmental justice

**Policy 2.3. Extend benefits.** Ensure plans and investments promote environmental justice by

extending the community benefits associated with environmental assets, land use, and public investments to communities of color, low-income populations, and other under-served or under-represented groups impacted by the decision. Maximize economic, cultural, political, and environmental benefits through ongoing partnerships.

**Policy 2.4. Eliminate burdens.** Ensure plans and investments eliminate associated disproportionate burdens (e.g. adverse environmental, economic, or community impacts) for communities of color, low-income populations, and other under-served or under-represented groups impacted by the decision.

**2.4.a,** Minimize or mitigate disproportionate burdens in cases where they cannot be eliminated.

**2.4.b,** Use plans and investments to address disproportionate burdens of previous decisions.

51. **Finding:** The EDEP amendments provide regulatory relief in the form of extended expiration deadlines to reduce financial burdens on applicants, especially impacted lower income applicants to reduce the need for reapplication/plan modification which can come with considerable expense. Therefore, these policies are better served with the temporary relief provided through EDEP.

## Invest in education and training

**Policy 2.5. Community capacity building.** Enhance the ability of community members, particularly those in under-served and/or under-represented groups, to develop the relationships, knowledge, and skills to effectively participate in plan and investment processes.

**Policy 2.6. Land use literacy.** Provide training and educational opportunities to build the public's understanding of land use, transportation, housing, and related topics, and increase capacity for meaningful participation in planning and investment processes.

**Policy 2.7. Agency capacity building.** Increase City staff's capacity, tools, and skills to design and implement processes that engage a broad diversity of affected and interested communities, including under-served and under-represented communities, in meaningful and appropriate ways.

## Community assessment

**Policy 2.8. Channels of communication.** Maintain channels of communication among City Council, the Planning and Sustainability Commission (PSC), project advisory committees, City staff, and community members.

52. **Finding:** The City Council interprets this policy to create opportunities for the community and advisory committees to communicate their issues and concerns to the PSC and City Council outside of the formal legislative process. These changes are a legislative process with formal opportunities to testify to communicate directly with City Council. Therefore, this policy does not apply.

**Policy 2.9. Community analysis.** Collect and evaluate data, including community-validated population data and information, to understand the needs, priorities, and trends and historical context affecting different communities in Portland.

**Policy 2.10. Community participation in data collection.** Provide meaningful opportunities for individuals and communities to be involved in inventories, mapping, data analysis, and the development of alternatives.

**Policy 2.11, Open data.** Ensure planning and investment decisions are a collaboration among stakeholders, including those listed in Policy 2.1. Where appropriate, encourage publication, accessibility, and wide-spread sharing of data collected and generated by the City.

## Transparency and accountability

**Policy 2.12. Roles and responsibilities.** Establish clear roles, rights, and responsibilities for participants and decision makers in planning and investment processes. Address roles of City bureaus, elected officials, and participants, including community and neighborhood leadership, business, organizations, and individuals.

**Policy 2.13. Project scope.** Establish clear expectations about land use project sponsorship, purpose, design, and how decision makers will use the process results.

**Policy 2.14. Community influence.** At each stage of the process, identify which elements of a planning and investment process can be influenced or changed through community involvement. Clarify the extent to which those elements can be influenced or changed.

**Policy 2.15. Documentation and feedback.** Provide clear documentation for the rationale supporting decisions in planning and investment processes. Communicate to participants about the issues raised in the community involvement process, how public input affected outcomes, and the rationale used to make decisions.

53. **Finding:** As described in the findings above, the legislative process was clearly outlined in notices, documents and on the project website as to how to testify to influence the Proposed Draft at the PSC. The Recommended Draft was published with information about how to testify.

Throughout this process, BPS staff contacted, met with, and coordinated with stakeholders to inform them how to engage in the decision-making process, how the process was structured, and additional opportunities to participate when such opportunities existed.

## Community involvement program

**Policy 2.16. Community Involvement Program.** Maintain a Community Involvement Program that supports community involvement as an integral and meaningful part of the planning and investment decision-making process.

**Policy 2.17. Community engagement manual.** Create, maintain, and actively implement a community engagement manual that details how to conduct community involvement for planning and investment projects and decisions.

**Policy 2.18. Best practices engagement methods.** Utilize community engagement methods, tools, and technologies that are recognized as best practices.

**Policy 2.19. Community Involvement Committee.** The Community Involvement Committee (CIC), an independent advisory body, will evaluate and provide feedback to City staff on community involvement processes for individual planning and associated investment projects, before, during, and at the conclusion of these processes.

**Policy 2.20. Review bodies.** Maintain review bodies, such as the Planning and Sustainability Commission (PSC), Design Commission, Historic Landmarks Commission, and Adjustment Committee, to provide an opportunity for community involvement and provide leadership and expertise for specialized topic areas.

**Policy 2.21. Program evaluation.** Periodically evaluate the effectiveness of the Community Involvement Program and recommend and advocate for program and policy improvements. The Community Involvement Committee (CIC) will advise City staff regarding this evaluation.

**Policy 2.22. Shared engagement methods.** Coordinate and share methods, tools, and technologies that lead to successful engagement practices with both government and community partners and solicit engagement methods from the community.

**Policy 2.23. Adequate funding and human resources.** Provide a level of funding and human resources

allocated to the Community Involvement Program sufficient to make community involvement an integral part of the planning, policy, investment and development process.

54. **Finding:** These policies concern the City's Community Involvement Program. The adopted Community Involvement Program policies were followed for the EDEP project.

## Process design and evaluation

**Policy 2.24. Representation.** Facilitate participation of a cross-section of the full diversity of affected Portlanders during planning and investment processes. This diversity includes individuals, stakeholders, and communities represented by race, color, national origin, English proficiency, gender, age, disability, religion, sexual orientation, gender identity, and source of income.

**Policy 2.25. Early involvement.** Improve opportunities for interested and affected community members to participate early in planning and investment processes, including identifying and prioritizing issues, needs, and opportunities; participating in process design; and recommending and prioritizing projects and/or other types of implementation.

**Policy 2.26. Verifying data.** Use data, including community-validated population data, to guide planning and investment processes and priority setting and to shape community involvement and decision-making efforts.

**Policy 2.27. Demographics.** Identify the demographics of potentially affected communities when initiating a planning or investment project.

**Policy 2.28. Historical understanding.** To better understand concerns and conditions when initiating a project, research the history, culture, past plans, and other needs of the affected community, particularly under-represented and under-served groups, and persons with limited English proficiency (LEP). Review preliminary findings with members of the community who have institutional and historical knowledge.

**Policy 2.29. Project-specific needs.** Customize community involvement processes to meet the needs of those potentially affected by the planning or investment project. Use community involvement techniques that fit the scope, character, and potential impact of the planning or investment decision under consideration.

**Policy 2.30. Culturally-appropriate processes.** Consult with communities to design culturally-appropriate processes to meet the needs of those affected by a planning or investment project. Evaluate, use, and document creative and culturally-appropriate methods, tools, technologies, and spaces to inform and engage people from under-served and under-represented groups about planning or investment projects.

**Policy 2.31. Innovative engagement methods.** Develop and document innovative methods, tools, and technologies for community involvement processes for plan and investment projects.

**Policy 2.32. Inclusive participation beyond Portland residents.** Design public processes for planning and investment projects to engage affected and interested people who may not live in Portland such as property owners, employees, employers, and students, among others, as practicable.

**Policy 2.33. Inclusive participation in Central City planning.** Design public processes for the Central City that recognize its unique role as the region's center. Engage a wide range of stakeholders from the Central City and throughout the region including employees, employers, social service providers, students, and visitors, as well as regional tourism, institutional, recreation, transportation, and local/regional government representatives, as appropriate.

**Policy 2.34. Accessibility.** Ensure that community involvement processes for planning and investment projects are broadly accessible in terms of location, time, and language, and that they support the engagement of individuals with a variety of abilities and limitations on participation.

**Policy 2.35. Participation monitoring.** Evaluate and document participant demographics throughout planning and investment processes to assess whether participation reflects the demographics of affected communities. Adapt involvement practices and activities accordingly to increase effectiveness at reaching targeted audiences.

**Policy 2.36. Adaptability.** Adapt community involvement processes for planning and investment projects as appropriate to flexibly respond to changes in the scope and priority of the issues, needs, and other factors that may affect the process.

**Policy 2.37. Process evaluation.** Evaluate each community involvement process for planning or investment projects from both the City staff and participants' perspectives, and consider feedback and lessons learned to enhance future involvement efforts.

55. **Finding:** Policies 2.24 through 2.37 concern how the community involvement program is designed and developed to support planning and investment projects. The EDEP process was conducted to be accessible to a range of community stakeholders. Information on these zoning code amendments was made available to the public through a project website and mailers sent as part of the legislative notice. Additionally, City staff presented changes to the BDS Development Review Advisory Committee on April 16, 2020 and the Portland Building and Urban Development Council on May 5, 2020.

## Information design and development

**Policy 2.38. Accommodation.** Ensure accommodations to let individuals with disabilities participate in administrative, quasi-judicial, and legislative land use decisions, consistent with federal regulations.

**Policy 2.39. Notification.** Notify affected and interested community members and recognized organizations about administrative, quasi-judicial, and legislative land use decisions with enough lead time to enable effective participation. Consider notification to both property owners and renters.

**Policy 2.40. Tools for effective participation.** Provide clear and easy access to information about administrative, quasi-judicial, and legislative land use decisions in multiple formats and through technological advancements and other ways.

**Policy 2.41. Limited English Proficiency (LEP).** Ensure that limited English proficient (LEP) individuals are provided meaningful access to information about administrative, quasi-judicial, and legislative land use decisions, consistent with federal regulations.

56. **Finding:** The community involvement process for the EDEP was conducted during a time the City was under a public health emergency declaration, which limited public gatherings and mandated social distancing. Given the time-sensitive nature and urgency of this project, the project proceeded using the community involvement tools available. All community involvement events and public hearings were conducted remotely using video conferencing technology. The hearings were accessible to community members using personal computers, mobile devices, and land-line telephones. Information was provided online and a legislative notice was mailed to interested parties, including neighborhood associations, business associations, and other affected jurisdictions, that have requested notice of proposed land use changes. Information about accommodation and translation was provided on all notices. The City sent a legislative notice on April 24, 2020 to interested parties and stakeholders of the May 26, PSC hearing in order for them

to provide testimony. Additionally, legislative notice was sent on June 18, 2020 to interested parties, and others that participated in the PSC hearings to inform them of the opportunity to testify at the July 8, 2020 City Council public hearing.

## Chapter 3: Urban Form

**GOAL 3.A: A city designed for people.** Portland’s built environment is designed to serve the needs and aspirations of all Portlanders, promoting prosperity, health, equity, and resiliency. New development, redevelopment, and public investments reduce disparities and encourage social interaction to create a healthy connected city.

**GOAL 3.B: A climate and hazard resilient urban form.** Portland’s compact urban form, sustainable building development practices, green infrastructure, and active transportation system reduce carbon emissions, reduce natural hazard risks and impacts, and improve resilience to the effects of climate change.

**GOAL 3.C: Focused growth.** Household and employment growth is focused in the Central City and other centers, corridors, and transit station areas, creating compact urban development in areas with a high level of service and amenities, while allowing the relative stability of lower-density single-family residential areas.

**GOAL 3.D: A system of centers and corridors.** Portland’s interconnected system of centers and corridors provides diverse housing options and employment opportunities, robust multimodal transportation connections, access to local services and amenities, and supports low-carbon complete, healthy, and equitable communities.

**GOAL 3.E: Connected public realm and open spaces.** A network of parks, streets, City Greenways, and other public spaces supports community interaction; connects neighborhoods, districts, and destinations; and improves air, water, land quality, and environmental health.

**GOAL 3.F: Employment districts.** Portland supports job growth in a variety of employment districts to maintain a diverse economy.

**GOAL 3.G: Nature in the city.** A system of habitat corridors weaves nature into the city, enhances habitat connectivity, and preserves natural resources and the ecosystem services they provide.

57. **Finding:** These goals address the broad form of and spatial layout of the city as a whole, considering the natural and urban conditions that shape the city, the unique districts that give the city a diverse character, and the network of corridors that link the city internally and with the region. The EDEP land use process amendments primarily extend the timelines for land use processes. The EDEP Inclusionary Housing amendment extends the provisions of an existing program for one year. These amendments do not significantly affect the growth patterns and urban form of the city.

*Note: Council finds that only specific policies are applicable and provides responsive findings for the applicable policies below.*

### Citywide design and development

**Policy 3.1 Urban Design Framework.** Use the Urban Design Framework (UDF) as a guide to create inclusive and enduring places, while providing flexibility for implementation at the local scale to meet the needs of local communities.

**Policy 3.2. Growth and stability.** Direct most growth and change to centers, corridors, and transit station areas, allowing the continuation of the scale and characteristics of Portland’s residential neighborhoods.

**58. Finding:** These policies and the UDF encourage a centers and corridors based growth pattern. The EDEP land use process amendments primarily impact the timelines for land use review processes. The EDEP Inclusionary Housing amendment extends the provisions of an existing program for one year. These amendments do not significantly affect the growth patterns and urban form of the city.

**Policy 3.3. Equitable development.** Guide development, growth, and public facility investment to reduce disparities, ensure equitable access to opportunities, and produce positive outcomes for all Portlanders.

**3.3.a.** Anticipate, avoid, reduce, and mitigate negative public facility and development impacts, especially where those impacts inequitably burden communities of color, under-served and under-represented communities, and other vulnerable populations.

**3.3.b.** Make needed investments in areas that are deficient in public facilities to reduce disparities and increase equity. Accompany these investments with proactive measures to avoid displacement and increase affordable housing.

**3.3.c.** Encourage use of community benefit agreements to ensure equitable outcomes from development projects that benefit from public facility investments, increased development allowances, or public financial assistance. Consider community benefit agreements as a tool to mitigate displacement and housing affordability impacts.

**3.3.d.** Incorporate requirements into the Zoning Code to provide public and community benefits as a condition of development projects to receive increased development allowances.

**3.3.e.** When private property value is increased by public plans and investments, require development to address or mitigate displacement impacts and impacts on housing affordability, in ways that are related and roughly proportional to these impacts.

**3.3.f.** Coordinate housing, economic development, and public facility plans and investments to create an integrated community development approach to restore communities impacted by past decisions.

**3.3.g.** Encourage developers to engage directly with a broad range of impacted communities to identify potential impacts to private development projects, develop mitigation measures, and provide community benefits to address adverse impacts.

**59. Finding:** The EDEP Inclusionary Housing amendment advances equitable development through the creation and integration of permanently affordable housing units into new construction residential development. The Inclusionary Housing Zoning Code advances economic and social integration and support community stabilization for households at risk of displacement. While these amendments delay the effective date for higher rates of inclusionary housing outside Central City and Gateway plan districts, they are intended to keep currently planned projects feasible under current rates until the economic outlook improves. This means that some projects that may have been made infeasible under the higher inclusionary rates will still be able to move forward and deliver some affordable units, albeit at the current required rate.

**Policy 3.4. All ages and abilities.** Strive for a built environment that provides a safe, healthful, and attractive environment for people of all ages and abilities.

**Policy 3.5. Energy and resource efficiency.** Support energy-efficient, resource-efficient, and sustainable development and transportation patterns through land use and transportation planning.

**Policy 3.6. Land efficiency.** Provide strategic investments and incentives to leverage infill, redevelopment, and promote intensification of scarce urban land while protecting environmental quality.

**Policy 3.7. Integrate nature.** Integrate nature and use green infrastructure throughout Portland.

**Policy 3.8. Leadership and innovation in design.** Encourage high-performance design and development that demonstrates Portland’s leadership in the design of the built environment, commitment to a more equitable city, and ability to experiment and generate innovative design solutions.

60. **Finding:** Policies 3.5 through 3.8 address energy, resource and land efficiency, integration of nature into design, and high-performance design. The EDEP land use process amendments primarily extend the timelines for land use processes. The EDEP Inclusionary Housing amendment extends the provisions of an existing program for one year. These amendments do not change any design-related development standards, or natural resources standards and have no direct impact on land efficiency.

**Policy 3.9. Growth and development.** Evaluate the potential impacts of planning and investment decisions, significant new infrastructure, and significant new development on the physical characteristics of neighborhoods and their residents, particularly under-served and under-represented communities, with attention to displacement and affordability impacts. Identify and implement strategies to mitigate the anticipated impacts.

61. **Finding:** The EDEP land use process amendments primarily impact the timelines for land use review processes. The EDEP Inclusionary Housing amendment extends the provisions of an existing program for one year and do not significantly affect development and growth. These amendments have no direct impact on citywide growth and development.

**Policy 3.10. Rural, urbanizable, and urban land.** Preserve the rural character of rural land outside the Regional Urban Growth Boundary. Limit urban development of urbanizable land beyond the City Limits until it is annexed and full urban services are extended.

62. **Finding:** The EDEP amendments affect land within the City Limits, and do not impact rural land outside the UGB. This policy does not apply.

**Policy 3.11. Significant places.** Enhance and celebrate significant places throughout Portland with symbolic features or iconic structures that reinforce local identity, histories, and cultures and contribute to way-finding throughout the city. Consider these especially at:

- High-visibility intersections
- Attractions
- Schools, libraries, parks, and other civic places
- Bridges
- Rivers
- Viewpoints and view corridor locations
- Historically or culturally significant places
- Connections to volcanic buttes and other geologic and natural landscape features
- Neighborhood boundaries and transitions

63. **Finding:** The EDEP land use process amendments affect land use reviews that would evaluate how a proposal impacts significant places within the city. The Inclusionary Housing amendments extend an existing program by one year and would not significantly affect development and growth. This policy is not applicable.

## Centers

**Policy 3.12. Role of centers.** Enhance centers as anchors of complete neighborhoods that include concentrations of commercial and public services, housing, employment, gathering places, and green spaces.

**Policy 3.13. Variety of centers.** Plan for a range of centers across the city to enhance local, equitable access to services, and expand housing opportunities.

**Policy 3.14. Housing in centers.** Provide housing capacity for enough population to support a broad range of commercial services, focusing higher-density housing within a half-mile of the center core.

**Policy 3.15. Investments in centers.** Encourage public and private investment in infrastructure, economic development, and community services in centers to ensure that all centers will support the populations they serve.

**Policy 3.16. Government services.** Encourage the placement of services in centers, including schools and colleges, health services, community centers, daycare, parks and plazas, library services, and justice services.

**Policy 3.17. Arts and culture.** Ensure that land use plans and infrastructure investments allow for and incorporate arts, culture, and performance arts as central components of centers.

**Policy 3.18. Accessibility.** Design centers to be compact, safe, attractive, and accessible places, where the street environment makes access by transit, walking, biking, and mobility devices such as wheelchairs, safe and attractive for people of all ages and abilities.

**Policy 3.19. Center connections.** Connect centers to each other and to other key local and regional destinations, such as schools, parks, and employment areas, by frequent and convenient transit, bicycle sharing, bicycle routes, pedestrian trails and sidewalks, and electric vehicle charging stations.

**Policy 3.20. Green infrastructure in centers.** Integrate nature and green infrastructure into centers and enhance public views and connections to the surrounding natural features.

64. **Finding:** Policies 3.12 through 3.20 provide guidance on how centers identified on the comprehensive plan map should evolve over time. The policies address investments, uses, the relationship of centers to transportation networks, design, and development. The EDEP amendments do not directly affect planned investments in Centers, or any of the ways centers are connected to the rest of the City. These policies are not applicable.

## Central City

**Policy 3.21. Role of the Central City.** Encourage continued growth and investment in the Central City, and recognize its unique role as the region's premier center for jobs, services, and civic and cultural institutions that support the entire city and region.

**Policy 3.22. Model Urban Center.** Promote the Central City as a living laboratory that demonstrates how the design and function of a dense urban center can concurrently provide equitable benefits to human health, the natural environment, and the local economy.

**Policy 3.23. Central City employment.** Encourage the growth of the Central City's regional share of employment and continue its growth as the region's unique center for innovation and exchange through commerce, employment, arts, culture, entertainment, tourism, education, and government.

**Policy 3.24. Central City housing.** Encourage the growth of the Central City as Portland's and the region's largest center with the highest concentrations of housing and with a diversity of housing options and services.

**Policy 3.25. Transportation hub.** Enhance the Central City as the region's multimodal transportation hub and optimize regional access as well as the movement of people and goods among key destinations.

**Policy 3.26. Public places.** Promote public places and the Willamette River waterfront in the Central City as places of business and social activity and gathering for the people of its districts and the broader region.

65. **Finding:** The EDEP land use review amendments are process oriented and do not affect growth and development within the Central City. The EDEP Inclusionary Housing amendment does not apply in the Central City Plan District. These policies are not applicable.

## Gateway Regional Center

**Policy 3.27 Role of Gateway.** Encourage growth and investment in Gateway to enhance its role as East Portland's center of employment, commercial, and public services.

**Policy 3.28 Housing.** Encourage housing in Gateway, to create East Portland's largest concentration of high-density housing.

**Policy 3.29 Transportation.** Enhance Gateway's role as a regional high-capacity transit hub that serves as an anchor for East Portland's multimodal transportation system.

**Policy 3.30 Public places.** Enhance the public realm and public places in Gateway to provide a vibrant and attractive setting for business and social activity that serves East Portland residents and the region.

66. **Finding:** The EDEP land use review amendments are process oriented and do not affect growth and development within the Gateway Regional Center. The EDEP Inclusionary Housing amendment does not apply in the Gateway Plan District. These policies are not applicable.

## Town Centers

**Policy 3.31 Role of Town Centers.** Enhance Town Centers as successful places that serve the needs of surrounding neighborhoods as well as a wider area, and contain higher concentrations of employment, institutions, commercial and community services, and a wide range of housing options.

**Policy 3.32 Housing.** Provide for a wide range of housing types in Town Centers, which are intended to generally be larger in scale than the surrounding residential areas. There should be sufficient zoning capacity within a half-mile walking distance of a Town Center to accommodate 7,000 households.

**Policy 3.33 Transportation.** Improve Town Centers as multimodal transportation hubs that optimize access from the broad area of the city they serve and are linked to the region's high-capacity transit system.

**Policy 3.34 Public places.** Provide parks or public squares within or near Town Centers to support their roles as places of focused business and social activity.

**67. Finding:** Policies 3.31 through 3.34 provide direction on the desired characteristics and functions of the town centers. The EDEP amendments do not change the boundary any of the Town Centers on the Urban Design Framework. The EDEP land use review amendments are process oriented. The EDEP Inclusionary Housing amendment extends the provisions of an existing program for one year and do not significantly affect development and growth. These amendments have no direct impact on town centers.

### **Neighborhood Centers**

**Policy 3.35 Role of Neighborhood Centers.** Enhance Neighborhood Centers as successful places that serve the needs of surrounding neighborhoods. In Neighborhood Centers, provide for higher concentrations of development, employment, commercial and community services, and a wider range of housing options than the surrounding neighborhoods.

**Policy 3.36 Housing.** Provide for a wide range of housing types in Neighborhood Centers, which are intended to generally be larger in scale than the surrounding residential areas, but smaller than Town Centers. There should be sufficient zoning capacity within a half-mile walking distance of a Neighborhood Center to accommodate 3,500 households.

**Policy 3.37 Transportation.** Design Neighborhood Centers as multimodal transportation hubs that are served by frequent-service transit and optimize pedestrian and bicycle access from adjacent neighborhoods.

**Policy 3.38 Public places.** Provide small parks or plazas within or near Neighborhood Centers to support their roles as places of local activity and gathering.

**68. Finding:** Policies 3.35 through 3.38 provide direction on the desired characteristics and functions of neighborhood centers. The EDEP amendments do not change the neighborhood center boundaries on the Urban Design Framework. The EDEP land use review amendments are process oriented. The EDEP Inclusionary Housing amendment extends the provisions of an existing program for one year and do not significantly affect development and growth. These amendments have no direct impact on neighborhood centers.

### **Inner Ring Districts**

**Policy 3.39 Growth.** Expand the range of housing and employment opportunities in the Inner Ring Districts. Emphasize growth that replaces gaps in the historic urban fabric, such as redevelopment of surface parking lots and 20th century auto-oriented development.

**Policy 3.40 Corridors.** Guide growth in corridors to transition to mid-rise scale close to the Central City, especially along Civic Corridors.

**Policy 3.41 Distinct identities.** Maintain and enhance the distinct identities of the Inner Ring Districts and their corridors. Use and expand existing historic preservation and design review tools to accommodate growth in ways that identify and preserve historic resources and enhance the distinctive characteristics of the Inner Ring Districts, especially in areas experiencing significant development.

**Policy 3.42 Diverse residential areas.** Provide a diversity of housing opportunities in the Inner Ring Districts' residential areas. Encourage approaches that preserve or are compatible with existing historic properties in these areas. Acknowledge that these areas are historic assets and should retain their established characteristics and development patterns, even as Inner Ring centers and corridors grow. Apply base zones in a manner that takes historic character and adopted design guidelines into

account.

**Policy 3.43 Active transportation.** Enhance the role of the Inner Ring Districts' extensive transit, bicycle, and pedestrian networks in conjunction with land uses that optimize the ability for more people to utilize this network. Improve the safety of pedestrian and bike connections to the Central City. Strengthen transit connections between the Inner Ring Districts and to the Central City.

69. **Finding:** Policies 3.39 through 3.43 provide direction on the desired characteristics and functions of the Inner Ring Districts. The EDEP land use review amendments are process oriented. The EDEP Inclusionary Housing amendment extends the provisions of an existing program for one year and do not significantly affect development and growth. These amendments have no direct impact on the character or function of inner ring districts.

## Corridors

**Policy 3.44. Growth and mobility.** Coordinate transportation and land use strategies along corridors to accommodate growth and mobility needs for people of all ages and abilities.

**Policy 3.45. Connections.** Improve corridors as multimodal connections providing transit, pedestrian, bicycle, and motor vehicle access and that serve the freight needs of centers and neighborhood business districts.

**Policy 3.46. Design.** Encourage street design that balances the important transportation functions of corridors with their roles as the setting for commercial activity and residential living.

**Policy 3.47. Green infrastructure in corridors.** Enhance corridors with distinctive green infrastructure, including landscaped stormwater facilities, extensive tree plantings, and other landscaping that both provide environmental function and contribute to a quality pedestrian environment.

70. **Finding:** Policies 3.44 through 3.47 provide direction on the desired characteristics and functions of corridors as well as street design and future land use changes. The EDEP amendments do not change the boundary of corridors on the Urban Design Framework, impact transportation facility design, or amend the TSP. The EDEP land use review amendments are process oriented. The EDEP Inclusionary Housing amendment extends the provisions of an existing program for one year and do not significantly affect development and growth. These amendments have no direct impact on the characteristics and functions of corridors.

## Civic Corridors

**Policy 3.48. Integrated land use and mobility.** Enhance Civic Corridors as distinctive places that are models of ecological urban design, with transit-supportive densities of housing and employment, prominent street trees and other green features, and high-quality transit service and pedestrian and bicycle facilities.

**Policy 3.49. Design great places.** Improve public streets and sidewalks along Civic Corridors to support the vitality of business districts, create distinctive places, provide a safe, healthy, and attractive pedestrian environment, and contribute to quality living environments for residents.

**Policy 3.50. Mobility corridors.** Improve Civic Corridors as key mobility corridors of citywide importance that accommodate all modes of transportation within their right-of-way or on nearby parallel routes.

**Policy 3.51. Freight.** Maintain freight mobility and access on Civic Corridors that are also Major or Priority Truck Streets.

71. **Finding:** Policies 3.48 through 3.51 provide direction on the desired characteristics and functions of civic corridors as well as street design and future land use changes. The EDEP amendments do not change the boundary of corridors on the Urban Design Framework, impact transportation facility design, or amend the TSP. The EDEP land use review amendments are process oriented. The EDEP Inclusionary Housing amendment extends the provisions of an existing program for one year and do not significantly affect development and growth. These amendments have no direct impact on the characteristics and functions of civic corridors.

## Neighborhood Corridors

**Policy 3.52. Neighborhood Corridors.** Enhance Neighborhood Corridors as important places that support vibrant neighborhood business districts with quality multi-family housing, while providing transportation connections that link neighborhoods.

72. **Finding:** This policy provides direction on the desired characteristics and functions of corridors as well as street design and future land use changes. The EDEP amendments do not change the boundary of neighborhood corridors on the Urban Design Framework or amend the TSP. The EDEP land use review amendments are process oriented. The EDEP Inclusionary Housing amendment extends the provisions of an existing program for one year and do not significantly affect development and growth. These amendments have no direct impact on the characteristics and functions of neighborhood corridors.

## Transit Station Areas

**Policy 3.53. Transit-oriented development.** Encourage transit-oriented development and transit-supportive concentrations of housing and jobs, and multimodal connections at and adjacent to high-capacity transit stations.

**Policy 3.54. Community connections.** Integrate transit stations into surrounding communities and enhance pedestrian and bicycle facilities (including bike sharing) to provide safe and accessible connections to key destinations beyond the station area.

**Policy 3.55. Transit station area safety.** Design transit areas to improve pedestrian, bicycle, and personal safety.

**Policy 3.56. Center stations.** Encourage transit stations in centers to provide high density concentrations of housing and commercial uses that maximize the ability of residents to live close to both high-quality transit and commercial services.

**Policy 3.57. Employment stations.** Encourage concentrations of jobs and employment-focused land uses in and around stations in employment-zoned areas.

**Policy 3.58. Transit neighborhood stations.** Encourage concentrations of mixed-income residential development and supportive commercial services close to transit neighborhood stations. Transit neighborhood stations serve mixed-use areas that are not in major centers.

**Policy 3.59. Destination stations.** Enhance connections between major destinations and transit facilities and strengthen the role of these station areas as places of focused activity.

73. **Finding:** These policies generally relate to station planning and supportive active transportation infrastructure and future land use changes. The EDEP amendments do not change the boundary of station areas on the Urban Design Framework or amend the TSP. The EDEP land use review amendments are process oriented. The EDEP Inclusionary Housing amendment extends the

provisions of an existing program for one year and do not significantly affect development and growth. These amendments have no direct impact on station areas.

## City Greenways

**Policy 3.60. Connections.** Create a network of distinctive and attractive City Greenways that link centers, parks, schools, rivers, natural areas, and other key community destinations.

**Policy 3.61. Integrated system.** Create an integrated City Greenways system that includes regional trails through natural areas and along Portland’s rivers, connected to neighborhood greenways, and heritage parkways.

**Policy 3.62. Multiple benefits.** Design City Greenways that provide multiple benefits that contribute to Portland’s pedestrian, bicycle, green infrastructure, and parks and open space systems.

**Policy 3.63. Design.** Use design options such as distinctive street design, motor vehicle diversion, landscaping, tree plantings, scenic views, and other appropriate design options, to create City Greenways that extend the experience of open spaces and nature into neighborhoods, while improving stormwater management and calming traffic.

74. **Finding:** These policies primarily relate to the design and construction of improvements for City Greenways and not to the development requirements for lots that abut them. This policy does not apply.

## Urban habitat corridors

**Policy 3.64. Urban habitat corridors.** Establish a system of connected, well-functioning, and diverse habitat corridors that link habitats in Portland and the region, facilitate safe fish and wildlife access and movement through and between habitat areas, enhance the quality and connectivity of existing habitat corridors, and establish new habitat corridors in developed areas.

**Policy 3.65. Habitat connection tools.** Improve habitat corridors using a mix of tools including natural resource protection, property acquisition, natural resource restoration, tree planting and landscaping with native plants, and ecological design integrated with new development.

**Policy 3.66. Connect habitat corridors.** Ensure that planned connections between habitat corridors, greenways, and trails are located and designed to support the functions of each element, and create positive interrelationships between the elements, while also protecting habitat functions, fish, and wildlife.

75. **Finding:** Habitat corridors are mapped on Figure 3-6 of the Comprehensive Plan. The EDEP amendments do not affect limits on building coverage, nor change Title 11 tree preservation and density requirements that apply in development situations. The EDEP land use review amendments are process oriented. The EDEP Inclusionary Housing amendment extends the provisions of an existing program for one year and do not significantly affect development and growth. These amendments have no direct impact on urban habitat corridors.

## Employment areas

**Policy 3.67. Employment area geographies.** Consider the land development and transportation needs of Portland’s employment geographies when creating and amending land use plans and making infrastructure investments.

**Policy 3.68. Regional Truck Corridors.** Enhance designated streets to accommodate forecast freight growth and support intensified industrial use in nearby freight districts. *See Figure 3-7 — Employment*

*Areas.* Designated regional truckways and priority truck streets (Transportation System Plan classifications are shown to illustrate this network).

**76. Finding:** The City Council interprets this policy to acknowledge the role that regional truck corridors play in our transportation system and to take steps to improve those functions. Portland’s approach to regional truck corridors is unchanged because the EDEP amendments do not amend the Citywide System Plan or the Transportation System Plan. The EDEP land use review amendments are process oriented. The EDEP Inclusionary Housing amendment will have no direct impact on employment areas because it is only applicable to residential development. Therefore, the City continues to plan for public infrastructure investments to maintain and strengthen the regional truck corridors in the employment areas.

## Rivers Pattern Area

**Policy 3.69. Historic and multi-cultural significance.** Recognize, restore, and protect the historic and multi-cultural significance of the Willamette and Columbia Rivers, including current activities such as subsistence fishing of legally-permitted fish species.

**Policy 3.70. River transportation.** Recognize and enhance the roles of the Willamette and Columbia rivers as part of Portland’s historic, current, and future transportation infrastructure, including for freight, commerce, commuting, and other public and private transportation functions.

**Policy 3.71. Recreation.** Improve conditions along and within the Willamette and Columbia rivers to accommodate a diverse mix of recreational users and activities. Designate and invest in strategically-located sites along the length of Portland’s riverfronts for passive or active recreation activities that are compatible with nearby land uses, historically and culturally important sites, significant habitat areas, restoration sites, and native fish and wildlife usage.

**Policy 3.72 Industry and port facilities.** Enhance the regionally significant economic infrastructure that includes Oregon’s largest seaport and largest airport, unique multimodal freight, rail, and harbor access; the region’s critical energy hub; and proximity to anchor manufacturing and distribution facilities.

**Policy 3.73. Habitat.** Enhance the roles of the Willamette and Columbia rivers and their confluence as an ecological hub that provides locally and regionally significant habitat for fish and wildlife and habitat restoration opportunities.

**Policy 3.74. Commercial activities.** Enhance the roles of the Willamette and Columbia rivers in supporting local and regional business and commerce, including commercial fishing, tourism, recreation, and leisure.

**Policy 3.75. River neighborhoods.** Enhance the strong river orientation of residential areas that are located along the Willamette and Columbia Rivers.

**Policy 3.76. River access.** Enhance and complete Portland’s system of river access points and riverside trails, including the Willamette Greenway Trail, and strengthen active transportation connections between neighborhoods and the rivers.

**Policy 3.77. River management and coordination.** Coordinate with federal, state, regional, special districts, and other agencies to address issues of mutual interest and concern, including economic development, recreation, water transportation, flood and floodplain management and protection, regulatory compliance, permitting, emergency management, endangered species recovery, climate change preparation, Portland Harbor Superfund, brownfield cleanup, and habitat restoration.

**Policy 3.78 Columbia River.** Enhance the role of the Columbia River for river dependent industry, fish and wildlife habitat, subsistence and commercial fisheries, floating- and land-based neighborhoods, recreational uses, and water transportation.

**Policy 3.79 Willamette River North Reach.** Enhance the role of the Willamette River North Reach for river dependent industry, fish and wildlife habitat, and as an amenity for riverfront neighborhoods and recreational users.

**Policy 3.80. Willamette River Central Reach.** Enhance the role of the Willamette River Central Reach as the Central City and region's primary riverfront destination for recreation, history and culture, emergency response, water transportation, and as habitat for fish and wildlife.

**Policy 3.81 Willamette River South Reach.** Enhance the role of the Willamette River South Reach as fish and wildlife habitat, a place to recreate, and as an amenity for riverfront neighborhoods and others.

**Policy 3.82. Willamette River Greenway.** Maintain multi-objective plans and regulations to guide development, infrastructure investments, and natural resource protection and enhancement within and along the Willamette Greenway.

77. **Finding:** The EDEP land use review amendments are process oriented. The EDEP Inclusionary Housing amendment extends the provisions of an existing program for one year and do not significantly affect development and growth. These amendments have no direct impact on the Rivers Pattern Area.

### Central City Pattern Area

**Policy 3.83. Central City districts.** Enhance the distinct identities of the Central City's districts.

**Policy 3.84. Central City river orientation.** Enhance and strengthen access and orientation to the Willamette River in the Central City and increase river-focused activities.

**Policy 3.85. Central City pedestrian system.** Maintain and expand the Central City's highly interconnected pedestrian system.

**Policy 3.86. Central City bicycle system.** Expand and improve the Central City's bicycle system.

78. **Finding:** The EDEP land use review amendments are process oriented. The EDEP Inclusionary Housing amendment does not apply within the Central City Plan District. These amendments have no direct impact on the Central City Pattern Area.

### Inner Neighborhoods Pattern Area

**Policy 3.87 Inner Neighborhoods main streets.** Maintain and enhance the Streetcar Era pattern of street-oriented buildings along Civic and Neighborhood corridors.

**Policy 3.88 Inner Neighborhoods street patterns.** Preserve the area's urban fabric of compact blocks and its highly interconnected grid of streets.

**Policy 3.89 Inner Neighborhoods infill.** Fill gaps in the urban fabric through infill development on vacant and underutilized sites and in the reuse of historic buildings on adopted inventories.

**Policy 3.90 Inner Neighborhoods active transportation.** Use the extensive street, sidewalk, and bikeway system and multiple connections to the Central City as a key part of Portland's active transportation system

**Policy 3.91 Inner Neighborhoods residential areas.** Continue the patterns of small, connected blocks,

regular lot patterns, and streets lined by planting strips and street trees in Inner Neighborhood residential areas.

**79. Finding:** Policies 3.87 through 3.91 provide direction on the desired characteristics and functions of the Inner Neighborhoods. The Inner Neighborhoods were developed and shaped during the Streetcar Era of the late 19th and early 20th centuries. The Inner Neighborhoods are characterized by a regular pattern of neighborhood business districts located along former streetcar streets interspersed with residential areas. These policies express the overall design approach in Inner Neighborhoods. They address block patterns, infill development, building orientation and design, and active transportation. The EDEP land use review amendments are process oriented. The EDEP Inclusionary Housing amendment extends the provisions of an existing program for one year and do not significantly affect development and growth. These amendments have no direct impact on desired characteristics and functions of the Inner Neighborhoods Pattern Area.

### Eastern Neighborhoods Pattern Area

**Policy 3.92 Eastern Neighborhoods street, block, and lot pattern.** Guide the evolving street and block system in the Eastern Neighborhoods in ways that build on positive aspects of the area's large blocks, such as opportunities to continue mid-block open space patterns and create new connections through blocks that make it easier to access community destinations.

**Policy 3.93 Eastern Neighborhoods site development.** Require that land be aggregated into larger sites before land divisions and other redevelopment occurs. Require site plans which advance design and street connectivity goals.

**Policy 3.94 Eastern Neighborhoods trees and natural features.** Encourage development and right-of-way design that preserves and incorporates Douglas fir trees and groves, and that protects the area's streams, forests, wetlands, steep slopes, and buttes.

**Policy 3.95 Eastern Neighborhoods buttes.** Enhance public views of the area's skyline of buttes and stands of tall Douglas fir trees.

**Policy 3.96 Eastern Neighborhoods corridor landscaping.** Encourage landscaped building setbacks along residential corridors on major streets.

**Policy 3.97 Eastern Neighborhoods active transportation.** Enhance access to centers, employment areas, and other community destinations in Eastern Neighborhoods by ensuring that corridors have safe and accessible pedestrian and bicycle facilities and creating additional secondary connections that provide low-stress pedestrian and bicycle access.

**80. Finding:** Policies 3.92 through 3.97 provide direction on the desired characteristics and functions of the Eastern Neighborhoods Pattern Area. They address street patterns, site development, natural features, and active transportation. The EDEP amendments are primarily process oriented or extend an existing program by one year and do not change any site development standards, transportation standards, or natural resources standards. These amendments have no direct impact on desired characteristics and functions of the Eastern Neighborhoods Pattern Area.

### Western Neighborhoods Pattern Area

**Policy 3.98 Western Neighborhoods village character.** Enhance the village character of the Western Neighborhoods' small commercial districts and increase opportunities for more people to live within walking distance of these neighborhood anchors.

**Policy 3.99 Western Neighborhoods active transportation.** Provide safe and accessible pedestrian and bicycle connections, as well as off-street trail connections, to and from residential neighborhoods.

**Policy 3.100 Western Neighborhoods development.** Encourage new development and infrastructure to be designed to minimize impacts on the area's streams, ravines, and forested slopes.

**Policy 3.101 Western Neighborhoods habitat corridors.** Preserve, enhance, and connect the area's network of habitat areas and corridors, streams, parks, and tree canopy.

**Policy 3.102 Western Neighborhoods trails.** Develop pedestrian-oriented connections and enhance the Western Neighborhoods' distinctive system of trails to increase safety, expand mobility, access to nature, and active living opportunities in the area.

**81. Finding:** Policies 3.98 through 3.102 provide direction on the desired characteristics and functions of the Western Neighborhoods Pattern Area. They address commercial development patterns, natural features, and trails. The EDEP amendments are primarily process oriented or extend an existing program by one year and do not change any site development standards, transportation standards, or natural resources standards. These amendments have no direct impact on desired characteristics and functions of the Western Neighborhoods Pattern Area.

## Chapter 4: Design and Development

**Goal 4.A: Context-sensitive design and development.** New development is designed to respond to and enhance the distinctive physical, historic, and cultural qualities of its location, while accommodating growth and change.

**Goal 4.B: Historic and cultural resources.** Historic and cultural resources are integral parts of an urban environment that continue to evolve and are preserved.

**Goal 4.C: Human and environmental health.** Neighborhoods and development are efficiently designed and built to enhance human and environmental health: they protect safety and livability; support local access to healthy food; limit negative impacts on water, hydrology, and air quality; reduce carbon emissions; encourage active and sustainable design; protect wildlife; address urban heat islands; and integrate nature and the built environment.

**Goal 4.D: Urban resilience.** Buildings, streets, and open spaces are designed to ensure long-term resilience and to adjust to changing demographics, climate, and economy, and withstand and recover from natural disasters.

**82. Finding:** These goals and many of the policies in this chapter address site and building design. The EDEP amendments are primarily process oriented or extend existing inclusionary housing rates for one year and do not change any site development standards, transportation standards, or natural resources standards. The policies of this chapter are not affected by these amendments.

### Context

**Policy 4.1. Pattern areas.** Encourage building and site designs that respect the unique built, natural, historic, and cultural characteristics of Portland's five pattern areas described in Chapter 3: Urban Form.

**Policy 4.2. Community identity.** Encourage the development of character-giving design features that are responsive to place and the cultures of communities.

**Policy 4.3. Site and context.** Encourage development that responds to and enhances the positive qualities of site and context — the neighborhood, the block, the public realm, and natural features.

**Policy 4.4. Natural features and green infrastructure.** Integrate natural and green infrastructure such as trees, green spaces, ecoroofs, gardens, green walls, and vegetated stormwater management systems, into the urban environment. Encourage stormwater facilities that are designed to be a functional and attractive element of public spaces, especially in centers and corridors.

**Policy 4.5. Pedestrian-oriented design.** Enhance the pedestrian experience throughout Portland through public and private development that creates accessible, safe, and attractive places for all those who walk and/or use wheelchairs or other mobility devices.

**Policy 4.6. Street orientation.** Promote building and site designs that enhance the pedestrian experience with windows, entrances, pathways, and other features that provide connections to the street environment.

**Policy 4.7. Development and public spaces.** Guide development to help create high-quality public places and street environments while considering the role of adjacent development in framing, shaping, and activating the public space of streets and urban parks.

**Policy 4.8. Alleys.** Encourage the continued use of alleys for parking access, while preserving pedestrian access. Expand the number of alley-facing accessory dwelling units.

**Policy 4.9. Transitional urbanism.** Encourage temporary activities and structures in places that are transitioning to urban areas to promote job creation, entrepreneurship, active streets, and human interaction.

## Health and safety

**Policy 4.10. Design for active living.** Encourage development and building and site design that promotes a healthy level of physical activity in daily life.

**Policy 4.11. Access to light and air.** Provide for public access to light and air by managing and shaping the height and mass of buildings while accommodating urban-scale development.

**Policy 4.12. Privacy and solar access.** Encourage building and site designs that consider privacy and solar access for residents and neighbors while accommodating urban-scale development.

**Policy 4.13. Crime-preventive design.** Encourage building, site, and public infrastructure design approaches that help prevent crime.

**Policy 4.14. Fire prevention and safety.** Encourage building and site design that improves fire prevention, safety, and reduces seismic risks.

## Residential areas

**Policy 4.15. Residential area continuity and adaptability.** Encourage more housing choices to accommodate a wider diversity of family sizes, incomes, and ages, and the changing needs of households over time. Allow adaptive reuse of existing buildings, the creation of accessory dwelling units, and other arrangements that bring housing diversity that is compatible with the general scale and patterns of residential areas.

**Policy 4.16. Scale and patterns.** Encourage design and development that complements the general scale, character, and natural landscape features of neighborhoods. Consider building forms, scale, street frontage relationships, setbacks, open space patterns, and landscaping. Allow for a range of architectural styles and expression.

**Policy 4.17. Demolitions.** Encourage alternatives to the demolition of sound housing, such as rehabilitation and adaptive reuse, especially affordable housing, and when new development would provide no additional housing opportunities beyond replacement.

**Policy 4.18. Compact single-family options.** Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

**Policy 4.19. Resource efficient and healthy residential design and development.** Support resource efficient and healthy residential design and development.

## Design and development of centers and corridors

**Policy 4.20. Walkable scale.** Focus services and higher-density housing in the core of centers to support a critical mass of demand for commercial services and more walkable access for customers.

**Policy 4.21. Street environment.** Encourage development in centers and corridors to include amenities that create a pedestrian-oriented environment and provide places for people to sit, spend time, and gather.

**Policy 4.22. Relationship between building height and street size.** Encourage development in centers and corridors that is responsive to street space width, thus allowing taller buildings on wider streets.

**Policy 4.23. Design for pedestrian and bicycle access.** Provide accessible sidewalks, high-quality

bicycle access, and frequent street connections and crossings in centers and corridors.

**Policy 4.24. Drive-through facilities.** Prohibit drive through facilities in the Central City, and limit new development of new ones in the Inner Ring Districts and centers to support a pedestrian-oriented environment.

**Policy 4.25. Residential uses on busy streets.** Improve the livability of places and streets with high motor vehicle volumes. Encourage landscaped front setbacks, street trees, and other design approaches to buffer residents from street traffic.

**Policy 4.26. Active gathering places.** Locate public squares, plazas, and other gathering places in centers and corridors to provide places for community activity and social connections. Encourage location of businesses, services, and arts adjacent to these spaces that relate to and promote the use of the space.

**Policy 4.27. Protect defining features.** Protect and enhance defining places and features of centers and corridors, including landmarks, natural features, and historic and cultural resources.

**Policy 4.28. Historic buildings in centers and corridors.** Protect and encourage the restoration and improvement of historic resources in centers and corridors.

**Policy 4.29. Public art.** Encourage new development and public places to include design elements and public art that contribute to the distinct identities of centers and corridors, and that highlight the history and diverse cultures of neighborhoods.

## Transitions

**Policy 4.30. Scale transitions.** Create transitions in building scale in locations where higher-density and higher-intensity development is adjacent to smaller-scale single-dwelling zoning. Ensure that new high-density and large-scale infill development adjacent to single dwelling zones incorporates design elements that soften transitions in scale and limit light and privacy impacts on adjacent residents.

**Policy 4.31. Land use transitions.** Improve the interface between non-residential uses and residential uses in areas where commercial or employment uses are adjacent to residentially-zoned land.

**Policy 4.32. Industrial edge.** Protect non-industrially zoned parcels from the adverse impacts of facilities and uses on industrially zoned parcels using a variety of tools, including but not limited to vegetation, physical separation, land acquisition, and insulation to establish buffers between industrial sanctuaries and adjacent residential or mixed-use areas to protect both the viability of long-term industrial operations and the livability of adjacent areas.

## Off-site impacts

**Policy 4.33. Off-site impacts.** Limit and mitigate public health impacts, such as odor, noise, glare, light pollution, air pollutants, and vibration that public facilities, land uses, or development may have on adjacent residential or institutional uses, and on significant fish and wildlife habitat areas. Pay attention to limiting and mitigating impacts to under-served and under-represented communities.

**Policy 4.34. Auto-oriented facilities, uses, and exterior displays.** Minimize the adverse impacts of highways, auto-oriented uses, vehicle areas, drive-through areas, signage, and exterior display and storage areas on adjacent residential uses.

**Policy 4.35. Noise impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative noise impacts to building users and residents, particularly in areas near freeways, regional truckways, major city traffic streets, and other sources of noise.

**Policy 4.36. Air quality impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative air quality impacts to building users and residents, particularly in areas near freeways, regional truckways, high traffic streets, and other sources of air pollution.

**Policy 4.37. Diesel emissions.** Encourage best practices to reduce diesel emissions and related impacts when considering land use and public facilities that will increase truck or train traffic.

**Policy 4.38. Light pollution.** Encourage lighting design and practices that reduce the negative impacts of light pollution, including sky glow, glare, energy waste, impacts to public health and safety, disruption of ecosystems, and hazards to wildlife.

**Policy 4.39. Airport noise.** Partner with the Port of Portland to require compatible land use designations and development within the noise-affected area of Portland International Airport, while providing disclosure of the level of aircraft noise and mitigating the potential impact of noise within the affected area.

**Policy 4.40. Telecommunication facility impacts.** Mitigate the visual impact of telecommunications and broadcast facilities near residentially zoned areas through physical design solutions.

### Scenic resources

**Policy 4.41. Scenic resources.** Enhance and celebrate Portland's scenic resources to reinforce local identity, histories, and cultures and contribute toward way-finding throughout the city. Consider views of mountains, hills, buttes, rivers, streams, wetlands, parks, bridges, the Central City skyline, buildings, roads, art, landmarks, or other elements valued for their aesthetic appearance or symbolism.

**Policy 4.42. Scenic resource protection.** Protect and manage designated significant scenic resources by maintaining scenic resource inventories, protection plans, regulations, and other tools.

**Policy 4.43. Vegetation management.** Maintain regulations and other tools for managing vegetation in a manner that preserves or enhances designated significant scenic resources.

**Policy 4.44. Building placement, height, and massing.** Maintain regulations and other tools related to building placement, height, and massing to preserve designated significant scenic resources.

**Policy 4.45. Future development.** Encourage new public and private development to create new public viewpoints providing views of Portland's rivers, bridges, surrounding mountains, hills and buttes, the Central City skyline, and other landmark features.

### Historic and cultural resources

**Policy 4.46. Historic and cultural resource protection.** Protect and encourage the restoration of historic buildings, places, and districts that contribute to the distinctive character and history of Portland's evolving urban environment.

**Policy 4.47. State and federal historic resource support.** Advocate for state and federal policies, programs, and legislation that would enable stronger historic resource designations, protections, and rehabilitation programs.

**Policy 4.48. Continuity with established patterns.** Encourage development that fills in vacant and underutilized gaps within the established urban fabric, while preserving and complementing historic resources.

**Policy 4.49. Resolution of conflicts.** Adopt and periodically update design guidelines for unique historic districts. Refine base zoning in historic districts to consider the character of the historic resources in the district.

**Policy 4.50. Demolition.** Protect historic resources from demolition. Provide opportunities for public comment, and encourage pursuit of alternatives to demolition or other actions that mitigate for the loss.

**Policy 4.51. City-owned historic resources.** Maintain City-owned historic resources with necessary upkeep and repair.

**Policy 4.52. Historic Resources Inventory.** Maintain and periodically update Portland's Historic Resources Inventory to inform historic and cultural resource preservation strategies.

**Policy 4.53. Preservation equity.** Expand historic preservation inventories, regulations, and programs to encourage historic preservation in areas and in communities that have not benefited from past historic preservation efforts, especially in areas with high concentrations of under-served and/or under-represented people.

**Policy 4.54. Cultural diversity.** Work with Portland's diverse communities to identify and preserve places of historic and cultural significance.

**Policy 4.55. Cultural and social significance.** Encourage awareness and appreciation of cultural diversity and the social significance of historic places and their roles in enhancing community identity and sense of place.

**Policy 4.56. Community structures.** Encourage the adaptive reuse of historic community structures, such as former schools, meeting halls, and places of worship, for arts, cultural, and community uses that continue their role as anchors for community and culture.

**Policy 4.57. Economic viability.** Provide options for financial and regulatory incentives to allow for the productive, reasonable, and adaptive reuse of historic resources.

**Policy 4.58. Archaeological resources.** Protect and preserve archaeological resources, especially those sites and objects associated with Native American cultures. Work in partnership with Sovereign tribes, Native American communities, and the state to protect against disturbance to Native American archaeological resources.

## Public art

**Policy 4.59. Public art and development.** Create incentives for public art as part of public and private development projects.

## Resource-efficient design and development

**Policy 4.60. Rehabilitation and adaptive reuse.** Encourage rehabilitation and adaptive reuse of buildings, especially those of historic or cultural significance, to conserve natural resources, reduce waste, and demonstrate stewardship of the built environment.

**Policy 4.61. Compact housing.** Promote the development of compact, space- and energy-efficient housing types that minimize use of resources such as smaller detached homes or accessory dwellings and attached homes.

**Policy 4.62. Seismic and energy retrofits.** Promote seismic and energy-efficiency retrofits of historic buildings and other existing structures to reduce carbon emissions, save money, and improve public safety.

**Policy 4.63. Life cycle efficiency.** Encourage use of technologies, techniques, and materials in building design, construction, and removal that result in the least environmental impact over the life cycle of the structure.

**Policy 4.64. Deconstruction.** Encourage salvage and reuse of building elements when demolition is necessary or appropriate.

**Policy 4.65. Materials and practices.** Encourage use of natural, resource-efficient, recycled, recycled content, and non-toxic building materials and energy-efficient building practices.

**Policy 4.66. Water use efficiency.** Encourage site and building designs that use water efficiently and manage stormwater as a resource.

**Policy 4.67. Optimizing benefits.** Provide mechanisms to evaluate and optimize the range of benefits from solar and renewable resources, tree canopy, ecoroofs, and building design.

**Policy 4.68. Energy efficiency.** Encourage and promote energy efficiency significantly beyond the Statewide Building Code and the use of solar and other renewable resources in individual buildings and at a district scale.

**Policy 4.69. Reduce carbon emissions.** Encourage a development pattern that minimizes carbon emissions from building and transportation energy use.

**Policy 4.70. District energy systems.** Encourage and remove barriers to the development and expansion of low-carbon heating and cooling systems that serve multiple buildings or a broader district.

**Policy 4.71. Ecodistricts.** Encourage ecodistricts, where multiple partners work together to achieve sustainability and resource efficiency goals at a district scale.

**Policy 4.72. Energy-producing development.** Encourage and promote development that uses renewable resources, such as solar, wind, and water to generate power on-site and to contribute to the energy grid.

## Designing with nature

**Policy 4.73. Design with nature.** Encourage design and site development practices that enhance, and avoid the degradation of, watershed health and ecosystem services and that incorporate trees and vegetation.

**Policy 4.74. Flexible development options.** Encouraging flexibility in the division of land, the siting and design of buildings, and other improvements to reduce the impact of development on environmentally-sensitive areas and to retain healthy native and beneficial vegetation and trees.

**Policy 4.75. Low-impact development and best practices.** Encourage use of low-impact development, habitat-friendly development, bird-friendly design, and green infrastructure.

**Policy 4.76. Impervious surfaces.** Limit use of and strive to reduce impervious surfaces and associated impacts on hydrologic function, air and water quality, habitat connectivity, tree canopy, and urban heat island effects.

**Policy 4.77. Hazards to wildlife.** Encourage building, lighting, site, and infrastructure design and practices that provide safe fish and wildlife passage, and reduce or mitigate hazards to birds, bats, and other wildlife.

**Policy 4.78. Access to nature.** Promote equitable, safe, and well-designed physical and visual access to nature for all Portlanders, while also maintaining the functions and values of significant natural resources, fish, and wildlife. Provide access to major natural features, including:

- Water bodies such as the Willamette and Columbia rivers, Smith and Bybee Lakes, creeks, streams, and sloughs.

- Major topographic features such as the West Hills, Mt. Tabor, and the East Buttes.
- Natural areas such as Forest Park and Oaks Bottom.

## Hazard-resilient design

**Policy 4.79. Natural hazards and climate change risks and impacts.** Limit development in or near areas prone to natural hazards, using the most current hazard and climate change-related information and maps.

**Policy 4.80. Geological hazards.** Evaluate slope and soil characteristics, including liquefaction potential, landslide hazards, and other geologic hazards.

**Policy 4.81. Disaster-resilient development.** Encourage development and site-management approaches that reduce the risks and impacts of natural disasters or other major disturbances and that improve the ability of people, wildlife, natural systems, and property to withstand and recover from such events.

**Policy 4.83. Urban heat islands.** Encourage development, building, landscaping, and infrastructure design that reduce urban heat island effects.

**Policy 4.82. Portland Harbor Facilities.** Reduce natural hazard risks to critical public and private energy and transportation facilities in the Portland Harbor.

**Policy 4.84. Planning and disaster recovery.** Facilitate effective disaster recovery by providing recommended updates to land use designations and development codes, in preparation for natural disasters.

## Healthy food

**Policy 4.85. Grocery stores and markets in centers.** Facilitate the retention and development of grocery stores, neighborhood-based markets, and farmer's markets offering fresh produce in centers.

**Policy 4.86. Neighborhood food access.** Encourage small, neighborhood-based retail food opportunities, such as corner markets, food co-ops, food buying clubs, and community-supported agriculture pickup/drop-off sites, to fill in service gaps in food access across the city.

**Policy 4.87. Growing food.** Increase opportunities to grow food for personal consumption, donation, sales, and educational purposes.

**Policy 4.88. Access to community gardens.** Ensure that community gardens are allowed in areas close to or accessible via transit to people living in areas zoned for mixed-use or multi-dwelling development, where residents have few opportunities to grow food in yards.

## Chapter 5: Housing

**Goal 5.A: Housing diversity.** Portlanders have access to high-quality affordable housing that accommodates their needs, preferences, and financial capabilities in terms of different types, tenures, density, sizes, costs, and locations.

**Goal 5.B: Equitable access to housing.** Portland ensures equitable access to housing, making a special effort to remove disparities in housing access for people with disabilities, people of color, low-income households, diverse household types, and older adults.

**Goal 5.C: Healthy connected city.** Portlanders live in safe, healthy housing that provides convenient access to jobs and to goods and services that meet daily needs. This housing is connected to the rest of the city and region by safe, convenient, and affordable multimodal transportation.

**Goal 5.D: Affordable housing.** Portland has an adequate supply of affordable housing units to meet the needs of residents vulnerable to increasing housing costs.

**Goal 5.E: High-performance housing.** Portland residents have access to resource-efficient and high-performance housing for people of all abilities and income levels.

**Finding:** The EDEP land use review process amendments support these Housing goals by extending the expiration date of approved land use actions, many of which include housing development. The EDEP Inclusionary Housing amendment is consistent with these policies because it supports the creation and integration of permanently affordable housing units at or below 80 percent Area Median Income into new construction residential development, providing housing for different levels of financial capabilities. This will lead to income diversity within individual buildings and at the neighborhood level, advancing economic and social integration and supporting community stabilization for households at risk of displacement. As noted in the findings for Chapter 2, Community Involvement, an amendment was introduced at the first City Council hearing to shorten this extension from three years to one year. This amendment continues to support these Housing goals as noted here. It gives staff one year to further study the IH program and identify steps to better calibrate the program to maximize affordable housing. If Council determines at the end of the one year that more time is needed, further Council action can extend the lower rate provision.

While the EDEP amendments extend the timeframe for lower inclusionary housing rates by one year, this extension is found to be a necessary step for the City to take. The current inclusionary housing rate for projects outside the Central City and Gateway are 8% of units at 60% MFI and 15% of units at 80% MFI. These rates were set to increase to 10% and 20% of units respectively on January 1, 2021. The Bureau of Planning and Sustainability and Portland Housing Bureau closely monitor the City's Inclusionary Housing program to ensure that the program is producing affordable units through multi-family development. There are currently a significant number of projects with Inclusionary Housing units already permitted or in the permitting process. The disruption to the national and regional economy due to the COVID-19 pandemic is creating uncertainty for residential development projects. This amendment will alleviate some of that uncertainty, and better enable these projects to move forward. The risk of not extending this timeframe is that projects become less feasible, and consequently may not get built. The result of which is that no affordable units are produced, and the supply of market rate housing is also impacted.

*Note: Council finds that only specific policies are applicable and provides responsive findings for the applicable policies below.*

## Diverse and expanding housing supply

**Policy 5.1. Housing supply.** Maintain sufficient residential development capacity to accommodate Portland's projected share of regional household growth.

83. **Finding:** The EDEP amendments support this policy by providing flexibility for applicants impacted by the COVID-19 pandemic. This flexibility will allow proposed housing projects that may have been delayed or abandoned to instead proceed, expanding the housing supply.

**Policy 5.2. Housing growth.** Strive to capture at least 25 percent of the seven-county region's residential growth (Multnomah, Washington, Clackamas, Yamhill, Columbia, Clark, and Skamania counties).

**Policy 5.3. Housing potential.** Evaluate plans and investments for their impact on housing capacity, particularly the impact on the supply of housing units that can serve low- and moderate-income households, and identify opportunities to meet future demand.

**Policy 5.4. Housing types.** Encourage new and innovative housing types that meet the evolving needs of Portland households, and expand housing choices in all neighborhoods. These housing types include but are not limited to single-dwelling units; multi-dwelling units; accessory dwelling units; small units; pre-fabricated homes such as manufactured, modular, and mobile homes; co-housing; and clustered housing/clustered services.

**Policy 5.5. Housing in centers.** Apply zoning in and around centers that allows for and supports a diversity of housing that can accommodate a broad range of households, including multi-dwelling and family-friendly housing options.

**Policy 5.6. Middle housing.** Enable and encourage development of middle housing. This includes multi-unit or clustered residential buildings that provide relatively smaller, less expensive units; more units; and a scale transition between the core of the mixed use center and surrounding single family areas. Where appropriate, apply zoning that would allow this within a quarter mile of designated centers, corridors with frequent service transit, high capacity transit stations, and within the Inner Ring around the Central City.

**Policy 5.7. Adaptable housing.** Encourage adaption of existing housing and the development of new housing that can be adapted in the future to accommodate the changing variety of household types.

**Policy 5.8. Physically-accessible housing.** Allow and support a robust and diverse supply of affordable, accessible housing to meet the needs of older adults and people with disabilities, especially in centers, station areas, and other places that are proximate to services and transit.

**Policy 5.9. Accessible design for all.** Encourage new construction and retrofitting to create physically-accessible housing, extending from the individual unit to the community, using Universal Design Principles.

**Policy 5.10. Coordinate with fair housing programs.** Foster inclusive communities, overcome disparities in access to community assets, and enhance housing choice for people in protected classes throughout the city by coordinating plans and investments to affirmatively further fair housing.

84. **Finding:** The Comprehensive Plan defines "foster" to mean "encourage or guide the incremental development of something over a long period of time." The EDEP Inclusionary Housing amendments encourage and enhance housing choice by supporting the production of market rate

and affordable housing units through development projects subject to Inclusionary Housing Program requirements.

## Housing access

**Policy 5.11. Remove barriers.** Remove potential regulatory barriers to housing choice for people in protected classes to ensure freedom of choice in housing type, tenure, and location.

**Policy 5.12. Impact analysis.** Evaluate plans and investments, significant new infrastructure, and significant new development to identify potential disparate impacts on housing choice, access, and affordability for protected classes and low-income households. Identify and implement strategies to mitigate the anticipated impacts.

**Policy 5.13. Housing stability.** Coordinate plans and investments with programs that prevent avoidable, involuntary evictions and foreclosures.

**Policy 5.14. Preserve communities.** Encourage plans and investments to protect and/or restore the socioeconomic diversity and cultural stability of established communities.

**Policy 5.15. Gentrification/displacement risk.** Evaluate plans and investments, significant new infrastructure, and significant new development for the potential to increase housing costs for, or cause displacement of communities of color, low- and moderate-income households, and renters. Identify and implement strategies to mitigate the anticipated impacts.

**Policy 5.16. Involuntary displacement.** When plans and investments are expected to create neighborhood change, limit the involuntary displacement of those who are under-served and under-represented. Use public investments and programs, and coordinate with nonprofit housing organizations (such as land trusts and housing providers) to create permanently-affordable housing and to mitigate the impacts of market pressures that cause involuntary displacement.

**85. Finding:** The City Council interprets Policies 5.12 to 5.16 as requiring evaluation and analysis as to who will benefit and who will be burdened by a planning decision, including amendments to the Comprehensive Plan, the Comprehensive Plan Map, the Zoning Code, and the Zoning Map. The EDEP Inclusionary Housing amendments help to continue advancing economic and social integration of affordable housing into market rate development projects. Permanent affordable units provided under the Inclusionary Housing program requirements advance long term community stability. The Council interprets “involuntary displacement” to occur when a resident is forced to relocate due to factors that are beyond the resident’s control including but not limited to increased rents. Affordable housing units dedicated in compliance with the Inclusionary Housing program create opportunities mitigating impacts of displacement in areas that are experiencing increases in housing costs and development of new multi-family development.

**Policy 5.17. Land banking.** Support and coordinate with community organizations to hold land in reserve for affordable housing, as an anti-displacement tool, and for other community development purposes.

**Policy 5.18. Rebuild communities.** Coordinate plans and investments with programs that enable communities impacted by involuntary displacement to maintain social and cultural connections, and re-establish a stable presence and participation in the impacted neighborhoods.

**Policy 5.19. Aging in place.** Encourage a range of housing options and supportive environments to enable older adults to remain in their communities as their needs change.

## Housing location

**Policy 5.20. Coordinate housing needs in high-poverty areas.** Meet the housing needs of under-served and under-represented populations living in high-poverty areas by coordinating plans and investments with housing programs.

86. **Finding:** The EDEP Inclusionary Housing amendment supports the development of new affordable housing units in high poverty areas and aligns resources of existing incentive programs at the Portland Housing Bureau to advance goals of mixed-income neighborhoods.

**Policy 5.21. Access to opportunities.** Improve equitable access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities in areas with high concentrations of under-served and under-represented populations and an existing supply of affordable housing.

**Policy 5.22. New development in opportunity areas.** Locate new affordable housing in areas that have high/medium levels of opportunity in terms of access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities.

87. **Finding:** The City Council interprets this policy to equate the term opportunity area to the concept of complete neighborhoods in the Portland Plan's Healthy Connected City strategy. The Inclusionary Housing Zoning Code supports the development of new affordable housing units in high/medium opportunity areas.

**Policy 5.23. Higher-density housing.** Locate higher-density housing, including units that are affordable and accessible, in and around centers to take advantage of the access to active transportation, jobs, open spaces, schools, and various services and amenities.

**Policy 5.24. Impact of housing on schools.** Evaluate plans and investments for the effect of housing development on school enrollment, financial stability, and student mobility. Coordinate with school districts to ensure plans are aligned with school facility plans.

## Housing affordability

**Policy 5.25. Housing preservation.** Preserve and produce affordable housing to meet needs that are not met by the private market by coordinating plans and investments with housing providers and organizations.

88. **Finding:** The EDEP Inclusionary Housing amendments support the inclusion of affordable housing in market rate development projects to advance goals of mixed-income communities.

**Policy 5.26. Regulated affordable housing target.** Strive to produce at least 10,000 new regulated affordable housing units citywide by 2035 that will be affordable to households in the 0-80 percent MFI bracket.

89. **Finding:** The EDEP Inclusionary Housing amendment helps advance the policy to produce at least 10,000 new regulated affordable housing units under 80 percent MFI by 2035.

**Policy 5.27. Funding plan.** Encourage development or financial or regulatory mechanisms to achieve the regulated affordable housing target set forth for 2035.

**Policy 5.28. Inventory of regulated affordable housing.** Coordinate periodic inventories of the supply of regulated affordable housing in the four-county (Clackamas, Clark, Multnomah and Washington) region with Metro.

**Policy 5.29. Permanently-affordable housing.** Increase the supply of permanently-affordable housing, including both rental and homeownership opportunities.

90. **Finding:** The EDEP Inclusionary Housing amendment applies to both rental and ownership housing for new buildings with 20 or more units. The amendment supports an increase in the supply of permanently-affordable housing by extending the lower inclusion rate to provide greater stability for the private housing development market as it adjusts to changing economic conditions.

**Policy 5.30. Housing cost burden.** Evaluate plans and investments for their impact on household cost, and consider ways to reduce the combined cost of housing, utilities, and/or transportation. Encourage energy-efficiency investments to reduce overall housing costs.

**Policy 5.31. Household prosperity.** Facilitate expanding the variety of types and sizes of affordable housing units, and do so in locations that provide low-income households with greater access to convenient transit and transportation, education and training opportunities, the Central City, industrial districts, and other employment areas.

91. **Finding:** The EDEP Inclusionary Housing amendment supports the development of new affordable housing units in high/medium opportunity areas that have good access to transit, employment, schools, parks and daily needs.

**Policy 5.32 Affordable Housing in Centers.** Encourage income diversity in and around centers by allowing a mix of housing types and tenures.

**Policy 5.33. Central City affordable housing.** Encourage the preservation and production of affordable housing in the Central City to take advantage of the area's unique concentration of active transportation access, jobs, open spaces, and supportive services and amenities.

92. **Finding:** The EDEP Inclusionary Housing amendment does not apply in the Central City. This policy does not apply.

**Policy 5.34. Affordable housing resources.** Pursue a variety of funding sources and mechanisms including new financial and regulatory tools to preserve and develop housing units and various assistance programs for households whose needs are not met by the private market.

93. **Finding:** The EDEP Inclusionary Housing amendment supports an increase the supply of permanently-affordable housing with a lower inclusion rate to give more time for the private market adjust to the new higher rate requirements.

**Policy 5.35. Inclusionary housing.** Use inclusionary zoning and other regulatory tools to effectively link the production of affordable housing to the production of market-rate housing.

94. **Finding:** Inclusionary housing is intended to leverage the private market to support the production of permanent affordable housing. The EDEP Inclusionary Housing amendment supports a phasing in of inclusion rates to best leverage market rate development to provide affordable housing through the Inclusionary Housing program requirements.

**Policy 5.36. Impact of regulations on affordability.** Evaluate how existing and new regulations affect private development of affordable housing, and minimize negative impacts where possible. Avoid regulations that facilitate economically-exclusive neighborhoods.

**Policy 5.37. Mobile home parks.** Encourage preservation of mobile home parks as a low/moderate-income housing option. Evaluate plans and investments for potential redevelopment pressures on existing mobile home parks and impacts on park residents and protect this low/moderate-income housing option. Facilitate replacement and alteration of manufactured homes within an existing

mobile home park.

**Policy 5.38. Workforce housing.** Encourage private development of a robust supply of housing that is affordable to moderate-income households located near convenient multimodal transportation that provides access to education and training opportunities, the Central City, industrial districts, and other employment areas.

95. **Finding:** The EDEP Inclusionary Housing amendment supports the development feasibility of workforce housing at the 60 to 80 percent Area Median Income level by supporting market rate development feasibility through an extension of time to meet higher inclusionary housing rates in the face of changing market conditions.

**Policy 5.39. Compact single-family options.** Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

**Policy 5.40 Employer-assisted housing.** Encourage employer-assisted affordable housing in conjunction with major employment development.

96. **Finding:** The EDEP amendments do not change employment-related development regulations.

**Policy 5.41 Affordable homeownership.** Align plans and investments to support improving homeownership rates and locational choice for people of color and other groups who have been historically under-served and under-represented.

**Policy 5.42 Homeownership retention.** Support opportunities for homeownership retention for people of color and other groups who have been historically under-served and under-represented.

**Policy 5.43 Variety in homeownership opportunities.** Encourage a variety of ownership opportunities and choices by allowing and supporting including but not limited to condominiums, cooperatives, mutual housing associations, limited equity cooperatives, land trusts, and sweat equity.

**Policy 5.44 Regional cooperation.** Facilitate opportunities for greater regional cooperation in addressing housing needs in the Portland Metropolitan area, especially for the homeless, low- and moderate-income households, and historically under-served and under-represented communities.

**Policy 5.45 Regional balance.** Encourage development of a “regional balance” strategy to secure greater regional participation to address the housing needs of homeless people and communities of color, low- and moderate-income households, and historically under-served and under-represented communities throughout the region.

## Homelessness

**Policy 5.46. Housing continuum.** Prevent homelessness and reduce the time spent being homeless by ensuring that a continuum of safe and affordable housing opportunities and related supportive services are allowed, including but not limited to Permanent Supportive Housing, transitional housing, self-built micro housing communities, emergency shelters, temporary shelters such as warming centers, and transitional campgrounds.

## Health, safety, and well-being

**Policy 5.47 Healthy housing.** Encourage development and maintenance of all housing, especially multi-dwelling housing, that protects the health and safety of residents and encourages healthy

lifestyles and active living.

**Policy 5.48 Housing safety.** Require safe and healthy housing free of hazardous materials such as lead, asbestos, and radon.

**Policy 5.49. Housing quality.** Encourage housing that provides high indoor air quality, access to sunlight and outdoor spaces, and is protected from excessive noise, pests, and hazardous environmental conditions.

**Policy 5.50. High-performance housing.** Encourage energy efficiency, green building practices, materials, and design to produce healthy, efficient, durable, and adaptable homes that are affordable or reasonably priced.

**Policy 5.51. Healthy and active living.** Encourage housing that provides features supportive of healthy eating and active living such as useable open areas, recreation areas, community gardens, crime-preventive design, and community kitchens in multifamily housing.

**Policy 5.52. Walkable surroundings.** Encourage active transportation in residential areas through the development of pathways, sidewalks, and high-quality onsite amenities such as secure bicycle parking.

**Policy 5.53. Responding to social isolation.** Encourage site designs and relationship to adjacent developments that reduce social isolation for groups that often experience it, such as older adults, people with disabilities, communities of color, and immigrant communities.

97. **Finding:** Policies 5.47 through 5.53 relate to the design of housing. The EDEP amendments do not change any development standards that govern the design of housing. These policies do not apply.

**Policy 5.54 Renter protections.** Enhance renter health, safety, and stability through education, expansion of enhanced inspections, and support of regulations and incentives that protect tenants and prevent involuntary displacement.

98. **Finding:** The EDEP amendments do not alter regulations establishing tenant protections including required relocation assistance when properties are sold and/or redeveloped (PCC 30.01.085). As a result, this policy does not apply.

## Chapter 6: Economic Development

**Goal 6.A: Prosperity.** Portland has vigorous economic growth and a healthy, diverse economy that supports prosperity and equitable access to employment opportunities for an increasingly diverse population. A strong economy that is keeping up with population growth and attracting resources and talent can:

- Create opportunity for people to achieve their full potential.
- Improve public health.
- Support a healthy environment.
- Support the fiscal well-being of the city.

**Goal 6.B: Development.** Portland supports an attractive environment for industrial, commercial, and institutional job growth and development by: 1) maintaining an adequate land supply; 2) a local development review system that is nimble, predictable, and fair; and 3) high-quality public facilities and services.

**Goal 6.C: Business district vitality.** Portland implements land use policy and investments to:

- Ensure that commercial, institutional, and industrial districts support business retention and expansion.
- Encourage the growth of districts that support productive and creative synergies among local businesses.
- Provide convenient access to goods, services, and markets.
- Take advantage of our location and quality of life advantages as a gateway to world-class natural landscapes in Northwest Oregon, Southwest Washington, and the Columbia River Basin, and a robust interconnected system of natural landscapes within the region's Urban Growth Boundary.

99. **Finding:** The EDEP amendments can be grouped into two "buckets". The first bucket contains several amendments that provide deadline flexibility in land use review processes, while the second bucket is an amendment that maintains an existing exception that allows a lower amount of affordable housing for Inclusionary Housing projects outside of the Central City and Gateway Plan Districts. All of the amendments are intended to grant some measure of relief to applicants affected by the COVID-19 pandemic during a time of economic uncertainty in the housing market. Without the options provided by these amendments, some previously approved projects and some currently pending approval will not be able to be completed within the current statutory deadlines. The time delay and additional costs associated with reviewing these projects a second time through a subsequent land use review procedure decrease the feasibility that such projects would therefore occur. With regard to inclusionary housing rate changes, increasing the required rate of affordable units for projects in less certain economic conditions impacts the ability for these projects to move forward. Without the relief provided by EDEP, the City's ability to weather the impending economic downturn will be further hampered. This relief for economic activities is vital for supporting prosperity and equitable access to employment opportunities for an increasingly diverse population.

*Note: Council finds that only specific policies are applicable and provides responsive findings for the applicable policies below.*

## **Diverse, expanding city economy**

**Policy 6.1. Diverse and growing community.** Expand economic opportunity and improve economic equity for Portland's diverse, growing population through sustained business growth.

**Policy 6.2. Diverse and expanding economy.** Align plans and investments to maintain the diversity of Portland's economy and status as Oregon's largest job center with growth across all sectors (commercial, industrial, creative, and institutional) and across all parts of the city.

**Policy 6.3. Employment growth.** Strive to capture at least 25 percent of the seven-county region's employment growth (Multnomah, Washington, Clackamas, Yamhill, Columbia, Clark, and Skamania counties).

**Policy 6.4. Fiscally-stable city.** Promote a high citywide jobs-to-households ratio that supports tax revenue growth at pace with residential demand for municipal services.

**Policy 6.5. Economic resilience.** Improve Portland's economic resilience to impacts from climate change and natural disasters through a strong local economy and equitable opportunities for prosperity.

**Policy 6.6. Low-carbon and renewable energy economy.** Align plans and investments with efforts to improve energy efficiency and reduce lifecycle carbon emissions from business operations. Promote employment opportunities associated with energy efficiency projects, waste reduction, production of more durable goods, and recycling.

**Policy 6.7. Competitive advantages.** Maintain and strengthen the city's comparative economic advantages including access to a high-quality workforce, business diversity, competitive business climate, and multimodal transportation infrastructure.

**Policy 6.8. Business environment.** Use plans and investments to help create a positive business environment in the city and provide strategic assistance to retain, expand, and attract businesses.

**Policy 6.9. Small business development.** Facilitate the success and growth of small businesses and coordinate plans and investments with programs that provide technical and financial assistance to promote sustainable operating practices.

**Policy 6.10. Business innovation.** Encourage innovation, research, development, and commercialization of new technologies, products, and services through responsive regulations and public sector approaches.

**Policy 6.11. Sharing economy.** Encourage mechanisms that enable individuals, corporations, non-profits, and government to market, distribute, share, and reuse excess capacity in goods and services. This includes peer-to-peer transactions, crowd funding platforms, and a variety of business models to facilitate borrowing and renting unused resources.

**Policy 6.12. Economic role of livability and ecosystem services.** Conserve and enhance Portland's cultural, historic, recreational, educational, food-related, and ecosystem assets and services for their contribution to the local economy and their importance for retention and attraction of skilled workers and businesses.

**100.Finding:** Policies 6.1 through 6.12 provide direction regarding economic and employment growth. The EDEP amendments support economic and employment growth by providing greater flexibility

for applicants who may find it taking longer to secure financing and initiate construction during the economic uncertainties created by COVID-19. Many of the measures are temporary in nature, designed to provide relief during the downturn. The only permanent effective change to the code is the extension of expiration for pre-app meeting notes from 1-year to 2-years. However, pre-apps do not vest applicants in certain code requirements. This change merely alleviates the need for an applicant to file for another pre-app meeting (at about \$6,000) if filing their land use application within the two-year time period. This could be a slight cost saving measure for applicants, but has no lasting impact on application of other newly adopted development requirements that support the policies of the 2035 Comprehensive Plan.

## Land development

**Policy 6.13. Land supply.** Provide supplies of employment land that are sufficient to meet the long-term and short-term employment growth forecasts, adequate in terms of amounts and types of sites, available and practical for development and intended uses. Types of sites are distinguished primarily by employment geographies identified in the Economic Opportunities Analysis, although capacity needs for building types with similar site characteristics can be met in other employment geographies.

**101.Finding:** The EDEP amendments do not change the comprehensive plan designations of any currently designated employment lands. Therefore, there is no impact to employment capacity.

**Policy 6.14. Brownfield redevelopment.** Overcome financial-feasibility gaps to cleanup and redevelop 60 percent of brownfield acreage by 2035.

**Policy 6.15. Regionally-competitive development sites.** Improve the competitiveness of vacant and underutilized sites located in Portland’s employment areas using incentives, and regional and state assistance for needed infrastructure and site readiness improvements.

**Policy 6.16. Regulatory climate.** Improve development review processes and regulations to encourage predictability and support local and equitable employment growth and encourage business retention, including:

**6.16.a.** Assess and understand cumulative regulatory costs to promote Portland’s financial competitiveness with other comparable cities.

**6.16.b.** Promote certainty for new development through appropriate allowed uses and “clear and objective” standards to permit typical development types without a discretionary review.

**6.16.c.** Allow discretionary-review to facilitate flexible and innovative approaches to meet requirements.

**6.16.d.** Design and monitor development review processes to avoid unnecessary delays.

**6.16.e.** Promote cost effective compliance with federal and state mandates, productive intergovernmental coordination, and efficient, well-coordinated development review and permitting procedures.

**Policy 6.17. Short-term land supply.** Provide for a competitive supply of development-ready sites with different site sizes and types, to meet five-year demand for employment growth in the Central City, industrial areas, campus institutions, and neighborhood business districts.

**Policy 6.18. Evaluate land needs.** Update the Economic Opportunities Analysis and short-term land supply strategies every five to seven years.

**Policy 6.19. Corporate headquarters.** Provide land opportunities for development of corporate

headquarters campuses in locations with suitable transportation facilities.

102. **Finding:** Policies 6.13 through 6.16 provide direction regarding land supply and development sites and regulations in employment areas. The EDEP amendments do not change the comprehensive plan designations or regulations affecting any currently designated employment lands. The amendments do not change the development standards or requirements for designated employment lands. Therefore, these policies are not applicable.

### Traded sector competitiveness

**Policy 6.20. Traded sector competitiveness.** Align plans and investments with efforts to improve the city and regional business environment for traded sector and export growth. Participate in regional and statewide initiatives.

**Policy 6.21. Traded sector diversity.** Encourage partnerships to foster the growth, small business vitality, and diversity of traded sectors.

**Policy 6.22. Clusters.** Align plans and investments with efforts that direct strategic business development resources to enhance the competitiveness of businesses in traded sector clusters.

**Policy 6.23. Trade and freight hub.** Encourage investment in transportation systems and services that will retain and expand Portland's competitive position as a West Coast trade gateway and freight distribution hub.

**Policy 6.24. Traded sector land supply.** Foster traded sector retention, growth, and competitive advantages in industrial districts and the Central City. Recognize the concentration of traded-sector businesses in these districts.

**Policy 6.25. Import substitution.** Encourage local goods production and service delivery that substitute for imports and help keep the money Portlanders earn in the local economy.

**Policy 6.26. Business opportunities in urban innovation.** Strive to have Portland's built environment, businesses, and infrastructure systems showcase examples of best practices of innovation and sustainability.

103. **Finding:** The EDEP amendments address land use review processes and affordable housing provision and do not impact the city's traded sector. Policies 6.20 through 6.26 do not apply.

### Equitable household prosperity

**Policy 6.27. Income self-sufficiency.** Expand access to self-sufficient wage levels and career ladders for low-income people by maintaining an adequate and viable supply of employment land and public facilities to support and expand opportunities in Portland for middle- and high-wage jobs that do not require a 4-year college degree.

**6.27.a.** Support the role of industrial districts as a leading source of middle-wage jobs that do not require a 4-year college degree and as a major source of wage-disparity reduction for under-served and under-represented communities.

**6.27.b.** Evaluate and limit negative impacts of plans and investments on middle and high wage job creation and retention.

**Policy 6.28. East Portland job growth.** Improve opportunities for East Portland to grow as a business destination and source of living wage jobs.

**Policy 6.29. Poverty reduction.** Encourage investment in, and alignment of, poverty-reduction efforts that address economic development, land use, transportation, housing, social services, public health,

community development, and workforce development.

**Policy 6.30. Disparity reduction.** Encourage investment in, and alignment of, public efforts to reduce racial, ethnic, and disability-related disparities in income and employment opportunity.

**Policy 6.31. Minority-owned, woman-owned and emerging small business (MWESB) assistance.** Ensure that plans and investments improve access to contracting opportunities for minority-owned, woman-owned, and emerging small businesses.

**Policy 6.32. Urban renewal plans.** Encourage urban renewal plans to primarily benefit existing residents and businesses within the urban renewal area through:

- Revitalization of neighborhoods.
- Expansion of housing choices.
- Creation of business and job opportunities.
- Provision of transportation linkages.
- Protection of residents and businesses from the threats posed by gentrification and displacement.
- The creation and enhancement of those features which improve the quality of life within the urban renewal area.

104. **Finding:** Policies 6.27 through 6.32 address industrial districts, job creation, access to employment opportunities, reduction of employment disparities, and the creation of urban renewal plans. The EDEP amendments do not address or amend urban renewal plans or access to employment opportunity. These policies do not apply.

## Central City

**Policy 6.33. Central City.** Improve the Central City's regional share of employment and continue its growth as the unique center of both the city and the region for innovation and exchange through commerce, employment, arts, culture, entertainment, tourism, education, and government.

**Policy 6.34. Central City industrial districts.** Protect and facilitate the long-term success of Central City industrial districts, while supporting their evolution into places with a broad mix of businesses with high employment densities.

**Policy 6.35. Innovation districts.** Provide for expanding campus institutions in the Central City and Marquam Hill, and encourage business development that builds on their research and development strengths.

105. **Finding:** The EDEP land use review amendments do not address employment opportunity or location. The EDEP Inclusionary Housing amendment does not apply in the Central City. These policies do not apply.

## Industrial and employment districts

**Policy 6.36. Industrial land.** Provide industrial land that encourages industrial business retention, growth, and traded sector competitiveness as a West Coast trade and freight hub, a regional center of diverse manufacturing, and a widely-accessible base of family-wage jobs, particularly for under-served and under-represented people.

**Policy 6.37. Industrial sanctuaries.** Protect industrial land as industrial sanctuaries identified on the Comprehensive Plan Map primarily for manufacturing and distribution uses and to encourage the growth of industrial activities in the city.

**Policy 6.38. Prime industrial land retention.** Protect the multimodal freight-hub industrial districts at

the Portland Harbor, Columbia Corridor, and Brooklyn Yard as prime industrial land that is prioritized for long-term retention.

**6.38.a.** Protect prime industrial lands from quasi-judicial Comprehensive Plan Map amendments that convert prime industrial land to non-industrial uses, and consider the potential for other map amendments to otherwise diminish the economic competitiveness or viability of prime industrial land.

**6.38.b.** Limit conversion of prime industrial land through land use plans, regulations, or public land acquisition for non-industrial uses, especially land that can be used by river-dependent and river-related industrial uses.

**6.38.c.** Limit regulatory impacts on the capacity, affordability, and viability of industrial uses in the prime industrial area while ensuring environmental resources are also protected.

**6.38.d.** Strive to offset the reduction of development capacity as needed, with additional prime industrial capacity that includes consideration of comparable site characteristics. Offsets may include but are not limited to additional brownfield remediation, industrial use intensification, strategic investments, and other innovative tools and partnerships that increase industrial utilization of industrial land.

**6.38.e.** Protect prime industrial land for siting of parks, schools, large-format places of assembly, and large-format retail sales.

**6.38.f.** Promote efficient use of freight hub infrastructure and prime industrial land by limiting non-industrial uses that do not need to be in the prime industrial area.

**Policy 6.39. Harbor access lands.** Limit use of harbor access lands to river- or rail-dependent or related industrial land uses due to the unique and necessary infrastructure and site characteristics of harbor access lands for river-dependent industrial uses.

**Policy 6.40. Portland Harbor Superfund Site.** Take a leadership role to facilitate a cleanup of the Portland Harbor that moves forward as quickly as possible and that allocates cleanup costs fairly and equitably. Encourage a science-based and cost-effective cleanup solution that facilitates re-use of land for river- or rail-dependent or related industrial uses.

**Policy 6.41. Multimodal freight corridors.** Encourage freight-oriented industrial development to locate where it can maximize the use of and support reinvestment in multimodal freight corridors.

**Policy 6.42. Columbia East.** Provide a mix of industrial and limited business park development in Columbia East (east of 82nd Avenue) that expand employment opportunities supported by proximity to Portland International Airport and multimodal freight access.

**Policy 6.43. Dispersed employment areas.** Provide small, dispersed employment areas for a flexible and affordable mix of office, creative services, small-scale manufacturing, traded sector and distribution, and other small-format light industrial and commercial uses with access to nearby freeways or truck streets.

**Policy 6.44. Industrial land use intensification.** Encourage reinvestment in, and intensification of, industrial land use, as measured by output and throughput per acre.

**Policy 6.45. Industrial brownfield redevelopment.** Provide incentives, investments, technical assistance and other direct support to overcome financial-feasibility gaps to enable remediation and redevelopment of brownfields for industrial growth.

**Policy 6.46. Impact analysis.** Evaluate and monitor the impacts on industrial land capacity that may

result from land use plans, regulations, public land acquisition, public facility development, and other public actions to protect and preserve existing industrial lands.

**Policy 6.47. Clean, safe, and green.** Encourage improvements to the cleanliness, safety, and ecological performance of industrial development and freight corridors by facilitating adoption of market feasible new technology and design.

**Policy 6.48. Fossil fuel distribution.** Limit fossil fuels distribution and storage facilities to those necessary to serve the regional market.

**Policy 6.49. Industrial growth and watershed health.** Facilitate concurrent strategies to protect and improve industrial capacity and watershed health in the Portland Harbor and Columbia Corridor areas.

**Policy 6.50. District expansion.** Provide opportunities for expansion of industrial areas based on evaluation of forecasted need and the ability to meet environmental, social, economic, and other goals.

**Policy 6.51. Golf course reuse and redevelopment.** Facilitate a mix of industrial, natural resource, and public open space uses on privately-owned golf course sites in the Columbia Corridor that property owners make available for reuse.

**Policy 6.52. Residential and commercial reuse.** Facilitate compatible industrial or employment redevelopment on residential or commercial sites that become available for reuse if the site is in or near prime industrial areas, and near a freeway or on a freight street.

**Policy 6.55. Neighborhood park use.** Allow neighborhood park development within industrial zones where needed to provide adequate park service within one-half mile of every resident.

106. **Finding:** Policies 6.36 through 6.55 provide direction regarding industrial and employment districts. The EDEP amendments do not change the comprehensive plan designations or regulations affecting any currently designated industrial or employment lands. Therefore, there is no impact to the development capacity of the City's industrial and employment districts.

## Campus institutions

**Policy 6.56. Campus institutions.** Provide for the stability and growth of Portland's major campus institutions as essential service providers, centers of innovation, workforce development resources, and major employers.

**Policy 6.57. Campus land use.** Provide for major campus institutions as a type of employment land, allowing uses typically associated with health care and higher education institutions. Coordinate with institutions in changing campus zoning to provide land supply that is practical for development and intended uses.

**Policy 6.58. Development impacts.** Protect the livability of surrounding neighborhoods through adequate infrastructure and campus development standards that foster suitable density and attractive campus design. Minimize off-site impacts in collaboration with institutions and neighbors, especially to reduce automobile traffic and parking impacts.

**Policy 6.59. Community amenities and services.** Encourage campus development that provides amenities and services to surrounding neighborhoods, emphasizing the role of campuses as centers of community activity.

**Policy 6.60. Campus edges.** Provide for context-sensitive, transitional uses, and development at the edges of campus institutions to enhance their integration into surrounding neighborhoods, including

mixed-use and neighborhood-serving commercial uses where appropriate.

**Policy 6.61. Satellite facilities.** Encourage opportunities for expansion of uses, not integral to campus functions, to locate in centers and corridors to support their economic vitality.

**107.Finding.** Policies 6.56 through 6.61 provide direction regarding campus institutions. The EDEP land use review amendments apply citywide and do not have any direct impacts to institutionally-designated lands. The temporary deadline relief provided by EDEP amendments serve to support the stability and growth of Portland’s major campus institutions as essential service providers, centers of innovation, workforce development resources, and major employers by enabling longer timeframes to achieve planned uses and other improvements that may not be feasible within the standard land use process timeframes given the economic downturn. The EDEP Inclusionary Housing amendment extends the provision of an existing program and does not significantly affect development and growth and will have no direct impact to campus institutions, many of which are already exempt from inclusionary housing requirements (colleges, medical centers).

## Neighborhood business districts

**Policy 6.62. Neighborhood business districts.** Provide for the growth, economic equity, and vitality of neighborhood business districts.

**Policy 6.63. District function.** Enhance the function of neighborhood business districts as a foundation of neighborhood livability.

**Policy 6.64. Small, independent businesses.** Facilitate the retention and growth of small and locally-owned businesses.

**Policy 6.65. Home-based businesses.** Encourage and expand allowances for small, low-impact home based businesses in residential areas, including office or personal service uses with infrequent or by-appointment customer or client visits to the site. Allow a limited number of employees, within the scale of activity typical in residential areas. Allow home-based businesses on sites with accessory dwelling units.

**Policy 6.66. Neighborhood-serving business.** Provide for neighborhood business districts and small commercial nodes in areas between centers to expand local access to goods and services. Allow nodes of small-scale neighborhood-serving commercial uses in large planned developments and as a ground floor use in high density residential areas.

**Policy 6.67. Retail development.** Provide for a competitive supply of retail sites that support the wide range of consumer needs for convenience, affordability, accessibility, and diversity of goods and services, especially in under-served areas of Portland.

**Policy 6.68. Investment priority.** Prioritize commercial revitalization investments in neighborhoods that serve communities with limited access to goods and services.

**Policy 6.69. Non-conforming neighborhood business uses.** Limit non-conforming uses to reduce adverse impacts on nearby residential uses while avoiding displacement of existing neighborhood businesses.

**Policy 6.70. Involuntary commercial displacement.** Evaluate plans and investments for their impact on existing businesses.

**6.70.a.** Limit involuntary commercial displacement in areas at risk of gentrification, and incorporate tools to reduce the cost burden of rapid neighborhood change on small business owners vulnerable to displacement.

**6.70.b.** Encourage the preservation and creation of affordable neighborhood commercial space to support a broad range of small business owners.

**Policy 6.71. Temporary and informal markets and structures.** Acknowledge and support the role that temporary markets (farmer’s markets, craft markets, flea markets, etc.) and other temporary or mobile-vending structures play in enabling startup business activity. Also, acknowledge that temporary uses may ultimately be replaced by more permanent development and uses.

**Policy 6.72. Community economic development.** Encourage collaborative approaches to align land use and neighborhood economic development for residents and business owners to better connect and compete in the regional economy.

**6.72.a.** Encourage broad-based community coalitions to implement land use and economic development objectives and programs.

**6.72.b.** Enhance opportunities for cooperation and partnerships between public and private entities that promote economic vitality in communities most disconnected from the regional economy.

**6.72.c.** Encourage cooperative efforts by area businesses, Business Associations, and Neighborhood Associations to work together on commercial revitalization efforts, sustainability initiatives, and transportation demand management.

**Policy 6.73. Centers.** Encourage concentrations of commercial services and employment opportunities in centers.

**6.73.a.** Encourage a broad range of neighborhood commercial services in centers to help residents and others in the area meet daily needs and/or serve as neighborhood gathering places.

**6.73.b.** Encourage the retention and further development of grocery stores and local markets as essential elements of centers.

**6.73.c.** Enhance opportunities for services and activities in centers that are responsive to the needs of the populations and cultural groups of the surrounding area.

**6.73.d.** Require ground-level building spaces in core areas of centers accommodate commercial or other street-activating uses and services.

**6.73.e.** Encourage employment opportunities as a key function of centers, including connections between centers, institutions, and other major employers to reinforce their roles as vibrant centers of activity.

**108.Finding:** Policies 6.62 through 6.73 provide direction regarding neighborhood commercial districts. The EDEP code amendments do not change commercial revitalization priorities, or affect the base land uses, non-conforming uses, or development capacity in the commercial/mixed-use zones. These policies are not applicable.

## Chapter 7: Environmental and Watershed Health

**Goal 7.A: Climate.** Carbon emissions are reduced to 50 percent below 1990 levels by 2035.

**Goal 7.B: Healthy watersheds and environment.** Ecosystem services and ecosystem functions are maintained and watershed conditions have improved over time, supporting public health and safety, environmental quality, fish and wildlife, cultural values, economic prosperity, and the intrinsic value of nature.

**Goal 7.C: Resilience.** Portland's built and natural environments function in complementary ways and are resilient in the face of climate change and natural hazards.

**Goal 7.D: Environmental equity.** All Portlanders have access to clean air and water, can experience nature in their daily lives, and benefit from development designed to lessen the impacts of natural hazards and environmental contamination.

**Goal 7.E: Community stewardship.** Portlanders actively participate in efforts to maintain and improve the environment, including watershed health.

**109.Finding:** These goals focus on City programs and actions to improve environmental quality, watershed health, and resilience. They also provide direction regarding planning for natural resource protection, and provide a framework governing the City's environmental overlay zones. There are also a number of watershed specific policies in this Chapter that provide additional guidance. The EDEP land use review amendments are process oriented and administrative in nature while the EDEP Inclusionary Housing amendment extends an existing program guiding the amount of affordable housing required in new housing projects. These amendments do not include changes to any programs or regulations that implement these goals and do not address site design or design standards. The goals and policies of Chapter 7 are not applicable to the EDEP.

### Improving environmental quality and resilience

**Policy 7.1. Environmental quality.** Protect or support efforts to protect air, water, and soil quality, and associated benefits to public and ecological health and safety, through plans and investments.

**Policy 7.2. Environmental equity.** Prevent or reduce adverse environment-related disparities affecting under-served and under-represented communities through plans and investments. This includes addressing disparities relating to air and water quality, natural hazards, contamination, climate change, and access to nature.

**Policy 7.3. Ecosystem services.** Consider the benefits provided by healthy ecosystems that contribute to the livability and economic health of the city.

**Policy 7.4. Climate change.** Update and implement strategies to reduce carbon emissions and impacts and increase resilience through plans and investments and public education.

**7.4.a. Carbon sequestration.** Enhance the capacity of Portland's urban forest, soils, wetlands, and other water bodies to serve as carbon reserves.

**7.4.b. Climate adaptation and resilience.** Enhance the ability of rivers, streams, wetlands, floodplains, urban forest, habitats, and wildlife to limit and adapt to climate-exacerbated flooding, landslides, wildfire, and urban heat island effects.

**Policy 7.5. Air quality.** Improve, or support efforts to improve, air quality through plans and investments, including reducing exposure to air toxics, criteria pollutants, and urban heat island effects. Consider the impacts of air quality on the health of all Portlanders.

**Policy 7.6. Hydrology.** Through plans and investments, improve or support efforts to improve watershed hydrology to achieve more natural flow and enhance conveyance and storage capacity in rivers, streams, floodplains, wetlands, and aquifers. Minimize impacts from development and associated impervious surfaces, especially in areas with poorly-infiltrating soils and limited public stormwater discharge points, and encourage restoration of degraded hydrologic functions.

**Policy 7.7. Water quality.** Improve, or support efforts to improve, water quality in rivers, streams, floodplains, groundwater, and wetlands through land use plans and investments, to address water quality issues including toxics, bacteria, temperature, metals, and sediment pollution. Consider the impacts of water quality on the health of all Portlanders.

**Policy 7.8. Biodiversity.** Strive to achieve and maintain self-sustaining populations of native species, including native plants, native resident and migratory fish and wildlife species, at-risk species, and beneficial insects (such as pollinators) through plans and investments.

**Policy 7.9. Habitat and biological communities.** Ensure that plans and investments are consistent with and advance efforts to improve, or support efforts to improve fish and wildlife habitat and biological communities. Use plans and investments to enhance the diversity, quantity, and quality of habitats habitat corridors, and especially habitats that:

- Are rare or declining.
- Support at-risk plant and animal species and communities.
- Support recovery of species under the Endangered Species Act, and prevent new listings.
- Provide culturally important food sources, including those associated with Native American fishing rights.

**Policy 7.10. Habitat connectivity.** Improve or support efforts to improve terrestrial and aquatic habitat connectivity for fish and wildlife by using plans and investments, to:

- Prevent and repair habitat fragmentation.
- Improve habitat quality.
- Weave habitat into sites as new development occurs.
- Enhance or create habitat corridors that allow fish and wildlife to safely access and move through and between habitat areas.
- Promote restoration and protection of floodplains.

**Policy 7.11. Urban forest.** Improve, or support efforts to improve the quantity, quality, and equitable distribution of Portland's urban forest through plans and investments.

**7.11.a. Tree preservation.** Require or encourage preservation of large healthy trees, native trees and vegetation, tree groves, and forested areas.

**7.11.b. Urban forest diversity.** Coordinate plans and investments with efforts to improve tree species diversity and age diversity.

**7.11.c. Tree canopy.** Support progress toward meeting City tree canopy targets.

**7.11.d. Tree planting.** Invest in tree planting and maintenance, especially in low-canopy areas, neighborhoods with under-served or under-represented communities, and within and near urban habitat corridors.

**7.11.e. Vegetation in natural resource areas.** Require native trees and vegetation in significant natural resource areas.

**7.11.f. Resilient urban forest.** Encourage planting of Pacific Northwest hardy and climate change resilient native trees and vegetation generally, and especially in urban habitat corridors.

**7.11.g. Trees in land use planning.** Identify priority areas for tree preservation and planting in land use plans.

**7.11.h. Managing wildfire risk.** Address wildfire hazard risks and management priorities through plans and investments.

**Policy 7.12. Invasive species.** Prevent the spread of invasive plants, and support efforts to reduce the impacts of invasive plants, animals, and insects, through plans, investments, and education.

**Policy 7.13. Soils.** Coordinate plans and investments with programs that address human-induced soil loss, erosion, contamination, or other impairments to soil quality and function.

**Policy 7.14. Natural hazards.** Prevent development-related degradation of natural systems and associated increases in landslide, wildfire, flooding, and earthquake risks.

**Policy 7.15. Brownfield remediation.** Improve environmental quality and watershed health by promoting and facilitating brownfield remediation and redevelopment that incorporates ecological site design and resource enhancement.

**Policy 7.16. Adaptive management.** Evaluate trends in watershed and environmental health using current monitoring data and information to guide and support improvements in the effectiveness of City plans and investments.

**Policy 7.18. Community stewardship.** Encourage voluntary cooperation between property owners, community organizations, and public agencies to restore or re-create habitat on their property, including removing invasive plants and planting native species.

## Planning for natural resource protection

**Policy 7.19. Natural resource protection.** Protect the quantity, quality, and function of significant natural resources identified in the City's natural resource inventory, including:

- Rivers, streams, sloughs, and drainageways.
- Floodplains.
- Riparian corridors.
- Wetlands.
- Groundwater.
- Native and other beneficial vegetation species and communities.
- Aquatic and terrestrial habitats, including special habitats or habitats of concern, large anchor habitats, habitat complexes and corridors, rare and declining habitats such as wetlands, native oak, bottomland hardwood forest, grassland habitat, shallow water habitat, and habitats that support special-status or at-risk plant and wildlife species.
- Other resources identified in natural resource inventories.

**Policy 7.20. Natural resource inventory.** Maintain an up-to-date inventory by identifying the location and evaluating the relative quantity and quality of natural resources.

**Policy 7.21. Environmental plans and regulations.** Maintain up-to-date environmental protection plans and regulations that specify the significant natural resources to be protected and the types of protections to be applied, based on the best data and science available and on an evaluation of cumulative environmental, social, and economic impacts and tradeoffs. *See Figure 7-2 — Adopted Environmental Plans.*

**7.21.a.** Improve the effectiveness of environmental protection plans and regulations to protect and encourage enhancement of ecological functions and ecosystem services.

**Policy 7.22. Land acquisition priorities and coordination.** Maintain a land acquisition program as a tool to protect and support natural resources and their functions. Coordinate land acquisition with the programs of City bureaus and other agencies and organizations.

## Protecting natural resources in development situations

**Policy 7.23. Impact evaluation.** Evaluate the potential adverse impacts of proposed development on significant natural resources, their functions, and the ecosystem services they provide to inform and guide development design and mitigation consistent with policies 7.24-7.26. and other relevant Comprehensive Plan policies.

**Policy 7.24. Regulatory hierarchy: avoid, minimize, mitigate.** Maintain regulations requiring that the potential adverse impacts of new development on significant natural resources and their functions first be avoided where practicable, then minimized, then lastly, mitigated.

**Policy 7.25. Mitigation effectiveness.** Require that mitigation approaches compensate fully for adverse impacts on locally and regionally significant natural resources and functions. Require mitigation to be located as close to the impact as possible. Mitigation must also take place within the same watershed or portion of the watershed that is within the Portland Urban Services Boundary, unless mitigating outside of these areas will provide a greater local ecological benefit. Mitigation will be subject to the following preference hierarchy:

- On the site of the resource subject to impact with the same kind of resource; if that is not possible, then
- Off-site with the same kind of resource; if that is not possible, then
- On-site with a different kind of resource; if that is not possible, then
- Off-site with a different kind of resource.

**Policy 7.26. Improving environmental conditions through development.** Encourage ecological site design, site enhancement, or other tools to improve ecological functions and ecosystem services in conjunction with new development and alterations to existing development.

## Aggregate resources

**Policy 7.27. Aggregate resource protection.** Protect aggregate resource sites for current and future use where there are no major conflicts with urban needs, or where these conflicts may be resolved.

**Policy 7.28. Aggregate resource development.** When aggregate resources are developed, ensure that development minimizes adverse environmental impacts and impacts on adjacent land uses.

**Policy 7.29. Mining site reclamation.** Ensure that the reclamation of mining sites protects public health and safety, protects fish and wildlife (including at-risk species), enhances or restores habitat (including rare and declining habitat types), restores adequate watershed conditions and functions on the site, and is compatible with the surrounding land uses and conditions of nearby land.

## Columbia River Watershed

**Policy 7.30. In-water habitat.** Enhance in-water habitat for native fish and wildlife, particularly in the Oregon Slough and near-shore environments along the Columbia River.

**Policy 7.31. Sensitive habitats.** Enhance grassland, beach, riverbanks, wetlands, bottomland forests, shallow water habitats, and other key habitats for wildlife traveling along the Columbia River migratory corridor, while continuing to manage the levees and floodplain for flood control.

**Policy 7.32. River-dependent and river-related uses.** Maintain plans and regulations that recognize the needs of river-dependent and river-related uses while also supporting ecologically-sensitive site design and practices.

## Willamette River Watershed

**Policy 7.33. Fish habitat.** Provide adequate intervals of ecologically-functional shallow-water habitat for native fish along the entire length of the Willamette River within the city, and at the confluences of its tributaries.

**Policy 7.34. Stream connectivity.** Improve stream connectivity between the Willamette River and its tributaries.

**Policy 7.35. River bank conditions.** Preserve existing river bank habitat and encourage the rehabilitation of river bank sections that have been significantly altered due to development with more fish and wildlife friendly riverbank conditions.

**Policy 7.36. South Reach ecological complex.** Enhance habitat quality and connections between Ross Island, Oaks Bottom, and riverfront parks and natural areas south of the Central City to enhance the area as a functioning ecological complex.

**Policy 7.37. Contaminated sites.** Promote and support programs that facilitate the cleanup, reuse, and restoration of the Portland Harbor Superfund site and other contaminated upland sites.

**Policy 7.38. Sensitive habitats.** Protect and enhance grasslands, beaches, floodplains, wetlands, remnant native oak, bottomland hardwood forest, and other key habitats for native wildlife including shorebirds, waterfowl, and species that migrate along the Pacific Flyway and the Willamette River corridor.

**Policy 7.39. Riparian corridors.** Increase the width and quality of vegetated riparian buffers along the Willamette River.

**Policy 7.40. Connected upland and river habitats.** Enhance habitat quality and connectivity between the Willamette riverfront, the Willamette's floodplain, and upland natural resource areas.

**Policy 7.41. River-dependent and river-related uses.** Develop and maintain plans and regulations that recognize the needs of river-dependent and river-related uses, while also supporting ecologically-sensitive site design and practices.

**Policy 7.42. Forest Park.** Enhance Forest Park as an anchor habitat and recreational resource.

## Columbia Slough Watershed

**Policy 7.43. Fish passage.** Restore in-stream habitat and improve fish passage within the Columbia Slough, including for salmonids in the lower slough.

**Policy 7.44. Flow constriction removal.** Reduce constriction, such as culverts, in the slough channels, to improve the flow of water and water quality.

**Policy 7.45. Riparian corridors.** Increase the width, quality, and native plant diversity of vegetated riparian buffers along Columbia Slough channels and other drainageways within the watershed, while also managing the slough for flood control.

**Policy 7.46. Sensitive habitats.** Enhance grasslands and wetland habitats in the Columbia Slough, such as those found in the Smith and Bybee Lakes and at the St. Johns Landfill site, to provide habitat for sensitive species, and for wildlife traveling along the Columbia and Willamette river migratory corridors.

**Policy 7.47. Connected rivers habitats.** Enhance upland habitat connections to the Willamette and Columbia rivers.

**Policy 7.48. Contaminated sites.** Ensure that plans and investments are consistent with and advance programs that facilitate the cleanup, reuse, and restoration of contaminated sites that are adjacent, or that discharge stormwater, to the Columbia Slough.

**Policy 7.49. Portland International Airport.** Protect, restore, and enhance natural resources and functions in the Portland International Airport plan district, as identified in Portland International Airport/Middle Columbia Slough Natural Resources Inventory. Accomplish this through regulations, voluntary strategies, and the implementation of special development standards.

## Fanno and Tryon Creek Watersheds

**Policy 7.50. Stream connectivity.** Encourage the daylighting of piped portions of Tryon and Fanno creeks and their tributaries.

**Policy 7.51. Riparian and habitat corridors.** Protect and enhance riparian habitat quality and connectivity along Tryon and Fanno creeks and their tributaries. Enhance connections between riparian areas, parks, anchor habitats, and areas with significant tree canopy. Enhance in-stream and upland habitat connections between Tryon Creek State Natural Area and the Willamette River.

**Policy 7.52. Reduced hazard risks.** Reduce the risks of landslides and streambank erosion by protecting trees and vegetation that absorb stormwater, especially in areas with steep slopes or limited access to stormwater infrastructure.

## Johnson Creek Watershed

**Policy 7.53. In-stream and riparian habitat.** Enhance in-stream and riparian habitat and improve fish passage for salmonids along Johnson Creek and its tributaries.

**Policy 7.54. Floodplain restoration.** Enhance Johnson Creek floodplain functions to increase flood-storage capacity, improve water quality, and enhance fish and wildlife habitat.

**Policy 7.55. Connected floodplains, springs, and wetlands.** Enhance hydrologic and habitat connectivity between the Johnson Creek floodplain and its springs and wetlands.

**Policy 7.56. Reduced natural hazards.** Reduce the risks of landslides, streambank erosion and downstream flooding by protecting seeps, springs, trees, vegetation, and soils that absorb stormwater in the East Buttes.

**Policy 7.57. Greenspace network.** Enhance the network of parks, trails, and natural areas near the Springwater Corridor Trail and the East Buttes to enhance habitat connectivity and nature-based recreation in East Portland.

## Chapter 8: Public Facilities and Services

**Goal 8.A: Quality public facilities and services.** High-quality public facilities and services provide Portlanders with optimal levels of service throughout the city, based on system needs and community goals, and in compliance with regulatory mandates.

**Goal 8.B: Multiple benefits.** Public facility and service investments improve equitable service provision, support economic prosperity, and enhance human and environmental health.

**Goal 8.C: Reliability and resiliency.** Public facilities and services are reliable, able to withstand or recover from catastrophic natural and manmade events, and are adaptable and resilient in the face of long-term changes in the climate, economy, and technology.

**Goal 8.D: Public rights-of-way.** Public rights-of-way enhance the public realm and provide a multi-purpose, connected, safe, and healthy physical space for movement and travel, public and private utilities, and other appropriate public functions and uses.

**Goal 8.E: Sanitary and stormwater systems.** Wastewater and stormwater are managed, conveyed, and/or treated to protect public health, safety, and the environment, and to meet the needs of the community on an equitable, efficient, and sustainable basis.

**Goal 8.F: Flood management.** Flood management systems and facilities support watershed health and manage flooding to reduce adverse impacts on Portlanders' health, safety, and property.

**Goal 8.G: Water.** Reliable and adequate water supply and delivery systems provide sufficient quantities of high-quality water at adequate pressures to meet the needs of the community on an equitable, efficient, and sustainable basis.

**Goal 8.H: Parks, natural areas, and recreation.** All Portlanders have safe, convenient, and equitable access to high-quality parks, natural areas, trails, and recreational opportunities in their daily lives, which contribute to their health and well-being. The City manages its natural areas and urban forest to protect unique urban habitats and offer Portlanders an opportunity to connect with nature.

**Goal 8.I: Public safety and emergency response.** Portland is a safe, resilient, and peaceful community where public safety, emergency response, and emergency management facilities and services are coordinated and able to effectively and efficiently meet community needs.

**Goal 8.J: Solid waste management.** Residents and businesses have access to waste management services and are encouraged to be thoughtful consumers to minimize upstream impacts and avoid generating waste destined for the landfill. Solid waste — including food, yard debris, recyclables, electronics, and construction and demolition debris — is managed, recycled, and composted to ensure the highest and best use of materials.

**Goal 8.K: School facilities.** Public schools are honored places of learning as well as multifunctional neighborhood anchors serving Portlanders of all ages, abilities, and cultures.

**Goal 8.L: Technology and communications.** All Portland residences, businesses, and institutions have access to universal, affordable, and reliable state-of-the-art communication and technology services.

**Goal 8.M: Energy infrastructure and services.** Residents, businesses, and institutions are served by reliable energy infrastructure that provides efficient, low-carbon, affordable energy through decision-making based on integrated resource planning.

**110.Finding:** The policies and the goals in this chapter generally address provision of public services, and adequacy of services as it relates to growth and development. The adopted 2035

Comprehensive Plan includes the Citywide Systems Plan (CSP), which was adopted (Ordinance 185657) and acknowledged by LCDC on April 25, 2017. The CSP includes the Public Facilities Plan with information on current and future transportation, water, sanitary sewer, and stormwater infrastructure needs and projects.

These goals and policies are not applicable because they guide public agencies that provide public facilities on how those facilities should be provided or address site design. The EDEP land use review amendments are process oriented and administrative in nature while the EDEP Inclusionary Housing amendment extends an existing program guiding the amount of affordable housing required in new housing projects. These amendments do not include changes to any programs or regulations that implement these goals and do not address site design or availability of services. The goals and policies of Chapter 8 are not affected by the EDEP amendments.

## Service provision and urbanization

**Policy 8.1. Urban services boundary.** Maintain an Urban Services Boundary for the City of Portland that is consistent with the regional urban growth policy, in cooperation with neighboring jurisdictions. The Urban Services Boundary is shown on the Comprehensive Plan Map.

**Policy 8.2. Rural, urbanizable, and urban public facility needs.** Recognize the different public facility needs in rural, urbanizable and urban land as defined by the Regional Urban Growth Boundary, the City Urban Services Boundary, and the City Boundaries of Municipal Incorporation. See Figure 8-1 — Urban, Urbanizable, and Rural Lands.

**Policy 8.3. Urban service delivery.** Provide the following public facilities and services at urban levels of service to urban lands within the City’s boundaries of incorporation:

- Public rights-of-way, streets, and public trails
- Sanitary sewers and wastewater treatment
- Stormwater management and conveyance
- Flood management
- Protection of the waterways of the state
- Water supply
- Police, fire, and emergency response
- Parks, natural areas, and recreation
- Solid waste regulation

**Policy 8.4. Supporting facilities and systems.** Maintain supporting facilities and systems, including public buildings, technology, fleet, and internal service infrastructure, to enable the provision of public facilities and services.

**Policy 8.5. Planning service delivery.** Provide planning, zoning, building, and subdivision control services within the boundaries of incorporation, and as otherwise provided by intergovernmental agreement within the City’s Urban Services Boundary.

## Service coordination

**Policy 8.6. Interagency coordination.** Maintain interagency coordination agreements with neighboring jurisdictions and partner agencies that provide urban public facilities and services within the City of Portland’s Urban Services Boundary to ensure effective and efficient service delivery. See Policy 8.3 for

the list of services included. Such jurisdictions and agencies include, but may not be limited to:

- Multnomah County for transportation facilities and public safety.
- State of Oregon for transportation and parks facilities and services.
- TriMet for public transit facilities and services.
- Port of Portland for air and marine facilities and services.
- Metro for regional parks and natural areas, and for solid waste, composting, and recycling facilities and transfer stations.
- Gresham, Milwaukie, Clackamas County Service District #1, and Clean Water Services for sanitary sewer conveyance and treatment.
- Multnomah County Drainage District No. 1, Peninsula Drainage District No 1, and Peninsula Drainage District No. 2 for stormwater management and conveyance, and for flood mitigation, protection, and control.
- Rockwood People’s Utility District; Sunrise Water Authority; and the Burlington, Tualatin Valley, Valley View, West Slope, Palatine Hill, Alto Park, and Clackamas River Water Districts for water distribution.
- Portland Public Schools and the David Douglas, Parkrose, Reynolds, Centennial, and Riverdale school districts for public education, park, trail, and recreational facilities.

**Policy 8.7. Outside contracts.** Coordinate with jurisdictions and agencies outside of Portland where the City provides services under agreement.

**Policy 8.8. Public service coordination.** Coordinate with the planning efforts of agencies providing public education, public health services, community centers, urban forest management, library services, justice services, energy, and technology and communications services.

**Policy 8.9. Internal coordination.** Coordinate planning and provision of public facilities and services, including land acquisition, among City agencies, including internal service bureaus.

**Policy 8.10. Co-location.** Encourage co-location of public facilities and services across providers where co-location improves service delivery efficiency and access for historically under-represented and under-served communities.

## **Service extension**

**Policy 8.11. Annexation.** Require annexation of unincorporated urbanizable areas within the City’s Urban Services Boundary as a prerequisite to receive urban services.

**Policy 8.12. Feasibility of service.** Evaluate the physical feasibility and cost-effectiveness of extending urban public services to candidate annexation areas to ensure sensible investment and to set reasonable expectations.

**Policy 8.13. Orderly service extension.** Establish or improve urban public services in newly-annexed areas to serve designated land uses at established levels of service, as funds are available and as responsible engineering practice allows.

**Policy 8.14. Coordination of service extension.** Coordinate provision of urban public services to newly-annexed areas so that provision of any given service does not stimulate development that significantly hinders the City’s ability to provide other urban services at uniform levels.

**Policy 8.15. Services to unincorporated urban pockets.** Plan for future delivery of urban services to urbanizable areas that are within the Urban Services Boundary but outside the city limits.

**Policy 8.16. Orderly urbanization.** Coordinate with counties, neighboring jurisdictions, and other special districts to ensure consistent management of annexation requests, and to establish rational and orderly process of urbanization that maximize efficient use of public funds.

**Policy 8.17. Services outside the city limits.** Prohibit City provision of new urban services, or expansion of the capacity of existing services, in areas outside city limits, except in cases where the City has agreements or contracts in place.

**Policy 8.18. Service district expansion.** Prohibit service district expansion or creation within the City's Urban Services Boundary without the City's expressed consent.

**Policy 8.19. Rural service delivery.** Provide the public facilities and services identified in Policy 8.3 in rural areas only at levels necessary to support designated rural residential land uses and protect public health and safety. Prohibit sanitary sewer extensions into rural land and limit other urban services.

## Public investment

**Policy 8.20. Regulatory compliance.** Ensure public facilities and services remain in compliance with state and federal regulations. Work toward cost-effective compliance with federal and state mandates through intergovernmental coordination and problem solving.

**Policy 8.21. System capacity.** Establish, improve, and maintain public facilities and services at levels appropriate to support land use patterns, densities, and anticipated residential and employment growth, as physically feasible and as sufficient funds are available.

**Policy 8.22. Equitable service.** Provide public facilities and services to alleviate service deficiencies and meet level-of-service standards for all Portlanders, including individuals, businesses, and property owners.

**8.22.a.** In places that are not expected to grow significantly but have existing deficiencies, invest to reduce disparity and improve livability.

**8.22.b.** In places that lack basic public facilities or services and also have significant growth potential, invest to enhance neighborhoods, fill gaps, maintain affordability, and accommodate growth.

**8.22.c.** In places that are not expected to grow significantly and already have access to complete public facilities and services, invest primarily to maintain existing facilities and retain livability.

**8.22.d.** In places that already have access to complete public facilities and services, but also have significant growth potential, invest to fill remaining gaps, maintain affordability, and accommodate growth.

**Policy 8.23. Asset management.** Improve and maintain public facility systems using asset management principles to optimize preventative maintenance, reduce unplanned reactive maintenance, achieve scheduled service delivery, and protect the quality, reliability, and adequacy of City services.

**Policy 8.24. Risk management.** Maintain and improve Portland's public facilities to minimize or eliminate economic, social, public health and safety, and environmental risks.

**Policy 8.25. Critical infrastructure.** Increase the resilience of high-risk and critical infrastructure through monitoring, planning, maintenance, investment, adaptive technology, and continuity

planning.

**Policy 8.26. Capital programming.** Maintain long-term capital improvement programs that balance acquisition and construction of new public facilities with maintenance and operations of existing facilities.

## Funding

**Policy 8.27. Cost-effectiveness.** Establish, improve, and maintain the public facilities necessary to serve designated land uses in ways that cost-effectively provide desired levels of service, consider facilities' lifecycle costs, and maintain the City's long-term financial sustainability.

**Policy 8.28. Shared costs.** Ensure the costs of constructing and providing public facilities and services are equitably shared by those who benefit from the provision of those facilities and services.

**Policy 8.29. System development.** Require private or public entities whose prospective development or redevelopment actions contribute to the need for public facility improvements, extensions, or construction to bear a proportional share of the costs.

**Policy 8.30. Partnerships.** Maintain or establish public and private partnerships for the development, management, or stewardship of public facilities necessary to serve designated land uses, as appropriate.

## Public benefits

**Policy 8.31. Application of Guiding Principles.** Plan and invest in public facilities in ways that promote and balance the Guiding Principles established in The Vision and Guiding Principles of this Comprehensive Plan.

**Policy 8.32. Community benefit agreements.** Encourage the use of negotiated community benefit agreements for large public facility projects as appropriate to address environmental justice policies in Chapter 2: Community Involvement.

**Policy 8.33. Community knowledge and experience.** Encourage public engagement processes and strategies for larger public facility projects to include community members in identifying potential impacts, mitigation measures and community benefits.

**Policy 8.34. Resource efficiency.** Reduce the energy and resource use, waste, and carbon emissions from facilities necessary to serve designated land uses to meet adopted City goals and targets.

**Policy 8.35. Natural systems.** Protect, enhance, and restore natural systems and features for their infrastructure service and other values.

**Policy 8.36. Context-sensitive infrastructure.** Design, improve, and maintain public rights-of-way and facilities in ways that are compatible with, and that minimize negative impacts on, their physical, environmental, and community context.

**Policy 8.38. Age-friendly public facilities.** Promote public facility designs that make Portland more age-friendly.

## Public rights-of-way

**Policy 8.39. Interconnected network.** Establish a safe and connected rights-of-way system that equitably provides infrastructure services throughout the city.

**Policy 8.40. Transportation function.** Improve and maintain the right-of-way to support multimodal transportation mobility and access to goods and services as is consistent with the designated street

classification.

**Policy 8.41. Utility function.** Improve and maintain the right-of-way to support equitable distribution of utilities, including water, sanitary sewer, stormwater management, energy, and communications, as appropriate.

**Policy 8.42. Stormwater management function.** Improve rights-of-way to integrate green infrastructure and other stormwater management facilities to meet desired levels-of-service and economic, social, and environmental objectives.

**Policy 8.43. Trees in rights-of-way.** Integrate trees into public rights-of-way to support City canopy goals, transportation functions, and economic, social, and environmental objectives.

**Policy 8.44. Community uses.** Allow community use of rights-of-way for purposes such as public gathering space, events, or temporary festivals, if the community uses are integrated in ways that balance and minimize conflict with the designated through movement and access roles of rights-of-ways.

**Policy 8.45. Pedestrian amenities.** Encourage facilities that enhance pedestrian enjoyment, such as transit shelters, garbage containers, benches, etc. in the right-of-way.

**Policy 8.46. Commercial uses.** Accommodate allowable commercial uses of the rights-of-way for enhancing commercial vitality, if the commercial uses can be integrated in ways that balance and minimize conflict with the other functions of the right-of-way.

**Policy 8.47. Flexible design.** Allow flexibility in right-of-way design and development standards to appropriately reflect the pattern area and other relevant physical, community, and environmental contexts and local needs.

**8.47.a.** Use a variety of transportation resources in developing and designing projects for all City streets, such as the City of Portland's Pedestrian Design Guide, Bicycle Master Plan-Appendix A, NACTO Urban Bikeway Design Guide, NACTO Urban Street Design Guide, Portland Parks and Recreation Trail Design Guidelines, Designing for Truck Movements and Other Large Vehicles, and City of Portland Green Street Policy, Stormwater Management Manual, Design Guide for Public Street Improvements, and Neighborhood Greenways. (TSP objective 8.1.e.).

**Policy 8.48. Corridors and City Greenways.** Ensure public facilities located along Civic Corridors, Neighborhood Corridors, and City Greenways support the multiple objectives established for these corridors.

**Policy 8.49. Coordination.** Coordinate the planning, design, development, improvement, and maintenance of public rights-of-way among appropriate public agencies, private providers, and adjacent landowners.

**8.49.a.** Coordination efforts should include the public facilities necessary to support the uses and functions of rights-of-way, as established in policies 8.40 to 8.46.

**8.49.b.** Coordinate transportation and stormwater system plans and investments, especially in unimproved or substandard rights-of-way, to improve water quality, public safety, including for pedestrians and bicyclists, and neighborhood livability.

**Policy 8.50. Undergrounding.** Encourage undergrounding of electrical and telecommunications facilities within public rights-of-way, especially in centers and along Civic Corridors.

**Policy 8.51. Right-of-way vacations.** Maintain rights-of-way if there is an established existing or future need for them, such as for transportation facilities or for other public functions established in policies

8.40 to 8.46.

**Policy 8.52. Rail rights-of-way.** Preserve existing and abandoned rail rights-of-way for future rail or public trail uses.

## Trails

**Policy 8.53. Public trails.** Establish, improve, and maintain a citywide system of public trails that provide transportation and/or recreation options and are a component of larger network of facilities for bicyclists, pedestrians, and recreational users.

**Policy 8.54. Trail system connectivity.** Plan, improve, and maintain the citywide trail system so that it connects and improves access to Portland's neighborhoods, commercial areas, employment centers, schools, parks, natural areas, recreational facilities, regional destinations, the regional trail system, and other key places that Portlanders access in their daily lives.

**Policy 8.55. Trail coordination.** Coordinate planning, design, improvement, and maintenance of the trail system among City agencies, other public agencies, non-governmental partners, and adjacent landowners.

**Policy 8.56. Trail diversity.** Allow a variety of trail types to reflect a trail's transportation and recreation roles, requirements, and physical context.

**Policy 8.57. Public access requirements.** Require public access and improvement of public trails along the future public trail alignments shown in Figure 8-2 — Future Public Trail Alignments.

**Policy 8.58. Trail and City Greenway coordination.** Coordinate the planning and improvement of trails as part of the City Greenways system.

**Policy 8.59. Trail and Habitat Corridor coordination.** Coordinate the planning and improvement of trails with the establishment, enhancement, preservation, and access to habitat corridors.

**Policy 8.60. Intertwine coordination.** Coordinate with the Intertwine Alliance and its partners, including local and regional parks providers, to integrate Portland's trail and active transportation network with the bi-state regional trail system.

## Sanitary system

**Policy 8.61. Sewer connections.** Require all developments within the city limits to be connected to sanitary sewers unless the public sanitary system is not physically or legally available per City Code and state requirements; or the existing onsite septic system is functioning properly without failure or complaints per City Code and state requirements; and the system has all necessary state and county permits.

**Policy 8.62. Combined sewer overflows.** Provide adequate public facilities to limit combined sewer overflows to frequencies established by regulatory permits.

**Policy 8.63. Sanitary sewer overflows.** Provide adequate public facilities to prevent sewage releases to surface waters as consistent with regulatory permits.

**Policy 8.64. Private sewage treatment systems.** Adopt land use regulations that require any proposed private sewage treatment system to demonstrate that all necessary state and county permits are obtained.

**Policy 8.65. Sewer extensions.** Prioritize sewer system extensions to areas that are already developed at urban densities and where health hazards exist.

**Policy 8.66. Pollution prevention.** Reduce the need for wastewater treatment capacity through land use programs and public facility investments that manage pollution as close to its source as practical and that reduce the amount of pollution entering the sanitary system.

**Policy 8.67. Treatment.** Provide adequate wastewater treatment facilities to ensure compliance with effluent standards established in regulatory permits.

## Stormwater Systems

**Policy 8.68. Stormwater facilities.** Provide adequate stormwater facilities for conveyance, flow control, and pollution reduction.

**Policy 8.69. Stormwater as a resource.** Manage stormwater as a resource for watershed health and public use in ways that protect and restore the natural hydrology, water quality, and habitat of Portland's watersheds.

**Policy 8.70. Natural systems.** Protect and enhance the stormwater management capacity of natural resources such as rivers, streams, creeks, drainageways, wetlands, and floodplains.

**Policy 8.71. Green infrastructure.** Promote the use of green infrastructure, such as natural areas, the urban forest, and landscaped stormwater facilities, to manage stormwater.

**Policy 8.72. Stormwater discharge.** Avoid or minimize the impact of stormwater discharges on the water and habitat quality of rivers and streams.

**Policy 8.73. On-site stormwater management.** Encourage on-site stormwater management, or management as close to the source as practical, through land use decisions and public facility investments.

**Policy 8.74. Pollution prevention.** Coordinate policies, programs, and investments with partners to prevent pollutants from entering the stormwater system by managing point and non-point pollution sources through public and private facilities, local regulations, and education.

**Policy 8.75. Stormwater partnerships.** Provide stormwater management through coordinated public and private facilities, public-private partnerships, and community stewardship.

## Flood management

**Policy 8.76. Flood management.** Improve and maintain the functions of natural and managed drainageways, wetlands, and floodplains to protect health, safety, and property, provide water conveyance and storage, improve water quality, and maintain and enhance fish and wildlife habitat.

**Policy 8.77. Floodplain management.** Manage floodplains to protect and restore associated natural resources and functions and to minimize the risks to life and property from flooding.

**Policy 8.78. Flood management facilities.** Establish, improve, and maintain flood management facilities to serve designated land uses through planning, investment and regulatory requirements.

**Policy 8.79. Drainage district coordination.** Coordinate with drainage districts that provide stormwater management, conveyance, and flood mitigation, protection, and control services within the City's Urban Services Boundary.

**Policy 8.80. Levee coordination.** Coordinate plans and investments with special districts and agencies responsible for managing and maintaining certification of levees along the Columbia River.

## Water systems

**Policy 8.81. Primary supply source.** Protect the Bull Run watershed as the primary water supply

source for Portland.

**Policy 8.82. Bull Run protection.** Maintain a source-protection program and practices to safeguard the Bull Run watershed as a drinking water supply.

**Policy 8.83. Secondary supply sources.** Protect, improve, and maintain the Columbia South Shore wellfield groundwater system, the Powell Valley wellfield groundwater system, and any other alternative water sources designated as secondary water supplies.

**Policy 8.84. Groundwater wellfield protection.** Maintain a groundwater protection program and practices to safeguard the Columbia South Shore wellfield and the Powell Valley wellfield as drinking water supplies.

**Policy 8.85. Water quality.** Maintain compliance with state and federal drinking water quality regulations.

**Policy 8.86. Storage.** Provide sufficient in-city water storage capacity to serve designated land uses, meet demand fluctuations, maintain system pressure, and ensure supply reliability.

**Policy 8.87. Fire protection.** Provide adequate water facilities to serve the fire protection needs of all Portlanders and businesses.

**Policy 8.88. Water pressure.** Provide adequate water facilities to maintain water pressure in order to protect water quality and provide for the needs of customers.

**Policy 8.89. Water efficiency.** Reduce the need for additional water facility capacity and maintain compliance with state water resource regulations by encouraging efficient use of water by customers within the city.

**Policy 8.90. Service interruptions.** Maintain and improve water facilities to limit interruptions in water service to customers.

**Policy 8.91. Outside user contracts.** Coordinate long-term water supply planning and delivery with outside-city water purveyors through long-term wholesale contracts.

## **Parks and recreation**

**Policy 8.92. Acquisition, development, and maintenance.** Provide and maintain an adequate supply and variety of parkland and recreational facilities to serve the city's current and future population based on identified level-of-service standards and community needs.

**Policy 8.93. Service equity.** Invest in acquisition and development of parks and recreation facilities in areas where service-level deficiencies exist.

**Policy 8.94. Capital programming.** Maintain a long-range park capital improvement program, with criteria that considers acquisition, development, and operations; provides opportunities for public input; and emphasizes creative and flexible financing strategies.

**Policy 8.95. Park planning.** Improve parks, recreational facilities, natural areas, and the urban forest in accordance with current master plans, management plans, or adopted strategies that reflect user group needs, development priorities, development and maintenance costs, program opportunities, financing strategies, and community input.

**Policy 8.96. Recreational trails.** Establish, improve, and maintain a complete and connected system of public recreational trails, consistent with Portland Parks & Recreation's trail strategy.

**Policy 8.97. Natural resources.** Preserve, enhance, and manage City-owned natural areas and resources to protect and improve their ecological health, in accordance with both the natural area acquisition and restoration strategies, and to provide compatible public access.

**Policy 8.98. Urban forest management.** Manage urban trees as green infrastructure with associated ecological, community, and economic functions, through planning, planting, and maintenance activities, education, and regulation.

**Policy 8.99. Recreational facilities.** Provide a variety of recreational facilities and services that contribute to the health and well-being of Portlanders of all ages and abilities.

**Policy 8.100. Self-sustaining Portland International Raceway (PIR).** Provide for financially self-sustaining operations of PIR, and broaden its programs and activities to appeal to families, diverse communities, and non-motorized sports such as biking and running.

**Policy 8.101. Self-sustaining and inclusive golf facilities.** Provide financially self-sustaining public golf course operations. Diversify these assets to attract new users, grow the game, provide more introductory-level programming, and expand into other related recreational opportunities such as foot golf and disk golf.

**Policy 8.102. Specialized recreational facilities.** Establish and manage specialized facilities within the park system that take advantage of land assets and that respond to diverse, basic, and emerging recreational needs.

**Policy 8.103. Public-private partnerships.** Encourage public-private partnerships to develop and operate publicly-accessible recreational facilities that meet identified public needs.

### **Public safety and emergency response**

**Policy 8.104. Emergency preparedness, response, and recovery coordination.** Coordinate land use plans and public facility investments between City bureaus, other public and jurisdictional agencies, businesses, community partners, and other emergency response providers, to ensure coordinated and comprehensive emergency and disaster risk reduction, preparedness, response, and recovery.

**Policy 8.105. Emergency management facilities.** Provide adequate public facilities – such as emergency coordination centers, communications infrastructure, and dispatch systems – to support emergency management, response, and recovery.

**Policy 8.106. Police facilities.** Improve and maintain police facilities to allow police personnel to efficiently and effectively respond to public safety needs and serve designated land uses.

**Policy 8.107. Community safety centers.** Establish, coordinate, and co-locate public safety and other community services in centers.

**Policy 8.108. Fire facilities.** Improve and maintain fire facilities to serve designated land uses, ensure equitable and reliable response, and provide fire and life safety protection that meets or exceeds minimum established service levels.

**Policy 8.109. Mutual aid.** Maintain mutual aid coordination with regional emergency response providers as appropriate to protect life and ensure safety.

**Policy 8.110. Community preparedness.** Enhance community preparedness and capacity to prevent, withstand, and recover from emergencies and natural disasters through land use decisions and public facility investments.

**Policy 8.111. Continuity of operations.** Maintain and enhance the City's ability to withstand and

recover from natural disasters and human-made disruptions in order to minimize disruptions to public services.

### **Solid waste management**

**Policy 8.112. Waste management.** Ensure land use programs, rights-of-way regulations, and public facility investments allow the City to manage waste effectively and prioritize waste management in the following order: waste reduction, recycling, anaerobic digestion, composting, energy recovery, and then landfill.

### **School facilities**

**Policy 8.113. School district capacity.** Consider the overall enrollment capacity of a school district – as defined in an adopted school facility plan that meets the requirements of Oregon Revised Statute 195 – as a factor in land use decisions that increase capacity for residential development.

**Policy 8.114. Facilities Planning.** Facilitate coordinated planning among school districts and City bureaus, including Portland Parks and Recreation, to accommodate school site/facility needs in response to most up-to-date growth forecasts.

**Policy 8.115. Co-location.** Encourage public school districts, Multnomah County, the City of Portland, and other providers to co-locate facilities and programs in ways that optimize service provision and intergenerational and intercultural use.

**Policy 8.116. Community use.** Encourage public use of public school grounds for community purposes while meeting educational and student safety needs and balancing impacts on surrounding neighborhoods.

**Policy 8.117. Recreational use.** Encourage publicly-available recreational amenities (e.g. athletic fields, green spaces, community gardens, and playgrounds) on public school grounds for public recreational use, particularly in neighborhoods with limited access to parks.

**Policy 8.118. Schools as emergency aid centers.** Encourage the use of seismically-safe school facilities as gathering and aid-distribution locations during natural disasters and other emergencies.

**Policy 8.119. Facility adaptability.** Ensure that public schools may be upgraded to flexibly accommodate multiple community-serving uses and adapt to changes in educational approaches, technology, and student needs over time.

**Policy 8.120. Leverage public investment.** Encourage City public facility investments that complement and leverage local public school districts' major capital investments.

**Policy 8.121. School access.** Encourage public school districts to consider the ability of students to safely walk and bike to school when making decisions about the site locations and attendance boundaries of schools.

**Policy 8.122. Private institutions.** Encourage collaboration with private schools and educational institutions to support community and recreational use of their facilities.

### **Technology and communications**

**Policy 8.123. Technology and communication systems.** Maintain and enhance the City's technology and communication facilities to ensure public safety, facilitate access to information, and maintain City operations.

**Policy 8.124. Equity, capacity, and reliability.** Encourage plans and investments in technology and communication infrastructure to ensure access in all areas of the city, reduce disparities in capacity,

and affordability, and to provide innovative high-performance, reliable service for Portland's residents and businesses.

### **Energy infrastructure**

**Policy 8.125. Energy efficiency.** Promote efficient and sustainable production and use of energy resources by residents and businesses, including low-carbon renewable energy sources, district energy systems, and distributed generation, through land use plans, zoning, and other legislative land use decisions.

**Policy 8.126. Coordination.** Coordinate with energy providers to encourage investments that ensure reliable, equitable, efficient, and affordable energy for Portland residents and businesses.

## Chapter 9 Transportation

**GOAL 9.A: Safety.** Transportation safety impacts the livability of a city and the comfort and security of those using City streets. Comprehensive efforts to improve transportation safety through engineering, education, enforcement and evaluation will be used to eliminate traffic-related fatalities and serious injuries from Portland's transportation system.

**Goal 9.B: Multiple goals.** Portland's transportation system is funded and maintained to achieve multiple goals and measurable outcomes for people and the environment. The transportation system is safe, complete, interconnected, multimodal, and fulfills daily needs for people and businesses.

**GOAL 9.C: Great places.** Portland's transportation system enhances quality of life for all Portlanders, reinforces existing neighborhoods and great places, and helps make new great places in town centers, neighborhood centers and corridors, and civic corridors.

**GOAL 9.D: Environmentally sustainable.** The transportation system increasingly uses active transportation, renewable energy, or electricity from renewable sources, achieves adopted carbon reduction targets, and reduces air pollution, water pollution, noise, and Portlanders' reliance on private vehicles.

**GOAL 9.E: Equitable transportation.** The transportation system provides all Portlanders options to move about the city and meet their daily needs by using a variety of safe, efficient, convenient, and affordable modes of transportation. Transportation investments are responsive to the distinct needs of each community.

**GOAL 9.F: Positive health outcomes.** The transportation system promotes positive health outcomes and minimizes negative impacts for all Portlanders by supporting active transportation, physical activity, and community and individual health.

**GOAL 9.G: Opportunities for prosperity.** The transportation system supports a strong and diverse economy, enhances the competitiveness of the city and region, and maintains Portland's role as a West Coast trade gateway and freight hub by providing efficient and reliable goods movement, multimodal access to employment areas and educational institutions, as well as enhanced freight access to industrial areas and intermodal freight facilities. The transportation system helps people and businesses reduce spending and keep money in the local economy by providing affordable alternatives to driving.

**GOAL 9.H. Cost Effectiveness.** The City analyzes and prioritizes capital and operating investments to cost effectively achieve the above goals while responsibly managing and protecting our past investments in existing assets.

**GOAL 9.I. Airport Futures.** Promote a sustainable airport (Portland International Airport [PDX]) by meeting the region's air transportation needs without compromising livability and quality of life for future generations.

**111.Finding:** The City Council generally interprets the goals and the policies of Chapter 9 to address transportation improvements, programming, funding priorities and maintenance. The EDEP amendments do not change the functional classification of any existing or proposed transportation facility, do not change the standards implementing a functional classification system, do not address the design and use of public streets or manage the right of way, do not change or require changes to the Transportation System Plan including the list of projects or financial plan, and do not change the Portland International Airport Plan District. Moreover, EDEP does not change bicycle

parking, system development charges, management of automated vehicles, or the requirements of the TDM program. The goals and policies of Chapter 9 are not affected by the EDEP amendments.

## Designing and planning

**Policy 9.1. Street design classifications.** Maintain and implement street design classifications consistent with land use plans, environmental context, urban design pattern areas, and the Neighborhood Corridor and Civic Corridor Urban Design Framework designations.

**Policy 9.2. Street policy classifications.** Maintain and implement street policy classifications for pedestrian, bicycle, transit, freight, emergency vehicle, and automotive movement, while considering access for all modes, connectivity, adjacent planned land uses, and state and regional requirements.

**9.2.a.** Designate district classifications that emphasize freight mobility and access in industrial and employment areas serving high levels of truck traffic and to accommodate the needs of intermodal freight movement.

**9.2.b.** Designate district classifications that give priority to pedestrian access in areas where high levels of pedestrian activity exist or are planned, including the Central City, Gateway regional center, town centers, neighborhood centers, and transit station areas.

**9.2.c.** Designate district classifications that give priority to bicycle access and mobility in areas where high levels of bicycle activity exist or are planned, including Downtown, the River District, Lloyd District, Gateway Regional Center, town centers, neighborhood centers, and transit station areas.

**Policy 9.3. Transportation System Plan.** Maintain and implement the Transportation System Plan (TSP) as the decision-making tool for transportation-related projects, policies, programs, and street design.

**Policy 9.4. Use of classifications.** Plan, develop, implement, and manage the transportation system in accordance with street design and policy classifications outlined in the Transportation System Plan.

**9.4.a.** Classification descriptions are used to describe how streets should function for each mode of travel, not necessarily how they are functioning at present.

**Policy 9.5. Mode share goals and Vehicle Miles Travelled (VMT) reduction.** Increase the share of trips made using active and low-carbon transportation modes. Reduce VMT to achieve targets set in the most current Climate Action Plan and Transportation System Plan, and meet or exceed Metro's mode share and VMT targets.

**Policy 9.6. Transportation strategy for people movement.** Design the system to accommodate the most vulnerable users, including those that need special accommodation under the Americans with Disabilities Act (ADA). Implement a prioritization of modes for people movement by making transportation system decisions per the following ordered list:

1. Walking
2. Bicycling
3. Transit
4. Fleets of electric, fully automated, multiple passenger vehicles
5. Other shared vehicles
6. Low or no occupancy vehicles, fossil-fueled non-transit vehicles

When implementing this prioritization ensure that:

- The needs and safety of each group of users are considered, and changes do not make existing conditions worse for the most vulnerable users.
- All users' needs are balanced with the intent of optimizing the right of way for multiple modes on the same street.
- When necessary to ensure safety, accommodate some users on parallel streets as part of multi-street corridors.
- Land use and system plans, network functionality for all modes, other street functions, and complete street policies, are maintained.
- Policy-based rationale is provided if modes lower in the ordered list are prioritized.

**Policy 9.7. Moving goods and delivering services.** In tandem with people movement, maintain efficient and reliable movement of goods and services as a critical transportation system function. Prioritize freight system reliability improvements over single-occupancy vehicle mobility where there are solutions that distinctly address those different needs.

**Policy 9.8. Affordability.** Improve and maintain the transportation system to increase access to convenient and affordable transportation options for all Portlanders, especially those who have traditionally been under-served or under-represented or have historically borne unequal burdens.

**Policy 9.9. Accessible and age-friendly transportation system.** Ensure that transportation facilities are accessible to people of all ages and abilities, and that all improvements to the transportation system (traffic, transit, bicycle, and pedestrian) in the public right-of-way comply with the Americans with Disabilities Act of 1990. Improve and adapt the transportation system to better meet the needs of the most vulnerable users, including the young, older adults, and people with different abilities.

**Policy 9.10. Geographic policies.** Adopt geographically-specific policies in the Transportation System Plan to ensure that transportation infrastructure reflects the unique topography, historic character, natural features, system gaps, economic needs, demographics, and land uses of each area. Use the Pattern Areas identified in Chapter 3: Urban Form as the basis for area policies.

**9.10.a.** Refer to adopted area plans for additional applicable geographic objectives related to transportation. Land use, development, and placemaking

## Land use, development, and placemaking

**Policy 9.11. Land use and transportation coordination.** Implement the Comprehensive Plan Map and the Urban Design Framework through coordinated long-range transportation and land use planning. Ensure that street policy and design classifications and land uses complement one another.

**Policy 9.12. Growth strategy.** Use street design and policy classifications to support Goals 3A-3G in Chapter 3: Urban Form. Consider the different design contexts and transportation functions in Town Centers, Neighborhood Centers, Neighborhood Corridors, Employment Areas, Freight Corridors, Civic Corridors, Transit Station Areas, and Greenways.

**Policy 9.13. Development and street design.** Evaluate adjacent land uses to help inform street classifications in framing, shaping, and activating the public space of streets. Guide development and land use to create the kinds of places and street environments intended for different types of streets.

## Streets as public spaces

**Policy 9.14. Streets for transportation and public spaces.** Integrate both placemaking and transportation functions when designing and managing streets by encouraging design, development, and operation of streets to enhance opportunities for them to serve as places for community

interaction, environmental function, open space, tree canopy, recreation, and other community purposes.

**Policy 9.15. Repurposing street space.** Encourage repurposing street segments that are not critical for transportation connectivity to other community purposes.

**Policy 9.16. Design with nature.** Promote street alignments and designs that respond to topography and natural features, when feasible, and protect streams, wildlife habitat, and native trees.

## Modal policies

**Policy 9.17. Pedestrian transportation.** Encourage walking as the most attractive mode of transportation for most short trips, within and to centers, corridors, and major destinations, and as a means for accessing transit.

**Policy 9.18. Pedestrian networks.** Create more complete networks of pedestrian facilities, and improve the quality of the pedestrian environment.

**Policy 9.19. Pedestrian safety and accessibility.** Improve pedestrian safety, accessibility, and convenience for people of all ages and abilities.

**Policy 9.20. Bicycle transportation.** Create conditions that make bicycling more attractive than driving for most trips of approximately three miles or less.

**Policy 9.21. Accessible bicycle system.** Create a bicycle transportation system that is safe, comfortable, and accessible to people of all ages and abilities.

**Policy 9.22. Public transportation.** Coordinate with public transit agencies to create conditions that make transit the preferred mode of travel for trips that are longer than 3 miles or shorter trips not made by walking or bicycling.

**Policy 9.23. Transportation to job centers.** Promote and enhance transit to be more convenient and economical than the automobile for people travelling more than three miles to and from the Central City and Gateway. Enhance regional access to the Central City and access from Portland to other regional job centers.

**Policy 9.24. Transit service.** In partnership with TriMet, develop a public transportation system that conveniently, safely, comfortably, and equitably serves residents and workers 24 hours a day, 7 days a week.

**Policy 9.25. Transit equity.** In partnership with TriMet, maintain and expand high-quality frequent transit service to all Town Centers, Civic Corridors, Neighborhood Centers, Neighborhood Corridors, and other major concentrations of employment, and improve service to areas with high concentrations of poverty and historically under-served and under-represented communities.

**9.25.a.** Support a public transit system and regional transportation that address the transportation needs of historically marginalized communities and provide increased mobility options and access.

**Policy 9.26. Transit funding.** Consider funding strategies and partnership opportunities that improve access to and equity in transit service, such as raising Metro-wide funding to improve service and decrease user fees/fares.

**Policy 9.27. Transit service to centers and corridors.** Use transit investments to shape the city's growth and increase transit use. In partnership with TriMet and Metro, maintain, expand, and enhance Portland Streetcar, frequent service bus, and high-capacity transit, to better serve centers

and corridors with the highest intensity of potential employment and household growth.

**9.27.a.** Locate major park-and-ride lots only where transit ridership is increased significantly, vehicle miles traveled are reduced, transit-supportive development is not hampered, bus service is not available or is inadequate, and the surrounding area is not negatively impacted.

**Policy 9.28. Intercity passenger service.** Coordinate planning and project development to expand intercity passenger transportation services in the Willamette Valley, and from Portland to Seattle and Vancouver, BC.

**Policy 9.29. Regional trafficways and transitways.** Maintain capacity of regional transitways and existing regional trafficways to accommodate through-traffic.

**Policy 9.30. Multimodal goods movement.** Develop, maintain, and enhance a multimodal freight transportation system for the safe, reliable, sustainable, and efficient movement of goods within and through the city.

**Policy 9.31. Economic development and industrial lands.** Ensure that the transportation system supports traded sector economic development plans and full utilization of prime industrial land, including brownfield redevelopment.

**Policy 9.32. Multimodal system and hub.** Maintain Portland's role as a multimodal hub for global and regional movement of goods. Enhance Portland's network of multimodal freight corridors.

**Policy 9.33. Freight network.** Develop, manage, and maintain a safe, efficient, and reliable freight street network to provide freight access to and from intermodal freight facilities, industrial and commercial districts, and the regional transportation system. Invest to accommodate forecasted growth of interregional freight volumes and provide access to truck, marine, rail, and air transportation systems. Ensure designated routes and facilities are adequate for over-dimensional trucks and emergency equipment.

**Policy 9.34. Sustainable freight system.** Support the efficient delivery of goods and services to businesses and neighborhoods, while also reducing environmental and neighborhood impacts. Encourage the use of energy efficient and clean delivery vehicles, and manage on- and off-street loading spaces to ensure adequate access for deliveries to businesses, while maintaining access to homes and businesses.

**Policy 9.35. Freight rail network.** Coordinate with stakeholders and regional partners to support continued reinvestment in, and modernization of, the freight rail network.

**Policy 9.36. Portland Harbor.** Coordinate with the Port of Portland, private stakeholders, and regional partners to improve and maintain access to marine terminals and related river dependent uses in Portland Harbor.

**9.36.a.** Support continued reinvestment in, and modernization of, marine terminals in Portland Harbor.

**9.36.b.** Facilitate continued maintenance of the shipping channels in Portland Harbor and the Columbia River.

**9.36.c.** Support more long-distance, high-volume movement of goods to river and oceangoing ships and rail.

**Policy 9.37. Portland Heliport.** Maintain Portland's Heliport functionality in the Central City.

**Policy 9.38. Automobile transportation.** Maintain acceptable levels of mobility and access for private

automobiles while reducing overall vehicle miles traveled (VMT) and negative impacts of private automobiles on the environment and human health.

**Policy 9.39. Automobile efficiency.** Coordinate land use and transportation plans and programs with other public and private stakeholders to encourage vehicle technology innovation, shifts toward electric and other cleaner, more energy-efficient vehicles and fuels, integration of smart vehicle technology with intelligent transportation systems, and greater use of options such as car-share, carpool, and taxi.

**Policy 9.40. Emergency response.** Maintain a network of accessible emergency response streets to facilitate safe and expedient emergency response and evacuation. Ensure that police, fire, ambulance, and other emergency providers can reach their destinations in a timely fashion, without negatively impacting traffic calming and other measures intended to reduce crashes and improve safety.

## Airport Futures

**Policy 9.41. Portland International Airport.** Maintain the Portland International Airport as an important regional, national, and international transportation hub serving the bi-state economy.

**Policy 9.42. Airport regulations.** Implement the Airport Futures Plan through the implementation of the Portland International Airport Plan District.

**9.42.a.** Prohibit the development of a potential third parallel runway at PDX unless need for its construction is established through a transparent, thorough, and regional planning process.

**9.42.b.** Support implementation of the Aircraft Landing Zone to provide safer operating conditions for aircraft in the vicinity of Portland International Airport by limiting the height of structures, vegetation, and construction equipment.

**9.42.c.** Support the Port of Portland's Wildlife Hazard Management Plan by implementing airport-specific landscaping requirements in the Portland International Airport Plan District to reduce conflicts between wildlife and aircraft.

**Policy 9.43. Airport partnerships.** Partner with the Port of Portland and the regional community to address the critical interconnection between economic development, environmental stewardship, and social responsibility. Support an ongoing public advisory committee for PDX to:

**9.43.a.** Support meaningful and collaborative public dialogue and engagement on airport related planning and development.

**9.43.b.** Provide an opportunity for the community to inform the decision-making related to the airport of the Port, the City of Portland, and other jurisdictions/organizations in the region.

**9.43.c.** Raise public knowledge about PDX and impacted communities.

**Policy 9.44. Airport investments.** Ensure that new development and redevelopment of airport facilities supports the City's and the Port's sustainability goals and policies, and is in accordance with Figure 9-3 — Portland International Airport. Allow the Port flexibility in configuring airport facilities to preserve future development options, minimize environmental impacts, use land resources efficiently, maximize operational efficiency, ensure development can be effectively phased, and address Federal Aviation Administration's airport design criteria.

## System management

**Policy 9.45. System management.** Give preference to transportation improvements that use existing

roadway capacity efficiently and that improve the safety of the system for all users.

**9.45.a.** Support regional equity measures for transportation system evaluation.

**Policy 9.46. Traffic management.** Evaluate and encourage traffic speed and volume to be consistent with street classifications and desired land uses to improve safety, preserve and enhance neighborhood livability, and meet system goals of calming vehicle traffic through a combination of enforcement, engineering, and education efforts.

**9.46.a.** Use traffic calming tools, traffic diversion and other available tools and methods to create and maintain sufficiently low automotive volumes and speeds on neighborhood greenways to ensure comfortable cycling environment on the street.

**Policy 9.47. Connectivity.** Establish an interconnected, multimodal transportation system to serve centers and other significant locations. Promote a logical, direct, and connected street system through street spacing guidelines and district-specific street plans found in the Transportation System Plan, and prioritize access to specific places by certain modes in accordance with policies 9.6 and 9.7.

**9.47.a.** Develop conceptual master street plans for areas of the City that have significant amounts of vacant or underdeveloped land and where the street network does not meet City and Metro connectivity guidelines.

**9.47.b.** As areas with adopted Street Plans develop, provide connectivity for all modes by developing the streets and accessways as shown on the Master Street Plan Maps in the Comprehensive Plan.

**9.47.c.** Continue to provide connectivity in areas with adopted Street Plans for all modes of travel by developing public and private streets as shown on the Master Street Plan Maps in the Comprehensive Plan.

**9.47.d.** Provide street connections with spacing of no more than 530 feet between connections except where prevented by barriers such as topography, railroads, freeways, or environmental constraints. Where streets must cross over protected water features, provide crossings at an average spacing of 800 to 1000 feet, unless exceptional habitat quality of length of crossing prevents a full street connection.

**9.47.e** Provide bike and pedestrian connections at approximately 330 feet intervals on public easements or rights-of-way when full street connections are not possible, except where prevented by barriers such as topography, railroads, freeways, or environmental constraints. Bike and pedestrian connections that cross protected water features should have an average spacing of no more than 530 feet, unless exceptional habitat quality or length of connection prevents a connection.

**Policy 9.48 Technology.** Encourage the use of emerging vehicle and parking technology to improve real-time management of the transportation network and to manage and allocate parking supply and demand.

**Policy 9.49 Performance measures.** Establish multimodal performance measures and measures of system completeness to evaluate and monitor the adequacy of transportation services based on performance measures in goals 9.A. through 9.I. Use these measures to evaluate overall system performance, inform corridor and area-specific plans and investments, identify project and program needs, evaluate and prioritize investments, and regulate development, institutional campus growth, zone changes, Comprehensive Plan Map amendments, and conditional uses.

**9.49.a.** Eliminate deaths and serious injuries for all who share Portland streets by 2025.

**9.49.b.** Maintain or decrease the number of peak period non-freight motor vehicle trips, system-wide and within each mobility corridor to reduce or manage congestion.

**9.49.c.** By 2035, reduce the number of miles Portlanders travel by car to 11 miles per day or less, on average.

**9.49.d.** Establish mode split targets in 2040 Growth Concept areas within the City, consistent with Metro’s targets for these areas.

**9.49.e.** By 2035, increase the mode share of daily non-drive alone trips to 70 percent citywide, and to the following in the five pattern areas:

Pattern Area	2035 daily target mode share
Central City	85%
Inner Neighborhoods	70%
Western Neighborhoods	65%
Eastern Neighborhoods	65%
Industrial and River	55%

**9.49.f.** By 2035, 70 percent of commuters walk, bike, take transit, carpool, or work from home at approximately the following rates:

Mode	Mode Share
Walk	7.5%
Bicycle	25%
Transit	25%
Carpool	10%
Single Occupant Vehicle (SOV)	30% or less
Work at home	10% below the line (calculated outside of the modal targets above)

**9.49.g.** By 2035, reduce Portland’s transportation-related carbon emissions to 50% below 1990 levels, at approximately 934,000 metric tons.

**9.49.h.** By 2025, increase the percentage of new mixed use zone building households not owning an automobile from approximately 13% (2014) to 25%, and reduce the percentage of households owning two automobiles from approximately 24% to 10%.

**9.49.i.** Develop and use alternatives to the level-of-service measure to improve safety, encourage multimodal transportation, and to evaluate and mitigate maintenance and new trip impacts from new development.

**9.49.j.** Use level-of-service, consistent with Table 9.1, as one measure to evaluate the adequacy of transportation facilities in the vicinity of sites subject to land use review.

**9.49.k.** Maintain acceptable levels of performance on state facilities and the regional arterial and throughway network, consistent with the interim standard in Table 9.2, in the development and adoption of, and amendments to, the Transportation System Plan and in legislative amendments to the Comprehensive Plan Map.

**9.49.l.** In areas identified by Metro that exceed the level-of-service in Table 9.2 and are planned to, but do not currently meet the alternative performance criteria, establish an action plan that does the following:

- Anticipates growth and future impacts of motor vehicle traffic on multimodal travel in the area
- Establishes strategies for mitigating the future impacts of motor vehicles
- Establishes performance standards for monitoring and implementing the action plan.

<b>Table 9-2: Oregon Metro Interim Deficiency Thresholds and Operating Standards</b>			
Location	Standards		
	Mid-Day One-Hour Peak *	PM 2-Hour Peak	
		1st Hour	2nd Hour
Central City, Gateway, Town Centers, Neighborhood Centers, Station Areas	0.99	1.1	0.99
I-84 (from I-5 to I-205), I-5 North (from Marquam Bridge to Interstate Bridge, OR 99- E (from Lincoln St. to OR 224), US 26 (from I-405 to Sylvan Interchange), I-405	0.99	1.1	0.99
Other Principal Arterial Routes	0.90	0.99	0.99
*The demand-to-capacity ratios in the table are for the highest two consecutive hours of the weekday traffic volumes. The mid-day peak hour is the highest 60-minute period between the hours of 9 a.m. and 3 p.m. The 2nd hour is defined as the single 60-minute period, either before or after the peak 60-minute period, whichever is highest.			

**9.49.m.** Develop performance measures to track progress in creating and maintaining the transportation system.

**Policy 9.50 Regional congestion management.** Coordinate with Metro to establish new regional

multimodal mobility standards that prioritize transit, freight, and system completeness.

**9.50.a.** Create a regional congestion management approach, including a market-based system, to price or charge for auto trips and parking, better account for the cost of auto trips, and to more efficiently manage the regional system.

**\*Post Central City:**

**Policy 9.51. Multimodal Mixed-Use Area.** Manage Central City Plan amendments in accordance with the designated Central City Multimodal Mixed-Use Area (MMA) in the geography indicated in Figure 9-2. The MMA renders congestion / mobility standards inapplicable to any proposed plan amendments under OAR 660-0012-0060(10).

**\*Pre-Central City:**

**Policy 9.51 Multimodal Mixed-Use Area.** Designate a Central City Multimodal Mixed-Use Area (MMA) in the geography indicated in Figure 9-2, which will render state congestion / mobility standards inapplicable to proposed plan amendments under OAR 660-0012-0060(10), subject to ODOT concurrence and execution of an agreement between ODOT and the City of Portland. The agreement should emphasize potential safety and operational impacts.

## Transportation Demand Management

**Policy 9.52. Outreach.** Create and maintain TDM outreach programs that work with Transportation Management Associations (TMA), residents, employers, and employees that increase the modal share of walking, bicycling, and shared vehicle trips while reducing private vehicle ownership, parking demand, and drive-alone trips, especially during peak periods.

**Policy 9.53. New development.** Create and maintain TDM regulations and services that prevent and reduce traffic and parking impacts from new development and redevelopment. Encourage coordinated area-wide delivery of TDM programs. Monitor and improve the performance of private-sector TDM programs.

**Policy 9.54. Projects and programs.** Integrate TDM information into transportation project and program development and implementation to increase use of new multimodal transportation projects and services.

## Parking Management

**Policy 9.55. Parking management.** Reduce parking demand and manage supply to improve pedestrian, bicycle and transit mode share, neighborhood livability, safety, business district vitality, vehicle miles traveled (VMT) reduction, and air quality. Implement strategies that reduce demand for new parking and private vehicle ownership, and that help maintain optimal parking occupancy and availability.

**Policy 9.56. Curb Zone.** Recognize that the Curb Zone is a public space, a physical and spatial asset that has value and cost. Evaluate whether, when, and where parking is the highest and best use of this public space in support of broad City policy goals and local land use context. Establish thresholds to utilize parking management and pricing tools in areas with high parking demand to ensure adequate on-street parking supply during peak periods.

**Policy 9.57. On-street parking.** Manage parking and loading demand, supply, and operations in the public right of way to achieve mode share objectives, and to encourage safety, economic vitality, and livability. Use transportation demand management and pricing of parking in areas with high parking demand.

**Policy 9.58. Off-street parking.** Limit the development of new parking spaces to achieve land use, transportation, and environmental goals, especially in locations with frequent transit service. Regulate off-street parking to achieve mode share objectives, promote compact and walkable urban form, encourage lower rates of car ownership, and promote the vitality of commercial and employment areas. Use transportation demand management and pricing of parking in areas with high parking demand.

**Policy 9.59. Share space and resources.** Encourage the shared use of parking and vehicles to maximize the efficient use of limited urban space.

**Policy 9.60. Cost and price.** Recognize the high public and private cost of parking by encouraging prices that reflect the cost of providing parking and balance demand and supply. Discourage employee and resident parking subsidies.

**Policy 9.61. Bicycle parking.** Promote the development of new bicycle parking facilities including dedicated bike parking in the public right-of-way. Provide sufficient bicycle parking at high-capacity transit stations to enhance bicycle connection opportunities. Require provision of adequate off-street bicycle parking for new development and redevelopment. Encourage the provision of parking for different types of bicycles. In establishing the standards for long-term bicycle parking, consider the needs of persons with different levels of ability.

## Finance, programs, and coordination

**Policy 9.62. Coordination.** Coordinate with state and federal agencies, local and regional governments, special districts, other City bureaus, and providers of transportation services when planning for, developing, and funding transportation facilities and services.

**Policy 9.63. New development impacts.** Prevent, reduce, and mitigate the impacts of new development and redevelopment on the transportation system. Utilize strategies including transportation and parking demand management, transportation system analysis, and system and local impact mitigation improvements and fees.

**Policy 9.64. Education and encouragement.** Create, maintain, and coordinate educational and encouragement programs that support multimodal transportation and that emphasize safety for all modes of transportation. Ensure that these programs are accessible to historically under-served and under-represented populations.

**Policy 9.65. Telecommuting.** Promote telecommuting and the use of communications technology to reduce travel demand.

**Policy 9.66. Project and program selection criteria.** Establish transportation project and program selection criteria consistent with goals 9A through 9I, to cost-effectively achieve access, placemaking, sustainability, equity, health, prosperity, and safety goals.

**Policy 9.67. Funding.** Encourage the development of a range of stable transportation funding sources that provide adequate resources to build and maintain an equitable and sustainable transportation system.

## Connected and Automated Vehicles

**Policy 9.68 New mobility priorities and outcomes.** Facilitate new mobility vehicles and services with the lowest climate and congestion impacts and greatest equity benefits; with priority to vehicles that are fleet/shared ownership, fully automated, electric and, for passenger vehicles, shared by multiple

passengers (known by the acronym FAVES). Develop and implement strategies for each following topic.

**9.68.a.** Ensure that all new mobility vehicles and services and levels of automated vehicles advance Vision Zero by operating safely for all users, especially for vulnerable road users. Require adequate insurance coverage for operators, customers, and the public-at-large by providers of new mobility vehicles and services.

**9.68.b.** Ensure that new mobility vehicles and services improve active transportation and shared ride travel time reliability and system efficiency by:

1. maintaining or reducing the number of vehicle trips during peak congestion periods;
2. reducing low occupancy vehicle trips during peak congestion periods;
3. paying for use of, and impact on, Portland's transportation system including factors such as congestion level, carbon footprint, vehicle miles traveled, vehicle occupancy, and vehicle energy efficiency; and
4. supporting and encouraging use of public transportation.

**9.68.c.** Cut vehicle carbon pollution by reducing low occupancy "empty miles" traveled by passenger vehicles with zero or one passengers. Prioritize vehicles and services with the least climate pollution, and electric and other zero direct emission vehicles operated by fleets and carrying multiple passengers.

**9.68.d.** Make the benefits of new mobility available on an equitable basis to all segments of the community while ensuring traditionally disadvantaged communities are not disproportionately hurt by new mobility vehicles and services. This includes people with disabilities, as well as communities of color, women, and geographically underserved communities.

**9.68.e** Identify, prevent, and mitigate potential adverse impacts from new mobility vehicles and services.

**Policy 9.69 New mobility tools.** Use a full range of tools to ensure that new mobility vehicles and services and private data communications devices installed in the City right of way contribute to achieving Comprehensive Plan and Transportation System Plan goals and policies.

**9.69.a.** Maintain City authority to identify and develop appropriate data sharing requirements to inform and support safe, efficient, and effective management of the transportation system. Ensure that when new mobility vehicles and services use City rights-of-way or when vehicles connect with smart infrastructure within the City they share information including, but not limited to, vehicle type, occupancy, speed, travel routes, and travel times, crashes and citations, with appropriate privacy controls. Ensure that private data communications devices installed in the City right of way are required to share anonymized transportation data.

**9.69.b.** Design and manage the mobility zone, curb/flex zone, and traffic control devices, e.g. to limit speeds to increase safety, to minimize cut-through traffic, evaluate future demand for pick-up and drop-off zones, and to prioritize automated electric vehicles carrying more passengers in congested times and locations;

**9.69.c.** Evaluate the public cost and benefit of investments in wayside communication systems serving new mobility vehicles and services.

**9.69.d.** Develop sustainable user-pays funding mechanisms to support new mobility vehicle infrastructure and service investments, transportation system maintenance, and efficient system management.

**9.69.e.** Ensure that new mobility vehicles and vehicles that connect to smart City infrastructure, and private data communications devices installed in the City right of way, help pay for infrastructure and service investments, and support system reliability and efficiency. Develop a tiered pricing structure that reflects vehicle and service impacts on the transportation system, including factors such as congestion level, carbon footprint, vehicle miles traveled, vehicle occupancy, and vehicle energy efficiency.

## Chapter 10: Land Use Designations and Zoning

**Goal 10.A: Land use designations and zoning.** Effectively and efficiently carry out the goals and policies of the Comprehensive Plan through the land use designations, Zoning Map, and the Zoning Code.

**112.Finding:** The EDEP land use review amendments are process oriented and provide flexibility to applicants impacted by the COVID-19 pandemic. These amendments are administrative in nature and do not affect how the goals and policies of the Comprehensive Plan are implemented with the land use designations, Zoning Map, or the Zoning Code. The EDEP Inclusionary Housing Zoning Code amendments extend a sunset date in the development standards sections 33.245 to support the creation of affordable and market rate development and would have no impact on this goal.

*Note: Council finds that only specific policies are applicable and provides responsive findings for the applicable policies below.*

### Land use designations

**Policy 10.1. Land use designations.** Apply a land use designation to all land and water within the City's Urban Services Boundary. Apply the designation that best advances the Comprehensive Plan goals and policies. The land use designations are shown on the adopted Land Use Map and on official Zoning Maps.

### The Zoning Map and the Zoning Code

**Policy 10.2. Relationship of land use designations to base zones.** Apply a base zone to all land and water within the City's urban services boundary. The base zone applied must either be a zone that corresponds to the land use designation or be a zone that does not correspond but is allowed per Figure 10-1 — Corresponding and Less-Intense Zones for Each Plan Map Designation. In some situations, there are long-term or short-term obstacles to achieving the level of development intended by the land use designation (e.g., an infrastructure improvement to serve the higher level of development is planned but not yet funded). In these situations, a less intense zone (listed in Figure 10-1) may be applied. When a land use designation is amended, the zone may also have to be changed to a corresponding zone or a zone that does not correspond but is allowed.

#### **Policy 10.3. Amending the Zoning Map.**

**10.3.a.** Amending a base zone may be done legislatively or quasi-judicially.

**10.3.b.** When amending a base zone quasi-judicially, the amendment must be to a corresponding zone (*see Figure 10-1 — Corresponding and Allowed Zones for Each Land Use Designation*). When a designation has more than one corresponding zone, the most appropriate zone, based on the purpose of the zone and the zoning and general land uses of surrounding lands, will be applied.

**10.3.c.** When amending a base zone legislatively, the amendment may be to a corresponding zone or to a zone that does not correspond but is allowed (*see Figure 10-1 — Corresponding and Allowed Zones for each Land Use Designation for zones that are allowed*). A legislative Zoning Map amendment may not be to a zone that is not allowed.

**10.3.d.** An amendment to a base zone consistent with the land use designation must be approved when it is found that current public services can support the uses allowed by the zone, or that public services can be made capable by the time the development is complete. The adequacy of services is based on the proposed use and development. If a specific use and

development proposal is not submitted, services must be able to support the range of uses and development allowed by the zone. For the purposes of this requirement, services include water supply, sanitary sewage disposal, stormwater management, transportation, school district capacity (where a school facility plan exists), and police and fire protection.

**10.3.e.** An amendment to apply or remove an overlay zone or plan district may be done legislatively or quasi-judicially, and must be based on a study or plan document that identifies a specific characteristic, situation, or problem that is not adequately addressed by the base zone or other regulations.

**113.Finding:** The EDEP amendments do not amend base zones or overlay zones. Therefore, these policies are not applicable.

**Policy 10.4. Amending the Zoning Code.** Amendments to the zoning regulations must be done legislatively and should be clear, concise, and applicable to a broad range of development situations faced by a growing city. Amendments should:

**10.4.a.** Promote good planning:

- Effectively and efficiently implement the Comprehensive Plan.
- Address existing and potential land use problems.
- Balance the benefits of regulations against the costs of implementation and compliance.
- Maintain Portland’s competitiveness with other jurisdictions as a location in which to live, invest, and do business.

**10.4.b.** Ensure good administration of land use regulations:

- Keep regulations as simple as possible.
- Use clear and objective standards wherever possible.
- Maintain consistent procedures and limit their number.
- Establish specific approval criteria for land use reviews.
- Establish application requirements that are as reasonable as possible, and ensure they are directly tied to approval criteria.
- Emphasize administrative procedures for land use reviews.
- Avoid overlapping reviews.

**10.4.c.** Strive to improve the code document:

- Use clear language.
- Maintain a clear and logical organization.
- Use a format and layout that enables use of the document by lay people as well as professionals.
- Use tables and drawings to clarify and shorten the document.
- Identify and act on regulatory improvement suggestions.

**114.Finding:** The Zoning Code amendments included in the EDEP package are found in the Staff report. As shown in that report, the amendments are targeted, concise, and objectively written to ensure the intended users will be able to understand and utilize the Zoning Code as it applies to their development proposals, land use, and properties, consistent with Comprehensive Plan Policy 10.4.

In particular, the EDEP amendments aim to “effectively and efficiently implement the Comprehensive Plan”, “balance the benefits of regulations against the costs of implementation and compliance”, and “identify and act on regulatory improvement suggestions”. The problems being

addressed by the land use review process amendments are related to effectively and efficiently implementing the Comprehensive Plan. Extending expiration time periods, lengthening plat review timelines, and allowing for the use of virtual meeting tools to address public health crises are providing flexibility to applicants during a time of crisis to allow development to move forward and avoid the inefficiency and redundancy of reapplying for expired land use reviews. The EDEP Inclusionary Housing amendment addresses the feasibility of implementing the requirements for affordable housing provision outside of the Central City and Gateway Plan Districts by extending the period of time that projects will be subject to a lower rate of inclusionary housing units. All of the EDEP amendments are a response to concerns from land use review applicants and developers over the administrative and market disruptions caused by the COVID-19 pandemic and help to maintain Portland's competitiveness with other jurisdictions as a location in which to live, invest, and do business.

## Part IV. Area-Specific Plans

2035 Comprehensive Plan Policy 1.19 provides additional direction to use area-specific plans when making or amending policy.

**115.Finding:** The EDEP amendment to the NW District master plan expiration period, only affects properties subject to a currently approved Master Plan in the NW Plan District, but does not change the area specific plan or related regulations. The remaining EDEP land use review process amendments are administrative in nature and uniformly apply citywide. The EDEP Inclusionary Housing amendment applies to all areas of the city outside of the Central City and the Gateway Regional Center. It extends an existing program for one year and will have minimal impact on growth and development in areas outside of the Central City Plan and Gateway Plan Districts and no impacts within those area-specific districts.

## Part V. Comprehensive Plan and Zoning Code Text Amendment Criteria

### 33.835.040 Approval Criteria

**A. Amendments to the zoning code.** Text amendments to the zoning code must be found to be consistent with the Comprehensive Plan, Urban Growth Management Functional Plan, and the Statewide Planning Goals. In addition, the amendments must be consistent with the intent or purpose statement for the base zone, overlay zone, plan district, use and development, or land division regulation where the amendment is proposed, and any plan associated with the regulations. The creation of a new plan district is subject to the approval criteria stated in 33.500.050.

**116.Finding:** The findings in this exhibit demonstrate how the EDEP zoning code amendments are consistent with the 2035 Comprehensive Plan, the Urban Growth Management Functional Plan, and the Statewide Planning Goals. Findings showing consistency with the purpose statements are provided below.

The City Council has applied all applicable policies and the findings in this exhibit demonstrate how the amendments to the zoning code are consistent with the 2035 Comprehensive Plan, the Urban Growth Management Functional Plan, and with the Statewide Planning Goals.

No new plan district has been proposed, therefore the criteria in 33.500.050 do not apply.

The EDEP amendments make changes to several regulations including Inclusionary Housing, Final Plats, Neighborhood Contact, and Quasi-Judicial Procedures. Those purpose statements are below.

### 33.245 Inclusionary Housing

#### 33.245.010 Purpose

The purpose of these regulations is to promote the production of affordable housing for a diversity of household types by linking of the production of affordable housing to the production of market-rate housing.

**117.Findings:** The EDEP amendment relating to inclusionary housing standards extends the sunset date for lower rates of inclusionary housing units outside the Central City and Gateway Plan Districts from January 1, 2021 to January 1, 2022. This one-year extension is necessary to ensure more fragile pro-formas for projects currently in the housing development pipeline or soon to enter the pipeline remain feasible. Council recognizes that higher rates of regulated affordable units means

more affordable units; however, when the higher rates mean lower rates of return that stymie projects, then fewer affordable units overall are realized. In recognition of this and the current and impending economic uncertainty, these amendments continue to promote the production of affordable housing for a diversity of household types by linking of the production of affordable housing to the production of market-rate housing.

### **33.258 Nonconforming Situations**

#### **33.258.010 Purpose**

Nonconforming situations are created when the application of a specific zone to a site changes, or a zoning regulation changes. As part of the change, existing uses, density, or development might no longer be allowed. The intent of the change is not to force all noncomplying situations to be immediately brought into conformance. Instead, the intent is to guide future uses and development in a new direction consistent with City policy, and, eventually, bring them into conformance.

This chapter provides methods to determine whether situations have legal nonconforming status. This is based on whether they were allowed when established, and if they have been maintained over time. This chapter also provides a method to review and limit nonconforming situations when changes to those situations are proposed. The intent is to protect the character of the area by reducing the negative impacts from nonconforming situations. At the same time, the regulations assure that the uses and development may continue and that the zoning regulations will not cause unnecessary burdens.

Nonconforming situations that have a lesser impact on the immediate area have fewer restrictions than those with greater impacts. Nonconforming uses in residential zones are treated more strictly than those in commercial/mixed use, employment, industrial, or campus institutional zones to protect the livability and character of residential neighborhoods. In contrast, nonconforming residential developments in residential zones are treated more liberally because they do not represent a major disruption to the neighborhood and they provide needed housing opportunities in the City.

**118.Findings:** The EDEP amendment relating to nonconforming upgrade requirements is a temporary reprieve for required improvements to a subset of nonconforming sites. These sites which may not meet current zoning development standards pertaining to landscaping, pedestrian circulation, bicycle parking and/or screening are given a compliance period between 2 and 5 years to complete the upgrades. The EDEP amendments extend this compliance period until January 1, 2022 for sites that are set to expire. This is intended to allow for more flexibility so that when capital is scarce, it can be applied to more immediate priorities such as remaining solvent, and simply delays the required upgrade to a slightly later date. Council finds that this temporary extension for these sorts of development requirements in these more limited circumstances has a nominal impact to the immediate area and therefore the amendments are consistent with the purpose of this chapter.

### **33.562 Northwest Plan District**

#### **33.562.300 Northwest Master Plan**

**A. Purpose.** The Northwest Master Plan allows flexibility in design and development of a site in a manner that evokes an urban development pattern, and does not overwhelm public services.

The provisions of this section accommodate the needs of property owners to begin long range planning for their property in advance of adoption of the Northwest District Plan. The Northwest District Plan may modify or delete this section of the code. It is likely that there will be significant overlap in both timelines and issues addressed by the private and public planning efforts; the two efforts should inform and improve each other throughout their processes.

A Northwest Master Plan will ensure:

- Pedestrian-oriented, transit-supportive development;
- Development that includes a variety of uses, but retains the EX zone focus on employment uses that need a central location;
- High quality design appropriate to an urban setting;
- Active uses on the ground floor of buildings along designated transit streets and pedestrian routes;
- A street pattern that provides for frequent, convenient pedestrian and vehicle connections and emulates levels of connectivity similar to the adjacent block pattern;
- Transportation and parking demand management strategies that decrease reliance on the automobile;
- Development that is integrated into the broader urban fabric;
- Transitions to adjacent areas with different uses and intensities through use, height, and massing of new development, considering historic resources, and the character of the area anticipated through the Northwest District Plan process; and
- Consideration of opportunities to provide a park, plaza, or other open space that can be used by those working and living in the neighborhood; and efficient use of land.

**119. Findings:** The EDEP amendment relating to the NW Master Plan duration approval period extends the 10-year approval duration of currently approved master plans until January 1, 2024. There is only one such master plan, which is currently set to lapse on October 2, 2022. This 15-month time extension allows the applicant to continue developing under the already approved master plan. The applicant may still choose to amend or update the approved plan prior to its expiration. This amendment merely provides additional flexibility and greater certainty in the intervening time period. The overall effect on the built environment from the expectations laid out in the master plan are negligible and the approved plan has already been shown to be consistent with this purpose statement.

### **33.663 Final Plats**

#### **33.663.010 Purpose**

These regulations ensure that Final Plats are processed with the appropriate level of city review. This chapter contains clear procedures and approval standards for Final Plats.

**120. Findings:** The EDEP amendment related to final plat applications extends the period of time a final plat application can remain inactive before being voided from 180 days to 365 days. The amendment is limited in its scope of applicability and only applies to final plats that were submitted prior to January 1, 2021 and that have not already expired. Final plats filed after that date will continue to be subject to the standard 180-day period. The extension provides flexibility to applicants impacted by the COVID-19 pandemic by granting extra time to address the final plat approval criteria. The extension would not impact the level of city review or the requirements for approval.

### **33.705 Neighborhood Contact**

#### **33.705.010 Purpose**

The neighborhood contact process provides an opportunity for people who live, work or otherwise pass by a development site to learn about a project before construction begins. It makes the same information accessible online to interested community members. The neighborhood contact steps provide an opportunity for members of the community to provide feedback to the property owner or developer on the design and other aspects of the development. In most cases, the neighborhood

contact steps involve a sign posted on the site, but in some larger development scenarios, the property owner or developer will be required to host a public meeting. While the neighborhood contact outreach steps are required prior to submitting for a land use review or building permit, any feedback provided to the property owner or developer is informal and non-binding. By engaging with members of the community early, prior to applying for a review or permit, the property owner or developer has an opportunity to tailor the proposal in response to community comments, ideas or concerns.

**121.Findings:** The EDEP amendment to the neighborhood contact process allows applicants to remotely hold required public meetings using virtual conferencing technology software during the COVID-19 pandemic, with the stipulation that there also be opportunity to join the meeting using a telephone. This amendment provides flexibility during a public health emergency to allow applicants to engage with the community and receive feedback early in the process while also meeting social distancing requirements and limitations on the size of public gatherings to manage the spread of the pandemic. This approach has been widely adopted by agencies, community organizations, and institutions across the state as a “best practice” in light of the impediments caused by the pandemic. The allowance for use of this virtual technology is temporary and only applies to required meetings held between March 8, 2020 and January 1, 2024.

### **33.730.050 Pre-Application Conference**

#### **33.730.050.A Purpose**

The pre-application conference informs the applicant of the substantive and procedural requirements of this Title, provides for an exchange of information regarding applicable requirements of other City Codes, and identifies policies and regulations that create opportunities or pose significant problems for a proposal. Technical and design assistance is available at the conference which will aid in the development of an application. The pre-application conference also informs recognized organizations about the proposal and promotes communication between the organizations and the applicant.

**122.Findings:** The Planning and Sustainability Commission’s recommendation to Council modified the initially proposed temporary one-year extension for the one-year validity of using preapplication notes for application filing requirements to a permanent two-year validity. Land use applications are vested in the regulations that apply at the time of their submittal and are not vested by the completion of a preapplication conference. Council recognizes that significant changes may occur to development regulations in a two-year period that could impact a proposed development. However, Council also agrees with the PSC’s recommendation to allow for longer time period before preapplication notes expire due to the cost and time considerations of applying for a new preapplication conference, Since land use applications will be subject to the regulations in effect at time of submittal, and applicants are already informed to that effect in the preapplication notes, there is no long term effect to the application of new development regulations. This amendment does not change how pre-application conferences are held or the ability of the interested parties to exchange ideas, nor does it change the informative nature of the pre-application conference to community organizations. The amendment meets the purpose of the pre-application while also granting additional flexibility to applicants.

### **33.730.130 Expiration of an Approval**

#### **33.730.010 Purpose**

This chapter states the procedures and requirements for quasi-judicial reviews. It contains the step-by-step processing requirements. The chapter also describes the rules of conduct for all people involved in

the quasi-judicial review process. The assignment of procedures to specific reviews is done in the chapter that establishes the review. The assignment of the review body is done in Chapter 33.720, Assignment of Review Bodies.

The regulations provide standardized methods for processing quasi-judicial land use reviews. The requirements provide clear and consistent rules to ensure that the legal rights of individual property owners and the public are protected. The rules implement state law, including the requirement that most quasi-judicial reviews must be completed within 120 days of filing a complete application. The Type II, Type IIx, Type III, and Type IV procedures, with their varying levels of review, provide the City with options when assigning procedures to each quasi-judicial review in this Title. The Type I and Type Ix procedures are administrative procedures.

The Type I and Ix procedures, or limited land use review, allows local decisions to be made administratively for such reviews as minor design and historic resource cases. The Type II procedure is the shortest and simplest of the other three quasi-judicial reviews. It is intended for reviews which involve lesser amounts of discretion, lower potential impacts, or both. The Type IIx procedure is used primarily for land divisions. It provides more time to make the administrative decision than the Type II procedure. The Type III procedure is a longer and more in-depth review. It is intended for reviews which involve substantial discretion or high impacts. The Type IV procedure is used to review proposals to demolish certain significant historic resources.

**123. Findings:** The EDEP amendments extend the expiration of certain quasi-judicial land use reviews that were approved in the time leading up to the onset of the COVID-19 pandemic to January 1, 2024. The amendment grants relief to applicants impacted by the procedural and financial challenges brought on by the pandemic. The extensions apply to land use review cases that receive approval through the end of 2020. All other quasi-judicial procedure requirements and the approval criteria for land use reviews remain unchanged. The amendment provides an exception to the existing timelines for quasi-judicial procedures, recognizing the unique challenges posed to applicants during the pandemic, while still maintaining standardized methods and clear and consistent rules for quasi-judicial procedures.

## Part VI. Comprehensive Plan Map and Zoning Map Amendment Criteria

### 33.810.050 Approval Criteria

**B. Legislative.** Amendments to the Comprehensive Plan Map which are legislative must be found to be consistent with the goals and policies of the Comprehensive Plan, Metro's Urban Growth Management Functional Plan, the Statewide Planning Goals, and any relevant area plans adopted by the City Council.

**124.Finding:** The EDEP does not propose any amendments to the Comprehensive Plan Map. This criterion does not apply.

### 33.855.050 Approval Criteria for Base Zone Changes

An amendment to the base zone designation on the Official Zoning Maps will be approved (either quasi-judicial or legislative) if the review body finds that the applicant has shown that all of the following approval criteria are met:

**A. Compliance with the Comprehensive Plan Map.** The zone change is to a corresponding zone of the Comprehensive Plan Map. When the Comprehensive Plan Map designation has more than one corresponding zone, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes or characteristics of each zone and the zoning pattern of surrounding land.

**125.Finding:** The EDEP does not propose any amendments to the Zoning Map. This criterion does not apply.

### B. Adequate public services.

1. Adequacy of services applies only to the specific zone change site.
2. Adequacy of services is determined based on performance standards established by the service bureaus. The burden of proof is on the applicant to provide the necessary analysis. Factors to consider include the projected service demands of the site, the ability of the existing and proposed public services to accommodate those demand numbers, and the characteristics of the site and development proposal, if any.
  - a. Public services for water supply, and capacity, and police and fire protection are capable of supporting the uses allowed by the zone or will be capable by the time development is complete.
  - b. Proposed sanitary waste disposal and stormwater disposal systems are or will be made acceptable to the Bureau of Environmental Services. Performance standards must be applied to the specific site design. Limitations on development level, mitigation measures or discharge restrictions may be necessary in order to assure these services are adequate.
  - c. Public services for transportation system facilities are capable of supporting the uses allowed by the zone or will be capable by the time development is complete. Transportation capacity must be capable of supporting the uses allowed by the zone by the time development is complete, and in the planning period defined by the Oregon Transportation

Rule, which is 20 years from the date the Transportation System Plan was adopted. Limitations on development level or mitigation measures may be necessary in order to assure transportation services are adequate.

- d. The school district within which the site is located has adequate enrollment capacity to accommodate any projected increase in student population over the number that would result from development in the existing zone. This criterion applies only to sites that are within a school district that has an adopted school facility plan that has been acknowledged by the City of Portland.

**126.Finding:** The EDEP does not propose any amendments to the Zoning Map. These criteria do not apply.

### **33.855.060 Approval Criteria for Other Changes**

In addition to the base zones and Comprehensive Plan designations, the Zoning Map also shows overlay zones. An amendment will be approved (either quasi-judicial or legislative) if the review body finds that all of the following approval criteria are met:

- A. Where a designation is proposed to be added, the designation must be shown to be needed to address a specific situation. When a designation is proposed to be removed, it must be shown that the reason for applying the designation no longer exists or has been addressed through other means;
- B. The addition or removal is consistent with the purpose and adoption criteria of the regulation and any applicable goals and policies of the Comprehensive Plan and any area plans; and
- C. In the Marquam Hill plan district, relocation of a scenic viewpoint must be shown to result in a net benefit to the public, taking into consideration such factors as public access, the quality of the view, the breadth of the view, and the public amenities that are or will be available.

**127.Finding:** The EDEP does not propose any overlay zone amendments to the Zoning Map. These criteria do not apply.

- END -

Exhibit B

# Expiration Date Extension Project

REGULATORY RELIEF DUE TO THE COVID-19 PANDEMIC

RECOMMENDED DRAFT  
JUNE 2020

[www.portlandoregon.gov/bps](http://www.portlandoregon.gov/bps)



Bureau of Planning and Sustainability  
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 503-823-7700 | www.portlandoregon.gov/bps/71701

## How to Participate

The Expiration Date Extension Project will be considered by the Portland City Council at a virtual public hearing on Wednesday, July 8, 2020. The public is invited to participate in the following ways:

- 1. Watch the public hearing (live stream and recorded).** Access City Council's videos: [portlandoregon.gov/video](http://portlandoregon.gov/video)
- 2. Submit written testimony.** Because this meeting will be held virtually, we strongly encourage written testimony. Written testimony must be received by the time of the hearing and must include your name and address.

Send an email:	Use U.S. Mail:
cctestimony@PortlandOregon.gov Include "Extension Project Testimony" in the subject line	City Council Extension Project Testimony 1221 SW Fourth Avenue, Room 130 Portland, OR 97204

- 3. Testify at the City Council hearing.** The hearing on July 8, 2020 will be held virtually. You can use a computer, mobile device, or phone to testify during the hearing. To testify during the hearing, please register at the following link: [portland.gov/bps/edep](http://portland.gov/bps/edep). **The deadline to sign up for the Wednesday, July 8 hearing is Tuesday June 30, 2020 at 4:00 p.m.** Individuals have three minutes to testify, unless stated otherwise at the hearing. Email the Council Clerk at [cctestimony@portlandoregon.gov](mailto:cctestimony@portlandoregon.gov) with questions.

### For more information

Contact JP McNeil, Project Manager, at the Bureau of Planning and Sustainability 503-823-6046 or [Jason.mcneil@portlandoregon.gov](mailto:Jason.mcneil@portlandoregon.gov) or visit the Bureau of Planning and Sustainability's website: [portland.gov/bps/edep](http://portland.gov/bps/edep)

## Acknowledgments

### **Portland City Council**

Ted Wheeler, *Mayor*

Chloe Eudaley, *Commissioner*

Amanda Fritz, *Commissioner*

Jo Ann Hardesty, *Commissioner*

### **Portland Planning and Sustainability Commission**

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Katherine Schultz, *Vice Chair*

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Mike Houck

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# Section I: Introduction

## Project Summary

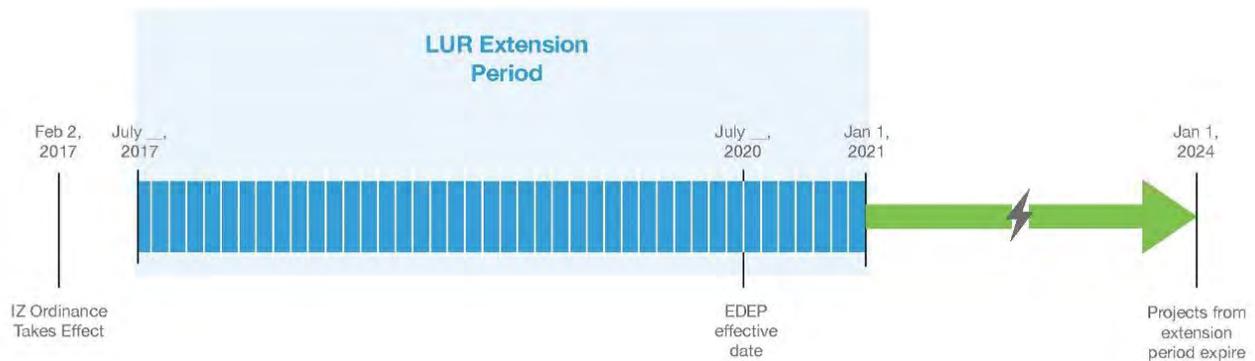
The Expiration Date Extension Project addresses several issues related to the administration of the Portland Zoning Code (Title 33, Planning and Zoning) and the economic impacts of the COVID-19 pandemic on the development market. It will amend the Zoning Code to extend the expiration date of some land use reviews, final plats, pre-application conferences, non-conforming update agreements, and Master Plans; maintain inclusionary housing rates that are set to increase; and allow for virtual neighborhood contact meetings. The proposal also includes a minor amendment to address a typo in the Zoning Code.

- 1. Land Use Review Extensions.** The Portland Zoning Code contains regulations that specify when land use review approvals expire. Most land use review approvals expire if a building permit for the project is not issued within three years of the final land use decision. Preliminary Plan approvals for land divisions expire if a final plat application is not submitted within three years of the final decision on the Preliminary Plan.

The COVID-19 crisis has created economic uncertainty in the market making it more difficult for development projects to move forward and has also slowed the pace of construction. Additionally, the public health emergency declaration impacted the Bureau of Development Services' ability to intake and issue permits. Given these conditions, it is more difficult for applicants to proceed within the timelines set out in the Zoning Code, increasing project cost and delay that could hinder the city's economic recovery.

To address these issues **this project proposes to extend expiration dates of land use reviews and preliminary plans approved up to three years prior to the effective date of this ordinance (approximately July 2017) and approximately six months after the effective date of this ordinance (January 1, 2021) until January 1, 2024.** This means that land use reviews approved in the 33 months leading up to the COVID-19 crisis hitting Portland in March 2020 and for 6 months following will be granted an extension of up to 42 months. While it remains unclear how long the COVID-19 economic effects will linger, the extension period will provide a buffer for applicants to see these projects through to completion. The goal is to allow sufficient time for approved projects to weather the current market situation, while also limiting the length of the extension so that conditions and regulations considered at the time of the approval remain relevant.

This project is in alignment with similar land use review extensions that were passed in 2009 and 2012 in response to the 2008 economic crisis. At that time, City Council first extended the expiration dates for land use reviews approved between May 2006 and December 2008 to June of 2012. When the economy did not recover by 2012 as expected, City Council extended those land use expirations until June of 2014.



- 2. Pre-Application Conference Extensions.** Pre-application conferences are a part of the land use review process that provide applicants with technical, design, and procedural assistance prior to the submittal of an application. Pre-applications also provide notification to recognized organizations of large-scale projects.

For Type III and Type IV reviews, which includes most high-impact reviews, a pre-application is required. For most other reviews, a pre-application conference is optional. Following the pre-application conference, the planner and relevant City agencies provide the applicant with a summary of recommendations and information from the meeting. For reviews that require a pre-application conference, the land use review application must be submitted within one year of the conference or else the pre-application conference expires and a new conference must be held.

Given the impacts the COVID-19 crisis is having on the development market, pre-application conferences may expire during this period of economic uncertainty and when the ability to submit a building permit or meet with City staff is limited. While the overarching theme of this project is to respond to COVID-related issues, the Commission felt that it was appropriate to extend the timeframe for pre-application conferences more broadly. This is to ameliorate the added expense and delays for larger projects that result when pre-application conferences expire due to longer timelines for more complex projects. Rather than just focus on a subset of larger projects which are impacted by COVID-related delays, such as Master Plan projects, the Commission recommends extending all pre-application expirations.

**This project proposes to extend expiration dates of all pre-application from one year after the pre-application conference is held until two years after the conference.**

- 3. Final Plat Extensions:** The final plat process is the second step of the land division process that follows the approval of the preliminary plan. The final plat shows the final surveyed layout of the land division including all lots, tracts, easements and rights-of-way. Information documenting compliance with all City requirements and conditions of approval is reviewed with the final plat.

Final plats must be completed within three years from the time the first response for additional information (checksheet) is sent to the applicant by the planner assigned to the final plat. The process generally involves some back-and-forth between the applicant and the planner. Under the current code, the applicant is given 180 days to respond to a request for information or to

otherwise make progress towards completing the final plat. If they fail to do so, the application can be voided. **This project proposes to grant the applicant 365 days to respond to a request for information or make progress on their application before it is voided.** The change applies to all final plats submitted before January 1, 2021, excepting those that have already expired or been voided as of the effective date of this proposal. The intent is to grant some flexibility to applicants in light of the uncertainty facing the development and construction markets due to COVID-19.

4. **Neighborhood Contact Meetings:** Neighborhood contact is a set of outreach steps that must be taken before certain land use reviews and development permits can be submitted for approval. The neighborhood contact steps provide an opportunity for members of the community to provide feedback to the property owner or developer on the design and other aspects of the development. Certain types of development proposals require the applicant to set up a public meeting or a meeting with the neighborhood association to present the project. Given the social distancing necessary to prevent the spread of the COVID-19 pandemic, **this proposal will allow neighborhood contact meetings held between March 8, 2020 and January 1, 2021 to be held remotely using video conferencing technology, provided a phone-in option is also available.**
5. **Extension for Inclusionary Housing Provision Rates:** The Inclusionary Housing (IH) standards set the rate at which affordable housing must be provided for housing projects. Under the current code, the standard for projects outside of the Central City and Gateway plan districts is lower than is required inside these plan districts. The lower rate is currently set to expire on January 1, 2021. **This project proposes to delay the January 2021 increase of the inclusion rates in neighborhoods outside the Central City and Gateway plan districts to January 1, 2024.**

The Bureau of Planning and Sustainability and Portland Housing Bureau closely monitor the City's Inclusionary Housing program to ensure that the program is producing affordable units through multi-family development. There are currently a significant number of projects with Inclusionary Housing units already permitted or in the permitting process. The disruption to the national and regional economy due to the COVID-19 pandemic is creating uncertainty for residential development projects. This amendment will alleviate some of that uncertainty.

6. **Nonconforming Upgrades Option 2 Extension:** Nonconforming upgrades are required upgrades to sites with development that is out of conformance with the current Zoning Code. These provisions require upgrades to nonconforming development that affect the appearance and impacts of a site. The upgrades are triggered when a building permit is submitted and the value of the proposed alterations is over a certain dollar threshold. To complete upgrades, an applicant has two options. Under the first option, the applicant must complete the upgrades at the time of the project that triggers the upgrades; however, the upgrades are limited to 10 percent of the value of the project. Under the second option, the applicant is given more time (up to five years) to complete the upgrades, but at the end of that period, the entire site must be brought into conformance. Under Option 2, the applicant must apply to delay the upgrades and must also record a covenant specifying what upgrades will be made and the date by which the upgrades must be completed.

**This project proposes to extend the compliance period for applicants with an active Option 2 Covenant in effect on March 8, 2020 until January 1, 2022 or until the end date recorded in the covenant, whichever is later.**

- 7. Con-Way Master Plan Extension:** Northwest Master Plans are required for a certain area of NW Portland that is known as the Con-way site (shown on Zoning Code Map 562-9 and approved through LU 12-135135 MS). This plan sets the planning area boundaries, outlines a scheme for the urban design and project phasing, and includes a plan amendment process, approval criteria and design guidelines for the area. New projects within the Master Plan boundaries are subject to Design Review using those design guidelines. The Zoning Code stipulates that Northwest Master Plans expire after 10 years, though they can be extended through an amendment process. Unless amended, the Con-way Master Plan will expire on October 2, 2022.

To date, nine blocks within the Con-Way Master Plan area have submitted or been approved for building permits, while another six are still in the concept and design phases. Like other development projects citywide, the Con-way projects are subject to delays and uncertainty due to the COVID-19 pandemic and in need of relief similar to what is being offered to other land use review sites through this project. Additionally, the Con-way Master Plan went through a comprehensive planning process that involved the neighboring community and a broad range of stakeholders and the end result was a concept amenable to those stakeholders, including the Northwest District Association. Expiration of the Con-way Master Plan could mean the loss of that work if a new master plan must be developed.

To that end, **this project proposes to extend the expiration of the Con-way Master Plan until January 1, 2024.**

- 8. List of Terms Typo:** The Better Housing by Design project was adopted by City Council on December 18, 2019. With that adoption, the Title 33 Definitions Chapter (33.910) was amended to add new terms and definitions. The corresponding term for each definition in Chapter 33.901 is also listed in Chapter 33.900 List of Terms. The code amendments adopted amended the Chapter 33.910 Definitions but not 33.900 List of Terms. **This project proposes to fix that by amending Chapter 33.900 to update the List of Terms.**

#### **Planning and Sustainability Commission Recommendation**

The Planning and Sustainability Commission recommends that City Council:

- Adopt this report;
- Amend the Zoning Code as shown in this report; and
- Adopt the ordinance.

## Section II: Zoning Code Amendments

This section presents staff proposed zoning code amendments. The section is formatted to facilitate readability by showing draft code amendments on the right-hand (odd) pages and related commentary on the facing left-hand (even) pages.

Underlined formatting indicates added text, while ~~striketrough~~ formatting shows what text is deleted.

### **33.245 Inclusionary Housing**

These changes extend the expiration date for the lower inclusionary housing rates that currently apply outside the Central City and Gateway plan districts.

#### **33.245.040.A.2.1 Inclusionary Housing Standards**

A phase-in period of lower inclusion rates for both the mandatory and voluntary options outside the Central City and Gateway plan districts were adopted on December 21, 2016. The rates for these areas were set at 15 percent of units at 80 percent MFI and 8 percent of units at 60 percent MFI. In 2018, the phase-in period was extended to January 1, 2021, which would increase the inclusion rate to 20 percent of units at 80 percent MFI and 10 percent of units at 60 percent MFI citywide. This proposal extends the phase-in period to January 1, 2024.

The Bureau of Planning and Sustainability and Portland Housing Bureau closely monitor the City's Inclusionary Housing program to ensure that the program is producing affordable units through multi-family development. There are currently a significant number of projects with Inclusionary Housing units already permitted or in the permitting process. The disruption to the national and regional economy due to the COVID-19 pandemic is creating uncertainty for residential development projects. Therefore, the Bureau of Planning and Sustainability and the Portland Housing Bureau proposes delaying for three years the January 2021 increase of the inclusion rates in neighborhoods outside the Central City and Gateway Regional Center to allow time for the development market to adjust to economic disruption caused by the COVID-19 pandemic.

**33.245 Inclusionary Housing****245****33.245.040 Inclusionary Housing Standards**

Affordable dwelling units must be provided as follows, or a fee-in-lieu of providing affordable dwelling units must be paid. Adjustments are prohibited:

- A. On-site affordable dwelling units.** When the affordable dwelling units will be located on-site, affordable dwelling units must be provided at one of the following rates. For the purpose of this Section, affordable dwelling units located within the boundaries of a Central City Master Plan are considered to be on-site:
1. [No change]
  2. Outside the Central City and Gateway plan districts. Outside the Central City and Gateway plan districts, affordable dwelling units must be provided at one of the following rates:
    - a. Rates before January 1, ~~2021~~2024:
      - (1) 8 percent of the total number of dwelling units in the new building or the alteration must be affordable to those earning no more than 60 percent of the area median family income; or
      - (2) 15 percent of the total number of dwelling units in the new building or the alteration must be affordable to those earning no more than 80 percent of the area median family income.
      - (3) Alternate calculation method. As a way to encourage the creation of larger affordable dwelling units, using one of the percentages stated above, the number of affordable dwelling units required may be calculated based on the total number of bedrooms in the new or altered building. For example, using the 10 percent rate, a new building with 60 two-bedroom dwelling units could provide 6 two-bedroom affordable units or 4 three-bedroom affordable units.
    - b. Rates on and after January 1, ~~2021~~2024. The rates shown in Paragraph A.1. apply outside the Central City and Gateway plan districts on and after January 1, ~~2021~~2024.
- B.** [No change]

**33.258 Nonconforming Situations**

This change extends the timeframe during which upgrades must be made to bring nonconforming development into compliance with the Zoning Code.

**33.258.070.D.2.d.(2)**

Generally, projects for alterations on sites with nonconforming development over a certain valuation threshold trigger required upgrades to bring the site into conformance with the zoning code. An applicant has two options to do so. Under the first option, the applicant must complete the upgrades as part of the project that triggers the upgrades; however, the upgrades are limited to 10 percent of the value of the project. Under the second option, the applicant is given more time (up to five years) to complete the upgrades, but at the end of that period, the entire site must be brought into conformance. Under Option 2, the applicant must apply to delay the upgrades and must also record a covenant specifying what upgrades must be made and the date by which the upgrades must be completed.

This amendment extends until 2022 the timeframe for projects that were approved for Option 2 upgrades and had a recorded covenant at the time the COVID-19 public health emergency was declared.

## 33.258 Nonconforming Situations

# 258

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### 33.258.070 Nonconforming Development

#### A.-C. [No change]

**D. Development that must be brought into conformance.** The regulations of this subsection are divided into two types of situations, depending upon whether the use is also nonconforming or not. These regulations apply except where superseded by more specific regulations in the code.

1. [No change]

2. Nonconforming development with an existing nonconforming use, allowed use, limited use, or conditional use. Nonconforming development associated with an existing nonconforming use, an allowed use, a limited use, or a conditional use, must meet the requirements stated below. When alterations are made that are over the threshold of Subparagraph D.2.a., the site must be brought into conformance with the development standards listed in Subparagraph D.2.b. The value of the alterations is based on the entire project, not individual building permits.

a.-c. [No change]

d. Timing and cost of required improvements. The applicant may choose one of the following options for making the required improvements:

(1) Option 1. Under Option 1, required improvements must be made as part of the alteration that triggers the required improvements. However, the cost of required improvements is limited to 10 percent of the value of the proposed alterations. It is the responsibility of the applicant to document the value of the required improvements. When all required improvements are not being made, the applicant may choose which of the improvements listed in Subparagraph D.2.b to make. If improvements to nonconforming development are also required by regulations in a plan district or overlay zone, those improvements must be made before those listed in Subparagraph D.2.b.

(2) Option 2. Under Option 2, the required improvements may be made over several years, based on the compliance period identified in Table 258-1. However, by the end of the compliance period, the site must be brought fully into compliance with the standards listed in Subparagraph D.2.b. When this option is chosen, the following applies:



- Before a building permit is issued, the applicant must submit the following to BDS:
  - Application. An application, including a Nonconforming Development Assessment, which identifies in writing and on a site plan, all development that does not meet the standards listed in subparagraph D.2.b.
  - Covenant. The City-approved covenant, which is available in the Development Services Center, is required. The covenant identifies development on the site that does not meet the standards listed in subparagraph D.2.b, and requires the owner to bring that development fully into compliance with this Title. The covenant also specifies the date by which the owner will bring the nonconforming development into full compliance. The date must be within the compliance periods set out in Table 258-1. The covenant must be recorded as specified in Subsection 33.700.060.B.
- The nonconforming development identified in the Nonconforming Development Assessment must be brought into full conformance with the requirements of this Title that are in effect on the date when the permit application is submitted. The compliance period begins when a building permit is issued for alterations to the site of more than \$300,000. The compliance periods are based on the size of the site. The compliance periods are identified in Table 258-1.
- By the end of the compliance period, the applicant or owner must request that the site be certified by BDS as in compliance with the standards listed in Subparagraph D.2.b. on the date when the permit application was submitted. A permit documenting full conformance with these standards is required and must receive final inspection approval prior to BDS certification.
- If certification is requested by the end of the compliance period and BDS certifies the site as in compliance, a two-year grace period begins. The grace period begins at the end of the compliance period, even if BDS certifies the site before the end of the compliance period. During the grace period, no upgrades to nonconforming development are required.
- If certification is not requested, or if the site is not fully in conformance by the end of the compliance period, no additional building permits will be issued until the site is certified.
- If the regulations referred to by Subparagraph D.2.b, or in D.2.b itself, are amended after the Nonconforming Development Assessment is received by BDS, and those amendments result in development on the site that was not addressed by the Assessment becoming nonconforming, the applicant must, at the end of the grace period, address the new nonconforming development using Option 1 or Option 2. If the applicant chooses Option 2, a separate Nonconforming Development Assessment, covenant, and compliance period will be required for the new nonconforming development.



- For covenants that were in effect on March 8, 2020, the compliance period expires on the later of January 1, 2022 or the period in the recorded covenant.

<b>Table 258-1 Compliance Periods for Option 2</b>	
<b>Square footage of site</b>	<b>Compliance period</b>
Less than 200,000 sq. ft.	2 years
200,000 sq. ft. or more, up to 500,000 sq. ft.	3 years
More than 500,000 sq. ft., up to 850,000 sq. ft.	4 years
More than 850,000 sq. ft.	5 years

**E.-G. [No change]**

**33.562 Northwest Master Plans**

The changes in this chapter grant an extension to the timeframe for a Northwest Master Plan. Northwest Master Plans are required for a certain portion of NW Portland that is known as the Con-way site (shown on Map 562-9). Only one Northwest Master Plan land use review has been approved under this code section (LU 12-135162 MS), the Con-way Master Plan. This plan sets the planning area boundaries, outlines a scheme for the urban design and project phasing, and includes a plan amendment process, approval criteria, and design guidelines for the area. New projects within the Master Plan boundaries are subject to Design Review using those design guidelines.

**33.562.300.H Duration of the Northwest Master Plan**

This code section specifies that Northwest Master Plans remain in effect for 10 years unless the plan is amended or updated. As noted above, the Con-Way Master Plan is the only adopted Northwest Master Plan. If the Con-way Master Plan expires before the build-out of the site is completed, a new Master Plan must be adopted for projects within the area designated on Map 562-9 that propose an expansion of floor area or exterior improvements greater than 1,500 square feet, with a few exceptions.

Without being amended through the quasi-judicial process (as specified in Chapter 33.562 and the adopted Con-Way Master Plan), the Plan would expire on October 2, 2022 (10 years from the effective date of the Con-way Master Plan approval). This code change would extend that expiration to January 1, 2024 to allow the applicant more time to complete the build-out of the Master Plan area.

**33.562 Northwest Plan District****562**

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**33.562.300 Northwest Master Plan****A.-G. [No change]**

- H. Duration of the Northwest Master Plan.** The Northwest Master Plan must include proposed uses and possible future uses that might be proposed for at least 3 years and up to 10 years. An approved Northwest Master Plan remains in effect for 10 years, unless the plan is amended or updated, with the exception of Northwest Master Plans approved prior to [INSERT EFFECTIVE DATE OF THIS ORDINANCE], which remain in effect until January 1, 2024. When the Northwest Master Plan is amended or updated, the application for amendment or revision must include a discussion of when the next update will be required.

**I. [No change]**

**33.663 Final Plats**

The changes in this chapter allow extra time for applicants to complete final plats that were in process prior to the onset of the COVID-19 crisis and also grants some flexibility for plats submitted through the end of 2021.

**33.663.110 Voiding of Final Plat Application**

Generally, final plat applicants must respond to requests for additional information regarding the final plat within 180 days, otherwise the City can void the final plat application. This code change allows for 365 days of inactivity before the final plat is voided. This is a temporary reprieve and only applies to plats submitted before January 1, 2021 and that have not expired or been voided prior to the effective date of the ordinance.

## 33.663 Final Plats

## 663

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**33.663.110 Voiding of Final Plat Application**

- A. Generally.** An application for Final Plat review will be voided when:
1. The Director of BDS has sent written comments to the applicant, requesting additional information or identifying outstanding requirements that must be completed prior to final plat approval and the applicant has not provided any of the requested information or completed any steps toward meeting the outstanding requirements within 180 days. If the applicant provides some information or completes some steps toward meeting the outstanding requirements within 180 days the application of final plat review will not be voided; or
  2. It has been more than 3 years since the Director of BDS has sent the initial set of written comments requesting additional information or identifying outstanding requirements that must be completed prior to final plat approval and the applicant has not provided all of the requested information and completed all of the steps necessary to meet the outstanding requirements. This paragraph does not apply to applications for final plat review submitted on or before May 16, 2012.
- B. Exception.** For final plat applications that were submitted before ~~December 31, 2009~~January 1, 2021, the 180-day period identified in A.1, above, is extended to 365 days. This exception applies only to applications that have not expired or been voided as of ~~May 27, 2009~~[INSERT EFFECTIVE DATE OF THIS ORDINANCE].

**33.705 Neighborhood Contact**

The changes in the section expand the options for conducting neighborhood contact that meet social distancing requirements.

**33.705.020 Neighborhood Contact Steps**

Certain types of development proposals require the applicant to present the proposal at a public meeting or a meeting with the neighborhood association. Given the social distancing necessary to prevent the spread of the COVID-19 pandemic, this proposal will allow neighborhood contact meetings held between March 8, 2020 and January 1, 2021 to be held remotely using video conferencing technology, provided a phone-in option is also available.

## Chapter 33.705 Neighborhood Contact

## 705

## 33.705.020 Neighborhood Contact Steps

- A. [No change]
- B. **Neighborhood contact II.** Neighborhood contact II requires the following meeting, notification and posting steps:
  - 1.-3. [No change]
  - 4. Meeting. The applicant must schedule and attend one public meeting. Notes from the meeting and an explanation of any changes made to the proposal as a result of comments received at the public meeting must be emailed or mailed to the neighborhood association, district neighborhood coalition, business association, school district and any meeting attendees who provide an email or postal address, before an application for a land use review or building permit can be accepted. The meeting must:
    - a. Be held at least 14 days before applying for a land use review or a building permit, and at least 14 days after sending the email or letter and posting signs required by Paragraphs B.2. and B.3.
    - b. Be held at a location within the neighborhood where the proposed development is located or at a location that is not more than two miles from the boundary of the neighborhood within which the proposed development is located and within the boundaries of the district neighborhood coalition in which the proposed development is sited. Meetings held between March 8, 2020 and December 31, 2021 may be held remotely using online video conferencing technology. The selected technology must have a phone-in option available to those without access to a computer or mobile device;
    - c. Be held at a time between 6 p.m. and 9 p.m. Monday through Friday, or between 1 p.m. and 6 p.m. on Saturday or Sunday and which does not conflict with a scheduled neighborhood association meeting unless held in conjunction with a neighborhood association meeting;
    - d. Be open to the public; and
    - e. Be in a location that provides access to all members of the public. If requested by a member of the public at least three days prior to the meeting, the applicant must provide language services, alternative formats, auxiliary aids, or other reasonable requests that ensure barrier free access.
  - 5. [No change]



**C. Neighborhood contact III.** Neighborhood contact III requires the following meeting, notification and posting steps:

1.-3. [No change]

4. Meeting. If the neighborhood association does not reply to the applicant meeting request within 14 days, or hold a meeting within 45 days, the applicant must schedule and attend one public meeting. Notes from the meeting and an explanation of any changes made to the proposal as a result of comments received at the public meeting must be emailed or mailed to the neighborhood association, district neighborhood coalition, business association, school district and any meeting attendees who provide an email or postal address, before an application for a land use review or building permit can be accepted. The meeting must:

- a. Be held at least 14 days before applying for a land use review or a building permit, and at least 14 days after sending the email or letter and posting signs required by Paragraphs C.1. and C.2.
- b. Be held at a location within the neighborhood where the proposed development is located or at a location that is not more than two miles from the boundary of the neighborhood within which the proposed development is located and within the boundaries of the district neighborhood coalition in which the proposed development is sited. Meetings held between March 8, 2020 and December 31, 2021 may be held remotely using online video conferencing technology. The selected technology must have a phone-in option available to those without access to a computer or mobile device;
- c. Be held at a time between 6 p.m. and 9 p.m. Monday through Friday, or between 1 p.m. and 6 p.m. on Saturday or Sunday and which does not conflict with a scheduled neighborhood association meeting unless held in conjunction with a neighborhood association meeting; and
- d. Be open to the public; and
- e. Be in a location that provides access to all members of the public. If requested by a member of the public at least three days prior to the meeting, the applicant must provide language services, alternative formats, auxiliary aids, or other reasonable requests that ensure barrier free access.

5. [No change]

### **33.730 Quasi-Judicial Procedures**

The changes in this chapter extend the expiration dates for certain pre-application conferences and land use reviews. The economic consequences of the COVID-19 pandemic have created uncertainty in the development markets and the public health emergency declaration impacted the Bureau of Development Services' ability to intake and issue permits. Given these conditions, it is more difficult for applicants to proceed within the timelines set out in the Zoning Code, increasing project cost and delay that could hinder the city's economic recovery. These code changes are designed to allow flexibility for developers and property owners to adjust to these changing conditions. The goal is to allow sufficient time for approved projects to weather the current market situation, while also limiting the length of the extension so that conditions and regulations considered at the time of the approval remain relevant.

#### **33.730.050 Pre-Application Conference**

Pre-application conferences normally expire after one year from the date of the conference if the land use review or building application are not submitted by that date. This code change will extend the expiration date for all pre-conferences from one year to two years. While the overarching theme of the EDEP is to respond to COVID-related issues, the PSC felt that it was appropriate to extend the timeframe for pre-application conferences permanently. This is to ameliorate the added expense and delays for larger projects that result when pre-application conferences expire because of longer timelines for more complex projects. Rather than just focus on a subset of larger projects, such as Master Plan projects (as was also proposed), the PSC opted to recommend extending all pre-application expirations.

**33.730 Quasi-Judicial Procedures****730**

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**33.730.050 Pre-Application Conference****A.-F. [No change]**

- G. Time limit.** A pre-application conference is valid for ~~one~~two years. If more than ~~one~~two years has elapsed between the date of the pre-application conference and the date the land use review application is submitted, a new pre-application conference is required.

**33.730.130 Expiration of an Approval**

Land use review and preliminary plan approvals normally expire after three years from the date approval. This code change will grant an extension of up to 42 months for those land use reviews, and preliminary plans, approved between July [X], 2017 (three years before the effective date of this ordinance) and January 1, 2021.

The existing expiration periods in the Zoning Code are intended to ensure that regulations and policies that were applied at the time of land use approval continue to be valid at the time the project is built. The longer the period between approval and actual construction, the greater the chance regulations and policies will change. Additionally, substantive changes in the neighborhood surrounding the site are more likely to occur with longer expiration periods; neighborhood characteristics are often considered during land use approvals. This code change balances the need to provide relief to applicants affected by the economic downturn while respecting the value of the existing timeframes in the Zoning Code.

**33.730.130 Expiration of an Approval**

A. [No change]

**B. When approved decisions expire.**

1. Land use approvals, except as otherwise specified in this section, expire if:
  - a. Generally.
    - (1) Within 3 years of the date of the final decision a City permit has not been issued for approved development; or
    - (2) Within 3 years of the date of the final decision the approved activity has not commenced.
  - b. Exception. Final decisions that became effective between ~~May 27, 2006~~ [INSERT THREE YEARS PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE] and ~~December 31, 2008~~ January 1, 2021 or between ~~May 16, 2009 and June 30, 2011~~ expire if a City permit has not been issued for approved development or the approved activity has not commenced by ~~June 30, 2014~~ January 1, 2024.
2. Zoning map and Comprehensive Plan map amendments do not expire.
3. Conditional Use Master Plans, Impact Mitigation Plans, and Transportation Impact Reviews expire as specified in Chapters 33.820, 33.848, and 33.852, or in the plans themselves.
4. Multiple developments.
  - a. Generally. Where a site has received approval for multiple developments, and a City permit is not issued for all development within 3 years of the date of the final decision, the approval does not expire but no additional development may occur without another review. All conditions of approval continue to apply. Examples of multiple developments include phased development and multi-building proposals.
  - b. Exception. On sites where the final decisions became effective between ~~May 27, 2006~~ [INSERT THREE YEARS PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE] and ~~December 31, 2008~~ January 1, 2021 or between ~~May 16, 2009 and June 30, 2011~~ and a City permit is not issued for all development by ~~June 30, 2014~~ January 1, 2024, the approval does not expire but no additional development may occur without another review. All conditions of approval continue to apply.
5. Planned Developments. Where a Planned Development (PD) has been approved, and a building permit is not issued for all development within 10 years of the date of the final decision, the approval does not expire but no additional development may occur without another review. All conditions of approval continue to apply.



6. Preliminary plans.
  - a. Generally. Approved preliminary plans for land divisions expire if within 3 years of the date of the final decision an application for approval of Final Plat has not been submitted.
  - b. Exception. Final decisions on preliminary plans that became effective between ~~May 27, 2006~~[INSERT THREE YEARS PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE] and ~~December 31, 2008~~January 1, 2021 or ~~between May 16, 2009 and June 30, 2011~~ expire if an application for approval of Final Plat has not been submitted by ~~June 30, 2014~~January 1, 2024.
7. Final Plats. Final Plats expire if they are not submitted to the County Recorder to be recorded within 90 days of the final decision.
8. Large industrial sites. Where the Preliminary Plan is approved under the provisions of Chapter 33.664, Review of Land Divisions on Large Sites in Industrial Zones, the following applies:
  - a. Generally.
    - (1) The approved Preliminary Plan expires if within 3 years of the final decision an application for approval of a Final Plat for part or all of the site has not been submitted.
    - (2) Applications for approval of a Final Plat for the entire site must be submitted within 5 years of the date of final approval of the Preliminary Plan. Where Final Plat approval has not been requested for portions of the site within this time limit, the Preliminary Plan approval does not expire, but can no longer be used as a basis for Final Plats; all conditions continue to apply, but no new lots may be created without another Preliminary Plan Review.
  - b. Exception. Final decisions on preliminary plans that became effective between ~~May 27, 2006~~[INSERT THREE YEARS PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE] and ~~December 31, 2008~~January 1, 2021 or ~~between May 16, 2009 and June 30, 2011~~ expire if an application for approval of Final Plat has not been submitted by ~~June 30, 2014~~January 1, 2024. Where Final Plat approval has not been requested for portions of the site within this time limit, the Preliminary Plan approval does not expire, but can no longer be used as a basis for Final Plats; all conditions continue to apply, but no new lots may be created without another Preliminary Plan Review.
9. Staged Final Plats. Where the Preliminary Plan is approved under the provisions of Sections 33.633.200 through .220, Staged Final Plats, the following applies:
  - a. Application for approval of a Final Plat for part or all of the site.
    - (1) Generally. The approved Preliminary Plan expires if within 3 years of the final decision an application for approval of a Final Plat for part or all of the site has not been submitted.



- (2) Exception. Final decisions on preliminary plans that became effective between ~~May 27, 2006~~[INSERT THREE YEARS PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE] and ~~December 31, 2008~~January 1, 2021 or between ~~May 16, 2009 and June 30, 2011~~ expire if an application for approval of Final Plat has not been submitted by ~~June 30, 2014~~January 1, 2024
- b. Applications for approval of a Final Plat for the entire site. Applications for approval of a Final Plat for the entire site must be submitted within 5 years of the date of submittal of the first Final Plat application. Where Final Plat approval has not been requested for portions of the site within this time limit, the Preliminary Plan approval does not expire, but can no longer be used as a basis for Final Plats; all conditions continue to apply, but no new lots may be created without another Preliminary Plan Review.
10. Land use approvals in conjunction with a land division. Land use approvals reviewed concurrently with a land division do not expire if they meet all of the following. This includes Planned Unit Developments (PUDs) and Planned Developments (PDs) reviewed in conjunction with a land division. This also includes amendments made to land use approvals where the original approval was reviewed concurrently with a land division:
- The decision and findings for the land division specify that the land use approval was necessary in order for the land division to be approved;
  - The final plat of the land division has not expired; and
  - Development or other improvements have been made to the site. Improvements include buildings, streets, utilities, grading, and mitigation enhancements. The improvements must have been made within 3 years of approval of the final plat. For final plats approved between ~~May 27, 2006~~[INSERT THREE YEARS PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE] and ~~December 31, 2008~~January 1, 2021 or between ~~May 16, 2009 and June 30, 2011~~, the improvements must have been made by ~~June 30, 2014~~January 1, 2024.
11. Land use approvals in conjunction with a Planned Unit Development (PUD) or Planned Development (PD). Land use approvals reviewed concurrently with a PUD or PD do not expire if they meet all of the following. If the PUD or PD is as described in Paragraph B.5, the land use approvals reviewed in conjunction with the PUD or PD do not expire, but no additional development may occur without another review.

Land use approvals reviewed in conjunction with a PUD or PD and a land division are subject to Paragraph B.10 rather than the regulations of this paragraph:

- The decision and findings for the PUD or PD specify that the land use approval was necessary in order for the PUD or PD to be approved;
- The PUD or PD has not expired;
- Development or other improvements have been made to the site. Improvements include buildings, streets, utilities, grading, and mitigation enhancements. The improvements must have been within 3 years of final approval of the PUD or PD. For a PUD or PD receiving final approval between ~~May 27, 2006~~[INSERT THREE YEARS PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE] and ~~December 31, 2008~~January 1, 2021 or between ~~May 16, 2009 and June 30, 2011~~, the improvements must have been made by ~~June 30, 2014~~January 1, 2024.



12. Expedited Land Divisions. Land Divisions reviewed through the Expedited Land Division procedure in 33.730.013, are subject to the regulations of ORS 197.365 through .375. When the regulations of ORS 197.365 through .375 conflict with the regulations of this section, the regulations in ORS supercede the regulations of this section.

**C.-D.** [No change]

**33.900 List of Terms**

This is a technical amendment to add the names of terms that were inadvertently left out of the Better Housing by Design project that was adopted by City Council in December 2019. As part of that project, three definitions were added to 33.910, Definitions, and one definition was deleted. This chapter, 33.900, List of Terms should have been amended as well to reflect those changes. This amendment corrects that mistake.

**33.900 List of Terms****900**

Sections:

33.900.010 List of Terms

**33.900.010 List of Terms**

The following terms are defined in Chapter 33.910, Definitions, unless indicated otherwise.

CourtyardExterior Courtyard

## Residential Structure Types

- |  |  |   |
|--|--|---|
| <ul style="list-style-type: none"> <li>• Accessory Dwelling Unit</li> <li>• Attached Duplex</li> <li>• Attached House</li> <li>• Duplex</li> <li>• Dwelling Unit</li> <li>• <u>Fourplex</u></li> <li>• Group Living Structure</li> </ul> | <ul style="list-style-type: none"> <li>• House</li> <li>• Houseboat Moorage</li> <li>• Manufactured Dwelling               <ul style="list-style-type: none"> <li>— Manufactured Home</li> <li>— Mobile Home</li> <li>— Residential Trailer</li> </ul> </li> <li>• Multi-Dwelling Development</li> <li>• Multi-Dwelling Structure</li> <li>• Single Room Occupancy Housing (SRO)</li> <li>• Triplex</li> </ul> | Street Types <ul style="list-style-type: none"> <li>• Arterial</li> <li>• Common Green</li> <li>• Dead-End Street</li> <li>• <u>Local Service Street</u></li> <li>• Partial Street</li> <li>• Shared Court</li> <li>• Street</li> <li>• Through Street</li> <li>• Transit Street</li> </ul> |
|--|--|---|

## BES Fiscal Year 2019-2020 Rate Ordinance Exhibit A

Rate Name	Rate	Unit Type
<b>A) Sanitary Sewer System User Service Charges and Discounts</b>		
1) Residential Users		
1a) Sanitary Sewer Services	\$11.08	per 100 cubic feet of water consumption
1b) Low Income Discount	-\$37.37	per month for eligible single family ratepayers only
1c) Extremely Low Income Discount	-\$59.80	per month for eligible single family ratepayers only
2) Non-Residential, Commercial, Industrial, and Institutional Users		
2a) Special Meter Charge	\$40.00	per special meter bill
2b) Sanitary Sewer Services	\$10.904	per 100 cubic feet of water consumption
2c) Clean Water Discharge	\$1.150	per 100 cubic feet of discharged clean water
2d) Publicly-Owned Drinking Fountain or Single-Pass Waste Fountain	\$0.001	per 100 cubic feet of discharged water
3) Industrial Extra-Strength Discharger		
3a) Biochemical Oxygen Demand	\$0.831	per pound (allowable concentration - 300 mg/liter)
3b) Suspended Solids	\$1.096	per pound (allowable concentration - 350 mg/liter)
3c) Extra Strength Additional Sample	\$310.00	per composite sample
<b>B) Drainage/Stormwater Management User Service Charges and Discounts</b>		
1) Residential Users		
1a) Single Family and Duplexes		
1ai) Off-Site Charge	\$19.27	per user account per month
1a ii) On-Site Charge	\$10.39	per user account per month
1b) 3-Plex and 4-Plex Residences		
1bi) Off-Site Charge	\$8.03	per dwelling unit per month
1b ii) On-Site Charge	\$4.33	per dwelling unit per month
1c) Developments of 5 or More Units		
1ci) Off-Site Charge	\$8.03	per 1,000 square feet of impervious area per month
1cii) On-Site Charge	\$4.33	per 1,000 square feet of impervious area per month
2) Non-Residential Users		
2a) Off-Site Charge	\$8.46	per 1,000 square feet of impervious area per month
2b) On-Site Charge	\$4.56	per 1,000 square feet of impervious area per month
<b>C) Discounts</b>		
Clean River Rewards - user fee discounts as much as 100% of the monthly on-site stormwater management charge for private on-site facilities that manage stormwater runoff, and 100% of the monthly on-site stormwater management charge for Drainage District residents and businesses.		
<b>D) Willamette River/Portland Harbor Superfund Charges</b>		
1) Sanitary Volume Component	\$0.09	per 100 cubic feet of water consumption
2) Impervious Area Component	\$0.24	per 1,000 square feet of impervious area per month
Note: These rates apply to all users, residential and non-residential. The impervious area component is calculated for the following classes of residential users based on the following class-average values of impervious area:		
Single Family and Duplex Residences	2,400	square feet of impervious area per parcel
3-Plex and 4-Plex Residences	1,000	square feet of impervious area per unit
<b>E) System Development and Connection Charges</b>		
1) Sanitary System		
1a) Development Charge	\$6,917.00	per equivalent dwelling unit
2) Stormwater Management System		
2a) Single Family or Duplex Residence	\$1,159.00	per parcel
2b) 3-Plex Residential Development	\$1,338.00	per parcel

## BES Fiscal Year 2019-2020 Rate Ordinance Exhibit A

Rate Name	Rate	Unit Type
2c) 4-Plex Residential Development	\$1,835.00	per parcel
2d) All Other Developments		
2di) Impervious Area Component	\$242.00	per 1,000 square feet of impervious area
2dii) Frontage Component	\$7.69	per linear foot of frontage
2diii) Trip Generation Component	\$4.21	per daily vehicle trip
3) Connection Charges		
3a) Line Charge	\$1.87	per square foot within the zone of benefit
3b) Branch Charge	\$6,967.00	per branch used
3c) Wyes and Tees	\$318.00	per wye or tee used
4) Sanitary Sewer Conversion Charges		
4a) Residential (Single Family, Duplex, 3-Plex, and 4-Plex)		
4ai) Branch Charge	\$6,967.00	per branch used
4b) Commercial (All Other Users)		
4bi) Simple Sewer Extensions	\$3.18	per square foot
4bii) Complex Sewer Extensions	\$6.53	per square foot
5) System Development Charge Exemptions		
5a) Affordable Housing	Qualified affordable housing developments will be exempt from all or part of required sanitary and stormwater system development charges.	
5b) Accessory Dwelling Units	Qualified Accessory Dwelling Units (ADUs) will be exempt from required sanitary and stormwater system development charges.	

Fee Name	Unit Fee	Unit Type
<b>F. Building Plan Review Fees Based on Type of Review</b>		
1) One or Two Family Residential Structures	\$639	per application
2) Revisions/Recheck Fees for Residential Permits	\$213	per application
3) Structures Auxiliary to or Interior Modifications of One or Two Family Residential Dwelling Units Submitted on a Separate Application	\$213	per application
4) Tenant Improvements In and Additions to Commercial Buildings		
4a) Environmental Review	\$426	per application
4b) Source Control Review	\$426	per application
5) Commercial Buildings (other than those listed in other categories above)		
5a) Environmental Review	\$1,278	per application
5b) Source Control Review	\$639	per application
6) Commercial Permit Revisions/Recheck with Management Approval (Additional Checksheet Required)		
6a) Environmental Review	\$426	per review
6b) Source Control Review	\$426	per review
7) Over-the-Counter Hourly Rate, Billable in 15 Minute Increments for a Maximum of One Hour.		
7a) Environmental Review	\$213	per hour
7b) Source Control Review	\$213	per hour
8) Commercial Stormwater Facility Inspection		
8a) Up to Two Facilities	\$1,171	per application
8b) Each Additional Facility	\$213	per facility

## BES Fiscal Year 2019-2020 Rate Ordinance Exhibit A

Fee Name	Unit Fee	Unit Type
9) Residential Stormwater Facility Inspection	\$586	per application
10) Fee for Major Projects Group (Assigned by Bureau of Development Services)	\$20,000	per project
<b>G. Land Use Review Fees</b>		
1) Adjustment Review		
1a) Existing House/Duplex	\$311	per application
1b) All Other Projects	\$389	per application
2) Central City Master Plans	\$2,333	per application
3) Comprehensive Natural Resource Management Plan & Amendments		
3a) Type I	\$700	per application
3b) Type II	\$1,400	per application
3c) Type III	\$2,333	per application
4) Comprehensive Plan Map Amendment w/Zone Map Amendment		
4a) Tier A	\$1,128	per application
4b) Tier B	\$1,128	per application
4c) Tier C	\$1,750	per application
5) Conditional Use		
5a) Type Ix	\$233	per application
5b) Type II	\$311	per application
5c) Type III – New	\$933	per application
5d) Type III – Existing	\$467	per application
6) Design/Historic Resource Review		
6a) Tier D	\$428	per application
6b) Tier F	\$428	per application
6c) Tier G	\$1,633	per application
7) Environmental Review/River Review		
7a) Resource Enhancement/PLA/Public Rec Trails	\$622	per application
7b) Existing House/Duplex	\$661	per application
7c) All Other Projects	\$1,633	per application
8) Environmental Review Protection Zone	\$1,750	per application
9) Environmental Violation Review/River Review Violation		
9a) Type II Required	\$933	per application
9b) Type III Required	\$933	per application
9c) Columbia South Shore Plan District (CSSPD)	\$933	per application
9d) CSSPD, Undividable Lot with Existing Single Dwelling Unit	\$933	per application
9e) Undividable Lot with Existing Single Dwelling Unit	\$933	per application
10) Greenway		
10a) Existing House Duplex or Simple Non-Residential or Mixed Use	\$661	per application
10b) All Other Projects	\$1,633	per application
11) Impact Mitigation Plan		
11a) Amendment (Minor)	\$2,333	per application
11b) Implementation	\$2,333	per application
11c) New/Amendment (Major)	\$2,333	per application
11d) Amendment (Use)	\$2,333	per application
12) Land Division Review		
12a) Type Ix	\$622	per application

## BES Fiscal Year 2019-2020 Rate Ordinance Exhibit A

Fee Name	Unit Fee	Unit Type
12b) Type IIx	\$1,400	per application
12c) Type III	\$4,044	per application
13) 2 to 3 Lot Land Division with Concurrent Environmental Review	\$1,400	per application
14) 4 or More Lot Land Division with Concurrent Environmental Review	\$5,832	per application
15) Land Division Amendment Review (All Types)	\$311	per application
16) Land Division Final Plat Review/Final Development Plan Review		
16a) If Preliminary Was Type Ix with No Street	\$311	per application
16b) If Preliminary Was Type Ix or IIx with a Street	\$700	per application
16c) If Preliminary Was Type IIx with No Street	\$350	per application
16d) If Preliminary Was Type III	\$1,400	per application
17) Lot Consolidation	\$350	per application
18) Master Plan		
18a) Minor Amendments to Master Plans	\$700	per application
18b) New Master Plans or Major Amendments to Master Plans	\$2,333	per application
19) Non-Conforming Situation Review	\$233	per application
20) Planned Development Bonus Review	\$2,955	per application
21) Planned Development Review – All Other	\$2,955	per application
22) Planned Development Amendment	\$467	per application
23) Planned Unit Development Amendment	\$467	per application
24) Statewide Planning Goal Exception	\$778	per application
25) Zoning Map Amendment	\$1,477	per application
26) Other Unassigned Reviews		
26a) Type I/Ix	\$194	per application
26b) Type II/IIx	\$350	per application
26c) Type III	\$583	per application
27) Early Assistance, Written Info Only	\$311	per application
28) Early Assistance, Meeting and Written Info	\$467	per application
29) Pre-Application Conference	\$1,400	per conference
30) Public Works Inquiry (Written Info Only)	\$50	per inquiry
31) Hourly Rate for Land Use Services	\$156	per hour
32) Lot Confirmation		
32a) Sites without Buildings	\$233	per application
32b) Sites with House(s) or Duplex(es)	\$233	per application
32c) Sites with Other Development	\$233	per application
33) Property Line Adjustment		
33a) Site without Buildings	\$233	per application
33b) Sites with House(s) or Duplex(es)	\$544	per application
33c) Sites with Other Development	\$1,128	per application
34) Property Line Adjustment with Lot Confirmation		
34a) Site without Buildings	\$233	per application
34b) Sites with House(s) or Duplex(es)	\$544	per application
34c) Sites with Other Development	\$1,128	per application

## BES Fiscal Year 2019-2020 Rate Ordinance Exhibit A

Fee Name	Unit Fee	Unit Type
35) Remedial Action Exempt Review		
35a) Remedial Action Exempt Review - Conference	\$1,400	per conference
35b) Remedial Action Exempt Review - Simple	\$933	per review
35c) Remedial Action Exempt Review - Complex	\$2,488	per review
<b>H. Industrial Waste Discharge Fees</b>		
1) Permit Base Fee by Permit Type*		
1a) CIU	\$2,796	per permit
1b) SIU	\$2,330	per permit
1c) NSIU	\$1,331	per permit
1d) NDCIU	\$200	per permit
2) Unit Fees		
2a) Alternative Discharge Control Mechanism	\$77	per year
2b) Construction Dewatering Permit	\$230	per unit
2c) Service Fee per Occurrence**	\$130	per unit
*The total permit fee is comprised of the base fee plus actual costs for enforcement and monitoring as well as a DEQ SIU fee, if applicable.		
**This fee is applied to such discharges not otherwise addressed in an Industrial Waste Discharge permit, in addition to other applicable charges.		
<b>I. Street Use Permit Fees</b>		
1) Access Permit		
1a) Type 1	\$0	per permit
1b) Type 2 - Minimum	\$1,341	per permit
1c) Type 2 - Additional per Day	\$467	per day
2) Sewer Connection Fees: Connections to Existing Laterals or Extensions of Laterals from Sewer Mains to Property Lines; Sewer or Lateral Extensions More Than 100 Feet in Length Are Deemed a Public Improvement.	\$241	per connection
3) Sewer Tap Fees		
3a) Mainline Sewer and Manhole Tap	\$419	per tap
3b) Wye and Tee, and Standard Manhole (Rate per Installation, All Materials Provided by the Contractor)	\$815	per installation
3c) City Inspection of Insert-A-Tee installed by Permittee	\$122	per inspection
3d) Complex Sewer Connection Permit	\$1,628	per connection
4) Short Sewer Extension		
4a) Up to 50 Feet - Minimum	\$600	per permit
4b) 51 to 100 Feet - In Addition to Minimum	\$400	per permit
5) Residential Infill Permit	\$3,000	per permit
6) Basic Sewer Extension	\$3,000	per permit
7) PW Permit: *Calculator to establish base cost plus additional cost for factors per ENB-4		
7a) Project Manager (Per Hour)	\$160	per hour
7b) Construction Manager (Per Hour)	\$140	per hour
7c) Engineering Technician (Per Hour)	\$124	per hour
7d) Inspector (Per Hour)	\$137	per hour
7e) Revegetation (Per Hour)	\$146	per hour
7f) Maintenance (Per Hour)	\$188	per hour

## BES Fiscal Year 2019-2020 Rate Ordinance Exhibit A

Fee Name	Unit Fee	Unit Type
8) Complex Permit	Full Cost Recovery	per permit
9) Revegetation Inspection	\$1,076	per permit
10) Construction Warranty Fee	\$748	per permit
11) Permit Reactivation Fee	\$500	per application
12) Street Vacation	\$300	per application
13) Hourly Rate for Revegetation Natural Area Services	\$146	per hour
<b>J. Source Control Manual and FOG Fees</b>		
1) Source Control Manual Fees - Special Circumstances Advanced Review Application Fee	\$100	per application
2) FOG Variance Request Processing Fee	\$250	per application
<b>K. Stormwater Management Manual Fees</b>		
1) Special Circumstances Application Fee	\$100	per application
2) Offsite Management Fee	\$3.70	per SF
3) Post-Issued Permit Offsite Management Fee	\$7.40	per SF
4) Manufactured Stormwater Treatment Technologies Application Fee		
4a) Application Review Fee	\$5,000	per application
4b) Third-Party Water Quality Review Fee	\$3,000	per application

# Citywide TSDC Rates

Rates Effective July 1, 2019 – June 30, 2020 or as Amended

**Definitions:**

GFA: Gross Floor Area

VFP: Vehicle Fueling Position

Rates Calculated Based on the 10th Edition of the ITE Manual.

Type of Development	Unit of Measure	TSDC Per Unit
<b>Residential</b>		
Single Family (1,200 square feet or more)	dwelling	\$5,393.00
Single Family (1,199 square feet or less)	dwelling	\$2,697.00
Multiple Family	dwelling	\$2,654.00
Senior Housing / Assisted Living / Nursing Home	dwelling / bed	\$1,368.00
<b>Commercial – Services</b>		
Bank	sq ft/GFA	\$39.41
Day Care	sq ft/GFA	\$7.21
Hotel / Motel	room	\$3,631.00
Service Station / Gasoline Sales	VFP	\$32,388.00
Movie Theater / Event Hall	sq ft/GFA	\$13.60
Carwash	wash stall	\$18,947.00
Health Club / Racquet Club	sq ft/GFA	\$16.34
<b>Commercial - Institutional</b>		
School, K-12	sq ft/GFA	\$5.28
University / College / Jr College	student	\$616.00
Church	sq ft/GFA	\$2.45
Hospital	sq ft/GFA	\$4.34
Park	acre	\$492.00
<b>Commercial – Restaurant</b>		
Restaurant (Standalone)	sq ft/GFA	\$30.72
Quick Service Restaurant (Drive-Through)	sq ft/GFA	\$96.72
<b>Commercial - Retail</b>		
Shopping / Retail	sq ft/GFA	\$12.04
Convenience Market	sq ft/GFA	\$95.15
Free Standing Retail Store / Supermarket	sq ft/GFA	\$24.64
Car Sales – New / Used	sq ft/GFA	\$10.86
<b>Commercial - Office</b>		
Administrative Office	sq ft/GFA	\$5.57
Medical Office / Clinic	sq ft/GFA	\$16.55
<b>Industrial</b>		
Light Industrial / Manufacturing	sq ft/GFA	\$3.62
Warehousing / Storage	sq ft/GFA	\$1.04
Self-Storage	sq ft/GFA	\$1.03

# North Macadam Overlay TSDC Rates

## OVERLAY RATES ARE IN ADDITION TO CITYWIDE RATES

Rates Effective July 1, 2019 – June 30, 2020 or as Amended

### Definitions:

GFA: Gross Floor Area

VFP: Vehicle Fueling Position

Rates Calculated Based on the 10th Edition of the ITE Manual.

Type of Development	Unit of Measure	TSDC Per Unit
<b>Residential</b>		
Single Family (1,200 square feet or more)	dwelling	\$3,450.00
Single Family (1,199 square feet or less)	dwelling	\$1,725.00
Multiple Family	dwelling	\$1,698.00
Senior Housing / Assisted Living / Nursing Home	dwelling / bed	\$875.00
<b>Commercial – Services</b>		
Bank	sq ft/GFA	\$25.21
Day Care	sq ft/GFA	\$4.61
Hotel / Motel	room	\$2,323.00
Service Station / Gasoline Sales	VFP	\$20,720.00
Movie Theater / Event Hall	sq ft/GFA	\$8.70
Carwash	wash stall	\$12,121.00
Health Club / Racquet Club	sq ft/GFA	\$10.45
<b>Commercial - Institutional</b>		
School, K-12	sq ft/GFA	\$3.38
University / College / Jr College	student	\$394.00
Church	sq ft/GFA	\$1.57
Hospital	sq ft/GFA	\$2.78
Park	acre	\$315.00
<b>Commercial – Restaurant</b>		
Restaurant (Standalone)	sq ft/GFA	\$19.65
Quick Service Restaurant (Drive-Through)	sq ft/GFA	\$61.87
<b>Commercial - Retail</b>		
Shopping / Retail	sq ft/GFA	\$7.70
Convenience Market	sq ft/GFA	\$60.87
Free Standing Retail Store / Supermarket	sq ft/GFA	\$15.76
Car Sales – New / Used	sq ft/GFA	\$6.95
<b>Commercial - Office</b>		
Administrative Office	sq ft/GFA	\$3.57
Medical Office / Clinic	sq ft/GFA	\$10.59
<b>Industrial</b>		
Light Industrial / Manufacturing	sq ft/GFA	\$2.31
Warehousing / Storage	sq ft/GFA	\$0.66
Self-Storage	sq ft/GFA	\$0.66

# Innovation Quadrant Overlay TSDC Rates

## OVERLAY RATES ARE IN ADDITION TO CITYWIDE RATES

Rates Effective July 1, 2019 – June 30, 2020 or as Amended

### Definitions:

GFA: Gross Floor Area

VFP: Vehicle Fueling Position

Rates Calculated Based on the 10th Edition of the ITE Manual.

Type of Development	Unit of Measure	TSDC Per Unit
<b>Residential</b>		
Single Family (1,200 square feet or more)	dwelling	\$2,778.00
Single Family (1,199 square feet or less)	dwelling	\$1,389.00
Multiple Family	dwelling	\$1,367.00
Senior Housing / Assisted Living / Nursing Home	dwelling / bed	\$705.00
<b>Commercial – Services</b>		
Bank	sq ft/GFA	\$20.30
Day Care	sq ft/GFA	\$3.71
Hotel / Motel	room	\$1,870.00
Service Station / Gasoline Sales	VFP	\$16,685.00
Movie Theater / Event Hall	sq ft/GFA	\$7.00
Carwash	wash stall	\$9,760.00
Health Club / Racquet Club	sq ft/GFA	\$8.42
<b>Commercial - Institutional</b>		
School, K-12	sq ft/GFA	\$2.72
University / College / Jr College	student	\$317.00
Church	sq ft/GFA	\$1.26
Hospital	sq ft/GFA	\$2.23
Park	acre	\$253.00
<b>Commercial – Restaurant</b>		
Restaurant (Standalone)	sq ft/GFA	\$15.83
Quick Service Restaurant (Drive-Through)	sq ft/GFA	\$49.82
<b>Commercial - Retail</b>		
Shopping / Retail	sq ft/GFA	\$6.20
Convenience Market	sq ft/GFA	\$49.02
Free Standing Retail Store / Supermarket	sq ft/GFA	\$12.69
Car Sales – New / Used	sq ft/GFA	\$5.60
<b>Commercial - Office</b>		
Administrative Office	sq ft/GFA	\$2.87
Medical Office / Clinic	sq ft/GFA	\$8.53
<b>Industrial</b>		
Light Industrial / Manufacturing	sq ft/GFA	\$1.86
Warehousing / Storage	sq ft/GFA	\$0.53
Self-Storage	sq ft/GFA	\$0.53

## IMPACT STATEMENT

**Legislation title:** Amend Planning and Zoning Code to extend the expiration date for some land use approvals, maintain inclusionary housing rates outside the Central City and Gateway Plan Districts, and allow for virtual neighborhood contact meetings (Ordinance; amend Title 33)

**Contact name:** Jason McNeil  
**Contact phone:** (503) 823-6046  
**Presenter name:** Jason McNeil, Sandra Wood

**Purpose of proposed legislation and background information:** This project is a response to concerns from land use review applicants, property owners, and BDS staff that delays in the development review process and the construction industry related to the COVID-19 pandemic, coupled with uncertainty in the real estate market, was leading to the expiration of land use review applications before they could be acted upon and would continue to do so in the foreseeable future. Since its inception, the project has expanded to include other aspects of development review impacted by COVID-19, including methods for conducting public meetings and the amount of affordable housing required for certain projects.

The primary action is a set of amendments to the Zoning Code that will provide flexibility to applicants impacted by the wide-ranging effects of the COVID-19 pandemic. The proposed amendments will achieve several things:

- Temporarily extend the expiration dates of land use reviews, land divisions, final plats, and the Con-Way Master Plan.
- Extend the expiration of pre-application conferences from one year to two years.
- Temporarily extend the compliance period for nonconforming upgrades.
- Allow neighborhood contact meetings to be held virtually.
- Extend the current inclusionary housing rates for areas of the city outside of the Central City and the Gateway Plan Districts.

Previously, two similar code amendments extended the expiration dates for land use reviews and land divisions in 2009 and 2012 as a response to the 2008 economic crisis. The lower inclusionary rate for affordable housing outside of the Central City and Gateway Regional Center was intended as a phase-in approach to the new regulations. An amendment to extend inclusionary housing rates by two years was adopted by City Council in 2018.

**Financial and budgetary impacts:** The long-term impacts of this proposal are minimal. All of the proposed amendments are temporary in nature and include sunset dates, with the exception of the proposal to extend the expiration of pre-application conferences. Since construction and real estate are key pillars of the city's economy, the proposal supports the economic recovery of the city by allowing projects in the midst of the development review process that would otherwise be delayed or abandoned to continue to completion.

In the short term, this ordinance has very few impacts:

- The ordinance does not amend the budget or create any new projects or programs with implications for City expenses.
- The ordinance does not change staffing levels or reclassify any positions.
- The ordinance does not create any new or modified financial obligation or benefit (such as IAs, IGAs, MOUs, grants, etc.).

**Community impacts and community involvement:** This project is intended to be a nimble response to the COVID-19 pandemic so the community involvement timeframe was brief. The genesis of the project was a response to concerns from the community that were made to Bureau of Development Services (BDS) staff. The community impacts from the land use review process amendments are minimal outside of the potential economic benefits to the community by providing relief to the construction and real estate industries.

The amendment to extend the phase-in period for affordable housing rates supports ability of the Inclusionary Housing Program (IH) to continue providing affordable housing. Increasing the supply of affordable housing will most heavily impact low-income households and communities of color, who have been most confronted by a lack of affordable housing which has led to disproportionate levels of displacement. The Inclusionary Housing Program has been calibrated to encourage developers to voluntarily elect to provide affordable housing to households earning no more than 60 percent of area median income, instead of the mandated 80 percent of area median income. The creation of regulated affordable housing through the IH Program is one part of an expanded effort to provide additional affordability throughout the city of Portland, specifically in high opportunity areas and available across a range of income earners.

Staff presented the project to the BDS Development Review Advisory Committee on April 16, 2020 and to the Portland Building and Urban Development Council on May 5, 2020. The Planning and Sustainability Commission held a public hearing on May 26, 2020. Six people provided oral testimony and eight individuals submitted written testimony. All of the testimony was in support of the proposal with some suggested amendments.

A more detailed description of community engagement is described in Exhibit A, the Findings of Fact Report, in findings responding to Comprehensive Plan Chapter 2 policies.

**100% Renewable Goal:** Not applicable

**Budgetary Impact Worksheet**

**Does this action change appropriations?**

- YES: Please complete the information below.
- NO: Skip this section

Fund	Fund	Commitment	Functional	Funded	Grant	Sponsored	Amount
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	Center	Item	Area	Program		Program	

July 7, 2020

Portland City Council  
 Attention: Council Clerk  
 1221 SW 4th Avenue  
 Portland, OR 97204

**Re: Expiration Date Extension Project (Recommended Draft June 2020) -  
 Support for Amendment to Adjust Expiration Relief to Begin March 8, 2020**

Dear Mayor Wheeler and Members of the City Council:

We appreciate the City's efforts to provide regulatory relief and offset the economic impacts of the COVID-19 pandemic. We support the proposed Expiration Date Extension Project ("EDEP"), with an Amendment to Section 33.730.130.B.1.b, which ensures the EDEP goals are met by providing relief to projects *directly delayed* by COVID-19 processing delays.

The proposed Amendment, supported by Staff, reads:

"Exception. Within the City, final decisions that became effective between ~~May 27, 2006~~ ~~March 8, 2017~~ and ~~December 31, 2008-January 1, 2021~~ or ~~between May 16, 2009 and June 30, 2011~~ expire if a City permit has not been issued for approved development or the approved activity has not commenced by ~~June 30, 2014-January 1, 2024~~. Within the portion of unincorporated Multnomah County that is subject to City zoning, final decisions that became effective between [INSERT THREE YEARS PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE] and January 1, 2021 expire if a City permit has not been issued for approved development or the approved activity has not commenced by January 1, 2024."

Without the Amendment, certain projects in the City that were valid and under review on March 8, 2020 will expire before they can receive a building permit. The EDEP Recommended Draft would unfairly leave out these projects by granting exceptions only to projects that have not expired *on the date the EDEP becomes effective* (which may not be until August 2020) rather than the time the COVID-19 restrictions began.

The proposed Amendment is critical to provide regulatory relief to the projects most directly impacted by the COVID-19 pandemic: those with building permits under review that will expire due to COVID-19 permit processing delays.

As you know, a land use review expires after 3 years if a building permit has not been issued. In March 2020, BDS instituted new building permit processing regulations to prioritize essential service projects at the expense of work on non-essential projects. We agree with BDS's decision to prioritize these essential projects. However, these processing restrictions delayed critical work on and issuance of building permits for "standard" projects in the pipeline, and some of these projects are expected to expire due to the delay.

The Pearl East Office Building project ("Pearl East"), under development by our client, is directly impacted by these processing delays and in jeopardy of expiring before the EDEP takes effect. Pearl East's land use review was unanimously approved by the Landmarks Commission and City Council in July 2017 and expires in July 2020. The Pearl East team applied for a building permit in November 2019. The typical building permit review time is less than 6 months and the Pearl East permit was on track to be issued on time, before July 2020. However, BDS and other City Bureaus were forced to prioritize their efforts towards other projects beginning in March 2020 due to the new COVID-19 processing restrictions, putting the Pearl East project in jeopardy of expiring. While we are working closely with BDS and other associated Bureaus to obtain the permit as quickly as possible despite the COVID-19 related challenges, BDS and the other Bureaus are not in a position to recreate months of lost processing time while still prioritizing essential projects. Therefore, it is critical that the EDEP be amended to provide extensions to projects like Pearl East, whose land use reviews had not expired on March 8, 2020, but will likely expire before the EDEP takes effect.

We appreciate your support of the critical issue.

Very truly yours,



Allison J. Reynolds

**From:** [Reynolds, Allison J.](#)  
**To:** [Council Clerk – Testimony](#)  
**Cc:** [Brent Hedberg](#)  
**Subject:** Testimony for Expiration Date Extension Project (Item 550)  
**Date:** Tuesday, July 7, 2020 4:31:23 PM  
**Attachments:** [image002.png](#)  
[EDEP Testimony City Council Backdate Amendment.pdf](#)

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Hello,

Please find attached written testimony on the Expiration Date Extension Project for consideration by the City Council at tomorrow's hearing.

Thank you!

Allison

**Allison Reynolds** | Of Counsel  
**STOEL RIVES LLP** | 760 SW Ninth Avenue, Suite 3000 | Portland, OR 97205  
Direct: (503) 294-9625 | Mobile: (971) 235-1612 | Fax: (503) 220-2480



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July 8, 2020

Mayor Ted Wheeler and City Commissioners Eudaly, Fritz, and Hardesty  
1900 SW 4<sup>th</sup> Avenue  
Portland, Oregon 97204

**Re: Expiration Date Extension Project**

Dear Mayor Wheeler and Commissioners:

Douglas Wilson Companies appreciates the opportunity to comment on the Expiration Date Extension Project (EDEP). Douglas Wilson Companies (DWC) supports the city of Portland and the Bureau of Planning and Sustainability's efforts to address the economic impacts of the COVID-19 pandemic on the development market through the EDEP and has a suggestion on how the project could be improved.

This ordinance would amend zoning codes for land-use reviews to provide projects more time to endure the current state of the market in the midst of great economic uncertainty and acknowledges the impact to city permitting infrastructure, to ensure the development projects in Portland continue moving forward.

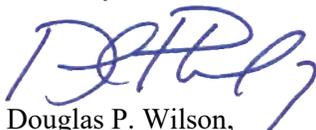
Douglas Wilson Companies is the court-appointed Receiver for the property located at 1400 NE Multnomah, commonly called the Mosaic Superblock (across from the Lloyd Center Mall, currently a parking lot), and which is located a key area of the Central City. The property is approximately 5-acres and the project was entitled for two mixed-use buildings with 677 apartments, 12 live-work units, and approximately 37,780 SF of retail. The project is supported by the Sullivan's Gulch, Kerns, and Lloyd Community District Neighborhood Associations.

As the court-appointed Receiver for this property, our responsibility is, on behalf of the lender, to preserve and enhance the value of the collateral for the loan. At a time in Portland's history when housing and commercial development are greatly needed to bounce back from the economic impacts of COVID-19, it is critical to protect local market asset value and capture development opportunities that translate into a boost to the local economy.

To best achieve the goals of the Expiration Date Extension Project, we suggest the following amendment to the Expiration Date Extension Project: "Within City limits, final decisions that authorize 20 or more dwelling units and became effective between September 1, 2016 and January 1, 2021 expire if a City permit has not been issued for approved development by January 1, 2024 and such approved development includes affordable dwelling units consistent with the requirements specified in Chapter 33.245 including 33.245.050."

Douglas Wilson Companies hopes this feedback will be incorporated into the ordinance to better meet the overall goals of the Expiration Date Extension Project. Thank you for bringing forward the Expiration Date Extension Project and for taking necessary actions to keep the economy moving.

Sincerely,



Douglas P. Wilson,  
Chairman and Chief Executive Officer,  
Douglas Wilson Company

**From:** [Michelle Plambeck](#)  
**To:** [Council Clerk – Testimony](#)  
**Subject:** Written testimony for Council Item 550  
**Date:** Wednesday, July 8, 2020 10:20:50 AM  
**Attachments:** [image001.png](#)  
[Portland City Council Superblock Testimony\[1\].pdf](#)

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I am submitting the attached written testimony for the record on the Expiration Date Extension Project (Council Item 550) that is being heard at Council at 2PM today. Thank you!



**MICHELLE PLAMBECK**

Vice President of Government Affairs, Oregon

C 503.260.7966

240 NORTH BROADWAY

SUITE 215

PORTLAND, OR 97227

[STRATEGIES360.COM](http://STRATEGIES360.COM)





# Expiration Date Extension Project

City Council – July 22, 2020





1. Pre-application conferences
2. Neighborhood contact
3. Land use reviews
4. Final plats
5. Conway Master Plan
6. Nonconforming Upgrade agreements
7. Inclusionary housing rates
8. List of Terms



1. Retroactivity Amendment
2. Virtual Neighborhood Contact Amendment
3. Inclusionary Housing Amendment
4. SDC Amendment



- Record closed July 15 at 5 p.m.
- No new testimony submitted
- 8 pieces of written testimony to the PSC
- 2 piece of written testimony to City Council
- 7 testifiers at July 8 hearing

For more info:

190076



Project webpage: [portland.gov/bps/edep](http://portland.gov/bps/edep)



# Expiration Date Extension Project

City Council – July 8, 2020





1. Pre-application conferences
2. Neighborhood contact
3. Land use reviews
4. Final plats
5. Conway Master Plan
6. Nonconforming Upgrade agreements
7. Inclusionary housing rates
8. List of Terms

# Development Review Sequence

190076



**Early Assistance  
(Pre-Apps, etc.)**

**Neighborhood  
Contact**

**Land Use Review**

**Building Permit**

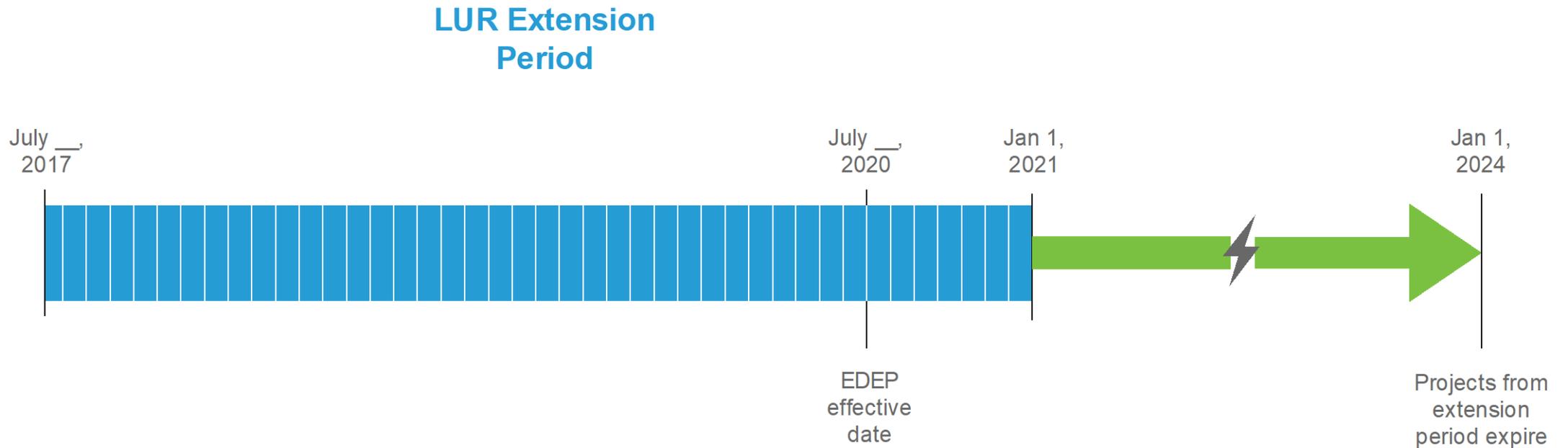


- **Proposal #1 – Pre-application Conferences:** Extend the timeframe for pre-application conferences to two years.
- **Proposal #2 – Neighborhood Contact:** Allow neighborhood contact meetings to be held virtually using video conferencing technology.





- **Proposal #3 – Land Use Reviews:** Extend the expiration date for some land use reviews until January 1, 2024.





- **Proposal #4 – Final Plats:** Allow some final plats 365 days of inactivity before they are voided.
- **Proposal #5 – Conway Master Plan:** Extend the expiration date of the Conway Master Plan from October 2, 2022 until January 1, 2024.
- **Proposal #6 – NCU Agreements:** Extend the timeline for nonconforming upgrade agreements until January 1, 2022.





- **Proposal #7 – Inclusionary Housing** : Extend the expiration date an additional three years for the lower inclusionary housing rates that apply outside the Central City and Gateway plan districts.
- Under the current code, the standards for inclusionary housing rates are:
  - **In Central City or Gateway**
    - 10% of units at 60% MFI or 20% of units at 80% MFI
  - **Outside the Central City or Gateway**
    - 8% of units at 60% MFI or 15% of units at 80% MFI



## **Proposal #8 – List of Terms**

Amend Chapter 33.900 List of Terms as follows:

- Add "Courtyard" and delete "Exterior Courtyard"
- Add "Fourplex" under Residential Structure Types
- Add "Local Service Street" under Street Types



- 8 pieces of written testimony to the PSC
- 4 testifiers registered for the hearing

For more info:

190076



Project webpage: [portland.gov/bps/edep](https://portland.gov/bps/edep)

## **ORDINANCE No. 190093 As Amended**

Amend the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, Title 33 Planning and Zoning, and Title 30 Affordable Housing, to revise the Single-Dwelling Residential designations and base zones. (Ordinance; amend Code Title 33, Title 30 and amend the Portland Comprehensive Plan and zoning maps)

The City of Portland Ordains:

Section 1. The Council finds:

### General Findings

1. Portland is expected to grow by more than 100,000 households by the year 2035.
2. The cost of housing in Portland is rising. The average cost of rent in Portland increased by 5 percent or more between 2012 and 2016, and by 2 percent in 2017. Between 2011 and 2018, the median home sale price citywide rose 60 percent — or more than \$150,000. As of 2018, the median home sale price exceeded \$475,000 in more than half the neighborhoods in the city. In order to afford the median price home in Portland today, families must earn 130% to 160% of the median family income.
3. In addition, the city's history of racially discriminatory decision-making and public policies have contributed to today's racial disparities in homeownership rates and wealth attainment and has resulted in geographic racial segregation in Portland.
4. For these reasons, the ability for many households to gain entry into many of the city's single-dwelling neighborhoods is increasingly out of reach.
5. At the same time, the city is becoming more diverse, the overall population is aging, and the number of people per household is getting smaller.
6. The Comprehensive Plan includes policies directed toward encouraging more housing choices to accommodate a wider diversity of family sizes, incomes and ages (Policy 4.15); encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city (Policy 4.18); expanding housing choice in all of Portland's neighborhoods (Policy 5.4); encouraging middle housing—multi-unit or clustered residential buildings that provide relatively smaller, less expensive units (Policy 5.6); and encouraging a variety of ownership opportunities and choices (Policy 5.43).
7. Nearly half of the city's land area is zoned for single-dwelling residential development, however, apartments are the predominant housing type being built in Portland—74 percent of all units built in 2016.
8. Portland's single-dwelling zoning currently allows up to two dwelling units per lot—one house and one accessory dwelling unit, or in some cases, a duplex on a corner. And yet, due to the high cost of land, the size of dwelling units continues to increase, and the price of the units is higher than most Portlanders can afford.
9. In 2015, the Bureau of Planning and Sustainability began the Residential Infill Project with the goal of responding to these trends and changing demographics. Then-Mayor Charlie Hales appointed a Stakeholder Advisory Committee (SAC) to assist the Bureau of Planning and Sustainability in developing a plan to amend the city's single-dwelling

zoning code to alleviate the rising cost of housing and reduce the size of new houses. The SAC met 14 times between September 2015 and October 2016.

10. The Residential Infill Project Concept Plan was released for public review on June 15, 2016. City Council held public hearings on the concept plan in November 2016 and passed Resolution No. 37252 on December 7, 2016 endorsing the concepts in the plan.
11. The Residential Infill Project Proposed Draft was released for public review on April 2, 2018.
12. On April 2, 2018 notice of the proposed draft was mailed to the Department of Land Conservation and Development in compliance with the post-acknowledgement review process required by OAR 660-18-020.
13. On April 4, April 9, and April 11, 2018 notice of the proposed draft was mailed to all property owners potentially affected by proposed zoning map and code changes as required by ORS 227.186.
14. On May 8, 2018 and May 15, 2018, the Planning and Sustainability Commission held public hearings on the proposed draft. In addition, the Commission held 2 briefings and 9 work sessions before voting to forward the Residential Infill Project to City Council on March 12, 2019.
15. The Residential Infill Project Recommended Draft was released for public review on August 2, 2019.
16. On October 9, 2019 a revised notice of the recommended draft was mailed to the Department of Land Conservation and Development in compliance with the post-acknowledgement review process required by OAR 660-18-045.
17. On December 12, 2019 notice of the January 15, 2020 and January 16, 2020 City Council public hearings was mailed to those who presented oral and written testimony at the Planning and Sustainability Commission public hearing. In addition, the City emailed notice of the hearing to its Residential Infill Project email list.
18. The Residential Infill Project amendments allow up to six dwelling units per lot (based on lot sizes and affordability level) in the R7, R5 and R2.5 zones, and allows the units to be arranged in multiple configurations including a single structure with up to six dwelling units or a combination of a primary and accessory structure.
19. The amendments provide opportunities for a wider variety of housing options and can reduce the cost of a single unit by roughly half the cost of a single new house.
20. The amendments encourage additional regulated affordable housing units.
21. The amendments also include a cap on house size by limiting the amount of floor area allowed per lot in the R7, R5 and R2.5 zones. The cap is intended to ensure that:
  - Additional development in these zones is compatible with existing development; and
  - Additional dwelling units are affordable to a wider cross-section of Portland residents because smaller dwelling units are often less expensive than larger units.
22. The Residential Infill Project also rezones approximately 7,000 lots from R5 to R2.5. The rezoned lots are narrow, platted lots—generally 2,500 square feet in size—that are substandard for the R5 zones. The rezoning is intended to increase opportunities for

homeownership as dwelling units on these lots are generally smaller and therefore less expensive.

23. The amendments also help the city to comply with the following:
- House Bill 2001, which the Oregon State Legislature passed on August 8, 2019, and requires cities with a population greater than 10,000 to allow duplexes on any lot zoned for single-family dwellings; and
  - Senate Bill 534, which the Oregon State Legislature passed on July 23, 2019, and requires local governments to allow single-family dwellings on residential lots platted and zoned for such uses.
24. The Findings of Fact Report, attached as Exhibit A, includes additional findings demonstrating consistency with the Statewide Planning Goals, Metro Urban Growth Management Functional Plan, and the City of Portland *2035 Comprehensive Plan*.
25. The amendments to Title 30 are necessary to extend the Deeper Housing Affordability FAR Density Program to the single-dwelling zones to support the Affordable Fourplexes and Multi-dwelling Structures Residential Infill Option.

NOW, THEREFORE, the Council directs:

- a. Adopt amended Exhibit A, dated July 2020, as additional findings.
- b. Amend the Portland Comprehensive Plan as shown in Exhibit B, Residential Infill Project As-Amended Draft, dated July 2020.
- c. Adopt the commentary in Exhibit B, Residential Infill Project As-Amended Draft, dated July 2020, as legislative intent and further findings.
- d. Amend Title 33, Planning and Zoning, of the Municipal Code of the City of Portland, as shown in Exhibit B, Residential Infill Project As-Amended Draft, dated July 2020, but excluding the amendments to Section 33.110.212 (When Primary Structures are Allowed), Chapter 33.675 (Lot Consolidation), Chapter 33.676 (Lot Confirmation), and the amendments to the lot-related and lot line-related definitions in 33.910 (Definitions).
- e. Amend Section 33.110.212 (When Primary Structures are Allowed), Chapter 33.675 (Lot Consolidation), Chapter 33.676 (Lot Confirmation), and the lot-related and lot line-related definitions in Chapter 33.910 (Definitions) as shown in Exhibit B, Residential Infill Project As-Amended Draft, dated July 2020.
- f. Amend the Portland Comprehensive Plan Map as shown on Exhibit C.
- g. Amend the official Zoning Map as shown on Exhibits D and E.
- h. Amend Title 30, Affordable Housing Preservation and Portland Renter Protections, of the Municipal Code of the City of Portland, as shown in Exhibit B, Residential Infill Project, As-Amended Draft, dated July 2020.

Section 2. Directives b, d, f, g, and h shall be in full force and effect on August 1, 2021. Directives a, c, and e shall be in full force and effect 30 days after final passage by City Council.

Section 3. If any section, subsection, sentence, clause, phrase, diagram or drawing contained in this ordinance, or the map, report, inventory, analysis, or document it adopts or amends, is held

to be deficient, invalid or unconstitutional, that shall not affect the validity of the remaining portions. The Council declares that it would have adopted the map, report, inventory, analysis, or document each section, subsection, sentence, clause, phrase, diagram and drawing thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, diagrams or drawings contained in this Ordinance, may be found to be deficient, invalid or unconstitutional.

Passed by the Council: **August 12, 2020**

Mayor Ted Wheeler  
Prepared by: Morgan Tracy  
Date Prepared: December 12, 2019

**Mary Hull Caballero**  
Auditor of the City of Portland

By *CPhillips*

Deputy



# Exhibit A:

## Findings of Fact Report

### July 2020

#### **Introduction and Summary of the Residential Infill Project (RIP) amendments.**

The Residential Infill Project (RIP) addresses increased access to multiple types of housing in all Portland neighborhoods by allowing more units on each lot, while also reducing the overall size of each building. The project is essential to reach the City's goals for climate resiliency, compact development and equitable access to more housing choices including smaller, but still family-sized, units in more neighborhoods.

Key components of the RIP amendments include:

#### *Housing Options and Scale:*

- Allow a greater range of housing types including duplexes, triplexes and fourplexes on lots in the R2.5, R5, and R7 zones (referred to herein collectively as "RIP zones"), except where natural resources or hazards are present or where streets are not maintained by the city.
- Increase the number of accessory dwelling units (ADUs) by allowing two ADUs on a lot with a house or one ADU on a lot with a duplex.
- Institute new caps on building floor area (FAR) in the single dwelling zones that effectively reduce the maximum allowable size of dwellings by  $\frac{1}{3}$  to  $\frac{1}{2}$  from what can be built under today's rules.
- Provide bonuses for affordable housing, including additional FAR and up to six total units when providing "deeply affordable" units (income restricted to families earning up to 60% of the median family income).
- Create more age-friendly housing by requiring visitable units that reduce barriers for people with mobility impairments.
- Reduce underutilization of vacant, oversized residential lots by requiring at least two units on double-sized and larger lots when new development occurs.
- Create more "fee-simple" homeownership opportunities by allowing historically narrow lots to be built with attached houses and rezoning areas with historically narrow lots from R5 to R2.5.
- Provide incentives to retain existing houses including providing for additional FAR for conversions and creating more flexible flag lot rules when keeping an existing house, allowing larger basement ADUs in older homes, and allowing small building additions/remodels to exceed the FAR size caps.
- Institute restrictions that limit redevelopment options when historic resources are demolished without first receiving demolition review approval.
- Reduce cost and delay for more flexible and innovative housing through planned developments with lower review thresholds that continue to apply enhanced design scrutiny to ensure they complement neighborhoods.

#### *Building Design:*

- Revise how height is measured to more accurately reflect a building's apparent height and reduce opportunities to manipulate measurement reference points.
- Improve the relationship between the dwelling and the public realm by keeping the front door closer to the ground.

## Residential Infill Project Exhibit A Findings of Fact Report

- Improve the design of buildings by allowing for larger eave projections into the setback.
- Prioritize the importance of greenspaces and lower housing costs over vehicle storage by eliminating parking requirements and emphasizing the use of existing alleys.
- Require pairs of attached houses on lots that are 25 feet wide and narrower to better reflect the pattern of wider houses on wider lots, increase useable backyard space, and improve energy efficiency.

### General.

Legislative amendments to the Comprehensive Plan goals, policies and map must be found to be consistent with the goals and policies of the Comprehensive Plan, Metro’s Urban Growth Management Functional Plan, the Statewide Planning Goals, and any relevant area plans adopted by City Council. (33.835.040 and 33.810.050).

The Comprehensive Plan requires that amendments to its elements, supporting documents, and implementation tools comply with the plan itself. “Comply” means that the amendments must be evaluated against the comprehensive plan’s applicable goals and policies and on balance be equally or more supportive of the Comprehensive Plan as a whole than the existing language or designation. (Policy 1.10)

Text amendments to the zoning code must be found to be consistent with the Comprehensive Plan, Urban Growth Management Functional Plan, and the Statewide Planning Goals. In addition, the amendments must be consistent with the intent or purpose statement for the base zone, overlay zone, and plan district where the amendment is proposed, and any plan associated with the regulations. (33.835.040)

Legislative zoning map amendments must be found to comply with the Comprehensive Plan Map with a zone change to a corresponding zone of the Comprehensive Plan Map. The change also must demonstrate that there are adequate public services capable of supporting the uses allowed by the zone. In addition, the school district(s) within which the sites are located must have adequate enrollment capacity to accommodate any projected increase in student population over the number that would result from development in the existing zone. This criterion applies only to sites that are within the David Douglas School District, which has an adopted school facility plan that has been acknowledged by the City of Portland. (33.855.050)

1. **Finding:** The City Council has identified and addressed all relevant and applicable goals and policies in this document.
2. **Finding:** As discussed in more detail below, the City Council has considered the public testimony on this matter and considered all applicable goals and policies and on balance, or as a whole, has found the Residential Infill Project amendments (RIP amendments) are consistent with and comply with the goals and policies of the Comprehensive Plan, Metro Urban Growth Management Functional Plan, Statewide Planning Goals and other relevant city plans.

## Part I. Statewide Planning Goals

State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with the Statewide Planning Goals.

**The Statewide Planning Goals that apply to Portland are:**

- Goal 1 Citizen Involvement
- Goal 2 Land Use Planning
- Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces
- Goal 6 Air, Water and Land Resource Quality
- Goal 7 Areas Subject to Natural Hazards
- Goal 8 Recreational Needs
- Goal 9 Economic Development
- Goal 10 Housing
- Goal 11 Public Facilities and Services
- Goal 12 Transportation
- Goal 13 Energy Conservation
- Goal 14 Urbanization
- Goal 15 Willamette River Greenway

There are approximately 560 acres of land both within Portland’s municipal boundaries and beyond the regional urban service boundary that can be classified as rural land. In 1991, as part of Ordinance 164517, the City Council took an exception to Goal 3 and 4. the agriculture and forestry goals. Because of the acknowledged exception, the following goals do not apply:

- Goal 3 Agricultural Lands
- Goal 4 Forest Lands

Other Statewide Planning Goals apply only within Oregon’s coastal zone. Since Portland is not within Oregon’s coastal zone, the following goals do not apply to this decision:

- Goal 16 Estuarine Resources
- Goal 17 Coastal Shorelands
- Goal 18 Beaches and Dunes
- Goal 19 Ocean Resources

**Goal 1. Citizen Involvement.** To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

3. **Finding:** Portland adopted a Community Involvement Program on June 15, 2016. The Community Involvement Program serves as a framework to carry out policies from Chapter 2 — Community Involvement, of the 2035 Comprehensive Plan, and applies to legislative land use and transportation projects initiated by the City. Among the commitments that the City is asked to make in the Comprehensive Plan are the following:
- To provide a wide range of opportunities for involvement in planning and investment decisions.
  - To achieve greater equity in land use actions through setting priorities and making decisions with meaningful involvement of under-served and under-represented communities.
  - To meaningfully involve, in decision making, those who potentially will be adversely affected by the results of those decisions.
  - To provide this meaningful involvement throughout the phases of planning and investment projects - issue identification and project design through implementation, monitoring, evaluation

## Residential Infill Project

### Exhibit A Findings of Fact Report

and enforcement.

- To provide well-designed, relevant, responsive and culturally responsive public involvement.
- To build community capacity for meaningful participation and leadership in planning and investment decisions.

A Community Involvement Committee was appointed in June 2018 to oversee implementation of the program.

The findings for Goal 2 of the 2035 Comprehensive Plan demonstrate how that Community Involvement process followed the City's program requirements and meets the requirements of Statewide Goal 1. Therefore, Council finds that community members were afforded opportunities to be involved in all phases of the planning process.

**Goal 2. Land Use Planning.** To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

4. **Finding:** Goal 2, as it applies to the RIP amendments, requires the City to follow its established procedures for legislative amendments to the Comprehensive Plan policies, the Comprehensive Plan map, the Zoning Code, and the Zoning Map. The amendments comply with this goal because, as demonstrated by findings below, the RIP amendments were developed consistent with the Statewide Planning Goals, the Metro Urban Growth Management Functional Plan, 2035 Comprehensive Plan and Portland Zoning Code, as detailed in this ordinance.

Additionally, consistent with Goal 2, other government agencies received notice from the 35-day DLCD notice and the City's legislative notice. Following the Planning and Sustainability Commission's recommendations to City Council, the City did not receive any requests from other government agencies to modify the RIP amendments.

The City Council's decision is based on the findings in this document, and the findings are based on the evidence presented to the Planning and Sustainability Commission and City Council that are incorporated in the record that provides the adequate factual basis for this decision.

**Goal 5. Open Space, Scenic and Historic Areas, and Natural Resources.** To protect natural resources and conserve scenic and historic areas and open spaces.

5. **Finding:**

**Natural Resources.** The City protects natural resources by applying environmental zoning (i.e. the environmental, river, and pleasant valley overlay zones) to significant natural resources that it identifies through a natural resources inventory. The City's most recent natural resource inventory (NRI) was adopted as part of the *2035 Comprehensive Plan* (Ordinance 185657) and was acknowledged by LCDC on June 13, 2014. The NRI identifies the location, quantity, and quality of all significant natural resources as required by the inventory provisions of Statewide Planning Goal 5. The existing environmental zones were implemented through a series natural resource protection plan (see figure 7-2 of the *2035 Comprehensive Plan*). Each protection plan evaluated the economic, social, environmental and energy impacts of regulating development within natural resource areas, as required by Statewide Planning Goal 5. The existing environmental zones have been acknowledged as in compliance with Statewide Planning Goal 5.

The RIP amendments are consistent with Statewide Planning Goal 5 related to natural resources because they do not amend any of the existing environmental zones and do not amend any of the zoning regulations associated with the environmental zones (33.430, 33.465, 33.475). In addition, as part of the City's original application of the environmental overlay zones, the ESEE analyses that were conducted considered single dwellings, ADUs and duplexes as permitted uses in the single dwelling

## Residential Infill Project

### Exhibit A Findings of Fact Report

zones. The City's adopted and acknowledged NRI identifies additional resources that have yet to be addressed through a Goal 5 process. The City has initiated a separate legislative process to update the environmental overlay zones based on the recently adopted NRI. The RIP amendments prohibit three or more units on lots that have identified natural resources, including areas within current environmental overlay zones and resource areas that are inventoried but not yet protected by environmental zones. Since the code currently permits two dwelling units now, and the RIP amendments prohibit any additional density in these areas, the RIP amendments do not establish any new conflicting use.

Furthermore, the RIP amendments reduce overall building square footage and encourage private property owners to reduce impervious area associated with paved parking by eliminating minimum parking requirements, both of which have the potential to reduce the impacts of existing allowed development in environmental zones.

**Open Spaces.** The RIP amendments are consistent with Statewide Planning Goal 5 because they do not affect the City's Open Space zoning.

**Scenic Resources.** The RIP amendments are consistent with Statewide Planning Goal 5 because they do not affect the scenic resource overlay zone, which conserves significant scenic resources identified in the City's adopted Scenic Resources Protection Plan.

**Historic Resources.** Historic resources are located throughout the City including in single-dwelling zones that are affected by the RIP amendments (R2.5, R5 and R7 zones). Identified historic resources (individual landmarks and districts) are conserved by the City's Historic Resources overlay zone. The RIP amendments do not identify new or remove any existing designated historic resources and the amendments do not affect any of the Historic Resource overlay zone regulations (Chapter 33.445). Furthermore, the RIP amendments support the preservation of identified historic resources by providing a disincentive to demolition. The amendments include a new zoning code regulation (PCC 33.110.265.E and F.; PCC 33.205.020.B.2 and B.3.) that prohibits three or more units on single dwelling zoned lots where a historic resource was demolished within the previous 10 years without receiving demolition review approval. This is especially relevant for conservation resources which presently lack a discretionary demolition review process. The provision is intended to remove financial motive to demolish these resources and maximize achievable units and FAR, until such time that a discretionary review process can be established (as part of a subsequent project) to review such proposals. Pursuant to OAR 660-023-0200, when local governments choose to amend acknowledged historic preservation plans and regulations, the standard Goal 5 process applies. The RIP amendments do not amend such plans or the historic resource regulations contained in PCC 33.445 and 33.846. Further, local governments are not required to apply the Economic, Social, Environmental, and Energy (ESEE) analysis in order to determine a program to protect historic resources. For this reason, the RIP amendments are consistent with Statewide Planning Goal 5.

**Generally.** As shown below in the findings for the 2035 Comprehensive Plan, the RIP amendments are consistent with the goals and policies of Chapter 4 (Design and Development, including Historic and Cultural Resources) and Chapter 7 (Environment and Watershed Health). The findings in response to those goals and policies are incorporated here by reference, and they further support the finding that the RIP amendments are consistent with Statewide Planning Goal 5.

**Goal 6. Air, Water, and Land Resource Quality.** To maintain and improve the quality of the air, water and land resources of the state.

**6. Finding:** Goal 6 requires the maintenance and improvement of the quality of air, water, and land resources. The State has not yet adopted administrative rules for complying with Statewide Planning

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Goal 6. The City is in compliance with federal and state environmental standards and statutes, including the federal Clean Water Act and Clean Air Act. Existing City regulations including Title 10 (Erosion Control) and the Stormwater Management Manual will remain in effect and are applicable to future development. Chapter 7 (Environment and Watershed Health) of the 2035 Comprehensive Plan furthers Statewide Planning Goal 6. As shown below in the findings for the 2035 Comprehensive Plan, the RIP amendments are consistent with the goals and policies of Chapter 7 (Environment and Watershed Health) and the findings in response to those goals and policies are incorporated here by reference. Therefore, RIP amendments are consistent with the requirements of Statewide Planning Goal 6.

### **Goal 7, Areas Subject to Natural Disasters and Hazards. To protect people and property from natural hazards.**

7. **Finding:** The State has not yet adopted administrative rules for complying with Statewide Planning Goal 7. Senate Bill 1051 (2018) requires that cities allow an ADU on any lot where a house is allowed. House Bill 2001 (2019) requires cities allow a duplex on any lot where a detached house is allowed. The city currently allows a house with an accessory dwelling unit or a corner lot duplex. The RIP amendments allow a duplex on any lot that allows for a house. While certain RIP zoned lots are eligible for up to 6 units, the amendments include a prohibition on more than 2 dwelling units per lot (e.g. house plus ADU or duplex) on sites that contain the following identified natural hazard areas shown in the City's adopted and acknowledged Buildable Lands Inventory (Ordinance 187831):

- Special flood hazard area (Land area covered by the floodwaters of the base flood, as shown on the Federal Emergency Management Agency (FEMA) maps in effect on November 26, 2010);
- Floodway (The active flowing channel during a flood, as designated on the flood maps adopted under authority of Title 24 of the Portland City Code);
- 1996 Flood Inundation area (A record peak flow in February of 1996 caused the Willamette River and its major tributaries to flood. This map was created to delineate the inundated areas near the mainstem and major tributaries of the Willamette River);
- Potential Rapidly Moving Landslide Hazard Zones (as shown in the DOGAMI IMS-22 publication); and
- Deep landslide—High Susceptibility or Landslide Deposit or Scarp as shown in the DOGAMI IMS-57 publication

For this reason, the RIP amendments do not increase the potential for people or property to be affected by natural hazards, consistent with Statewide Planning Goal 7.

The RIP amendments are also consistent with this goal because City programs that are deemed in compliance with Metro Title 3 requirements for flood management, and erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24), as well as the environmental overlay zones are unchanged by these amendments and will ensure any new development will be done in a way to protect people and property from hazards.

As shown below in the findings for the 2035 Comprehensive Plan, the RIP amendments are consistent with the goals and policies of Chapter 7 (Environment and Watershed Health) and the findings in response to those goals and policies are incorporated here by reference. Therefore, RIP amendments continue to protect people and property from natural hazards, consistent with the requirements of Statewide Planning Goal 7.

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**Goal 8. Recreational Needs.** To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

8. **Finding:** Goal 8 focuses on the provision of destination resorts. However, it does impose a general obligation on the City to plan for meeting its residents' recreational needs: "(1) in coordination with private enterprise; (2) in appropriate proportions; and (3) in such quantity, quality and locations as is consistent with the availability of the resources to meet such requirements."

Goal 8 provides that "Recreation Needs -- refers to existing and future demand by citizens and visitors for recreation areas, facilities and opportunities." Goal 8 also provides that "Recreation Areas, Facilities and Opportunities -- provide for human development and enrichment, and include but are not limited to: open space and scenic landscapes; recreational lands; history, archaeology and natural science resources; scenic roads and travelers; sports and cultural events; camping, picnicking and recreational lodging; tourist facilities and accommodations; trails; waterway use facilities; hunting; angling; winter sports; mineral resources; active and passive games and activities."

The City of Portland has a robust and diverse system of parks, recreation areas and open spaces. The City's Parks 2020 Vision documents the City's long-term plan to provide a wide variety of high-quality park and recreation services and opportunities for all residents. The Parks 2020 Vision identifies a goal that 100% of Portlanders are within ½ mile of a Park or Natural Area. As of 2016, 81% of all the City's households are within ½ mile of a park or natural area, whereas 99% of parcels in the zones affected by the RIP amendments (i.e. the R2.5, R5 and R7 single-dwelling zones) already meet this standard. Providing additional opportunities for future households to locate in these areas will continue to contribute towards fulfillment of this goal.

The RIP amendments do not affect any land designated as open space. In addition, city code require household uses in the RIP affected zones to provide a minimum of 250 square feet of outdoor area per lot, which can supplement the recreational needs of residents.

As noted below in the findings for the 2035 Comprehensive Plan, the RIP amendments are consistent with the goals and policies of Chapter 8 (Public Facilities and Services and the findings in response to those goals and policies are incorporated here by reference. Therefore, RIP amendments additionally satisfy the recreational needs of the citizens consistent with the requirements of Statewide Planning Goal 8.

**Goal 9. Economic Development.** To provide adequate opportunities throughout the state for a variety of economic activities vital to health, welfare, and prosperity of Oregon's citizens.

9. **Finding:** Goal 9 requires cities to consider economic activities vital to the health, welfare, and prosperity of Oregon's citizens. Comprehensive plans for urban areas are required to include, among other things: an analysis of economic patterns, potentialities, strengths, and deficiencies; policies concerning economic development; and land use maps that provide for at least an adequate supply of sites for a variety of industrial and commercial uses.

The *2035 Comprehensive Plan* demonstrates compliance with Goal 9. Land needs for a variety of industrial and commercial uses are identified in the *Economic Opportunities Analysis* (EOA), which was adopted (Ordinance 187831) and acknowledged by LCDC on April 25, 2017.

The City's acknowledged EOA analyzed and demonstrated adequate growth capacity for a diverse range of employment uses, which are organized into different geographies that represent a distinct mix of business sectors and building types. In each of the geographies, the City analyzed the future employment growth and the developable land supply to accommodate that growth.

## Residential Infill Project Exhibit A Findings of Fact Report

The additional housing types are allowed in zones that are exclusively residential and not factored into the EOA, except as opportunities for home occupation businesses. Providing for additional households in these zones provides even more home-based business opportunities, not fewer, which can support household prosperity. The RIP amendments do not amend the mixed use commercial or industrial and employment base zones and do not include map amendments to apply those zones that would reduce the employment capacity of the city's employment land.

Chapter 6 (Economic Development) of the 2035 Comprehensive Plan furthers Statewide Planning Goal 9. As noted below in the findings for the 2035 Comprehensive Plan, the RIP amendments are consistent with the goals and policies of Chapter 6 (Economic Development) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. Therefore, with the RIP amendments, the City of Portland continues to provide adequate opportunities for a variety of economic activities, consistent with the requirements of Statewide Planning Goal 9.

### **Goal 10. Housing.** To provide for the housing needs of citizens of the state.

**10. Finding:** Goal 10 specifies that each city must plan for and accommodate needed housing types. As used in ORS 197.307 "needed housing" means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, and includes attached and detached single-family housing and multiple family housing for both owner and renter occupancy;

Goal 10 requires each city to inventory its buildable residential lands, forecast future needs, and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Goal 10 and its implementing administrative rules contain the following specific requirements:

1. Identify future housing needs by amount, type, tenure and affordability;
2. Maintain a residential Buildable Lands Inventory (BLI) with sufficient land to meet identified needs;
3. Adopt land use maps, public facility plans and policies to accommodate needed housing (housing capacity, as well as type, tenure and affordability);
4. Meet minimum density and housing mix requirements (including the Metropolitan Housing Rule);
5. Adopt clear and objective standards for needed housing.

The adopted *2035 Comprehensive Plan* conducted city-wide analysis to demonstrate compliance with Goal 10. The City's Housing Needs Analysis, which was adopted (Ordinance 185657) and acknowledged by LCDL on June 11, 2014, consists of five distinct reports that analyzed the state of housing supply, housing affordability issues and the City's ability to meet projected housing demand. The Buildable Land Inventory (BLI), which was adopted (Ordinance 187831) and acknowledged by LCDL on April 25, 2017, identified the supply of land available to provide this needed housing.

Goal 10 mandates that local jurisdictions ensure adequate capacity, and provides a "floor" for such measure, but does not restrict or prevent jurisdictions from increasing housing capacity above a set "ceiling". In other words, just because the City has shown that it meets the number of requisite units to accommodate the forecast growth, Goal 10 does not prevent the City from increasing the

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capacity, and especially so when such increases help improve the housing target performance in other areas of the goal (type, tenure and affordability).

The RIP amendments include modifications to zoning allowances that increase both the range of allowed housing types, as well as the overall capacity for housing units to be created. These amendments are in part to improve the performance of the Comprehensive Plan housing policies, as well as alleviate competitive pressure for housing development more ubiquitously across the city.

The findings below address Goal 10 requirements to demonstrate that the RIP amendments to the Zoning Map and zoning code demonstrate that the City continues to accommodate 20-years of forecast growth and provide a variety of housing types and tenures, with a variety of affordability levels.

The discussion below makes distinctions between zoned *capacity* for housing, and *allocation* of households by location or zone. The housing *capacity* is determined through the City's adopted BLI growth model<sup>1</sup> which identifies vacant and underutilized sites and then applies a number of development constraints including regulatory, environmental and infrastructure to estimate the feasibility of realized development on those sites. The result is a sum total of likely maximum development within the city's zones. For the RIP amendments, a similar modeling methodology was followed, with several adjustments to reflect the proposed housing types and new FAR limits<sup>2</sup>.

Household *allocation* is a more confined number of likely development within the Comprehensive Plan period, which is informed by the city's obligations under Statewide Goal 2, and more specifically OAR 660-32-0020 (A local government within the Metro boundary shall apply the Metro forecast described in OAR 660-0032-0030 when changing a regional framework plan, comprehensive plan or land use regulation of the local government, when the change is based on or requires the use of a population forecast.) As part of the adopting of the 2035 Comprehensive Plan, Metro forecasts Portland to receive 123,000 additional households by 2035.

This is an important distinction because while the RIP amendments increase capacity for development in RIP zones, they do not affect population or household allocation forecasts. In other words, the housing effect of these changes allows for a redistribution of allocated households within the City by creating opportunities for additional development in different areas where zoned capacity was previously overutilized, but do not increase total numbers of expected households citywide.

**Housing Supply and Demand.** The City's adopted BLI estimates Portland has the capacity for 201,000 additional housing units, more than the estimated need to accommodate the City's forecasted future growth of 123,000 units by 2035. The RIP changes rezone approximately 782 acres from R5 to R2.5, effectively increasing the supply of residential small lots for fee-simple homeownership. According to the RIP capacity and growth allocation model, the changes that allow additional units on lots in R2.5, R5 and R7 zones increase the *capacity* for residential household growth by roughly 25,000 units (from 30,000 to 55,000) and these changes are anticipated to reallocate roughly 3,900 units from other zones to the R2.5, R5, and R7 zones within the Comprehensive Planning period (an *allocation* increase in RIP zones from 16,200 to 20,100 with a corresponding decrease of units in the other zones). While the baseline comprehensive growth strategy adequately addressed zoning *capacity* citywide for the planning period, the Growth

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<sup>1</sup> Buildable Lands Inventory and Growth Allocation GIS Model, BPS April 2016

<sup>2</sup> Residential Infill Project Capacity and Growth Allocation Modeling Methodology, BPS January 2020

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Scenarios Report<sup>3</sup> did identify ways to improve performance of this strategy with regard to housing affordability and choice. In short, the 2035 Comprehensive Plan provides adequate zoning for *numbers* of units; however, it noted a shortfall in the range of *types* and variety of *locations* to meet the broader market demand. Specifically, the Growth Scenarios Report found a sufficient mix of three broad housing types – single family residential, neighborhood and corridor apartments, and mid- to high-rise units. However, within these broad classes there was some predicted scarcity within the middle range (attached houses and plexes), while the low end of the spectrum (detached houses) and high end of the spectrum (apartments) would dominate the housing type mix.

**Housing Affordability.** The Housing Affordability Background Report<sup>4</sup> cited recommendations to address declining housing affordability. “Given that public resources to subsidize affordable housing are limited and likely inadequate, the construction of new unsubsidized housing affordable to low and moderate income should be promoted. This could include development of more reasonably-priced rental housing units such as smaller units with no parking...and allowing the creation of more than one accessory rental in large homes in single-family zones.” (p.7) Also recommended: “Provide incentives to the private market to construct affordably priced housing units both rental and owner-occupied.” (p.7) As described in the Economic Analysis (Volume 3, Appendix A), the average cost of the housing types provided for in the RIP changes as compared to the default scenario of continued new single dwelling development was 56 percent less, bringing these units into the reach of more first-time homebuyers and rentals that are competitive with larger multiplex apartments. RIP also provides two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI.

Council heard public testimony questioning the affordability of the RIP housing types<sup>5</sup>. A common refrain among such testimony is that the most affordable house is the house that exists today, in essence arguing that a newly constructed home is more costly than an older home. As a general statement of a point in time comparison all-other things being equal (e.g. home size, location, quality of construction) Council is not disputing this generalization. However, Council finds that infill and redevelopment are critical to maintaining sound housing while addressing housing affordability.

Portland’s population is increasing, and at the same time, household formation size is decreasing. Both of these facts translate into a need for more housing units. According to tax assessment records<sup>6</sup>, only 2.2% of the parcels in RIP zones are vacant. The City’s zoned capacity figures from the BLI anticipate some level of redevelopment will be necessary to achieve housing targets. Restricting the supply of new housing while the demand continues to increase inevitably leads to the conclusion that the fixed number of existing homes will continue to get further and further out of the affordability range of most buyers. Second, the sales price of existing houses, especially those that are redeveloped is often reflective of substandard condition resulting from deferred maintenance. The cost to rehabilitate an existing structure to bring it up to modern systems and energy enhancements comparable to new construction will frequently be as much as or more than the cost of new construction<sup>7</sup>.

<sup>3</sup> Growth Scenarios Background Report, BPS July 2015

<sup>4</sup> Portland Plan: Housing Affordability Background Report, BPS 2009

<sup>5</sup> For example, see testimony from Tyler Lyon, May 6, 2020 and Teresa McGrath, May 6, 2020

<sup>6</sup> RIP zone parcels ad Geographic stats, BPS December 2019

<sup>7</sup> Internal Conversion Report, DECA Architects, October 2016

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In Mr. Lyons Testimony he cites a house that sold for \$400,000 and was demolished for two new homes in its place, roughly 1,660 s.f. and \$624,000 each. While the price of each of these homes is more than the existing house, other examples in the area paint some context. Behind the redeveloped site in question is a home built in 1928, is 2,320 s.f. and sold for \$664,000 in 2018 and has a current Zillow estimate of \$711,000. The average Zillow estimate for single family home values on the block, excluding the new units is \$603,000. What these comparisons demonstrate is that the new homes were sold at around average rates for existing houses in this area. However, apart from the requirements tied to affordability incentives, the RIP amendments do not dictate what prices dwelling units can sell for. Nevertheless, in addition to the size caps on units that result in smaller individual units when there are multiple units on site, the market will continue to favor (and price accordingly) detached single units. Over time, these additional housing types should continue to be priced more competitively than their counterpart single detached dwellings. Taylor Smiley Wolfe of Home Forward shared in her June 10, 2020 testimony that “16 percent of all Home Forward voucher holders lived in a duplex, triplex, or quad in 2019 and see rents on average that are 22 percent lower than those in a single-family home. We estimated that the difference between using those 1,100 vouchers in a duplex, triplex, or quad instead of a single-family home is a cost savings equivalent to serving an additional 585 households.” Increasing the supply of units, at smaller sizes, will enable greater income diversity within neighborhoods, especially as the vintage of these units age.

Additional testimony from Michael Andersen< January 17, 2020 included links to several studies and cites “there is extensive academic evidence that underbuilding in growing metro areas drives up housing cost burdens, and that construction reduces prices at the regional and maybe even the neighborhood level.” One especially persuasive study is the Effect of New Market Rate housing Construction on the Low-Income Housing Market by Evan Mast at the Upjohn Institute, July 2019.

House Bill 2001, signed into law on August 8, 2019, affects a number of provisions relating to housing and housing needs analyses, but the portions of that bill relevant to the RIP amendments and legislative action relate to requirements that cities allow specified middle housing types where detached single dwellings are allowed. Further, the bill directs local governments to “consider ways to increase the affordability of middle housing” by considering ordinances and policies that include but are not limited to waiving or deferring system development charges; adopting or amending criteria for property tax exemptions or freezes; or assessing a construction tax.

The City of Portland already applies a number of measures designed to increase the affordability of regulated affordable housing. The City currently waives SDCs for projects meeting established affordability program requirements (PCC 30.01.095). A construction excise tax of 1 percent of the value of improvements to residential or commercial structures is also currently assessed to support affordable housing (PCC 6.08). The City currently utilizes two programs, HOLTE (Home Ownership Limited Tax Exemption) and MULTE (Multiple-Unit Limited Tax Exemption) that provide property tax relief to development of affordable housing units. Additionally, waivers to the Local Transportation Improvement Charge can be requested for affordable housing construction in single dwelling zones (PCC 17.88). These measures will continue to be applicable to middle housing that is developed in compliance with affordable housing requirements.

The Residential Infill Project also includes measures that increase the affordability of market rate middle housing especially in comparison to detached single dwellings through the imposition of a sliding FAR scale (33.110.210). According to the econometric analysis in Volume 3, Appendix A, average rents at the citywide level are decreased by 56 percent from the default zoning code by applying these size limitations and allowing multiple units to share land costs. The following

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example uses a midrange market level of \$278/sf achievable pricing to illustrate the sales point levels for four housing types in the R5 zone on a 5,000 sf lot. While some variability is to be expected within smaller multiplex housing types due to potentially higher construction and design requirements related to meeting Oregon State Structural Code requirements, the following basic parameters generally still follow:

Housing Type	Allowed FAR	Total size	Average unit size	Cost per unit (@\$278/sf)	Unit % of house cost
House	0.5	2,500 sf	2,500 sf	\$695,000	100%
Duplex	0.6	3,000 sf	1,500 sf	\$417,000	60%
Triplex	0.7	3,500 sf	1,167 sf	\$324,333	47%
Fourplex	0.7	3,500 sf	875 sf	\$243,250	35%

Minimum required parking has also been eliminated for residential structures in the single dwelling zones. According to Donald Shoup<sup>8</sup> average costs in Portland in 2011 for a parking space range from \$26,000 (aboveground structure) to \$35,000 (underground) per space. Removing these requirements further reduces the costs associated with providing middle housing.

Therefore, City Council has adequately considered and adopted measures to increase the affordability of middle housing.

**Housing Choice.** The Comprehensive Plan Update Growth Scenarios Report found that the preferred growth scenario provided a sufficient mix of three broad housing types – single family residential, neighborhood and corridor apartments, and mid- to high-rise units. However, within these broad classes there was some predicted scarcity within the middle range (attached houses and plexes), while the low end of the spectrum (detached houses) and high end of the spectrum (apartments) would dominate the housing type mix. The Comprehensive Plan Update Growth Scenarios Report identifies options for improving performance:

- Create a Wide Range of Housing Choices: Producing a diverse supply of housing creates diverse communities with the opportunity for households to remain in their neighborhood as their lifestyles and housing needs change, especially in allowing older adults to remain within their community. (p.53)
- Support Development of New and Innovative Housing Types: Changing household needs and preferences will create demand for new and different housing types. (p.53)

The RIP amendments are specifically tailored to broaden the range of allowed housing types in single-dwelling residential zones by increasing the areas where duplex, triplex, fourplex, and additional Accessory Dwelling Units (ADUs) are allowed, consistent with the recommendations in the Comprehensive Plan Background Reports. Furthermore, provisions to allow up to 6 units when at least half of the units are income restricted allows for even more types of housing and ensures these units remain affordable to families earning up to 60% of the median family income.

The Metropolitan Housing Rule (OAR 660-007-0035) states that cities “*must provide for an overall density of ten or more dwelling units per net buildable acre*”. The adopted comprehensive plan provides for 31 units per acre overall<sup>9</sup>. RIP requires that new development on double-sized lots in the R2.5-R7 zones provide for at least 2 units, where only a single unit was previously required. The amendments also increase the potential number of units on a lot from 2 to 6 in many locations. The

<sup>8</sup> Donald Shoup, “[The High Cost of Minimum Parking Requirements](#),” in *Parking: Issues and Policies*, edited by Corinne Mulley and Stephen Ison, Bingley, UK: Emerald Group Publishing, 2014, pp. 87–113.

<sup>9</sup> City of Portland, Ord. 188177, Vol. 1.1.A, page 40

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amendments do not change minimum density requirements or remove current housing type allowances. Therefore, with the RIP amendments, the city continues to provide for more than ten housing units per net buildable acre across the city.

ORS 197.307(4) requires that jurisdictions “may apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable lands” ...and these provisions... “may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.” The RIP amendments provide clear and objective standards for houses, duplexes, triplexes, fourplexes and ADUs. Similarly objective development standards apply to the bonus units allowed (6 units total), however, these additional units are predicated on meeting certain affordability standards.

As noted below in the findings for the 2035 Comprehensive Plan, the RIP amendments are consistent with the goals and policies of Chapter 5 (Housing) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. Therefore, RIP amendments are consistent with the requirements of Statewide Planning Goal 10.

#### **Goal 11. Public Facilities and Services. To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.**

**11. Finding:** Statewide Planning Goal 11, Public Facilities, requires cities to adopt and update public facilities plans. Public facilities plans ensure that urban development is guided and supported by types and levels of water, sewer and transportation facilities appropriate for the needs and requirements of the urban areas to be serviced, and that those facilities and services are provided in a timely, orderly and efficient arrangement.

The adopted 2035 Comprehensive Plan includes the Citywide Systems Plan (CSP), which was adopted (Ordinance 185657) and acknowledged by LCDC on April 25, 2017. The CSP includes the Public Facilities Plan with information on current and future transportation, water, sanitary sewer, and stormwater infrastructure needs and projects, consistent with the requirements of Statewide Planning Goal 11. The service limitations identified in the CSP have been incorporated into the Buildable Lands Inventory (BLI) which was adopted (Ordinance 187831) and acknowledged by LCDC on April 25, 2017

The BLI constraint analysis is the basis of a geographic evaluation of the RIP amendments to ensure that public facilities are planned to support the potential development resulting from these amendments.

The RIP changes increase the capacity for number of households on certain qualifying lots in the affected zones from 2 (house plus ADU, corner lot duplex) to 6 units. However, not all lots are likely to develop at this density over the CSP 20-year planning period. Household growth is determined by Metro allocations at the regional level. The RIP amendments do not affect the City’s forecasted growth rate. This growth rate is an established allocation from Metro in its agency’s role to coordinate land use planning for the region in accordance with Goal 2. Metro develops the forecast and allocates the forecasted growth to each of the jurisdictions within its boundaries. Each local jurisdiction is responsible for determining how to best manage and direct that growth within its boundaries. The lifting of restrictions on certain housing types creates greater opportunities for developing other compact housing types in the city which ultimately affect the types of units produced and the locations of where those units are produced.

The Buildable Lands Inventory considers other development constraints to determine the overall increase in available capacity, and then assigns growth based on household forecasts, housing type

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demand and development trends. The RIP capacity and growth allocation model determined that there would be approximately 3,900 additional households reallocated to areas within the affected zones when compared against the baseline 2035 Comprehensive Plan. The number of total households citywide is confined by the city's obligations under Statewide Goal 2, and more specifically OAR 660-32-0020 to apply the Metro population forecast when changing a land use regulation. There is no evidence to suggest that allowing for additional units in single dwelling zones will increase the rate or amount of population growth in the city. In other words, these are not additional households above the 2035 Comprehensive Plan total for the planning period, but rather households that shift from one or more zones that are not within the scope of Residential Infill (for example lower density single dwelling zones). Based on the model's attributes, these reallocated households are not equally distributed, allocating them to some areas more than others. In some areas, household development was reduced from the Comprehensive Plan zoning scenario, while other areas saw commensurate increases. Impacts to city systems were evaluated based on the net change of development impact between the 2035 Comprehensive Plan zoning and the RIP changes as well as the location of where increased household development was forecast.

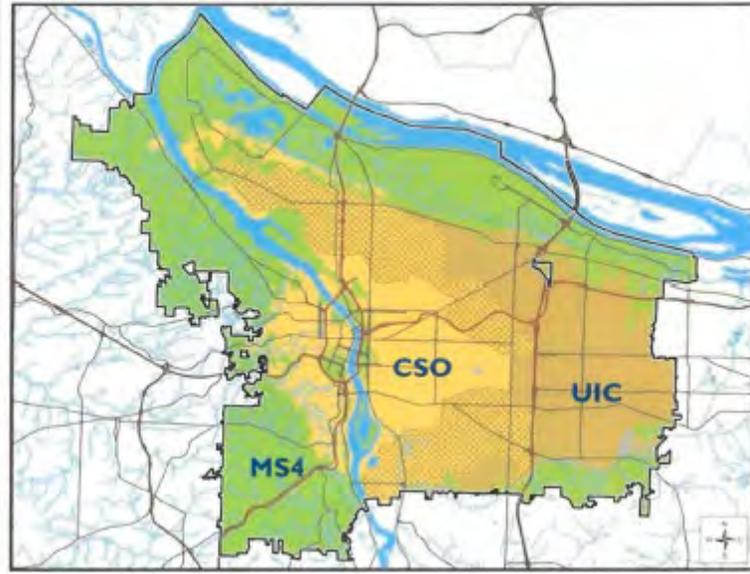
For areas included in the additional housing allowances provided by the RIP changes, development standards and regulations are in place to ensure sewer, water, and stormwater needs are met and impacts are addressed. Where there are existing constraints on public facilities, proposed development could face increased cost of to provide or mitigate the constrained infrastructure.

The RIP capacity and growth allocation model shows reductions of household allocation in the West Hills and relatively even allocation differences in inner neighborhoods compared to the 2035 Comprehensive Plan. The areas that see increases are middle ring neighborhoods in southeast and northeast along the 82<sup>nd</sup> avenue/ I-205 corridor, outer east areas along Division Street, and areas of north Portland. Services were evaluated based on existing and planned service capacity.

#### Sanitary Sewer

The east, west, and north portions of the city are served by separated sanitary and storm sewer systems (green shaded areas). The central portions of the city are generally served by combined sanitary and storm sewers (tan shaded areas). Large portions of the city on the east side of the Willamette River utilize Underground Injection Control (UIC, brown shaded areas) systems to infiltrate stormwater into the ground, thereby reducing runoff. The cross-hatched areas are served by both combined and UIC systems. The Bureau of Environmental Services evaluated the impacts of RIP amendments against the 2035 Comprehensive Plan zoning for each system<sup>10</sup>.

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*Combined System.*

Within the combined service area BES notes that the 2035 Comprehensive Plan Citywide Systems Plan (CSP) identified that some areas in the combined system are affected by localized hydraulic capacity limitations that increase the risk of basement sewer backups and/or street flooding. These areas are concentrated close in on the east side with scattered areas in other parts of the system. A number of projects to address this hydraulic deficiency were included in the proposed Investment Strategy in the CSP. There is no evidence that the RIP proposal will cause an increase in the combined sewer hydraulic capacity limitations identified in the CSP. Sanitary flow is a minor component in the combined system when compared to stormwater flows, and much of the projected infill is within the UIC boundary where the sewers and wastewater treatment facilities tend to have excess capacity, and stormwater runoff from future development can be infiltrated into the soil.

BES has already identified a series of projects in the CSP Collection System Investment Strategy to address capacity deficiencies in the combined system over the next 20 years. BES employs an asset management model and continuously monitors the capacity of the combined system, constructing capital improvements to mitigate flooding risk and to limit combined sewer overflows in compliance with the City's regulatory permits. BES will continue this practice as residential infill and other development activity occurs. Therefore, Council has concluded that the combined sewer system, with planned projects included in the adopted CSP, is adequate or will be adequate to accommodate the forecasted growth from RIP.

*Separated System.*

Most of the properties zoned R7, R5, and R2.5 in the separated area are served by sanitary sewers. Currently there are minimal capacity issues in these sewers, except for areas where the City experiences stormwater inflow or infiltration (I&I) into the sanitary system. BES manages a program to reduce I&I to reduce the need for wastewater treatment capacity and limit pollution entering the sanitary system. As infill occurs, BES will monitor sanitary flows, identify necessary conveyance improvements, and implement capital projects to adequately respond to infrastructure needs and prevent sewage releases to surface waters, consistent with State and Federal regulations. Therefore, with these ongoing improvements already identified in the adopted CSP, Council finds that sanitary sewer infrastructure is adequate or will be adequate as development occurs.

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#### Stormwater

BES manages a complicated network of pipes and ditches, streams and wetlands, engineered facilities, drainageways, and infrastructure to convey, detain, and treat stormwater runoff. In areas that were developed prior to being annexed to the City of Portland, development standards and regulations were not as comprehensive as they are today. The result is stormwater systems that are fragmented, incomplete and, in some cases, in poor condition.

Increased or new development can pose challenges to the operation and function of the existing stormwater system. The magnitude of the challenges varies by geographically specific factors such as topography, soils, system maturity, and the type of stormwater system (separated, combined or UIC). Infiltration is generally the most cost-efficient means of mitigating the runoff from impervious surfaces such as asphalt, concrete and roofs.

Generally, residential infill will be easier to accommodate on the east side of the Willamette River where soils allow stormwater infiltration and the BES Stormwater Management Manual (SWMM) will require runoff from potential increases in impervious area to remain on site.

In areas west of the Willamette River, there is less ability to infiltrate stormwater to the groundwater aquifer due to less permeable soils, steeper topography and geologic factors such as landslide susceptibility and shallow confining soil layers. Without the ability to infiltrate, the cost of mitigating the effects of impervious area and reduced vegetative cover increases, especially in areas where stormwater system deficiencies already exist.

BES' spatial analysis shows that approximately 6% of the residentially zoned tax lots within RIP zones likely do not have adequate stormwater service. Extending or providing service to these tax lots can be challenging, both from a financial perspective and because construction of service extensions can create ancillary needs, such as downstream capacity upgrades and roadway development (e.g. adding curbs and inlets). When a development application is reviewed and it's determined that service is not available, the burden is on the developer to extend the stormwater service or wait until BES plans, designs and implements a Capital Improvement Project to provide the needed service.

Other factors that create challenges for the stormwater system are areas susceptible to landslides, areas within mapped or observed floodplains, and areas of high-value natural resources. BES has worked closely with BPS to analyze and define the impacts that the RIP could potentially have on these conditions or resources. The new 'z' overlay addresses these issues (landslides, natural resources, and floodplains) by limiting lots in these areas to no more than two units. HB2001 and SB 1051 prevents further density limitations in that it requires cities to allow duplexes or ADU's wherever houses are allowed. Moreover, current zoning already allows duplexes on corner lots or a house with an accessory dwelling unit.

Many of the neighborhoods with challenging soils and topography are located on Portland's west side. However, RIP models project a decrease in likely residential development on the west side. The 2035 Comprehensive Plan BLI allocated 4,172 units to single family zones in the western neighborhoods. The RIP household allocation model predicts 2,509 units, a difference of 1,663 units or about a 40% reduction of households. About 1200 of the units are removed from lower density residential zones on the west side (R10, R20, RF) where stormwater and sewer services are even more challenging, and roughly 400 of the units are removed from RIP zones. These reductions

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are offset by increased households in inner and eastern neighborhoods, where stormwater systems are adequate (see Figure 5).

In addition, because RIP allows for multiple units to be constructed on a single lot (up to four, or six when providing regulated affordable units) instead of the single house allowed by current 2035 Comprehensive Plan zoning, the net redevelopment activity in the western district is further reduced. Building coverage limits are unchanged from current allowances and total allowable building size is reduced through caps on floor area (FAR). While triplexes, and fourplexes up to sixplexes will be able to utilize more FAR than houses or duplexes, they are still smaller than what is permissible under the current zoning rules for a single house. These FARs work in conjunction with building coverage limits to encourage more multi-story buildings, which reduces effective building coverage. Moreover, onsite parking is now optional, providing more opportunities to leave more of the site permeable.

In summary, the RIP amendments limit the number of units in landslide and flood susceptible areas where stormwater conveyance is most challenging, project a reduction of net development activity in stormwater service challenged areas, do not increase allowable building coverage (an indicator of stormwater conveyance demand), reduce requirements for parking and associated impervious area, and reduce the overall size of structures which can lessen the amount of utilized building coverage. All these taken together, Council finds that the RIP amendments do not increase, and more likely decrease stormwater impacts compared to existing regulations. Any localized deficiencies will be addressed at the time of development or through capital projects identified in the adopted CSP.

#### Water

Chapter 7 of the CSP notes that “vacant land and redevelopment lots within the retail service area are increasingly being developed with higher-density housing and more mixed-use development than in the past. In addition, several of the bureau’s 20 wholesale customers have identified growth in existing service areas as well as some small additions to the UGB in 2004.”

Water demand forecasts developed by the Water Bureau anticipate that per capita water demands will continue to decline somewhat over time; however, the overall demands on the Portland water system will increase due to population growth. The growth in demand does not increase at the same rate as the growth in population. Using a single-equation econometric model, the Water Bureau estimated the mathematical relationship between the overall demand for water and a series of explanatory variables including population change, weather factors such as precipitation and temperature, the average price of water, weekend use, climate change, and others. (CSP p.151)

The City of Portland provides water to retail customers within the city limits, as well as a significant number of large wholesale customers. Average daily demand for retail customers in 2012 was 62 million gallons per day (MGD). This is expected to grow to approximately 70 MGD by 2030. While this is not a huge growth rate within the City, it is something that needs to be addressed in the planning of infrastructure.

The RIP amendments do not affect the City’s projected growth rate. This forecasted growth is an established allocation from Metro in its agency’s role to coordinate land use planning for the region in accordance with Goal 2. Therefore, the RIP amendments will have no significant impact on the overall water supply. PWB’s supply and water distribution system is sized to meet City fire suppression needs which far surpass the day-to-day demand from residential customers. The real change is the distribution of where those households are and the type and intensity of

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development. Up to six units are allowed on most R2.5, R5, and R7 lots as part of the RIP. The overall structure size is capped under RIP to less than what was previously permissible. While the demand in certain locations is increased from additional residents, the demand for irrigation should remain the same or decrease.

There are three water service areas that were identified in the Citywide Systems Plan (Chapter 7, p.199) as having at least one type of service goal deficiency and that show an increase in households from the Comprehensive Plan estimates due to the Residential infill Project. These service areas include the Bertha service area (additional 54 households), the Stephenson Pumped service area (51 additional households), and the Vernon 362 service area (20 additional households).

The water bureau has analyzed service connection demands in each of these three areas by looking at total projected peak day demand plus fire flow demand in comparison to the available supply capacity in each of those services areas to determine whether they are significantly impacted. In all cases, there was surplus capacity available. There is no evidence that the water system both citywide and in these identified areas will be adversely impacted by the RIP amendments.

Based on demand increases from the proposed additional households as part of the Residential Infill project, Council finds that the affected service areas will not be significantly impacted. Distribution piping within the service areas is sized to meet fire flows, so there should not be supply issues to individual lots.

Chapter 8 (Public Facilities and Services) of the 2035 Comprehensive Plan furthers Goal 11. As noted below in the findings for the 2035 Comprehensive Plan, the RIP amendments are consistent with the goals and policies of Chapter 8 (Public Facilities and Services) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. Therefore, RIP amendments are consistent with the requirements of Statewide Planning Goal 11.

**Goal 12. Transportation.** To provide and encourage a safe, convenient and economic transportation system.

**12. Finding:** The RIP amendments do not amend the City's adopted Transportation System Plan, therefore the City continues to plan for public infrastructure investments to maintain and strengthen the multimodal transportation infrastructure in the residential areas where RIP zones are located to provide and encourage a safe, convenient and economic transportation system, as further demonstrated in the following discussion and 2035 Comprehensive Plan, Chapter 9 findings.

A separate parallel process amended PCC 17.88, Local Transportation Improvement Charge, which was adopted by Council on June 24, 2020 (Ord. No 190017). These changes enable and authorize PBOT to collect funds for street improvements when the new housing types permissible with the RIP amendments are built on under-improved streets in single dwelling zones. The RIP amendments prohibit more than a house with an ADU or a duplex on streets that have "not been accepted by the City for maintenance", which are largely characterized as unpaved streets. However, a number of maintained streets do not meet other current city standards such as sidewalks or curbs for stormwater management. The Local Transportation Improvement Charge (LTIC) allows developers to pay into a fund based on the amount of street frontage on their site. When adopting that ordinance, Council found in part "not getting street and stormwater improvements included in the cost of new development shifts the cost of providing the infrastructure from the developer to the public, city and/or to the development site's neighbors. Each of these outcomes has different equity impacts in terms of who benefits and who is burdened

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by new development...On sites with frontage on maintained but unimproved streets which are largely characterized by having pavement but may lack curbs, sidewalks and/or other road improvements, requiring partial street improvements with development can be disproportionately costly and can leave ineffective and incomplete infrastructure systems.” The LTIC allows funds to be collected and applied in a more efficient, equitable, and cost-effective manner to ensure that streets are improved as development occurs.

Goal 12 requires local governments to adopt transportation plans. The adopted 2035 Comprehensive Plan includes the Transportation System Plan (TSP), which was adopted in three phases (Ordinance 187832, 188177, and 188957). Phase 1 and 2 was submitted as part Task Four of Periodic Review; and both were approved by LCDC Order 18 – WKTSK – 001897 on August 8, 2018. Phase 3 of the Transportation System Plan was adopted as a post-acknowledgement plan amendment by Ordinance No. 188957, became effective on June 23, 2018.

House Bill 2001 which was passed in the 2019 legislative session requires that cities allow for the development of all middle housing types and provides that “when a local government makes a legislative decision to amend its comprehensive plan or land use regulations to allow middle housing in areas zoned for residential use that allow for detached single-family dwellings, the local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility.” Therefore, the additional allowances for duplex, triplex and fourplex housing types in the RIP amendments are not required to consider whether the amendments would significantly affect the any existing or planned transportation facilities.

Senate Bill 534, which also passed in the 2019 legislative session, requires that cities allow development of at least one dwelling unit on each platted lot and provides that “a local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility when amending the local government’s comprehensive plan or land use regulations to comply with ...this 2019 act.” Therefore, the R2.5 rezones for corresponding historically narrow platted lots and related changes to permit development on other substandard sized platted lots are not required to consider the transportation impacts under this goal.

While HB2001 removes the requirement to evaluate transportation impacts for some middle housing types, the RIP amendments include proposals to allow additional accessory dwelling units (house plus two ADUs or duplex plus one ADU) and provide for up to six units when providing regulated affordable units. The transportation modeling that was conducted did not differentiate between housing types, but rather relied on the RIP household allocation model to determine the net shift of households within Transportation Analysis Zones (TAZ’s) and the corresponding shift in peak hour travel patterns to evaluate levels of congestion on Portland streets.

The introduction of up to six units (when meeting certain affordability requirements) was not contemplated by the RIP household allocation model, however, it is reasonable to conclude that the low utilization rate will have had a de minimus impact on the overall distribution of units across the City’s transportation network. While this provision allows for two more units on a lot than HB2001 enables, the corresponding affordability requirement severely affects the feasibility of such units being constructed<sup>11</sup>. Based on this analysis, the units from these proposals represent a minor contribution to the housing allocation. This analysis showed that it was largely infeasible to construct affordable five and sixplexes without bringing additional funding, subsidy, or waivers to the project. Certain non-profit and CDC development models may be able to develop a funding

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<sup>11</sup> Memorandum from Tom Armstrong and Andrea Pastor to RIP Project Team, March 2020

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package to deliver affordable 4, 5, or 6 plexes, but would compete against funding units in larger projects in higher density zones where such projects are permissible. Based on input from non-profit housing providers<sup>12</sup>, staff estimates up to 4 such sixplexes may be realized per year. To evaluate the transportation impact of such few units at a system-wide scale is not possible within the construct of the transportation model and would not produce markedly different results than the original transportation analysis, as the overall allocation of households would remain largely unchanged.

Therefore, while House Bill 2001 exempts cities from evaluating transportation impacts for certain middle housing types, the findings below reflect the same conclusions when evaluating other housing types not covered by the bill (allowances for regulated affordable 6 plexes and additional ADUs).

ORAR 660-012-0060 (1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
- (b) Change standards implementing a functional classification system; or
- (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.
  - (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
  - (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or
  - (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

The TSP includes a congestion performance analysis of the 2035 Comprehensive Plan Map.

The RIP amendments do not change the functional classification of any existing or proposed transportation facility, nor do they change the standards implementing a functional classification system. Therefore, the amendments do not have a significant effect under (a) or (b).

The RIP amendments increase the maximum household density from 1-2 households to 6 households on approximately 100,000 residential lots. Simultaneously, the RIP amendments reduce maximum building entitlements (FAR) by approximately  $\frac{1}{8}$  to  $\frac{1}{2}$  compared to current zoning allowances. The transportation impact of the RIP amendments was evaluated by the Portland Bureau of Transportation (PBOT) and summarized in a memorandum<sup>13</sup>. The analysis is based on the

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<sup>12</sup> Testimony from Steve Messinetti, Habitat for Humanity of Portland, March 2, 2020 and Diane Linn, Proud Ground, March 3, 2020.

<sup>13</sup> PBOT Memorandum from Bob Kellett to Morgan Tracy, March 1, 2019

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City’s adopted Buildable Lands Inventory model, which was modified to account for new housing types allowed in the three RIP affected zones<sup>14</sup>. The BLI determines total household capacity and uses that in conjunction with development trends to predict the allocation of housing units to all areas of the city. This predictive model is fixed to a 2035 growth forecast, meaning that the changes in zoning allowances were not assumed to affect population forecasts and total household growth over the planning period. The net effect is a relative redistribution of households from other zones and locations in the city.

With regard to (c), the PBOT analysis found that traffic from the reallocated households resulting from the RIP amendments is not significant. The added traffic is widely spread across the City. The current and proposed housing types are consistent land uses within the context of the descriptions of the functional classifications of existing or planned transportation facilities. Therefore, the amendments do not have a significant effect under (A).

On 10% of the affected streets, the added traffic is between 15 and 50 vehicles in the PM peak hour. On the remainder of the affected streets, the added traffic is fewer than 15 vehicles, or less than 1% of the projected base traffic in 2035. With the exception of several “hot spot” streets of concern described below, this additional traffic is not expected to degrade the performance of existing or planned transportation facilities such that they would not meet the performance standards in the TSP. Therefore, the amendments do not have a significant effect under (B).

As part of the 2035 Comprehensive Plan process, PBOT and ODOT identified a list of streets of concern where future congestion may make it difficult for jurisdictional standards to be met. Of the 60 citywide miles of roadways on the concern list, almost all will see added traffic under RIP. This includes 20% of the streets of concern (by length) that are projected to be congested in the future base traffic in 2035.

The additional projected automobile traffic from RIP causes the link Vehicle/Capacity (v/c) ratio to increase by 0.02 at 11 roadway segments on a total of 7 roads. This does not meet the Transportation Planning Rule objective to not “degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.” The roadways of greatest concern with the potential added traffic from RIP are both PBOT and ODOT facilities. These include the following roadway segments:

Roadway Segment	Average additional RIP trips during PM Peak Hour per roadway segment
SW Broadway at I-405	10
SE Powell Blvd from the Ross Island Bridge to SE 26th Ave	21
99E at Ross Island Bridge	27
NE Killingsworth St west of 82nd Ave	24
N Lombard St and St Johns Bridge	27
SE Powell Blvd east of I-205	12
Morrison Bridge east bound on ramp from Naito Parkway.	11

The scale of the added traffic is projected to be 10-27 added automobile trips during the 2035 PM peak hour period. These added trips could degrade the performance of these facilities. However,

<sup>14</sup> Residential Infill Project Capacity and Growth Allocation Modeling Methodology, BPS January 2020

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Council finds these added trips will not degrade the performance of the facilities because of mitigating factors and strategies described below that will reduce the impact of these changes:

This is a high-level analysis of a high growth scenario that does not factor in redistribution of growth nor does it reassign traffic that might be diverted to other less congested streets. These refinements to the analysis could result in lower added traffic to these segments:

1. The RIP amendments include mitigating strategies that serve to improve mode split performance and limit traffic impacts which were not able to be incorporated into the analysis model. First, minimum parking requirements have been removed for residential uses in single dwelling zones. RIP further promotes a walkable form through regulations on the amount of building façade that can be occupied with garages and prohibiting off-street parking between the building and the street and promoting more compact development. In addition, the additional housing types included in RIP are not available for parcels that do not abut improved/paved streets. This provides a market incentive for infrastructure improvements that can help complete street networks, while reducing trip generation in areas without improved streets.

#### 2. Transportation Demand Management Strategies

The Transportation Planning Rule defines Transportation Demand Management as: “actions which are designed to change travel behavior to improve performance of transportation facilities and to reduce need for additional road capacity.” Reducing demand for automobile trips is a key strategy for offsetting potential transportation impacts from RIP.

- Off-street Parking Management. A key tool in transportation demand management, as identified in the Transportation Planning Rule, is parking management. To reduce reliance on automobiles, the Transportation Planning Rule requires local governments within an MPO to achieve a 10 percent reduction in the number of parking spaces per capita over a planning period (660-012-0045). The reductions in minimum parking requirements and changes to achieve greater walkable form described above serve to achieve these aims.
- On-street parking management. The Transportation Planning Rule points to the designation of residential on-street parking districts as a tool that local governments within an MPO can use to reduce reliance on automobile trips (660-012-0045). Portland has had an Area Parking Permit Program in effect since 1981. In recent years, this program has expanded to include 17 zones with neighborhoods and businesses collaborating with PBOT to create the rules for their zone. Per City Council ordinance, the Area Parking Permit Program can impose a surcharge on parking permits. The money raised from the surcharge can then be used to fund Transportation Demand Management strategies that reduce automobile trips. This includes a Transportation Wallet program where participants can receive significantly reduced transit, bike share, and other mobility passes in exchange for forgoing an on-street parking permit. PBOT will continue to seek opportunities to work with neighborhoods to expand the Area Parking Permit Program to address areas where traffic and parking congestion are increasing.
- “Smart Trips” education and outreach. Another proven transportation demand management strategy is the provision of transportation options information and encouragement. Portland has been a national leader in this field through its Smart Trips program. Smart Trips incorporates an innovative and highly effective individualized marketing methodology, which hand-delivers packets and personalized emails to residents

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who wish to learn more about all their transportation options. Key components feature biking and walking maps, robust and sophisticated online, digital and paper resources, and organized activities which get people out in their neighborhoods or places of employment to shop, work, and discover how many trips they can easily, conveniently and safely make without using a car. Evaluations over the past 15 years show that Smart Trips reduces drive alone trips by about 9%. In recent years, Smart Trips has targeted people that are new to Portland and those who are moving within the city to new homes. Research shows that this is often the most effective time to encourage people to try new ways of getting around.

- Safe Routes to Schools program. Like Smart Trips, Portland’s Safe Routes to Schools program reduces automobile trips through information, encouragement, and investments in infrastructure that make it safe for students to walk and bike to school. In 2018, the program reported that citywide 42% of K-5th grade trips and 40% of 6th-8th grade trips utilized active transportation. This program, which is an important tool for reducing auto trips during peak hours, will continue citywide under RIP. PBOT will continue to evaluate targeted Safe Routes to Schools programming in TAZs expected to see increased growth through the RIP amendments.
- Bicycle parking improvements (other zones). An additional citywide transportation demand strategy is the provision of bicycle parking (Transportation Planning Rule 660-012-0045 3(a)). Research has shown that the lack of a safe and secure place to park a bicycle is a key barrier for bicycling as transportation. Portland’s previous bicycle parking code (Portland City Code Chapter 33.266.200) was primarily written in 1996. The updated code, which was adopted on December 4, 2019 (Ord. No. 189784), updates the minimum required amount of short- and long-term parking, enhances security standards to help prevent bike theft, and accommodates a greater variety of bicycles. While these regulations do not apply to RIP zones, they are anticipated to remove some automobile trips from the transportation network.
- Financial TDM incentives for larger apartments (other zones). Portland City Council adopted an initial package of TDM measures with the 2035 Comprehensive Plan in 2016. These measures mandate certain multimodal financial incentives with new mixed-use buildings with more than 10 dwelling units (Portland City Code Chapter 17.107). This regulation is under consideration for expansion to other residential zones, specifically as part of the Better Housing by Design’s update to multi-dwelling zones (R3, R2, R1 and RH) outside the Central City. While these residential zones are not part of RIP, they include multimodal financial incentives as a tool for reducing auto demand on the overall transportation network.

### 3. Planned Capital Projects

The impacts of added auto trips from RIP are expected to be on identified hot spots on both PBOT and ODOT managed facilities. Through the process of adopting the 2035 Comprehensive Plan and the 2035 Transportation System Plan, PBOT and ODOT agreed to perform refinement planning in areas identified with potential safety and/or projected capacity issues. See Projected ODOT “Hot Spots” Refinement Plan and Other Agency Common Priority Projects, (TSP Chapter 6, page 281). Major refinement plans are necessary when a transportation need exists, but the mode, function, and general location of a transportation improvement have not been determined, and a range of actions must be considered before identifying a specific project or projects. These refinement plans are

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still pending, therefore, mitigating the increased traffic from the RIP amendments can be incorporated into that planning process.

Also, the additional auto trips from RIP can be analyzed, and to the extent possible, mitigated during the planning, design, and implementation of future planned capital projects in roadway segments identified as areas of concern (previously identified in the TSP as locations that may fail to meet mobility standards in 2035). The adopted TSP Project List identifies several improvement projects on or near the impacted facilities that could incorporate future measures to mitigate these minor effects.

<b>Portland TSP projects on top congested RIP impacted streets</b>					
<b>TSP ID</b>	<b>Lead Agency</b>	<b>Project Name</b>	<b>Project Description</b>	<b>Estimated Cost (\$2014)</b>	<b>Financially Constrained Timeframe</b>
20050	Portland	Southern Triangle Circulation Improvements	Improve local street network and regional access routes	\$ 4,051,163	Years 1 - 10
20070	Portland	NW Naito Safety Improvements	Construct multimodal safety improvements	\$ 4,559,750	Years 1 - 10
20108	Portland	SW Broadway Bikeway and Streetscape Improvements	Enhance the existing protected bikeway and sidewalks	\$ 1,244,573	Years 11 - 20
20116	Portland	I-405 Safety and Operational Improvements	Improve pedestrian and bike access	\$ 2,240,094	Years 1 - 10
20123	Portland / ODOT	SW Broadway Traffic Improvements	Reduce the vehicle queue on the I-405 SB Exit Ramp	\$ 2,000,000	Years 11 - 20
20136	Portland	Morrison Bridgehead Pedestrian Improvements	Add missing crosswalks and improve pedestrian crossing safety.	\$100,000	Years 1 - 10
20168	Portland	SW 6th Ave & I-405 Multimodal Improvements	Restripe to direct two lanes onto the freeway on-ramp. Provide a signalized pedestrian crossing. Build a bus platform Extend bike lanes and implement a bikeway.	\$ 2,000,000	Years 11 - 20
30028	Portland	Killingsworth Street Improvements	Improve pedestrian connections and establish a main street character	\$ 3,728,869	Years 1 - 10
30035	Portland	Lombard St ITS	Communications infrastructure for remote monitoring and control of traffic flow	\$ 673,440	Years 11 - 20
40007	Portland	NE 42nd/47th Ave Bridge & Corridor Improvements	Replace the weight-restricted bridge and add pedestrian and bicycle facilities	\$ 10,000,000	Years 11 - 20
40053	Portland	NE Killingsworth Safety Improvements	Design and implement traffic calming and pedestrian crossing improvements.	\$ 900,000	Years 1 - 10
70045	Portland	Inner Powell Blvd Corridor Improvements	Retrofit existing street with multimodal safety improvements	\$ 7,997,100	Years 11 - 20

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70046	Portland	Inner Powell Bikeway	Design and implement bicycle facilities.	\$ 4,767,667	Years 11 - 20
80015	ODOT/Portland	Outer Powell Blvd Corridor Improvements, Phase 1	Widen street to three lanes. Add enhanced pedestrian and bike crossings.	\$ 24,000,000	Years 1 - 10
80032	ODOT/Portland	Outer Powell Blvd Corridor Improvements, Phase 2	Widen street to three lanes. Add enhanced pedestrian and bike crossings.	\$ 67,000,000	Years 11 - 20
80037	TriMet	Powell-Division Safety and Access to Transit	Construct improvements for safety, access to transit, and transit operations	\$ 2,800,000	Years 1 - 10
80039	TriMet	Powell/Division HCT--Project Development	ROW acquisition/early construction for High Capacity Transit project	\$ 75,000,000	Years 1 - 10
90060	Portland	South Portland Corridor Improvements	Reconstruct Naito Pkwy near Ross Island bridgehead	\$ 39,695,079	Years 11 - 20

The modelling shows that the overall impact of RIP on the citywide transportation system is not significant. It does, however, result in localized impacts on road segments that have previously been identified as areas of concern. Council finds these added trips will not degrade the performance of an existing or planned transportation facility because of mitigating factors and strategies described above that will reduce the impact of these changes. Therefore, the amendments do not have a significant effect under (C).

Furthermore, as noted below in the findings for the 2035 Comprehensive Plan, the RIP amendments are consistent with the goals and policies of Chapter 9 (Transportation) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. Therefore, the RIP amendments are consistent with the requirements of Statewide Planning Goal 12.

The policies in the City’s 2035 Comprehensive Plan address measures to ensure a safe, convenient, and economic transportation system. Council incorporates the findings for Comprehensive Plan Chapter 9 as additional findings for Goal 12.

Council finds that the RIP amendments are consistent with Goal 12.

**Goal 13. Energy Conservation. To conserve energy.**

**13. Finding:** The State has not adopted specific rules for complying with Statewide Planning Goal 13. Goal 13 generally requires that land use plans contribute to energy conservation.

The RIP amendments do not adopt or amend a local energy policy or implementing provisions.

However, the RIP amendments generally support this goal by encouraging smaller units and more attached units. According to a report<sup>15</sup> for the State DEQ, “Reducing home size is among the best tier of options for reducing waste generation in the Oregon housing sector, while simultaneously achieving a large environmental benefit across many categories of impact...Reduction in home size is a significant leverage point for impact reduction [including non-renewable energy use] and may be a more effective measure than achieving minimum levels of ‘green certification’”

<sup>15</sup> A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, September 2010

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Attached housing is also more energy efficient than detached forms of housing. According to a report<sup>16</sup> prepared for HUD, DOT and the EPA, “fairly substantial differences are seen in detached versus attached homes [approximately 17.5% improved efficiency], but the most striking difference is the variation in energy use between single-family detached homes and multifamily homes [50% improved efficiency], due to the inherent efficiencies from more compact size and shared walls among units.”

Therefore, Council finds that the RIP amendments are consistent with the requirements of Statewide Land Use Goal 13 by limiting home size and allowing for increased types of housing that consist of smaller, compact units, and attached housing.

**Goal 14. Urbanization.** To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

**14. Finding:** Metro exercises Goal 14 obligations on behalf of Portland and other cities within the Metropolitan region. Metro has adopted an Urban Growth Management Functional Plan and compliance with this plan by constituent cities assures compliance with Goal 14, which is discussed in Part II of this document and those findings are incorporated by reference.

As discussed above under Statewide Planning Goals 9 and 10, the impact of the RIP amendments to Portland’s will increase development capacity in areas located inside the urban growth boundary, further enabling the City to accommodate its forecasted growth. The amendments increase the efficient use of land by increasing housing capacity throughout the city’s urban services area and requiring more units on oversized lots. These amendments also improve the community livability by expanding the range of allowable housing types and increasing the potential for lower comparative housing costs in more areas of the city, especially in zones that are already designated as areas where urban services are available or planned. Therefore, RIP amendments are consistent with the requirements of Statewide Land Use Goal 14.

**Goal 15. Willamette River Greenway.** To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

**15. Finding:** Statewide Planning Goal 15 requires cities to adopt local greenway plans, along with criteria for new development, new uses, and the increase of uses along the river. The City implements Statewide Planning Goal 15 through application of the Greenway and River overlay zones. The RIP amendments do not affect the extent of or regulations within the Greenway or River overlay zones. The RIP amendments allow additional density on lots in the R2.5, R5 and R7 single-dwelling zones (up to 6 dwelling units per lot). There are three small areas of R5 zoning that fall inside the Willamette River Greenway (SW Miles, Sellwood Bluff, North Portland). However, all the parcels in these areas are excluded from the RIP additional density based on the presence of flood plain or natural resources. Moreover, the reductions in allowable building size apply to all parcels in the three affected zones, including the R5 zoned parcels inside the Greenway. A reduced building size means less development pressure and reduced visual impact than existing building entitlements, while still providing reasonable economic use of those properties, as demonstrated in the economic analysis (Volume 3, Appendix A). Furthermore, no changes to existing protections afforded through the greenway overlay zones are proposed.

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<sup>16</sup> Location Efficiency and Housing Type, prepared by Jonathan Rose Companies, March 2011

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Therefore, RIP amendments are consistent with the requirements of Statewide Land Use Goal 15 because they either do not apply or they improve the protections to affected lands within the Willamette River Greenway.

## Part II. Metro Urban Growth Management Functional Plan

Under ORS 268.380 and its Charter, Metro has the authority to adopt regional plans and require city and county comprehensive plans to comply with the regional plan. Metro adopted its Urban Growth Management Functional Plan under this authority.

In Metro's June 2011 update to its 2010 compliance report Metro found, "The City of Portland is in compliance with all Urban Growth Management Functional Plan requirements in effect on December 15, 2010, except for Title 13, Nature in Neighborhoods. On January 16, 2013 the City received a letter from Metro stating that Portland had achieved compliance with Title 13.

**Title 1. Housing Capacity.** The Regional Framework Plan calls for a compact urban form and a "fair-share" approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity, especially in centers, corridors, main streets, and station communities, except as provided in section 3.07.120.

**16. Finding:** The RIP amendments do not reduce housing potential in any part of the City. Where houses, accessory dwelling units, and duplexes are currently allowed, they will continue to be allowed. In the affected zones (R7, R5, R2.5) for specific unconstrained parcels, on lots of a certain minimum size, the housing unit capacity is increased to four (in a fourplex). Moreover, the RIP amendments require that on double sized lots in R7, R5, and R2.5 zones a minimum of two housing units are required, where the current minimum is one house regardless of the size of the lot.

As reflected in the RIP household allocation and capacity model, housing capacity is increased by approximately 25,000 units. Therefore, the RIP amendments are consistent with the requirements of Metro Title 1.

**Title 2. Regional Parking Policy.** (Repealed Ord. 10-1241B, Sec. 6, 1997)

**Title 3. Water Quality and Flood Management.** To protect the beneficial water uses and functions and values of resources within the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas from development activities and protecting life and property from dangers associated with flooding.

**17. Finding:** Title 3 calls for the protection of the beneficial water uses and functional values of resources within Metro-defined Water Quality and Flood Management Areas by limiting or mitigating the impact of development in these areas. Title 3 establishes performance standards for 1) flood management; 2) erosion and sediment control; and 3) water quality. The City implements zoning regulations (Title 33.430, 33.440, 33.465, 33.515, 33.537, 33.563, 33.631, 33.640), as well as erosion control and balanced cut-and-fill standards (Title 10 and Title 24). Metro has found the City to be in substantial compliance with Title 3. This ordinance does not affect any of these regulations.

Furthermore, the RIP amendments that allow additional density (up to 6 dwelling units per lot) in the R7, R5, and R2.5 single-dwelling zones do not apply to lots identified as have natural resources in the City's adopted Citywide Natural Resources Inventory, and do not apply to lots that are within the 100-year floodplain. The City has chosen to limit the additional development allowed in these flood-prone areas in order to limit the potential for additional development to negatively impact water quality

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resources and to limit the number of households that could be threatened or displaced during a flood event. Therefore, the amendments are consistent with Title 3.

**Title 4. Industrial and Other Employment Areas.** The Regional Framework Plan calls for a strong regional economy. To improve the economy, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region's transportation system for the movement of goods and services and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities. The Metro Council will evaluate the effectiveness of Title 4 in achieving these purposes as part of its periodic analysis of the capacity of the urban growth boundary.

**18. Finding:** The purpose of Title 4 is to maintain a regional supply of existing industrial and employment land by limiting competing uses for this land. Metro has not adopted a Statewide Planning Goal 9 economic opportunities analysis for the region, so Title 4 is not based on an assessment of the land needed for various employment types, nor do the Title 4 maps necessarily depict lands most suitable to accommodate future job growth. Rather, Title 4 seeks to protect the manufacturing, warehousing, and distribution of goods within three types of mapped areas by limiting competing uses. These three areas are Regionally Significant Industrial Areas (RSIAs), Industrial Areas, and Employment Areas.

None of the affected zones are in Metro-designated Employment Areas. Therefore, the RIP amendments are consistent with the requirements of Metro Title 4.

**Title 5. Neighboring Cities (Repealed Ord. 10-1238A, Sec. 4, 1997)**

**Title 6. Centers, Corridors, Station Communities and Main Streets.** The Regional Framework Plan identifies Centers, Corridors, Main Streets and Station Communities throughout the region and recognizes them as the principal centers of urban life in the region. Title 6 calls for actions and investments by cities and counties, complemented by regional investments, to enhance this role. A regional investment is an investment in a new high-capacity transit line or designated a regional investment in a grant or funding program administered by Metro or subject to Metro's approval.

**19. Finding:** Title 6 establishes eligibility criteria for certain regional investments, and the use of more flexible trip generation assumptions when evaluating transportation impacts. Title 6 also contains aspirational activity level targets for different Metro 2040 place types. This title is incentive-based, so these findings simply serve to document intent. There are no specific mandatory compliance standards in Title 6 that apply to this ordinance.

Metro has designated the areas that may qualify for these regional incentives, including transit stations, the Central City, Gateway regional center, along with Hollywood, Hillsdale, Raleigh Hills, West Portland, Lents, and St. Johns town centers. The RIP amendments help to achieve Metro 2040 Growth Concept by increasing the zoned capacity on 5,475 acres within these growth concept areas. The RIP amendments also require that lots in these zones that are at least twice the base zone density must be developed with at least two units, where only a single unit is permissible on these double sized and larger lots today. While the minimum density is largely unchanged, the increases in maximum capacity can contribute towards achieving the activity level targets in 2040 places enhancing their role as principle centers of urban life in the region. These parcels, when developed with housing types not previously allowed will also continue to contribute to a mix of needed housing types to be vibrant and successful Centers, Corridors, Station Communities and

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Main Streets as called for in 3.07.640.C.; including attached and detached single family housing, and multiple family housing for both owner and renter occupancy, and additional accessory dwelling units.

**Title 7. Housing Choice.** The Regional Framework Plan calls for establishment of voluntary affordable housing production goals to be adopted by local governments and assistance from local governments on reports on progress towards increasing the supply of affordable housing. It is the intent of Title 7 to implement these policies of the Regional Framework Plan.

20. **Finding:** Title 7 addresses housing choice. Metro adopted voluntary affordable housing goals for each city and county in the region for the years 2001 to 2006, but never updated them. Therefore, Title 7 does not apply. Nevertheless, the recently adopted *2035 Comprehensive Plan* includes city-wide affordable housing production goals that greatly exceed those adopted by the outdated Title 7 (Ordinance 178832). The RIP amendments support the production of affordable housing by creating two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI.

**Title 8. Compliance Procedures.** Title 8 addresses compliance procedures and establishes a process for ensuring city or county compliance with requirements of the Urban Growth Management Functional Plan and for evaluating and informing the region about the effectiveness of those requirements. An amendment to a city or county comprehensive plan or land use regulation shall be deemed to comply with the functional plan upon the expiration of the appropriate appeal period specified in ORS 197.830 or 197.650 or, if an appeal is made, upon the final decision on appeal. Once the amendment is deemed to comply, the functional plan requirement shall no longer apply to land use decisions made in conformance with the amendment. A city or county proposing an amendment to a comprehensive plan or land use regulation shall submit the proposed amendment to Metro at least 35 days prior to the first evidentiary hearing on the amendment.

21. **Finding:** Required notice was provided to Metro. Metro submitted a letter in support of the project (dated May 18, 2018) and did not identify non-compliance with the UGMFP. Title 8 also requires the City to provide findings of compliance with the *Urban Growth Management Functional Plan*. These findings meet this requirement. All applicable requirements of Title 8 have been met.

**Title 9. Performance Measures.** (repealed Ord. 10-1244B, Sec. 8, 2010)

**Title 10. Functional Plan Definitions.** Title 10 contains definitions.

22. **Finding:** When 2035 Comprehensive Plan uses a term found in Title 10 either the term has the same meaning found in Title 10, or the difference is explained. The RIP amendments do not change any definitions in the 2035 Comprehensive Plan that are also found in Title 10. All applicable requirements of Title 10 requirements have been met.

**Title 11. Planning for New Urban Areas.** The purpose of Title 11 to guide long range planning for urban reserves and areas added to the UGB. It is also providing interim protection for areas added to the UGB until city or county amendments to land use regulations to allow urbanization become applicable to the areas.

23. **Finding:** The amendments do not add areas to the UGB. Therefore, this Title is not applicable.

**Title 12. Protection of Residential Neighborhoods.** Existing neighborhoods are essential to the success of the 2040 Growth Concept. The intent of Title 12 of the Urban Growth Management

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Functional Plan is to protect the region’s residential neighborhoods. The purpose of Title 12 is to help implement the policy of the Regional Framework Plan to protect existing residential neighborhoods from air and water pollution, noise, and crime and to provide adequate levels of public services.

In order to protect these areas, Metro shall not require any city or county to authorize an increase in the residential density of a single-family neighborhood in an area mapped solely as Neighborhood. In addition, specific limits on access to commercial services are applied to commercial uses within designated neighborhood centers in order to reduce air pollution and traffic congestion. This Title also calls on Cities to establish a level of service standard for parks and greenspaces that calls for a park facility within a specified distance of all residences.

**24. Finding:** Title 12 largely restricts Metro’s authority to plan and regulate density in single-family neighborhoods. The RIP amendments were originated by the City’s legislative process and respond to state legislative mandates, they are not at the direction of Metro. The RIP amendments do not include changes to neighborhood center designations or commercial use limits. The City has already established a goal in its Parks 2020 Vision of providing a basic, developed Neighborhood Park facility within a half mile of every Portland resident, and a Community Park within a mile of every resident. Findings related to Title 3 related to water quality are incorporated here by reference. Therefore, these amendments comply with Title 12.

**Title 13. Nature in Neighborhoods.** The purposes of this program are to (1) conserve, protect, and restore a continuous ecologically viable streamside corridor system, from the streams’ headwaters to their confluence with other streams and rivers, and with their floodplains in a manner that is integrated with upland wildlife habitat and with the surrounding urban landscape; and (2) to control and prevent water pollution for the protection of the public health and safety, and to maintain and improve water quality throughout the region.

**25. Finding:** Title 13 is expressly intended to provide a minimum baseline level of protection for identified Habitat Conservation Areas. Local jurisdictions may achieve substantial compliance with Title 13 using regulatory and/or non-regulatory tools. The City of Portland implements Title 13 through its adopted Natural Resources Inventory (NRI) and environmental overlay zone protection measures, which Metro has found to be in substantial compliance with Title 13.

The RIP amendments do not affect the environmental overlay zones or their corresponding zoning regulations. Furthermore, the RIP amendments do not expand allowed uses in these areas. Existing code allows a house with an ADU, and duplexes (on corner lots). Pursuant to HB2001, a duplex will be permissible on any lot. The RIP additional housing types that result in 3 or more units on a lot are restricted on lots located within an environmental overlay zone, or on lots that have identified natural resources as shown in the NRI but do not yet have environmental overlay zoning. The City is currently working on a separate project to update the environmental overlay zones and to address unprotected resources. Therefore, the RIP amendments are consistent with the requirements of Title 13.

**Title 14. Urban Growth Management Plan.** Title 14 addresses the regional urban growth boundary.

**26. Finding:** This ordinance does not require, nor initiate, a boundary change, Title 14 does not apply.

**Summary, Urban Growth Management Functional Plan Findings**

**27. Finding:** The Metro Title 10 definition of comply or compliance means “substantial” rather than absolute compliance. "Substantial compliance" means city comprehensive plans and implementing ordinances, on the whole, conform with the purposes of the performance standards in the

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functional plan and any failure to meet individual performance standard requirements is technical or minor in nature.

For the facts and reasons stated above this ordinance substantially complies with all Urban Growth Management Functional Plan requirements applicable to the RIP amendments.

### Part III. Portland's Comprehensive Plan

Portland's 2035 Comprehensive Plan was adopted as part of Task Four of Periodic Review. Task Four was adopted by Ordinance No. 187832 on June 15, 2016. The 2035 Comprehensive Plan was amended as part of Task Five of Periodic Review, which was adopted by Ordinance No. 188177 on December 21, 2016. Both ordinances were made effective on May 24, 2018 by Ordinance No. 188695, and both Tasks Four and Five were approved by LCDC Order 18 – WKTSK – 001897 on August 8, 2018.

28. Finding: The City Council has identified the following guiding principles, goals and policies to be applicable to the RIP amendments, except as additionally noted otherwise below.

#### Guiding Principles

The 2035 Comprehensive Plan adopted five “guiding principles” in addition to the goals and policies typically included in a comprehensive plan. These principles were adopted to reinforce that implementation of the plan needs to be balanced, integrated and multi-disciplinary, and the influence of each principle helps to shape the overall policy framework of the plan. While the policies in the Comprehensive Plan effectively ensure that the guiding principles are met, the findings below further demonstrate that in addition to meeting those specific policies on balance, the RIP amendments are consistent with these guiding principles as described below.

**Economic Prosperity.** Support a low-carbon economy and foster employment growth, competitiveness and equitably distributed household prosperity.

29. Finding: This guiding principle asserts prosperity is about more than job growth. It also is about having a resilient regional economy, thriving local businesses and growth in living-wage jobs. It is also prosperity shared by Portland households. The 2035 Comprehensive Plan measures household prosperity in terms of a “self-sufficiency index” of what income is needed to meet basic household needs – costs of housing, childcare, food, healthcare and transportation.

The most significant contribution of the RIP amendments to this principle is through increasing opportunities for “equitably distributed household prosperity”. This means that the economic benefits of a prosperous city are broadly accessible to satisfy essential needs, advance wellbeing, and achieve full potential. Council finds that household prosperity is equitably distributed when households of a range of income levels and all neighborhoods have access to amenities and services. Residential Infill does this by increasing the supply of lower cost housing options in more parts of the city. This, in turn, increases the access that households have to the different amenities and services that these neighborhoods can offer that affect the ability to meet household needs on a budget.

The manner in which the RIP amendments equitably distribute household prosperity is built into the economics of type, amount and size of housing it allows on land that currently can only be used for single houses. These amendments allow duplex, triplex, fourplex, additional ADUs on what previously would contain single or possibly two residential units. The zoning amendments limit the maximum size of these residential buildings by zone, lot size and number of units. It thereby creates

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opportunity and economic incentive to build more smaller units on the same amount of land. Smaller units, even new construction, cost less than larger units in similar locations and conditions. Multi-unit housing configurations add tenure can be rental or ownership thereby increasing less expensive housing options.

This variety of housing options allows more households to seek out a housing solution that better meets their needs. With more lower cost options available<sup>17</sup>, this translates to spending less of their income on housing and more on the local goods and services, or to create additional savings. The Residential Infill amendments make this diversity of housing possible not just along select corridors, but broadly throughout many areas of the city, which also allows households to seek housing closer to the amenities and necessities they prioritize, be it a job, daycare, school, or recreation. Proximity reduces transportation costs through less vehicle miles travelled or more transit/bike/pedestrian travel all of which means lower carbon emissions. Furthermore, the Residential Infill amendments do not reduce or convert any lands zoned for employment. Therefore, the Residential Infill amendments are consistent with the economic prosperity guiding principle. See also findings for relevant policies in Chapters 5 and 6.

#### **Human Health. Avoid or minimize negative health impacts and improve opportunities for Portlanders to lead healthy, active lives.**

**30. Finding:** Council finds this principle is met in part through the Comprehensive Plan “complete neighborhoods” strategy. The RIP amendments advance this by increasing opportunities for Portlanders to live in places that have and can sustain conditions, services and amenities supportive of better health outcomes for residents.

As described in the 2035 Comprehensive Plan (page I-15), the assets of a complete neighborhood - such as enough population density to support a wider range of services within walkable distances and good transit access to work and other destinations - make it easier for residents to have active lifestyles and integrate exercise into their daily lives. Roughly 67,000 Residential Infill zoned parcels are in areas that identified as complete neighborhoods (defined in the Portland Plan as a score of 70 or higher, on a scale of zero to 100). Allowing more housing options on these parcels will help expand housing opportunities in these locations, providing more residents at more income levels with access to these areas. At the same time the marginal increase in population densities strengthens the market to support neighborhood serving services and transit.

Council further finds that this principle calls for strengthening consideration of environmental justice. The 2035 Comprehensive Plan describes environmental justice as “the equitable treatment and meaningful involvement of all people in public decision making as it applies to who benefits and who bears the cost of development and growth.” More frequently, environmental justice is considered with the lens of when burdens of less desirable or unhealthy land uses are imposed in or near communities that have been historically underrepresented.

However, environmental justice also includes a directive that potential benefits of land use changes are also equitably shared. Within the context of these amendments, Residential Infill zones encompass nearly every neighborhood in the City including vulnerable neighborhoods. Vulnerable neighborhoods are census tracts with higher than average shares of people that are vulnerable to economic displacement: low income households, communities of color, adults without a four-year

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<sup>17</sup> Economic Analysis of Proposed Changes to the Infill Development Standards, Johnson Economics, November 2018

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college degree, and renters. Initial proposals removed the most vulnerable neighborhoods out of a concern for increased displacement pressure. However, during extensive public outreach, participants including non-profit housing providers and anti-displacement community organizations testified that the omission of these areas would create more spatial disparity and deprive residents the infill opportunities being offered to other parts of the city. The Planning and Sustainability Commission concurred and moved to expand the map more broadly to improve opportunities more equitably.

Additionally, the RIP amendments provide more housing opportunities in higher housing opportunity areas of the city which are characterized by higher Healthy Eating Active Living scores (determined by their proximity to parks, food sources, and healthcare providers). Increasing housing options in these areas of the city allows for better health outcomes for under-served and under-represented communities when they are able to find housing in these areas.

**Environmental Health.** Weave nature into the city and foster a healthy environment that sustains people, neighborhoods, and fish and wildlife. Recognize the intrinsic value of nature and sustain the ecosystem services of Portland’s air, water and land.

**31. Finding:** Council finds that this guiding principle requires the Council to consider, when taking actions that implement the Comprehensive Plan, to not overlook the importance of including space for the health of natural resources and the ecosystem in the design and development of the city. This space can be in parks, streams, natural areas, along streets as well as on sites with development. The best performance occurs when the supply and design of these different types of spaces create, or “weave”, intentional or ad-hoc pathways for wildlife through the city. The Residential Infill amendments further this principle by increasing the efficiency of the use of land for housing while keeping the lower levels of building coverage characteristic of single-dwelling zoned lots.

Specifically, the Residential Infill amendments reduce the allowable size of residential buildings in single dwelling zones while keeping current building coverage limits. The amendments remove parking requirements and discourage driveways and garages. This reduces the amount of land needed for paving to store vehicles. The amendments also call for attaching homes on lots that are very narrow thereby increasing contiguous backyard area.

Preserving the amount of pervious surface benefits stormwater management and the ability to protect water quality of streams and rivers. It also provides more area for trees, landscaping and the animals these attract.

Finally, Residential Infill amendments that provide for increased household density do not apply to parcels that contain resources on the City’s natural resource inventory (NRI). No changes to the environmental or greenway overlay zones are proposed as part of the amendments, therefore the natural resource values and functions continue to be fostered.

**Equity.** Promote equity and environmental justice by reducing disparities, minimizing burdens, extending community benefits, increasing the amount of affordable housing, affirmatively furthering fair housing, proactively fighting displacement, and improving socio-economic opportunities for under-served and under-represented populations. Intentionally engage under-served and under-represented populations in decisions that affect them. Specifically recognize, address and prevent repetition of the injustices suffered by communities of color throughout Portland’s history.

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**32. Finding:** This guiding principle states that actions taken to implement the Comprehensive Plan should equitably benefit and be shaped by underserved and underrepresented communities, including communities of color. This includes heightened awareness of not repeating systematic harms city policy has caused these communities, including communities of color, in the past.

Development of the Residential Infill amendments included analysis of how the proposal affects housing supply and cost. Analysis was also done to estimate the impact Residential Infill related redevelopment could have on displacement of low-income households and people of color. The analysis shows fewer low-income renter households would be displaced in the city overall.

With the Residential Infill amendments, displacement of low-income renters in single family houses across the city is reduced by approximately 28% compared to current zoning<sup>18</sup>. In areas experiencing gentrification where higher shares of vulnerable households are located, displacement was reduced by 21%. This was also true for census tracts with more residents of color<sup>19</sup>.

Low-income renter households in single-family homes potentially displaced by 2035			
	Citywide	Census Tracts w/ higher vulnerable	Census Tracts w/ more households of color
<b>Current zoning</b>	950	606	525
<b>Residential infill</b>	680	481	441
<b>Percent change</b>	-28%	-21%	-16%

The benefits of Residential Infill include slowing the growth of housing costs citywide, including in East Portland. When land resources are scarce and city continues to grow, the price of single-family lots and homes increases due to market competition. By increasing the number of options for new housing – number of lots and units, types of units and range of locations – existing housing is less prone to market speculation because there are more choices available on the market. Having more housing options in inner neighborhoods benefits more people by putting more and smaller housing in service rich locations<sup>20</sup>. This suggests that cost pressure on housing in outer neighborhoods like East Portland will also be reduced, which has a greater proportion of underrepresented population than the city as a whole.

In terms of engagement with communities of color and other under-represented groups in development of the RIP amendments, the process included outreach activities (notices, helpline, canvassing, and meeting locations) to engage under-served and under-represented populations in the decision-making process. As noted in the findings for Statewide Planning Goal 1 (Citizen

<sup>18</sup> Exhibit B, Vol. 3, Appendix B: Displacement Risk and Mitigation, February 2019

<sup>19</sup> Supplement to Displacement Risk Analysis with focus on households of color, December 2019

<sup>20</sup> The Effect of New Market-Rate Housing Construction on the Low-Income Housing Market, Upjohn Institute, 2019 and Are Private Markets and Filtering a Viable Source of Low-Income housing, Rosenthal; American Economic Review, February 2014

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Involvement) and Chapter 2 (Community Involvement) of the 2035 Comprehensive Plan the project included extensive engagement; the findings in response to those goals and policies are incorporated by reference. The RIP amendments are consistent with the principle to create a robust and more inclusive community involvement process.

**Resilience.** Reduce risk and improve the ability of individuals, communities, economic systems, and the natural and built environments to withstand, recover from, and adapt to changes from natural hazards, human-made disasters, climate change, and economic shifts.

**33. Finding:** The 2035 Comprehensive Plan describes resilience as “reducing the vulnerability of our neighborhoods, businesses, and built and natural infrastructure to withstand challenges – environmental, economic and social – that may result from major hazardous events.”

The RIP amendments further this guiding principle through increasing the ability of Portland’s land supply to produce a wider range of compact development. Increasing the supply of lower-cost market-rate housing and allowing for an increased range of housing types throughout the city provides room for the market to produce housing in varying economic conditions and more readily adapt to changing market demands. Newer built housing is also designed to be more seismically and structurally sound, and more energy efficient which helps to withstand effects of natural disasters and climate change. A greater diversity of housing also helps individuals find housing that is “right sized” to their needs, both socially and economically.

In terms of natural hazards, the RIP amendments restrict additional households from locating in the 100-year floodplain, floodway, and 1996 flood inundation area. Exemptions from main entrance standards are included to permit houses that are already allowed to locate in these areas to have their main entrance elevated out of the base flood elevation. The amendments also restrict additional households from being in potential rapidly moving landslide hazard zones, high landslide susceptibility areas and landslide deposits or scarps. Furthermore, the provisions of 33.631 (Sites in Flood Hazard Areas) along with City programs for flood management, and erosion and sediment control (Title 10 Erosion Control and the balanced cut and fill requirements of City Title 24), are unchanged by these amendments.

## Chapter 1: The Plan

**Goal 1.A: Multiple goals.** Portland’s Comprehensive Plan provides a framework to guide land use, development, and public facility investments. It is based on a set of Guiding Principles that call for integrated approaches, actions, and outcomes that meet multiple goals to ensure Portland is prosperous, healthy, equitable, and resilient.

**34. Finding:** As noted above, the RIP amendments are consistent with the guiding principles of the Comprehensive Plan. As part of an integrated approach to meet multiple goals, the City Council has considered, weighed and balanced applicable policies, as described on page HTU-5 of the Comprehensive Plan, to determine that this ordinance on the whole complies with the Comprehensive Plan. As described below, the City Council’s decision to adopt the RIP amendments has considered the multiple goals of the comprehensive plan, including the guiding principles, to determine that the adoption of this ordinance will ensure that Portland is prosperous, healthy, equitable, and resilient by increasing available housing choice.

**Goal 1.B: Regional partnership.** Portland’s Comprehensive Plan acknowledges Portland’s role within the region, and it is coordinated with the policies of governmental partners.

**35. Finding:** The findings show how the amendments are consistent with Metro’s Urban Growth Management Functional Plan and the Statewide Planning Goals, including Goal 2 which requires coordination. Metro, TriMet, and other state agencies received notice of the proposed RIP amendments from the 35-day DLCD notice and the City’s legislative notice.

**Goal 1.C: A well-functioning plan.** Portland’s Comprehensive Plan is effective, its elements are aligned, and it is updated periodically to be current and to address mandates, community needs, and identified problems.

**36. Finding:** The City Council defines “effective” as being successful in producing a desired or intended result. The desired or intended result is embodied in the Guiding Principles and goals and policies of the Comprehensive Plan. These findings demonstrate how the RIP amendments are consistent with the Comprehensive Plan, including advancing multiple goals. These changes represent updating regulatory implementation tools that respond to community needs and identified problems, especially in addressing building size and housing choice within single dwelling zones, as documented in the project Volume 1, Staff Report.

**Goal 1.D: Implementation tools.** Portland’s Comprehensive Plan is executed through a variety of implementation tools, both regulatory and non-regulatory. Implementation tools comply with the Comprehensive Plan and are carried out in a coordinated and efficient manner. They protect the public’s current and future interests and balance the need for providing certainty for future development with the need for flexibility and the opportunity to promote innovation.

**Finding:** The RIP amendments include changes to the Zoning Code and Zoning Map, which are primary implementation tools. The map amendments provide more certainty for future development by matching some areas with historically narrow lots which are typically substandard in size for the R5 zone with a conforming R2.5 designation. They also provide a clear indication where additional housing types (3+ units) are not allowed, with the constrained sites ‘z’ overlay zone.

The City Council defines “flexibility” as a capability to adapt to new, different, or changing requirements and “innovation” as the introduction of something new. The code amendments provide flexibility for a variety of building styles within more certain development parameters (FAR,

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height, etc), while simultaneously promoting innovation through the introduction of newly allowed housing types in single dwelling zones and other zones where additional ADU's will now be allowed.

The City Council finds that it is in the public's current and future interest to provide for additional housing opportunities by increasing the housing capacity in Portland and providing for a wider range of housing types in single-dwelling zones by providing more flexibility in terms of the number units allowed in a building by focusing regulations on building scale and design. The Zoning Code amendments change development standards, but continue to rely on clear and objective standards, to provide greater certainty for future development outcomes. The City Council finds that many of these changes create added flexibility, such as making vehicle parking optional and promoting innovation through bonus provisions to encourage more internal house conversions or provide more units that are regulated at set affordability levels.

While these regulatory changes are primarily focused on advancing housing policies in Chapter 5, Housing, the findings herein demonstrate that other policies in other chapters are also advanced, and that on balance, shows how Council weighed and balanced the applicable policies to determine that their decision on the whole complies with the Comprehensive Plan.

**Goal 1.E: Administration.** Portland's Comprehensive Plan is administered efficiently and effectively and in ways that forward the intent of the Plan. It is administered in accordance with regional plans and state and federal law.

**37. Finding:** The RIP amendments are an amendment to the 2035 Comprehensive Plan. RIP amendments include Comprehensive Plan policy amendments (renamed land use designations and removing a term from the glossary), Comprehensive Plan Map amendments, Zoning Code amendments, and Zoning Map amendments. As noted above, RIP amendments are consistent with the guiding principles of the 2035 Comprehensive Plan.

The findings in this exhibit demonstrate how the RIP amendments are consistent with the 2035 Comprehensive Plan including advancing multiple goals, and utilizing regulatory implementation tools that promote current and future interests (including addressing shifting demographic and changing housing needs), provide certainty in terms of development entitlements while allowing for innovation by removing prescriptive design standards. The findings additionally show how the amendments are consistent with the Urban Growth Management Functional Plan, and the Statewide Planning Goals. Metro, TriMet, and other state agencies received notice of the proposed RIP amendments from the 35-day DLCD notice and the City's legislative notice. TriMet submitted comments supportive of the RIP amendments. The Planning and Sustainability Commission received feedback from Metro that maximum building sizes should be increased to make duplex and triplex types more feasible, as well as expanding the area where these additional types would be allowed. The PSC recommended both of these changes be incorporated into the RIP amendments. Following the Planning and Sustainability Commission's recommendations to City Council, the City did not receive any requests from other government agencies to modify the RIP amendments.

## The Comprehensive Plan

**Policy 1.1. Comprehensive Plan elements.** Maintain a Comprehensive Plan that includes these elements:

- **Vision and Guiding Principles.** The Vision is a statement of where the City aspires to be in 2035. The Guiding Principles call for decisions that meet multiple goals to ensure Portland is prosperous, healthy, equitable, and resilient.

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- **Goals and policies.** The goals and policies of the Comprehensive Plan, including the Urban Design Framework, provide the long-range planning direction for the development and redevelopment of the city.
- **Comprehensive Plan Map.** The Comprehensive Plan Map is the official long-range planning guide for spatially defining the desired land uses and development in Portland. The Comprehensive Plan Map is a series of maps, which together show the boundaries of municipal incorporation, the Urban Service Boundary, land use designations, and the recognized boundaries of the Central City, Gateway regional center, town centers, and neighborhood centers.
- **List of Significant Projects.** The List of Significant Projects identifies the public facility projects needed to serve designated land uses through 2035 including expected new housing and jobs. It is based on the framework provided by a supporting Public Facilities Plan (PFP). The Citywide Systems Plan (CSP) is the City’s public facilities plan. The Transportation System Plan (TSP) includes the transportation-related list of significant projects. The list element of the TSP is also an element of the Comprehensive Plan.
- **Transportation policies, street classifications, and street plans.** The policies, street classifications, and street plan maps contained in the Transportation System Plan (TSP) are an element of the Comprehensive Plan. Other parts of the TSP function as a supporting document, as described in Policy 1.2.

38. **Finding:** The verb “maintain” is defined in the 2035 Comprehensive Plan as to keep what you have, conserve, continue. The City Council interprets this policy to mean that the City retains all the elements of the comprehensive plan. The RIP amendments maintain the 2035 Comprehensive Plan while simultaneously addressing emerging issues and include an amendment removing a glossary term that is not needed in light of more recent state law related to accessory dwelling units (ADUs) and renaming the single dwelling land use designations (R20-R2.5) to reflect both the new additional house types allowed through the RIP amendments (triplexes, fourplexes, and multiple ADUs) as well as the additional house types that have been allowed in these zones since 1991 (corner lot duplexes) and 1981 (ADUs). The amendments also include corresponding amendments to the Comprehensive Plan Map to align proposed zone changes in some areas from R5 to R2.5. The RIP amendments do not include changes to guiding principles, goals or policies, or the List of Significant Projects, nor do they change policies, street classifications, or street plan maps contained in the Transportation System Plan (TSP).

## Supporting Documents

**Policy 1.2. Comprehensive Plan supporting documents.** Maintain and periodically update the following Comprehensive Plan supporting documents.

1. **Inventories and analyses.** The following inventories and analyses are supporting documents to the Comprehensive Plan:
  - Economic Opportunities Analysis (EOA)
  - Natural Resource Inventory (NRI)
  - Buildable Lands Inventory (BLI)
  - Housing Needs Analysis (HNA)

39. **Finding:** The RIP amendments were developed consistent with the supporting documents of the adopted 2035 Comprehensive Plan. The RIP amendments do not impact the EOA employment

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development capacity as no designated employment areas are proposed to be rezoned and are not affected by the amendments. Existing allowances for home-based business are also maintained.

The RIP amendments do not change the NRI, and areas that are included in the adopted NRI have been excluded from additional housing allowances pursuant to PCC 33.418, Constrained Sites Overlay Zone, so no updates to that inventory are required as a result.

The adopted Buildable Lands Inventory was utilized as the baseline to assess net impacts to housing capacity and growth allocation from the proposed regulatory changes. The housing *capacity* is determined through the City's adopted BLI growth model which identifies vacant and underutilized sites and then applies a number of development constraints including regulatory, environmental and infrastructure to estimate the feasibility of realized development on those sites. The RIP amendments include modifications to zoning allowances that increase both the range of allowed housing types, as well as the overall capacity for housing units to be created. The RIP amendments do not reduce zoning allowances for housing on any lot, but do reduce the maximum permissible size of housing units based on application of FAR. According to the RIP capacity and growth allocation model, the changes that allow additional units on lots in R2.5, R5 and R7 zones increase the *capacity* for residential household growth in RIP zones by roughly 25,000 units (from 30,000 to 55,000).

Household *allocation* is a more confined number of likely unit development within the Comprehensive Plan period, which is informed by the city's obligations under Statewide Goal 2, that specifies that Portland shall apply the Metro population forecast described when changing a land use regulation. Metro forecasted Portland to receive 123,000 additional households by 2035. Therefore, no changes to the total citywide number of forecasted households results from the RIP amendments. Per ORS 197.040, updates to the BLI are required during updates to the comprehensive plan and at periodic review, and not necessarily during a post acknowledgment plan amendment; "Each jurisdiction must include in its computations all plan and/or zone changes involving residential land which that jurisdiction made since acknowledgment." (OAR 660-007-0045).

These amendments are in part to improve the performance of the Comprehensive Plan housing policies, as well as alleviate competitive pressure for housing development more ubiquitously across the city. The RIP amendments do not affect the Metro growth allocation. Therefore, no development is required to accommodate that growth. However, the location of that development and the types of units produced will differ from the comprehensive plan baseline strategy. Future updates to the Buildable Lands Inventory during periodic review will reflect household capacity and allocation forecast impacts as a result of the RIP amendments.

The RIP amendments respond to the Housing Needs Analysis by providing for increased capacity for residential development in three of the single dwelling residential zones (R2.5, R5 and R7 zones representing approximately 30% of the city's land area). The amendments increase the potential for a variety of housing types that are identified in the growth scenarios report as underrepresented in the city's current and future housing mix under the adopted comprehensive plan growth strategy. Future updates to the HNA will incorporate middle housing created as a result of the RIP amendments. The city is required to update the HNA with each periodic review or six years as stated in ORS 197.296.

- 2. Public Facilities Plan.** The Public Facilities Plan (PFP) is a coordinated plan for the provision of urban public facilities and services within Portland's Urban Services Boundary. The Citywide Systems Plan (CSP) is the City's public facilities plan.

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**40. Finding:** As demonstrated in the findings for Statewide Planning Goal 11 and chapter 8 of the 2035 Comprehensive Plan, the RIP amendments do not allow for new incompatible land uses, and allowances for additional residential density have been evaluated and limited to ensure that these changes do not impact the provision of public services and are consistent with the adopted Citywide Systems Plan (CSP). The CSP, which was adopted (Ordinance 185657) and acknowledged by LCDC on April 25, 2017, includes the Public Facilities Plan with information on current and future transportation, water, sanitary sewer, and stormwater infrastructure needs and projects, consistent with the requirements of Statewide Planning Goal 11. The RIP amendments maintain and do not amend the Citywide Systems Plan (CSP).

The service limitations identified in the CSP have been incorporated into the adopted BLI development constraint analysis that identified parts of Portland that lack needed urban infrastructure. In some cases, development could face increased cost to extend infrastructure, which may make it infeasible to develop in specific locations. The BLI constraint analysis is also included in the RIP capacity and growth allocation model as the basis of a geographic evaluation of the units created through the RIP amendments to ensure that public facilities are planned to support any potential development that could result. As noted in Statewide Goal 8 findings, the RIP amendments do not affect the Metro growth allocation (123,000 households). However, the location of that development and the types of units produced will differ from the comprehensive plan baseline strategy. For example, roughly 3,900 additional housing units are shown allocated to RIP zones, with commensurate reductions of units in lower density residential zones (-2,150) and non-single dwelling zones (-1,750).

As noted below in the findings for goals and policies of Chapter 8 (Public Facilities and Services), the public systems are adequate to support the increment of additional units in affected areas. The RIP amendments are consistent with the CSP.

**3. Transportation System Plan (TSP).** The TSP is the detailed long-range plan to guide transportation system functions and investments. The TSP ensures that new development and allowed land uses are consistent with the identified function and capacity of, and adopted performance measures for, affected transportation facilities. The TSP includes a financial plan to identify revenue sources for planned transportation facilities included on the List of Significant Projects. The TSP is the transportation element of the Public Facilities Plan. Certain components of the TSP are elements of the Comprehensive Plan. *See Policy 1.1.*

**41. Finding:** As demonstrated in the findings for Statewide Planning Goal 12 (Transportation) and the goals and policies of Chapter 9 (Transportation), the RIP amendments do not allow for new incompatible land uses, and allowances for additional residential density have been evaluated and limited to ensure that these changes do not impact the transportation system. The RIP amendments are consistent with and do not amend the Transportation System Plan, therefore the City continues to plan for public infrastructure investments to maintain and strengthen the multimodal transportation infrastructure in neighborhoods where RIP zones are located.

**4. School Facility Plans.** School facility plans that were developed in consultation with the City, adopted by school districts serving the City, and that meet the requirements of ORS 195 are considered supporting documents to the Comprehensive Plan.

**42. Finding:** It is the responsibility of individual School Districts to develop school facility plans in consultation with the City that meet the requirements of ORS 195. David Douglas School District (DDSD) is currently the only school district in Portland with an adopted school facility plan that meets this policy. Comparing the default Comprehensive Plan zoning household allocation with the

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RIP household allocation, the net change in the David Douglas School District is a reduction of 132 units (roughly a 1% decrease from the 12,000 household default). The David Douglas School District has indicated that it can accommodate these changes into their future forecasting for their facility plan. Therefore, these changes will not impact school facility plans.

### Implementation tools

**Policy 1.3. Implementation tools subject to the Comprehensive Plan.** Maintain Comprehensive Plan implementation tools that are derived from, and comply with, the Comprehensive Plan.

*Implementation tools include those identified in policies 1.4 through 1.9.*

**43. Finding:** The RIP amendments maintain and amend the comprehensive plan implementation tools as described below in Policies 1.4 through 1.9. Consistency with the comprehensive policies and guiding principles for relevant amendments are demonstrated elsewhere in these findings.

**Policy 1.4. Zoning Code.** Maintain a Zoning Code that establishes the regulations that apply to various zones, districts, uses, and development types.

**44. Finding:** Policy 1.4 requires that the City adopt and implement a zoning code. The zoning code was originally adopted by Ordinance No. 163608, effective January 1991, and has been amended numerous times since its initial effective date.

The RIP amendments include Zoning Code amendments intended to implement the policy framework of the *2035 Comprehensive Plan*. These changes primarily affect R2.5, R5, R7 zones, by increasing the allowable residential development types in those zones. Within each zone, different development regulations are tailored for the various development types, including minimum lot size distinctions, differing floor area requirements, and supplemental development standards for narrow lots. The ability to construct triplexes, fourplexes, and additional ADU's within these zones is consistent with the Comprehensive Plan designation of the zones that establish single dwellings to be the primary development type, see findings under Policy 10.1. These amendments provide specific parameters that effectively are differentiated from other zoning districts like mixed use, employment and open space zones. Particular distinctions are drawn between single dwelling zones and multi-dwelling zones through the application of differing densities, building scale and applicable development standards, and range of "by-right" housing types.

The Zoning Code amendments also include the creation of a new 'constrained sites' overlay zone chapter with restrictions on additional housing types to address Comprehensive Plan policy 4.79 (Natural hazards and climate change risks and impacts) and policy 7.24 (Regulatory hierarchy: avoid, minimize, mitigate). Consistency with the comprehensive policies and guiding principles are demonstrated elsewhere in these findings.

**Policy 1.5 Zoning Map.** Maintain a Zoning Map that identifies the boundaries of various zones, districts, and other special features.

**45. Finding:** The zoning map was adopted with the zoning code as part of Ordinance No. 163608 in 1991 and has been subsequently amended numerous times since that date. This map identifies boundaries of different base zone types (single-dwelling, multi-dwelling, mixed use, employment/industrial and open space) overlay zones and plan districts, as well as location of historical landmarks and existing or planned major public trails. The RIP amendments include Zoning Map amendments intended to implement the policy framework of the Comprehensive Plan. The Zoning Map is amended with a new 'constrained sites' overlay zone with corresponding restrictions on 3 or more units per lot. In addition, several areas where both a predominance of substandard sized historically narrow lots and unconstrained infrastructure exist, are rezoned to

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R2.5. Consistency with the comprehensive policies and guiding principles are demonstrated elsewhere in these findings.

**Policy 1.6 Service coordination agreements.** Maintain coordination agreements with local governments of adjoining jurisdictions concerning mutual recognition of urban service boundaries; special service districts concerning public facilities and services within Portland’s Urban Services Boundary; and public school districts concerning educational facilities within Portland’s Urban Services Boundary.

46. **Finding:** The city maintains several intergovernmental agreements concerning mutual recognition of urban service boundaries; special service districts concerning public facilities and services within Portland’s Urban Services Boundary; and with public school districts. As these agreements are not changing and do not need to be changed, this policy is not relevant to the RIP amendments.

**Policy 1.7 Annexations.** Provide a process incorporating urban and urbanizable land within the City’s Urban Services Boundary through annexation. See policies 8.11-8.19 for service extension requirements for annexations.

47. **Finding:** The city has a process for incorporating urban and urbanizable land. RIP amendments do not include any annexations nor change current processes for incorporation of land. Therefore, this policy is not relevant to the RIP amendments.

**Policy 1.8 Urban renewal plans.** Coordinate Comprehensive Plan implementation with urban renewal plans and implementation activities. A decision to adopt a new urban renewal district, adopt or amend goals and objectives that will guide investment priorities within a district, or amend the boundaries of an existing district, must comply with the Comprehensive Plan.

48. **Finding:** The RIP amendments do not include changes to existing, or any new urban renewal plans. Therefore, this policy is not relevant to the RIP amendments.

**Policy 1.9 Development agreements.** Consider development agreements entered into by the City of Portland and pursuant to Oregon Revised Statute 94 a Comprehensive Plan implementation tool.

49. **Finding:** The RIP amendments do not affect nor necessitate development agreements. Therefore, this policy is not relevant to the RIP amendments.

## Administration

**Policy 1.10. Compliance with the Comprehensive Plan.** Ensure that amendments to the Comprehensive Plan’s elements, supporting documents, and implementation tools comply with the Comprehensive Plan. “Comply” means that amendments must be evaluated against the Comprehensive Plan’s applicable goals and policies and on balance be equally or more supportive of the Comprehensive Plan than the existing language or designation.

**1.10.a** Legislative amendments to the Comprehensive Plan’s elements and implementation tools must also comply with the Guiding Principles.

**1.10.b** Legislative amendments to the Comprehensive Plan’s elements should be based on the factual basis established in the supporting documents as updated and amended over time.

**1.10.c** Amendments to the Zoning Map are in compliance with the Comprehensive Plan if they are consistent with the Comprehensive Plan Map.

50. **Finding:**

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The City Council finds that this is a fundamental policy of the Comprehensive Plan that guides the manner in which the City Council considers amendments to the Plan itself or any implementing regulations, such as the Zoning Code.

The City Council interprets the policy to require the Council to consider whether, after considering all relevant facts, an amendment is equally or more supportive of the Comprehensive Plan.

The City Council finds that an amendment is equally supportive when it is on its face directly supported by goals and policies in the Plan. The City Council finds that an amendment is more supportive of the Comprehensive Plan when the amendment will further advance goals and policies, particularly those that are aspirational in nature. The City Council finds that the policy requires consideration as to whether amendments are equally or more supportive of the Plan *as a whole*. The City Council finds that amendments do not need to be equally or more supportive with individual goals and policies, but rather amendments must be equally or more supportive of the entire Comprehensive Plan. Therefore, the City Council finds that there may be instances where specific goals and policies are not supported by the amendments but still the amendment is equally or more supportive of the entire Comprehensive Plan when considered cumulatively. The City Council finds that there is no precise mathematical equation for determining when the Plan as a whole is supported but rather such consideration requires City Council discretion in evaluating the competing interests and objectives of the plan.

Council notes that the Comprehensive Plan introduction explains that “[t]he Comprehensive Plan contains a broad range of policies for Council to consider. Each policy describes a desirable outcome. But it is unlikely that all policies are relevant to a particular decision and that a particular decision could be expected to advance all of the policies in the plan equally well . . . [E]ven the strongest policies do not automatically trump other policies. Every decision is different, with different facts. The particular policies that matter will change from one decision to another. There is no set formula—no particular number of ‘heavier’ policies equals a larger set of ‘lighter’ policies. In cases where there are competing directions embodied by different policies, City Council may choose the direction they believe best embodies the plan as a whole.” 2035 Comprehensive Plan, page HTU-5.

In developing the scope of the project, BPS identified a number of Comprehensive Plan policies that could be advanced (see Appendix A of the Revised Proposed Draft<sup>21</sup>) Council finds that RIP advances those policies. In particular Council finds that RIP is more supportive of the Comprehensive Plan with regard to the goals and policies cited below.

- Increasing the diversity of and access to housing options, which is inscribed for example in policies such as Policy 3.4 All ages and abilities, Policy 3.32 Housing in neighborhood centers, Policy 3.36 Housing in town centers, Policy 3.39 Growth, Policy 3.42 Diverse residential areas, Goal 5.A: Housing diversity; Policy 5.4 Housing types, policy 5.6 Middle housing, and Policy 5.21 Access to opportunities.
- Support housing affordability and extend access to amenities, reflected in policy 5.6, Middle Housing, Policy 5.11 Remove barriers, Policy 5.30 Housing cost burden, Policy 5.31 Household prosperity.
- Be resource efficient and environmentally sensitive, see for example Goal 3.B: A climate and hazard resilient urban form, Goal 4.C: Human and environmental health, Policy 3.6 Land

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<sup>21</sup> See Revised Proposed Draft, “Appendix A, Guidance from the Comprehensive Plan” BPS staff, April 2018

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efficiency, Policy 4.19 Resource efficient and healthy residential design and development, Policy 4.74 Flexible development options, Policy 7.14 Natural hazards, Policy 9.58 Off-street parking.

- Avoid increasing the risk of displacement, as noted in policies including Policy 3.3 Equitable development, Policy 3.9 Growth and development, Goal 5.B: Equitable access to housing, Goal 5.D: Affordable housing, Policy 5.1 Housing supply, Policy 5.3 Housing potential, Policy 5.12 Impact analysis, Policy 5.15 Gentrification/displacement risk and Policy 5.16 Involuntary displacement
- Allow homes to adapt over time, as called for in policies such as Policy 5.7 Adaptable housing, Policy 5.19 Aging in place, Policy 5.53 Responding to social isolation
- Be economically feasible as guided by Policy 4.57 Economic viability, Policy 5.3 Housing potential, Policy 5.36 Impact of regulations on affordability, and Policy 9.60 Cost and price.
- Provide clear rules for development primarily embodied in Policy 10.4 Amendments to the Zoning Code.
- Fit neighborhood context. Both the Planning and Sustainability Commission as well as City Council support changes that respond to incompatible infill, including limits on FAR and revisions to address building height, however Council also recognized that to reduce cost impacts on housing development and provide greater opportunity for housing access in more parts of the city, a greater emphasis would be placed on measures that removed potential barriers to housing production. The findings for Policy 4.15 Residential area continuity and adaptability, for example, illustrate how Council improves the performance of zoning standards to fit the neighborhood context more than the existing language in the code.

The City Council finds that these amendments are equally or more supportive of the Comprehensive Plan than the existing Zoning Code regulations because they increase housing diversity, improve equitable access to housing, provide incentives for regulated affordable housing in single dwelling zones, remove regulatory barriers for housing choice, and encourage the creation of more physically accessible housing, while allowing existing and new single dwelling development to continue and expand and adapt to changing household needs.

The City Council finds that the evaluation to determine if the RIP amendments are on balance equally or more supportive than the existing language or designation must consider all of the goals and policies, as demonstrated by these findings.

Additionally, Council finds that Policy 1.10b requires that amendments are based on the factual basis established in supportive documents. The RIP amendments are a legislative amendment to the Zoning Code, Zoning Map, Comprehensive Plan Map, and terms and land use designation descriptions within Comprehensive Plan. These findings and the discussion in the Revised Proposed Draft Appendix A identify how the RIP amendments comply with the Comprehensive Plan. That is, the amendments are evaluated against the Comprehensive Plan's Guiding Principles, goals, and policies, as detailed throughout this set of findings.

As described in the finding for Policy 1.2, the factual basis of the supporting documents is not changed by this ordinance.

While the household capacity identified from the adopted BLI, is increased by these map and code changes – *increases* to capacity do not affect compliance with Statewide Goal 10, which establishes a floor for identifying adequate capacity, but does not set upper limits, and these increases are also

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shown to conform to policies in Chapter 5 and elsewhere in the Comprehensive Plan. The other supporting documents have been considered but are not impacted by these changes.

For the reasons stated in these findings, the City Council concludes that the RIP amendments are on balance, or on the whole, more supportive of the goals and policies of the Comprehensive Plan than the current regulations. The City Council has considered all applicable goals and policies to achieve an optimum outcome. The purposes of the RIP amendments are to enhance public health and safety and protect the environment. The City council considered the applicable goals and policies and concludes that, on the whole, continuing to restrict residential structure types to houses, corner lot duplexes, and triplexes in a limited area of R2.5 zoning, continue to mandate car-oriented development, while also permitting the continuance of out of scale development would be less supportive of the Comprehensive Plan than adopting the RIP amendments.

Council finds that the RIP amendments are consistent and comply with each applicable policy in the Comprehensive Plan.

**Policy 1.11. Consistency with Metro Urban Growth Management Functional Plan and Urban Growth Boundary.** Ensure that the Comprehensive Plan remains consistent with the Metro Urban Growth Management Functional Plan and supports a tight urban growth boundary for the Portland Metropolitan area.

**51. Finding:** Providing for additional residential capacity supports Metro’s plan for a tight urban growth boundary by reducing pressure to develop housing in new greenfield areas. While the Comprehensive Plan adopted BLI demonstrated that there was sufficient capacity within the single dwelling zones for the 20-year planning period, much of that capacity was projected to be utilized. When available land becomes more scarce, while demand remains strong, price for that land increases which impacts a builder’s ability to develop housing feasibly<sup>22</sup>. The additional capacity created through the RIP amendments doesn’t affect the total projected household growth for the City, but it does provide significant capacity headroom to reduce the pressure exerted against a more fixed supply of land. Put another way, with more options available on more lots, scarcity is reduced and development becomes more feasible, reducing the need to add more land within the UGB. See also findings in Part II, Metro Urban Growth Management Functional Plan.

**Policy 1.12. Consistency with Statewide Planning Goals.** Ensure that the Comprehensive Plan, supporting documents, and implementation tools remain consistent with the Oregon Statewide Planning Goals.

**52. Finding:** See findings in Part I, Statewide Planning Goals which demonstrate consistency.

**Policy 1.13. Consistency with state and federal regulations.** Ensure that the Comprehensive Plan remains consistent with all applicable state and federal regulations, and that implementation measures for the Comprehensive Plan are well coordinated with other City activities that respond to state and federal regulations.

**53. Finding:** The RIP amendments were developed to be consistent with applicable state and federal regulations, including FEMA flood regulations and state building code requirements. Compliance with recent state legislation directly applicable to this project is demonstrated in the memo to Council (“Residential Infill Project Amendments for Consideration”), dated May 15, 2020.

**Policy 1.14. Public facility adequacy.** Consider impacts on the existing and future availability and capacity of urban public facilities and services when amending Comprehensive Plan elements and

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<sup>22</sup> Why Have Housing Prices Gone Up? National Bureau of Economic Research, Feb 2005

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implementation tools. Urban public facilities and services include those provided by the City, neighboring jurisdictions, and partners within Portland’s urban services boundaries, as established by Policies 8.2 and 8.6.

**54. Finding:** As demonstrated in the findings for Statewide Planning Goal 11 and Chapter 8 (Public Facilities and Services) of the Comprehensive Plan, City Council considered the impacts on the existing and future availability and capacity of urban public facilities and services consistent with this policy.

**Policy 1.15. Intergovernmental coordination.** Strive to administer the Comprehensive Plan elements and implementation tools in a manner that supports the efforts and fiscal health of the City, county and regional governments, and partner agencies such as school districts and transit agencies.

**55. Finding:** As demonstrated in the findings for Statewide Planning Goal 2, the City filed the required 35-day notice with Oregon Department of Land Conservation and Development to notify other government agencies of the proposed RIP amendments. In addition, the City sent a separate legislative notice to Multnomah County, adjacent cities, Metro and TriMet. The City also coordinated with the David Douglas School District to consider how these amendments may address school enrollment. The Planning and Sustainability Commission received feedback from Metro that maximum building sizes should be increased to make duplex and triplex types more feasible, as well as expanding the area where these additional types would be allowed. The PSC recommended both of these changes be incorporated into the RIP amendments. Following the Planning and Sustainability Commission’s recommendations to City Council, the City did not receive any requests from other government agencies to further modify the RIP amendments. The City’s fiscal impact statement notes that while the reduction in maximum building size may affect individual investment decisions, the amendments will not reduce the number of feasible residential units and creates more capacity for additional units, which is also further substantiated in the Economic Analysis (Volume 3, Appendix A).

**Policy 1.16. Planning and Sustainability Commission review.** Ensure the Planning and Sustainability Commission (PSC) reviews and makes recommendations to the City Council on all proposed legislative amendments to Comprehensive Plan elements, supporting documents, and implementation tools. The PSC advises City Council on the City’s long-range goals, policies, and programs for land use, planning, and sustainability. The membership and powers and duties of the PSC are described in the Zoning Code.

**56. Finding:** The PSC thoroughly reviewed and was briefed on the RIP amendments:  
February 13, 2018 – PSC briefing on housing trends and RIP economic background  
February 27, 2018 – PSC briefing on RIP issues/background  
March 13, 2018 – PSC briefing on social equity and displacement risk analysis  
April 24, 2018 – PSC briefing on RIP proposals  
May 8 and 15, 2018 – Public hearings and testimony  
May 22, 2018 – PSC work session on goals, residential zone comparison, economic Q&A  
June 7, 2018 – PSC work session on scale proposals  
June 26 and July 10, 2018 – PSC work session on housing choice proposals  
July 10, 2018 – PSC work session on scale and housing choice  
August 14, 2018 – PSC work session on narrow lot proposals  
August 28, 2018 – PSC work session on cottage cluster proposals  
September 11, 2018 – PSC work session on tentative direction for revised proposal  
December 11, 2018 – PSC briefing on revised economic analysis  
February 12, 2019 – PSC briefing on Revised Proposed Draft

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February 26, 2019 – PSC work session on Revised Proposed Draft  
March 12, 2019 – PSC recommendation vote to City Council

**Policy 1.17. Community Involvement Committee.** Establish a Community Involvement Committee to oversee the Community Involvement Program as recognized by Oregon Statewide Planning Goal 1 – Community Involvement and policies 2.15-2.18 of this Comprehensive Plan.

**57. Finding:** The Citizen Involvement Committee was appointed in June 2018 and reviews and advises the way City staff engage with the public in land use and transportation planning. The Residential Infill Project was initiated in 2015 and was in deliberations with the Planning and Sustainability Commission during the time the CIC was created, so the CIC was unable to consult on the community involvement program that informed the initial proposal. The project complied with the community involvement requirements applicable at its initiation from the previous comprehensive plan in effect at the time, which included encouraging citizen involvement by actively coordinating with relevant community organizations, publishing timely reports to residents and businesses, and providing notice of official hearings to neighborhood associations, business groups affected individuals and the general public. Furthermore, the City Council determines that RIP was undertaken in compliance with community involvement goals and policies, as indicated in the findings for Comprehensive Plan Chapter 2 (Community Involvement).

**Policy 1.18. Quasi-judicial amendments to the Comprehensive Plan Map.** Applicants for quasi-judicial amendments to the Comprehensive Plan Map must show that the requested change adheres to Policies 1.10 through 1.15 and:

- Is compatible with the land use pattern established by the Comprehensive Plan Map.
- Is not in conflict with applicable adopted area-specific plans as described in Policy 1.19, or the applicable hearings body determines that the identified conflict represents a circumstance where the area specific plan is in conflict with the Comprehensive Plan and the proposed amendment is consistent with the Comprehensive Plan.

The Hearings Officer must review and make recommendations to the City Council on all quasi-judicial amendments to the Comprehensive Plan Map using procedures outlined in the Zoning Code.

**58. Finding:** This policy concerns quasi-judicial amendments to the Comprehensive Plan Map and is not applicable to this project, which is a legislative project.

**Policy 1.19. Area-specific plans.** Use area-specific plans to provide additional detail or refinements applicable at a smaller geographic scale, such as for centers and corridors, within the policy framework provided by the overall Comprehensive Plan.

**1.19.a** Area-specific plans that are adopted after May 24, 2018, should clearly identify which components amend Comprehensive Plan elements, supporting documents, or implementation tools. Such amendments should be appropriate to the scope of the Comprehensive Plan; be intended to guide land use decisions; and provide geographically specific detail. Such amendments could include policies specific to the plan area, land use designation changes, zoning map changes, zoning code changes, and public facility projects necessary to serve designated land uses.

**1.19.b** Area-specific plan components intended as context, general guidance, or directives for future community-driven efforts should not amend the Comprehensive Plan elements or implementation tools but be adopted by resolution as intent. These components include vision statements, historical context, existing conditions, action plans, design preferences, and other background information.

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**1.19.c** Community, area, neighborhood, and other area-specific plans that were adopted by ordinance prior to January 1, 2018 are still in effect. However, the elements of this Comprehensive Plan supersede any goals or policies of a community, area, or neighborhood plan that are inconsistent with this Plan.

**59. Finding:** The RIP amendments do not include or amend area specific plans. Policy 1.19 directs that existing area-specific plans be used to provide additional detail or refinements at a smaller geographic scale, like centers or corridors. The RIP amendments are applicable at a citywide geography, with some changes affecting all zones (e.g. revised height calculation method), some affecting large portions of RIP zones across much of the city (e.g. additional housing types), and some affecting specific areas of historically narrow lots (e.g. rezones). At the citywide scale, the findings included herein demonstrate that the amendments are consistent with the 2035 comprehensive plan.

Area and community plans that include RIP zones have been reviewed for relevant policy guidance. Responses to these policies are contained in Part IV: Area-Specific Plans

## Chapter 2: Community Involvement

**Goal 2.A: Community involvement as a partnership.** The City of Portland works together as a genuine partner with all Portland communities and interests. The City promotes, builds, and maintains relationships, and communicates with individuals, communities, neighborhoods, businesses, organizations, institutions, and other governments to ensure meaningful community involvement in planning and investment decisions.

**Goal 2.B: Social justice and equity.** The City of Portland seeks social justice by expanding choice and opportunity for all community members, recognizing a special responsibility to identify and engage, as genuine partners, under-served and under-represented communities in planning, investment, implementation, and enforcement processes, particularly those with potential to be adversely affected by the results of decisions. The City actively works to improve its planning and investment-related decisions to achieve equitable distribution of burdens and benefits and address past injustices.

**Goal 2.C: Value community wisdom and participation.** Portland values and encourages community and civic participation. The City seeks and considers community wisdom and diverse cultural perspectives, and integrates them with technical analysis, to strengthen land use decisions.

**Goal 2.D: Transparency and accountability.** City planning and investment decision-making processes are clear, open, and documented. Through these processes a diverse range of community interests are heard and balanced. The City makes it clear to the community who is responsible for making decisions and how community input is considered. Accountability includes monitoring and reporting outcomes.

**Goal 2.E: Meaningful participation.** Community members have meaningful opportunities to participate in and influence all stages of planning and decision making. Public processes engage the full diversity of affected community members, including under-served and under-represented individuals and communities. The City will seek and facilitate the involvement of those potentially affected by planning and decision making.

**Goal 2.F: Accessible and effective participation.** City planning and investment decision-making processes are designed to be culturally accessible and effective. The City draws from acknowledged best practices and uses a wide variety of tools, including those developed and recommended by under-served and under-represented communities, to promote inclusive, collaborative, culturally-specific, and robust community involvement.

**Goal 2.G: Strong civic infrastructure.** Civic institutions, organizations, and processes encourage active and meaningful community involvement and strengthen the capacity of individuals and communities to participate in planning processes and civic life.

**60. Finding:** Council interprets these policies to promote community involvement that engages and values all members of the community, with particular emphasis on engaging with the full diversity of affected community members. The preparation of these amendments has provided numerous opportunities for meaningful community involvement, including:

**Concept Phase.** Prior to the initiation of the legislative project, the public was engaged as part of the development of the project concepts. In September 2015, former Mayor Charlie Hales appointed a Stakeholder Advisory Committee (SAC) composed of nominees from each of the District Coalition Offices, the Planning and Sustainability Commission, East Portland Action Plan, Home Builders Association of Metropolitan Portland, United Neighborhoods for Reform and the Immigrant and Refugee Community Organization. In addition, project staff selected 13 members-at-large to ensure the committee was well-balanced among individuals representing neighborhood

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interests, the development community and those who bring a different perspective related to single-dwelling housing issues, such as anti-displacement, aging and disability, and historic preservation advocates. Project staff also sought a balance in terms of gender composition and geographic distribution in addition to members who exhibited strong community networks while forming the SAC. The SAC met 14 times between September 2015 and October 2016. Staff created a Facebook group to provide a publicly visible forum for SAC members to share and discuss issues and articles related to their work on the project. Members of the public could view all postings, links and uploads to this group page. All SAC meetings were open to the public with time for public comments (oral and written) during the meetings, which were also incorporated into minutes of the meetings. In addition to regular meetings, the public was invited to an open house after the SAC design workshop in January 2016. Announcements of upcoming meetings and summary notes of each meeting were included in e-updates and blog posts. In addition, all SAC meeting agendas, summaries and meeting materials are posted on the project website.

Other public engagement efforts included regular project updates, an online open house and questionnaire, public events and City Council hearings in December of 2016. Public input helped formulate the recommendations in the Residential Infill Project Concept Report.

**Project Updates:** Updates on the project were shared by staff in several ways: e-updates sent to the project mailing list, blog posts for news and updates, BPS E-newsletters and BPS social media sites (Facebook, NextDoor and Twitter).

**Online Questionnaire:** Staff received over 7,000 online questionnaire responses between December 9, 2015 and January 12, 2016. The questionnaire asked participants to prioritize the residential infill issues that are most important to them. Staff used the results to help identify key community values for regulating development in single-dwelling zones. Concepts were developed for community review in the spring. In addition to the many voices and opinions that were shared, the demographic results also helped pinpoint where additional targeted outreach was needed to gain additional input from those not well-represented in this survey. Results, including key findings, methodology, demographic information, responses by geographic areas and demographic groups, and open-ended comments summarized by topic areas were posted on the project website and shared with the SAC.

The public review period for the Residential Infill Project Concept Report and Draft Proposals occurred from June 15, 2016 through August 15, 2016. Opportunities for the public to learn more about the project and give staff feedback included:

- An online open house and second questionnaire that offered the public a chance to learn about the project and provide comments on the concept proposals;
- A series of 5 open houses around the city to learn about the project, review the proposals, ask questions and share feedback;
- Meetings in collaboration with community members including Oregon Opportunity Network's public forum on the Residential Infill Concept Report and Draft Proposals and a special meeting for older adults and people with disabilities; and
- Meetings with organizations to gather feedback and help distribute information about the draft proposal to their members, such as Anti-Displacement PDX, REACH CDC and the Portland Housing Center, among others.

During the eight-week public review period, over 700 people attended an open house or meeting where the proposals of the project were presented, 8,604 people visited the online open house and

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staff collected more than 1,500 public comments from the online questionnaire, comment forms, chart pack notes at open houses, emails and letters.

Staff used the feedback to refine the concepts in the Recommended Concept Report to City Council published on October 17, 2016.

The project received much attention from several news outlets. Stories appeared in several neighborhood newspapers, in addition to *The Oregonian*, *Portland Tribune*, *Willamette Week* and *Portland Mercury*. Staff appearances on OPB, KBOO, KGW, KPTV and KATU helped to disseminate information and publicize upcoming City Council hearings.

At the request of former Mayor Charlie Hales, staff brought the concepts directly to City Council so that he would be able to provide input prior to the end of his term. City Council held public hearings on November 9 and November 16, 2016. Nearly 120 people testified in person; Council also received approximately 550 letters and emails during their review. In December 2016 Council passed several amendments to the concepts and passed a non-binding resolution (Resolution No. 37252) directing staff to develop Zoning Code and mapping amendments to implement the concepts. Staff began the code development and map amendment process in early 2017.

**Discussion Draft.** The public review period for the Residential Infill Project *Discussion Draft* was from October 3 to November 30, 2017. During this time the public had opportunities to learn about the proposals at a kick-off meeting and six drop-in events throughout the city. Staff also presented the proposals at various community meetings and had numerous conversations with groups and individuals through email and phone inquiries. In addition, an interactive online Map App was available that showed parcel-specific information about how the proposals would affect specific properties.

- 433 people submitted 3,425 comments through the online and paper comment forms
- 249 emails were sent by the public to project staff
- Staff received 46 letters from organizations or groups which included nonprofits and advocacy groups, public-sector agencies and commissions, coalitions of for-profit housing developers, business interests and neighborhood associations and district coalitions.
- 36 comments were written on a lobby exhibit in the 1900 Development Services Building

Information and publicizing:

- News blogs featured on the Residential Infill Project website
- Monthly email updates were sent to the project mailing list (over 1,000 email addresses as of January 2018) to provide project updates and public input opportunities.
- BPS and Bureau of Development Services E-newsletters
- Posts by BPS on NextDoor, Twitter, and Facebook (many of which were shared by others)
- Articles in local newspapers (including *The Oregonian*, *Daily Journal of Commerce* and *Portland Tribune*)
- Media coverage on local TV news stations and local radio programs
- BPS project staff provided updates to neighborhood associations and other community groups

**Proposed Draft.** On April 2, 2018 — 5 weeks before the PSC's first of two public hearings — the City published the Proposed Draft of RIP amendments in preparation for the Planning and Sustainability Commission (PSC) review and recommendation. In support of this process, the BPS website had a project page dedicated to this project, a Map App page for submitting testimony, and telephone

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helpline to learn about the plan effort and numerous ways to comment on the plan. As part of the Proposed Draft publication and legislative process requirements, the following legal notices were also sent:

- Form 1 Notice  
Sent to the Department of Land Conservation and Development (DLCD)
- Legislative Notice (~1,000 notices)  
Sent to interested parties, recognized organizations, affected bureaus, TriMet, Metro and ODOT and published in the Daily Journal of Commerce
- Measure 56 Notice (136,652 notices)  
Required by Ballot Measure 56, this mailed notice was sent to owners of each lot or parcel of property where there is a proposed change to the base zoning of the property or where there are limits or prohibition of land uses previously allowed in the affected zone.

In addition to these legal requirements, information about the PSC hearings was featured in blog posts on the project website, e-updates to project mailing list (totaling over 1,400 people by October 2019), media releases and posts by BPS on NextDoor, Twitter and Facebook. Moreover, staff engaged directly with the public during one-on-one “office hours” in 6 libraries in various parts of town to answer property-specific questions.

The PSC held a public hearing on May 8 and May 15, 2018. 134 people testified at the hearings and more than 1,200 written testimonials were received.

The PSC discussed the proposals over 8 subsequent work sessions culminating in direction to staff to amend the Proposed Draft. This became the Revised Proposed Draft.

On March 12, 2019, the Commission deliberated on the Revised Proposed Draft and made further specific amendments to the proposal and voted to recommend the changes to City Council.

All PSC meetings were streamed live and are also available for viewing on the Bureau website

**Recommended Draft.** On August 1, 2019 the Recommended Draft of the Residential Infill Project was published presenting the PSC’s recommendations to City Council. On December 12, 2019, the City sent a legislative notice of the City Council Hearing to interested parties and anyone who testified to the PSC on the proposed draft and supplied contact information. City Council held a public hearing on January 15 and 16, 2020, to receive testimony on the Recommended Draft.

City Council heard oral testimony from 130 people in addition to receiving over 561 written pieces of testimony. In response to this testimony, staff held open and transparent work sessions with Council on January 29 and February 12 to identify possible revisions to the proposals. Staff published the amendment concepts that council had directed staff to further develop on February 13. Specific amendment language was published on March 9, 2020 in advance of an additional public hearing that was originally scheduled for March 12 but was cancelled due to the COVID-19 pandemic. Governor Brown has issued a series of executive orders that impact local governments. Notably, on March 8, 2020, Governor Brown issued Executive Order 20-03 declaring a state of emergency due to COVID-19. Later, on March 23, Governor Brown issued Executive Order 20-12 declaring that non-essential gatherings outside of the home or place of residence are prohibited immediately, regardless of size.

On April 15, Governor Brown issued Executive Order No. 20-16 due to the COVID-19 pandemic requiring local governments to conduct public meetings by telephone, video, or other electronic means whenever possible. In order to move forward with city operations, the directive laid out

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instructions to conduct business virtually during this time. The Bureau of Planning and Sustainability proceeded to resend public notice of the rescheduled hearing on amendments to the proposals following the guidelines outlined in the order, providing ample time for public input and participation.

A public notice was sent on May 13, 2020 for a City Council public hearing on the project amendments to: parties that received notice of Council's initial hearing on the RIP Amendments; the City's legislative list; and, people on the Residential Infill Project mailing list.

The record was held open from February 12, 2020 and ultimately closed June 18, 2020 allowing more than 4 months for the public to review the proposed amendments on the project website and submit testimony via the MapApp tool on the project website or by mail to the City Council Clerk.

On June 3, 2020, the Portland City Council held a virtual public hearing and received written testimony regarding the amendments. The virtual public meeting was held using the Zoom platform. It was free to participants and it allowed them to provide testimony by phone or computer. Participants were given 2 minutes to testify. Participants could also watch the hearing on YouTube with closed caption accommodations.

At the June 3, 2020 hearing, 53 people testified and the hearing was continued to June 18, where the remaining 22 people were given the opportunity to testify. By the close of record on June 18, 2020, 285 written pieces of testimony had been received regarding the amendments. The findings have been amended in response.

On August 5, 2020, City Council voted to approve these amended findings and the amended elements of the Residential Infill Project.

Testimony received in opposition to the proposed plan expressed that action on the RIP amendments should be delayed considering COVID-19 and the potential for future pandemics. Barriers to accessing the public hearing process through the zoom platform were also alleged. There were also suggestions that a new approach to urban planning be adopted that results in less dense development.

Further, there were suggestions that the Council should delay voting until after the Department of Land Conservation and Development (DLCD) has promulgated its rules for HB2001.

However, other testimony supported quicker action by Council in order to set in motion the process to adopt these rules sooner rather than later, which will continue to delay the ability to deliver more housing options, while the status quo of single dwelling development continues. In addition to introductory remarks made by Director Andrea Durbin (BPS), testimony in response to assertions that density exacerbated the COVID-19 situation was also introduced<sup>23</sup>, which Council found to be compelling. City Council finds that cities can be dense and still provide places for people to isolate and be physically distant. Council also finds that it acted in conformance with the Governor's executive order regarding conducting public hearings during the pandemic and mitigated for potential obstacles in participation by allowing for phone-in testimony, in addition to the zoom platform, and ultimately through extended timelines for submitting written testimony by US mail.

Testimony from DLCD stated in response to its rulemaking role: "Even though LCDC will not adopt a model code and minimum standards for middle housing until later this year, we encourage you to move forward and adopt the RIP without delay. The RIP is almost fully compliant with the standards

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<sup>23</sup> Testimony from Mary Vogel, April 30, 2020 "Facts don't support 'density is dangerous narrative'"

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set forth in HB 2001, and will require only some adjustments by the city to come into full compliance with the provisions of this legislation.<sup>24</sup> Council finds that further delay in adopting the RIP amendments could exacerbate this delay of projects that are sorely needed within the city.

City Council finds that this plan, and this public engagement process are consistent with Goals 2.A – 2.G of the 2035 Comprehensive Plan.

As noted below in these findings, the RIP amendments are consistent with the goals and policies of Chapter 2 (Community Involvement) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. The events and outreach strategies summarized here demonstrate consistency with the requirements of Statewide Planning Goal 1.

**Summary:** The public engagement process provided opportunities for all interested parties to comment on and influence the recommended draft and the final decision before City Council.

In conjunction with publishing the Proposed Draft, the legally required Measure 56 notices were sent to all property owners within R2.5, R5 and R7 zones.

To support these notices, the BPS website had a project page with the available documents; a Map App page with a testimony function; BPS staff created a dedicated help phone line; and BPS staff attended a series of community meetings to explain and answer questions regarding the Proposed Draft.

The public was provided meaningful opportunities to participate by expressing support as well as concerns and suggesting amendments in front of both the PSC and City Council. Public meetings were well advertised, open and accessible to the public and videotaped and broadcast to increase transparency of the decision-making process. City Council considered testimony received and discussed, deliberated, and incorporated several amendments that were developed in direct response to this testimony over the course of two public meeting work sessions.

The RIP outreach and engagement process utilized various methods and forums to interact and solicit input from a wide variety of perspectives as noted above. In conjunction with open public meetings with the Stakeholder Advisory Group, two on-line questionnaires were hosted. The first solicited prioritization of values prior to initial concept development. The second asked participants to respond to general concept proposals. Following publication of the discussion draft, staff attended various events (like Sunday parkways, and the Fix-It Fair) as well as scheduled open house events in each quadrant of the City. The Proposed Draft to the Planning Commission was accompanied by a Measure 56 notice to all property owners and accompanied by a series of one-on-one conversations with the public at various locations throughout the city. A specific accessibility and age-friendly focused forum was also held in conjunction with Elders in Action. Direct engagement with affordable housing providers through Housing Oregon and coalitions like Anti-displacement PDX enhanced engagement efforts to underserved and under-represented communities. More than 130 events were held throughout the course of the project, see the Project Communication Log.

### Partners in decision making

**Policy 2.1. Partnerships and coordination.** Maintain partnerships and coordinate land use engagement with:

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<sup>24</sup> Testimony from Jim Rue, Director DLCD, January 15, 2020

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**2.1.a** Individual community members.

**2.1.b** Communities of color, low-income populations, Limited English Proficient (LEP) communities, Native American communities, and other under-served and under-represented communities.

**2.1.c** District coalitions, neighborhood associations, and business district associations as local experts and communication channels for place-based projects.

**2.1.d** Businesses, unions, employees, and related organizations that reflect Portland’s diversity as the center of regional economic and cultural activity.

**2.1.e** Community-based, faith-based, artistic and cultural, and interest-based non-profits, organizations, and groups.

**2.1.f** Institutions, governments, and Sovereign tribes.

**61. Finding:** This policy directs the City to maintain partnerships and coordinate community engagement on a programmatic level and is not specific to a particular legislative project. Therefore, this policy is not applicable. Nevertheless, these partnerships were engaged and maintained throughout this process. Staff conducted on-going communication and responded to requests for additional information from neighborhood associations, coalitions, community-based organizations, under-represented communities as well as individuals among others.

**Policy 2.2. Broaden partnerships.** Work with district coalitions, neighborhood associations, and business district associations to increase participation and to help them reflect the diversity of the people and institutions they serve. Facilitate greater communication and collaboration among district coalitions, neighborhood associations, business district associations, culturally-specific organizations, and community-based organizations.

**62. Finding:** This policy directs the City to work with coalitions and associations to increase participation and improve communication on a programmatic level and is not specific to a particular legislative project. Therefore, this policy is not applicable. However, as evidenced by the range of involvement from comments and testimony received, the city was engaged with a breadth of partners to increase participation from these organizations and better reflect the diversity of the people served by them.

## Environmental justice

**Policy 2.3. Extend benefits.** Ensure plans and investments promote environmental justice by extending the community benefits associated with environmental assets, land use, and public investments to communities of color, low-income populations, and other under-served or under-represented groups impacted by the decision. Maximize economic, cultural, political, and environmental benefits through ongoing partnerships.

**63. Finding:** The 2035 Comprehensive Plan defines “ensure” to mean “to make sure that something will happen or be available”. The RIP amendments address a number of issues that had been identified as particular burdens for low-income populations and communities of color, including housing affordability, and access to more neighborhoods. New incentives for creating regulated affordable housing in these zones affords more options for lower income households, who are disproportionately represented in under-served and under-represented groups. BPS used neighborhood vulnerability data to identify neighborhoods (Census tracts) with higher than average shares of people that are vulnerable to economic displacement: renters, communities of color,

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adults without a four-year college degree and low-income households. According to the Displacement Risk Analysis, the RIP amendments reduce redevelopment-induced displacement potential by 28%. When limiting this analysis to those census tracts that have specifically higher shares of vulnerable populations, displacement potential was reduced by 21%. The RIP amendments continue to allow additional investments in all areas of the city but reduce the potential windfall from allowing multiple units by instituting FAR size limits, as indicated by the economic feasibility analysis. The amendments also include provisions intended to assist existing homeowners to self-invest by being able to add accessory dwelling units incrementally as well as provisions that make it easier to reconfigure lot lines and convey portions of their unused lots (flag lot provisions for existing houses). Beyond the benefits to existing residents and homeowners, new residents will have greater access to well-situated neighborhoods through lower cost housing options. Moreover, partnerships between the City and non-profit CDC's will help deliver permanently affordable housing in more areas of the city. These benefits are equitably distributed and are extended to communities of color, low income communities, and other under-served and under-represented groups. On-going partnerships with groups identified in Policies 2.1 and 2.2 will help ensure that the long term economic, cultural, political and environmental benefits of the RIP amendments are maximized through continued communication.

**Policy 2.4. Eliminate burdens.** Ensure plans and investments eliminate associated disproportionate burdens (e.g. adverse environmental, economic, or community impacts) for communities of color, low-income populations, and other under-served or under-represented groups impacted by the decision.

**2.4.a, Minimize or mitigate disproportionate burdens in cases where they cannot be eliminated.**

**64. Finding:** Council interprets this policy to mean that plans and investments each contribute to the elimination of these disproportionate burdens so that in sum these burdens are eliminated over the duration of the planning period. The RIP amendments create new housing opportunities. The creation of new housing opportunities has the potential to result in involuntary displacement, a key adverse economic and community impact. Therefore for the purposes of this policy Council sought to ensure that the amendments mitigated the burden of displacement.

Factors that lead to displacement are much broader and multi-faceted than just zoning and land use, although these tools do have the power to weaponize and exacerbate displacement potential. Conversely, it is not possible within the scope of a zoning change to completely eradicate decades and generations of displacement. The RIP amendments have been evaluated for their potential to displace low income renters as a result from redevelopment activity associated with the zoning and regulatory changes. This analysis found an improved condition when compared against the baseline comprehensive plan, with a 28% net reduction in such displacement citywide, a 21% reduction when looking specifically at census tracts with higher shares of vulnerable communities (higher combined quintiles of renters, low-income, people of color, and individuals without a college degree), and a 16% reduction when focused solely on census tracts with higher shares of people of color. The analysis also examined proposed rezone areas to determine whether any particular race/ethnicity was disproportionately over or under-represented and found the demographics to be relatively consistent with the citywide average.

One of Council's amendments to the plan was the addition of the "deeper affordability amendment". Council cited the importance of this mitigating provision, with Commissioner Eudaly noting "this amendment will allow affordable housing developers to be more competitive in RIP zones. While it won't on its own prevent displacement or ensure affordable housing at the levels

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we need it, it will help.” Therefore, this plan is contributing to the elimination of disproportionate burdens and minimizes and partially mitigates for the historical zoning actions that have led to the conditions that are causing involuntary displacement today.

#### **2.4.b, Use plans and investments to address disproportionate burdens of previous decisions.**

- 65. Finding:** The RIP amendments address a number of issues that had been identified as particular burdens for low-income populations and communities of color, including housing affordability and increased housing options in more areas of the city. In addition, removing minimum parking requirements reduce cost burdens for households that disproportionately lack private vehicles. Per the 2015 American Community Survey data<sup>25</sup>, black households in Portland are more than twice as likely to not have a car (30.8% of households) than white households (13.8%), and households of color consistently are more likely to not have cars compared to white households.

Neighborhoods across the city are experiencing rising housing costs, with few remaining areas where low-income households can afford to purchase housing. The RIP amendments include incentives designed to leverage partnerships in affordable housing producers to provide a greater number of regulated affordable units within RIP zones. This expands the reach of potential affordability beyond mixed use and multi-dwelling zones. BPS used a vulnerability analysis to identify neighborhoods (Census tracts) with higher than average shares of people that are vulnerable to economic displacement: renters, communities of color, adults without a four-year college degree and renters. Volume 3, Appendix B summarizes an analysis of displacement risk in RIP zoned areas, which reinforced the need to address housing affordability.

## Invest in education and training

**Policy 2.5. Community capacity building.** Enhance the ability of community members, particularly those in under-served and/or under-represented groups, to develop the relationships, knowledge, and skills to effectively participate in plan and investment processes.

**Policy 2.6. Land use literacy.** Provide training and educational opportunities to build the public’s understanding of land use, transportation, housing, and related topics, and increase capacity for meaningful participation in planning and investment processes.

**Policy 2.7. Agency capacity building.** Increase City staff’s capacity, tools, and skills to design and implement processes that engage a broad diversity of affected and interested communities, including under-served and under-represented communities, in meaningful and appropriate ways.

- 66. Finding:** These policies concern broad approaches to educating community members and City staff about planning processes and are not applicable to this project given the project scope. As noted in findings 2.1 and 2.2 the RIP amendments engaged partnerships through on-going communication and provided additional information in meaningful and culturally appropriate ways to better enable these community partners to convey important project information and engage their members.

## Community assessment

**Policy 2.8. Channels of communication.** Maintain channels of communication among City Council, the Planning and Sustainability Commission (PSC), project advisory committees, City staff, and community members.

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<sup>25</sup> National Equity Atlas: Percent of households without a vehicle by race/ethnicity: Portland City, OR, 2015

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**67. Finding:** The City Council interprets this policy to create the opportunity for the community and advisory committees to have opportunities to communicate their issues and concerns to the PSC and City Council outside of the formal legislative process. These changes are a legislative process with formal opportunities to testify to communicate directly with City Council. Therefore, this policy does not apply.

**Policy 2.9. Community analysis.** Collect and evaluate data, including community-validated population data and information, to understand the needs, priorities, and trends and historical context affecting different communities in Portland.

**Policy 2.10. Community participation in data collection.** Provide meaningful opportunities for individuals and communities to be involved in inventories, mapping, data analysis, and the development of alternatives.

**Policy 2.11, Open data.** Ensure planning and investment decisions are a collaboration among stakeholders, including those listed in Policy 2.1. Where appropriate, encourage publication, accessibility, and wide-spread sharing of data collected and generated by the City.

**68. Finding:** Policies 2.9 through 2.11 concern how the City collects and makes available data that supports land use decisions. In this case, the project built on collective input gathered through the 2008 Infill Development Toolkit, and the 2035 Comprehensive Plan background, including the Residential Policy Expert Group summation. This was supplemented by an opinion poll conducted at the project's inception and was intended to capture key community values and help prioritize residential infill issues. Over 7,000 responses were received. In addition, materials were compiled and reviewed with the Stakeholder Advisory Committee as a basis for concept development. This material was made available and posted online. Reactions to early draft proposals were collected through online and paper comment forms, emails, letters, and poster board exhibits. Community validated methodologies were also used to identify vulnerable communities and develop the Displacement Risk Analysis (Appendix H). Further collaborative refinement to the proposals occurred based on community testimony throughout the project duration. Council incorporates the findings for Comprehensive Plan Policy Goals 2A through 2G as additional demonstration of compliance with Policies 2.9 through 2.11.

### Transparency and accountability

**Policy 2.12. Roles and responsibilities.** Establish clear roles, rights, and responsibilities for participants and decision makers in planning and investment processes. Address roles of City bureaus, elected officials, and participants, including community and neighborhood leadership, business, organizations, and individuals.

**Policy 2.13. Project scope.** Establish clear expectations about land use project sponsorship, purpose, design, and how decision makers will use the process results.

**Policy 2.14. Community influence.** At each stage of the process, identify which elements of a planning and investment process can be influenced or changed through community involvement. Clarify the extent to which those elements can be influenced or changed.

**Policy 2.15. Documentation and feedback.** Provide clear documentation for the rationale supporting decisions in planning and investment processes. Communicate to participants about the issues raised in the community involvement process, how public input affected outcomes, and the rationale used to make decisions.

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**69. Finding:** Policies 2.12 through 2.15 provide direction regarding roles, responsibilities, feedback opportunities, and documentation for participants and decision makers. Roles and responsibilities of participants and decision makers were identified in the Residential Infill Project Public Involvement Plan, April 2016, Amended March 2018. The project scope was developed and solidified during the Stakeholder Advisory Committee phase of the project. As described in the findings for Statewide Planning Goal 1 (Citizen Involvement), the legislative process was clearly outlined in notices, documents and on the project website as to how to testify to influence the Proposed Draft at the PSC, which amended the proposal. Then the Recommended Draft was published with the opportunity to testify at the City Council’s public hearing.

Throughout this process, BPS staff contacted, met with, and coordinated with stakeholders to inform them how to engage in the decision-making process, how the process was structured, and additional opportunities to participate when such opportunities existed.

The RIP amendments were informed by a broad range of individuals and groups, see the Project Communication Log. During the review of the RIP amendments, BPS staff attended community meetings to inform people of the proposed amendments. All meetings and events were open to the public and included opportunities for public comment. These meetings included those held with neighborhood associations, the East Portland Action Plan Housing subcommittee, and other City advisory groups (e.g. Portland Housing Advisory Committee, Urban Forestry Policy Committee) not directly involved in the decision-making process.

The public was provided meaningful opportunities to participate by expressing support as well as concerns and suggesting amendments in front of both the PSC and City Council. Public meetings were well advertised, open and accessible to the public and videotaped and broadcast to increase transparency of the decision-making process. Two public hearing dates were provided before the Planning and Sustainability Commission, and likewise, two hearing dates were offered before City Council. City Council considered testimony received and discussed, deliberated, and incorporated several amendments that were developed in direct response to this testimony at two public meeting work sessions. Council then held an additional public hearing specific to these amendments to ensure an open and transparent discussion and feedback process.

### Community involvement program

**Policy 2.16. Community Involvement Program.** Maintain a Community Involvement Program that supports community involvement as an integral and meaningful part of the planning and investment decision-making process.

**Policy 2.17. Community engagement manual.** Create, maintain, and actively implement a community engagement manual that details how to conduct community involvement for planning and investment projects and decisions.

**Policy 2.18. Best practices engagement methods.** Utilize community engagement methods, tools, and technologies that are recognized as best practices.

**Policy 2.19. Community Involvement Committee.** The Community Involvement Committee (CIC), an independent advisory body, will evaluate and provide feedback to City staff on community involvement processes for individual planning and associated investment projects, before, during, and at the conclusion of these processes.

**Policy 2.20. Review bodies.** Maintain review bodies, such as the Planning and Sustainability Commission (PSC), Design Commission, Historic Landmarks Commission, and Adjustment Committee, to provide an opportunity for community involvement and provide leadership and expertise for

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specialized topic areas.

**Policy 2.21. Program evaluation.** Periodically evaluate the effectiveness of the Community Involvement Program and recommend and advocate for program and policy improvements. The Community Involvement Committee (CIC) will advise City staff regarding this evaluation.

**Policy 2.22. Shared engagement methods.** Coordinate and share methods, tools, and technologies that lead to successful engagement practices with both government and community partners and solicit engagement methods from the community.

**Policy 2.23. Adequate funding and human resources.** Provide a level of funding and human resources allocated to the Community Involvement Program sufficient to make community involvement an integral part of the planning, policy, investment and development process.

**70. Finding:** The City Council interprets policies 2.16 through 2.23 to concern the City's Community Involvement Program, including the Community Involvement Committee, and are not applicable because the RIP amendments do not change this program. Council finds that community members were afforded opportunities to be involved in and inform all phases of the planning process which meet the goals and purposes of the community involvement program.

### Process design and evaluation

**Policy 2.24. Representation.** Facilitate participation of a cross-section of the full diversity of affected Portlanders during planning and investment processes. This diversity includes individuals, stakeholders, and communities represented by race, color, national origin, English proficiency, gender, age, disability, religion, sexual orientation, gender identity, and source of income.

**Policy 2.25. Early involvement.** Improve opportunities for interested and affected community members to participate early in planning and investment processes, including identifying and prioritizing issues, needs, and opportunities; participating in process design; and recommending and prioritizing projects and/or other types of implementation.

**Policy 2.26. Verifying data.** Use data, including community-validated population data, to guide planning and investment processes and priority setting and to shape community involvement and decision-making efforts.

**Policy 2.27. Demographics.** Identify the demographics of potentially affected communities when initiating a planning or investment project.

**Policy 2.28. Historical understanding.** To better understand concerns and conditions when initiating a project, research the history, culture, past plans, and other needs of the affected community, particularly under-represented and under-served groups, and persons with limited English proficiency (LEP). Review preliminary findings with members of the community who have institutional and historical knowledge.

**Policy 2.29. Project-specific needs.** Customize community involvement processes to meet the needs of those potentially affected by the planning or investment project. Use community involvement techniques that fit the scope, character, and potential impact of the planning or investment decision under consideration.

**Policy 2.30. Culturally-appropriate processes.** Consult with communities to design culturally appropriate processes to meet the needs of those affected by a planning or investment project. Evaluate, use, and document creative and culturally appropriate methods, tools, technologies, and spaces to inform and engage people from under-served and under-represented groups about planning or investment projects.

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**Policy 2.31. Innovative engagement methods.** Develop and document innovative methods, tools, and technologies for community involvement processes for plan and investment projects.

**Policy 2.32. Inclusive participation beyond Portland residents.** Design public processes for planning and investment projects to engage affected and interested people who may not live in Portland such as property owners, employees, employers, and students, among others, as practicable.

**Policy 2.33. Inclusive participation in Central City planning.** Design public processes for the Central City that recognize its unique role as the region's center. Engage a wide range of stakeholders from the Central City and throughout the region including employees, employers, social service providers, students, and visitors, as well as regional tourism, institutional, recreation, transportation, and local/regional government representatives, as appropriate.

**Policy 2.34. Accessibility.** Ensure that community involvement processes for planning and investment projects are broadly accessible in terms of location, time, and language, and that they support the engagement of individuals with a variety of abilities and limitations on participation.

**Policy 2.35. Participation monitoring.** Evaluate and document participant demographics throughout planning and investment processes to assess whether participation reflects the demographics of affected communities. Adapt involvement practices and activities accordingly to increase effectiveness at reaching targeted audiences.

**Policy 2.36. Adaptability.** Adapt community involvement processes for planning and investment projects as appropriate to flexibly respond to changes in the scope and priority of the issues, needs, and other factors that may affect the process.

**Policy 2.37. Process evaluation.** Evaluate each community involvement process for planning or investment projects from both the City staff and participants' perspectives, and consider feedback and lessons learned to enhance future involvement efforts.

**71. Finding:** Policies 2.24 through 2.37 concern how the community involvement program is designed and developed to support planning and investment projects. The community involvement process conducted in support of the RIP amendments engaged a broad range of stakeholders, including but not limited to people who live in single dwelling zones and those involved in the development of housing. The project's Public Involvement Plan identified groups who have a stake in the future of middle housing and included equity considerations in identifying impacted populations, which guided the projects public outreach approach.

The formation of a Stakeholder Advisory Committee was based on an application process designed to include a broad range of perspectives, experience, and geographic representation. The application process included anonymous demographic information. The Stakeholder Advisory Committee included self-selected neighborhood association representation from each of the neighborhood district coalitions as well as participation from the East Portland Action Plan group. Several topic specific interests were also represented: historic preservation, energy conservation, architecture, small scale builder, large scale builder, affordable housing provider, remodeler, anti-displacement, diversity in civic leadership representation, land use, and neighborhood advocate, tenant advocates, neighborhood residents, and age-friendly advocates.

The amendments were also informed early in the process by engaging affected and interested people through project open houses and community events as well as roundtable discussions with development professionals, including affordable housing providers, designers, and developers and designers. The initial phases of project involved community members in identifying issues that needed to be addressed. The amendments were also informed by analysis of demographics and

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development trends throughout single dwelling zones. Development of the amendments was informed by a range of previous projects that involved a diversity of community members, including the Infill Design Toolkit, and the Residential Development and Compatibility Policy Expert Group Summary Recommendations Memo. In addition, two focus groups were conducted to advance strategies to increase visitability in housing, see Volume 3, Appendix D. Community feedback was also obtained during community walks in inner southeast, north, east and southwest Portland.

Staff engaged with property owners through direct notification, replying to email and phone calls, and meeting with the business community, housing and tenant advocates, and representatives of the home building industry including architects, contractors, and consultants. Staff also engaged with local media outlets to publicize the proposals and gain interest from a wider audience. To date, over 500 articles and news reports have been published about the project. BPS staff also sent 136,652 measure 56 notices tailored to specific zoning changes on a parcel by parcel basis.

To support these notices, the BPS website had a project page with the available documents; a Map App page with a testimony function; BPS staff created a dedicated help phone line; BPS staff attended a series of individual one on one “office hour” sessions across the city to answer property specific questions prior to the PSC hearing to provide additional opportunities to learn about the Proposed Draft and offer numerous ways to comment.

Project staff worked with the BPS equity specialist to develop appropriately tailored engagement processes, and adapted the engagement approach and informational materials based on community feedback during engagement efforts, including scheduling a variety of event locations, times, days and formats, including interactive Q&A forums, one on one conversations, on line formats, tabling at events with wider participant attendance (such as Sunday Parkways and the Fix It Fair). Staff deployed innovative engagement methods, including a Map App (online interactive web-based map application) page with a testimony function; a dedicated help phone line; and several engagement formats including open houses, an online open house, one on one consultations, and smaller group settings. Staff added a regular “e-update” mailing to interested parties which provided enhanced two-way communication between staff and the public to provide frequently requested information or responses, and timely updates. Demographic information was collected from online survey submittals. Additionally, BPS staff met with specific advocacy and interest groups, neighborhood associations and district coalitions as resources allowed.

Accommodations were made available for people with disabilities and those that were non-English speaking stakeholders to participate in events and access materials. All project public events hosted by the city were held in locations that accommodated people with disabilities. Events were held both downtown and across the city in the evenings with one open house (Sellwood) on the weekend in the daytime. Other events, like Housing Oregon (formerly OregonON) forum were held also in the daytime. Another event hosted by Elders in Action was held downtown, during the daytime with a particular focus on people with disabilities. Real time closed captioning and transcription services were employed at this event. Spanish-speaking staff members were also on hand during larger events.

The Discussion Draft was crafted in response to these discussions. In turn, comments on the Discussion Draft informed changes that were incorporated in the Proposed Draft. A large number of people testified at both the PSC and City Council public hearings, which resulted in further amendments to the final regulations, including addressing several issues that were outside the initial project scope including regulated affordable housing, historic preservation, and parking mandates.

## Information design and development

**Policy 2.38. Accommodation.** Ensure accommodations to let individuals with disabilities participate in administrative, quasi-judicial, and legislative land use decisions, consistent with federal regulations.

**Policy 2.39. Notification.** Notify affected and interested community members and recognized organizations about administrative, quasi-judicial, and legislative land use decisions with enough lead time to enable effective participation. Consider notification to both property owners and renters.

**Policy 2.40. Tools for effective participation.** Provide clear and easy access to information about administrative, quasi-judicial, and legislative land use decisions in multiple formats and through technological advancements and other ways.

**Policy 2.41. Limited English Proficiency (LEP).** Ensure that limited English proficient (LEP) individuals are provided meaningful access to information about administrative, quasi-judicial, and legislative land use decisions, consistent with federal regulations.

**72. Finding:** Consistent with Policies 2.38 – 2.41 and BPS community involvement practices, meetings, open house events, and all public meetings, described in more detail in the findings for Statewide Goal 1, were held at locations that could accommodate people with disabilities, meetings were noticed, information on the plan was provided to meeting participants as well as online. An open house event specifically for people with disabilities was hosted with closed-captioning and transcription services. Accommodations were made to allow LEP individuals to learn about and comment on the plan. Written material was made available for translation and Spanish speaking planners accompanied staff during several outreach events. As part of staff's on-going project communications, an email contact list was maintained with nearly 1,500 addresses. Emails were sent on a roughly monthly basis, or as updated information was available.

The City mailed the required Measure 56 notice in three installments on April 4, April 9, and April 11, 2018 to all owners of R2.5-R7 single dwelling zoned properties (136,652) when it published the Proposed Draft prior to the May 8 and 15<sup>th</sup> PSC hearings. The City also sent a legislative notice to interested parties, including neighborhood associations, business associations, and other affected jurisdictions, that have requested notice of proposed land use changes.

The City sent a legislative notice on December 12, 2019 to interested parties, and others that participated in the PSC hearings to inform them of the opportunity to testify at the January 15 and 16<sup>th</sup>, 2020 City Council public hearing.

## Chapter 3: Urban Form

**GOAL 3.A: A city designed for people.** Portland’s built environment is designed to serve the needs and aspirations of all Portlanders, promoting prosperity, health, equity, and resiliency. New development, redevelopment, and public investments reduce disparities and encourage social interaction to create a healthy connected city.

**73. Finding:** City Council interprets this goal as calling for a built environment that supports the ability of Portlanders to meet their needs, including but not limited to needs for housing, employment, commercial and community services, education, and access to recreation and open space – as a basis for how the City of Portland will guide the future of the built environment. This goal identifies a number of important outcomes that this goal is intended to promote, including prosperity (which the Comprehensive Plan defines as including the prosperity of both households and businesses), health, equity (which the Comprehensive Plan defines to be when everyone has access to the opportunities necessary to satisfy their essential needs, advance their well-being, and achieve their full potential), and resilience (which the Comprehensive Plan defines as the capability to anticipate, prepare for, respond to, and recover from significant multi-hazard threats with minimum damage to social well-being, the economy, and the environment). This goal also calls for the City to be involved in fostering development and public investments that reduce disparities, which the City Council interprets to mean reducing disparities among Portlanders and Portland communities in access to resources that are essential for achieving equity, such as household income and access to housing, quality education, and services. A desired outcome of this goal is therefore to create a healthy connected city in which Portlanders can meet their needs for housing, employment, services, transportation, social connections, and have access to recreation and nature.

The RIP amendments are consistent with this goal in that they will reduce disparities in access to housing by allowing more types of housing in single-dwelling zones that are less expensive than similarly situated single-family houses and more affordable for a broader range of Portlanders. As of 2018, the median home sale price exceeded \$475,000 (which is only affordable to households earning 130% to 160% of the median area income). Based on an economic analysis (Volume 3, Appendix A), the RIP allowances for smaller unit types, such as triplexes and fourplexes, will result in a decrease in average rents per unit by over 50% compared to current single-dwelling zoning. The RIP amendments reduce disparities in access to housing and encourage social interaction by expanding the range of housing choices available to Portlanders both in terms of comparatively lower cost housing, but also in terms of building form and more accessible choices. New visitability standards will help increase the number of units that will or are readily adaptable to meet the needs of our aging and disabled communities. New incentives are included for building affordable housing units. While these zoning changes will not in themselves serve the needs of all Portlanders, they do effectively increase the diversity of housing potentially available to *more* Portlanders, and better serve this goal than the current zoning. The increased access to housing provided by the RIP amendments also contributes to the health, prosperity, and equity components of this goal, as housing is essential for households to remain healthy, access jobs, and for children to have stable access to education.

The RIP amendments are also consistent with the social interactions component of this goal because the small-scale multi-unit housing development allowed by the RIP amendments fosters and promotes social interaction by providing for private independent household living with semi private communal yard space threaded into the fabric of the surrounding residential area. Allowing a broader range of housing options in existing neighborhoods will also strengthen social

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connections by allowing more Portlanders to afford to live in the neighborhoods where their social networks exist.

The RIP amendments also contribute to the access to transportation that healthy connected neighborhoods provide in that 114,000 parcels (94%) in RIP single-dwelling zones are located within ¼ mile of transit, and 104,000 (86%) are located within ½ mile of frequent bus and/or fixed rail transit.

**GOAL 3.B: A climate and hazard resilient urban form.** Portland’s compact urban form, sustainable building development practices, green infrastructure, and active transportation system reduce carbon emissions, reduce natural hazard risks and impacts, and improve resilience to the effects of climate change.

**74. Finding:** City Council interprets this goal as identifying the reduction of carbon emissions, reduction of natural hazard risks, and resilience to the effects of climate change as a basis for how the City of Portland will guide the built environment. This goal is achieved when development contributes to a compact urban form – such as development focused around the Central City, centers and corridors; through sustainable development practices – such as energy-efficient development; through green infrastructure – such as stormwater planters and ecoroofs; and through active transportation – such as walking, bicycling, and transit. The RIP amendments are consistent with this goal in that they promote compact and more energy-efficient development by allowing multiple units on a single lot (up to four or six when providing regulated affordable housing). This enables established neighborhoods to continue expanding and diversifying their populations while reducing pressure for extra-territorial development in harder to serve and longer to commute to places. The RIP amendments are also consistent with this goal by keeping development in the single-dwelling zones relatively small in scale and limiting development to buildings with no more than 6 units, leaving large-scale development to the commercial and multi-dwelling zones located in the Central City and in centers and corridors. The RIP amendments also contribute to active transportation in that 114,000 parcels (94%) in RIP single-dwelling zones are located within ¼ mile of transit and most RIP zoned parcels are within a 3-mile bicycling distance of the Central City, centers, or corridors. The amendments eliminate minimum off-street parking requirements which helps to encourage use of alternate transportation modes like transit and active transportation according to a number of studies<sup>26</sup>. The RIP allowances facilitate new development of additional housing types, which support sustainability and resiliency to hazards, as newer buildings are designed with greater energy efficiency and can better withstand earthquake and other natural disasters. Also, the new ‘z’ overlay restricts additional units from being in landslide or flood prone areas, including the 1996 flood inundation area which reflects the increased flood risk from climate change, thereby improving climate and natural hazard resiliency.

**GOAL 3.C: Focused growth.** Household and employment growth is focused in the Central City and other centers, corridors, and transit station areas, creating compact urban development in areas with a high level of service and amenities, while allowing the relative stability of lower-density single-family residential areas.

**75. Finding:** This goal reflects the 2035 Comprehensive Plan’s preferred growth scenario<sup>27</sup> which calls for 30% of the growth in the Central City, with Centers and Corridors accommodating 50% of new housing units, while the single-family residential areas account for the remaining 20% of growth. The City Council interprets this goal to mean that implementing land use strategies should

<sup>26</sup> Estimating Parking Utilization in Multi-Family Residential Buildings in Washington D.C., November 2015

<sup>27</sup> Growth Scenarios Report, BPS July 2015

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contribute to meeting these growth percentages, and that the relative stability of single-family areas is achieved by retaining these area's low-rise scale and limiting development to buildings with small numbers of units.

Although the RIP amendments allow more units on RIP single-dwelling zone lots, the RIP growth allocation model continues to project that the vast majority (79.5%) of the 2035 forecast housing units will be located in the Central City, centers and corridors, with a shift of approximately 3,900 units to the RIP zones (2,152 of these units are pulled from lower density single dwelling zones, and 1,781 units from centers and corridors largely from the Eastern pattern area<sup>28</sup>). This represents a net shift of 1.6% of units from center and corridor zones in outer pattern areas; however,, compared to the Comprehensive Plan BLI growth allocation, the RIP allocation model generally moves housing unit growth in the single-dwelling zones closer to the Central City by increasing capacity in close-in areas that were previously over-allocated from the Comprehensive Plan model.<sup>29</sup> This plan, and other pending and recently approved zone changes will be incorporated in a future update to the City's BLI as part of its next periodic review, in accordance with ORS 197.040.

City Council interprets "relatively stable" to mean that in comparison to areas that will experience high amounts of growth and development/redevelopment, these areas will see significantly less development and that this development will consist of low density, small-scale residential buildings. Additionally, the development that is allowed through the RIP amendments has contemporary examples (corner lot duplexes, triplexes in the 'a' overlay zone, attached houses, and accessory dwelling units) and historical examples of 4 to 6 unit buildings already present in the City's single family areas. The RIP zoned areas will continue to remain relatively stable with an incremental addition of units and additional housing types into the neighborhoods. In contrast to the commercial/mixed use and multi-dwelling zones, which allow large buildings with 100 or more units, the RIP amendments – while allowing a broader range of housing types – limit development in the RIP single-dwelling zones to a maximum of four units (or six units when providing regulated affordable units) in a building.

It should be noted that State House Bill 2001 generally requires cities to allow duplexes on all lots where detached single dwellings are allowed. According to the RIP household allocation, rather than the current projection of 16,200 detached houses being built, the RIP amendments will result in 20,100 units in a variety of housing types. The RIP amendments create more housing capacity by allowing for more units to be realized in each development instance. In other words, rather than 16,200 single house development sites, the RIP housing types can achieve 20,100 units in 10,050 duplex development sites, or 5,025 fourplex development sites, with the likely scenario being some mixture of housing types. The outcome of such a shift is a 25% net increase in housing units in single dwelling areas with a concomitant 37% to 69% net reduction in development sites required to achieve such housing. This net reduction in redevelopment is consistent with this goal in that it contributes to the relative stability of single-dwelling zones.

**GOAL 3.D: A system of centers and corridors.** Portland's interconnected system of centers and corridors provides diverse housing options and employment opportunities, robust multimodal transportation connections, access to local services and amenities, and supports low-carbon complete, healthy, and equitable communities.

**76. Finding:** City Council interprets this goal as identifying the intended role of the interconnected system of designated centers and corridors as central to the organization of Portland's urban form

<sup>28</sup> RIP Growth Allocation Comparison, Comp Plan and RIP Recommended Draft, BPS January 2020

<sup>29</sup> Residential Infill Project Capacity and Growth Allocation Modeling Methodology, BPS Memorandum, January 2020

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and transportation networks. The Centers and Corridors envisioned by the Urban Design chapter and framework continue to be supported by the RIP amendments. As outlined in the findings for Goal 3.C, these areas will continue to serve as the focus for employment and higher density housing and a majority of the household growth, while the RIP amendments will enhance the roles of adjacent single-family neighborhoods in contributing to growth around centers and corridors by virtue of allowing a broader range smaller scale housing options. In addition, these housing types and additional households will benefit from their proximity to jobs, services, transportation options and other amenities that accompany the centers and corridors areas. More than half of the zoning within a half mile of designated centers is single-dwelling zoning. RIP amendments allowing a broader range of housing types that are built at the same or smaller scale as development already allowed in single-dwelling zones will thus be consistent with this goal by contributing to the diversity of housing options around centers, while allowing for more people to live close to centers and corridors and to be able to use and support services in these areas.

**GOAL 3.E: Connected public realm and open spaces.** A network of parks, streets, City Greenways, and other public spaces supports community interaction; connects neighborhoods, districts, and destinations; and improves air, water, land quality, and environmental health.

**77. Finding:** The City of Portland currently includes a diverse network of parks, streets, City Greenways, and other public spaces that provide connections and support community interaction. Projects in the TSP and CSP will continue to improve upon this network as those project designs are undertaken. Current Zoning Code requirements for land divisions in the single-dwelling zones include requirements for new streets, which provide opportunities for expanding the City's system of streets and connections. The RIP amendments do not change these plans and requirements for street improvements and extensions. However, RIP amendments are consistent with this goal by eliminating requirements for off-street parking and limiting front garages and driveways, which will limit interruptions to sidewalks and planting strips and allow for more opportunities for street trees and stormwater facilities in street rights-of-way, which will contribute to the role of streets in incorporating green elements and addressing environmental health. RIP amendments are also consistent with this goal and support the role of streets as places for community interaction and pedestrian activity by limiting front driveways and garages. These changes will improve the pedestrian relationship between buildings and the public realm by increasing the visual connection between buildings and adjacent sidewalks and will reduce conflicts between pedestrians on sidewalks and vehicles using driveways.

**GOAL 3.F: Employment districts.** Portland supports job growth in a variety of employment districts to maintain a diverse economy.

**78. Finding:** This goal relates to employment districts, which the RIP amendments do not affect. This goal does not apply.

**GOAL 3.G: Nature in the city.** A system of habitat corridors weaves nature into the city, enhances habitat connectivity, and preserves natural resources and the ecosystem services they provide.

**79. Finding:** This goal relates to achieving a system of habitat corridors, which include protected open space such as Forest Park, habitat areas such as stream corridors, and swaths of tree canopy, the concept for which is shown in Comprehensive Plan Figure 3-6 (Urban Habitat Corridors). The City has an adopted Natural Resources Inventory (NRI) that provides a basis for establishing future habitat corridors and enhancing connectivity. The City's environmental overlay zone regulations are the implementing regulatory tools to preserve natural resources and their ecosystem services, particularly in relationship habitat areas. The RIP amendments do not amend either the NRI or the

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existing environmental zone regulations. Habitat corridors also include tree canopy. The RIP amendments support retaining or including trees as part of development by eliminating requirements for off-street parking, which – in combination with limits on the percentage of site area that can be covered by buildings – allows more site area to be used for trees.

### Citywide design and development

**Policy 3.1 Urban Design Framework.** Use the Urban Design Framework (UDF) as a guide to create inclusive and enduring places, while providing flexibility for implementation at the local scale to meet the needs of local communities.

**80. Finding:** The UDF provides guidance on the built and natural form of Portland, providing in Comprehensive Plan Figure 3-1 a diagrammatic arrangement of centers, corridors, city greenways, urban habitat corridors, and pattern areas. The UDF figure text notes that detailed boundaries for these items will be defined in supporting plans or future planning projects. RIP amendments do not establish or change specific boundaries in the UDF. The UDF identifies centers and corridors where the majority of commercial and housing development is intended to be concentrated. City Council interprets the RIP amendments as being consistent with the UDF and this policy because the amendments do not significantly affect the UDF concepts of growth focused in centers and corridors. The RIP growth allocation model continues to project that the vast majority (80%) of units will be located in the centers (including the Central City) and corridors. The RIP amendments, while providing flexibility for additional units in the RIP single-dwelling zones, limit development to being low-rise and small scale, with development generally limited to buildings with no more than 4 units (or up to six units when providing regulated affordable units) and limited in height to no more than 2 or 3 stories. The remaining policies in Chapter 3 provide additional direction on the desired characteristics and functions of the places identified in the UDF and are addressed below.

**Policy 3.2. Growth and stability.** Direct most growth and change to centers, corridors, and transit station areas, allowing the continuation of the scale and characteristics of Portland’s residential neighborhoods.

**81. Finding:** This policy reflects the Comprehensive Plan preferred growth scenario which calls for roughly 30% of the growth in the Central City, centers and corridors accommodating about 50% of new housing units, while the single-family residential areas accounting for the remaining 20% of growth. Although the RIP amendments allow more units on RIP single-dwelling zone lots, the RIP growth allocation model continues to project that the vast majority (79.5%) of units will be located in the Central City, centers and corridors, with a shift of approximately 3,900 units to the RIP zones (2,152 of these units are pulled from lower density single dwelling zones, and 1,781 units from centers and corridors largely from the Eastern pattern area<sup>30</sup>). This represents a net shift of 1.6% of units from center and corridor zones in outer pattern areas; however, compared to the Comprehensive Plan BLI growth allocation, the RIP allocation model generally moves housing unit growth in the single-dwelling zones closer to the Central City by increasing capacity in close-in areas that were previously over-allocated from the Comprehensive Plan model. City Council interprets the ~80% of growth allocated to the Central City, centers, and corridors in the original Comprehensive Plan growth scenario and in the RIP growth allocation model as meeting intent of this policy to direct most growth and change to these areas. City Council finds that the reallocation of less than 2,000 units from other zones out of the 105,794 unit total does not adversely affect the

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<sup>30</sup> RIP Growth Allocation Comparison, Comp Plan and RIP Recommended Draft, BPS January 2020

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intent of this policy, and that most growth and change continues to be directed to centers, corridors, and transit station areas.

City Council interprets “continuation of the scale and characteristics of Portland’s residential neighborhoods” to mean that in comparison to the centers and corridors that will experience high amounts of growth and development/redevelopment, single-dwelling zone residential areas should remain places with relatively small-scale development and retain characteristics of residential neighborhoods, such green street edges created by front yards and gardens. The RIP amendments are consistent with this policy by limiting development in the single-dwelling zones to small-scale buildings on relatively small lots, consistent with the low-rise development on residential lots that currently predominate in these residential zones. In contrast to the commercial/mixed use and multi-dwelling zones, which allow large buildings with 100 or more units, the RIP amendments – while allowing a broader range of housing types – limit development in the RIP single-dwelling zones to small buildings, with a maximum of four units (or up to six units when providing regulated affordable units). The RIP amendments also are consistent with this policy by reducing the maximum permissible building scale in RIP zones with the application of new floor area limits, while maintaining current setback and building coverage requirements. Together with refinements to height measurement methodology that will have the effect of reducing allowed building height and other modifications to building design standards, such as reducing front garages and front parking – which will allow for greater continuity with established residential neighborhood characteristics of front yards and gardens – these changes will allow for the continued scale and character of residential areas while simultaneously allowing for more types of housing to be available.

**Policy 3.3. Equitable development.** Guide development, growth, and public facility investment to reduce disparities, ensure equitable access to opportunities, and produce positive outcomes for all Portlanders.

**82. Finding:** “Guide” is defined in the Comprehensive Plan as to “shape or direct actions over time to achieve certain outcomes,” and that “this verb is used when the City has a role in shaping outcomes but implementation involves multiple other implementers and actions taking place over a long period of time.” City Council interprets policy as calling for a range of approaches, related to both development and public facilities, to achieve more equitable development outcomes that reduce disparities and expand equitable access to opportunities. The RIP amendments are consistent with this policy in that they will reduce disparities in access to housing by allowing more types of housing in single-dwelling zones that are less expensive than single-family houses and more affordable for a broader range of Portlanders. As of 2018, the median home sale price exceeded \$475,000 (which is only affordable to households earning 130% to 160% of the median area income). Based on an economic analysis (Volume 3, Appendix A), the RIP allowances for smaller unit types, such as triplexes and fourplexes, will result in a decrease in average rents per unit by over 50% compared to current single-dwelling zoning. New incentives, provide additional floor area, are also included for building affordable housing units, affordable to households earning no more than 80% of area median income. While these zoning changes will not in themselves serve the needs of all Portlanders, they do effectively increase the diversity of housing potentially available to *more* Portlanders, and better serve this policy than current single-dwelling zoning. The RIP amendments are also consistent with this policy by reducing disparities in access to housing by including new visitability standards, required when development includes three or more units, that will help increase the number of units that will or are readily adaptable to meet the needs of our aging and disabled communities. Currently, development in the single-dwelling zones includes no requirements for physically-accessible housing, and most housing development in the single-

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dwelling zones feature stairs that are not accessible or present challenges for people with mobility limitations.

**3.3.a. Anticipate, avoid, reduce, and mitigate negative public facility and development impacts, especially where those impacts inequitably burden communities of color, under-served and under-represented communities, and other vulnerable populations.**

- 83. Finding:** The Comprehensive Plan defines ‘public facility’ as “Any facility, including buildings, property, and capital assets, that is owned, leased, or otherwise operated, or funded by a governmental body or public entity. Examples of public facilities include sewage treatment and collection facilities, stormwater and flood management facilities, water supply and distribution facilities, streets, and other transportation assets, parks, and public buildings.” City Council interprets this policy as calling for the City to identify and mitigate potential impacts, including displacement risks, associated with major public facility improvements (such as the citing of a waste treatment facility, roadway interchange or other major capital asset, as well as local improvement districts where numbers of properties would be simultaneously affected both by assessments as well as physical changes to the condition of area infrastructure). While specific development may be required to improve the condition of infrastructure to support the proposed development, Council does not find that public facilities that are required in association with a specific site development (such as street frontage improvements or upsizing infrastructure to meet the demands of the specific development) will have negative impacts to surrounding properties or residents. RIP does not include or require new major public facilities.

The policy similarly calls for such identification and mitigation of potential impacts from changes to development allowances provided by the zoning code. Consistent with this policy, the RIP project undertook a Displacement Risk Analysis that focused on evaluating potential impacts from redevelopment actions affecting low income renters in existing single-family structures in single dwelling zones (Volume 3, Appendix H). The analysis looked both at the citywide scale as well as in areas with elevated displacement risk based on higher shares of vulnerable populations. Vulnerable populations are identified by census tracts with higher cumulative quintile scores of people of color, renters, low income individuals, and people without a college degree. This analysis showed that the RIP amendments reduced the displacement risk compared to the Comprehensive Plan baseline respective to both geographies. In specific census tracts where displacement impacts were increased, the racial demographics in these areas was generally consistent with the citywide average, meaning that the impacts are not expected to be disparate or inequitable. As the RIP amendments are anticipated overall to reduce displacement in areas with higher portions of vulnerable populations, the amendments are consistent with this policy.

**3.3.b. Make needed investments in areas that are deficient in public facilities to reduce disparities and increase equity. Accompany these investments with proactive measures to avoid displacement and increase affordable housing.**

- 84. Finding:** Major investments in deficient public facility areas are outlined in the list of Significant Projects in the CSP. The RIP amendments primarily affect Zoning Code regulations and do not include specific investments. Therefore, this policy is not applicable.

**3.3.c. Encourage use of community benefit agreements to ensure equitable outcomes from development projects that benefit from public facility investments, increased development allowances, or public financial assistance. Consider community benefit agreements as a tool to**

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mitigate displacement and housing affordability impacts.

**85. Finding:** “Encourage” is defined in the Comprehensive Plan as to “promote or foster using some combination of voluntary approaches, regulations, or incentives.” City Council finds that the use of community benefit agreements is more feasible in much larger scale developments, and not the scale of development anticipated by the RIP amendments. Community benefit agreements are outside the scope of this legislative zoning code project.

**3.3d. Incorporate requirements into the Zoning Code to provide public and community benefits as a condition of development projects to receive increased development allowances.**

**86. Finding:** This policy calls for incorporating requirements for public and community benefits in conjunction with increases to development allowances. City Council interprets public and community benefits to include providing additional supply of housing, encouraging the retention of existing housing stock, encouraging the construction of affordable housing, and providing physically-accessible units. The RIP amendments are consistent with this policy by linking the provision of additional building floor area to the provision of these benefits. These include RIP amendments that provide additional floor area for construction of more than a single house; provision of bonus FAR for keeping an existing house; providing bonus FAR for projects that include a housing unit affordable to households earning no more than 80% MFI; the deeper affordability bonus allowing up to six units for projects in which at least half of units are affordable at 60% MFI level; and by requiring at least one visitable unit providing barrier-free access for projects with three or more units.

**3.3.e. When private property value is increased by public plans and investments, require development to address or mitigate displacement impacts and impacts on housing affordability, in ways that are related and roughly proportional to these impacts.**

**87. Finding:** Property value is affected by RIP in two key ways: increasing the potential number of units allowed on lots in the R2.5, R5, and R7 zones (when located on improved streets, meet minimum lot size standards, and are located outside the ‘z’ overlay zone) and decreasing the overall buildable square footage allowed. The RIP economic analysis (Appendix C) shows that the changes retain economic feasibility for development, but do not result in a significant increase in value compared to the development allowances in the current base zones. In addition, the City charges a 1% affordable housing construction excise tax on new residential development and additions that are valued above \$100,000 including development within RIP zones. This tax pays for affordable housing programs, including production and preservation of housing for people with incomes at or below 60% (MFI), incentives for inclusionary zoning, and State of Oregon homeownership programs.

**3.3.f. Coordinate housing, economic development, and public facility plans and investments to create an integrated community development approach to restore communities impacted by past decisions.**

**88. Finding:** City Council interprets an “integrated community development approach” as one that moves out of traditional policy silos and approaches community development related issues in a more holistic manner, with partners from multiple sectors working and investing together by using money from a mix of funding streams and to increase impact. Council finds that the RIP amendments are supportive of this policy because the RIP project is part of the three-pronged Housing Opportunity Initiative that is designed to increase housing opportunity and address

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displacement across Portland. The Housing Opportunity initiative consists of the Better Housing by Design project which addresses housing choice and more attainable housing options for the multi-dwelling zones, the Residential Infill Project which expands the permissible housing choices while ensuring compatible and appropriate scale development in single dwelling zones, and the Anti-Displacement Action Strategy which is a community-led long-term effort to evaluate and enact a variety of tools as appropriate to stabilize communities and stem involuntary displacement. The RIP amendments contribute to this broader effort by expanding allowances for additional housing types in predominantly single dwelling neighborhoods to provide a greater range of housing choices at different sizes and price points. This helps reduce disparities by creating redevelopment and investment alternatives other than one large house or remodeling an existing house into a more expensive house, as shown in the economic analysis. These alternatives result in smaller individual units which, when holding location, time of sale, land and living area, and other amenities constant, are comparatively less expensive than larger units. Furthermore, the addition of a deeper affordability bonus provides non-profit affordable housing providers a competitive edge in the market through additional unit and building size limit bonuses. In so doing, the RIP amendments provide a more attainable housing type to a broader segment of the population, reducing the wide disparity of housing available between income strata, and can reduce the subsidy gap to bring affordable housing units online.

A displacement risk analysis (Volume 3 Appendix B) was conducted to evaluate potential displacement of low-income renters resulting from the RIP amendments when compared to the baseline zoning. The analysis found that citywide about 28% fewer vulnerable households would be impacted, and in areas with higher shares of vulnerable populations, displacement pressures were reduced by 21 percent.

**3.3.g. Encourage developers to engage directly with a broad range of impacted communities to identify potential impacts to private development projects, develop mitigation measures, and provide community benefits to address adverse impacts.**

**89. Finding:** The verb “encourage”, which is defined in the 2035 Comprehensive Plan, means to promote or foster using some combination of voluntary approaches, regulations, or incentives. City Council determined as part of its legislative adoption process, the appropriate triggers for new Neighborhood Contact requirements which became effective on December 2, 2019. Council established that only certain projects that were more likely to result in potential impacts should be subject to these rules. Council found that land divisions of more than 4 lots, and building additions or new development over 10,000 square feet were appropriate triggers. The scale of development allowed by the RIP amendments is less than current zoning allows in single dwelling zones, and will in most cases be limited well below the thresholds established by Council for neighborhood contact requirements. The RIP amendments do not change the neighborhood contact process or thresholds.

**Policy 3.4. All ages and abilities.** Strive for a built environment that provides a safe, healthful, and attractive environment for people of all ages and abilities.

**90. Finding:** “Strive” is defined in the Comprehensive Plan as “devote serious effort or energy to; work to achieve over time.” The City Council interprets this policy to be focused on creating a supportive built environment for all people, children, the elderly and people with disabilities, and that this policy is especially relevant in the Zoning Code in relationship to requirements for outdoor spaces that support active living and ensuring that the built environment accommodates the needs of

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people of a variety of abilities, including those with mobility limitation. The RIP amendments are consistent with this policy by retaining requirements for outdoor space for residents and by incorporating requirements to increase the availability of “visitable” dwelling units. The amendments will require projects with three or more units to provide at least one visitable unit with a barrier free entry and living space and a bathroom on the ground floor. While not considered fully “accessible” they remove key economic obstacles to retrofitting homes for the purposes of providing accommodations for specific disabilities and offer benefits to people of all ages and abilities, for example parents with strollers, children with bicycles, or older adults with mobility impairments.

The RIP amendments are also consistent with this policy by supporting pedestrian activity and safety by limiting front garages and front parking to create a more attractive environment for pedestrians and reducing the number of curb cuts, which improves the safety for sidewalk users.

### **Policy 3.5. Energy and resource efficiency.** Support energy-efficient, resource-efficient, and sustainable development and transportation patterns through land use and transportation planning.

**91. Findings:** “Support” is defined in the Comprehensive Plan as “to aid the cause of.” The RIP amendments are consistent with this policy by encouraging compact housing forms that provide energy efficiency benefits and by improving land resource conservation by increasing housing capacity within RIP zones in areas with existing infrastructure capacity. This increase in capacity is also supportive of this policy by enabling more households to live closer to transit, jobs, and centers of commerce, recreation and education. This will help reduce commute distances and lessen congestion through the region. Requirements for attached housing on narrow lots, along with allowing smaller attached units in duplex, triplex and fourplex building forms will be more energy efficient than current zoning allowances. According to a study conducted for the EPA<sup>31</sup> “A home’s location relative to transportation choices has a large impact on energy consumption. People who live in a more compact, transit-accessible area have more housing and transportation choices compared to those who live in spread-out developments where few or no transportation options exist besides driving. Choosing to live in an area with transportation options not only reduces energy consumption, it also can result in significant savings on home energy and transportation costs.” Furthermore, the study finds “Housing type also has a major impact on energy consumption and household costs. Residents in multifamily and single family attached homes in higher density neighborhoods usually use less electricity per unit and drive less than residents of low-density areas. Multifamily and single family attached homes generally have smaller square footage per unit and shared walls, thus requiring less energy for heating and cooling than their detached counterparts.”

### **Policy 3.6. Land efficiency.** Provide strategic investments and incentives to leverage infill, redevelopment, and promote intensification of scarce urban land while protecting environmental quality.

**92. Findings:** The RIP amendments are consistent with this policy by providing incentives for infill development that allow for more efficient use of urban land, while limiting environmental impacts. The RIP amendments achieve this by providing additional floor area when additional units are included on a lot and thus provides additional incentive to accommodate two to four units on a lot (or 6 when providing regulated affordable units) as opposed to just one. Building coverage limits are remaining unchanged and the buildings themselves will be limited in size to less than what can

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<sup>31</sup> Location Efficiency and Housing Type, Jonathan Rose Companies, March 2011

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be built today, which – in combination with amendments eliminating requirements for off-street parking and allowing for less impervious surface, will allow for less environmental impact and provide more space for trees than current zoning allowances. Even when excluding areas with natural resource and hazard constraints, and in consideration of other infrastructure and regulatory constraints, the RIP growth capacity model shows that the RIP amendments increase the residential development capacity from roughly 22,000 units to 56,000 units in the RIP zones, thereby allowing for the intensification of scarce urban land, while simultaneously avoiding impacts to environmental quality.

#### **Policy 3.7. Integrate nature. Integrate nature and use green infrastructure throughout Portland.**

**93. Findings:** The RIP amendments are consistent with this policy because they work in conjunction with existing regulations affecting development in the single-dwelling zones to provide and expand opportunities for natural elements such as trees and green infrastructure, such as vegetated stormwater management facilities. The RIP amendments help achieve this by retaining regulations that limit the amount of site area that can be covered by buildings to 50% or less, which – in combination with amendments eliminating requirements for off-street parking and allowing for less impervious surface, will allow more space for trees and landscaping compared to existing regulations. These limitations and amendments also work in conjunction with Stormwater Management Manual requirements administered by the Bureau of Environmental Services to facilitate vegetated stormwater management facilities and other green infrastructure approaches, by allowing for less site area to be covered by buildings and paved vehicle areas. RIP amendments are also consistent with this goal by limiting front garages and driveways, which will serve to limit interruptions to sidewalks and planting strips and allow for more opportunities for street trees and stormwater facilities in street rights-of-way.

#### **Policy 3.8. Leadership and innovation in design. Encourage high-performance design and development that demonstrates Portland’s leadership in the design of the built environment, commitment to a more equitable city, and ability to experiment and generate innovative design solutions.**

**94. Finding:** The verb “encourage”, which is defined in the 2035 Comprehensive Plan, means to “promote or foster using some combination of voluntary approaches, regulations, or incentives.” City Council interprets this policy as calling for encouraging innovative design in the built environment that contributes to meeting the range of design-related policies in chapters 3 and 4 of the Comprehensive Plan, such as those related to supporting pedestrian-oriented places, response to context, integrating nature and green infrastructure, sustainable development, and more equitable places. RIP amendments are consistent with this policy by providing new flexibility for additional housing types and configurations, including options that contribute to equity by allowing for less expensive housing that is affordable to more Portlanders. Amendments are also supportive of this policy by providing additional design flexibility to respond to unique site and context issues through changes to reduce the review procedure type and costs associated with Planned Developments (PDs). As alternatives to base zone regulations, PDs allow a wide range of design solutions that can be tailored specifically to a site and the context of the surrounding neighborhood. In exchange for greater flexibility to allow innovative and experimental housing types, building siting and design, PD discretionary review criteria are applied to evaluate the proposed site and building design to ensure compatibility. Moreover, the RIP amendments create the conditions for experimentation and innovation in developing duplex, triplex and fourplex designs with flexibility for building form, providing opportunities for innovation that can utilize the

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resource-efficiency benefits of compact attached housing, while avoiding prescriptive standards related to architecture or style.

**Policy 3.9. Growth and development.** Evaluate the potential impacts of planning and investment decisions, significant new infrastructure, and significant new development on the physical characteristics of neighborhoods and their residents, particularly under-served and under-represented communities, with attention to displacement and affordability impacts. Identify and implement strategies to mitigate the anticipated impacts.

**95. Finding:** This policy calls for evaluation of impacts to the physical characteristics neighborhoods and impacts to residents, especially underserved communities subject to displacement and affordability impacts. The RIP project and its amendments are consistent with this policy in that development standards, such as those related to development scale and building design, were created with consideration of the characteristics of residential neighborhoods; and potential impacts to affordability and displacement were evaluated. Limitations on building height and scale took into consideration the general characteristics of residential neighborhoods. The amendments do not create standards that lock in time the existing scale of residential neighborhoods. Instead, they are reflective of current zoning allowances in single dwelling zones and limit development to a low-rise scale of no more than two- to three-stories that – compared to larger scale allowed in the multi-dwelling and mixed use zones – keeps development scale closer to the scale of residential neighborhoods where houses and other small-scale housing predominates. The RIP amendments reduce the building scale permitted under current zoning allowances both through the imposition of new floor-to-area requirements (FAR) as well as changes in measuring methodology for building height. In so doing, development that results from these changes is not considered significant. The additional housing types provided for in the RIP amendments already exist in many of Portland’s single dwelling neighborhoods (largely as non-conforming artifacts of pre-war zoning) and are an important part of the diversity of those neighborhoods both in terms of the buildings as well as their occupants. RIP amendments limiting front garages and requiring parking access from existing alleys were also created to integrate new development with the characteristics of residential neighborhoods, where street frontages are characterized by front yards and gardens.

Consistent with this policy, a displacement risk analysis (Volume 3 Appendix B) was conducted to evaluate potential displacement of low-income renters resulting from the RIP amendments. The analysis found that citywide about 28 percent fewer low-income renter households would be impacted, and in areas with higher shares of vulnerable populations, displacement was reduced by 21 percent from current zoning. City Council interprets this reduction of displacement of households to be consistent with this policy because it reduces impacts to residents compared existing regulations. Also consistent with this policy, the RIP project evaluated potential impacts of the amendments on housing affordability (see Volume 3, Appendix A). As of 2018, the median home sale price exceeded \$475,000 (which is only affordable to households earning 130% to 160% of the median area income). Based on the economic analysis, the RIP allowances for smaller unit types, such as triplexes and fourplexes, will result in a decrease in average rents per unit by over 50% compared to current single-dwelling zoning. New incentives, provide additional floor area, are also included for building affordable housing units, affordable to households earning no more than 80% of area median income.

**Policy 3.10. Rural, urbanizable, and urban land.** Preserve the rural character of rural land outside the Regional Urban Growth Boundary. Limit urban development of urbanizable land beyond the City Limits until it is annexed and full urban services are extended.

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96. **Finding:** The RIP amendments provide for increased residential capacity within the City Limits, and do not apply to rural land outside the UGB. This policy does not apply.

**Policy 3.11. Significant places.** Enhance and celebrate significant places throughout Portland with symbolic features or iconic structures that reinforce local identity, histories, and cultures and contribute to way-finding throughout the city. Consider these especially at:

- High-visibility intersections
- Attractions
- Schools, libraries, parks, and other civic places
- Bridges
- Rivers
- Viewpoints and view corridor locations
- Historically or culturally significant places
- Connections to volcanic buttes and other geologic and natural landscape features
- Neighborhood boundaries and transitions

97. **Finding:** City Council interprets this policy as applying to prominent specific places, features and iconic structures. The RIP amendments apply broadly in the RIP single-dwelling zones and do not impact symbolic features or iconic structures. No changes to historic resource protections are made with these amendments, although the amendments facilitate additional adaptive reuse possibilities that can support historic preservation. For example, conversions of historic homes to add more units or conversions of accessory structures into ADUs can be proposed, and the continued historic or cultural significance is ensured through responsive discretionary historic resource review criteria. In addition, the additional housing types provide allowances for a more gradual density transition between higher intensity multi-dwelling or mixed-use zones and the single dwelling zoned areas, while the limits on scale help reinforce where those distinguishing boundaries are located.

## Centers

**Policy 3.12. Role of centers.** Enhance centers as anchors of complete neighborhoods that include concentrations of commercial and public services, housing, employment, gathering places, and green spaces.

**Policy 3.13. Variety of centers.** Plan for a range of centers across the city to enhance local, equitable access to services, and expand housing opportunities.

**Policy 3.14. Housing in centers.** Provide housing capacity for enough population to support a broad range of commercial services, focusing higher-density housing within a half-mile of the center core.

**Policy 3.15. Investments in centers.** Encourage public and private investment in infrastructure, economic development, and community services in centers to ensure that all centers will support the populations they serve.

**Policy 3.16. Government services.** Encourage the placement of services in centers, including schools and colleges, health services, community centers, daycare, parks and plazas, library services, and justice services.

**Policy 3.17. Arts and culture.** Ensure that land use plans and infrastructure investments allow for and incorporate arts, culture, and performance arts as central components of centers.

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**Policy 3.18. Accessibility.** Design centers to be compact, safe, attractive, and accessible places, where the street environment makes access by transit, walking, biking, and mobility devices such as wheelchairs, safe and attractive for people of all ages and abilities.

**Policy 3.19. Center connections.** Connect centers to each other and to other key local and regional destinations, such as schools, parks, and employment areas, by frequent and convenient transit, bicycle sharing, bicycle routes, pedestrian trails and sidewalks, and electric vehicle charging stations.

**Policy 3.20. Green infrastructure in centers.** Integrate nature and green infrastructure into centers and enhance public views and connections to the surrounding natural features.

**98. Finding:** Policies 3.12 through 3.20 provide direction on the desired characteristics and functions of centers. City Council interprets most of these policies as applying to the commercial/mixed use and multi-dwelling zones within the mapped boundaries of centers. The exception to this is policy 3.14, which calls for providing housing capacity within a half-mile of center cores to provide population to support services in centers. RIP zones comprise approximately 4% of the area within the mapped boundaries of Neighborhood and Town Centers and are not a primary zone for commercial and public services. However, while primarily located outside center boundaries, single-dwelling zones comprise the majority of land within a half-mile of the cores of most centers (see Centers Analysis Map and Table). The RIP amendments are consistent with policy 3.14 by increasing the number of housing units that can be accommodated on properties in single-dwelling zones. The RIP amendments include rezoning approximately 7,000 parcels that are located around centers and near corridors from R5 to R2.5 to increase the development of higher-density single-dwelling housing types, such as attached townhouses, in these locations. Other RIP zoned parcels that are near these centers also have increased ability to add units, either through conversion of existing houses or developing new duplexes, triplexes, and fourplexes which in turn will provide diverse housing options and housing capacity in these areas, which is consistent with Policy 3.14. This policy also calls for focusing higher-density housing within a half-mile of the core of centers. The Comprehensive Plan defines “high-density housing” as referring to “housing that is mid- to high-rise in building scale,” and furthermore defines “mid-rise” as a building between five and seven stories in height. The RIP amendments do not affect zoning for high-density housing in centers, and the RIP single-dwelling zones do not allow high-density or mid-rise housing. The mixed-use and multi-dwelling zones in centers implement policies for higher-density housing in centers. The RIP amendments – while allowing a broader range of housing types in single-dwelling zones – are consistent with this policy’s call for focusing higher-density development within a half-mile of centers, because the amendments limit multi-unit development in the RIP single-dwelling zones primarily to middle housing types, which City Council interprets as not constituting high-density housing. City Council interprets the phrase “middle housing” to be consistent with Section 2 of HB 2001 (2019), which includes the following definitions of “middle housing”:

- (A) Duplexes;
- (B) Triplexes;
- (C) Quadplexes [fourplexes];
- (D) Cottage clusters [means groupings of no fewer than four detached housing units per acre with a footprint of less than 900 square feet each and that include a common courtyard.]; and
- (E) Townhouses [means a dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit].

The exception to this range of housing types in the RIP zones is an allowance provided by the deeper affordability bonus, which will allow up to six units for projects in which at least half of the

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units are affordable to households earning no more than 60% of area median income. This allowance will help implement policies calling for expanding affordable housing options and will likely only be utilized by affordable housing developers because this percentage and level of affordability will likely require financial subsidies to be economically feasible. City Council interprets this allowance as remaining consistent with Policy 3.14 because such development is limited to a low-rise scale of no more than three stories and the majority of higher-density housing around centers will remain focused in the mixed-use and multi-dwelling zoning in designated centers.

## Central City

**Policy 3.21. Role of the Central City.** Encourage continued growth and investment in the Central City, and recognize its unique role as the region’s premier center for jobs, services, and civic and cultural institutions that support the entire city and region.

**Policy 3.22. Model Urban Center.** Promote the Central City as a living laboratory that demonstrates how the design and function of a dense urban center can concurrently provide equitable benefits to human health, the natural environment, and the local economy.

**Policy 3.23. Central City employment.** Encourage the growth of the Central City’s regional share of employment and continue its growth as the region’s unique center for innovation and exchange through commerce, employment, arts, culture, entertainment, tourism, education, and government.

**Policy 3.24. Central City housing.** Encourage the growth of the Central City as Portland’s and the region’s largest center with the highest concentrations of housing and with a diversity of housing options and services.

**Policy 3.25. Transportation hub.** Enhance the Central City as the region’s multimodal transportation hub and optimize regional access as well as the movement of people and goods among key destinations.

**Policy 3.26. Public places.** Promote public places and the Willamette River waterfront in the Central City as places of business and social activity and gathering for the people of its districts and the broader region.

**99. Finding:** Policies 3.12 through 3.20 provide direction on the desired characteristics and functions of centers. There are no RIP zones in the Central City. These policies are not applicable.

## Gateway Regional Center

**Policy 3.27 Role of Gateway.** Encourage growth and investment in Gateway to enhance its role as East Portland’s center of employment, commercial, and public services.

**Policy 3.28 Housing.** Encourage housing in Gateway, to create East Portland’s largest concentration of high-density housing.

**Policy 3.29 Transportation.** Enhance Gateway’s role as a regional high-capacity transit hub that serves as an anchor for East Portland’s multimodal transportation system.

**Policy 3.30 Public places.** Enhance the public realm and public places in Gateway to provide a vibrant and attractive setting for business and social activity that serves East Portland residents and the region.

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**100.Finding:** Policies 3.27 through 3.30 provide direction on the desired characteristics and functions of the Gateway Regional Center. The RIP amendments do not change the regional center boundary on the Urban Design Framework. There is one 11.33 acre R5 zoned parcel in the Gateway Regional Center. It is the site of Floyd Light Middle School. There are no plans to develop the site with non-school uses in the near term. If subdivided to R5 standards, potentially 79 lots could be developed. Were that to be the case, the RIP amendments would provide opportunities for a wider ranging variety of housing types, and more potential households that can better enhance Gateway's role as a transit hub, create more housing, and encourage more growth and investment.

## Town Centers

**Policy 3.31 Role of Town Centers.** Enhance Town Centers as successful places that serve the needs of surrounding neighborhoods as well as a wider area, and contain higher concentrations of employment, institutions, commercial and community services, and a wide range of housing options.

**Policy 3.32 Housing.** Provide for a wide range of housing types in Town Centers, which are intended to generally be larger in scale than the surrounding residential areas. There should be sufficient zoning capacity within a half-mile walking distance of a Town Center to accommodate 7,000 households.

**Policy 3.33 Transportation.** Improve Town Centers as multimodal transportation hubs that optimize access from the broad area of the city they serve and are linked to the region's high-capacity transit system.

**Policy 3.34 Public places.** Provide parks or public squares within or near Town Centers to support their roles as places of focused business and social activity.

**101.Finding:** Policies 3.31 through 3.34 provide direction on the desired characteristics and functions of the Town Centers. The RIP amendments do not change the boundary any of the designated Town Centers. City Council interprets most of these policies as applying to the commercial/mixed use and multi-dwelling zones within the mapped boundaries of Town Centers. The exception to this is policy 3.32, which calls for providing housing capacity for 7,000 households within a half-mile of town centers. While primarily located outside center boundaries, single-dwelling zones comprise the majority of land within a half-mile of most Town Centers (see Centers Analysis Map and Table). The RIP amendments are consistent with policy 3.32 by increasing the number of housing units that can be accommodated on properties in single-dwelling zones, including areas close to Town Centers. The RIP amendments provide RIP single-dwelling zoned parcels an increased ability to add units, either through conversion of existing houses or developing new duplexes, triplexes, and fourplexes, which will increase housing diversity and capacity in these areas, consistent with Policy 3.32. Also, there are small number of RIP single-dwelling zoned parcels (118 parcels) within Town Center boundaries throughout the city. For these parcels, the RIP amendments are also consistent with Policy 3.32 because they will increase the maximum number of households and housing types allowed on each property.

## Neighborhood Centers

**Policy 3.35 Role of Neighborhood Centers.** Enhance Neighborhood Centers as successful places that serve the needs of surrounding neighborhoods. In Neighborhood Centers, provide for higher concentrations of development, employment, commercial and community services, and a wider range of housing options than the surrounding neighborhoods.

**Policy 3.36 Housing.** Provide for a wide range of housing types in Neighborhood Centers, which are intended to generally be larger in scale than the surrounding residential areas, but smaller than Town

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Centers. There should be sufficient zoning capacity within a half-mile walking distance of a Neighborhood Center to accommodate 3,500 households.

**Policy 3.37 Transportation.** Design Neighborhood Centers as multimodal transportation hubs that are served by frequent-service transit and optimize pedestrian and bicycle access from adjacent neighborhoods.

**Policy 3.38 Public places.** Provide small parks or plazas within or near Neighborhood Centers to support their roles as places of local activity and gathering.

**102.Finding:** Policies 3.35 through 3.38 provide direction on the desired characteristics and functions of Neighborhood Centers. The RIP amendments do not change any designated Neighborhood Center boundaries. City Council interprets most of these policies as applying to the commercial/mixed use and multi-dwelling zones within the mapped boundaries of Neighborhood Centers. The exception to this is policy 3.36, which calls for providing housing capacity for 3,500 households within a half-mile of Neighborhood Centers. While primarily located outside center boundaries, single-dwelling zones comprise the majority of land within a half-mile of most Neighborhood Centers<sup>32</sup>. The RIP amendments are consistent with policy 3.36 by increasing the number of housing units that can be accommodated on properties in single-dwelling zones, including areas close to Neighborhood Centers<sup>33</sup>. The RIP amendments provide parcels in RIP zones an increased ability to add units, either through conversion of existing houses or developing new duplexes, triplexes, and fourplexes, or up to 6 units when providing regulated affordable units which will increase housing diversity and capacity in these areas, consistent with Policy 3.36. Also, there are small number of single-dwelling zoned parcels (161 parcels) within Neighborhood Center boundaries that are impacted by RIP. For these parcels, the RIP amendments are also consistent with Policy 3.36 because they will increase the maximum number of households and housing types allowed on each property.

### Inner Ring Districts

**Policy 3.39 Growth.** Expand the range of housing and employment opportunities in the Inner Ring Districts. Emphasize growth that replaces gaps in the historic urban fabric, such as redevelopment of surface parking lots and 20th century auto-oriented development.

**Policy 3.40 Corridors.** Guide growth in corridors to transition to mid-rise scale close to the Central City, especially along Civic Corridors.

**Policy 3.41 Distinct identities.** Maintain and enhance the distinct identities of the Inner Ring Districts and their corridors. Use and expand existing historic preservation and design review tools to accommodate growth in ways that identify and preserve historic resources and enhance the distinctive characteristics of the Inner Ring Districts, especially in areas experiencing significant development.

**Policy 3.42 Diverse residential areas.** Provide a diversity of housing opportunities in the Inner Ring Districts' residential areas. Encourage approaches that preserve or are compatible with existing historic properties in these areas. Acknowledge that these areas are historic assets and should retain their established characteristics and development patterns, even as Inner Ring centers and corridors grow. Apply base zones in a manner that takes historic character and adopted design guidelines into account.

**Policy 3.43 Active transportation.** Enhance the role of the Inner Ring Districts' extensive transit,

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<sup>32</sup> Centers Analysis Map and Table, BPS April 2013

<sup>33</sup> See map: "Residential Infill Centers Household Capacity" BPS, April 24, 2020

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bicycle, and pedestrian networks in conjunction with land uses that optimize the ability for more people to utilize this network. Improve the safety of pedestrian and bike connections to the Central City. Strengthen transit connections between the Inner Ring Districts and to the Central City.

**103.Finding:** Policies 3.39 through 3.43 provide direction on the desired characteristics and functions of the Inner Ring Districts. Policies 3.39 and 3.42 call for expanding the range and diversity of housing opportunities in the Inner Ring Districts, which include areas of single-dwelling zoning between the districts' corridors. The RIP amendments are consistent with these policies in expanding the range of previously allowed housing opportunities from houses and corner lot duplexes to allow duplexes, triplexes and fourplexes. Additionally, two accessory dwelling units with a house or one accessory dwelling unit with a duplex is allowed. The amendments also include incentives to retain existing houses with greater ADU flexibility, higher floor area limits, and in the case where narrow lots are present, allowing flag lots through property line adjustments. Consistent with Policy 3.41, which calls for maintaining and enhancing the distinct identities of the Inner Ring Districts, RIP amendments reinforce the established characteristics in the single dwelling zones in these areas through retaining the pattern on residential lots of primary and accessory building forms, setbacks, heights, building coverage, new limits on floor area, and through additional standards for street facing facades, main entrances, and parking and garages. RIP amendments are also consistent with the historic preservation components of policies 3.41 and 3.42 by limiting the ability to develop triplexes or fourplexes on sites where historic resources have been demolished. The RIP amendments are consistent with Policy 3.43, which calls for allowing for more people to be able to use the area's extensive active transportation networks, by allowing more housing to be built on single-dwelling zone lots in this area. The RIP amendments, by creating additional housing capacity in these areas and removing parking minimum requirements, this affords more households the ability and encouragement to utilize the extensive transit, bicycle and pedestrian networks.

## Corridors

**Policy 3.44. Growth and mobility.** Coordinate transportation and land use strategies along corridors to accommodate growth and mobility needs for people of all ages and abilities.

**Policy 3.45. Connections.** Improve corridors as multimodal connections providing transit, pedestrian, bicycle, and motor vehicle access and that serve the freight needs of centers and neighborhood business districts.

**Policy 3.46. Design.** Encourage street design that balances the important transportation functions of corridors with their roles as the setting for commercial activity and residential living.

**Policy 3.47. Green infrastructure in corridors.** Enhance corridors with distinctive green infrastructure, including landscaped stormwater facilities, extensive tree plantings, and other landscaping that both provide environmental function and contribute to a quality pedestrian environment.

**104.Finding:** Policies 3.44 through 3.47 provide direction on the desired characteristics and functions of corridors as well as street design and future land use changes. These policies are implemented by the Bureau of Transportation through the Transportation System Plan and street design guidelines, as well as by higher-density mixed-use and multi-dwelling zoning along the corridors mapped on the UDF. The RIP amendments do not affect the implementation of these policies.

## Civic Corridors

**Policy 3.48. Integrated land use and mobility.** Enhance Civic Corridors as distinctive places that are models of ecological urban design, with transit-supportive densities of housing and employment,

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prominent street trees and other green features, and high-quality transit service and pedestrian and bicycle facilities.

**Policy 3.49. Design great places.** Improve public streets and sidewalks along Civic Corridors to support the vitality of business districts, create distinctive places, provide a safe, healthy, and attractive pedestrian environment, and contribute to quality living environments for residents.

**Policy 3.50. Mobility corridors.** Improve Civic Corridors as key mobility corridors of citywide importance that accommodate all modes of transportation within their right-of-way or on nearby parallel routes.

**Policy 3.51. Freight.** Maintain freight mobility and access on Civic Corridors that are also Major or Priority Truck Streets.

**105.Finding:** Policies 3.48 through 3.51 provide direction on the desired characteristics and functions of Civic Corridors as well as street design and future land use changes. These policies are implemented by the Bureau of Transportation through the Transportation System Plan and street design guidelines, as well as by higher-density mixed-use, employment, and multi-dwelling zoning along the corridors mapped on the UDF. The RIP amendments do not affect the implementation of these policies.

## Neighborhood Corridors

**Policy 3.52. Neighborhood Corridors.** Enhance Neighborhood Corridors as important places that support vibrant neighborhood business districts with quality multi-family housing, while providing transportation connections that link neighborhoods.

**106.Finding:** This policy provides direction on the desired characteristics and functions of Neighborhood Corridors as well as street design and future land use changes. This policy is primarily implemented by the Bureau of Transportation through the Transportation System Plan and by higher-density mixed-use and multi-dwelling zoning along the corridors mapped on the UDF. The RIP amendments do not affect these implementation tools. However, the RIP proposals are consistent with this policy by increasing opportunities for housing along Neighborhood Corridors, as there are a total of 1,812 RIP zoned parcels abutting Neighborhood corridors accounting for 11% of the zoned land in these areas. The RIP amendments provide more opportunity to develop additional housing on these parcels where only single units were previously allowed.

## Transit Station Areas

**Policy 3.53. Transit-oriented development.** Encourage transit-oriented development and transit-supportive concentrations of housing and jobs, and multimodal connections at and adjacent to high-capacity transit stations.

**Policy 3.54. Community connections.** Integrate transit stations into surrounding communities and enhance pedestrian and bicycle facilities (including bike sharing) to provide safe and accessible connections to key destinations beyond the station area.

**Policy 3.55. Transit station area safety.** Design transit areas to improve pedestrian, bicycle, and personal safety.

**Policy 3.56. Center stations.** Encourage transit stations in centers to provide high density concentrations of housing and commercial uses that maximize the ability of residents to live close to both high-quality transit and commercial services.

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**Policy 3.57. Employment stations.** Encourage concentrations of jobs and employment-focused land uses in and around stations in employment-zoned areas.

**Policy 3.58. Transit neighborhood stations.** Encourage concentrations of mixed-income residential development and supportive commercial services close to transit neighborhood stations. Transit neighborhood stations serve mixed-use areas that are not in major centers.

**Policy 3.59. Destination stations.** Enhance connections between major destinations and transit facilities and strengthen the role of these station areas as places of focused activity.

**107.Finding:** Policies 3.53 through 3.59 provide direction on the desired characteristics and functions of transit station areas. These policies are implemented by higher-density mixed-use, employment, and multi-dwelling zoning in designated transit station areas, as well as through transportation improvements providing connections to transit stations. The RIP amendments do not affect the implementation of these policies. However, the RIP amendments are supportive of these policies by allowing for more units on single-dwelling zone properties, which make up a large portion of land located near most transit stations (see Station Areas Analysis).

## City Greenways

**Policy 3.60. Connections.** Create a network of distinctive and attractive City Greenways that link centers, parks, schools, rivers, natural areas, and other key community destinations.

**Policy 3.61. Integrated system.** Create an integrated City Greenways system that includes regional trails through natural areas and along Portland’s rivers, connected to neighborhood greenways, and heritage parkways.

**Policy 3.62. Multiple benefits.** Design City Greenways that provide multiple benefits that contribute to Portland’s pedestrian, bicycle, green infrastructure, and parks and open space systems.

**Policy 3.63. Design.** Use design options such as distinctive street design, motor vehicle diversion, landscaping, tree plantings, scenic views, and other appropriate design options, to create City Greenways that extend the experience of open spaces and nature into neighborhoods, while improving stormwater management and calming traffic.

**108.Finding:** Policies 3.60 through 3.63 primarily relate to the design and construction of improvements for City Greenways within rights-of-way and not to the development requirements for lots that abut them, which is what will be regulated by the RIP Zoning Code amendments. Nevertheless, the RIP amendments contribute to fulfilling these policies when single-dwelling zoning is located along City Greenways by eliminating minimum parking requirements and limiting front garages, which helps reduce points of conflict between bicyclists and pedestrians where driveways otherwise intersect the streets and sidewalks. Also, the RIP amendments, by reducing the need for curb cuts associated with off-street parking, provide more opportunities for street trees and stormwater facilities within street rights-of-way, which supports the green design elements called for in these policies for City Greenways.

## Urban habitat corridors

**Policy 3.64. Urban habitat corridors.** Establish a system of connected, well-functioning, and diverse habitat corridors that link habitats in Portland and the region, facilitate safe fish and wildlife access and movement through and between habitat areas, enhance the quality and connectivity of existing habitat corridors, and establish new habitat corridors in developed areas.

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**Policy 3.65. Habitat connection tools.** Improve habitat corridors using a mix of tools including natural resource protection, property acquisition, natural resource restoration, tree planting and landscaping with native plants, and ecological design integrated with new development.

**Policy 3.66. Connect habitat corridors.** Ensure that planned connections between habitat corridors, greenways, and trails are located and designed to support the functions of each element, and create positive interrelationships between the elements, while also protecting habitat functions, fish, and wildlife.

**109.Finding:** Policies 3.64 through 3.66 provide direction on the desired characteristics and functions of urban habitat corridors. These policies call for achieving a system of habitat corridors, which include protected open space such as Forest Park, habitat areas such as stream corridors, and swaths of tree canopy, the concept for which is shown in Comprehensive Plan Figure 3-6 (Urban Habitat Corridors). The City has an adopted Natural Resources Inventory (NRI) that provides a basis for establishing future habitat corridors and enhancing connectivity. The City's environmental overlay zone regulations are the implementing regulatory tools to preserve natural resources and their ecosystem services, particularly in relationship habitat areas. The RIP amendments do not amend either the NRI or the existing environmental zone regulations. Habitat corridors also include tree canopy. The RIP amendments do not change Title 11 tree preservation and tree density requirements that apply in development situations. However, the RIP amendments are supportive of policy by expanding opportunities for trees, as the amendments reduce allowable building size, more effectively limit building height, and eliminate requirements for off-street parking, which allows for more space for trees. Also, the RIP FAR changes and requirements for attached houses can provide more room for larger canopy trees and additional landscaping as shown in Volume 1 staff report. Minimum front yard landscaping requirements are also added for narrow lots which also provide opportunities for tree planting and landscaping that can help implement the habitat corridor policies.

## Employment areas

**Policy 3.67. Employment area geographies.** Consider the land development and transportation needs of Portland's employment geographies when creating and amending land use plans and making infrastructure investments.

**110.Finding:** Comprehensive Plan Figure 3-7 identifies four employment area geographies – Central City, industrial/employment, commercial, and institutional. The RIP amendments do not affect these geographies and do not introduce any new single-dwelling zoning to these employment areas.

**Policy 3.68. Regional Truck Corridors.** Enhance designated streets to accommodate forecast freight growth and support intensified industrial use in nearby freight districts. *See Figure 3-7 – Employment Areas.* Designated regional truckways and priority truck streets (Transportation System Plan classifications are shown to illustrate this network).

**111.Finding:** Regional truckways and priority truck streets are major freight routes, such as the interstate highways. The City Council interprets this policy to acknowledge the role that regional truck corridors play in our transportation system and to take steps to improve those functions. Portland's approach to regional truck corridors is unchanged because the RIP amendments do not amend the Citywide System Plan or the Transportation System Plan, which implement this policy.

## Rivers Pattern Area

**Policy 3.69. Historic and multi-cultural significance.** Recognize, restore, and protect the historic and multi-cultural significance of the Willamette and Columbia Rivers, including current activities such as subsistence fishing of legally-permitted fish species.

**112.Finding:** The verb “recognize” is defined in the 2035 Comprehensive Plan as to acknowledge and treat as valid. The City Council interprets this policy to acknowledge the multi-cultural significance that the rivers play in our community and to take steps to improve those functions. The RIP amendments do not amend existing regulatory protections for the Willamette River Greenway, and except for one small area on Jantzen Beach, there are no RIP zones adjacent to the Columbia River. In that area, the ‘z’ overlay zone is applied, limiting the additional housing types. Therefore, the amendments continue to recognize, restore, and protect the historic and multi-cultural significance of the Willamette and Columbia Rivers.

**Policy 3.70. River transportation.** Recognize and enhance the roles of the Willamette and Columbia rivers as part of Portland’s historic, current, and future transportation infrastructure, including for freight, commerce, commuting, and other public and private transportation functions.

**113.Finding:** The verb “recognize” is defined in the 2035 Comprehensive Plan as to acknowledge and treat as valid. The City Council interprets the verb “enhance”, which is not defined in the 2035 Comprehensive Plan, to mean to intensify or improve. The City Council interprets this policy to acknowledge the role that the rivers play in our transportation system and to take steps to improve those functions. The RIP amendments do not allow for new incompatible land uses, therefore, these changes will continue to provide the same opportunities for public and private transportation functions on the Willamette and Columbia rivers.

**Policy 3.71. Recreation.** Improve conditions along and within the Willamette and Columbia rivers to accommodate a diverse mix of recreational users and activities. Designate and invest in strategically-located sites along the length of Portland’s riverfronts for passive or active recreation activities that are compatible with nearby land uses, historically and culturally important sites, significant habitat areas, restoration sites, and native fish and wildlife usage.

**114.Finding:** There are 15 RIP zoned parcels that have frontage on the Willamette River. These parcels also have the ‘z’ overlay designation which limits the types of additional housing allowed to what is presently permissible. These amendments do not change any plans for recreation sites on the Willamette and Columbia rivers, therefore this policy does not apply.

**Policy 3.72 Industry and port facilities.** Enhance the regionally significant economic infrastructure that includes Oregon’s largest seaport and largest airport, unique multimodal freight, rail, and harbor access; the region’s critical energy hub; and proximity to anchor manufacturing and distribution facilities.

**115.Finding:** There are no RIP zoned parcels in industrial areas or adjacent to port facilities, therefore this policy does not apply.

**Policy 3.73. Habitat.** Enhance the roles of the Willamette and Columbia rivers and their confluence as an ecological hub that provides locally and regionally significant habitat for fish and wildlife and habitat restoration opportunities.

**Policy 3.74. Commercial activities.** Enhance the roles of the Willamette and Columbia rivers in supporting local and regional business and commerce, including commercial fishing, tourism, recreation, and leisure.

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**Policy 3.75. River neighborhoods.** Enhance the strong river orientation of residential areas that are located along the Willamette and Columbia Rivers.

**Policy 3.76. River access.** Enhance and complete Portland’s system of river access points and riverside trails, including the Willamette Greenway Trail, and strengthen active transportation connections between neighborhoods and the rivers.

**Policy 3.77. River management and coordination.** Coordinate with federal, state, regional, special districts, and other agencies to address issues of mutual interest and concern, including economic development, recreation, water transportation, flood and floodplain management and protection, regulatory compliance, permitting, emergency management, endangered species recovery, climate change preparation, Portland Harbor Superfund, brownfield cleanup, and habitat restoration.

**Policy 3.78 Columbia River.** Enhance the role of the Columbia River for river dependent industry, fish and wildlife habitat, subsistence and commercial fisheries, floating- and land-based neighborhoods, recreational uses, and water transportation.

**Policy 3.79 Willamette River North Reach.** Enhance the role of the Willamette River North Reach for river dependent industry, fish and wildlife habitat, and as an amenity for riverfront neighborhoods and recreational users.

**Policy 3.80. Willamette River Central Reach.** Enhance the role of the Willamette River Central Reach as the Central City and region’s primary riverfront destination for recreation, history and culture, emergency response, water transportation, and as habitat for fish and wildlife.

**Policy 3.81 Willamette River South Reach.** Enhance the role of the Willamette River South Reach as fish and wildlife habitat, a place to recreate, and as an amenity for riverfront neighborhoods and others.

**Policy 3.82. Willamette River Greenway.** Maintain multi-objective plans and regulations to guide development, infrastructure investments, and natural resource protection and enhancement within and along the Willamette Greenway.

**116.Finding:** Policies 3.73 through 3.82 provide direction on the desired characteristics and functions of the Rivers Pattern Area, which includes areas along the Willamette and Columbia Rivers. The RIP zones are largely located outside areas along the Willamette and Columbia Rivers, with a few exceptions. The 15 parcels on SW Miles Place and N Crawford are small pockets of R5 zoning adjacent to the Willamette River. Existing rules for Willamette River Greenway and the Macadam Plan District, which provide river-related regulations that implement these policies, are not affected by the RIP amendments. There is also a small pocket of R7 zoning located on the shores of Hayden Island. The Hayden Island Plan District, which implements the river-related policies of the Columbia River, is likewise not affected. Additionally, the ‘z’ overlay has been applied to these lots which limits the extent of changes proposed by the RIP amendments.

### Central City Pattern Area

**Policy 3.83. Central City districts.** Enhance the distinct identities of the Central City's districts.

**Policy 3.84. Central City river orientation.** Enhance and strengthen access and orientation to the Willamette River in the Central City and increase river-focused activities.

**Policy 3.85. Central City pedestrian system.** Maintain and expand the Central City’s highly interconnected pedestrian system.

**Policy 3.86. Central City bicycle system.** Expand and improve the Central City’s bicycle system.

**117.Finding:** There are no RIP zones in the Central City. These policies are not applicable.

### Inner Neighborhoods Pattern Area

**Policy 3.87 Inner Neighborhoods main streets.** Maintain and enhance the Streetcar Era pattern of street-oriented buildings along Civic and Neighborhood corridors.

**Policy 3.88 Inner Neighborhoods street patterns.** Preserve the area’s urban fabric of compact blocks and its highly interconnected grid of streets.

**Policy 3.89 Inner Neighborhoods infill.** Fill gaps in the urban fabric through infill development on vacant and underutilized sites and in the reuse of historic buildings on adopted inventories.

**Policy 3.90 Inner Neighborhoods active transportation.** Use the extensive street, sidewalk, and bikeway system and multiple connections to the Central City as a key part of Portland’s active transportation system

**Policy 3.91 Inner Neighborhoods residential areas.** Continue the patterns of small, connected blocks, regular lot patterns, and streets lined by planting strips and street trees in Inner Neighborhood residential areas.

**118.Finding:** Policies 3.87 through 3.91 provide direction on the desired characteristics and functions of the Inner Neighborhoods Pattern Area. The RIP amendments support these policies by facilitating infill development in the single-dwelling zones that continue established patterns in the Inner Neighborhood Pattern Area. There are over 84,000 RIP zoned parcels in the Inner Neighborhoods Pattern Area. While most of the policies are more applicable to street layout and design, the RIP amendments are consistent with policy 3.89 by creating more options for infill development to occur and fill gaps in the urban fabric in a manner that is compatible in scale with existing residential development. As shown in RIP Volume 1, the RIP amendments were modeled based on the 5,000 square foot lot patterns that predominate in the Inner Neighborhood Pattern Area, and are oriented to continuing these patterns, including provisions that continue the area’s patterns of a primary structure and a secondary, smaller structure. These policies also encourage adoptive reuse of historic buildings and preserving the area’s urban fabric, with RIP amendments support by allowing and providing FAR incentives for adding ADUs or internally converting existing structures to add more units. RIP amendments also support Policy 3.91, which calls for continuing the area’s patterns of streets lined by planting strips and street trees. The RIP amendments help achieve this by eliminating requirements for off-street parking, requiring parking access from existing alleys, and limiting front garages, which will serve to limit driveway curb cuts and allow for fewer disruptions to the area’s planting streets and allow for more street trees.

### Eastern Neighborhoods Pattern Area

**Policy 3.92 Eastern Neighborhoods street, block, and lot pattern.** Guide the evolving street and block system in the Eastern Neighborhoods in ways that build on positive aspects of the area’s large blocks, such as opportunities to continue mid-block open space patterns and create new connections through blocks that make it easier to access community destinations.

- A. **North-South Transit.** Support development of, access to, and service enhancement for North-South transit.
- B. **Alleyways.** Promote and guide the implementation of alley improvements that result in alleys that are safe, well maintained, and an asset for the community.

**Policy 3.93 Eastern Neighborhoods site development.** Require that land be aggregated into larger

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sites before land divisions and other redevelopment occurs. Require site plans which advance design and street connectivity goals.

**Policy 3.94 Eastern Neighborhoods trees and natural features.** Encourage development and right-of-way design that preserves and incorporates Douglas fir trees and groves, and that protects the area's streams, forests, wetlands, steep slopes, and buttes.

**Policy 3.95 Eastern Neighborhoods buttes.** Enhance public views of the area's skyline of buttes and stands of tall Douglas fir trees.

**Policy 3.96 Eastern Neighborhoods corridor landscaping.** Encourage landscaped building setbacks along residential corridors on major streets.

**Policy 3.97 Eastern Neighborhoods active transportation.** Enhance access to centers, employment areas, and other community destinations in Eastern Neighborhoods by ensuring that corridors have safe and accessible pedestrian and bicycle facilities and creating additional secondary connections that provide low-stress pedestrian and bicycle access.

**119.Finding:** Policies 3.92 through 3.97 provide direction on the desired characteristics and functions of the Eastern Neighborhoods Pattern Area. There are nearly 30,000 RIP zoned parcels in the eastern pattern area. Policies 3.92 and 3.93 relate to larger site development and land divisions, which are not within the scope of the RIP amendments. However, RIP amendments are supportive of Policy 3.92.B, which promotes the improvement of alleys, in that the amendments limit front garages and require the use of alleys when they exist. Some of these policies relate to trees and are implemented in part by Title 11 tree preservation standards, which are not being changed by the RIP amendments. However, the RIP amendments are consistent with the tree preservation components of these policies, as the amendments institute new limits on building scale which, when combined with building coverage limits and new allowances for no off-street parking, encourages smaller footprint structures and less paved site area, providing more opportunities to retain trees, including the Douglas fir trees that are characteristic of the Eastern Portland Pattern Area. In areas with major streets and higher density RIP zones, narrow lots have new landscaping requirements that apply to the front yard and will be consistent with Policy 3.96's call for landscaped building setbacks along major streets.

Policy 3.97 speaks to a prioritization of active transportation network enhancements that improve access to centers, jobs and other key destinations. Street improvements along corridors (collectors and other non-local streets) are generally funded through transportation Systems Development Charges. The RIP amendments do not change the rates or collection of these SDCs. For the local streets, in the past, the city has required partial street improvements along the frontage of developing parcels when the costs could be justified by the relative impact (use intensification) of the development. According to PBOT "this approach results in partial solutions, leaving some areas with a collection of unconnected half-street improvements and sidewalks that are intermittent and piecemeal that only marginally benefit residents and the transportation system. This is a costly and inefficient approach to infrastructure development."<sup>34</sup> This system also does not focus on completing secondary networks to destinations where the need is the greatest to address safety and where pedestrian, bicycle and vehicle use is highest. In 2016, the City adopted the Local Transportation Improvement Charge (LTIC) which is a charge that is collected from house and duplex development that occurs in single dwelling zones where the street improvements are not complete. The LTIC is collected by PBOT and used to construct a system of improvements on

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<sup>34</sup> Memorandum from PBOT to Morgan Tracy, March 11, 2020

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unimproved local streets. LTIC revenue is allocated based on the city's adopted methodology found in LTIC Administrative Rules (TRN-1.26) as follows:

- 1: Equity: Areas with high concentrations of under-served populations to ensure everyone has access to opportunities necessary to satisfy their essential needs, advance their well-being, and achieve their full potential.
- 2: Effectiveness & Connectivity: Projects that support connectivity and fill critical gaps in the City's transportation and stormwater infrastructure.
- 3: Project Readiness: Projects that are consistent with adopted plans, informed by the results of previous community involvement efforts, cognizant of other related improvements occurring in the City, and that make efficient use of limited City resources by leveraging other funds.

The LTIC ensures that instead of piecemeal and incomplete active transportation improvements occurring on a lot by lot basis, funds are collected and applied more efficiently and effectively to complete these networks in alignment with the LTIC allocation criteria, including filling critical gaps in the City's transportation infrastructure. Recently approved changes to the LTIC ordinance (Ord. No. 190017, adopted by Council on June 24, 2020) expand the types of housing within single dwelling zones that are eligible to pay this charge so that triplexes, fourplexes and up to 6 plexes may now qualify. Therefore, the RIP amendments continue to enhance access by helping to fund additional secondary connections on local streets that provide low-stress pedestrian and bicycle access.

### Western Neighborhoods Pattern Area

**Policy 3.98 Western Neighborhoods village character.** Enhance the village character of the Western Neighborhoods' small commercial districts and increase opportunities for more people to live within walking distance of these neighborhood anchors.

- A. **Prioritize new sidewalk connections.** Prioritize adding sidewalks where there are none over expanding/ widening existing connections.
- B. **North-South transit.** Support development of, access to, and service enhancement for North-South transit.

**Policy 3.99 Western Neighborhoods active transportation.** Provide safe and accessible pedestrian and bicycle connections, as well as off-street trail connections, to and from residential neighborhoods.

**Policy 3.100 Western Neighborhoods development.** Encourage new development and infrastructure to be designed to minimize impacts on the area's streams, ravines, and forested slopes.

**Policy 3.101 Western Neighborhoods habitat corridors.** Preserve, enhance, and connect the area's network of habitat areas and corridors, streams, parks, and tree canopy.

**Policy 3.102 Western Neighborhoods trails.** Develop pedestrian-oriented connections and enhance the Western Neighborhoods' distinctive system of trails to increase safety, expand mobility, access to nature, and active living opportunities in the area.

- A. **TDM strategies.** Explore and emphasize Transportation Demand Management strategies and tools, that function in spite of unique topographic conditions of the West Hills, to provide effective options for commuters while reducing carbon emissions, improving neighborhood livability and cycling safety, and protecting important natural resources.

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- B. **Forest Park natural resources.** Protect the ecological quality and function of natural Forest Park’s natural resources in the design and development of transportation projects in or near the park and avoid, minimize, then mitigate adverse impacts to wildlife, habitat, and riparian corridors.
- C. **Focus for active transportation.** Primarily focus sidewalk and bicycle route improvements in (and in close proximity to) the designated Centers and Corridors of the Comp Plan.
- D. **Filling gaps in connections.** Fill gaps in important access connections, including exploring traditional ROW acquisition and partnerships with other City bureaus.
- E. **Accessible routes.** Improve accessibility/create parallel routes in some cases (for motor vehicles, bicycles and pedestrians, and/or both). Explore what existing facilities and connections most merit upgrades or secondary accessible routes.

**120.Finding:** Policies 3.98 through 3.102 provide direction on the desired characteristics and functions of the Western Neighborhoods Pattern Area. There are over 15,000 RIP zoned parcels in the Western Neighborhoods Pattern Area. Most of these policies related to right-of-way connections and trails, which are implemented by the City’s street and trail programs and are not impacted by the RIP amendments. Other policies relate to limiting impacts to the area’s natural features and riparian corridors, which are implemented through the environmental zones that apply in this pattern area or through stormwater management requirements, which are not being affected by the RIP amendments. Policy 3.98, which calls for expanding opportunities for more people to live close to the area area’s commercial districts, is supported by RIP amendments that increase the number of units households on RIP-zoned parcels in the single-dwelling zones, which comprise the majority of land around the area’s commercial districts. Habitat areas and streams are mostly captured within the ‘z’ constrained sites overlay which restricts the allowable housing types and further limits the associated allowable FAR. This further serves to reduce impacts to streams and tree canopy.

Policy 3.99 directs that the City provide safe and accessible pedestrian and bicycle connections to residential neighborhoods. In the Western Pattern area, many streets lack pedestrian and bicycle facilities. Of the roughly 16,400 RIP zoned lots in the western pattern area, about 5,000 are on unimproved or underimproved streets. For local un- and under-improved streets, in the past, the city has required partial street improvements along the frontage of developing parcels when the costs could be justified by the relative impact (use intensification) of the development. According to PBOT “this approach results in partial solutions, leaving some areas with a collection of unconnected half-street improvements and sidewalks that are intermittent and piecemeal that only marginally benefit residents and the transportation system. This is a costly and inefficient approach to infrastructure development.” In 2016, the City adopted the Local Transportation Improvement Charge (LTIC) which is a charge that is collected from house and duplex development that occurs in single dwelling zones where the street improvements are not complete. The LTIC is collected by PBOT and used to construct a system of improvements on un- and under-improved local streets. LTIC revenue is allocated based on the city’s adopted methodology found in LTIC Administrative Rules (TRN-1.26) as follows:

- 1: Equity: Areas with high concentrations of under-served populations to ensure everyone has access to opportunities necessary to satisfy their essential needs, advance their well-being, and achieve their full potential.

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- 2: Effectiveness & Connectivity: Projects that support connectivity and fill critical gaps in the City's transportation and stormwater infrastructure.
- 3: Project Readiness: Projects that are consistent with adopted plans, informed by the results of previous community involvement efforts, cognizant of other related improvements occurring in the City, and that make efficient use of limited City resources by leveraging other funds.

The LTIC ensures that instead of piecemeal and incomplete active transportation improvements occurring on a lot by lot basis, funds are collected and applied more efficiently and effectively to complete these networks in alignment with the LTIC allocation criteria, including filling critical gaps in the City's transportation infrastructure. Recently approved changes to the LTIC ordinance expand the types of housing within single dwelling zones that are eligible to pay this charge so that triplexes, fourplexes and up to 6 plexes may now qualify. Therefore, the RIP amendments continue to enhance access by helping to fund safe and accessible pedestrian and bicycle connections to residential neighborhoods.

## Chapter 4: Design and Development

**Goal 4.A: Context-sensitive design and development.** New development is designed to respond to and enhance the distinctive physical, historic, and cultural qualities of its location, while accommodating growth and change.

**121.Finding:** The Design and Development chapter focuses on the specifics of the built environment. City Council interprets this goal as calling for the design of new development to consider and respond to the context where the development is taking place. This context includes physical characteristics, as well as the history and culture of places. Zoning and development standards are only one of many ingredients that define a neighborhood's context. In addition to the architecture of its homes and the people who inhabit them, the context of a neighborhood also concerns the spaces in between – the natural environment, open space, plants, access to sunlight, and more. Street layout, topography, existing vegetation and mix of residential, commercial and open space also have a strong influence. In addition, a neighborhood's historical narrative, such as influences from major infrastructure or institutional investments or changing socio-economic compositions, also define the distinct attributes of different neighborhoods. City Council interprets response to context to not be about replicating what exists, but for development and the regulations that shape this development to be informed by context. The RIP amendments are consistent with this goal in that development standards, such as those related to development scale and building design, were created with consideration of the characteristics of Portland's residential neighborhoods. Limitations on building height and scale took into consideration the general characteristics of residential neighborhoods. The amendments do not create standards that lock in time the existing scale of residential neighborhoods. Instead, they are reflective of current zoning allowances in single dwelling zones and limit development to a low-rise scale of no more than two- to three-stories that – compared to larger scale allowed in the multi-dwelling and mixed use zones – keeps development scale closer to the scale of residential neighborhoods where houses and other small-scale housing predominates. The RIP amendments reduce the building scale permitted under current zoning allowances both through the imposition of new floor-to-area requirements (FAR) as well as changes in measuring methodology for building height. In so doing, development that results from these changes is not considered significant as it can be no larger than what current zoning allows, and in most cases with the imposition of floor area maximums will in fact be smaller than what is presently allowed. The additional housing types provided for in the RIP amendments already exist in many of Portland's single dwelling neighborhoods (largely as non-conforming artifacts of pre-war zoning) and are an important part of the diversity of those neighborhoods both in terms of the buildings as well as their occupants. RIP amendments limiting front garages and requiring parking access from existing alleys were also created to integrate new development with the characteristics of residential neighborhoods, where street frontages are characterized by front yards and gardens. The RIP amendments include new development standards for flag lots, narrow lots, and residential infill options (duplexes, triplexes, fourplexes). Additionally, the amendments include new restrictions on building scale (FAR) that differ by zone and relate proportionately to lot size. The FARs help promote context sensitive design by reducing current entitlements that were originally created for flexibility in building siting but did not anticipate the trending upward size of houses. These FARs help limit new development to be more consistent with existing houses. The RIP amendments include building FAR limits that vary by zone (R7, R5, R2.5), so that allowed scale varies by the locations where these zones are mapped. FARs (and thus building size) are largest in the R2.5 zone, which is generally mapped in areas near centers and corridors, and are lowest in the R7 zone, which is generally mapped in areas with a lower-density context, including large portions

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of the Western and Eastern neighborhood pattern areas. This variability in FAR levels allows building scale to be regulated to vary by zone and place. New allowances for larger eave projections into setbacks helps new homes be more consistent with older traditional houses that have larger eaves. Changes to how building height is measured are designed to better ensure houses do not exceed 2½ stories in most single-dwelling zones. Bonus provisions for providing deeply affordable units increase height limits in the R5 and R7 zones from 30 to 35 feet. Council finds this increase in keeping with the scale of single dwelling development while allowing for a full sized third floor to more feasibly create the additional units authorized by the bonus provision. Limitations on street facing garages and location of vehicle areas are also established to provide greater consistency with historic development forms.

**Goal 4.B: Historic and cultural resources.** Historic and cultural resources are integral parts of an urban environment that continue to evolve and are preserved.

**122.Finding:** City Council interprets this goal as recognizing that Portland’s built environment will and should continue change over time, but that it is important that historic and cultural resources be preserved as part of this changing environment. City Council interprets “historic and cultural resources” to refer to “historic resources” as defined in the Comprehensive Plan, which indicates that these are designated historic resources that include “historic landmarks, conservation landmarks, historic districts, conservation districts, and structures or objects that are identified as contributing to the historic significance of a district, including resources that are listed in the National Register of Historic Places.” RIP amendments are consistent with this goal because they include provisions intended to promote preservation of historic resources. Amendments limit the ability to building triplexes or fourplexes on a site where a historic structure has been demolished in order to discourage demolitions of historic resources. The RIP amendments are also consistent with this goal because they work in conjunction with historic resource regulations by allowing for internal conversions of homes to create additional units, or to create detached accessory dwelling units while leaving the original house unaltered. This provides for additional adaptive reuse potential while still relying on existing historic recourse protections and reviews to ensure subsequent changes are consistent with the historic and cultural context.

**Goal 4.C: Human and environmental health.** Neighborhoods and development are efficiently designed and built to enhance human and environmental health: they protect safety and livability; support local access to healthy food; limit negative impacts on water, hydrology, and air quality; reduce carbon emissions; encourage active and sustainable design; protect wildlife; address urban heat islands; and integrate nature and the built environment.

**123.Finding:** City Council interprets this goal as calling for the protection and enhancement of human and environmental health as objectives that should guide City actions related to the built environment. City Council interprets development that is “efficiently designed” to refer to designed to be resource- and cost-efficient. RIP amendments are consistent with this goal because they allow for more compact development, such as duplexes, triplexes, and fourplexes, in single-dwelling zones that use less energy and resources. Studies indicate that smaller, attached units are associated with significantly greater energy efficiency than detached houses<sup>35</sup>. RIP amendments allowing three and four units on previously restricted lots allows for greater efficiency, while other amendments reduce building scale and required parking, which allows for more of the site to

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<sup>35</sup>Location Efficiency and Housing Type, Johnathan Rose Companies, March 2011; and A Life Cycle Approach to Priorizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, DEQ September 2010.

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remain permeable and landscaped. This in turn provides positive returns on hydrology, air quality, shade and habitat, and reduces urban heat island impacts<sup>36</sup>.

**Goal 4.D: Urban resilience.** Buildings, streets, and open spaces are designed to ensure long-term resilience and to adjust to changing demographics, climate, and economy, and withstand and recover from natural disasters.

**124.Finding:** “Resilience” is defined in the Comprehensive Plan as the “capability to anticipate, prepare for, respond to, and recover from significant multi-hazard threats with minimum damage to social well-being, the economy, and the environment.” Plans and proposals are consistent with this goal when they contribute to this resilience and are responsive to changing demographics. The RIP amendments are consistent with this goal as they facilitate new development of additional housing types, which support resiliency to hazards, as newer buildings are designed to better withstand earthquake and other natural disasters. Also, the new ‘z’ overlay restricts additional units from being in landslide or flood prone areas, including the 1996 flood inundation area which reflects the increased flood risk from climate change, thereby improving climate and natural hazard resiliency. The RIP amendments are also consistent with this goal by allowing new housing that is responsive to changing demographics, such as smaller households and an aging population. This is achieved by amendments that allow increased adaptability of sites, both in terms of the types of living arrangements (duplex, triplex, fourplex, ADUs) but also in terms of physical design (visitability requirements). Additionally, provisions include the ability to add 250 square feet to existing structures every 5 years, which enables kitchen or bath expansions or the addition of a bedroom as family composition changes or to respond to culturally specific living arrangements.

## Context

**Policy 4.1. Pattern areas.** Encourage building and site designs that respect the unique built, natural, historic, and cultural characteristics of Portland’s five pattern areas described in Chapter 3: Urban Form.

**Policy 4.2. Community identity.** Encourage the development of character-giving design features that are responsive to place and the cultures of communities.

**Policy 4.3. Site and context.** Encourage development that responds to and enhances the positive qualities of site and context — the neighborhood, the block, the public realm, and natural features.

**125.Finding:** Policies 4.1 through 4.3 provide direction on how the context of where development occurs should be considered in City implementation approaches. The RIP amendments are consistent with these policies as they include a range of approaches that guide development to integrate with the context of residential neighborhoods. These include several new standards related to measuring building height, floor area limits, main entrance requirements, street facing facades, setback projections, garages and parking, and narrow lot and flag lot development that are designed to be responsive to the characteristics of residential neighborhoods. As described in RIP Volume 1, these standards are intended to result in development that is more consistent with existing patterns of houses and other small-scale housing in residential neighborhoods. The RIP amendments include building FAR limits that vary by zone (R7, R5, R2.5), so that allowed scale varies by the locations where these zones are mapped. FARs (and thus building size) are largest in the R2.5 zone, which is generally mapped in areas near centers and corridors, and are lowest in the

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<sup>36</sup> Urban Stormwater Toxic Pollutants: Assessment, Sources and Treatability, EPA August 2005;

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R7 zone, which is generally mapped in areas with a lower-density context, including large portions of the Western and Eastern neighborhood pattern areas. This variability in FAR levels allows building scale to be regulated to vary by zone and place. Other amendments include changes to lower the review type for some planned developments as an optional discretionary review track that facilitates site- and context-specific innovative site design that positively responds to the site and its context.

**Policy 4.4. Natural features and green infrastructure.** Integrate natural and green infrastructure such as trees, green spaces, ecoroofs, gardens, green walls, and vegetated stormwater management systems, into the urban environment. Encourage stormwater facilities that are designed to be a functional and attractive element of public spaces, especially in centers and corridors.

**126.Finding:** This policy calls for including natural elements, such as trees, and green infrastructure, such as ecoroofs and vegetated stormwater facilities, as part of the urban environment – both as part of development projects and within public spaces, such as streets. The RIP amendments are consistent with this policy because they work in conjunction with existing regulations affecting development in the single-dwelling zones to provide and expand opportunities for natural elements such as trees, and green infrastructure. The RIP amendments help achieve this by retaining regulations that limit the amount of site area that can be covered by buildings to 50% or less, which – in combination with amendments eliminating requirements for off-street parking and allowing for less impervious surface, will allow more space for trees and landscaping compared to existing regulations. These limitations and amendments also work in conjunction with Stormwater Management Manual<sup>37</sup> requirements administered by the Bureau of Environmental Services to facilitate vegetated stormwater management facilities and other green infrastructure approaches by allowing for less site area to be covered by buildings and paved vehicle areas. RIP amendments are also consistent with this goal by limiting front garages and driveways, which will serve to limit interruptions to sidewalks and planting strips and allow for more opportunities for street trees and stormwater facilities in street rights-of-way.

**Policy 4.5. Pedestrian-oriented design.** Enhance the pedestrian experience throughout Portland through public and private development that creates accessible, safe, and attractive places for all those who walk and/or use wheelchairs or other mobility devices.

**127.Finding:** City Council interprets “enhance” in the context of this policy as calling for new development and public infrastructure to contribute to improving the environment experienced by people using pedestrian facilities. The RIP amendments are consistent with this policy by reducing on-site parking requirements and limiting front parking areas and garages to improve the relationship between buildings and the public realm of streets. These amendments will contribute to creating pedestrian-friendly street environments by improving pedestrian connections between buildings and streets, reducing the predominance of blank walls and garages along streets, while reducing conflicts between pedestrians on sidewalks and vehicles using driveways. The RIP amendments are also consistent with this policy by requiring visitable, physically-accessible housing units as part of the development of three or more units, which will expand housing options for people with mobility limitations and help create communities where people with a range of abilities can live and get around.

**Policy 4.6. Street orientation.** Promote building and site designs that enhance the pedestrian experience with windows, entrances, pathways, and other features that provide connections to the

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<sup>37</sup> Portland Policy Document, ENB-4.01, BES July 2019

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street environment.

**128.Finding:** The Comprehensive Plan defines “promote” as “further the progress of, advance, or raise.” The RIP amendments are consistent with this policy by including regulations that promote pedestrian-oriented design in new residential development in the RIP zones. In combination with existing requirements for street-oriented windows, this is achieved by RIP amendments that reduce on-site parking requirements and limit driveways and garages to improve the pedestrian relationship between the buildings and the public realm of streets, and through design-related standards for street-facing façades and main entrance standards that will enhance connections to the street environment.

**Policy 4.7. Development and public spaces.** Guide development to help create high-quality public places and street environments while considering the role of adjacent development in framing, shaping, and activating the public space of streets and urban parks.

**129.Finding:** “Guide” is defined in the Comprehensive Plan as “shape or direct actions over time to achieve certain outcomes. This verb is used when the City has a role in shaping outcomes but implementation involves multiple other implementers and actions taking place over a long period of time.” City Council interprets this policy to mean that there will be a number of approaches to implementing this policy, which include Zoning Code regulations that affect private development adjacent to public spaces, but also street and park improvements. The RIP amendments are consistent with this policy through a number of regulations that improve the relationship between buildings and the public space of streets. These include amendments that reduce on-site parking requirements and limits on front parking and garages to improve the visual and pedestrian connections between buildings and streets and will reduce conflicts between pedestrians on sidewalks and vehicles using driveways. Limiting front garages and associated driveway curb cuts also improve street environments by expanding opportunities for street trees and provide a more continuous pedestrian environment. Street trees can help frame and shape the public space of streets and complement urban park canopy.

**Policy 4.8. Alleys.** Encourage the continued use of alleys for parking access, while preserving pedestrian access. Expand the number of alley-facing accessory dwelling units.

**130.Finding:** The Comprehensive Plan defines “encourage” as “promote or foster using some combination of voluntary approaches, regulations, or incentives.” The RIP amendments address this policy through regulations that require that houses, duplexes, triplexes, and fourplexes developed on lots that abut alleys must take parking access from the alley, when parking is provided. Additionally, provisions that enable the creation of additional ADUs, including allowing detached ADUs in conjunction with duplexes, could expand the number of alley-facing accessory dwelling units.

**Policy 4.9. Transitional urbanism.** Encourage temporary activities and structures in places that are transitioning to urban areas to promote job creation, entrepreneurship, active streets, and human interaction.

**131.Finding:** The Council interprets this policy as relating to temporary commercial activities and public gathering places, rather than residential uses that are the focus of the single-dwelling zones. The RIP amendments do not change temporary uses and activities already contemplated and allowed in the zoning code (33.296 Temporary Activities). This policy is therefore not applicable.

## Health and safety

**Policy 4.10. Design for active living.** Encourage development and building and site design that

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promotes a healthy level of physical activity in daily life.

**Policy 4.11. Access to light and air.** Provide for public access to light and air by managing and shaping the height and mass of buildings while accommodating urban-scale development.

**Policy 4.12. Privacy and solar access.** Encourage building and site designs that consider privacy and solar access for residents and neighbors while accommodating urban-scale development.

**Policy 4.13. Crime-preventive design.** Encourage building, site, and public infrastructure design approaches that help prevent crime.

**Policy 4.14. Fire prevention and safety.** Encourage building and site design that improves fire prevention, safety, and reduces seismic risks.

**132.Finding:** Policies 4.10 through 4.14 provide direction regarding the promotion of health and safety in development. The RIP amendments help implement these policies through a range of approaches. Several of the RIP amendments support active living by supporting a pedestrian-oriented street environment, such as by limiting front parking garages that negatively impact the pedestrian environment of streets and by standards that improve pedestrian connections between residences and public sidewalks. RIP amendments are also consistent with these policies through provisions that place new limits on building scale through FAR and a new height measurement methodology. These amendments help ensure building mass and height are better controlled to improve privacy and access to light and air, while still permitting for urban development that is consistent with the established character of single dwelling zones. Amendments that limit front garages in combination with requirements for street-oriented windows and doors, provide opportunities for natural surveillance of streets that can help prevent crime. Existing standards restrict tall front yard fences and require minimum window glazing on the front façade to also help facilitate implementation of crime prevention through environmental design (CPTED) principles. New construction and remodels will be required to meet modern building codes to ensure fire prevention and reduce seismic risks.

City Council heard testimony expressing concerns over fire safety and response on dead end streets that lack modern turn around requirements. Policy 4.14 is specific to building and site design and not the design of streets (which are addressed in other policies, see for example Policy 9.14). The state fire and building codes specify the requirements for building and site design with regard to fire prevention, safety and seismic risks. In the case where new development or intensification of existing development occurs on streets that do not meet current fire access standards, the fire marshal is authorized to require other measures to increase fire safety. For example, a triplex or fourplex that is built to the townhouse code does not need to install fire sprinklers, but the fire marshal (who lacks the authority to otherwise require sprinklers) may impose such a requirement when the street access is deficient. Therefore, existing codes which are unchanged by the RIP amendments encourage building and site design that improve fire safety and reduce seismic risk.

## Residential areas

**Policy 4.15. Residential area continuity and adaptability.** Encourage more housing choices to accommodate a wider diversity of family sizes, incomes, and ages, and the changing needs of households over time. Allow adaptive reuse of existing buildings, the creation of accessory dwelling units, and other arrangements that bring housing diversity that is compatible with the general scale and patterns of residential areas.

**133.Finding:** City Council interprets the residential areas policies (policies 4.15 through 4.19) as applying to the lower-density residential zones located outside centers, including the single-

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dwelling zones that are affected by the RIP amendments. Council interprets “compatible” to mean two things that are able to exist or occur together without conflict. For the purposes of this policy, Council does not interpret "compatible" to only require Council to consider the existing built environment but rather the policy also requires Council consider whether the new housing types are compatible, or can exist without conflict, with the pattern of development that is currently allowed. Policy 4.15 calls for a variety of housing choices in these residential areas that accommodate a range of household types and abilities, while keeping to a scale that is compatible with the general scale and patterns of the residential areas.

The urban environment is composed of several ‘building blocks’ that together give the city’s districts and neighborhoods their shape and built character. These include block structure and street patterns, street design, lot patterns and building placement, building forms and landscaping, vegetation and natural features. Council finds that the general scale and pattern of residential areas for the purposes of these amendments is established by the zoning development standards that determine the built environment in each of the single dwelling zones, and since the new housing types that are allowed will be generally within the scale and follow the pattern of development that is currently allowed, this diversity of housing is compatible and will not conflict with these residential areas. Several additional context sensitive standards were contemplated in the concept phase of the project, and a context related setback standard was proposed in the draft report to the Planning and Sustainability Commission, but through that process, these standards were deleted in favor of greater regulatory predictability which reduces housing costs associated with necessary site by site customization. Furthermore, a strict application of contextual standards as some testimony has proposed (such as FAR limits that vary by neighborhood) could exert negative disparate impacts on lower income neighborhoods by providing higher FAR limits for neighborhoods characterized by larger homes (generally correlated with higher land values) and lower FAR limits for neighborhoods with smaller homes (generally correlated with lower land values) For example, neighborhoods like Eastmoreland and Laurelhurst have existing average FAR’s that are around .40-.43, whereas Brentwood-Darlington or St. Johns average around .23-.27 respectively.

The inclusion of an amendment to allow a deeper affordability bonus (up to 6 units in a building of up to 35 feet in height and an FAR of 1.2 when at least 50% of the units are regulated affordable units), could result in buildings that are taller than other buildings in the R5 and R7 zoning districts are allowed to be. Nevertheless, Council unanimously chose to include this amendment, given the importance of furthering their goals for providing more affordable housing units. As noted elsewhere in these findings (e.g. Goal 4.A) this height increase is in keeping with the scale of single dwelling development, and necessary to feasibly accommodate the additional units envisioned through the bonus.

The RIP amendments are consistent with this policy by allowing for more housing choices in single dwelling zones for a variety of types of households and that are responsive to changing demographics and needs. The amendments achieve this by providing new allowances for duplexes, triplexes, fourplexes, and up to six units when providing regulated affordable housing, in addition to new allowances for accessory dwelling units (ADUs), including the ability to add a second ADU to a house or an ADU to a duplex. This diversity in unit type, size and configuration is better positioned to accommodate this wider diversity and changing needs of households than the current one-size approach of single dwelling housing.

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These added housing types are allowed both as new development and through adaptive reuse of existing buildings. The RIP amendments not only allow for the adaptive reuse of existing buildings, but actively promote it, through FAR bonuses when adding units while retaining the existing house, and removing limitations on ADU sizes when converting basement space in an existing house and removing other regulatory design limitations such as ADU front door orientation which can help facilitate conversion of attached garages, and exemptions from visitability standards when converting existing buildings due to the increased complexity of such retrofits.

The RIP amendments are also consistent with this policy by allowing for diversity of housing that is affordable at a range of income levels. Based on an economic analysis (Volume 3, Appendix A), the RIP allowances for smaller unit types, such as triplexes and fourplexes, will result in a decrease in average rents per unit by over 50% compared to the detached houses that are the predominant housing types currently allowed in most single-dwelling zones. The amendments also support the creation of affordable units through a development bonuses for projects that include a unit affordable to households earning no more than 80% of area median income, and through a deeper affordability bonus that allows additional units when at least half the units are affordable at 60% or area median income. In two zones, R5 and R7, this bonus also includes an increased height limit (from 30 to 35 feet). This height increase matches what is allowed in the R2.5 zone, and while it is taller than otherwise permitted, the small degree of increase is still reflective of the general scale of development in these zones, and is mitigated in part through RIP revisions to how height is measured in the single dwelling zones.

Finally, the RIP amendments are also consistent with this policy through providing new visitability standards applicable to new development resulting in 3 or more units that will help increase the number of units that will or are readily adaptable to meet the needs of our aging and disabled communities. The RIP amendments are further consistent with this policy by accompanying these allowances for greater housing diversity with amendments that limit building size and require street-oriented design features that provide continuity with the general scale and patterns of residential areas, as outlined in the findings to Policy 4.16.

**Policy 4.16. Scale and patterns.** Encourage design and development that complements the general scale, character, and natural landscape features of neighborhoods. Consider building forms, scale, street frontage relationships, setbacks, open space patterns, and landscaping. Allow for a range of architectural styles and expression.

**134.Finding:** The Comprehensive Plan defines “encourage” as “promote or foster using some combination of voluntary approaches, regulations, or incentives.” The RIP amendments are consistent with this policy by including regulations that shape new development to provide continuity with the scale and characteristics of residential areas with single-dwelling zoning. The amendments address building scale through regulations that reduce the maximum permissible building scale in RIP zones by applying new floor area limits and changes to building height measurement methodology that will have the effect of reducing allowed building height. An exception to these reductions in allowed building scale is that the deeper affordability bonus provides five feet of additional building height in the R5 and R7 zones, allowing for up to 35 feet (three stories), which is the same height allowed by the R2.5 single-dwelling zone. City Council interprets this height as being compatible with the low-rise scale of residential areas with single-dwelling zoning, where residential structures typically range in scale from one to two-and-a-half stories. Other amendments, in combination with continuing current front setback, outdoor area, and building coverage requirements, continue the patterns and characteristics of residential areas.

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These include amendments that place limitations on front garages and front parking, which in combination with requirements for street-oriented windows and entrances, which will allow for greater continuity with established residential neighborhood characteristics of front yards and gardens and street-oriented buildings. The RIP amendments include building FAR limits that vary by zone (R7, R5, R2.5), so that allowed scale varies by the locations where these zones are mapped. FARs (and thus building size) are largest in the R2.5 zone, which is generally mapped in areas near centers and corridors, and are lowest in the R7 zone, which is generally mapped in areas with a lower-density context, including large portions of the Western and Eastern neighborhood pattern areas. This variability in FAR levels allows building scale to be regulated to vary by zone and place. While the RIP amendments ensure that the general scale and patterns of residential areas is maintained, consistent with this policy, the amendments do not include requirements for specific architectural styles, providing flexibility for a broad range of architectural styles and expression.

**Policy 4.17. Demolitions.** Encourage alternatives to the demolition of sound housing, such as rehabilitation and adaptive reuse, especially affordable housing, and when new development would provide no additional housing opportunities beyond replacement.

**135.Finding:** The Comprehensive Plan defines “encourage” to mean “promote or foster using some combination of voluntary approaches, regulations or incentives.” The RIP amendments encourage alternatives to demolition with regulatory incentives to retain existing houses. These include: additional floor area allowance for adding units to a site with an existing house including internal conversions, additions, and detached ADUs; larger allowed basement ADU in existing houses; a 250 square foot building addition in each 5 year period that is not limited by FAR for existing houses, exemptions from attached housing requirements on sites surrounded by existing houses, and flexibility to use a property line adjustment to create a flag lot when an existing house is retained. Also consistent with this policy are amendments that limit the ability to building triplexes or fourplexes on a site where a historic structure has been demolished in order to discourage demolitions such demolitions, while allowing instead for internal conversions to add units.

**Policy 4.18. Compact single-family options.** Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

**136.Finding:** The RIP amendments are consistent with this policy by providing options for multiple detached houses, such as cottage clusters, on a property through planned development review. This is achieved by RIP amendments that streamline and align entitlements (density and FAR) for Planned Developments (PDs), which include options for multiple detached, attached, or clustered units on a single development site without a land division. The ability to add more ADU’s to a site provides more options to develop small resource efficient homes, while simultaneously allowing for the preservation of the existing home on the site. The application of FAR limits for single-family homes also helps reduce one for one demolitions and replacement with a single larger house, as noted in the economic analysis. Lot confirmation rules, together with rezoned areas of R5 zoning will permit the development of attached and detached homes on smaller lots, which in turn in combination with FAR limits help provide for the development of small, resource efficient and lower cost housing in more areas of the City.

**Policy 4.19. Resource efficient and healthy residential design and development.** Support resource efficient and healthy residential design and development.

**137.Finding:** RIP amendments are consistent with this goal because they allow for more compact development, such as duplexes, triplexes, and fourplexes, in single-dwelling zones that use less energy and resources. Studies indicate that smaller, attached units are associated with significantly

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greater energy efficiency than detached houses<sup>38</sup>. The ability to accommodate multiple households on a single residential lot within a building envelope that is less than the size allowed for a single house also supports both land and resource efficient development. Fewer materials are needed to construct these smaller dwellings and accommodating four households on a single lot reduces demand for extra territorial expansion and growth. The amendments also retain requirements for on-site open space, which – in combination with eliminating requirements for on-site parking, expands opportunities for outdoor space and landscaping, thereby improving health outcomes.

### Design and development of centers and corridors

**Policy 4.20. Walkable scale.** Focus services and higher-density housing in the core of centers to support a critical mass of demand for commercial services and more walkable access for customers.

**Policy 4.21. Street environment.** Encourage development in centers and corridors to include amenities that create a pedestrian-oriented environment and provide places for people to sit, spend time, and gather.

**Policy 4.22. Relationship between building height and street size.** Encourage development in centers and corridors that is responsive to street space width, thus allowing taller buildings on wider streets.

**Policy 4.23. Design for pedestrian and bicycle access.** Provide accessible sidewalks, high-quality bicycle access, and frequent street connections and crossings in centers and corridors.

**Policy 4.24. Drive-through facilities.** Prohibit drive through facilities in the Central City, and limit new development of new ones in the Inner Ring Districts and centers to support a pedestrian-oriented environment.

**Policy 4.25. Residential uses on busy streets.** Improve the livability of places and streets with high motor vehicle volumes. Encourage landscaped front setbacks, street trees, and other design approaches to buffer residents from street traffic.

**Policy 4.26. Active gathering places.** Locate public squares, plazas, and other gathering places in centers and corridors to provide places for community activity and social connections. Encourage location of businesses, services, and arts adjacent to these spaces that relate to and promote the use of the space.

**Policy 4.27. Protect defining features.** Protect and enhance defining places and features of centers and corridors, including landmarks, natural features, and historic and cultural resources.

**Policy 4.28. Historic buildings in centers and corridors.** Protect and encourage the restoration and improvement of historic resources in centers and corridors.

**Policy 4.29. Public art.** Encourage new development and public places to include design elements and public art that contribute to the distinct identities of centers and corridors, and that highlight the history and diverse cultures of neighborhoods.

**138.Finding:** Policies 4.20 through 4.29 provide direction on design and development in centers and along corridors. City Council interprets these policies as applying to the higher-density commercial/mixed use, multi-dwelling, and employment zones within the mapped boundaries of centers and along designated civic and neighborhood corridors, and as not applying to single-dwelling zones. Comprehensive Plan text accompanying these policies indicates that “centers and corridors are places where large numbers of people live, work, and visit.” This describes the higher-

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<sup>38</sup> Location Efficiency and Housing Type, prepared by Jonathan Rose Companies, March 2011

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density mixed-use, multi-dwelling, and employment zones in centers and corridors that are the focus of these policies. The Comprehensive Plan defines “high-density housing” as referring to “housing that is mid- to high-rise in building scale,” and furthermore defines “mid-rise” as a building between five and seven stories in height. The RIP amendments therefore do not affect the higher-density zones in centers. The RIP amendments limit multi-unit development in the RIP single-dwelling zones primarily to houses and middle housing types, which City Council interprets as not constituting high-density housing.

### Transitions

**Policy 4.30. Scale transitions.** Create transitions in building scale in locations where higher-density and higher-intensity development is adjacent to smaller-scale single-dwelling zoning. Ensure that new high-density and large-scale infill development adjacent to single dwelling zones incorporates design elements that soften transitions in scale and limit light and privacy impacts on adjacent residents.

**Policy 4.31. Land use transitions.** Improve the interface between non-residential uses and residential uses in areas where commercial or employment uses are adjacent to residentially zoned land.

**Policy 4.32. Industrial edge.** Protect non-industrially zoned parcels from the adverse impacts of facilities and uses on industrially zoned parcels using a variety of tools, including but not limited to vegetation, physical separation, land acquisition, and insulation to establish buffers between industrial sanctuaries and adjacent residential or mixed-use areas to protect both the viability of long-term industrial operations and the livability of adjacent areas.

**139.Finding:** Policies 4.30 through 4.32 provide direction regarding transitions between different types of land uses and development scales. These policies are implemented by regulations in the higher-density mixed-use, multi-dwelling, employment, and institutional zones that require transitions in building height, landscaped buffers, and limitations in activities adjacent to single-dwelling zoning. Policy 4.30 speaks specifically to additional requirements in the higher density zones when those zones abut single-dwelling zoning. Since the RIP amendments do not change the higher density zoning development standards, this policy is not applicable. Land use transitions (in Policies 4.31 and 4.32) are supported by requirements in the single-dwelling zones for perimeter setbacks that can be landscaped to improve the buffering from non-residential zones. Transitions between non-residential and residential uses is also aided by building code requirements for sound attenuation for new development and substantial alterations that add units to existing development. These requirements are unchanged by RIP, therefore these policies are met.

### Off-site impacts

**Policy 4.33. Off-site impacts.** Limit and mitigate public health impacts, such as odor, noise, glare, light pollution, air pollutants, and vibration that public facilities, land uses, or development may have on adjacent residential or institutional uses, and on significant fish and wildlife habitat areas. Pay attention to limiting and mitigating impacts to under-served and under-represented communities.

**Policy 4.34. Auto-oriented facilities, uses, and exterior displays.** Minimize the adverse impacts of highways, auto-oriented uses, vehicle areas, drive-through areas, signage, and exterior display and storage areas on adjacent residential uses.

**Policy 4.35. Noise impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative noise impacts to building users and residents, particularly in areas near freeways, regional truckways, major city traffic streets, and other sources of noise.

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**Policy 4.36. Air quality impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative air quality impacts to building users and residents, particularly in areas near freeways, regional truckways, high traffic streets, and other sources of air pollution.

**Policy 4.37. Diesel emissions.** Encourage best practices to reduce diesel emissions and related impacts when considering land use and public facilities that will increase truck or train traffic.

**Policy 4.38. Light pollution.** Encourage lighting design and practices that reduce the negative impacts of light pollution, including sky glow, glare, energy waste, impacts to public health and safety, disruption of ecosystems, and hazards to wildlife.

**Policy 4.39. Airport noise.** Partner with the Port of Portland to require compatible land use designations and development within the noise-affected area of Portland International Airport, while providing disclosure of the level of aircraft noise and mitigating the potential impact of noise within the affected area.

**Policy 4.40. Telecommunication facility impacts.** Mitigate the visual impact of telecommunications and broadcast facilities near residentially zoned areas through physical design solutions.

**140.Finding:** Policies 4.33 through 4.40 generally address industrial and commercial uses that can negatively affect adjacent residential uses and areas. The City Council interprets these policies to apply to non-residential uses, such as those allowed in commercial and employment zones, that can have negative public health impacts on adjacent residential uses. These policies are implemented through the requirements of Zoning Code Chapter 33.262, which is designed to protect uses from off-site impacts associated with nonresidential uses and by requirements for the Commercial/Mixed Use zones in Chapter 33.130 that require landscaped setbacks and screening adjacent to residential zones. For the single dwelling zones, current base zone development standards help address impacts from non-residential areas and street traffic through existing setback requirements and Title 11 tree density standards. Building code requirements include sound attenuation standards to limit noise impacts to residents within dwellings. Existing regulations in the Portland International Airport Noise Impact Zone (33.470) are unchanged, and areas with high noise impacts (68 and higher DNL) where new residential uses are prohibited are unaffected by the housing type allowances in the RIP amendments.

## Scenic resources

**Policy 4.41. Scenic resources.** Enhance and celebrate Portland's scenic resources to reinforce local identity, histories, and cultures and contribute toward way-finding throughout the city. Consider views of mountains, hills, buttes, rivers, streams, wetlands, parks, bridges, the Central City skyline, buildings, roads, art, landmarks, or other elements valued for their aesthetic appearance or symbolism.

**Policy 4.42. Scenic resource protection.** Protect and manage designated significant scenic resources by maintaining scenic resource inventories, protection plans, regulations, and other tools.

**Policy 4.43. Vegetation management.** Maintain regulations and other tools for managing vegetation in a manner that preserves or enhances designated significant scenic resources.

**Policy 4.44. Building placement, height, and massing.** Maintain regulations and other tools related to building placement, height, and massing to preserve designated significant scenic resources.

**Policy 4.45. Future development.** Encourage new public and private development to create new public viewpoints providing views of Portland's rivers, bridges, surrounding mountains, hills and buttes, the Central City skyline, and other landmark features.

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**141.Finding:** Policies 4.30 through 4.32 provide direction regarding Portland’s designated scenic resources. The RIP amendments do not affect management of designated scenic resources. View corridors are protected through the establishment of specified height limits that supersede base zone height limits. Scenic corridors are protected through the establishment of a setback (20’ in RIP zones) that supersede the base zone front or street side setback in addition to other development standards that apply in addition to the base zone regulations. Since the RIP amendments do not change these standards, and they continue to supersede base zone standards in cases of conflict, scenic resource protection is unaffected.

## Historic and cultural resources

**Policy 4.46. Historic and cultural resource protection.** Protect and encourage the restoration of historic buildings, places, and districts that contribute to the distinctive character and history of Portland’s evolving urban environment.

**142.Finding:** This policy calls for protecting and encouraging the restoration of historic resources that contribute to the “distinctive character and history of Portland’s evolving urban environment.” City Council interprets “distinctive character” to refer to the physical environment of Portland, of which historic resources such as buildings and districts are distinctive components, while their contribution to “history” refers to the role of historic resources as being more than physical objects, but reminders of the city’s past, including its social and cultural legacies. This policy’s reference to “Portland’s evolving urban environment” places historic resources in the context of being part of a city that continues to grow and change. City Council interprets this to mean that this and other historic and cultural resource policies are part of a balancing act of protecting distinctive historic and cultural resources, while continuing to accommodate a changing urban environment that meets new needs and uses for buildings.

“Protect” is defined in the Comprehensive Plan as “to defend or guard against loss, injury, or destructions,” which can be accomplished through a variety of regulatory and non-regulatory approaches. This component of this policy is supported by RIP amendments that prevent triplexes and fourplexes from being built on sites where a historic building has been demolished. This demolition limitation is especially oriented to discouraging demolitions of locally-designated historic resources, as it prevents these allowances from being used on sites where there have been demolitions of historic resources in Conservation Districts or locally-designated historic landmarks, for which there are currently no demolition review procedures and are thus more vulnerable to redevelopment pressures.

“Encourage” is defined in the Comprehensive Plan as “promote or foster using some combination of voluntary approaches, regulations, or incentives.” RIP amendments are consistent with this policy as they work in conjunction with existing historic resource regulations by allowing for internal conversions of homes to create additional units, or to create detached accessory dwelling units while leaving the original house unaltered. This provides for additional adaptive reuse potential while still relying on existing historic resource protections and reviews to ensure subsequent changes are consistent with the historic and cultural context. FAR limits for new development and additional FAR bonuses for retaining historic structures is also helpful to the economic viability of historic preservation by providing an additional means to gain value for the preservation of historic buildings, especially when those structures already exceed maximum allowable FAR.

**Policy 4.47. State and federal historic resource support.** Advocate for state and federal policies, programs, and legislation that would enable stronger historic resource designations, protections, and rehabilitation programs.

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**143.Finding:** The RIP amendments do not include state or federal policy advocacy. This policy does not apply.

**Policy 4.48. Continuity with established patterns.** Encourage development that fills in vacant and underutilized gaps within the established urban fabric, while preserving and complementing historic resources.

**144.Finding:** The City Council interprets terms as follows:

**“Encourage”** means to promote or foster using some combination of voluntary approaches, regulations, or incentives.

**“Vacant and underutilized gaps”** means sites identified on the Buildable Lands Inventory, sites that include no buildings, and sites that include buildings with significantly less development in terms of square feet than allowed by current and proposed zoning entitlements. “Vacant and underutilized gaps” does not include Historic and Conservation Landmarks or contributing resources in Historic and Conservation Districts.

**“Established urban fabric”** means characteristics of the existing and historic built environment of a district or place including, but not limited to, block pattern, arrangement and design of streets and pedestrian realm, street wall, street-level activity, building use, construction type, architectural style, exterior materials, design details, massing, and height.

**“Preserve”** means to save from significant change or loss and reserve for a special purpose.

**“Complement”** means to add to, enhance, or improve.

**“Historic resource”** means a structure, place, or object that has a relationship to events or conditions of the human past. Historic resources may be significant for architectural, historical, and cultural reasons. Examples include historic landmarks, conservation landmarks, historic districts, conservation districts, and structures or objects that are identified as contributing to the historic significance of a district, including resources that are listed in the National Register of Historic Places. Rank I, II, and III structures, places, and objects that are included in historic inventories are historic resources.

City Council interprets Policy 4.48 to consist of two parts that work together: 1) encouraging development that fills in vacant and underutilized gaps in the established urban fabric and 2) preserving and complementing historic resources. Regarding the first part, City Council finds that meeting this policy requires allowing new development within the existing built environment. This includes new development that is adjacent to individual historic resources and on non-contributing sites in Historic and Conservation Districts. Regarding the second part, City Council finds that Policy 4.48 requires the protection of historic resources and provisions for requiring new development to complement those resources. Historic resources are complemented when the relationship between the characteristics of additions, alterations, and new development improves the ability to preserve, rehabilitate, reuse, or understand the existing historic resource.

City Council interprets this policy to be implemented by the development review processes and provisions described in the findings for Policy 4.46. In Historic and Conservation Districts, this includes the review of new development to add to, enhance, or improve characteristics of the established urban fabric that relate to the historic significance of the district. City Council also finds this policy is implemented by new development because it supports and increases economic opportunities for the preservation, restoration and reuse of historic resources. The businesses, residents, and other uses provided by new development can be critical to preserving or

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resuscitating the economic and social vitality and sustainability of individual Landmarks, contributing resources in districts, and even districts as a whole.

City Council finds that RIP balances the policy's two objectives to 1) encourage development and 2) preserve and complement historic resources in the following ways:

1. **Encouraging development that fills in vacant and underutilized gaps within the established urban fabric.** The City Council finds that the RIP amendments encourage development that will fill in the vacant and underutilized gaps by maximizing the public's significant investment in infrastructure through encouraging development that increases the achievable density of housing in RIP zones.

City Council's application of the first part of Policy 4.48 is informed both by existing development and by the fact that the RIP amendments are intended to guide new development and growth across RIP zones. Policies such as 5.21 Access to opportunities, 5.22 New development in opportunity areas, and 5.23 Higher Density Housing support increasing the concentration of housing near transit, jobs, high quality schools and other amenities and encourage infill redevelopment generally across the RIP zones. Concurrently, the RIP amendments include new limits on maximum building scale (FAR) which better relates the overall size of the structure to the size of the lot, better ensuring infill will integrate with the established urban fabric.

With the exception of historic resources that are subject to demolition protections, the RIP amendments are not explicitly intended to prevent redevelopment of vacant and underutilized sites. This approach extends to non-contributing sites in historic districts, as explained further below. However, several incentives are included to encourage adaptive reuse of sound housing in alignment with Policy 4.17, Demolitions. Further, provisions within the RIP amendments limit redevelopment options and FAR on contributing sites in Conservation Districts and for Conservation Landmarks when those resources are demolished without receiving prior demolition review approval.

Across the RIP zones, City Council expects that redevelopment of vacant and underutilized sites may not be identical to the existing physical characteristics of the surrounding existing buildings. Chapters 33.110, 33.218, 33.445, and other applicable approval criteria supports a variety of approaches to infill, resulting in buildings that complement existing historic resources. This variety of new development allows provides for growth, density, innovation, the ability to meet the needs of a diversity of uses and people, and the ability for urban form and sense of place to appropriately evolve over time.

The RIP amendments do not have any effect on block structure, street characteristics, or lot patterns as these are already either an existing condition or reviewed through land division or major capital improvement projects. Other elements such as vegetation, building placement, and building forms and types are contemplated and addressed through development standards affected by these amendments. Building placement is determined through the application of setbacks which vary by zone, and to some degree location within a plan district or overlay zone. Consequently, no changes to existing setback requirements are made. There are largely no specific landscape requirements for the single dwelling zones, apart from a tree planting or preservation requirement in Title 11, and requirements specific to environmental and scenic overlay zones. These requirements are also unchanged by RIP amendments.

The most relevant potential influence on the urban fabric building blocks from the RIP amendments pertains to building forms and types. The RIP amendments provide for infill

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opportunities that can provide for a wider variety of housing types to better blend with existing historic examples and resources. New limits on building scale through FAR limits helps ensure that infill works in conjunction with historic resource regulations by allowing for internal conversions of homes to create additional units, or to create detached accessory dwelling units while leaving the original house unaltered. RIP amendments include development standards intended to complement the established characteristics of residential neighborhoods, including those in historic districts, through retaining the pattern on residential lots of primary and accessory building forms, setbacks, heights, building coverage, new limits on floor area, and through additional standards for street facing facades, main entrances, and parking and garages. RIP amendments include new standards for narrow lots development that requires pairs of attached houses in order to better reflect the existing patterns of wider lot development. The RIP amendments only regulate the allowed scale and basic characteristics of development. Other regulatory tools, particularly Historic Resource Review, address the design details of development in historic districts to ensure they are compatible with their specific context.

#### **The role of housing types and FAR allowances in encouraging development of vacant and underutilized sites in RIP zones.**

Building size in RIP zones was previously regulated primarily by two development standards; building coverage and height. The combination of these two creates a 3-dimensional “box” that determines the maximum allowable size of development on a site. The introduction of FAR to these zones adds a new limitation within the existing “box”. FAR limits were established generally above the average existing building size in affected zones to 1) reduce non-conforming development situations, 2) to provide flexibility for existing properties to expand, and 3) to create further incentives for creating additional units on a site.

FARs are notably much lower than the previously achievable “box”. For example, on a 5,000 s.f. R5 zoned lot, the maximum square footage was previously 6,750 s.f. for a house with or without an ADU. Now, the maximum allowable floor area is 2,500 s.f. for a house, 3,000 s.f. for two units, and 3,500 s.f. for 3 or 4 units. Only the deeper affordability bonus provides an FAR that comes close to previous allowances at 6,000 s.f., but again is less than the previous maximum size allowed.

Council heard testimony supporting much lower FAR’s based on average home sizes by neighborhood. Council found that application of these neighborhood specific FARs would be problematic for several reasons, including impacts to the financial feasibility of new development when considering the findings from the initial economic feasibility analysis<sup>39</sup> which found a lower universal FAR would not result in significant interest in creating additional housing units and would impede progress toward filling in vacant and underutilized gaps within the established urban fabric. Moreover, the approach would be largely inequitable, perpetuating a zoning scheme that rewarded more affluent neighborhoods with greater building entitlements while penalizing lower income neighborhoods characterized by smaller houses.

2. **Preserving historic resources.** City Council finds that the RIP amendments do not remove existing Zoning Code provisions that protect historic resources citywide. Additionally, Council amended

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<sup>39</sup> Economic Analysis of Proposed Changes to the Infill Development Standards, Appendix B - Proposed Draft, Johnson Economics, April 2018

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the proposals to include additional limitations on housing units and associated FAR for contributing sites in conservation districts and for conservation landmarks when a designated conservation resource is demolished without receiving demolition review approval. These sites are currently only protected via a 120-day delay on demolition. These provisions are described in the findings for Policy 4.46.

3. **Encouraging development that complements individually listed historic resources.** The City Council finds that the RIP amendments encourage development of vacant and underutilized sites that will complement Historic and Conservation Landmarks by increasing the economic viability of preservation, rehabilitation, and reuse.

The City Council finds that this policy, outside of Historic and Conservation Landmark and District boundaries, does not require the design of development adjacent to and nearby historic resources to relate to the physical features of those resources. However, within the boundaries of Historic and Conservation Landmarks and Districts, alterations, additions, and new construction are subject to Historic Resource Review.

The City Council finds that, within Historic and Conservation Landmark and District boundaries, Historic Resource Review ensures new development activities will complement the physical characteristics of those resources. For sites outside of Historic and Conservation Landmark and District boundaries, the City Council finds that the new development may depart from the physical characteristics of the adjacent and nearby historic resources.

4. **Encouraging development that complements Historic and Conservation Districts.** The City Council finds that the RIP amendments encourage development of vacant and underutilized sites in Historic and Conservation Districts that will complement contributing resources by increasing the economic viability of preserving, rehabilitating, and reusing those resources.

The City Council further finds that the RIP amendments encourage development of vacant and underutilized sites in Historic and Conservation Districts that will complement the established urban fabric found in those districts. The City Council finds that this policy does not require development adjacent to and nearby Historic and Conservation Districts to complement the physical features found in those districts, except as required of any Design Overlay standards or approval criteria that may apply to the site.

Policy 4.49 describes Historic Districts as “unique.” The City Council therefore finds that established urban fabric—and the relative importance of the characteristics of that fabric—differs district-by-district. The established urban fabric found in Historic and Conservation Districts includes characteristics of the built environment present during the historic period of significance, as well as those present today. This fabric may include, but is not limited to, block pattern, arrangement and design of streets and pedestrian realm, street wall, street-level activity, building use, construction type, architectural style, exterior materials, design details, massing, and height. Information about the established urban fabric found in a Historic or Conservation District can be found in the nomination for historic designation, the district design guidelines, and the built environment today.

**Policy 4.49. Resolution of conflicts.** Adopt and periodically update design guidelines for unique historic districts. Refine base zoning in historic districts to consider the character of the historic resources in the district.

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**145.Finding:** The first part of Policy 4.49 provides direction on adopting and updating design guidelines for historic districts, which are not part of the scope of the RIP project. The City creates and updates such guidelines through projects with a specific focus on historic district guidelines. The RIP amendments are not rezoning any areas within historic districts. The RIP amendments are also consistent with this policy in reducing the building scale permitted under current zoning allowances, both through the imposition of new floor-to-area requirements (FAR) as well as changes in measuring methodology for building height, which will help address compatibility with historic resources in single-dwelling zones. The changes to broaden allowed housing types is consistent with existing historic preservation incentives in 33.445.610.C.2. which state “Additional density in Single-Dwelling zones. Landmarks in Single-Dwelling zones may be used as multi-dwelling structures, up to a maximum of one dwelling unit for each 1,000 square feet of site area.” The RIP amendments do not affect the current historic resource review procedures that consider the character of the historic district during specific proposals to alter the resource.

**Policy 4.50. Demolition.** Protect historic resources from demolition. Provide opportunities for public comment and encourage pursuit of alternatives to demolition or other actions that mitigate for the loss.

**146.Finding:** “Protect” is defined in the Comprehensive Plan as “to defend or guard against loss, injury, or destructions,” which can be accomplished through a variety of regulatory and non-regulatory approaches. Historic resources include Historic Landmarks and districts, Conservation Landmarks and districts, contributing structures within those districts, and structures identified in the city’s historic resource inventory. Contributing structures in Historic Districts, Historic Landmarks and historic resources with protective covenants are protected through a demolition review process (33.445). Other resources are subject to 120-day delay to allow time for consideration of alternatives to demolition, such as restoration, relocation, or architectural salvage. The RIP amendments include a number of incentives designed to encourage existing house retention, and adaptive reuse of existing properties, both designated historic and otherwise.

The RIP amendments additionally support this policy by preventing triplexes and fourplexes from being built on sites where a historic building has been demolished. This demolition limitation is especially oriented to discouraging demolitions of locally-designated historic resources, as it prevents these allowances from being used on sites where there have been demolitions of historic resources in Conservation Districts or locally-designated conservation landmarks, for which there are currently no demolition review procedures and are thus potentially more vulnerable to redevelopment pressures. A fair amount of testimony centered around this provision, with historic resource advocates like the Portland Landmarks Commission and Restore Oregon<sup>40</sup> testifying in support of the additional protections, while others were in opposition citing the barriers to providing additional housing and reinforcing past ‘exclusionary’ zoning practices. Some members of Council shared concerns that the provisions may hamper new housing opportunities in Conservation Districts, but ultimately supported the provision knowing that the issue of historic resources and their protections will be reviewed by council more holistically in a pending project, the Historic Resources Code Project. Additionally, the disincentive does not prevent new housing types on non-contributing and vacant sites within these districts, and also does not restrict internal conversions, building additions that add units or adding ADU’s to sites with existing resources that are not demolished.

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<sup>40</sup> See testimony from Peggy Morretti (Restore Oregon) June 10, 2020 and Kristin Minor (PHLC) June 18, 2020

**Policy 4.51. City-owned historic resources.** Maintain City-owned historic resources with necessary upkeep and repair.

**147.Finding:** The RIP amendments do not affect the maintenance of any City-owned historic resources.

**Policy 4.52. Historic Resources Inventory.** Maintain and periodically update Portland’s Historic Resources Inventory to inform historic and cultural resource preservation strategies.

**148.Finding:** The historic resources inventory is not being updated through this process. This policy is not applicable.

**Policy 4.53. Preservation equity.** Expand historic preservation inventories, regulations, and programs to encourage historic preservation in areas and in communities that have not benefited from past historic preservation efforts, especially in areas with high concentrations of under-served and/or under-represented people.

**Policy 4.54. Cultural diversity.** Work with Portland’s diverse communities to identify and preserve places of historic and cultural significance.

**Policy 4.55. Cultural and social significance.** Encourage awareness and appreciation of cultural diversity and the social significance of historic places and their roles in enhancing community identity and sense of place.

**149.Finding:** Policies 4.53, 4.54 and 4.55 address implementation approaches related to expanding historic preservation efforts involving diverse communities and areas. These are the major focus of another pending project: the Historic Resources Code Amendment Project as well as other City efforts, including current work by the Bureau of Planning and Sustainability in partnership with community partners to document African-American historic resources and provide a framework for their preservation. The RIP amendments include limitations on newly constructed 3 or more units on lots where a historic resource has been demolished without obtaining approval through demolition review. This demolition limitation is especially oriented to discouraging demolitions of locally-designated conservation resources, as it prevents these allowances from being used on sites where there have been demolitions of historic resources in Conservation Districts or locally-designated conservation landmarks, for which there are currently no demolition review procedures and are thus potentially more vulnerable to redevelopment pressures. Conservation districts all exist within the Albina Community Plan Area, an area largely under represented and underserved with regard to previous historic resource efforts. This limitation still allows for the conversion of existing houses into multiple units but serves as a protective measure until more holistic decisions about conservation district resource protections are rendered through the Historic Resources Code Amendment Project.

Furthermore, the RIP amendments allow for and encourage adaptive reuse of historic places by permitting internal conversions or building additions to add more units and granting bonus FAR when doing so. The standards also provide for a small increment (250 square feet) of additional building square footage to be added to existing buildings even when exceeding FAR limits, as well as remove maximum size limits for basement ADU conversions in existing houses for increased flexibility. While these measures are not exclusive to designated historic resources, they do provide additional tools for both protected designated resources in addition to other resources that may not yet be so designated.

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**Policy 4.56. Community structures.** Encourage the adaptive reuse of historic community structures, such as former schools, meeting halls, and places of worship, for arts, cultural, and community uses that continue their role as anchors for community and culture.

**150.Finding:** The RIP amendments do not propose any changes to current historic resource protections, historic preservation incentives (33.445) or non-conforming use regulations (33.258). Historic community structures, such as places of worship, exist in single-dwelling zones. The Historic Resources Code Project, currently in progress, will be updating regulations for these and other historic resources.

**Policy 4.57. Economic viability.** Provide options for financial and regulatory incentives to allow for the productive, reasonable, and adaptive reuse of historic resources.

**151.Finding:** The RIP amendments are consistent with this policy by providing for a wider variety of housing types and more options to add units to a site through additional accessory dwelling units. The combination of these allowances provides varying means to adapt existing historic resources by either internally converting to add units or leaving the structure intact and adding detached accessory units. Additional FAR is awarded to sites that retain the existing structure as a regulatory incentive. Existing historic resource protections and reviews ensure subsequent changes will be consistent with the historic and cultural context.

**Policy 4.58. Archaeological resources.** Protect and preserve archaeological resources, especially those sites and objects associated with Native American cultures. Work in partnership with Sovereign tribes, Native American communities, and the state to protect against disturbance to Native American archaeological resources.

**152.Finding:** The RIP amendments do not affect archaeological resources or the City's work with partners on protecting against disturbances to Native American archaeological resources. This policy does not apply.

## Public art

**Policy 4.59. Public art and development.** Create incentives for public art as part of public and private development projects.

**153.Finding:** Not applicable. No changes or incentives are proposed by the RIP amendments to the City's public art incentives.

## Resource-efficient design and development

**Policy 4.60. Rehabilitation and adaptive reuse.** Encourage rehabilitation and adaptive reuse of buildings, especially those of historic or cultural significance, to conserve natural resources, reduce waste, and demonstrate stewardship of the built environment.

**154.Finding:** The RIP amendments are consistent with this policy as they permit existing buildings to be converted to add up to four total dwelling units, which supports adaptive reuse of existing buildings. No changes to historic resource protections are made with these amendments. For these resources, conversions that add units can be proposed that will either be reviewed against historic resource criteria or required to meet design standards. Provisions are also included to provide bonus FAR for adding units to sites while retaining existing buildings. These amendments allow owners to reinvest and rehabilitate existing buildings. These RIP allowances for additional units or FAR as part of adaptive reuse of existing buildings are part of the City's efforts to demonstrate stewardship of the built environment, in that these amendments – in conjunction with other regulations and historic preservation approaches – are part of strategies to intentionally guide the

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future of Portland's built environment to achieve a wide range of community and policy objectives, such as those related to sustainable development and the preservation of historic resources.

**Policy 4.61. Compact housing.** Promote the development of compact, space- and energy-efficient housing types that minimize use of resources such as smaller detached homes or accessory dwellings and attached homes.

**155.Finding:** RIP amendments are consistent with this policy because they allow for more compact development, such as duplexes, triplexes, and fourplexes, in single-dwelling zones that use less energy and resources. Studies indicate that smaller, attached units are associated with significantly greater energy efficiency than detached houses<sup>41</sup>. The ability to accommodate multiple households on a single residential lot within a building envelope that is less than the size allowed for a single house also supports both land and resource efficient development. Fewer materials are needed to construct these smaller dwellings and accommodating four households on a single lot reduces demand for extra territorial expansion and growth. The RIP amendments also support this policy by reducing the building scale permitted under current zoning allowances both through the imposition of new floor-to-area requirements (FAR) as well as changes in measuring methodology for building height. Provisions are also included to encourage additional accessory dwelling units, which are limited in size and could either be internal or small detached homes. New standards for small flag lot sin the R5 zone also limit the detached house size to 1,000 square feet.

**Policy 4.62. Seismic and energy retrofits.** Promote seismic and energy-efficiency retrofits of historic buildings and other existing structures to reduce carbon emissions, save money, and improve public safety.

**156.Finding:** The RIP amendments support this policy as they promote retrofits of existing buildings through conversions to add additional units. These RIP provisions include incentives for basement ADU conversions (by eliminating size limits on the ADU provided it is located entirely in a basement of a house that is at least five years old). Allowances and incentives (providing additional FAR) are also offered to convert existing houses into duplexes, triplexes or fourplexes. When these conversions occur, seismic and energy retrofits are frequently included as part of the required building code compliance.

**Policy 4.63. Life cycle efficiency.** Encourage use of technologies, techniques, and materials in building design, construction, and removal that result in the least environmental impact over the life cycle of the structure.

**157.Finding:** The RIP amendments do not change existing deconstruction requirements. The amendments do encourage the use of techniques and materials to adapt and convert existing residential structures by offering FAR bonuses for adding units to a site with an existing house.

**Policy 4.64. Deconstruction.** Encourage salvage and reuse of building elements when demolition is necessary or appropriate.

**158.Finding:** The RIP amendments do not change existing deconstruction requirements.

**Policy 4.65. Materials and practices.** Encourage use of natural, resource-efficient, recycled, recycled content, and non-toxic building materials and energy-efficient building practices.

**159.Finding:** The RIP amendments do not require or incentivize specific materials or building practices beyond current building code standards. This policy is implemented by other City programs that

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<sup>41</sup>Location Efficiency and Housing Type, Johnathan Rose Companies, March 2011

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promote green building approaches.

**Policy 4.66. Water use efficiency.** Encourage site and building designs that use water efficiently and manage stormwater as a resource.

**160.Finding:** The RIP amendments do not change existing stormwater management manual requirements or specify explicit water efficiency measures. However, with the reduced building size allowances, smaller footprint structures are more likely, which increases area available for stormwater infiltration.

**Policy 4.67. Optimizing benefits.** Provide mechanisms to evaluate and optimize the range of benefits from solar and renewable resources, tree canopy, ecoroofs, and building design.

**161.Finding:** This policy is implemented primarily by programmatic implementation approaches related to evaluating and strategically optimizing benefits of resource-efficient design, such as through the Commercial Building Energy program, Home Energy Score requirements, Sustainability at Work, and the Portland Clean Energy Community Benefits Fund. The RIP amendments compliment these implementation efforts through new limitations on building size that promote resource efficiency and that are designed to be flexible to suit specific site conditions and optimize benefits. The floor to area regulations allow either a smaller footprint building to be taller, and thus take up less area on the lot, providing more room for tree canopy, or lower and spread out, providing more rooftop area for solar and ecoroofs.

**Policy 4.68. Energy efficiency.** Encourage and promote energy efficiency significantly beyond the Statewide Building Code and the use of solar and other renewable resources in individual buildings and at a district scale.

**162.Finding:** The RIP amendments do not mandate energy standards beyond the building code but do allow for and promote smaller attached units which by their design are more energy efficient than larger homes built to higher energy standards.

**Policy 4.69. Reduce carbon emissions.** Encourage a development pattern that minimizes carbon emissions from building and transportation energy use.

**163.Finding:** The RIP amendments allow for more households to locate in smaller buildings closer to centers and corridors. The amendments eliminate the on-site parking requirement for household living uses in single-dwelling zones. This is cited in the Climate Action Plan as part of a near term strategy to link parking requirements to mode share targets. By developing parking management policies and programs, including shared parking, this reduces vehicle miles traveled and promotes successful density within centers and along corridors, which in turn helps minimize carbon emissions from reduced commute travel needs and less building construction material<sup>42</sup>. This has the potential to reduce vehicle miles travelled because, according to a UCLA study, “the presence of bundled parking (*i.e. an on-site parking space*) is associated with a 27 percent increase in vehicle miles traveled. Bundled households drive approximately 3,800 miles more, spend nearly \$580 more on gasoline, and emit 14.47 more metric tons of carbon dioxide per year. Bundled parking is also negatively correlated to transit use, and households with unbundled parking are significantly more likely to be frequent transit users”<sup>43</sup>. Studies indicate that the combination of smaller, attached units and location close to transit result in significantly less energy use and associated carbon

<sup>42</sup> Portland Climate Action Plan, June 2015

<sup>43</sup> Does Bundled Parking Influence Travel Behavior, Pinski, UCLA, 2018

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emissions compared to detached houses,<sup>44,45 46</sup>

**Policy 4.70. District energy systems.** Encourage and remove barriers to the development and expansion of low-carbon heating and cooling systems that serve multiple buildings or a broader district.

**Policy 4.71. Ecodistricts.** Encourage ecodistricts, where multiple partners work together to achieve sustainability and resource efficiency goals at a district scale.

**164.Finding:** City Council finds that policies 4.70 and 4.71 are primarily applicable to high-density development in urban districts, such as centers, not to dispersed development in single-dwelling zones, which is the focus of the RIP amendments. Ecodistricts and district energy systems are more typically associated with larger multifamily or commercial development projects.

**Policy 4.72. Energy-producing development.** Encourage and promote development that uses renewable resources, such as solar, wind, and water to generate power on-site and to contribute to the energy grid.

**165.Finding:** “Encourage” is defined in the Comprehensive Plan as “promote or foster using some combination of voluntary approaches, regulations, or incentives.” Other City efforts utilize non-regulatory approaches to promote development that uses renewable resources, and existing Zoning Code regulations accommodate solar panels and small wind turbines through provisions such as exceptions to building height limits. The RIP amendments support this policy indirectly through new building size limitations and revisions to height measurement methods that will help reduce conflicts between solar and wind systems and new adjacent infill development. This encourages the use of these renewable resources by reducing the investment risk that these systems will be obstructed by new development.

### Designing with nature

**Policy 4.73. Design with nature.** Encourage design and site development practices that enhance, and avoid the degradation of, watershed health and ecosystem services and that incorporate trees and vegetation.

**Policy 4.74. Flexible development options.** Encouraging flexibility in the division of land, the siting and design of buildings, and other improvements to reduce the impact of development on environmentally sensitive areas and to retain healthy native and beneficial vegetation and trees.

**Policy 4.75. Low-impact development and best practices.** Encourage use of low-impact development, habitat-friendly development, bird-friendly design, and green infrastructure.

**Policy 4.76. Impervious surfaces.** Limit use of and strive to reduce impervious surfaces and associated impacts on hydrologic function, air and water quality, habitat connectivity, tree canopy, and urban heat island effects.

**Policy 4.77. Hazards to wildlife.** Encourage building, lighting, site, and infrastructure design and practices that provide safe fish and wildlife passage, and reduce or mitigate hazards to birds, bats, and other wildlife.

**Policy 4.78. Access to nature.** Promote equitable, safe, and well-designed physical and visual access to

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<sup>44</sup>Location Efficiency and Housing Type, Johnathan Rose Companies, March 2011

<sup>45</sup>Drew et al. (2015). The Environmental Impact of Tall vs Small: A Comparative Study. International Journal of High-Rise Buildings, June 2015, Vol 4, No 2, 109-116.

<sup>46</sup> Smart Growth and Transportation, EPA January 2017

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nature for all Portlanders, while also maintaining the functions and values of significant natural resources, fish, and wildlife. Provide access to major natural features, including:

- Water bodies such as the Willamette and Columbia rivers, Smith and Bybee Lakes, creeks, streams, and sloughs.
- Major topographic features such as the West Hills, Mt. Tabor, and the East Buttes.
- Natural areas such as Forest Park and Oaks Bottom.

**166.Finding.** Policies 4.73 through 4.78 provide direction regarding the interface between development and natural features and functions. The RIP amendments address the designing with nature policies in a variety of ways. Amendments limit maximum building size through FAR which can reduce building footprints, providing more space for tree preservation and/ or planting and other green elements. While the amendments allow more units on single-dwelling sites, they retain current Title 11 requirements for overall tree density. Amendments eliminate minimum parking requirements, which will help limit urban heat islands, allow for less impervious surface, and provide more opportunities for green spaces. Regulations for three or more units on a lot (e.g. triplexes and fourplexes) also help implement these policies, as the location of the new ‘constrained sites’ ‘z’ overlay which restricts these additional units (and corresponding larger FAR) encompasses all sensitive environmental areas (low, medium and high value NRI).

### Hazard-resilient design

**Policy 4.79. Natural hazards and climate change risks and impacts.** Limit development in or near areas prone to natural hazards, using the most current hazard and climate change-related information and maps.

**Policy 4.80. Geological hazards.** Evaluate slope and soil characteristics, including liquefaction potential, landslide hazards, and other geologic hazards.

**Policy 4.81. Disaster-resilient development.** Encourage development and site-management approaches that reduce the risks and impacts of natural disasters or other major disturbances and that improve the ability of people, wildlife, natural systems, and property to withstand and recover from such events.

**Policy 4.83. Urban heat islands.** Encourage development, building, landscaping, and infrastructure design that reduce urban heat island effects.

**Policy 4.82. Portland Harbor Facilities.** Reduce natural hazard risks to critical public and private energy and transportation facilities in the Portland Harbor.

**Policy 4.84. Planning and disaster recovery.** Facilitate effective disaster recovery by providing recommended updates to land use designations and development codes, in preparation for natural disasters.

**167.Finding:** Policies 4.79 through 4.84 provide direction regarding the interface of development with natural hazards. RIP amendments allowing for more efficient use of single-dwelling zoned land help implement these policies, as the location of land where three or more units on a lot (e.g. triplexes and fourplexes) are allowed is restricted on sites with the new ‘constrained sites’ ‘z’ overlay which encompasses special flood hazard areas; floodways; the 1996 Flood Inundation area; Potential Rapidly Moving Landslide Hazard Zones as shown in the DOGAMI IMS-22 publication; and Deep landslide—High Susceptibility or Landslide Deposit or Scarp as shown in the DOGAMI IMS-57 publication. Generally, duplexes are required to be allowed on all lots pursuant to House Bill 2001.

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Urban heat islands are generally found to be associated with non-RIP zones, where large expanses of parking and lower tree canopy are present. The RIP amendments remove minimum parking requirements and limit structure sizes in RIP zones to less than what is permissible today, allowing for reduced amounts of impervious surfaces and increasing the ability to maintain and increase tree canopy.

City programs that are deemed in compliance with Metro Title 3 requirements for flood management, and erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24), as well as the environmental overlay zones are unchanged by these amendments and will ensure any new development will be done in a way to protect people and property from hazards.

### Healthy food

**Policy 4.85. Grocery stores and markets in centers.** Facilitate the retention and development of grocery stores, neighborhood-based markets, and farmer’s markets offering fresh produce in centers.

**Policy 4.86. Neighborhood food access.** Encourage small, neighborhood-based retail food opportunities, such as corner markets, food co-ops, food buying clubs, and community-supported agriculture pickup/drop-off sites, to fill in service gaps in food access across the city.

**Policy 4.87. Growing food.** Increase opportunities to grow food for personal consumption, donation, sales, and educational purposes.

**Policy 4.88. Access to community gardens.** Ensure that community gardens are allowed in areas close to or accessible via transit to people living in areas zoned for mixed-use or multi-dwelling development, where residents have few opportunities to grow food in yards.

**168.Finding:** Policies 4.85 through 4.88 provide direction regarding the role of development in contributing to access to healthy foods. Increasing the number of households that can locate in an area increases the market capture for grocery stores, improving their viability in the surrounding area. The RIP amendments do not change retail allowances or zoning that would directly affect food access. However, more than half of RIP zoned parcels are already located within complete neighborhoods (areas with higher access to food and other amenities), so that allowing more units on RIP zoned parcels will allow for more households to live in areas with access to groceries and other food sources. Additionally, the small-scale low-density buildings allowed by these changes with maximum limits on building coverage that do not exceed 50 percent provide an alternative housing type than larger taller and higher density multi-unit buildings with little ground space for growing food.

## Chapter 5: Housing

**Goal 5.A: Housing diversity.** Portlanders have access to high-quality affordable housing that accommodates their needs, preferences, and financial capabilities in terms of different types, tenures, density, sizes, costs, and locations.

**170.Finding:** The City's Housing Needs Analysis, which was adopted (Ordinance 185657) and acknowledged by LCDC on June 11, 2014, consists of five distinct reports that analyzed the state of housing supply, housing affordability issues and the City's ability to meet projected housing demand. The Buildable Land Inventory (BLI), which was adopted (Ordinance 187831) and acknowledged by LCDC on April 25, 2017, identified the supply of land available to provide this needed housing. This demonstrated compliance with Statewide Land Use Goal 10.

The RIP amendments expand the types of housing available in the R2.5, R5 and R7 zones, which comprise nearly 30% of the City's total area. There are essentially five basic housing types that are enabled or expanded through these changes:

Accessory Dwelling Units (ADU). New allowances for up to two ADUs with a house or one ADU with a duplex.

Duplexes. Under current regulations, duplexes are allowed on corner lots. The RIP amendments allow duplexes on all lots in the RIP zones, consistent with mandates in HB2001.

Triplexes. Under current regulations, triplexes are only allowed in the R2.5 zone within the Alternative Design Density 'a' overlay zone and not allowed in the other RIP zones. The RIP amendments will allow triplexes on most lots (outside of the 'z' overlay) throughout Portland.

Fourplexes. Under current regulations, fourplexes are not allowed in the RIP zones. The RIP amendments will allow fourplexes on most lots (outside of the 'z' overlay) throughout Portland.

Multi-dwelling buildings with 5 or 6 units. Under current regulations, multi-dwelling buildings are not allowed in the RIP zones. The RIP amendments will allow these units (outside of the 'z' overlay) when certain levels of regulated affordable housing units are provided.

Under the previous zoning, the 2035 Comprehensive Plan anticipated roughly 16,200 single dwellings to be built in RIP zones in the planning period. The additional housing types enabled through the RIP amendments are expected to result in roughly 20,100 projected housing units within the RIP zones<sup>47</sup>. While this represents only a net increase of 3,900 units, the larger distinction is that instead of 16,200 single dwelling units, the RIP amendments provide options for all 20,100 of those projected units to be accommodated in a variety of housing types, described above. This helps diversify Portland's housing stock to suit a wider range of housing needs, preferences, and financial capabilities.

Currently, there are over 119,000 single dwelling houses in the RIP zones representing over 91% of the housing types in these zones. The projected 20,100 units in a mix of houses, duplexes, triplexes and fourplexes will provide an increased range of more variable unit types, from smaller family size three- and four-bedroom duplexes to one- and two-bedroom fourplexes and two-bedroom 6-unit buildings. The changes also include requirements that in cases where more than two units are proposed, some portion of the units on the site must be visitable for people with mobility impairments. These units are more easily adapted for reasonable accommodation requests per the federal fair housing requirements.

<sup>47</sup> Household projection comparison - Comp Plan to RIP, BPS, January 2020

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The Comprehensive Plan uses two definitions for “affordable housing” and both are relevant to the RIP amendments. The first definition relates to housing that serves extremely low, very low- and low-income households. City Council interprets these household types as below 30%, below 60%, and 80% of the median family incomes respectively. The second definition cites the HUD definition of “affordable” as housing that costs no more than 30 percent of a household’s monthly income. In terms of affordability, the smaller size units provide lower unit cost options (both rent and sales) than comparative larger single houses on single lots<sup>48</sup>. These units provide more variety and available options for households that may be above 80% MFI but are seeking housing that fits below the 30% of their household income level. The RIP amendments also provide two incentives for the creation of regulated affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows up to six units at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. This FAR generally provides for 2-bedroom units. For these deeper affordable units, two visitable units will be required.

Also, in terms of housing affordability and stability, the additional, second ADU can supplement an owner’s income and offset mortgage expenses. Similarly, owner-occupied duplexes, triplexes and fourplexes can be purchased through normal residential Federal Housing Administration (FHA) loans, Veterans Affairs loans, or conventional financing, with rents being used to help qualify for lending.<sup>49</sup>

In terms of tenure, there are no zoning regulations that require the expanded housing types to be ownership or rental units. According to the Johnson Economic feasibility analysis, these types of units will more frequently be available as rental units, though ownership of individual units through a condominium arrangement may be possible. Expanded development options for narrow lots also offer more housing options. These lots can be developed with pairs of attached houses, with each half able to be owned independently of the other. Alternatively, through a property line adjustment, an existing house can be retained, and a new flag lot created for a small detached house in the back. These houses will tend to be more modest first-time homebuyer options.

By expanding the palette of available housing types and unit sizes that can be built in nearly a third of the city’s land area, Portlanders will have increased access to high-quality affordable housing that accommodates their needs, preferences, and financial capabilities.

**Goal 5.B: Equitable access to housing.** Portland ensures equitable access to housing, making a special effort to remove disparities in housing access for people with disabilities, people of color, low-income households, diverse household types, and older adults.

**171.Finding:** City Council defines “equitable access to housing” as a goal to create housing that is accessible and affordable to a wide range of households, including people with disabilities, people of color, low-income households, diverse household types, and older adults. The RIP amendments are consistent with this goal because they include requirements for visitable units that are intended to offer more options and remove access barriers for people with disabilities and older adults. The RIP amendments also provide two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. The increased range of housing types

<sup>48</sup> Exhibit B, Volume 3, Appendix A, Johnson Economics *Economic Analysis of Proposed Changes to the Infill Development Standards*, Nov. 2018

<sup>49</sup> How to finance a Duplex or Multifamily Home, Bankrate.com, January 2019

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enabled through the RIP amendments also broadens the diversity of housing to suit different household types and compositions in many more areas of the city, including multigenerational households, cottage clusters and cohousing. Opening up more opportunities for first time homebuyers by allowing for smaller, less expensive units can ensure more equitable access in more neighborhoods. Additional provisions for ADUs also offer more opportunities for older adults who wish to downsize either on their own lot, in the same neighborhood, or with extended family.

**Goal 5.C: Healthy connected city.** Portlanders live in safe, healthy housing that provides convenient access to jobs and to goods and services that meet daily needs. This housing is connected to the rest of the city and region by safe, convenient, and affordable multimodal transportation.

**172.Finding:** City Council interprets this goal as to encourage the development of a wide range of housing units in and around complete neighborhoods that have access to transit, bikeways and sidewalks (see Human Health Guiding Principle). Roughly half (~66,000) of all parcels in the RIP zones are in areas that are complete neighborhoods. Restrictions on roughly 9,000 lots due to presence of natural hazards and/or resources (in the new 'z' overlay zone) helps ensure additional households are not located in less suitable locations. 114,000 parcels (94%) in RIP zones are located within ¼ mile of transit, and 104,000 (86%) are located within ½ mile of frequent bus and/or fixed rail transit. Moreover, many of these areas are additionally served by sidewalks, trails, and or bikeways<sup>50</sup>.

**Goal 5.D: Affordable housing.** Portland has an adequate supply of affordable housing units to meet the needs of residents vulnerable to increasing housing costs.

**173.Finding:** City Council interprets this goal as to encourage the development of regulated affordable housing that provides long-term stability to low-income households. The rising cost of housing is a top concern across the city, as more people are finding it difficult to afford housing — whether they are buying or renting<sup>51</sup>. Between 2011 and 2018, the median home sale price citywide rose 60 percent — or more than \$150,000. And as of 2018, the median home sale price exceeded \$475,000 in more than half the neighborhoods in the city. In fact, to afford the median price home in Portland today, families must earn 130% to 160% of the median area income. By comparison, in 2011 a family earning 80% of the median area income could afford a median priced 2-bedroom home.

The RIP amendments also provide two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows up to six units at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. Moreover, based on the economic analysis (Volume 3, Appendix A), the average rents per unit is decreased by over 50% compared to the default development scenario. Further, testimony by Housing Oregon, a statewide association of affordable housing community development corporations (CDCs) that serve low-income households, states that the deeper affordability bonus will enable affordable housing developers to provide more housing options and increased density that translates to serving more households with less subsidy.

**Goal 5.E: High-performance housing.** Portland residents have access to resource-efficient and high-performance housing for people of all abilities and income levels.

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<sup>50</sup> See map "RIP Active Transportation" April 22, 2020

<sup>51</sup> Portland Housing Bureau, State of Housing Report 2018

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**174.Finding:** City Council defines “high-performance housing” to include housing that is developed with a lighter environmental impact (smaller carbon footprint, eco-friendly materials, longevity of construction, reducing waste, recycling). The RIP amendments include requirements for visitable units that are intended to offer more options and remove access barriers for people with disabilities. Incentives are included to encourage development of affordable units available to households earning 80% or less of the median area income. These units will be required to meet building code standards for energy efficiency. New limits on building size reduce the maximum size of buildings in RIP zones between  $\frac{1}{3}$  and  $\frac{1}{2}$  of current entitlements. According to a study published by Oregon DEQ *A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon*<sup>52</sup>, of 30 different material reduction and reuse practices evaluated, reducing home size and multi-family living achieved the largest greenhouse gas reductions along with significant reductions in other impact categories. Reducing home size by 50 percent results in a projected 36 percent reduction in lifecycle greenhouse gas emissions. Reducing home size is a significant leverage point for environmental impact reduction and may be equivalent to achieving minimum levels of “green” certification.

### Diverse and expanding housing supply

**Policy 5.1. Housing supply.** Maintain sufficient residential development capacity to accommodate Portland’s projected share of regional household growth.

**175.Finding:** The verb “maintain” is defined in the 2035 Comprehensive Plan as to keep what you have, conserve, continue. The City Council interprets “sufficient residential development capacity” as having at least as much capacity as the 20-year growth forecast, as required by Statewide Planning Goal 10. Goal 10 mandates that local jurisdictions ensure adequate capacity, and provides a “floor” for such measure, but does not restrict or prevent jurisdictions from increasing housing capacity above a set “ceiling”. In other words, just because the City has shown that it meets the number of requisite units to accommodate the forecast growth, Goal 10 does not prevent the City from increasing the capacity, and especially so when such increases help improve the housing target performance in other areas of the goal (type, tenure and affordability).

The RIP amendments include modifications to zoning allowances that increase both the range of allowed housing types, as well as the overall capacity for housing units to be created in RIP zones. These amendments are in part to improve the performance of the Comprehensive Plan housing policies, as well as alleviate competitive pressure for housing development more ubiquitously across the city. The City Council finds that increasing development capacity beyond what is needed is desired to provide capacity over a longer planning horizon; as well as to improve locational and housing type choice. The RIP capacity and growth allocation model projects that residential development *capacity* is increased in RIP zones from 30,000 to 55,000 units.

While the RIP changes increase the capacity for number of households on certain qualifying lots in the affected zones from 2 (house plus ADU, corner lot duplex) to 6 units; not all lots are likely to develop at this density over the 20-year planning period. Household growth is determined by Metro forecasts at the regional level. The RIP amendments do not affect the City’s forecasted growth rate of 123,000 households (between 2015-2035). This growth rate is an established allocation from Metro in its agency’s role to coordinate land use planning for the region in accordance with Goal 2. Metro develops the forecast and allocates the forecasted growth to each of the jurisdictions within its boundaries. Accordingly, while the RIP amendments are projected to

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<sup>52</sup> A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, September 29, 2010

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reallocate roughly 3,900 units from other zones to RIP zones, the overall number of households is not changed.

The increase in development capacity will ensure that the City of Portland continues to accommodate the projected share of regional household growth.

**Policy 5.2. Housing growth.** Strive to capture at least 25 percent of the seven-county region’s residential growth (Multnomah, Washington, Clackamas, Yamhill, Columbia, Clark, and Skamania counties).

**176. Finding:** The verb “strive” is defined in the 2035 Comprehensive Plan as to work to achieve over time. The City Council interprets this policy as a performance measure that requires the City to monitor how much residential growth is occurring compared to the rest of the region. The change to increase the number of units permitted on a lot allows for a wider range of smaller housing types and sizes, and increases development capacity across Portland, which will contribute to Portland’s ability to continue to capture new housing units.

**Policy 5.3. Housing potential.** Evaluate plans and investments for their impact on housing capacity, particularly the impact on the supply of housing units that can serve low- and moderate-income households, and identify opportunities to meet future demand.

**177.** The RIP amendments increase overall housing capacity by 25,000 units. They are also anticipated to increase the housing unit allocation in RIP zones from 16,200 single dwellings to 20,100 units in various housing types. This reallocation does not represent a net increase in total households forecasted for the planning period, but rather a shift in the type and location of such units. Most of the reallocated units (~2,150) are from lower density zones farther from the central city and employment centers, generally in lower opportunity neighborhoods. These would be single homes on larger lots with generally higher transportation costs. These are less suitable options for low- and moderate-income households.

The RIP amendments are specifically tailored to broaden the range of allowed housing types in the R7, R5, and R2.5 zones (RIP zones). For example, currently on a 5,000 square foot lot in the R5 zone, the maximum density standard typically results in one large house, and in some cases an added accessory dwelling unit. With the RIP amendments, a lot in the RIP zones could be developed with up to four smaller units; which because of their relative size can be less expensive than the single larger house, as shown in Volume 3, Appendix A. The RIP amendments allow increased development potential on historically narrow lots, which their combination of smaller lot size and FAR limits will produce smaller homes more suited for first time homebuyers. These changes are expected to increase housing opportunities smaller units, which are more affordable/less expensive for lower- and moderate-income households.

Finally, the RIP amendments also provide two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI.

**Policy 5.4. Housing types.** Encourage new and innovative housing types that meet the evolving needs of Portland households, and expand housing choices in all neighborhoods. These housing types include but are not limited to single-dwelling units; multi-dwelling units; accessory dwelling units; small units; pre-fabricated homes such as manufactured, modular, and mobile homes; co-housing; and clustered housing/clustered services.

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**178.Finding:** “Encourage” is defined in the Comprehensive Plan as “promote or foster using some combination of voluntary approaches, regulations, or incentives.” The City Council interprets the phrase “evolving needs” as forecasted changes in household income, age, people per households and household with children in the Housing Needs Analysis and Growth Scenarios Report that suggest that Portland will need a wider range of housing types beyond the predominant types of detached single-dwelling houses and small apartments. The RIP amendments promote the evolving needs of Portland households by allowing for more flexibility in terms of the number of units and types of residential structures that can be developed inside the regulated building envelope (FAR, height, and lot coverage determine the size of the building). The RIP amendments also remove some regulatory barriers for manufactured homes, making them easier to site and/or use as accessory dwelling units.

Furthermore, the Comprehensive Plan defines “expand” as to “make something that already exists more extensive.” The RIP amendments “expand” housing choice by increasing the palette of allowed residential structure types from a single house, and corner lot duplexes, to allow duplexes, triplexes fourplexes (and in some cases structures with 5 or 6 units when at least 3 of the units are affordable at 60% area median income levels). Council interprets “expand housing choices in all neighborhoods” to mean increase housing choices throughout the City as a whole. Council does not interpret this to mean that every single zone must allow for all housing types but rather Council interprets this policy to ensure that the city-wide there is a variety of housing types and within a variety of neighborhoods. “Neighborhoods” are defined to include broad areas of the city that typically include residential, commercial, and mixed-use areas. Neighborhood is not limited to the specific RIP zones, but RIP zones often comprise a majority of the larger neighborhood area.

Therefore, the RIP amendments encourage new and innovative housing types and expand housing choices in neighborhoods

**Policy 5.5. Housing in centers.** Apply zoning in and around centers that allows for and supports a diversity of housing that can accommodate a broad range of households, including multi-dwelling and family-friendly housing options.

**179.Finding:** The RIP amendments include rezoning some areas within designated centers from R5 to R2.5. This will enable an even greater range of housing types including rowhouses, and small lot houses in addition to the additional ADU’s, duplexes, triplexes, and fourplexes that are allowed in all RIP zones. Floor area (FAR) maximums have been calibrated by zone to also encourage a greater diversity of housing types including larger and smaller unit sizes to accommodate multiple bedroom and living arrangements. The following example shows the range of unit sizes for four allowed housing types in the R5 zone on a 5,000 sf lot.

Housing Type	Allowed FAR	Total size	Average unit size	Typical # of bedrooms
House	0.5	2,500 sf	2,500 sf	4-5
Duplex	0.6	3,000 sf	1,500 sf	3-4
Triplex	0.7	3,500 sf	1,167 sf	2-3
Fourplex	0.7	3,500 sf	875 sf	1-2
Sixplex	1.2	6,000 sf	850 sf*	2

\* the average unit size reflects a loss of ~15% for internal common use stair and hallways.

The Council interprets “family friendly housing” to include housing units that contain multiple bedrooms and include additional features critical for families, i.e., spaces where family members

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can gather for meals and other activities, and where children can play and engage in other activities such as homework; and have easy access to outdoor play and recreation space. The RIP amendments include larger minimum lot sizes for three or more units to ensure that when developed in combination with limits on FAR, units will be of an adequate size to provide for at least 2 bedrooms in most cases, in addition to living/dining, cooking, and bathing/sanitation areas. These housing types are also similar in their layout on a site as single houses, which can provide for outdoor yard space to play.

**Policy 5.6. Middle housing.** Enable and encourage development of middle housing. This includes multi-unit or clustered residential buildings that provide relatively smaller, less expensive units; more units; and a scale transition between the core of the mixed use center and surrounding single family areas. Where appropriate, apply zoning that would allow this within a quarter mile of designated centers, corridors with frequent service transit, high capacity transit stations, and within the Inner Ring around the Central City.

**180.Finding:** The Comprehensive Plan defines “enable” to mean supply with the means, knowledge or opportunity, make able. “Encourage” means promote, or foster using some combination of voluntary approaches, regulations, or incentives. For application to the RIP zones, City Council interprets the phrase “middle housing” to mean housing in the range between single-family houses and units in larger multi-family or mixed-use buildings, as discussed in Council’s findings in Ordinance 187832 adopting Policy 5.6. It includes multi-unit or clustered housing types that are compatible in scale with single-family homes. Consistent with Section 2 of HB 2001 (2019), Council’s interpretation of middle housing includes, but is not limited to, the following types of middle housing:

- (A) Duplexes;
- (B) Triplexes;
- (C) Quadplexes [fourplexes];
- (D) Cottage clusters [means groupings of no fewer than four detached housing units per acre with a footprint of less than 900 square feet each and that include a common courtyard.]; and
- (E) Townhouses [means a dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit].

City Council acknowledges that Policy 5.6 could be narrowly interpreted to only apply the RIP amendments to within a quarter mile of designated centers, corridors with frequent service transit, high capacity transit stations, and within the Inner Ring around the Central City. However, such a narrow interpretation of the policy is not compelled by its text and Council finds that a broader interpretation is more consistent with the overall requirement to enable and encourage middle housing. In adopting the RIP amendments with a broader application, City Council takes further direction from HB 2001 (2019) that requires all middle housing types listed above in areas zoned for residential use that allow for the development of detached single-family dwellings. In taking this direction, Council is responding to both the Planning and Sustainability Commission’s recommendation and testimony received calling for a much more broad and equitable distribution of the benefits of these middle housing types. Several aspects of the RIP amendments ensure that in this broader application of zoning, these middle housing types are appropriately located beyond the quarter mile geography. These measures include FAR limits on the maximum size of structures that are generally less than current zoning allowances (as much as 50% less). Also, larger minimum

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lot size requirements are required than for a single unit to ensure that in combination with setbacks, FAR, and building coverage limits, resulting unit sizes provide options for families and development that can be reasonably accommodated on the site. Moreover, additional housing type restrictions pertaining to natural resource and hazards are embodied in the application of the 'z' constrained sites overlay zone. And finally, middle housing types (beyond two units) are restricted from streets that have not been accepted for maintenance by the city, an indication that they are either unpaved, or do not meet certain levels of engineering standards. Service bureaus have evaluated infrastructure demands based on shifts in household allocations from RIP amendments and found that adequate public facility services will continue to be provided, see Statewide Goals 11 and 12.

Townhouses, as the state bill defines them, are already allowed in the R2.5-R20 single-dwelling zones (33.110.200). Duplexes are currently allowed on most corner lots in these zones as well as on transitional sites (33.110.240). The RIP amendments enable and encourage, as those terms are defined, additional middle housing. Duplexes, triplexes and fourplexes are three types of moderate density middle housing that generally reflect the scale and form of single dwellings. In compliance with HB 2001, duplexes will be allowed on all lots in RIP zones where detached houses are allowed. Triplexes and fourplexes will be allowed on all lots within these zones when the lot has frontage on a city-maintained street (or state-maintained highway), meets minimum lot size requirements, and does not have the 'z' overlay zone applied. Beyond the HB2001 required middle housing types, up to six units could be allowed on these lots when 50% of the units meet regulated affordability requirements. The Growth Scenarios report categorizes many middle housing types including duplexes, triplexes, and shared courtyard units as "single family residences" or "single family residential." Moreover, development limitations on maximum building size, along with standards that address street facing facades, main entrances, parking placement and garage design all support more compatible infill and produce a scale transition from the mixed-use core to the single dwelling areas.

**Policy 5.7. Adaptable housing.** Encourage adaption of existing housing and the development of new housing that can be adapted in the future to accommodate the changing variety of household types.

**181.Finding:** The RIP amendments include several features to encourage adaptation of existing housing. This includes FAR bonuses for adding units to sites with an existing house, the ability to convert existing basements to ADU's regardless of the size of the basement, and the allowance of a 250 square foot addition (regardless of FAR caps) in each 5 year period to enable the ongoing adaptation to better suit current and future residents' needs.

The RIP amendments also include a visitability standard when developing three or more units on a site which addresses the more costly aspects of future adaptations for mobility impairment needs. Subsequent changes may still be necessary for full utility, but can be tailored to the particular need, while the key features of access (entry width, bathroom maneuverability and availability and general living space) will have been addressed for these units.

**Policy 5.8. Physically-accessible housing.** Allow and support a robust and diverse supply of affordable, accessible housing to meet the needs of older adults and people with disabilities, especially in centers, station areas, and other places that are proximate to services and transit.

**Policy 5.9. Accessible design for all.** Encourage new construction and retrofitting to create physically-accessible housing, extending from the individual unit to the community, using Universal Design Principles.

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**182.Finding.** Policies 5.8 and 5.9 are addressed and supported by the RIP amendments by including new requirements for visitable units when 3 or more units are developed on a site. These requirements will offer more options and remove access barriers for people with disabilities. These requirements apply to building types not presently addressed by accessibility standards and will apply to sites where three or more units are proposed.

**Policy 5.10. Coordinate with fair housing programs.** Foster inclusive communities, overcome disparities in access to community assets, and enhance housing choice for people in protected classes throughout the city by coordinating plans and investments to affirmatively further fair housing.

**183.Finding:** The Comprehensive Plan defines “foster” to mean “encourage or guide the incremental development of something over a long period of time.” City Council interprets the phrase “inclusive communities” to mean communities that have a diversity of people in terms of race, ethnicity, gender, sexual orientation, socio-economic status, age, physical abilities, religious beliefs, political beliefs, or other characteristics. The 2011 Analysis of Impediments to Fair Housing<sup>53</sup> identified a shortage of affordable, accessible units, especially for people with disabilities, larger families, and households below 30% of Median Family Income and that low-income and vulnerable populations with restricted ability to exercise housing choice. The RIP amendments encourage and enhance housing choice by removing regulatory barriers that prohibit alternatives to single family housing in RIP zones and offer incentives for developing affordable housing. Due to historical disparities in access to homeownership, households of color occupy single-dwelling housing at lower rates than the city as a whole (single family homeownership is 18 percent households of color versus representing 30 percent of the population overall, see Volume 3, Appendix B). In 2015 homeownership rates for households of color for all types of housing was 20% lower than it was for white households.<sup>54</sup> While discriminatory lending practices continue to linger, a larger impediment to homeownership in Portland is the income/housing cost gap. By allowing land costs to be shared across 2, 3, or 4 units significantly reduces price drivers per unit. The RIP amendments include affordable housing incentives intended to be utilized by affordable housing providers and CDC’s that can lower their overall costs to deliver units to their constituency. These affordable units will also be regulated by Portland Housing Bureau rules to ensure fair housing requirements are met.

The 2011 Analysis of Impediments to Fair Housing also identified unequal access to opportunity, which is defined as basic commercial and public amenities such as transit, schools, grocery stores, and sidewalks. The analysis indicates that this inequity in access disproportionately affects those with disabilities, low-incomes, communities of color and immigrant and refugee communities. The RIP amendments encourage and enhance housing choice in high opportunity areas by removing regulatory barriers that prohibit alternatives to single family housing in RIP zones and offer incentives for developing affordable housing.

Therefore, the RIP amendments foster inclusive communities by reducing some of the harmful regulatory obstacles that segregated people’s housing by income which frequently serves as a proxy for race.

## Housing access

**Policy 5.11. Remove barriers.** Remove potential regulatory barriers to housing choice for people in protected classes to ensure freedom of choice in housing type, tenure, and location.

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<sup>53</sup> City of Portland, City of Gresham and Multnomah County; Fair Housing Plan 2011

<sup>54</sup> National Equity Atlas: Homeownership by Race/Ethnicity in Portland, 2015

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**184.Finding:** The City Council interprets the intent of this policy is to ensure housing choices for residents in all neighborhoods, not the development options on a single parcel. The RIP amendments remove regulatory barriers to providing up to 4 dwellings on most lots throughout the city, encompassing nearly a third of the land area in the city. [RIP zones comprise 68% of the single dwelling zones which account for 43% of the city's land area.] Without these changes, these triplex and fourplex housing types are only possible in multi-dwelling (7% of the city land area) and mixed use zones (8%), which are predominantly along major corridors or located in city centers. These changes increase the range of type, tenure, and location of housing options for all Portlanders, including those in protected classes.

**Policy 5.12. Impact analysis.** Evaluate plans and investments, significant new infrastructure, and significant new development to identify potential disparate impacts on housing choice, access, and affordability for protected classes and low-income households. Identify and implement strategies to mitigate the anticipated impacts.

**Policy 5.13. Housing stability.** Coordinate plans and investments with programs that prevent avoidable, involuntary evictions and foreclosures.

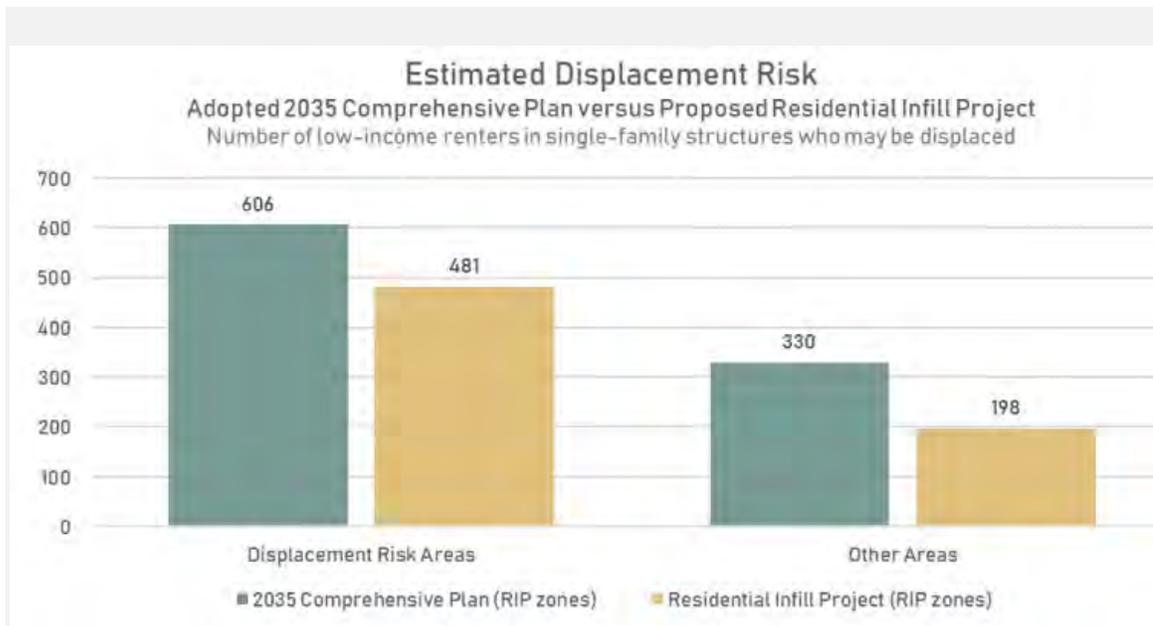
**Policy 5.14. Preserve communities.** Encourage plans and investments to protect and/or restore the socioeconomic diversity and cultural stability of established communities.

**Policy 5.15. Gentrification/displacement risk.** Evaluate plans and investments, significant new infrastructure, and significant new development for the potential to increase housing costs for, or cause displacement of communities of color, low- and moderate-income households, and renters. Identify and implement strategies to mitigate the anticipated impacts.

**Policy 5.16. Involuntary displacement.** When plans and investments are expected to create neighborhood change, limit the involuntary displacement of those who are under-served and under-represented. Use public investments and programs, and coordinate with nonprofit housing organizations (such as land trusts and housing providers) to create permanently affordable housing and to mitigate the impacts of market pressures that cause involuntary displacement.

**185.Finding:** The City Council interprets Policies 5.12 to 5.16 as requiring evaluation and analysis as to who will benefit and who will be burdened by a planning decision, including amendments to the Comprehensive Plan, the Comprehensive Plan Map, the Zoning Code, and the Zoning Map. For the RIP amendments, the Council interprets "involuntary displacement" to occur when a resident is forced to relocate due to factors that are beyond the resident's control including but not limited to increased rents, and decisions by landlords to redevelop property. A detailed quantitative risk analysis was performed (Volume 3, Appendix 3, Displacement Risk Analysis) that compared the default comprehensive plan displacement risk against risk spurred through the RIP amendments. The analysis showed that across the city, there was a 28% reduction in risk in RIP zones. BPS used a vulnerability analysis to identify neighborhoods (Census tracts) with higher than average shares of people that are vulnerable to economic displacement: low income individuals, communities of color, adults without a four-year college degree and renters. The gentrification typologies used in this analysis were developed by Dr. Lisa Bates in the 2013 Gentrification and Displacement Neighborhood Typology Assessment. The combined risk in these areas was found to be reduced by 21% compared to the baseline Comprehensive Plan scenario.

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There were three areas where the displacement risk increased above the default baseline. These include census tracts around Brentwood Darlington (+24 additional households), Lents (+39 additional households), and Montavilla (+12 additional households), all in early stages of gentrifying. When these are low numbers are distributed across the 20-year planning period, the displacement averages 1 to 2 additional households per year per area. Nevertheless, the analysis is a signal of the market and potential for other induced displacement in the area, beyond the direct causes of the RIP amendments. Understanding this dynamic will be helpful as the Housing Bureau coordinates programs that prevent avoidable, involuntary evictions and foreclosures.

The RIP amendments also provide two incentives for the creation of affordable units to mitigate the potential displacement impacts; protect and/or restore the socioeconomic diversity and cultural stability of established communities; and to create permanently affordable housing. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows a up to six units at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. Testimony by the Welcome Home Coalition indicates that the deeper affordability bonus is one critical way in which affordable housing developers could help mitigate the risk of further displacement.

In addition to the FAR bonuses for voluntarily providing affordable units, the city already collects a construction excise tax to fund affordable housing programs. The tax is calculated as 1% of the permit valuation on residential and commercial building projects with improvements valued at \$100,000 or more. This helps to mitigate for indirect displacement caused by redevelopment activity overall. Additionally, the city has a mandatory relocation assistance rule that restricts no-cause evictions unless relocation payments are made to the displaced tenant. While this doesn't prevent evictions from occurring, it helps to provide greater housing stability and slows the pace of this change.

**Policy 5.17. Land banking.** Support and coordinate with community organizations to hold land in reserve for affordable housing, as an anti-displacement tool, and for other community development purposes.

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**186.Finding:** This policy is not applicable because this programmatic response is not part of the scope of the RIP amendments. However, the RIP amendments support the creation of more affordable housing units (with bonus FAR incentives) on sites that are currently held or are acquired in the future for affordable housing development.

**Policy 5.18. Rebuild communities.** Coordinate plans and investments with programs that enable communities impacted by involuntary displacement to maintain social and cultural connections, and re-establish a stable presence and participation in the impacted neighborhoods.

**187.Finding:** This ordinance does not establish new programs. The RIP amendments create the opportunity for increased housing opportunities, including affordable housing, on the RIP zoned parcels in the impacted neighborhoods that are included the Portland Housing Bureau's North/Northeast Preference Policy, which gives priority placement to people who were displaced, are at risk of displacement, or who are descendants of households that were displaced due to urban renewal in North and Northeast Portland, and can serve as models for other neighborhoods where displacement is occurring.

The RIP displacement impact analysis identified three neighborhoods that were expected to see marginal increases in displacement in comparison to the baseline comprehensive plan scenario. The total impact for all three neighborhoods was estimated to be 75 additional households over the 20-year planning period. When looking at the proportion of impact by neighborhood, this equated to between 0.7-1% of total households by neighborhood<sup>55</sup>. This, by itself, is insufficient to interrupt social and cultural connections, or to be a destabilizing force in the neighborhood. The displacement impact analysis also did not attempt to quantify the supply side effect of reducing demand pressure in affected neighborhoods, but did examine relative rent levels for new units built under RIP amendments compared to current rents for single family units and found that "average rents in the three neighborhoods are around 90% MFI, which is at or near the average predicted rents for triplex and fourplex units under the economic feasibility analysis".

**Policy 5.19. Aging in place.** Encourage a range of housing options and supportive environments to enable older adults to remain in their communities as their needs change.

**188.Finding:** The RIP amendments include requirements for visitable units that are intended to offer more options and remove access barriers for people with disabilities, more common in older adults. Incentives are included to encourage development of affordable units available to households earning 80% or less of the median area income, which is important for seniors on fixed incomes. The increased range of housing types enabled through the RIP amendments also broadens the diversity of housing to suit different household types and compositions in many more areas of the city, including multigenerational households, cottage clusters and cohousing to provide for a diversity of options available to older adults as they choose to transition from larger single detached houses. Finally, additional provisions for Accessory Dwelling Units offer more opportunities for older adults who wish to downsize either on their own lot, in the same neighborhood, or with extended family.

## Housing location

**Policy 5.20. Coordinate housing needs in high-poverty areas.** Meet the housing needs of under-served and under-represented populations living in high-poverty areas by coordinating plans and

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<sup>55</sup> 2012-2016 American Community Survey: Montavilla (Tract 1602) 1,724 total households, Lents (Tracts 601 and 602) 3,872 total households, Brentwood Darlington (Tracts 8700 and 8800) 3,381 total households

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investments with housing programs.

**189.Finding:** The Census Bureau uses a set of income thresholds that vary by family size and composition to determine who classifies as impoverished. If a family's total income is less than the family's threshold than that family and every individual in it is considered to be living in poverty. High poverty areas are interpreted to mean areas with more than 25% poverty rate. According to US HUD, census tracts around Cully, Portsmouth, Wilkes, Centennial, Powelhurst-Gilbert, Lents, Montavilla, Buckman, Elliot, and the Central City have these higher poverty rates. Housing needs are coordinated as these high poverty areas are also the areas that qualify for the Low-Income Housing Tax Credit, a tool that is frequently used in combination with other city-incentives including CET and SDC waivers to produce regulated affordable housing units. These high poverty areas have residential areas with RIP zones. The RIP amendments remove regulatory barriers by providing for a wider range of housing types in the RIP zones throughout the city. The RIP amendments allow increased development potential on historically narrow lots, which their combination of smaller lot size and FAR limits will produce smaller homes more suited for first time homebuyers. These changes are expected to increase housing opportunities smaller units, which are more affordable/less expensive for lower- and moderate-income households.

The RIP amendments also provide two incentives for the creation of affordable units to mitigate the potential displacement impacts; protect and/or restore the socioeconomic diversity and cultural stability of established communities; and to create permanently affordable housing. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI.

Testimony by Housing Oregon, a statewide association of affordable housing community development corporations (CDCs) that serve low-income households, states that the deeper affordability bonus will enable affordable housing developers to provide more housing options and increased density that translates to serving more households with less subsidy.

**Policy 5.21. Access to opportunities.** Improve equitable access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities in areas with high concentrations of under-served and under-represented populations and an existing supply of affordable housing.

**190.Finding:** The City Council interprets this policy to provide guidance to public investment decisions to improve access to opportunity as part of meeting goals to enhance more neighborhoods to become "complete neighborhoods". As described in the 2035 Comprehensive Plan (page I-15), complete neighborhoods are places where people have safe and convenient access to the goods and services needed in daily life. RIP zones account for over 96% of the areas designated as having medium to high levels of completeness. Increasing the capacity to accommodate additional households makes better use of existing investments. Allowing for more units, smaller units, and less expensive units improves the equitable access within these areas.

**Policy 5.22. New development in opportunity areas.** Locate new affordable housing in areas that have high/medium levels of opportunity in terms of access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities.

**191.Finding:** This policy is intended to ensure that affordable housing is not concentrated in areas where land values are the lowest, which often correspond to lower opportunities, but is created in areas with better access to those ingredients that help support prosperity. In making changes to

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the zoning code, Council interprets this policy to apply to regulated affordable housing, that is housing that is subject to affordable housing rules of the housing bureau.

Nearly 96 percent of all land within neighborhoods with high/medium levels of opportunity<sup>56</sup> is comprised of RIP zones. Currently there are no affordable housing incentives provided within these zones, and inclusionary zoning mandates are only applicable for buildings with 20 or more units. The RIP amendments provide two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. As noted in testimony received by Habitat for Humanity, Partners for Affordable Housing, Home Forward, Hacienda CDC, Welcome Home Coalition, and Housing Oregon, this provision along with the ability to construct multiple units enables nonprofit builders to provide more affordable units across a much wider geographic area within areas of higher levels of opportunity.

**Policy 5.23. Higher-density housing.** Locate higher-density housing, including units that are affordable and accessible, in and around centers to take advantage of the access to active transportation, jobs, open spaces, schools, and various services and amenities.

**192.Finding:** City Council interprets the phrase “higher-density housing” to mean housing types that are at a scale that is greater than single-dwelling housing types, such as multi-dwelling apartments, mid-rise and high-rise mixed-use buildings. Most of these centers areas are already zoned for higher-density housing, in support of this policy.

There are very few RIP zoned parcels located within centers (750 such parcels in all 26 neighborhood and town centers). While this policy is specific to higher density housing and zones, the RIP amendments continue to support the intent of this policy by rezoning approximately 7,000 parcels that are located around centers and near corridors from R5 to R2.5 to increase the development of attached townhouses. Other RIP zoned parcels that are near these centers also have increased ability to add units, either through conversion of existing houses or developing new duplexes, triplexes, fourplexes or up to 6 units when providing regulated affordable units which in turn will provide diverse housing options in these areas, in proximity to the transit and multimodal connections that these centers and corridors provide.

**Policy 5.24. Impact of housing on schools.** Evaluate plans and investments for the effect of housing development on school enrollment, financial stability, and student mobility. Coordinate with school districts to ensure plans are aligned with school facility plans.

**193.Finding:** David Douglas School District (DDSD) is the only school district in Portland with an adopted school facility plan. The Buildable Lands Inventory calculates available development capacity and predicts where new households will be allocated over the planning period. Comparing the default Comprehensive Plan zoning with the RIP amendments, the net change to households in the David Douglas School District is a reduction of 132 units (roughly a 1% decrease from 12,000). The David

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<sup>56</sup> The 2035 Comprehensive Plan and the Portland Plan’s Healthy Connected City provide guidance to expand opportunities for Portlanders to live in complete communities offering a mix of desirable services and opportunities. Affordable housing that is located in a walkable neighborhood near active transportation, employment centers, open spaces, high-quality schools, and various services and amenities enhances the general quality of life for its residents. The Opportunity Map categorizes Portland neighborhoods into varying levels of opportunity, scored Low to High, with market-rate housing in high-opportunity neighborhoods tending to be expensive compared to more affordable housing in areas that offer fewer opportunities. <https://www.portlandoregon.gov/phb/article/746071>

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Douglas School District has indicated that it can accommodate these changes into their future forecasting for their facility plan.

The RIP amendments will provide for increased options for families seeking lower priced units throughout the city. This enables more households to relocate within the boundaries of their current school catchment area enhancing stability and addressing student mobility, especially for middle income households.

### Housing affordability

**Policy 5.25. Housing preservation.** Preserve and produce affordable housing to meet needs that are not met by the private market by coordinating plans and investments with housing providers and organizations.

**194.Finding:** The Comprehensive Plan uses two definitions for “affordable housing” and both are relevant to the RIP amendments. The first definition relates to housing that serves extremely low-, very low- and low-income households. City Council interprets these household types as below 30%, below 60%, and 80% of the median family incomes respectively. The second definition cites the HUD definition of “affordable” as housing that costs no more than 30 percent of a household’s monthly income.

Project staff worked closely with Housing Development Center, a consortium of affordable housing providers to develop and modify proposals to be better utilized by those organizations. Testimony from the Housing Development Center (a nonprofit group to develop and sustain affordable housing); the Portland Housing Center (offer education, counseling, and financial services for aspiring first time home buyers), Rose CDC and PCRI (affordable housing developers) was supportive of the recommendations from the Planning and Sustainability Commission indicating the amendments will help these groups produce needed affordable housing.

With regard to addressing the general affordability needs of Portlanders, Home Forward, the Housing Authority for Multnomah county wrote:

“Our strategic plan states that: ‘We’ll work tirelessly to add more affordable housing in our community, regardless of our role or ownership stake...’ and the Residential Infill Project will add more affordable housing to our community. We support this proposal because it will increase the supply of both affordable and market rate housing. I am sure you will hear from many community members in opposition to this proposal who will testify that if it only allowed homes that were 100 percent affordable, they would support it. As a representative of the largest affordable housing provider in the state, I want to push back on that argument. We need subsidized middle housing, but the key to creating subsidized homes is not banning middle-priced homes. It is subsidy. Home Forward’s data shows that market-rate middle housing lets our subsidies go further, enabling us to serve more families earning low-incomes in Multnomah County. The largest affordable housing subsidy in the country is the Housing Choice Voucher program, which we administer in Multnomah County. In 2019, 16 percent of all Home Forward voucher holders lived in a duplex, triplex, or quad. That is over 1,100 families and 3,610 people. We analyzed the average rents of homes that voucher holders were living in by housing type and found that average rents were significantly lower for duplexes, triplexes, and quads compared to single-family homes. While voucher holders pay a percentage of their income towards rent, this is important because it allows us to pay less per household served, so we can serve more households earning low incomes. For example, the average rent of a duplex, triplex, or quad was 22 percent less than a single-family home in 2019. We estimate that the difference between using those 1,100 vouchers in a duplex, triplex, or quad instead of a single-family home is a cost savings equivalent to serving an additional

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585 households.” Council found such testimony persuasive, understanding that absent direct subsidy, the level of proposed entitlements in the RIP amendments are generally insufficient to leverage affordability mandates (like what is required under the inclusionary zoning rules for buildings with 20 or more units). Council finds that in addition to the incentives offered in the RIP amendments for regulated affordable housing, the other allowed housing types (duplexes, triplexes, and fourplexes) even when not regulated as affordable units, are likely to be produced at rent levels significantly lower when compared to single-family homes.

With regard to meeting specific affordability targets for low- and very low-income households, the RIP amendments provide affordable housing developers and providers with greater flexibility to reduce per unit costs, by spreading land costs across multiple units as opposed to just a single unit. Also, sites that are already within affordable housing providers’ portfolios in RIP zones can be supplemented with additional affordable units.

During the City Council hearings, Council heard significant testimony from non-profit housing providers, community organizations and individuals calling for a “deeper affordability bonus”. While the PSC’s recommendation provided for an option and a slight incentive (an increase of 0.1 FAR) for 80% MFI affordable units, the community called on council to offer additional incentives to get at 60% affordability rates.

Housing Oregon testified that “While the currently proposed bonuses will undoubtedly play a key role in Affordable Housing developers’ ability to provide more housing options, we are also in support of a proposal from Portland: Neighbors Welcome, which outlines a ‘Deeper Affordability Bonus’. The metrics for this bonus were vetted with and based on actual numbers from several of our members. While the proposed increases have a variety of benefits to it, we’d particularly like to highlight that increased density translates to serving more households with less subsidy and/or serving households at lower incomes.” Council relied on such testimony to determine the appropriateness and feasibility of such a bonus for affordable housing providers.

This deeper affordability bonus was introduced as an amendment to the PSC’s recommended draft and approved by Council. It stipulates that up to 6 units be allowed with up to 1.2 FAR, and a 35 foot height limit, when at least 50% of the units meet the affordability requirements of Title 30. These requirements ensure that dwelling units for sale shall remain affordable for a period of at least 10 years and be available to households earning 80 percent or less of median income, and dwelling units for rent shall remain affordable for a period of 99 years and be available to households earning 60 percent or less of median income.

These actions and packages of incentives serve to preserve and produce affordable housing to meet needs that are not met by the private market through well coordinating plans and investments.

**Policy 5.26. Regulated affordable housing target.** Strive to produce at least 10,000 new regulated affordable housing units citywide by 2035 that will be affordable to households in the 0-80 percent MFI bracket.

**195.Finding:** The Comprehensive Plan defines “strive” as to devote serious effort or energy to; work to achieve over time. The RIP amendments support the voluntary production of affordable housing by creating two incentives for the creation of affordable units. The first creates incentives for providing units affordable to households earning no more than 80% of the median family income (MFI). In this case, an additional 0.1 FAR is offered when the units meet the 80% MFI threshold and the additional requirements of the Housing Bureau and Title 30. The second incentive is a deeper affordability bonus that allows up to six units with a small increment of added height (35 foot

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building height) and 1.2 FAR when at least 50 percent of the units and meet the affordability requirements of Title 30 These requirements ensure that dwelling units for sale shall remain affordable for a period of at least 10 years and be available to households earning 80 percent or less of median income, and dwelling units for rent shall remain affordable for a period of 99 years and be available to households earning 60 percent or less of median income.

While the feasibility analysis<sup>57</sup> indicates that the housing market generally cannot profitably deliver these affordable units under these bonuses, they do provide a more competitive edge for non-profit housing providers to deliver more units when sites are secured. These tools are a beneficial asset toward meeting the 10,000 affordable unit goal, by providing greater location and construction type options to diversify housing project portfolios. Moreover, based on the economic analysis (Volume 3, Appendix A), average rents per unit is decreased by over 50% from the default zoning and development. While not regulated affordable housing, this analysis also indicates a reduced financial feasibility gap between market produced housing and regulated affordable housing, which in turn enables limited housing dollars to go farther in producing more regulated units.

**Policy 5.27. Funding plan.** Encourage development or financial or regulatory mechanisms to achieve the regulated affordable housing target set forth for 2035.

**196.Finding:** As of August 1, 2016, new residential development and additions that are valued above \$100,000 are required to pay a one-percent affordable housing construction excise tax. This tax pays for affordable housing programs, including: production and preservation of housing for people with incomes at or below 60% (MFI), incentives for inclusionary zoning, and State of Oregon homeownership programs. The RIP amendments also include regulatory mechanisms design to encourage the development of regulated affordable units in the form of FAR and unit bonuses.

**Policy 5.28. Inventory of regulated affordable housing.** Coordinate periodic inventories of the supply of regulated affordable housing in the four-county (Clackamas, Clark, Multnomah and Washington) region with Metro.

**197.Finding:** City Council interprets this policy to apply to ongoing intergovernmental coordination, and not a directive to be applied with each land use plan amendment. This policy is not applicable.

**Policy 5.29. Permanently-affordable housing.** Increase the supply of permanently-affordable housing, including both rental and homeownership opportunities.

**198.Finding:** The 2035 Comprehensive Plan defines permanently-affordable housing as units that will remain affordable to a low-income household, such as housing that is owned and maintained by a public agency or a nonprofit organization. The RIP amendments support the voluntary production of affordable housing by creating two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. The housing types enabled by these amendments create opportunities for both rental (duplex, triplex, fourplex, ADU), ownership of these units through condominium arrangements, as well as fee simple ownership options (narrow lot development and small flag lot development of historically narrow lots).

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<sup>57</sup> Memorandum from Tom Armstrong and Andrea Pastor to RIP Project Team, March 2020

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Testimony by Housing Oregon, a statewide association of affordable housing community development corporations (CDCs) that serve low-income households, states that the deeper affordability bonus will enable affordable housing developers to provide more housing options and increased density that translates to serving more households with less subsidy.

**Policy 5.30. Housing cost burden.** Evaluate plans and investments for their impact on household cost, and consider ways to reduce the combined cost of housing, utilities, and/or transportation. Encourage energy-efficiency investments to reduce overall housing costs.

**199.Finding:** The RIP amendments allow for housing types, which by being smaller in size and sharing land costs over multiple units, results in less expensive housing and reduced housing costs. An economic analysis prepared by Johnson Economics found that the RIP amendments produced overall units that were 56% lower sales/rent levels than allowed under current zoning (\$1,800/month versus \$4,100/month).

The RIP amendments generally support reduced utility cost by encouraging smaller units and more attached units. According to studies conducted by the State DEQ, “Reducing home size is among the best tier of options for reducing waste generation in the Oregon housing sector, while simultaneously achieving a large environmental benefit across many categories of impact...Reduction in home size is a significant leverage point for impact reduction [including non-renewable energy use] and may be a more effective measure than achieving minimum levels of ‘green certification’”<sup>58</sup>.

Of the nearly 120,000 parcels in RIP zones where additional housing types are allowed, 86 percent (103,000) are within a half mile of a frequent bus line, max or streetcar station, while 94 percent (114,000) are located within a quarter mile of less frequent bus routes. Reducing the need to rely on a personal vehicle can significantly reduce household costs. The average annual cost to own and drive a vehicle in 2018 ranged from \$7,531 to \$10,213, according to AAA. That is the equivalent of \$625 to \$850 per month<sup>59</sup>. Moreover, Portland’s overall rate of households without a car is higher than the state or nation average.<sup>60</sup> Providing additional housing options close to transit further supports this trend by improving the likelihood that residents will use transit<sup>61</sup> and also helps alleviate the cost of personal transportation.

**Policy 5.31. Household prosperity.** Facilitate expanding the variety of types and sizes of affordable housing units, and do so in locations that provide low-income households with greater access to convenient transit and transportation, education and training opportunities, the Central City, industrial districts, and other employment areas.

**200.Finding:** The RIP amendments expand the variety of types of affordable housing allowed in RIP zones from houses, corner lot duplexes and single ADU’s to a wider variety of tenure and housing type options including triplexes, fourplexes, interior lot duplexes, additional ADU’s and sixplexes. These housing types, which by being smaller in size and sharing land costs over multiple units, results in less expensive housing and reduced housing costs. In addition, the RIP amendments support the voluntary production of affordable housing by creating two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus

<sup>58</sup> “A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon” – Department of Environmental Quality, Sept. 29, 2010

<sup>59</sup> Your driving costs, 2018 American Automobile Association

<sup>60</sup> Car\_access, National Equity Atlas, 2018

<sup>61</sup> Urban Densities and Transit: A Multi-dimensional Perspective, Robert Cervero and Erick Guerra, 2011

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that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. These housing types are allowed within 96% of the area comprising complete neighborhoods, areas with the highest access to employment, education, and training opportunities, and are well served by transit. Of the nearly 120,000 parcels in RIP zones where additional housing types are allowed, 86 percent (103,000) are within a half mile of a frequent bus line, max or streetcar station, while 94 percent are located within a quarter mile of less frequent bus routes.

**Policy 5.32 Affordable Housing in Centers.** Encourage income diversity in and around centers by allowing a mix of housing types and tenures.

**201.Finding:** RIP zoned parcels account for just 4% of the land area in Centers, so this policy is largely reliant on mixed use and multi-dwelling zones. City Council interprets the phrase “around centers” to be the area within ½-mile of the boundary of a designated town or neighborhood center. 103,000 lots (77 percent) in the RIP zones are within ½-mile of a town or neighborhood center. For the areas around centers, the RIP amendments provide more options for an increased supply of other housing types, smaller housing units, and less expensive units than the baseline single dwelling zoning as demonstrated in the Economic Analysis. These units also provide options for both ownership and rental tenures.

**Policy 5.33. Central City affordable housing.** Encourage the preservation and production of affordable housing in the Central City to take advantage of the area’s unique concentration of active transportation access, jobs, open spaces, and supportive services and amenities.

**202.Finding:** There are no RIP zones in the Central City. This policy does not apply.

**Policy 5.34. Affordable housing resources.** Pursue a variety of funding sources and mechanisms including new financial and regulatory tools to preserve and develop housing units and various assistance programs for households whose needs are not met by the private market.

**203.Finding:** This ordinance does not include new funding sources or financial tools. Regulatory incentives are included to encourage the development of regulated affordable housing to develop housing units at the 60% and 80% AMI levels for households whose needs are not met by the private market.

Testimony by Home Forward states that their analysis of their Housing Choice Voucher program, finds that the average rents of homes that voucher holders were living in were significantly lower for duplexes, triplexes, and quads compared to single-family homes, which lets their subsidies go further and enables them to serve more low-income families.

**Policy 5.35. Inclusionary housing.** Use inclusionary zoning and other regulatory tools to effectively link the production of affordable housing to the production of market-rate housing.

**204.Finding:** Inclusionary housing does not apply to RIP amendments because the requirement only applies to buildings with more than 20 dwelling units. The RIP amendments link production of affordable housing to market rate housing through two affordable housing bonuses. New market rate housing also provides funds towards affordable housing through payment of a 1% construction excise tax.

**Policy 5.36. Impact of regulations on affordability.** Evaluate how existing and new regulations affect private development of affordable housing, and minimize negative impacts where possible. Avoid regulations that facilitate economically-exclusive neighborhoods.

**205.Finding:** The RIP amendments allow for duplex, triplex and fourplex housing types, and avoid prescriptive standards related to architecture or style that can increase the cost of housing. The

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variability in housing types and unit sizes provides a greater range of dwellings at a variety of price points, which helps diversify the socio-economic profile of neighborhoods. Additionally, there is a positive correlation between the effect of producing market rate housing on the low-income housing market.<sup>62</sup> The RIP amendments also include changes to reduce the review procedure type and associated cost with proposed Planned Developments (PDs) which can be used to develop single site clusters of affordable units. The amendments include removing minimum parking requirements which also serve to reduce the cost of providing housing. The RIP amendments did not apply differentiated FAR limits to specific neighborhoods in part to provide a more egalitarian set of rules that are intended to not favor economically-exclusive neighborhoods. The amendments that allow for additional housing types are also broadly applied across the city and are only excluded from particular areas based on natural resource, natural hazard, small lots size or infrastructure issues.

**Policy 5.37. Mobile home parks.** Encourage preservation of mobile home parks as a low/moderate-income housing option. Evaluate plans and investments for potential redevelopment pressures on existing mobile home parks and impacts on park residents and protect this low/moderate-income housing option. Facilitate replacement and alteration of manufactured homes within an existing mobile home park.

**206.Finding:** Existing mobile home parks have been rezoned to RMP (Residential Manufactured Dwelling Park) and are no longer in the three RIP zones. Therefore, this policy does not apply to the RIP amendments.

**Policy 5.38. Workforce housing.** Encourage private development of a robust supply of housing that is affordable to moderate-income households located near convenient multimodal transportation that provides access to education and training opportunities, the Central City, industrial districts, and other employment areas.

**207.Finding:** The RIP amendments expand the available types of housing allowed in RIP zones from houses, corner lot duplexes and single ADU's to a wider variety of tenure and housing type options including triplexes, fourplexes, interior lot duplexes, and additional ADU's. These types when combined with FAR size limits provides for a greater range of unit sizes. An economic analysis (Volume 3, Appendix A) found that the RIP amendments produced overall units that were 56% lower rent levels than the default zoning scenario (\$1,800/month versus \$4,100/month). This provides the opportunity for more housing available to families in the 80% to 120% MFI range. These housing types are allowed within 96% of the area comprising complete neighborhoods, areas with the highest access to employment, education, and training opportunities, and are well served by transit. Of the nearly 120,000 parcels in RIP zones where additional housing types are allowed, 86 percent (103,000) are within a half mile of a frequent bus line, max or streetcar station, while 94 percent are located within a quarter mile of less frequent bus routes.

**Policy 5.39. Compact single-family options.** Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

**208.Finding:** While the RIP amendments expand the types of housing that is allowed to be built in three single dwelling zones, they also encourage the development and preservation of small resource-efficient and affordable single-family homes in these zones as well. The RIP amendments include

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<sup>62</sup> The Effect of New Market-Rate Housing Construction on the Low-Income Housing Market, Mast, Evan, *W.E. Upjohn Institute*, 2019

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new FAR limits for single houses that are nearly  $\frac{2}{3}$  of the scale that is allowed for houses under current codes. These smaller sized homes use less material and even built to standard building code energy standards are more energy efficient than their predecessors. Furthermore, because the size of new construction is limited, the residual land value (the amount of money one can pay to acquire a piece of property and redevelop) is lower. This, in combination with the ability to meet housing demand with other middle housing types on fewer redevelopment sites overall means that fewer existing homes are redeveloped.

The RIP amendments rezone approximately 7,000 lots with underlying historically narrow platted lots to increase the potential for more fee-simple smaller and less expensive single family options. Concurrent with this rezone, new provisions are included that allow for property line adjustments to create flag lots on these narrow lots to facilitate the retention of existing housing, by allowing new housing to be built behind the existing house. The RIP amendments also include changes to reduce the review procedure type and associated cost with proposed Planned Developments (PDs) which can be used throughout the city to develop single site clusters of single-family homes.

**Policy 5.40 Employer-assisted housing.** Encourage employer-assisted affordable housing in conjunction with major employment development.

**209.Finding:** The RIP amendments do not change employment development regulations.

**Policy 5.41 Affordable homeownership.** Align plans and investments to support improving homeownership rates and locational choice for people of color and other groups who have been historically under-served and under-represented.

**Policy 5.42 Homeownership retention.** Support opportunities for homeownership retention for people of color and other groups who have been historically under-served and under-represented.

**Policy 5.43 Variety in homeownership opportunities.** Encourage a variety of ownership opportunities and choices by allowing and supporting including but not limited to condominiums, cooperatives, mutual housing associations, limited equity cooperatives, land trusts, and sweat equity.

**210.Finding:** Council finds that Policies 5.41 through 5.43 all aim to support opportunities for homeownership for all Portlanders, including historically under-served and under-represented Portlanders. These policies are primarily implemented through the work of the Housing Bureau. The types of housing units offered made available in RIP zones offer lower-cost ownership opportunities where the units have been converted through condominium process. These small-plexes may also be suitable candidates for cooperatives, mutual housing associations, and limited equity cooperatives. Provisions that allow for internal conversions or adding accessory dwelling units to sites with existing houses offer homeowners more potential to reinvest and develop alternate means of income from rental units.

Testimony by Housing Oregon, a statewide association of affordable housing community development corporations (CDCs) that serve low-income households. Testimony by Housing Oregon, a statewide association of affordable housing community development corporations (CDCs) that serve low-income households, states that middle housing types allowed by the RIP amendments fit into their existing affordable homeownership models and will provide opportunities for family-sized homes. Their example is a four-plex on a 5,000 SF R2.5 lot, and with the affordable housing FAR bonus, would translate to an average unit size of 1,250 SF – a size that

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is reflective of 2- and 3-bedroom homes currently being developed by organizations such as Habitat for Humanity and PCRI.

Therefore, the RIP amendments promote a lower cost housing type that has the potential to offer a path towards home ownership.

**Policy 5.44 Regional cooperation.** Facilitate opportunities for greater regional cooperation in addressing housing needs in the Portland Metropolitan area, especially for the homeless, low- and moderate-income households, and historically under-served and under-represented communities.

**Policy 5.45 Regional balance.** Encourage development of a “regional balance” strategy to secure greater regional participation to address the housing needs of homeless people and communities of color, low- and moderate-income households, and historically under-served and under-represented communities throughout the region.

**211.Finding:** Council finds that Policies 5.44 through 5.45 address how the City engages with Metro and other jurisdictions in the Portland region on housing issues and do not apply to this legislative project. The RIP amendments are one strategy to maintain lower-cost market-rate housing in Portland that will help Portland meet its housing needs and serve as an example for other jurisdictions in the region.

## Homelessness

**Policy 5.46. Housing continuum.** Prevent homelessness and reduce the time spent being homeless by ensuring that a continuum of safe and affordable housing opportunities and related supportive services are allowed, including but not limited to Permanent Supportive Housing, transitional housing, self-built micro housing communities, emergency shelters, temporary shelters such as warming centers, and transitional campgrounds.

**212.Finding:** City Council defines permanent supportive housing as affordable housing combined with supportive services to help individuals and families lead more stable lives. City Council interprets this policy to provide direction to provide a range of housing types, especially types that may not be considered traditional housing (detached single-dwellings, multi-dwelling buildings, manufactured dwelling parks). The RIP amendments do not affect the group living or community service regulations in the single-dwelling zones. Therefore, this policy does not apply.

## Health, safety, and well-being

**Policy 5.47 Healthy housing.** Encourage development and maintenance of all housing, especially multi-dwelling housing, that protects the health and safety of residents and encourages healthy lifestyles and active living.

**213.Finding:** The RIP amendments allow smaller scale additional housing types in higher opportunity neighborhoods. Nearly  $\frac{2}{3}$  of RIP zoned parcels are in complete neighborhoods. These neighborhoods generally have greater transportation mode options, together with nearby amenities, and learning and employment options to encourage more walking and rolling and active living. These housing types also share yard space which fosters greater social interaction which improves both the health and safety of residents.

**Policy 5.48 Housing safety.** Require safe and healthy housing free of hazardous materials such as lead, asbestos, and radon.

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**214.Finding:** The RIP amendments provide pathways for currently non-conforming or potentially illegal duplex, triplex or fourplexes in RIP zones to become conforming and enable homeowners to reinvest and improve living conditions in these units. Allowances that encourage more ADUs, including basement ADUs, can also help remediate hazardous conditions as these spaces are improved to current building code standards.

**Policy 5.49. Housing quality.** Encourage housing that provides high indoor air quality, access to sunlight and outdoor spaces, and is protected from excessive noise, pests, and hazardous environmental conditions.

**215.Finding:** The RIP amendments do not change Title 29 provisions which address pest and other hazardous environmental conditions. All new housing is subject to compliance with the state uniform building code standards to ensure high indoor air quality, access to sunlight spaces, and that the residents are protected from excessive noise. The RIP amendments include a minimum outdoor yard space requirement to ensure access to outdoor area.

**Policy 5.50. High-performance housing.** Encourage energy efficiency, green building practices, materials, and design to produce healthy, efficient, durable, and adaptable homes that are affordable or reasonably priced.

**216.Finding:** The RIP amendments encourage smaller units and more attached units which results in improved energy efficiency and is consistent with the policy of creating high-performance housing. According to studies conducted by the State DEQ, “Reducing home size is among the best tier of options for reducing waste generation in the Oregon housing sector, while simultaneously achieving a large environmental benefit across many categories of impact...Reduction in home size is a significant leverage point for impact reduction [including non-renewable energy use] and may be a more effective measure than achieving minimum levels of ‘green certification’”<sup>63</sup>

Attached housing is also more energy efficient than detached forms of housing. According to the EPA, “fairly substantial differences are seen in detached versus attached homes [approximately 17.5% improved efficiency], but the most striking difference is the variation in energy use between single-family detached homes and multifamily homes [50% improved efficiency], due to the inherent efficiencies from more compact size and shared walls among units.”<sup>64</sup>

**Policy 5.51. Healthy and active living.** Encourage housing that provides features supportive of healthy eating and active living such as useable open areas, recreation areas, community gardens, crime-preventive design, and community kitchens in multifamily housing.

**217.Finding:** The RIP amendments allow for four units or up to 6 units when meeting certain affordability requirements in RIP zones. This housing is consistent with Policy 5.51 as it provides for required outdoor areas which can be utilized for community gardening or recreation. This housing is also more limited in building coverage than multidwelling and mixed use zones, and is not required to have on site parking thereby offering additional outdoor area opportunities. Crime preventative design is encouraged through street facing window requirements, limits on large blank garage doors, and standards for front door orientation to the street.

**Policy 5.52. Walkable surroundings.** Encourage active transportation in residential areas through the development of pathways, sidewalks, and high-quality onsite amenities such as secure bicycle parking.

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<sup>63</sup> A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, September 2010

<sup>64</sup> [Location Efficiency and Housing Type, Jonathan Rose Companies, March 2011](#)

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**218.Finding:** New residential development and conversions or additions that add dwelling units must either build street improvements or pay into the Local Transportation Improvement Charge (LTIC) when streets are not sufficiently improved. Recent changes to the LTIC rules have enabled other middle housing types (up to six units) to pay into LTIC. These payments are collected and applied toward the construction of full street improvements, instead of the partial “orphaned” sidewalk improvements that otherwise occur and do not fulfill complete network connections. The LTIC program ensures that additional households will be connected to the street networks holistically over time. RIP amendments require use of alleys for parking access, when alleys are available, in order to reduce conflicts between sidewalk users and vehicles. The RIP amendments also include new requirements for internal pathway circulation routes in planned developments to encourage more walkability within sites. The bicycle parking code amendments adopted on December 4, 2019 (Ord. No. 189784), enhances security standards to help prevent bike theft, which council determined are applicable to household living uses with 5 or more units on site.

**Policy 5.53. Responding to social isolation.** Encourage site designs and relationship to adjacent developments that reduce social isolation for groups that often experience it, such as older adults, people with disabilities, communities of color, and immigrant communities.

**219.Finding:** The RIP amendments create allowances for duplexes, triplexes, fourplexes and up to six units when meeting regulated affordability requirements. These can create conditions that enhance symbiosis with neighbors in the same building. Allowing for additional accessory dwelling units also provides more opportunities for residents that share a single property to interact or create multigenerational housing. The amendments also reduce review thresholds that shorten review times and reduce costs for planned developments to encourage their development. These can be built to suit particular demographic needs, such as clusters of semi-independent cottages, or congregate care facilities combined with family friendly housing that encourages generational interaction.

**Policy 5.54 Renter protections.** Enhance renter health, safety, and stability through education, expansion of enhanced inspections, and support of regulations and incentives that protect tenants and prevent involuntary displacement.

**220.Finding:** The RIP amendments do not alter regulations establishing tenant protections including required relocation assistance when properties are sold and/or redeveloped (PCC 30.01.085). Further, as demonstrated in the displacement risk analysis, the risk of involuntary displacement of low-income renters as a result of redevelopment is reduced through the implementation of the RIP amendments, thereby increase stability and prevent involuntary displacement.

## Chapter 6: Economic Development

**Goal 6.A: Prosperity.** Portland has vigorous economic growth and a healthy, diverse economy that supports prosperity and equitable access to employment opportunities for an increasingly diverse population. A strong economy that is keeping up with population growth and attracting resources and talent can:

- Create opportunity for people to achieve their full potential.
- Improve public health.
- Support a healthy environment.
- Support the fiscal well-being of the city.

**Goal 6.B: Development.** Portland supports an attractive environment for industrial, commercial, and institutional job growth and development by: 1) maintaining an adequate land supply; 2) a local development review system that is nimble, predictable, and fair; and 3) high-quality public facilities and services.

**Goal 6.C: Business district vitality.** Portland implements land use policy and investments to:

- Ensure that commercial, institutional, and industrial districts support business retention and expansion.
- Encourage the growth of districts that support productive and creative synergies among local businesses.
- Provide convenient access to goods, services, and markets.
- Take advantage of our location and quality of life advantages as a gateway to world-class natural landscapes in Northwest Oregon, Southwest Washington, and the Columbia River Basin, and a robust interconnected system of natural landscapes within the region's Urban Growth Boundary.

**221.Finding:** The RIP amendments do not change the comprehensive plan designations of any currently designated employment lands. The RIP amendments do not affect the base development capacity in the commercial mixed-use areas. Therefore, there is no impact to employment capacity. The amendments help support business district vitality by allowing for more households to locate closer to goods, services, and markets. The City Council finds that the RIP amendments are consistent with economic development goals and policies, especially those that support neighborhood business districts.

### Diverse, expanding city economy

**Policy 6.1. Diverse and growing community.** Expand economic opportunity and improve economic equity for Portland's diverse, growing population through sustained business growth.

**Policy 6.2. Diverse and expanding economy.** Align plans and investments to maintain the diversity of Portland's economy and status as Oregon's largest job center with growth across all sectors (commercial, industrial, creative, and institutional) and across all parts of the city.

**Policy 6.3. Employment growth.** Strive to capture at least 25 percent of the seven-county region's employment growth (Multnomah, Washington, Clackamas, Yamhill, Columbia, Clark, and Skamania counties).

**Policy 6.4. Fiscally-stable city.** Promote a high citywide jobs-to-households ratio that supports tax revenue growth at pace with residential demand for municipal services.

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**Policy 6.5. Economic resilience.** Improve Portland’s economic resilience to impacts from climate change and natural disasters through a strong local economy and equitable opportunities for prosperity.

**Policy 6.6. Low-carbon and renewable energy economy.** Align plans and investments with efforts to improve energy efficiency and reduce lifecycle carbon emissions from business operations. Promote employment opportunities associated with energy efficiency projects, waste reduction, production of more durable goods, and recycling.

**Policy 6.7. Competitive advantages.** Maintain and strengthen the city’s comparative economic advantages including access to a high-quality workforce, business diversity, competitive business climate, and multimodal transportation infrastructure.

**Policy 6.8. Business environment.** Use plans and investments to help create a positive business environment in the city and provide strategic assistance to retain, expand, and attract businesses.

**Policy 6.9. Small business development.** Facilitate the success and growth of small businesses and coordinate plans and investments with programs that provide technical and financial assistance to promote sustainable operating practices.

**Policy 6.10. Business innovation.** Encourage innovation, research, development, and commercialization of new technologies, products, and services through responsive regulations and public sector approaches.

**Policy 6.11. Sharing economy.** Encourage mechanisms that enable individuals, corporations, non-profits, and government to market, distribute, share, and reuse excess capacity in goods and services. This includes peer-to-peer transactions, crowd funding platforms, and a variety of business models to facilitate borrowing and renting unused resources.

**Policy 6.12. Economic role of livability and ecosystem services.** Conserve and enhance Portland’s cultural, historic, recreational, educational, food-related, and ecosystem assets and services for their contribution to the local economy and their importance for retention and attraction of skilled workers and businesses.

**222.Finding:** Policies 6.1 through 6.12 provide direction regarding economic and employment growth. The RIP map amendments do not affect any land designated for industrial or employment uses. The RIP map amendments do not affect the base development capacity in the commercial mixed-use areas. Therefore, there is no impact to employment capacity. Providing a wider variety of housing to suit a broader segment of the population will help retain and attract skilled workers.

## Land development

**Policy 6.13. Land supply.** Provide supplies of employment land that are sufficient to meet the long-term and short-term employment growth forecasts, adequate in terms of amounts and types of sites, available and practical for development and intended uses. Types of sites are distinguished primarily by employment geographies identified in the Economic Opportunities Analysis, although capacity needs for building types with similar site characteristics can be met in other employment geographies.

**223.Finding:** The RIP amendments do not change the comprehensive plan designations of any currently designated employment lands. Therefore, there is no impact to employment capacity.

**Policy 6.14. Brownfield redevelopment.** Overcome financial-feasibility gaps to cleanup and redevelop 60 percent of brownfield acreage by 2035.

**Policy 6.15. Regionally-competitive development sites.** Improve the competitiveness of vacant and

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underutilized sites located in Portland’s employment areas using incentives, and regional and state assistance for needed infrastructure and site readiness improvements.

**Policy 6.16. Regulatory climate.** Improve development review processes and regulations to encourage predictability and support local and equitable employment growth and encourage business retention, including:

**6.16.a.** Assess and understand cumulative regulatory costs to promote Portland’s financial competitiveness with other comparable cities.

**6.16.b.** Promote certainty for new development through appropriate allowed uses and “clear and objective” standards to permit typical development types without a discretionary review.

**6.16.c.** Allow discretionary-review to facilitate flexible and innovative approaches to meet requirements.

**6.16.d.** Design and monitor development review processes to avoid unnecessary delays.

**6.16.e.** Promote cost effective compliance with federal and state mandates, productive intergovernmental coordination, and efficient, well-coordinated development review and permitting procedures.

**224. Finding:** Policies 6.14 through 6.16 provide direction regarding development sites and regulations in employment areas. The RIP amendments do not change the comprehensive plan designations or regulations affecting any currently designated employment lands. The RIP amendments do not change the development standards or requirements for designated employment lands. Therefore, these policies are not applicable.

**Policy 6.17. Short-term land supply.** Provide for a competitive supply of development-ready sites with different site sizes and types, to meet five-year demand for employment growth in the Central City, industrial areas, campus institutions, and neighborhood business districts.

**225. Finding:** The RIP amendments do not change the development standards or requirements for designated employment lands. Therefore, this policy is not applicable.

**Policy 6.18. Evaluate land needs.** Update the Economic Opportunities Analysis and short-term land supply strategies every five to seven years.

**Policy 6.19. Corporate headquarters.** Provide land opportunities for development of corporate headquarters campuses in locations with suitable transportation facilities.

**226. Finding:** Policies 6.17 through 6.19 provide direction regarding land supply and corporate headquarters in employment areas. The RIP amendments do not change the comprehensive plan designations of any currently designated employment lands. Therefore, there is no adverse impact to employment land supply.

### Traded sector competitiveness

**Policy 6.20. Traded sector competitiveness.** Align plans and investments with efforts to improve the city and regional business environment for traded sector and export growth. Participate in regional and statewide initiatives.

**Policy 6.21. Traded sector diversity.** Encourage partnerships to foster the growth, small business vitality, and diversity of traded sectors.

**Policy 6.22. Clusters.** Align plans and investments with efforts that direct strategic business development resources to enhance the competitiveness of businesses in traded sector clusters.

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**Policy 6.23. Trade and freight hub.** Encourage investment in transportation systems and services that will retain and expand Portland’s competitive position as a West Coast trade gateway and freight distribution hub.

**Policy 6.24. Traded sector land supply.** Foster traded sector retention, growth, and competitive advantages in industrial districts and the Central City. Recognize the concentration of traded-sector businesses in these districts.

**Policy 6.25. Import substitution.** Encourage local goods production and service delivery that substitute for imports and help keep the money Portlanders earn in the local economy.

**Policy 6.26. Business opportunities in urban innovation.** Strive to have Portland’s built environment, businesses, and infrastructure systems showcase examples of best practices of innovation and sustainability.

**227.Finding:** The RIP amendments address housing and do not adversely impact the city and regional business climate. Policies 6.20 through 6.26 do not apply.

### Equitable household prosperity

**Policy 6.27. Income self-sufficiency.** Expand access to self-sufficient wage levels and career ladders for low-income people by maintaining an adequate and viable supply of employment land and public facilities to support and expand opportunities in Portland for middle- and high-wage jobs that do not require a 4-year college degree.

**6.27.a.** Support the role of industrial districts as a leading source of middle-wage jobs that do not require a 4-year college degree and as a major source of wage-disparity reduction for under-served and under-represented communities.

**6.27.b.** Evaluate and limit negative impacts of plans and investments on middle and high wage job creation and retention.

**228.Finding:** The RIP amendments address housing and do not adversely impact employment land or public facilities. Policy 6.27 does not apply.

**Policy 6.28. East Portland job growth.** Improve opportunities for East Portland to grow as a business destination and source of living wage jobs.

**229. Finding:** The RIP amendments address the single-dwelling zones and do not impact employment land or job growth in East Portland. Policy 6.28 does not apply.

**Policy 6.29. Poverty reduction.** Encourage investment in, and alignment of, poverty-reduction efforts that address economic development, land use, transportation, housing, social services, public health, community development, and workforce development.

**230.Finding:** By increasing the range of permissible housing types in RIP zones, the production of market rate housing together with incentives for providing affordable units, housing units are available at a wider spectrum of prices across a broader geographic reach of the city. Reducing housing costs and having more households able to reside closer to active transportation options improves public health outcomes, increases household stability, and offers households greater means to accumulate savings. Therefore, the RIP amendments encourage poverty reduction efforts through land use, transportation, housing and economic and community development, and do not affect efforts related to social services, public health and workforce development.

**Policy 6.30. Disparity reduction.** Encourage investment in, and alignment of, public efforts to reduce

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racial, ethnic, and disability-related disparities in income and employment opportunity.

**Policy 6.31. Minority-owned, woman-owned and emerging small business (MWESB) assistance.**

Ensure that plans and investments improve access to contracting opportunities for minority-owned, woman-owned, and emerging small businesses.

231. **Finding:** Policies 6.30 and 6.31 provide direction regarding equity-related approaches to employment and small business development. The RIP amendments address housing and do not adversely impact employment or business development. These policies do not apply.

**Policy 6.32. Urban renewal plans.** Encourage urban renewal plans to primarily benefit existing residents and businesses within the urban renewal area through:

- Revitalization of neighborhoods.
- Expansion of housing choices.
- Creation of business and job opportunities.
- Provision of transportation linkages.
- Protection of residents and businesses from the threats posed by gentrification and displacement.
- The creation and enhancement of those features which improve the quality of life within the urban renewal area.

232. **Finding:** The RIP amendments do not address or amend urban renewal plans. This policy does not apply.

## Central City

**Policy 6.33. Central City.** Improve the Central City's regional share of employment and continue its growth as the unique center of both the city and the region for innovation and exchange through commerce, employment, arts, culture, entertainment, tourism, education, and government.

**Policy 6.34. Central City industrial districts.** Protect and facilitate the long-term success of Central City industrial districts, while supporting their evolution into places with a broad mix of businesses with high employment densities.

**Policy 6.35. Innovation districts.** Provide for expanding campus institutions in the Central City and Marquam Hill, and encourage business development that builds on their research and development strengths.

233. **Finding:** Policies 6.33 through 6.35 provide direction regarding economic development in the Central City. There are no RIP zones in the Central City. These policies do not apply.

## Industrial and employment districts

**Policy 6.36. Industrial land.** Provide industrial land that encourages industrial business retention, growth, and traded sector competitiveness as a West Coast trade and freight hub, a regional center of diverse manufacturing, and a widely-accessible base of family-wage jobs, particularly for under-served and under-represented people.

**Policy 6.37. Industrial sanctuaries.** Protect industrial land as industrial sanctuaries identified on the Comprehensive Plan Map primarily for manufacturing and distribution uses and to encourage the growth of industrial activities in the city.

**Policy 6.38. Prime industrial land retention.** Protect the multimodal freight-hub industrial districts at the Portland Harbor, Columbia Corridor, and Brooklyn Yard as prime industrial land that is prioritized for long-term retention.

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**6.38.a.** Protect prime industrial lands from quasi-judicial Comprehensive Plan Map amendments that convert prime industrial land to non-industrial uses, and consider the potential for other map amendments to otherwise diminish the economic competitiveness or viability of prime industrial land.

**6.38.b.** Limit conversion of prime industrial land through land use plans, regulations, or public land acquisition for non-industrial uses, especially land that can be used by river-dependent and river-related industrial uses.

**6.38.c.** Limit regulatory impacts on the capacity, affordability, and viability of industrial uses in the prime industrial area while ensuring environmental resources are also protected.

**6.38.d.** Strive to offset the reduction of development capacity as needed, with additional prime industrial capacity that includes consideration of comparable site characteristics. Offsets may include but are not limited to additional brownfield remediation, industrial use intensification, strategic investments, and other innovative tools and partnerships that increase industrial utilization of industrial land.

**6.38.e.** Protect prime industrial land for siting of parks, schools, large-format places of assembly, and large-format retail sales.

**6.38.f.** Promote efficient use of freight hub infrastructure and prime industrial land by limiting non-industrial uses that do not need to be in the prime industrial area.

**Policy 6.39. Harbor access lands.** Limit use of harbor access lands to river- or rail-dependent or related industrial land uses due to the unique and necessary infrastructure and site characteristics of harbor access lands for river-dependent industrial uses.

**Policy 6.40. Portland Harbor Superfund Site.** Take a leadership role to facilitate a cleanup of the Portland Harbor that moves forward as quickly as possible and that allocates cleanup costs fairly and equitably. Encourage a science-based and cost-effective cleanup solution that facilitates re-use of land for river- or rail-dependent or related industrial uses.

**Policy 6.41. Multimodal freight corridors.** Encourage freight-oriented industrial development to locate where it can maximize the use of and support reinvestment in multimodal freight corridors.

**Policy 6.42. Columbia East.** Provide a mix of industrial and limited business park development in Columbia East (east of 82nd Avenue) that expand employment opportunities supported by proximity to Portland International Airport and multimodal freight access.

**Policy 6.43. Dispersed employment areas.** Provide small, dispersed employment areas for a flexible and affordable mix of office, creative services, small-scale manufacturing, traded sector and distribution, and other small-format light industrial and commercial uses with access to nearby freeways or truck streets.

**Policy 6.44. Industrial land use intensification.** Encourage reinvestment in, and intensification of, industrial land use, as measured by output and throughput per acre.

**Policy 6.45. Industrial brownfield redevelopment.** Provide incentives, investments, technical assistance and other direct support to overcome financial-feasibility gaps to enable remediation and redevelopment of brownfields for industrial growth.

**Policy 6.46. Impact analysis.** Evaluate and monitor the impacts on industrial land capacity that may result from land use plans, regulations, public land acquisition, public facility development, and other public actions to protect and preserve existing industrial lands.

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**Policy 6.47. Clean, safe, and green.** Encourage improvements to the cleanliness, safety, and ecological performance of industrial development and freight corridors by facilitating adoption of market feasible new technology and design.

**Policy 6.48. Fossil fuel distribution.** Limit fossil fuels distribution and storage facilities to those necessary to serve the regional market.

**Policy 6.49. Industrial growth and watershed health.** Facilitate concurrent strategies to protect and improve industrial capacity and watershed health in the Portland Harbor and Columbia Corridor areas.

**Policy 6.50. District expansion.** Provide opportunities for expansion of industrial areas based on evaluation of forecasted need and the ability to meet environmental, social, economic, and other goals.

**Policy 6.51. Golf course reuse and redevelopment.** Facilitate a mix of industrial, natural resource, and public open space uses on privately-owned golf course sites in the Columbia Corridor that property owners make available for reuse.

**Policy 6.52. Residential and commercial reuse.** Facilitate compatible industrial or employment redevelopment on residential or commercial sites that become available for reuse if the site is in or near prime industrial areas, and near a freeway or on a freight street.

**Policy 6.55. Neighborhood park use.** Allow neighborhood park development within industrial zones where needed to provide adequate park service within one-half mile of every resident.

**234. Finding:** Policies 6.36 through 6.55 provide direction regarding industrial and employment districts. The RIP amendments do not change the comprehensive plan designations or regulations affecting any currently designated industrial or employment lands. Therefore, there is no impact to the development capacity of the City's industrial and employment districts.

## Campus institutions

**Policy 6.56. Campus institutions.** Provide for the stability and growth of Portland's major campus institutions as essential service providers, centers of innovation, workforce development resources, and major employers.

**Policy 6.57. Campus land use.** Provide for major campus institutions as a type of employment land, allowing uses typically associated with health care and higher education institutions. Coordinate with institutions in changing campus zoning to provide land supply that is practical for development and intended uses.

**Policy 6.58. Development impacts.** Protect the livability of surrounding neighborhoods through adequate infrastructure and campus development standards that foster suitable density and attractive campus design. Minimize off-site impacts in collaboration with institutions and neighbors, especially to reduce automobile traffic and parking impacts.

**Policy 6.59. Community amenities and services.** Encourage campus development that provides amenities and services to surrounding neighborhoods, emphasizing the role of campuses as centers of community activity.

**Policy 6.60. Campus edges.** Provide for context-sensitive, transitional uses, and development at the edges of campus institutions to enhance their integration into surrounding neighborhoods, including mixed-use and neighborhood-serving commercial uses where appropriate.

**Policy 6.61. Satellite facilities.** Encourage opportunities for expansion of uses, not integral to campus

functions, to locate in centers and corridors to support their economic vitality.

**235.Finding.** Policies 6.56 through 6.61 provide direction regarding campus institutions. There are no RIP zones with a campus institution land use designation. These policies do not apply.

### **Neighborhood business districts**

**Policy 6.62. Neighborhood business districts.** Provide for the growth, economic equity, and vitality of neighborhood business districts.

**Policy 6.63. District function.** Enhance the function of neighborhood business districts as a foundation of neighborhood livability.

**Policy 6.64. Small, independent businesses.** Facilitate the retention and growth of small and locally-owned businesses.

**236.Finding.** Policies 6.62 through 6.64 provide direction regarding neighborhood districts, which primarily have commercial/mixed use zoning. The RIP map amendments do not affect the base land uses or development capacity in the commercial/mixed-use zones. Home occupations, presently allowed in RIP zones, are unaffected by these amendments. The RIP amendments provide for a wider variety and increased capacity of housing in RIP zones which are frequently found near neighborhood business districts. The increased density can result in a greater number and diversity of consumers, which helps increase the vitality and resulting growth of neighborhood business districts.

**Policy 6.65. Home-based businesses.** Encourage and expand allowances for small, low-impact home based businesses in residential areas, including office or personal service uses with infrequent or by-appointment customer or client visits to the site. Allow a limited number of employees, within the scale of activity typical in residential areas. Allow home-based businesses on sites with accessory dwelling units.

**Policy 6.66. Neighborhood-serving business.** Provide for neighborhood business districts and small commercial nodes in areas between centers to expand local access to goods and services. Allow nodes of small-scale neighborhood-serving commercial uses in large planned developments and as a ground floor use in high density residential areas.

**Policy 6.67. Retail development.** Provide for a competitive supply of retail sites that support the wide range of consumer needs for convenience, affordability, accessibility, and diversity of goods and services, especially in under-served areas of Portland.

**Policy 6.68. Investment priority.** Prioritize commercial revitalization investments in neighborhoods that serve communities with limited access to goods and services.

**Policy 6.69. Non-conforming neighborhood business uses.** Limit non-conforming uses to reduce adverse impacts on nearby residential uses while avoiding displacement of existing neighborhood businesses.

**Policy 6.70. Involuntary commercial displacement.** Evaluate plans and investments for their impact on existing businesses.

**6.70.a.** Limit involuntary commercial displacement in areas at risk of gentrification, and incorporate tools to reduce the cost burden of rapid neighborhood change on small business owners vulnerable to displacement.

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**6.70.b.** Encourage the preservation and creation of affordable neighborhood commercial space to support a broad range of small business owners.

**Policy 6.71. Temporary and informal markets and structures.** Acknowledge and support the role that temporary markets (farmer’s markets, craft markets, flea markets, etc.) and other temporary or mobile-vending structures play in enabling startup business activity. Also, acknowledge that temporary uses may ultimately be replaced by more permanent development and uses.

**Policy 6.72. Community economic development.** Encourage collaborative approaches to align land use and neighborhood economic development for residents and business owners to better connect and compete in the regional economy.

**6.72.a.** Encourage broad-based community coalitions to implement land use and economic development objectives and programs.

**6.72.b.** Enhance opportunities for cooperation and partnerships between public and private entities that promote economic vitality in communities most disconnected from the regional economy.

**6.72.c.** Encourage cooperative efforts by area businesses, Business Associations, and Neighborhood Associations to work together on commercial revitalization efforts, sustainability initiatives, and transportation demand management.

**Policy 6.73. Centers.** Encourage concentrations of commercial services and employment opportunities in centers.

**6.73.a.** Encourage a broad range of neighborhood commercial services in centers to help residents and others in the area meet daily needs and/or serve as neighborhood gathering places.

**6.73.b.** Encourage the retention and further development of grocery stores and local markets as essential elements of centers.

**6.73.c.** Enhance opportunities for services and activities in centers that are responsive to the needs of the populations and cultural groups of the surrounding area.

**6.73.d.** Require ground-level building spaces in core areas of centers accommodate commercial or other street-activating uses and services.

**6.73.e.** Encourage employment opportunities as a key function of centers, including connections between centers, institutions, and other major employers to reinforce their roles as vibrant centers of activity.

**237.Finding:** Policies 6.65 through 6.73 provide direction regarding neighborhood districts, which primarily have commercial/mixed use zoning. The RIP map amendments do not change commercial revitalization priorities, or affect the base land uses, non-conforming rules, or development capacity in the commercial/mixed-use zones. The RIP zoning code amendments do not affect opportunities for home-based businesses. In addition, providing a wider variety of housing to suit a broader segment of the population will help retain and attract skilled workers. The RIP amendments do not change the comprehensive plan designations or regulations affecting any lands designated Mixed Use Commercial. Therefore, these policies do not apply.

## Chapter 7: Environmental and Watershed Health

**Goal 7.A: Climate.** Carbon emissions are reduced to 50 percent below 1990 levels by 2035.

**238.Finding:** The City’s adopted Climate Action Plan (CAP) identifies objectives and actions for reducing carbon emissions and one of the objectives is to reduce emissions related to transportation. Several actions related to reducing emissions (including actions 4O and 4Q) call for reducing emissions by focusing on “concentrating growth and density in areas with access to transit services, bike and pedestrian infrastructure...to reduce transportation fuel use. Such development patterns have helped reduce total gasoline sales in Multnomah County by 29 percent per person below 1990.”<sup>65</sup> The RIP amendments increase the number of dwelling units allowed (i.e. increase density) on roughly 120,000 single-dwelling zoned lots. Ninety-four percent of those lots (114,000) are located within a quarter mile of transit service. The RIP amendments increase the potential for density to be located near transit, which the CAP identifies as a good strategy for reducing carbon emissions, and therefore, the RIP amendments are consistent with Goal 7.A.

Reducing vehicle miles travelled as a way to reduce carbon emissions is also an objective of the CAP (Objective 4). The RIP amendments eliminate the on-site parking requirement for household living uses in single-dwelling zones. This has the potential to reduce vehicle miles travelled because, according to a UCLA study, “the presence of bundled parking (*i.e. an on-site parking space*) is associated with a 27 percent increase in vehicle miles traveled. Bundled households drive approximately 3,800 miles more, spend nearly \$580 more on gasoline, and emit 14.47 more metric tons of carbon dioxide per year. Bundled parking is also negatively correlated to transit use, and households with unbundled parking are significantly more likely to be frequent transit users”<sup>66</sup>. For this reason, the RIP amendments are also consistent with Goal 7.A.

The CAP also identifies solid waste as a source of carbon emissions. Objective 2 includes actions aimed at reducing the carbon emissions associated with buildings, and Objective 10 includes actions focused on reducing solid waste by 33%. According to a study conducted by the State DEQ “Reducing home size is among the best tier of options for reducing waste generation in the Oregon housing sector...”<sup>67</sup>. The RIP amendments add a maximum floor area ratio (FAR) to the set of development standards that apply to all structures in single-dwelling zones. The RIP amendments are consistent with Goal 7.A because the maximum FAR standard will reduce the maximum allowable size of a house in a single-dwelling zone by as much as 50%<sup>68</sup> thereby reducing waste.

**Goal 7.B: Healthy watersheds and environment.** Ecosystem services and ecosystem functions are maintained and watershed conditions have improved over time, supporting public health and safety, environmental quality, fish and wildlife, cultural values, economic prosperity, and the intrinsic value of nature.

**239.Finding:** The primary tool in the zoning code to protect resources and functional values that have been identified by the City as providing benefits to the public is environmental overlay zoning. RIP does not amend any of the City’s existing environmental overlay zones and thus, the existing ecosystem services and functions within those zones are maintained. RIP further helps to maintain ecosystem service and function by prohibiting the additional density allowed by the RIP amendments (up to 6 dwelling units per lot) on sites that contain natural resources ranked low, medium, or high in

<sup>65</sup> Climate Action Plan, City of Portland, Oregon and Multnomah County, pg. 77, June 30, 2015

<sup>66</sup> Does Bundled Parking Influence Travel Behavior, Pinski, UCLA, 2018

<sup>67</sup> Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, Quantis, Earth Advantage, and Oregon Home Builders Association, September 29, 2010

<sup>68</sup> Residential Infill Project—As-Amended Draft, commentary associated with Title 33 Table 110-4, April 2020

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the adopted Citywide Natural Resources Inventory, and other areas with floodplain or landslide risk that are not currently protected by environmental overlay zones.

The RIP amendments also reduce the potential for development to negatively impact the ecosystem service and functions within these areas by eliminating the requirement for lots to have an off-street paved parking space and reducing the allowed building size, both of which may result in reduced impervious area. As described in the Citywide Natural Resources Inventory, impervious surfaces have negative impacts on streams related to increased runoff and storm flows<sup>69</sup>. For these reasons, the RIP amendments are consistent with this Goal.

**Goal 7.C: Resilience.** Portland’s built and natural environments function in complementary ways and are resilient in the face of climate change and natural hazards.

**240.Finding:** The Comprehensive Plan defines “resilience” as the capability to anticipate, prepare for, respond to, and recover from significant multi-hazard threats with minimum damage to social well-being, the economy, and the environment. The city’s adopted Climate Action Plan (CAP) also addresses resiliency and includes specific strategies and actions that can be taken to support and improve resiliency.

The CAP identifies reducing risks and impacts from flooding and landslides as a key strategy to address climate change preparedness (CAP Objective 15). Action 15C calls for encouraging or requiring private property owners and developers to implement climate change preparation measures, including limiting or reducing impervious area<sup>70</sup>. The RIP amendments encourage the reduction of impervious surface by eliminating the requirement for lots to have an off-street, paved parking space and by reducing the allowed building size. Eliminating the requirement for parking encourages property owners and developers to eliminate existing paved on-site parking and to not build on-site paved parking going forward. Reducing the allowed size of buildings means that in some cases the footprint of the building will be smaller. As described in the CAP, reducing impervious surface can help to make the built environment more resilient in the face of climate change and natural hazards and thus, the RIP amendments are consistent with this Goal.

The CAP actions related to climate change preparedness also call for protecting floodplains, managing stormwater naturally and managing landslide risk (Actions 15A, 15B, 15F). The RIP amendments support these actions by increasing density near transit (see findings for Goal 7A) and away from natural resources and hazard areas. The RIP amendments also help to protect floodplain and manage landslide risk by prohibiting the additional dwelling units on lots that have low, medium, or high ranked resources (as identified in the City’s adopted Citywide Natural Resources Inventory), on lots in the floodplain, and on lots that have elevated landslide risk. In addition, the RIP amendments do not change City programs for flood management, and erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24). For these reasons, the RIP amendments are consistent with this Goal.

**Goal 7.D: Environmental equity.** All Portlanders have access to clean air and water, can experience nature in their daily lives, and benefit from development designed to lessen the impacts of natural hazards and environmental contamination.

**241.Finding:** The RIP supports this policy by implementing amendments that encourage the reduction of impervious surface (e.g. eliminating the requirement for on-site parking, limiting overall building size)

<sup>69</sup> City of Portland Natural Resources Inventory, pg. 16, October 2012

<sup>70</sup> Climate Action Plan, City of Portland, Oregon and Multnomah County, pg. 115, June 30, 2015

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and, as shown in the findings for Goals 7.B and 7.C above, reducing impervious surface can reduce impacts from flooding and landslides. In addition, as shown in the findings for Goal 7.A, locating density near transit is a key strategy for reducing carbon emissions. The RIP amendments allow multiple dwelling units on single-dwelling zoned lots (up to 6 dwelling unit per lot). Ninety-four percent of the single-dwelling zoned lots that will allow the opportunity for this increased density are located within 1/4 mile of transit service thus expanding options for the development of energy-efficient compact housing in locations supportive of low-carbon transportation options (such as transit, walking, and bicycling). Therefore, the RIP amendments support reduced carbon emissions and clean air and water.

Furthermore, the City's Parks 2020 Vision calls for providing "a basic, developed Neighborhood Park facility within a half-mile (approximately 10 to 15 minute walk) of every Portland resident..."<sup>71</sup> Ninety-six percent of the lots in the single-dwelling zones where the RIP amendments will increase density (up to 6 dwelling units per lot) are within 1/2 mile of a park of natural area thus increasing the potential number of households able with access to nature in their daily lives.

**Goal 7.E: Community stewardship.** Portlanders actively participate in efforts to maintain and improve the environment, including watershed health.

**242.Finding:** This goal is focused on actions that have the potential to activate Portland's residents on behalf of the environment and watershed health. RIP amends zoning regulations and designations. The RIP amendments do not affect non-regulatory, environmental public involvement programs or actions. Therefore, this goal does not apply

## Improving environmental quality and resilience

**Policy 7.1. Environmental quality.** Protect or support efforts to protect air, water, and soil quality, and associated benefits to public and ecological health and safety, through plans and investments.

**243.Finding:** The RIP amendments are consistent with this policy because they do several things to support the protection of air, water, and soil quality:

- The amendments encourage the reduction of impervious surface on lots in the single-dwelling zones by eliminating the requirement for on-site parking and reducing the allowed building size. As shown in the findings for Goals 7.B and 7.C above, reducing impervious surface can reduce impacts from flooding and landslides, thus helping to protect water and soil quality.
- The City protects identified natural resources and associated benefits to the public and ecological health through the application of environmental overlay zones. The RIP amendments increase the number of dwelling units that can be built on lots in the single-dwelling zones, however the additional density will not be allowed on lots that have environmental zoning in addition to lots that are not yet protected by environmental overlay zone but have high, medium, or low ranked resources as identified in the adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk.
- As shown in the findings for Goal 7.A above, increasing density near transit and eliminating the requirement for on-site parking has the potential to reduce vehicle miles travelled and therefore

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<sup>71</sup> Parks 2020 Vision, Portland Parks and Recreation, pg. 29, 1990

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carbon emissions. The City's adopted Climate Action Plan identifies this urban form as beneficial for reducing toxic air pollutants and improving air quality.<sup>72</sup>

- The RIP amendments do not affect City programs for flood management, and erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24).

**Policy 7.2. Environmental equity.** Prevent or reduce adverse environment-related disparities affecting under-served and under-represented communities through plans and investments. This includes addressing disparities relating to air and water quality, natural hazards, contamination, climate change, and access to nature.

**244.Finding:** The RIP amendments have the potential to improve air and water quality, reduce impacts from natural hazards, address climate change and improve access to nature as described in the findings for Goals 7.A, 7.B, 7.C and 7.D, and Policy 7.1 above. As part of the background work for this project, staff identified census tracts with a higher proportion of vulnerable populations. For the purposes of this project, areas with vulnerable populations are defined as areas with a higher percentage of people of color, people with lower educational attainment, renters, and/or low-income residents.<sup>73</sup> The census tracts identified as containing vulnerable populations are scattered throughout the city, predominately east of the Willamette River. Many of the tracts are in single-dwelling zoned areas that will be affected by the RIP amendments, and as a result, the populations within those tracts have the potential benefit from the improvements that the RIP proposals stand to create.

**Policy 7.3. Ecosystem services.** Consider the benefits provided by healthy ecosystems that contribute to the livability and economic health of the city.

**245.Finding:** This Comprehensive plan defines ecosystem services as including, among other things, climate regulation, flood mitigation, stormwater management, and clean air and water. The RIP amendments are consistent with this policy because, as shown in the findings for Goals 7.A, 7.B, 7.C, 7.D and Policy 7.1, they have the potential to reduce carbon emissions and impervious surfaces thus improving air and water quality, reducing stormwater runoff and mitigating floods.

The RIP amendments are also consistent with this policy because they protect the ecosystem services provided by identified natural resources. According to the adopted Citywide Natural Resources Inventory, Portland's identified natural resource "provide important ecosystem services that can protect public health, safety and property, and reduce local infrastructure costs. For example, although the city has developed an elaborate stormwater pipe system, local rivers, streams, wetlands and floodplains still provide critical water storage and conveyance capacity throughout Portland's watersheds. Trees, shrubs and groundcover help reduce the impacts of stormwater runoff by intercepting precipitation and filtering out pollutants. Vegetation also helps prevent erosion and landslides by stabilizing streambanks and steep slopes. Trees and vegetation help maintain healthful air quality and reduce energy demand and discharge of greenhouse gases, particularly carbon dioxide which contributes to global warming".<sup>74</sup> The RIP amendments increase the number of dwelling units allowed on single-dwelling zoned lots in Portland. However, the RIP proposals do not allow the increased density on lots that have high, medium, or low ranked natural resources as identified in the

<sup>72</sup> Climate Action Plan, City of Portland, Oregon and Multnomah County, pgs. 80-81, June 30, 2015

<sup>73</sup> Residential Infill Project: Displacement Risk and Mitigation, pg. 5, February 2019

<sup>74</sup> City of Portland Natural Resources Inventory, pg. 3, October 2012

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adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk thus taking the ecosystem services provided by the resources into consideration.

**Policy 7.4. Climate change.** Update and implement strategies to reduce carbon emissions and impacts and increase resilience through plans and investments and public education.

**7.4.a. Carbon sequestration.** Enhance the capacity of Portland’s urban forest, soils, wetlands, and other water bodies to serve as carbon reserves.

**7.4.b. Climate adaptation and resilience.** Enhance the ability of rivers, streams, wetlands, floodplains, urban forest, habitats, and wildlife to limit and adapt to climate-exacerbated flooding, landslides, wildfire, and urban heat island effects.

**246.Finding:** The RIP amendments are consistent with this policy and subpolicies because, as shown in in the findings for Goals 7.A, 7.B, 7.C and 7.D, and Policy 7.1 above, they have the potential to reduce carbon emissions and increase resilience.

**Policy 7.5. Air quality.** Improve, or support efforts to improve, air quality through plans and investments, including reducing exposure to air toxics, criteria pollutants, and urban heat island effects. Consider the impacts of air quality on the health of all Portlanders.

**247.Finding:** The RIP amendments are consistent with this policy because, as shown in in the findings for Goals 7.A and Policy 7.1 above, they have the potential to reduce carbon emissions and improve air quality. In addition, Council considered the impacts of air quality on the health of all Portlanders by adopting the RIP amendments that encourage the reduction of on-site impervious surface (e.g. eliminating the requirement for on-site parking, and limiting the overall amount of floor area allowed on a lot) combined with the existing maximum building coverage limitations in single-dwelling zones. These actions may result in more lot area remaining open or unbuilt, which increases space with a lot for trees and other vegetation to be planted. Increasing the number of trees and vegetation enhances the urban forest and mitigates urban heat island effects<sup>75</sup>. Moreover, reducing impervious area that is used for vehicle parking can reduce the sources of toxics entering stormwater and eventually streams<sup>76</sup>.

**Policy 7.6. Hydrology.** Through plans and investments, improve or support efforts to improve watershed hydrology to achieve more natural flow and enhance conveyance and storage capacity in rivers, streams, floodplains, wetlands, and aquifers. Minimize impacts from development and associated impervious surfaces, especially in areas with poorly-infiltrating soils and limited public stormwater discharge points, and encourage restoration of degraded hydrologic functions.

**248.Finding:** The RIP amendments support this policy because, as shown in the findings for Goals 7.B and 7.C and policy 7.1, the amendments have the potential to reduce impervious surfaces in single-dwelling zones, and reducing impervious surfaces can have positive effects on ecosystem services including stream flow, and hydrology. In addition, the RIP amendments prohibit the additional dwelling units allowed in single-dwelling zones from lots with identified natural resources, floodplain or landslide risk thereby limiting the impact from additional development in these areas. Several of the areas where the additional density will not be allowed overlap with areas identified by BES as having “less ability to infiltrate stormwater to the groundwater aquifer due to less permeable soils, steeper topography and geologic factors such as landslide susceptibility and

<sup>75</sup> Reducing Urban Heat Islands: Compendium of Strategies—Trees and Vegetation, US EPA, 2008

<sup>76</sup> Pitt, R., R Field\*, M. Lalor, AND M. Brown\*\*. URBAN STORMWATER TOXIC POLLUTANTS: ASSESSMENT, SOURCES, AND TREATABILITY. 10.2175/106143095X13, WATER ENVIRONMENT RESEARCH. WEF, Alexandria, VA, 67(3):260-275, (1995).

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shallow confining soil layers.”<sup>77</sup> For these reasons, the RIP amendments are consistent with this policy.

**Policy 7.7. Water quality.** Improve, or support efforts to improve, water quality in rivers, streams, floodplains, groundwater, and wetlands through land use plans and investments, to address water quality issues including toxics, bacteria, temperature, metals, and sediment pollution. Consider the impacts of water quality on the health of all Portlanders.

**249.Finding:** The RIP amendments support this policy because, as shown in the findings for goals 7.B and 7.C and policies 7.1, 7.5 and 7.6, the amendments have the potential to reduce impervious surfaces in single-dwelling zones, and reducing impervious surfaces is one key strategy for improving water quality in urbanized areas. According to the US EPA, impervious (nonporous) surfaces like roads, parking lots, and rooftops prevent rain and snowmelt from infiltrating, or soaking, into the ground.<sup>78</sup> Instead of infiltrating, the water runs off rapidly, degrading the banks of streams and other waterways. In addition, the rapidly moving water picks up pollutants from the impervious areas, depositing them in the streams and other waterways<sup>79</sup>. Increased run off can also lead to increased flooding<sup>80</sup>.

**Policy 7.8. Biodiversity. Strive to achieve and** maintain self-sustaining populations of native species, including native plants, native resident and migratory fish and wildlife species, at-risk species, and beneficial insects (such as pollinators) through plans and investments.

**250.Finding:** The RIP amendments are consistent with this policy because, as shown in the findings for 7.B and 7.C and policies 7.1, 7.3, 7.5 and 7.6, the amendments maintain the City’s existing regulatory protection of identified natural resources (i.e. Title 33 environmental overlay zones, Title 10, Erosion Control, Title 24 balanced cut and fill requirements), limit impacts for additional development in and near protected natural resource areas, encourage property owners to reduce impervious surfaces and increase trees and vegetation. Reducing impervious areas and increasing trees and vegetation can positively impact air and water quality and the urban forest. Native plants, animals and insects rely on healthy watersheds that include healthy water and habitat. To the extent that the RIP amendments maintain the existing natural resources and encourage the improvement or creation of new natural resource areas, the amendments are consistent with this policy.

**Policy 7.9. Habitat and biological communities.** Ensure that plans and investments are consistent with and advance efforts to improve, or support efforts to improve fish and wildlife habitat and biological communities. Use plans and investments to enhance the diversity, quantity, and quality of habitats habitat corridors, and especially habitats that:

- Are rare or declining.
- Support at-risk plant and animal species and communities.
- Support recovery of species under the Endangered Species Act, and prevent new listings.
- Provide culturally important food sources, including those associated with Native American fishing rights.

<sup>77</sup> Memorandum from Fred MacGregor, et. al., BES to Morgan Tracy, RIP Project Manager, March 6, 2020

<sup>78</sup> Protecting Water Quality from Urban Runoff, US EPA, February 2003

<sup>79</sup> Pitt, R., R Field\*, M. Lalor, AND M. Brown\*\*. URBAN STORMWATER TOXIC POLLUTANTS: ASSESSMENT, SOURCES, AND TREATABILITY. 10.2175/106143095X13, WATER ENVIRONMENT RESEARCH. WEF, Alexandria, VA, 67(3):260-275, (1995)

<sup>80</sup> Stormwater Management Manual, BES 2016

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**251.Finding:** The RIP amendments are consistent with this policy because, as shown in the findings for goals 7.B and 7.C and policies 7.1, 7.3, 7.5 and 7.6, the amendments support efforts to improve habitat and biological communities by maintaining City’s existing regulatory protection of identified natural resources, which include fish and wildlife habitat<sup>81</sup>, limit impacts from additional development in and near protected natural resource areas, and encourage property owners to reduce impervious surfaces and increase trees and vegetation. Protecting existing natural resources, reducing impervious areas and increasing trees and vegetation are key strategies for improving fish and wildlife habitat.<sup>82</sup> To the extent that the RIP amendments maintain the existing natural resources and encourage the improvement or creation of new natural resource areas, the amendments are consistent with this policy.

**Policy 7.10. Habitat connectivity.** Improve or support efforts to improve terrestrial and aquatic habitat connectivity for fish and wildlife by using plans and investments, to:

- Prevent and repair habitat fragmentation.
- Improve habitat quality.
- Weave habitat into sites as new development occurs.
- Enhance or create habitat corridors that allow fish and wildlife to safely access and move through and between habitat areas.
- Promote restoration and protection of floodplains.

**252.Finding:** The RIP amendments are consistent with this policy because, as shown in the findings for 7.B and 7.C and policies 7.1, 7.3, 7.5 and 7.6, the amendments support efforts to improve terrestrial and aquatic habitat connectivity for fish and wildlife by maintaining City’s existing regulatory protection of identified natural resources, which include fish and wildlife habitat<sup>83</sup>, limit impacts from additional development in and near protected natural resource areas, and encourage property owners to reduce impervious surfaces and increase trees and vegetation. Protecting existing natural resources, reducing impervious areas and increasing trees and vegetation are key strategies for improving fish and wildlife habitat.<sup>84</sup> To the extent that the RIP amendments maintain the existing natural resources and encourage the improvement or creation of new natural resource areas, the amendments are consistent with this policy.

**Policy 7.11. Urban forest.** Improve, or support efforts to improve the quantity, quality, and equitable distribution of Portland’s urban forest through plans and investments.

**7.11.a. Tree preservation.** Require or encourage preservation of large healthy trees, native trees and vegetation, tree groves, and forested areas.

**7.11.b. Urban forest diversity.** Coordinate plans and investments with efforts to improve tree species diversity and age diversity.

**7.11.c. Tree canopy.** Support progress toward meeting City tree canopy targets.

**7.11.d. Tree planting.** Invest in tree planting and maintenance, especially in low-canopy areas, neighborhoods with under-served or under-represented communities, and within and near urban habitat corridors.

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<sup>81</sup> City of Portland Natural Resources Inventory, pg. 33, October 2012

<sup>82</sup> City of Portland Natural Resources Inventory, pg. 97, October 2012

<sup>83</sup> City of Portland Natural Resources Inventory, pg. 33, October 2012

<sup>84</sup> City of Portland Natural Resources Inventory, pg. 97, October 2012

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**7.11.e. Vegetation in natural resource areas.** Require native trees and vegetation in significant natural resource areas.

**7.11.f. Resilient urban forest.** Encourage planting of Pacific Northwest hardy and climate change resilient native trees and vegetation generally, and especially in urban habitat corridors.

**7.11.g. Trees in land use planning.** Identify priority areas for tree preservation and planting in land use plans.

**7.11.h. Managing wildfire risk. Address wildfire hazard risks and management priorities through plans and investments.**

253. The RIP amendments are consistent with this policy and subpolicies 7.11.a, 7.11.b, 7.11.c, 7.11.f and 7.11.h because the amendments support efforts to improve Portland's urban forest by encouraging the reduction of on-site impervious surface and building size (i.e. eliminating the requirement for on-site parking, and limiting the overall amount of floor area allowed on a lot). Reducing impervious area on a lot can provide opportunities to preserve existing trees and vegetation or plant additional trees and vegetation. As described in the findings for policy 7.5, planting additional trees and vegetation enhances the urban forest which has positive impacts on air quality. Preserving trees and planting trees also has the potential to improve tree diversity, enhance tree canopy. The amendments also maintain the existing City regulatory programs related to protection of natural resources (i.e. Title 33 environmental overlay zones, Title 10, Erosion Control, Title 24 balanced cut and fill requirements), which is supportive of Portland's urban forest. Subpolicies 7.11d., 7.11.e and 7.11.g are not applicable because they call for investments (identify and fund priority tree planting areas) that are not within the scope of this project. The City is already in conformance with subpolicy 7.11.e because the 33.430, Environmental Overlay Zone, standards currently require native trees and vegetation in the resource area of environmental overlay zones.

**Policy 7.12. Invasive species.** Prevent the spread of invasive plants, and support efforts to reduce the impacts of invasive plants, animals, and insects, through plans, investments, and education.

**Policy 7.13. Soils.** Coordinate plans and investments with programs that address human-induced soil loss, erosion, contamination, or other impairments to soil quality and function.

254. **Finding:** Policies 7.12 and 7.13 are not applicable to the RIP amendments because the amendments do not change, affect or propose any City program or regulation related to invasive plants or animals, flood management, or erosion and sediment control (Title 10 Erosion Control and the balanced cut and fill requirements of City Title 24).

**Policy 7.14. Natural hazards.** Prevent development-related degradation of natural systems and associated increases in landslide, wildfire, flooding, and earthquake risks.

255. **Finding:** The RIP amendments are consistent with this policy. The RIP amendments prevent development-related degradation of natural systems by limiting additional density to the extent allowed by HB2001 in areas with identified natural resources, elevated landslide risk, and within the 100-year floodplain. The amendments also reduce the allowed building size in single-dwelling zones and eliminate the requirement for on-site paved parking. These amendments in combination with the existing limit on overall building coverage per lot have the potential to reduce impervious surfaces in single-dwelling zones, and as shown in the findings for goals 7.B and 7.C and policies 7.1, 7.5 and 7.6, reducing impervious surfaces reduces stormwater runoff. Stormwater runoff contributes negatively to landslide and flooding risk. Furthermore, when development occurs, it is subject to City programs

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for flood management, and erosion and sediment control (Title 10 Erosion Control and the balanced cut and fill requirements of City Title 24), which are unchanged by these amendments.

**Policy 7.15. Brownfield remediation.** Improve environmental quality and watershed health by promoting and facilitating brownfield remediation and redevelopment that incorporates ecological site design and resource enhancement.

**256.Finding:** This policy does not apply to the RIP project. The RIP project amends the City's single-dwelling zones to allow additional middle housing types. None of the identified brownfields in the city are within single-dwelling zones.

**Policy 7.16. Adaptive management.** Evaluate trends in watershed and environmental health using current monitoring data and information to guide and support improvements in the effectiveness of City plans and investments.

**257.Finding:** This policy directs ongoing monitoring of watershed and environmental health as a basis for reviewing the effectiveness or impact of plans and investments. This policy does not apply to proposed changes in zoning regulations.

**Policy 7.17. Restoration partnerships.** Coordinate plans and investments with other jurisdictions, air and water quality regulators, watershed councils, soil and water conservation districts, Sovereign nations, and community organizations and groups including under-served and under-represented communities, to optimize the benefits, distribution, and cost-effectiveness of watershed restoration and enhancement efforts.

**258.Finding:** Policy 7.17 guides the development and review of City plans and investments that address watershed and environmental health. The policy does not apply because the RIP project does not change or affect any City watershed or environmental health plan or investment.

**Policy 7.18. Community stewardship.** Encourage voluntary cooperation between property owners, community organizations, and public agencies to restore or re-create habitat on their property, including removing invasive plants and planting native species.

**259.Finding:** This policy is focused on programs to improve public and agency participation in habitat restoration and enhancement. The RIP project does not affect, change or propose habitat restoration programs.

## Planning for natural resource protection

**Policy 7.19. Natural resource protection.** Protect the quantity, quality, and function of significant natural resources identified in the City's natural resource inventory, including:

- Rivers, streams, sloughs, and drainageways.
- Floodplains.
- Riparian corridors.
- Wetlands.
- Groundwater.
- Native and other beneficial vegetation species and communities.
- Aquatic and terrestrial habitats, including special habitats or habitats of concern, large anchor habitats, habitat complexes and corridors, rare and declining habitats such as wetlands, native oak, bottomland hardwood forest, grassland habitat, shallow water habitat, and habitats that support special-status or at-risk plant and wildlife species.

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- Other resources identified in natural resource inventories.

**260.Finding:** The City protects identified natural resources by applying environmental zoning (i.e. the environmental, river, and pleasant valley overlay zones) to significant natural resources. As shown in the findings for policy 7.1, the RIP amendments are consistent with this policy because they protect identified significant natural resources by:

- Encouraging the reduction of impervious surface on lots in the single-dwelling zones, including lots that have environmental zoning, by eliminating the requirement for on-site parking and limiting the allowed building size. Reducing impervious surface helps to protect water and soil quality by reducing runoff which protects streams and other water bodies.
- Limiting the impacts from additional development in the environmental zones by prohibiting the additional density allowed by RIP on lots that have environmental zoning and by prohibiting the additional density on lots that have identified natural resources but do not yet have environmental zoning (i.e. high, medium, or low ranked resources as identified in the adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk).

The RIP amendments also do not affect City programs for flood management, and erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24).

**Policy 7.20. Natural resource inventory.** Maintain an up-to-date inventory by identifying the location and evaluating the relative quantity and quality of natural resources.

**261.Finding:** The City's most recent natural resource inventory (NRI) was adopted as part of the *2035 Comprehensive Plan* (Ordinance 185657) and was acknowledged by LCDC on June 13, 2014. The NRI identified the location, quantity, and quality of all significant natural resources as required by the inventory provisions of Statewide Planning Goal 5. From the set of all significant resources, high and medium quality resources, ranked primarily from riparian corridor and wildlife habitat considerations, were identified to comply with the inventory requirements of Title 13 of Metro's Urban Growth Management Functional Plan. The RIP amendments do not amend or affect the City's adopted NRI. For this reason, the RIP amendments are consistent with this policy.

**Policy 7.21. Environmental plans and regulations.** Maintain up-to-date environmental protection plans and regulations that specify the significant natural resources to be protected and the types of protections to be applied, based on the best data and science available and on an evaluation of cumulative environmental, social, and economic impacts and tradeoffs. *See Figure 7-2 — Adopted Environmental Plans.*

**7.21.a.** Improve the effectiveness of environmental protection plans and regulations to protect and encourage enhancement of ecological functions and ecosystem services.

**262.Finding:** The City protects identified significant natural resource through environmental zoning (i.e. environment, river, and pleasant valley overlay zones). The environmental zones have implemented through a series natural resource protection plan (see figure 7-2 of the *2035 Comprehensive Plan*). Each protection plan evaluated the economic, social, environmental and energy impacts of regulating development within resource areas, as required by Statewide Planning Goal 5. The evaluation and application of environmental zoning is done based on the most recent data science available as described in the NRI and the protection plans. The RIP project does not amend any of the existing protection plans or any of the City's environmental zoning. And, as described in goals 7.B and 7.C and policy 7.1, the RIP amendments support protection of identified natural resources

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both within and outside of existing environmental zones. For these reasons, the RIP amendments are consistent with this policy.

**Policy 7.22. Land acquisition priorities and coordination.** Maintain a land acquisition program as a tool to protect and support natural resources and their functions. Coordinate land acquisition with the programs of City bureaus and other agencies and organizations.

**263.Finding:** This policy does not apply to the RIP project because the RIP amendments do not affect any of the City's land acquisition programs.

### Protecting natural resources in development situations

**Policy 7.23. Impact evaluation.** Evaluate the potential adverse impacts of proposed development on significant natural resources, their functions, and the ecosystem services they provide to inform and guide development design and mitigation consistent with policies 7.24-7.26. and other relevant Comprehensive Plan policies.

**Policy 7.24. Regulatory hierarchy: avoid, minimize, mitigate.** Maintain regulations requiring that the potential adverse impacts of new development on significant natural resources and their functions first be avoided where practicable, then minimized, then lastly, mitigated.

**Policy 7.25. Mitigation effectiveness.** Require that mitigation approaches compensate fully for adverse impacts on locally and regionally significant natural resources and functions. Require mitigation to be located as close to the impact as possible. Mitigation must also take place within the same watershed or portion of the watershed that is within the Portland Urban Services Boundary, unless mitigating outside of these areas will provide a greater local ecological benefit. Mitigation will be subject to the following preference hierarchy:

1. On the site of the resource subject to impact with the same kind of resource; if that is not possible, then
2. Off-site with the same kind of resource; if that is not possible, then
3. On-site with a different kind of resource; if that is not possible, then
4. Off-site with a different kind of resource.

**Policy 7.26. Improving environmental conditions through development.** Encourage ecological site design, site enhancement, or other tools to improve ecological functions and ecosystem services in conjunction with new development and alterations to existing development.

**264.**Policies 7.23 through 7.26 provide guidance for land use regulations that address the protection of significant natural resources in development situations. The City protects identified natural resources by applying environmental zoning (i.e. the environmental, river, and pleasant valley overlay zones) to significant natural resources. The City's environmental zones are the regulations that control development in order to protect the resources and functional values within the areas, while allowing environmentally sensitive urban development. The RIP amendments are consistent with these policies because they do not amend any of the existing environmental zoning regulations and furthermore by:

- Encouraging the reduction of impervious surface on lots in the single-dwelling zones, including lots that have environmental zoning, by eliminating the requirement for on-site parking and limiting the allowed building size. Reducing impervious surface helps to protect water and soil quality by reducing runoff which protects streams and other water bodies.

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- Limiting the impacts from additional development in the environmental zones by prohibiting the additional density allowed by RIP on lots that have environmental zoning and by prohibiting the additional density on lots that have identified natural resources but do not yet have environmental zoning (i.e. high, medium, or low ranked resources as identified in the adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk).

The RIP amendments also do not affect City programs for flood management, or erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24).

### Aggregate resources

**Policy 7.27. Aggregate resource protection.** Protect aggregate resource sites for current and future use where there are no major conflicts with urban needs, or where these conflicts may be resolved.

**Policy 7.28. Aggregate resource development.** When aggregate resources are developed, ensure that development minimizes adverse environmental impacts and impacts on adjacent land uses.

**Policy 7.29. Mining site reclamation.** Ensure that the reclamation of mining sites protects public health and safety, protects fish and wildlife (including at-risk species), enhances or restores habitat (including rare and declining habitat types), restores adequate watershed conditions and functions on the site, and is compatible with the surrounding land uses and conditions of nearby land.

**265.Finding:** Policies 7.27 through 7.29 provide direction regarding aggregate resources. The RIP amendments address housing and do not impact aggregate resources or mine sites. These policies do not apply.

### Columbia River Watershed

**Policy 7.30. In-water habitat.** Enhance in-water habitat for native fish and wildlife, particularly in the Oregon Slough and near-shore environments along the Columbia River.

**Policy 7.31. Sensitive habitats.** Enhance grassland, beach, riverbanks, wetlands, bottomland forests, shallow water habitats, and other key habitats for wildlife traveling along the Columbia River migratory corridor, while continuing to manage the levees and floodplain for flood control.

**266.Finding:** Policies 7.30 and 7.31 augment the citywide environment and watershed health policies by providing additional guidance on watershed specific characteristics. The RIP amendments are consistent with these policies because, as shown in the findings for goals 7.B and 7.C and policies 7.1, 7.5- 7.11, the amendments support protection of identified natural resources, including the habitat characteristics specific to the Columbia River Watershed, by:

- Encouraging the reduction of impervious surface on lots in the single-dwelling zones, including lots that have identified natural resources, by eliminating the requirement for on-site parking and limiting the allowed building size. Reducing impervious surface helps to protect water and soil quality by reducing runoff which protects streams and other water bodies.
- Limiting the impacts from additional development on identified natural resources by prohibiting the additional density allowed by RIP on lots that have environmental zoning and by prohibiting the additional density on lots that have identified natural resources but do not yet have environmental zoning (i.e. high, medium, or low ranked resources as identified in the adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk).

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Furthermore, the RIP amendments do not affect or change City programs aimed as enhancing watershed health, they do not amend the City's natural resource protection zoning regulations, and they do not affect or change City programs for flood management, or erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24).

**Policy 7.32. River-dependent and river-related uses.** Maintain plans and regulations that recognize the needs of river-dependent and river-related uses while also supporting ecologically-sensitive site design and practices.

**267.Finding:** The RIP amendments are consistent with this policy because they do not affect the regulation of river-dependent or river-related uses.

### Willamette River Watershed

**Policy 7.33. Fish habitat.** Provide adequate intervals of ecologically-functional shallow-water habitat for native fish along the entire length of the Willamette River within the city, and at the confluences of its tributaries.

**Policy 7.34. Stream connectivity.** Improve stream connectivity between the Willamette River and its tributaries.

**Policy 7.35. River bank conditions.** Preserve existing river bank habitat and encourage the rehabilitation of river bank sections that have been significantly altered due to development with more fish and wildlife friendly riverbank conditions.

**Policy 7.36. South Reach ecological complex.** Enhance habitat quality and connections between Ross Island, Oaks Bottom, and riverfront parks and natural areas south of the Central City, to enhance the area as a functioning ecological complex.

**Policy 7.37. Contaminated sites.** Promote and support programs that facilitate the cleanup, reuse, and restoration of the Portland Harbor Superfund site and other contaminated upland sites.

**Policy 7.38. Sensitive habitats.** Protect and enhance grasslands, beaches, floodplains, wetlands, remnant native oak, bottomland hardwood forest, and other key habitats for native wildlife including shorebirds, waterfowl, and species that migrate along the Pacific Flyway and the Willamette River corridor.

**Policy 7.39. Riparian corridors.** Increase the width and quality of vegetated riparian buffers along the Willamette River.

**Policy 7.40. Connected upland and river habitats.** Enhance habitat quality and connectivity between the Willamette riverfront, the Willamette's floodplain, and upland natural resource areas.

**268.Finding:** Policies 7.33 through 7.40 augment the citywide environment and watershed health policies by providing additional guidance on watershed specific characteristics. The RIP amendments are consistent with these policies because, as shown in the findings for goals 7.B and 7.C and policies 7.1, 7.5- 7.11, the amendments support protection of identified natural resources, including the habitat characteristics specific to the Willamette River Watershed, by:

- Encouraging the reduction of impervious surface on lots in the single-dwelling zones, including lots that have identified natural resources, by eliminating the requirement for on-site parking and limiting the allowed building size. Reducing impervious surface helps to protect water and soil quality by reducing runoff which protects streams and other water bodies.

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- Limiting the impacts from additional development on identified natural resources by prohibiting the additional density allowed by RIP on lots that have environmental zoning and by prohibiting the additional density on lots that have identified natural resources but do not yet have environmental zoning (i.e. high, medium, or low ranked resources as identified in the adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk).

Furthermore, the RIP amendments do not affect or change City programs aimed at enhancing watershed health, they do not amend the City's natural resource protection zoning regulations, and they do not affect or change City programs for flood management, or erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24).

**Policy 7.41. River-dependent and river-related uses.** Develop and maintain plans and regulations that recognize the needs of river-dependent and river-related uses, while also supporting ecologically-sensitive site design and practices.

**269.Finding:** The RIP amendments are consistent with this policy because they do not affect the regulation of river-dependent or river-related uses.

**Policy 7.42. Forest Park.** Enhance Forest Park as an anchor habitat and recreational resource.

**270.Finding:** Forest Park is zoned Open Space (OS). The RIP amendments do not affect the OS zone and these zones are outside the project scope, therefore this policy is not applicable.

### Columbia Slough Watershed

**Policy 7.43. Fish passage.** Restore in-stream habitat and improve fish passage within the Columbia Slough, including for salmonids in the lower slough.

**Policy 7.44. Flow constriction removal.** Reduce constriction, such as culverts, in the slough channels, to improve the flow of water and water quality.

**Policy 7.45. Riparian corridors.** Increase the width, quality, and native plant diversity of vegetated riparian buffers along Columbia Slough channels and other drainageways within the watershed, while also managing the slough for flood control.

**Policy 7.46. Sensitive habitats.** Enhance grasslands and wetland habitats in the Columbia Slough, such as those found in the Smith and Bybee Lakes and at the St. Johns Landfill site, to provide habitat for sensitive species, and for wildlife traveling along the Columbia and Willamette river migratory corridors.

**Policy 7.47. Connected rivers habitats.** Enhance upland habitat connections to the Willamette and Columbia rivers.

**Policy 7.48. Contaminated sites.** Ensure that plans and investments are consistent with and advance programs that facilitate the cleanup, reuse, and restoration of contaminated sites that are adjacent, or that discharge stormwater, to the Columbia Slough.

**Policy 7.49. Portland International Airport.** Protect, restore, and enhance natural resources and functions in the Portland International Airport plan district, as identified in Portland International Airport/Middle Columbia Slough Natural Resources Inventory. Accomplish this through regulations, voluntary strategies, and the implementation of special development standards.

**271.Finding:** Policies 7.43 through 7.49 augment the citywide environment and watershed health policies by providing additional guidance on watershed specific characteristics. The RIP amendments are consistent with these policies because, as shown in the findings for goals 7.B and

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7.C and policies 7.1, 7.5- 7.11, the amendments support protection of identified natural resources, including the habitat characteristics specific to the Columbia Slough Watershed, by

- Encouraging the reduction of impervious surface on lots in the single-dwelling zones, including lots that have identified natural resources, by eliminating the requirement for on-site parking and limiting the allowed building size. Reducing impervious surface helps to protect water and soil quality by reducing runoff which protects streams and other water bodies.
- Limiting the impacts from additional development on identified natural resources by prohibiting the additional density allowed by RIP on lots that have environmental zoning and by prohibiting the additional density on lots that have identified natural resources but do not yet have environmental zoning (i.e. high, medium, or low ranked resources as identified in the adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk).

Furthermore, the RIP amendments do not affect or change City programs aimed at enhancing watershed health, they do not amend the City's natural resource protection zoning regulations, and they do not affect or change City programs for flood management, or erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24).

### Fanno and Tryon Creek Watersheds

**Policy 7.50. Stream connectivity.** Encourage the daylighting of piped portions of Tryon and Fanno creeks and their tributaries.

**Policy 7.51. Riparian and habitat corridors.** Protect and enhance riparian habitat quality and connectivity along Tryon and Fanno creeks and their tributaries. Enhance connections between riparian areas, parks, anchor habitats, and areas with significant tree canopy. Enhance in-stream and upland habitat connections between Tryon Creek State Natural Area and the Willamette River.

**Policy 7.52. Reduced hazard risks.** Reduce the risks of landslides and streambank erosion by protecting trees and vegetation that absorb stormwater, especially in areas with steep slopes or limited access to stormwater infrastructure.

**272.Finding:** Policies 7.50 through 7.52 augment the citywide environment and watershed health policies by providing additional guidance on watershed specific characteristics. The RIP amendments are consistent with these policies because, as shown in the findings for goals 7.B and 7.C and policies 7.1, 7.5- 7.11, the amendments support protection of identified natural resources, including the habitat characteristics specific to the Fanno and Tryon Creek watersheds, by

- Encouraging the reduction of impervious surface on lots in the single-dwelling zones, including lots that have identified natural resources, by eliminating the requirement for on-site parking and limiting the allowed building size. Reducing impervious surface helps to protect water and soil quality by reducing runoff which protects streams and other water bodies.
- Limiting the impacts from additional development on identified natural resources by prohibiting the additional density allowed by RIP on lots that have environmental zoning and by prohibiting the additional density on lots that have identified natural resources but do not yet have environmental zoning (i.e. high, medium, or low ranked resources as identified in the adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk).

Furthermore, the RIP amendments do not affect or change City programs aimed as enhancing watershed health, they do not amend the City's natural resource protection zoning regulations, and

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they do not affect or change City programs for flood management, or erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24).

### Johnson Creek Watershed

**Policy 7.53. In-stream and riparian habitat.** Enhance in-stream and riparian habitat and improve fish passage for salmonids along Johnson Creek and its tributaries.

**Policy 7.54. Floodplain restoration.** Enhance Johnson Creek floodplain functions to increase flood-storage capacity, improve water quality, and enhance fish and wildlife habitat.

**Policy 7.55. Connected floodplains, springs, and wetlands.** Enhance hydrologic and habitat connectivity between the Johnson Creek floodplain and its springs and wetlands.

**Policy 7.56. Reduced natural hazards.** Reduce the risks of landslides, streambank erosion and downstream flooding by protecting seeps, springs, trees, vegetation, and soils that absorb stormwater in the East Buttes.

**Policy 7.57. Greenspace network.** Enhance the network of parks, trails, and natural areas near the Springwater Corridor Trail and the East Buttes to enhance habitat connectivity and nature-based recreation in East Portland.

**273.Finding:** Policies 7.53 through 7.57 augment the citywide environment and watershed health policies by providing additional guidance on watershed specific characteristics. The RIP amendments are consistent with these policies because, as shown in the findings for goals 7.B and 7.C and policies 7.1, 7.5- 7.11, the amendments support protection of identified natural resources, including the habitat characteristics specific to the Johnson Creek Watershed, by

- Encouraging the reduction of impervious surface on lots in the single-dwelling zones, including lots that have identified natural resources, by eliminating the requirement for on-site parking and limiting the allowed building size. Reducing impervious surface helps to protect water and soil quality by reducing runoff which protects streams and other water bodies.
- Limiting the impacts from additional development on identified natural resources by prohibiting the additional density allowed by RIP on lots that have environmental zoning and by prohibiting the additional density on lots that have identified natural resources but do not yet have environmental zoning (i.e. high, medium, or low ranked resources as identified in the adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk).

Furthermore, the RIP amendments do not affect or change City programs aimed as enhancing watershed health, they do not amend the City's natural resource protection zoning regulations, and they do not affect or change City programs for flood management, or erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24).

## Chapter 8: Public Facilities and Services

**Goal 8.A: Quality public facilities and services.** High-quality public facilities and services provide Portlanders with optimal levels of service throughout the city, based on system needs and community goals, and in compliance with regulatory mandates.

**274.Finding:** Council interprets this Goal to mean that public infrastructure and services are adequately planned, funded, built and maintained over time at a level commensurate with the growth and needs of an area and to meet regulatory obligations. The RIP amendments provide for optimal levels of service throughout the city based on system needs and community goals by largely directing future households to areas with current and planned levels of urban infrastructure and away from areas that are more difficult to serve, as noted in the RIP household allocation model and individual service findings noted below. This is largely due to the creation of additional household capacity in areas that previously were projected to reach their zoned allocation capacity and where these services already exist and are more proximate to public facilities. It is also reflective of the increased cost to develop in areas that lack such services, and are therefore both more expensive to develop and less able to cover those costs due to lower consumer demand from lower access to services and amenities.

The adopted 2035 Comprehensive Plan includes the Citywide Systems Plan (CSP), which was adopted (Ordinance 185657) and acknowledged by LCDC on April 25, 2017. The CSP includes the Public Facilities Plan with information on current and future transportation, water, sanitary sewer, and stormwater infrastructure needs and projects.

In addition, the service limitations identified in the CSP have been incorporated into the adopted BLI development constraint analysis that identified parts of Portland that lack needed urban infrastructure. The BLI constraint analysis is the basis of a geographic evaluation of the RIP zones to ensure that public facilities are planned to support any potential development that could result from these amendments.

The additional housing types allowed in RIP zones increase the effective maximum density of dwelling units on a parcel from two to six<sup>85</sup>. However, a number of parcels are ineligible for the additional housing types (included in the 'z' constrained sites overlay, are not adequately sized, or are located on a street that has not been accepted for maintenance). Additionally, the BLI considers other constraints on development such as cultural resources, hazards, and infrastructure to establish a capacity level for additional development<sup>86</sup>. Based on the RIP capacity and growth allocation model, the zoned capacity in RIP zones is increased from roughly 30,000 units to 55,000 units.

However, not all lots are likely to develop at this density over the CSP 20-year planning period. Household growth is determined by Metro allocations at the regional level. Household *allocation* is a more confined number of likely development within the Comprehensive Plan period, which is informed by the city's obligations under Statewide Goal 2, and more specifically OAR 660-32-0020. As part of the adopting of the 2035 Comprehensive Plan, Metro forecasts Portland to receive 123,000 additional households between 2015 and 2035.

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<sup>85</sup> Prior zoning rules allowed a house plus one Accessory Dwelling Unit on any parcel, and duplexes on most corner lots. Further, HB2001 requires that cities shall "allow the development of a duplex on each lot or parcel zoned for residential use that allow for the development of detached single-family dwellings." Section 2(2)(b)

<sup>86</sup> Buildable Lands Inventory and Growth Allocation GIS model, BPS, April 2016

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This is an important distinction because while the RIP amendments increase capacity for development in RIP zones, they do not affect population or household allocation forecasts for the City overall. In other words, the housing effect of these changes allows for a redistribution of allocated households within the City by creating opportunities for additional development in different areas where zoned capacity was previously overutilized, but do not increase total numbers of expected households citywide.

Therefore, the model then uses the population forecast required by ORS 195.036 to determine where new housing units are likely to be allocated. The RIP capacity and growth allocation model shows changes to the spatial distribution of housing units between all zones. This data was then evaluated by infrastructure bureaus at specific geographies that correspond with their systems planning to determine system and service adequacy. The evaluation results from BES and the water bureau and the additional findings in Chapter 8 demonstrate the RIP amendments continue to ensure that high-quality public facilities and services will provide Portlanders with optimal levels of service throughout the city, based on system needs and community goals, and in compliance with regulatory mandates

**Goal 8.B: Multiple benefits.** Public facility and service investments improve equitable service provision, support economic prosperity, and enhance human and environmental health.

**275.Finding:** The RIP amendments do not alter public facility and service investments identified in the CSP which were previously found to support economic prosperity, and enhance human and environmental health.

**Goal 8.C: Reliability and resiliency.** Public facilities and services are reliable, able to withstand or recover from catastrophic natural and manmade events, and are adaptable and resilient in the face of long-term changes in the climate, economy, and technology.

**276.Finding:** The Citywide Systems Plan (CSP), which was adopted (Ordinance 185657) and acknowledged by LCDC on April 25, 2017. The CSP includes the Public Facilities Plan with information on current and future transportation, water, sanitary sewer, and stormwater infrastructure needs and projects, consistent with the requirements of Statewide Planning Goal 11. Considering the impacts of climate change and identifying the vulnerabilities and risks of those impacts enables the City to make more informed infrastructure investment decisions to better prepare and adapt for climate change and improve the resiliency of critical infrastructure. Climate change vulnerabilities are highlighted and incorporated into the risks of failure of the City's built and green infrastructure so assets can be appropriately maintained, designed, and replaced to improve the resiliency of systems to natural and manmade events and technological changes. Moreover the CSP includes recommended improvements, investment strategies, and projects and programs to respond to these needs. As noted previously, the RIP amendments do not affect the household growth forecast for the planning period. Changes to the location of these households have been evaluated by the affected service bureaus and have been found to not add, change or affect the Citywide Systems Plan projects to improve service reliability and resiliency.

**Goal 8.D: Public rights-of-way.** Public rights-of-way enhance the public realm and provide a multi-purpose, connected, safe, and healthy physical space for movement and travel, public and private utilities, and other appropriate public functions and uses.

**277.Finding:** The RIP amendments include several provisions to enhance the public realm of the right of way such as removing parking requirements which increase room for street trees and reduce pedestrian vehicle conflicts at driveways, instituting new limits on the location and configuration of parking when it is provided to emphasize a more pedestrian scale, and lowering the main entrance

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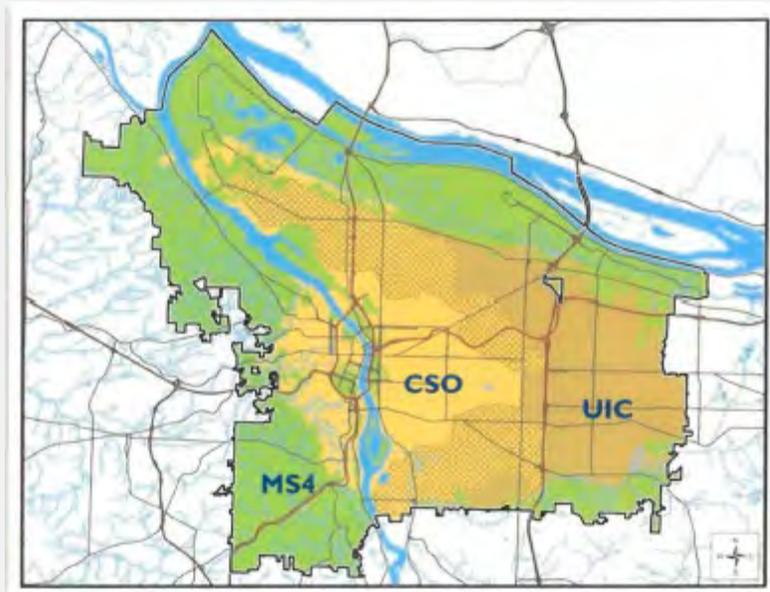
to ensure a stronger visual connection between residents and the public street. Three or more units will only be allowed on sites that have maintained street access to ensure greater multi-modal mobility for residents.

**Goal 8.E: Sanitary and stormwater systems.** Wastewater and stormwater are managed, conveyed, and/or treated to protect public health, safety, and the environment, and to meet the needs of the community on an equitable, efficient, and sustainable basis.

**278.Finding:** The public health and safety, as well as the environment continue to be protected by adequate stormwater and sanitary systems as noted below. Future investments and ongoing risk management will continue to follow the policies set forth in the investment strategies described in Chapter 2 of the Citywide Systems Plan to ensure the needs of the community are met on an equitable, efficient, and sustainable basis.

Sanitary Sewer

The east, west, and north portions of the city are served by separated sanitary and storm sewer systems (green shaded areas). The central portions of the city are generally served by combined sanitary and storm sewers (tan shaded areas). Large portions of the city on the east side of the Willamette River utilize Underground Injection Control (UIC, brown shaded areas) systems to infiltrate stormwater into the ground, thereby reducing runoff. The cross-hatched areas are served by both combined and UIC systems. The Bureau of Environmental Services evaluated the impacts of RIP amendments against the 2035 Comprehensive Plan zoning for each system<sup>87</sup>.



Combined System.

Within the combined service area BES notes that the 2035 Comprehensive Plan Citywide Systems Plan (CSP) identified that some areas in the combined system are affected by localized hydraulic capacity limitations that increase the risk of basement sewer backups and/or street flooding. These areas are concentrated close in on the east side with scattered areas in other parts of the system. A number of projects to address this hydraulic deficiency were included in the proposed

<sup>87</sup> Memorandum from Fred MacGregor, et. al., BES to Morgan Tracy, RIP Project Manager, March 6, 2020

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Investment Strategy in the CSP. There is no evidence that the RIP proposal will cause an increase in the combined sewer hydraulic capacity limitations identified in the CSP. Sanitary flow is a minor component in the combined system when compared to stormwater flows, and much of the projected infill is within the UIC boundary where the sewers and wastewater treatment facilities tend to have excess capacity, and stormwater runoff from future development can be infiltrated into the soil.

BES has already identified a series of projects in the CSP Collection System Investment Strategy to address capacity deficiencies in the combined system over the next 20 years. BES employs an asset management model and continuously monitors the capacity of the combined system, constructing capital improvements to mitigate flooding risk and to limit combined sewer overflows in compliance with the City's regulatory permits. BES will continue this practice as residential infill and other development activity occurs. Therefore, Council has concluded that the combined sewer system, with planned projects included in the adopted CSP, is adequate or will be adequate to accommodate the forecasted growth from RIP to ensure the needs of the community are met on an equitable, efficient, and sustainable basis.

#### Separated System.

Most of the properties zoned R7, R5, and R2.5 in the separated area are served by sanitary sewers. Currently there are minimal capacity issues in these sewers, except for areas where the City experiences stormwater inflow or infiltration (I&I) into the sanitary system. BES manages a program to reduce I&I to reduce the need for wastewater treatment capacity and limit pollution entering the sanitary system. As infill occurs, BES will monitor sanitary flows, identify necessary conveyance improvements, and implement capital projects to adequately respond to infrastructure needs and prevent sewage releases to surface waters, consistent with State and Federal regulations. Therefore, with these ongoing improvements already identified in the adopted CSP, sanitary sewer infrastructure is adequate or will be adequate as development occurs to ensure the needs of the community are met on an equitable, efficient, and sustainable basis.

#### Stormwater

BES manages a complicated network of pipes and ditches, streams and wetlands, engineered facilities, drainageways, and infrastructure to convey, detain, and treat stormwater runoff. In areas that were developed prior to being annexed to the City of Portland, development standards and regulations were not as comprehensive as they are today. The result is stormwater systems that are fragmented, incomplete and, in some cases, in poor condition.

Increased or new development can pose challenges to the operation and function of the existing stormwater system. The magnitude of the challenges varies by geographically specific factors such as topography, soils, system maturity, and the type of stormwater system (separated, combined or UIC). Infiltration is generally the most cost-efficient means of mitigating the runoff from impervious surfaces such as asphalt, concrete and roofs.

Generally, development will be easier to accommodate on the east side of the Willamette River where soils allow stormwater infiltration and the BES Stormwater Management Manual (SWMM) will require runoff from potential increases in impervious area to remain on site.

In areas west of the Willamette River, there is less ability to infiltrate stormwater to the groundwater aquifer due to less permeable soils, steeper topography and geologic factors such

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as landslide susceptibility and shallow confining soil layers. Without the ability to infiltrate, the cost of mitigating the effects of building coverage and impervious area and reduced vegetative cover increases, are greater especially in areas where stormwater system deficiencies already exist.

BES' spatial analysis shows that approximately 6% of the residentially zoned tax lots within the RIP boundary likely do not have adequate stormwater service. Extending or providing service to these tax lots can be challenging, both from a financial perspective and because construction of service extensions can create ancillary needs, such as downstream capacity upgrades and roadway development (e.g. adding curbs and inlets). Typically, when a development application is reviewed and it's determined that service is not available, the burden is on the developer to extend the stormwater service or wait until BES plans, designs and implements a Capital Improvement Project to provide the needed service.

Other factors that create challenges for the stormwater system are areas susceptible to landslides, areas within mapped or observed floodplains, and areas of high-value natural resources. BES has worked closely with BPS to analyze and define the impacts that the RIP could potentially have on these conditions or resources. The new 'z' overlay addresses these issues (landslides, natural resources, and floodplains) by limiting lots in these areas to no more than the two units currently allowed (existing zoning already allowed duplexes on corner lots or a house with an accessory dwelling unit). HB2001 prevents further density limitations in that it requires cities to allow duplexes wherever houses are allowed.

Many of the neighborhoods with challenging soils and topography are located on Portland's west side. However, RIP models project a decrease in likely residential development on the west side. The 2035 Comprehensive Plan BLI allocated 4,172 units to single family zones in the western neighborhoods. The RIP household allocation model predicts 2,509 units, a difference of 1,663 units or about a 40% reduction of households. About 1,200 of the units are removed from lower density residential zones on the west side (R10, R20, RF) where stormwater and sewer services are even more challenging, and roughly 400 of the units are removed from RIP zones in these areas. These reductions are offset by increased households in RIP zones in inner and eastern neighborhoods, where stormwater systems are already adequate (see Figure 5).

In addition, because RIP allows for multiple units to be constructed on a single lot (up to four, or six when providing regulated affordable units) instead of the single house allowed by current 2035 Comprehensive Plan zoning, the net redevelopment activity in the western district is further reduced. Building coverage limits are unchanged from current allowances and total allowable building size is reduced through caps on floor area (FAR). While triplexes, and fourplexes up to sixplexes will utilize more FAR than houses or duplexes, they are still smaller than what is permissible under the current zoning rules for a single house. These FARs work in conjunction with building coverage limits to encourage more multi-story buildings, which reduces effective building coverage. Moreover, onsite parking is now optional, providing more opportunities to leave more of the site permeable and retain vegetative cover.

In summary, the RIP amendments limit the number of units in landslide and flood susceptible areas where stormwater conveyance is most challenging, project a reduction of net development activity in stormwater service challenged areas, do not increase allowable building coverage (an indicator of stormwater conveyance demand), reduce requirements for parking and associated impervious area, and reduce the overall size of structures which can lessen the amount of utilized building coverage. All these taken together, Council finds that the RIP amendments do not increase, and more likely decrease stormwater impacts compared to existing regulations. Any

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localized deficiencies will be addressed at the time of development or through capital projects already identified in the adopted CSP. These changes help ensure a more efficient delivery of service, reduce costs of service extensions which help further the CSP asset management strategies to ensure the needs of the community are met on an equitable, efficient, and sustainable basis.

**Goal 8.F: Flood management.** Flood management systems and facilities support watershed health and manage flooding to reduce adverse impacts on Portlanders' health, safety, and property.

**279.Finding:** The RIP amendments do not directly affect flood management systems or facilities; however, they improve flood management through asset risk reduction. They remove sites within flood plains from consideration for 3 or more units by application of the 'z' overlay. The amendments provide for more housing options to locate outside these flood-prone areas and reduce or at least maintain the number of potential households at risk in these areas (Two units are not similarly restricted within the 'z' overlay because HB2001 (2019) generally requires that duplexes be allowed on any lot where detached houses are allowed and SB1051 (2017) generally requires an ADU be allowed on any lot with a detached house)). The amendments also include exceptions to newly instituted main entrance height limitations that apply outside flood zones; within flood zones the first floor may be elevated out of the flood level, in accordance with Title 24 requirements.

**Goal 8.G: Water.** Reliable and adequate water supply and delivery systems provide sufficient quantities of high-quality water at adequate pressures to meet the needs of the community on an equitable, efficient, and sustainable basis.

**280.Finding:** Water demand forecasts developed by the Water Bureau anticipate that while per capita water demands will continue to decline somewhat over time, the overall demands on the Portland water system will increase due to population growth. The Portland Water Bureau has not experienced any major supply deficiencies in the last 10 years. The supply and water distribution system is sized to meet City fire suppression needs which far surpass the day-to-day demand from residential customers. The demand from additional dwelling units on individual properties are unlikely to affect the water system

There are three water service areas that have been identified with service deficiencies and that see higher allocations of households under RIP than the 2035 Comprehensive Plan. These include Bertha (54 units), Stephenson Pump (51 units), and Vernon (20 units). The Water Bureau has reviewed the available and 2035 projected water service capacity and finds that the small number of added households will not adversely affect water system delivery in these areas

In some cases, parcels may be located adjacent to streets that lack water service. Other areas may only be served by a 2-inch water main which can only accommodate a 1-inch water meter. A 1-inch meter size is sufficient for up to 89 fixture units which can reasonably accommodate four units, each containing a clothes washer, dishwasher, kitchen sink, and two full bathrooms (shower or tub), and exterior hose bib<sup>88</sup>. New development will be required to extend service where no service is presently available or upgrade water mains when development requires larger water meter sizes.

**Goal 8.H: Parks, natural areas, and recreation.** All Portlanders have safe, convenient, and equitable access to high-quality parks, natural areas, trails, and recreational opportunities in their daily lives,

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<sup>88</sup> Residential Water Service Application, Water Meter Sizing Worksheet, Portland Water Bureau, June 2019

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which contribute to their health and well-being. The City manages its natural areas and urban forest to protect unique urban habitats and offer Portlanders an opportunity to connect with nature.

**281.Finding:** The Portland Parks bureau is charged with ensuring Portlanders have safe convenient and equitable access to high-quality parks, natural areas, trails, and recreational opportunities. The RIP amendments do not affect park capital project priorities, programs or management. What the RIP amendments do provide are additional housing options in a greater variety of unit types and sizes on sites located in close proximity to a park or natural area. The Parks 2020 vision establishes a goal of all Portlanders living within a ½ mile of a park or natural area. 96% of parcels in RIP zones already meet this goal. See also related findings under statewide planning Goal 8, Recreational Needs.

**Goal 8.I: Public safety and emergency response.** Portland is a safe, resilient, and peaceful community where public safety, emergency response, and emergency management facilities and services are coordinated and able to effectively and efficiently meet community needs.

**282.Finding:** Chapter 10 of the CSP addresses “Other Essential Facilities and Systems”, including civic facilities, technology systems, and emergency response to make sure that the full set of services and facilities necessary to support a prosperous, thriving and sustainable city are included in long-term planning conversations and inform future investments in these facilities to maintain existing systems, resolve identified deficiencies, serve new population growth, and address other long-term community needs. City Council heard testimony expressing concerns over fire safety and response on dead end streets that lack modern turn around requirements. There are other factors that determine Fire’s ability to navigate the streets to move and operate necessary equipment in response to an emergency incident, such as vertical clearance, road width and grade. While the lack of an adequate turn-around could make it more difficult to get fire apparatus equipment turned-around once at the end of a dead-end road, this does not mean it will negatively impact the Fire Bureau’s ability to respond to an incident on a dead-end road. Generally speaking, fire sprinkler protection, Class A roof coverings, and/or non-combustible sidings are required in-lieu of meeting all fire department access requirements in new structures via the Fire Code Appeals process<sup>89</sup>. Pre-existing development on these substandard streets may not be built with these measures in place. The RIP amendments and residential fire code requirements are only applicable to new development and alterations that generally require a building permit. However, the RIP amendments do not increase fire susceptibility for existing structures or change or worsen the existing access conditions on these streets, and overall with the application of FAR limits, the amendments reduce total allowable building size for new structures thus lowering potential maximum building fire fuel loads on these streets. Therefore, Council finds that these existing codes which are unchanged by the RIP amendments provide coordinated public safety and emergency response.

**Goal 8.J: Solid waste management.** Residents and businesses have access to waste management services and are encouraged to be thoughtful consumers to minimize upstream impacts and avoid generating waste destined for the landfill. Solid waste — including food, yard debris, recyclables, electronics, and construction and demolition debris — is managed, recycled, and composted to ensure the highest and best use of materials.

**283.Finding:** The RIP amendments do not affect resident or business access to waste management services. The housing types largely align with existing single family waste collection services, which apply to sites with 1-4 units. The exception is the Deeper Affordability Bonus which allows for a 6-plex. In these cases, a commercial hauler will service these sites. The Bureau of Planning and

<sup>89</sup> Letter from Nate Takara, Assistant Fire Marshall to Morgan Tracy, BPS, January 24, 2020

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Sustainability will continue to encourage by way of information campaigns and programs that avoid and minimize waste to the landfill.

The RIP amendments also reduce waste in general through new limits on building size. According to the DEQ Life Cycle Analysis<sup>90</sup>, for Climate Change Impact, the use of the home contributes about 86% of the total impact due to energy use (space and water heating, electricity consumption); materials production contributes 14%; followed by the construction, maintenance, and demolition phases which contribute a combined 2%. Across all categories, the environmental impact of the extra small home (1149 sq ft) are reduced between 20% and 40% that of the Medium Standard Home (2262 sqft), suggesting that home size is among the most important determinants of environmental impact.

**Goal 8.K: School facilities.** Public schools are honored places of learning as well as multifunctional neighborhood anchors serving Portlanders of all ages, abilities, and cultures.

**284.Finding:** The RIP amendments do not directly affect school facilities, but they do provide for a broader range of available housing types in school catchment areas to suit more types of family housing needs and price ranges. Testimony from Safe Routes Partnership (a national non-profit that works to advance safe walking and bicycling to and from schools, to improve the health and wellbeing of kids of all races, income levels, and abilities, and to foster the creation of healthy communities for everyone) notes “We support the Residential Infill Project because Safe Routes to School works best when families live close to their neighborhood school, and the Residential Infill Project will translate into more affordable housing for families within in walking and biking distance from schools.” Moreover, Dani Ledezma, Senior Advisor on Racial Equity and Social Justice for Portland Public Schools during a Council worksession on the RIP amendments (December 11, 2019) noted “Housing matters in education...Student populations of our schools are a direct reflection of the housing options that are available in the surrounding neighborhood. As a result access to those schools is limited by the families’ ability to afford a home in that neighborhood. And we know that limit is often racialized in our city. Why is the population of one PPS school 14% white, and another school 3 miles away 79% white? One reason is because of exclusionary single family zoning.” By offering more types of housing with a greater range of unit prices, more students of differing incomes (and by extension cultures) have a higher likelihood for finding housing within the school of their choosing, rather than being limited to schools in geographic areas of higher shares of multi-family zoning.

**Goal 8.L: Technology and communications.** All Portland residences, businesses, and institutions have access to universal, affordable, and reliable state-of-the-art communication and technology services.

**285.Finding:** The RIP amendments do not directly affect technology and communication services, and do not impede the City’s progress toward providing universal, affordable, and reliable state-of-the-art communication access for all Portland residences, businesses, and institutions.

**Goal 8.M: Energy infrastructure and services.** Residents, businesses, and institutions are served by reliable energy infrastructure that provides efficient, low-carbon, affordable energy through decision-making based on integrated resource planning.

**286.Finding.** Integrated resource planning (IRP) is a roadmap that large utilities use to plan generational acquisitions over five, 10, or 20 years (or more). Many utilities use integrated resource plans for coal, natural gas, and smart grid energy. IRPs examine foreseeable future resources with regard to

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<sup>90</sup> A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, Phase 2 Report, September 29, 2010

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transmission lines, substations, power plants, end users, and the utilities and operators responsible for taking care of the transmission and distribution of electricity. The RIP amendments do not affect the total forecasted population or household growth over the planning period. Moreover, one of the biggest efficiency gains in terms of energy use is a shift toward more attached units, and smaller units<sup>91 92</sup>. The size limits imposed through the RIP amendments and the attached housing types that are now permissible in most RIP zoned areas will likely reduce the overall energy demand from these households in comparison to Comprehensive Plan zoning. Therefore, the RIP amendments do not affect or require a reevaluation of the utilities' IRP.

### Service provision and urbanization

**Policy 8.1. Urban services boundary.** Maintain an Urban Services Boundary for the City of Portland that is consistent with the regional urban growth policy, in cooperation with neighboring jurisdictions. The Urban Services Boundary is shown on the Comprehensive Plan Map.

**Policy 8.2. Rural, urbanizable, and urban public facility needs.** Recognize the different public facility needs in rural, urbanizable and urban land as defined by the Regional Urban Growth Boundary, the City Urban Services Boundary, and the City Boundaries of Municipal Incorporation. See Figure 8-1 — Urban, Urbanizable, and Rural Lands.

**287.Finding:** The City Council interprets policies 8.1 through 8.3 as providing direction on the orderly provision of public facilities and urban services. The RIP amendments do not change the Urban Services Boundary, or designations of rural/urban areas. All of the RIP zoned areas are within the current urban services boundary. These policies do not apply.

**Policy 8.3. Urban service delivery.** Provide the following public facilities and services at urban levels of service to urban lands within the City's boundaries of incorporation:

- Public rights-of-way, streets, and public trails
- Sanitary sewers and wastewater treatment
- Stormwater management and conveyance
- Flood management
- Protection of the waterways of the state
- Water supply
- Police, fire, and emergency response
- Parks, natural areas, and recreation
- Solid waste regulation

**Policy 8.4. Supporting facilities and systems.** Maintain supporting facilities and systems, including public buildings, technology, fleet, and internal service infrastructure, to enable the provision of public facilities and services.

**288.Finding:** Policies 8.3 and 8.4 call on the City to provide and maintain urban levels of certain services. The 2035 Comprehensive Plan includes the Citywide Systems Plan (CSP), which was adopted

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<sup>91</sup> A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, September 2010

<sup>92</sup> [Location Efficiency and Housing Type, Jonathan Rose Companies, March 2011](#)

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(Ordinance 185657) and acknowledged by LCDC on April 25, 2017. The Citywide Systems Plan has been developed to meet a number of objectives. It is intended to:

- Guide and coordinate future public infrastructure investments to maintain existing systems, resolve existing deficiencies, serve new residential and employment growth, and meet long-term infrastructure needs.
- Reflect current practices and policies, as expressed in the Comprehensive Plan and system specific plans.
- Meet State planning requirements under the growth management act.
- Incorporate and respond to the community vision and goals highlighted in visionPDX and the Portland Plan.
- Provide policy recommendations and a list of significant projects for the Comprehensive Plan.

The RIP amendments provide for new types of housing (up to 4 units on most lots, and up to 6 units when meeting regulated affordability requirements). This change enables additional housing capacity on lots and alters the spatial distribution of previously forecasted allocation of these units. The findings in Statewide Goals 11 and 12, as well as Chapter 8 and 9 of the Comprehensive Plan demonstrate that the services and facilities identified in policies 8.3 and 8.4 will continue to be maintained and delivered as envisioned by the CSP. The RIP amendments do not require new public facility or services and do not amend or need to amend the list of significant projects identified in the Comprehensive Plan. As site development occurs, infrastructure necessary to serve the development will be required and is the responsibility of the property owner/developer to provide. The RIP amendments do not change Systems Development Charge structures or rates. For public right of way improvements, recent changes to the Local Transportation Improvement Charge (LTIC, Ord. No 190017, adopted June 24, 2020) will enable developers of these new types of housing on single dwelling zoned streets to pay into a fund for street improvements. The LTIC allows funds to be collected and applied in a more efficient, equitable, and cost-effective manner to ensure that streets are improved as development occurs. Therefore, these policies are met.

**Policy 8.5. Planning service delivery.** Provide planning, zoning, building, and subdivision control services within the boundaries of incorporation, and as otherwise provided by intergovernmental agreement within the City’s Urban Services Boundary.

**289.Finding:** The City has adopted Title 33, Zoning including the land division regulations, and building services which are addressed by Title 24 (and other associated building regulations in Titles 25, 26, 27, 28 and 29) which are applicable within the incorporated city limits, as well as unincorporated areas within the City’s Urban Services Boundary subject to such authority under intergovernmental agreement. The RIP amendments do not change this administrative authority or change the provision of these services. Therefore, this policy is met.

### Service coordination

**Policy 8.6. Interagency coordination.** Maintain interagency coordination agreements with neighboring jurisdictions and partner agencies that provide urban public facilities and services within the City of Portland’s Urban Services Boundary to ensure effective and efficient service delivery. See Policy 8.3 for the list of services included. Such jurisdictions and agencies include, but may not be limited to:

- Multnomah County for transportation facilities and public safety.
- State of Oregon for transportation and parks facilities and services.

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- TriMet for public transit facilities and services.
- Port of Portland for air and marine facilities and services.
- Metro for regional parks and natural areas, and for solid waste, composting, and recycling facilities and transfer stations.
- Gresham, Milwaukie, Clackamas County Service District #1, and Clean Water Services for sanitary sewer conveyance and treatment.
- Multnomah County Drainage District No. 1, Peninsula Drainage District No 1, and Peninsula Drainage District No. 2 for stormwater management and conveyance, and for flood mitigation, protection, and control.
- Rockwood People’s Utility District; Sunrise Water Authority; and the Burlington, Tualatin Valley, Valley View, West Slope, Palatine Hill, Alto Park, and Clackamas River Water Districts for water distribution.
- Portland Public Schools and the David Douglas, Parkrose, Reynolds, Centennial, and Riverdale school districts for public education, park, trail, and recreational facilities.

**Policy 8.7. Outside contracts.** Coordinate with jurisdictions and agencies outside of Portland where the City provides services under agreement.

**Policy 8.8. Public service coordination.** Coordinate with the planning efforts of agencies providing public education, public health services, community centers, urban forest management, library services, justice services, energy, and technology and communications services.

**Policy 8.9. Internal coordination.** Coordinate planning and provision of public facilities and services, including land acquisition, among City agencies, including internal service bureaus.

**Policy 8.10. Co-location.** Encourage co-location of public facilities and services across providers where co-location improves service delivery efficiency and access for historically under-represented and under-served communities.

**290.Finding:** Policies 8.6 through 8.10 serve to reinforce the City’s coordination obligations under Statewide Goal 2, Land Use Planning by providing direction on coordination with neighboring jurisdictions and partner agencies that provide urban public facilities and services within the City of Portland’s Urban Services Boundary. The RIP amendments do not include new public facility or infrastructure projects or amendments to public service coordination agreements. Moreover, the RIP amendments are consistent with these policies, as other affected agencies were notified (DLCD notice and legislative notice) and were consulted (both TriMet and Metro were represented in the Technical Advisory Group and the school districts were additionally kept apprised during the project of anticipated changes to household forecasts in each district). These policies are met.

**Service extension**

**Policy 8.11. Annexation.** Require annexation of unincorporated urbanizable areas within the City’s Urban Services Boundary as a prerequisite to receive urban services.

**Policy 8.12. Feasibility of service.** Evaluate the physical feasibility and cost-effectiveness of extending urban public services to candidate annexation areas to ensure sensible investment and to set reasonable expectations.

**Policy 8.13. Orderly service extension.** Establish or improve urban public services in newly-annexed areas to serve designated land uses at established levels of service, as funds are available and as

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responsible engineering practice allows.

**Policy 8.14. Coordination of service extension.** Coordinate provision of urban public services to newly-annexed areas so that provision of any given service does not stimulate development that significantly hinders the City's ability to provide other urban services at uniform levels.

**Policy 8.15. Services to unincorporated urban pockets.** Plan for future delivery of urban services to urbanizable areas that are within the Urban Services Boundary but outside the city limits.

**Policy 8.16. Orderly urbanization.** Coordinate with counties, neighboring jurisdictions, and other special districts to ensure consistent management of annexation requests, and to establish rational and orderly process of urbanization that maximize efficient use of public funds.

**Policy 8.17. Services outside the city limits.** Prohibit City provision of new urban services, or expansion of the capacity of existing services, in areas outside city limits, except in cases where the City has agreements or contracts in place.

**Policy 8.18. Service district expansion.** Prohibit service district expansion or creation within the City's Urban Services Boundary without the City's expressed consent.

**Policy 8.19. Rural service delivery.** Provide the public facilities and services identified in Policy 8.3 in rural areas only at levels necessary to support designated rural residential land uses and protect public health and safety. Prohibit sanitary sewer extensions into rural land and limit other urban services.

**291.Finding:** The City Council interprets policies 8.11 through 8.19 provide direction on extending public services. The RIP amendments do not include new public facility or infrastructure projects or service extensions. These policies do not apply.

## Public investment

**Policy 8.20. Regulatory compliance.** Ensure public facilities and services remain in compliance with state and federal regulations. Work toward cost-effective compliance with federal and state mandates through intergovernmental coordination and problem solving.

**Policy 8.21. System capacity.** Establish, improve, and maintain public facilities and services at levels appropriate to support land use patterns, densities, and anticipated residential and employment growth, as physically feasible and as sufficient funds are available.

**Policy 8.22. Equitable service.** Provide public facilities and services to alleviate service deficiencies and meet level-of-service standards for all Portlanders, including individuals, businesses, and property owners.

**8.22.a.** In places that are not expected to grow significantly but have existing deficiencies, invest to reduce disparity and improve livability.

**8.22.b.** In places that lack basic public facilities or services and also have significant growth potential, invest to enhance neighborhoods, fill gaps, maintain affordability, and accommodate growth.

**8.22.c.** In places that are not expected to grow significantly and already have access to complete public facilities and services, invest primarily to maintain existing facilities and retain livability.

**8.22.d.** In places that already have access to complete public facilities and services, but also have significant growth potential, invest to fill remaining gaps, maintain affordability, and accommodate growth.

**Policy 8.23. Asset management.** Improve and maintain public facility systems using asset

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management principles to optimize preventative maintenance, reduce unplanned reactive maintenance, achieve scheduled service delivery, and protect the quality, reliability, and adequacy of City services.

**Policy 8.24. Risk management.** Maintain and improve Portland’s public facilities to minimize or eliminate economic, social, public health and safety, and environmental risks.

**Policy 8.25. Critical infrastructure.** Increase the resilience of high-risk and critical infrastructure through monitoring, planning, maintenance, investment, adaptive technology, and continuity planning.

**Policy 8.26. Capital programming.** Maintain long-term capital improvement programs that balance acquisition and construction of new public facilities with maintenance and operations of existing facilities.

**292.Finding:** The City Council interprets policies 8.20 through 8.26 provide direction on investment priorities for public facilities. The RIP amendments do not include new public facility or infrastructure projects. These policies do not apply.

### Funding

**Policy 8.27. Cost-effectiveness.** Establish, improve, and maintain the public facilities necessary to serve designated land uses in ways that cost-effectively provide desired levels of service, consider facilities’ lifecycle costs, and maintain the City’s long-term financial sustainability.

**Policy 8.28. Shared costs.** Ensure the costs of constructing and providing public facilities and services are equitably shared by those who benefit from the provision of those facilities and services.

**Policy 8.29. System development.** Require private or public entities whose prospective development or redevelopment actions contribute to the need for public facility improvements, extensions, or construction to bear a proportional share of the costs.

**Policy 8.30. Partnerships.** Maintain or establish public and private partnerships for the development, management, or stewardship of public facilities necessary to serve designated land uses, as appropriate.

**293.Finding:** The City Council interprets policies 8.27 through 8.30 provide direction on funding public facilities and services within the City of Portland’s Urban Services Boundary. The RIP amendments provide for new types of housing (up to 4 units on most lots, and up to 6 units when meeting regulated affordability requirements). This change enables additional housing capacity on lots and alters the spatial distribution of previously forecasted allocation of these units. The findings in Statewide Goals 11 and 12, as well as Chapter 8 and 9 of the Comprehensive Plan demonstrate that the services and facilities identified in policies 8.3 and 8.4 will continue to be maintained and delivered as envisioned by the CSP. The RIP amendments do not require new public facility or services and do not amend or need to amend the list of significant projects identified in the Comprehensive Plan, CSP or TSP. As site development occurs, infrastructure necessary to serve the development will be required and is the responsibility of the property owner/developer to provide. The RIP amendments do not change Systems Development Charge structures or rates.

Since Portland’s founding, improvement of local streets has been the responsibility of the adjacent property owners. This has historically been achieved either by a single property owner through a public works permit or through a Local Improvement District (LID), which involves funding from multiple property owners. Improvements to other public facilities occur in conjunction with

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development or redevelopment through either payment of Systems Development Charges, or requirements to construct the actual improvement. Within the context of the RIP amendments, these policies apply to the degree that private development is required to upgrade and extend services when needed, dedicate requisite right of way to meet street design standards based on the roadway classification, and construct or install other improvements as necessary and proportionate to the level of impact from the development. The RIP amendments are consistent with these policies since new private development will be reviewed against water (Title 21), sanitary sewer and stormwater management (Title 17) standards to ensure those utility requirements are met prior to construction commencing. Council adopted changes to the Local Transportation Improvement Charge (LTIC) on June 24, 2020 (Ord. No 190017) which allows funds to be collected as development occurs on un- and under-improved local streets from the middle housing types in the RIP amendments. Collection of these funds allows improvements to occur in a holistic, efficient, and comprehensive project based on criteria that equitably provides infrastructure services throughout the city. The RIP amendments do not include changes to these other city titles and are therefore consistent with these policies.

### Public benefits

**Policy 8.31. Application of Guiding Principles.** Plan and invest in public facilities in ways that promote and balance the Guiding Principles established in The Vision and Guiding Principles of this Comprehensive Plan.

**Policy 8.32. Community benefit agreements.** Encourage the use of negotiated community benefit agreements for large public facility projects as appropriate to address environmental justice policies in Chapter 2: Community Involvement.

**Policy 8.33. Community knowledge and experience.** Encourage public engagement processes and strategies for larger public facility projects to include community members in identifying potential impacts, mitigation measures and community benefits.

**Policy 8.34. Resource efficiency.** Reduce the energy and resource use, waste, and carbon emissions from facilities necessary to serve designated land uses to meet adopted City goals and targets.

**Policy 8.35. Natural systems.** Protect, enhance, and restore natural systems and features for their infrastructure service and other values.

**Policy 8.36. Context-sensitive infrastructure.** Design, improve, and maintain public rights-of-way and facilities in ways that are compatible with, and that minimize negative impacts on, their physical, environmental, and community context.

**Policy 8.38. Age-friendly public facilities.** Promote public facility designs that make Portland more age-friendly.

**294.Finding:** The City Council interprets policies 8.31 through 8.38 provide direction on the associated public benefits that should be considered in conjunction with investment in public facilities and services within the City of Portland's Urban Services Boundary. The RIP amendments do not include new public facility or infrastructure projects. These policies do not apply.

### Public rights-of-way

**Policy 8.39. Interconnected network.** Establish a safe and connected rights-of-way system that equitably provides infrastructure services throughout the city.

**Policy 8.40. Transportation function.** Improve and maintain the right-of-way to support multimodal

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transportation mobility and access to goods and services as is consistent with the designated street classification.

**Policy 8.41. Utility function.** Improve and maintain the right-of-way to support equitable distribution of utilities, including water, sanitary sewer, stormwater management, energy, and communications, as appropriate.

**Policy 8.42. Stormwater management function.** Improve rights-of-way to integrate green infrastructure and other stormwater management facilities to meet desired levels-of-service and economic, social, and environmental objectives.

**Policy 8.43. Trees in rights-of-way.** Integrate trees into public rights-of-way to support City canopy goals, transportation functions, and economic, social, and environmental objectives.

**295. Finding:** Policies 8.39 through 8.43 largely relate to the City’s role in establishing design standards for public improvements in and connectivity and management of the rights-of-way to ensure optimal utilization and achievement of multiple objectives for development in these spaces. Within the context of the RIP amendments, these policies apply to the degree that private development is required to upgrade and extend services when needed, dedicate requisite right of way to meet street design standards based on the roadway classification, and construct or install other improvements as necessary and proportionate to the level of impact from the development. The RIP amendments are consistent with these policies since new private development will be reviewed against water (Title 21), sanitary sewer and stormwater management (Title 17) standards to ensure those utility requirements are met prior to construction commencing. Title 11 requires that street trees are preserved and or planted as part of new development and major alterations (value greater than \$25,000). Moreover, new development is required to pay systems development charges which are collected to improve the capacity and function of the overall system.

Policy 8.40 seeks to improve and maintain a multi-modal transportation network. Since Portland’s founding, improvement of local streets has been the responsibility of the adjacent property owners. This has historically been achieved either by a single property owner through a public works permit or through a Local Improvement District (LID), which involves funding from multiple property owners. Council adopted changes to the Local Transportation Improvement Charge (LTIC) on June 24, 2020 (Ord. No 190017) which allows funds to be collected as development occurs on un- and under-improved local streets from the middle housing types in the RIP amendments. Collection of these funds allows improvements to occur in a holistic, efficient, and comprehensive project based on criteria that equitably provides infrastructure services throughout the city. The RIP amendments do not include changes to these other city titles, and are therefore consistent with these policies.

**Policy 8.44. Community uses.** Allow community use of rights-of-way for purposes such as public gathering space, events, or temporary festivals, if the community uses are integrated in ways that balance and minimize conflict with the designated through movement and access roles of rights-of-ways.

**Policy 8.45. Pedestrian amenities.** Encourage facilities that enhance pedestrian enjoyment, such as transit shelters, garbage containers, benches, etc. in the right-of-way.

**Policy 8.46. Commercial uses.** Accommodate allowable commercial uses of the rights-of-way for enhancing commercial vitality, if the commercial uses can be integrated in ways that balance and minimize conflict with the other functions of the right-of-way.

**Policy 8.47. Flexible design.** Allow flexibility in right-of-way design and development standards to

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appropriately reflect the pattern area and other relevant physical, community, and environmental contexts and local needs.

**8.47.a.** Use a variety of transportation resources in developing and designing projects for all City streets, such as the City of Portland's Pedestrian Design Guide, Bicycle Master Plan-Appendix A, NACTO Urban Bikeway Design Guide, NACTO Urban Street Design Guide, Portland Parks and Recreation Trail Design Guidelines, Designing for Truck Movements and Other Large Vehicles, and City of Portland Green Street Policy, Stormwater Management Manual, Design Guide for Public Street Improvements, and Neighborhood Greenways. (TSP objective 8.1.e.).

**Policy 8.48. Corridors and City Greenways.** Ensure public facilities located along Civic Corridors, Neighborhood Corridors, and City Greenways support the multiple objectives established for these corridors.

**296. Finding:** Policies 8.44 through 8.48 largely relate to the City's role in establishing design standards for public improvements in and management of the rights-of-way to ensure optimal utilization and achievement of multiple objectives for development in these spaces. Unlike the previous policies in which the city shares a role with adjacent property development, these policies are wholly the responsibility of the City as right of way manager. The RIP amendments do not include changes or new directives to how the city manages rights of way. These policies do not apply.

**Policy 8.49. Coordination.** Coordinate the planning, design, development, improvement, and maintenance of public rights-of-way among appropriate public agencies, private providers, and adjacent landowners.

**8.49.a.** Coordination efforts should include the public facilities necessary to support the uses and functions of rights-of-way, as established in policies 8.40 to 8.46.

**8.49.b.** Coordinate transportation and stormwater system plans and investments, especially in unimproved or substandard rights-of-way, to improve water quality, public safety, including for pedestrians and bicyclists, and neighborhood livability.

**297. Finding:** Policy 8.49 seeks to improve coordination to better optimize performance and efficiency while achieving multiple objectives in policies 8.40 through 8.46. Since Portland's founding, improvement of local streets has been the responsibility of the adjacent property owners. This has historically been achieved either by a single property owner through a public works permit or through a Local Improvement District (LID), which involves funding from multiple property owners. Council adopted changes to the Local Transportation Improvement Charge (LTIC) on June 24, 2020 (Ord. No 190017) which allows funds to be collected as development occurs on un- and under-improved local streets from the middle housing types in the RIP amendments. Collection of these funds allows improvements to occur in a holistic, efficient, and comprehensive project based on criteria that equitably provides infrastructure services throughout the city. The RIP amendments do not include changes to LTIC or other city titles that regulate the planning, design, development, improvement, and maintenance of public rights-of-way, and are therefore consistent with these policies.

**Policy 8.50. Undergrounding.** Encourage undergrounding of electrical and telecommunications facilities within public rights-of-way, especially in centers and along Civic Corridors.

**298. Finding:** Policy 8.50 seeks to promote undergrounding of certain utilities. The focus of this policy is on Centers and Corridors of which the RIP zones comprise a very small amount (6% and 14%

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respectively). In addition, the conditions needed to underground utilities requires either a larger capital project, or very long site frontage, since undergrounding only a short segment would not reduce (and may actually increase) the number of utility poles. The RIP amendments do not include changes to utility undergrounding requirements. These policies do not apply.

**Policy 8.51. Right-of-way vacations.** Maintain rights-of-way if there is an established existing or future need for them, such as for transportation facilities or for other public functions established in policies 8.40 to 8.46.

**Policy 8.52. Rail rights-of-way.** Preserve existing and abandoned rail rights-of-way for future rail or public trail uses.

**299.Finding:** Policies 8.51 and 8.52 apply when considering vacating rights of way and reverting ownership to the adjacent landowners. The RIP amendments do not include or contemplate any right of way vacations. These policies do not apply.

### Trails

**Policy 8.53. Public trails.** Establish, improve, and maintain a citywide system of public trails that provide transportation and/or recreation options and are a component of larger network of facilities for bicyclists, pedestrians, and recreational users.

**Policy 8.54. Trail system connectivity.** Plan, improve, and maintain the citywide trail system so that it connects and improves access to Portland's neighborhoods, commercial areas, employment centers, schools, parks, natural areas, recreational facilities, regional destinations, the regional trail system, and other key places that Portlanders access in their daily lives.

**Policy 8.55. Trail coordination.** Coordinate planning, design, improvement, and maintenance of the trail system among City agencies, other public agencies, non-governmental partners, and adjacent landowners.

**Policy 8.56. Trail diversity.** Allow a variety of trail types to reflect a trail's transportation and recreation roles, requirements, and physical context.

**Policy 8.57. Public access requirements.** Require public access and improvement of public trails along the future public trail alignments shown in Figure 8-2 — Future Public Trail Alignments.

**Policy 8.58. Trail and City Greenway coordination.** Coordinate the planning and improvement of trails as part of the City Greenways system.

**Policy 8.59. Trail and Habitat Corridor coordination.** Coordinate the planning and improvement of trails with the establishment, enhancement, preservation, and access to habitat corridors.

**Policy 8.60. Intertwine coordination.** Coordinate with the Intertwine Alliance and its partners, including local and regional parks providers, to integrate Portland's trail and active transportation network with the bi-state regional trail system.

**300.Finding:** The City Council interprets policies 8.53 through 8.60 to apply to designated trails. While designated trail alignments are included in public rights of way within RIP zones, the RIP amendments do not include any sites with designated trails. These policies do not apply.

### Sanitary system

**Policy 8.61. Sewer connections.** Require all developments within the city limits to be connected to sanitary sewers unless the public sanitary system is not physically or legally available per City Code and state requirements; or the existing onsite septic system is functioning properly without failure or

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complaints per City Code and state requirements; and the system has all necessary state and county permits.

**301.Finding:** This policy is ensured through Title 25, Plumbing Regulations and verified at the time of development permit application. The RIP amendments do not alter or affect this Title's requirements.

**Policy 8.62. Combined sewer overflows.** Provide adequate public facilities to limit combined sewer overflows to frequencies established by regulatory permits.

**302.Finding:** BES reviewed their combined systems in consideration of the RIP amendments and changes to forecasted household allocation and found that adequate capacity exists in the system to accommodate the level of anticipated development, in order to limit combined sewer overflows.<sup>93</sup>

**Policy 8.63. Sanitary sewer overflows.** Provide adequate public facilities to prevent sewage releases to surface waters as consistent with regulatory permits.

**303.Finding:** BES reviewed their sanitary sewer systems in consideration of the RIP amendments and changes to forecasted household allocation and found that adequate capacity exists in the system to accommodate the level of anticipated development. Continued programs to limit stormwater inflow and infiltration will increase capacity where needed to prevent sewage releases.

**Policy 8.64. Private sewage treatment systems.** Adopt land use regulations that require any proposed private sewage treatment system to demonstrate that all necessary state and county permits are obtained.

**304.Finding:** No private sewage treatment systems are proposed, or anticipated with the RIP amendments. Should such facility be proposed or required, existing land use regulations for conditional uses applicable in the single-dwelling zones would apply to require such permits are obtained.

**Policy 8.65. Sewer extensions.** Prioritize sewer system extensions to areas that are already developed at urban densities and where health hazards exist.

**305.Finding:** Council interprets this policy to apply to Capital Improvement Project prioritization and planning. The RIP amendments do not affect current capital project priorities, but are consistent with development in already developed areas with urban levels of densities, rather than directing development to areas that are largely unserved.

**Policy 8.66. Pollution prevention.** Reduce the need for wastewater treatment capacity through land use programs and public facility investments that manage pollution as close to its source as practical and that reduce the amount of pollution entering the sanitary system.

**306.Finding:** BES reviewed their sanitary sewer systems in consideration of the RIP amendments and changes to forecasted household allocation and found that adequate capacity exists in the system to accommodate the level of anticipated development. Continued programs to limit stormwater inflow and infiltration will increase capacity where needed to reduce the need for wastewater treatment capacity.

**Policy 8.67. Treatment.** Provide adequate wastewater treatment facilities to ensure compliance with effluent standards established in regulatory permits.

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<sup>93</sup> Memorandum from Fred MacGregor, et. al., BES to Morgan Tracy, RIP Project Manager, March 6, 2020

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**307.Finding:** BES reviewed their sanitary sewer systems in consideration of the RIP amendments and changes to forecasted household allocation and found that adequate capacity exists in the system to accommodate the level of anticipated development without the need to expand the wastewater treatment facilities beyond what is already included in the Citywide Systems Plan in support of the 2035 Comprehensive Plan.

The City has two wastewater treatment plants: Columbia Boulevard, which serves the majority of the city, and Tryon Creek which services about 3,000 acres in and around southwest Portland. An October 2, 1979 rezoning study was introduced into the record that identifies the Tryon Creek interceptor as the limiting link in the provision of sanitary sewers for the area East of SW 45<sup>th</sup>. At the time, sewers were not available in this area but were being planned. Since then several additional studies have been conducted, including the most recent May 3, 2010 Tryon Basin Study Area Sewer Hydraulics Characterization technical memo. The memo concludes that the peak wet weather instantaneous flow to the TCWTP appears to be at or above plant capacity under current conditions. If infiltration/inflow (I/I) reduction is the best option to reduce flow to the TCTWP, a comprehensive flow monitoring plan is recommended to develop a better understanding of the I/I distribution in the ADK812 FE Catchment and the Tryon Interceptor. The analysis should include a review of the permanent depth monitor data at ADK812 and additional temporary monitoring along the Interceptor. Monitoring should occur during the wet season (October to March). Any I/I reduction plan should include post project monitoring to determine the effectiveness of I/I reduction projects. Moreover, the adopted Citywide Systems Plan includes a number of recommendations including strategies to increase the designed capacity of the TCTWP from 37.5 million gallons/day to 50 million gallons per day to address the forecasted growth.

## Stormwater Systems

**Policy 8.68. Stormwater facilities.** Provide adequate stormwater facilities for conveyance, flow control, and pollution reduction.

**308.Finding:** “Adequate” is defined as satisfactory or acceptable in quality or quantity. In this regard, this policy seeks stormwater facilities that exist, that regulate flow, and reduce pollution. BES manages a complex network of pipes and ditches, streams and wetlands, engineered facilities, drainageways, and infrastructure to convey, detain, and treat stormwater runoff. In areas that were developed prior to being annexed to the City of Portland, development standards and regulations were not as comprehensive as they are today. The result is stormwater systems that are fragmented, incomplete, and in some cases in poor condition.

The RIP amendments do not alter this underlying condition, and provisions such as maintaining current building coverage limits, instituting new building size limits, and removing parking mandates are all elements that improve outcomes between the 2035 Comprehensive Plan zoning and RIP. RIP further removes development incentives in the form of additional FAR and units in areas with landslide potential, flood plains, and natural resource areas which correlate with natural drainageways by applying a “z” Constrained Sites overlay. These measures further improve stormwater outcomes by avoiding increased development activity in areas that are difficult to improve the stormwater service condition. RIP additionally directs more future growth to areas with stormwater infrastructure already intact with roughly 2,000 fewer households locating in the west hills, where stormwater infrastructure systems are more fragmented.

BES continues to address the backlog of needed stormwater system improvements. This work is likely going to continue well past the 2035 planning period. Nevertheless, in consideration of this finding and the findings contained in Goal 8.E and State goal 12, the RIP amendments help reduce

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impacts from the current zoning allowances, and stormwater adequacy for conveyance, flow control, and pollution reduction will continue to be required as development and redevelopment occurs through the Stormwater Management Manual and Title 17.

**Policy 8.69. Stormwater as a resource.** Manage stormwater as a resource for watershed health and public use in ways that protect and restore the natural hydrology, water quality, and habitat of Portland's watersheds.

**309.Finding:** This policy is ensured through application of the City's Stormwater Management Manual. Stormwater management is critical to maintaining and enhancing the City's livability and improving watershed health. The Stormwater Management Manual (SWMM) allows the City of Portland to protect both watershed resources and infrastructure investments with every development or improvement. Implementing the requirements in this manual helps protect Portland's water resources, which in turn will provide great benefit to human health, fish and wildlife habitat, recreational resources, and drinking water. The RIP amendments do not change the applicability of the SWMM and projects built under the new zoning rules continue to be subject to those standards. As each project meets the requirements of this manual, it will contribute to achieving these important citywide goals. City Council further incorporates the findings of Chapter 7 relating to watershed health and stormwater as relevant findings here.

**Policy 8.70. Natural systems. Protect and enhance the stormwater management capacity of natural resources such as rivers, streams, creeks, drainageways, wetlands, and floodplains.**

**310.Finding:** This policy is ensured through application of the City's Stormwater Management Manual as well as the City's environmental zoning program and regulations. The RIP amendments contribute to this policy by limiting the amount of development on sites with natural resources through application of the 'z' overlay zone.

**Policy 8.71. Green infrastructure.** Promote the use of green infrastructure, such as natural areas, the urban forest, and landscaped stormwater facilities, to manage stormwater.

**311.Finding:** The City's Stormwater Management Manual uses green infrastructure and other bio-mimicry engineering solutions as a preferred way to manage stormwater. The RIP amendments do not change the applicability or hierarchy of the SWMM.

**Policy 8.72. Stormwater discharge. Avoid or minimize the impact of stormwater discharges on the water and habitat quality of rivers and streams.**

**312.Finding:** This policy is ensured through application of the City's Stormwater Management Manual. Stormwater management is critical to maintaining and enhancing the City's livability and improving watershed health. The Stormwater Management Manual (SWMM) allows the City of Portland to protect both watershed resources and infrastructure investments with every development or improvement including those allowed by these RIP amendments. City Council further incorporates the findings of Chapter 7 relating to watershed health and stormwater as relevant findings here.

**Policy 8.73. On-site stormwater management. Encourage on-site stormwater management, or management as close to the source as practical, through land use decisions and public facility investments.**

**313.Finding:** This policy is ensured through application of the City's Stormwater Management Manual. Stormwater management is critical to maintaining and enhancing the City's livability and improving watershed health. The Stormwater Management Manual (SWMM) allows the City of Portland to protect both watershed resources and infrastructure investments with every development or

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improvement including those allowed by these RIP amendments and encourages on-site stormwater management, or management as close to the source as practical.

**Policy 8.74. Pollution prevention.** Coordinate policies, programs, and investments with partners to prevent pollutants from entering the stormwater system by managing point and non-point pollution sources through public and private facilities, local regulations, and education.

**Policy 8.75. Stormwater partnerships.** Provide stormwater management through coordinated public and private facilities, public-private partnerships, and community stewardship.

**314.Finding:** The City Council interprets policies 8.74 through 8.75 to apply to the provision of stormwater facilities. Stormwater is conveyed through the combined sewer system, pipes, ditches, or drainageways to streams and rivers. In some cases, stormwater is managed in detention facilities, other vegetated facilities, or allowed to infiltrate in natural areas. The Citywide Systems Plan includes projects to address facilities needed for conveyance, flow control and pollution reduction. Environmental Services evaluates development proposals that increase impervious area (including buildings and hardscape) against the 2015 Stormwater Management Manual (SWMM) and Source Control Manual to effectively comply with local, state and federal point and non-point pollution water quality mandates. BES additionally conducts watershed restoration projects in conjunction with other partner organizations and manages education programs designed to improve community stewardship. The RIP amendments do not amend SWMM or Source Control Manual requirements, nor change BES programs or projects. Therefore, these policies are met.

## Flood management

**Policy 8.76. Flood management.** Improve and maintain the functions of natural and managed drainageways, wetlands, and floodplains to protect health, safety, and property, provide water conveyance and storage, improve water quality, and maintain and enhance fish and wildlife habitat.

**Policy 8.77. Floodplain management.** Manage floodplains to protect and restore associated natural resources and functions and to minimize the risks to life and property from flooding.

**Policy 8.78. Flood management facilities.** Establish, improve, and maintain flood management facilities to serve designated land uses through planning, investment and regulatory requirements.

**Policy 8.79. Drainage district coordination.** Coordinate with drainage districts that provide stormwater management, conveyance, and flood mitigation, protection, and control services within the City's Urban Services Boundary.

**Policy 8.80. Levee coordination.** Coordinate plans and investments with special districts and agencies responsible for managing and maintaining certification of levees along the Columbia River.

**315.Finding.** The City Council interprets policies 8.76 through 8.80 to apply to the management of floodplains. The RIP amendments include a new Constrained Sites Overlay Zone ('z') which restrict additional housing types on sites located within the FEMA 100-year floodplain. This helps reduce the asset risk in flood prone areas by decreasing the maximum allowable FAR and limits the introduction of more households to these areas. Moreover, for sites in flood prone areas, the RIP amendments do not amend the environmental overlay maps, nor do they change City programs that regulate development in the floodplain (i.e., Title 33.631 Sites in Flood Hazard Areas; Title 10 Erosion Control, and the balanced cut and fill requirements of Title 24). In so doing, the amendments improve or maintain the functions of natural and managed drainageways, wetlands, and floodplains to protect health, safety, and property. They do not affect other regulations or projects that provide for flood water conveyance and storage, improve water quality, and maintain

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and enhance fish and wildlife habitat. City Council further incorporates the findings of Chapter 7 relating to stormwater hydrology, water quality, natural hazards and habitat as relevant findings here.

### Water systems

**Policy 8.81. Primary supply source.** Protect the Bull Run watershed as the primary water supply source for Portland.

**Policy 8.82. Bull Run protection.** Maintain a source-protection program and practices to safeguard the Bull Run watershed as a drinking water supply.

**Policy 8.83. Secondary supply sources.** Protect, improve, and maintain the Columbia South Shore wellfield groundwater system, the Powell Valley wellfield groundwater system, and any other alternative water sources designated as secondary water supplies.

**Policy 8.84. Groundwater wellfield protection.** Maintain a groundwater protection program and practices to safeguard the Columbia South Shore wellfield and the Powell Valley wellfield as drinking water supplies.

**Policy 8.85. Water quality.** Maintain compliance with state and federal drinking water quality regulations.

**316. Finding.** Policies 8.81 through 8.85 are addressed through the requirements in Title 21 Water. Protections for the Bull Run watershed are enumerated in Chapter 21.36. Groundwater wellfield protections are ensured through regulations in Chapter 21.35. And water quality is locally regulated by Chapter 21.12, as well as Title 25 Plumbing Regulations, in addition to compliance mandates at the state and federal level. These policies are all unaffected by the RIP amendments.

**Policy 8.86. Storage.** Provide sufficient in-city water storage capacity to serve designated land uses, meet demand fluctuations, maintain system pressure, and ensure supply reliability.

**Policy 8.87. Fire protection.** Provide adequate water facilities to serve the fire protection needs of all Portlanders and businesses.

**Policy 8.88. Water pressure.** Provide adequate water facilities to maintain water pressure in order to protect water quality and provide for the needs of customers.

**Policy 8.89. Water efficiency.** Reduce the need for additional water facility capacity and maintain compliance with state water resource regulations by encouraging efficient use of water by customers within the city.

**Policy 8.90. Service interruptions.** Maintain and improve water facilities to limit interruptions in water service to customers.

**317. Finding.** The City Council interprets policies 8.86 through 8.90 to apply to the provision of water service. As shown in the RIP capacity and growth allocation model, the RIP amendments affect the spatial distribution of where new households will locate. Growth is largely anticipated in service areas that can serve the projected increase. Three service areas where deficiencies were noted in the CSP were found to have increases in households (between 20 and 54 added units). The Water Bureau engineering staff has evaluated the impact from these additional units and found that there was no measurable effect to water quality, capacity, fire protection or pressure<sup>94</sup>. New

<sup>94</sup> Memorandum from Mike Saling, PWB to Morgan Tracy, RIP Project Manager, December 3, 2019

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development may be required to extend service where no service is presently available or upgrade water mains when development requires larger water meter sizes.

**Policy 8.91. Outside user contracts.** Coordinate long-term water supply planning and delivery with outside-city water purveyors through long-term wholesale contracts.

318. Policy 8.91 relates to wholesale contracts to other water districts. This policy is not impacted by the RIP amendments.

## Parks and recreation

**Policy 8.92. Acquisition, development, and maintenance.** Provide and maintain an adequate supply and variety of parkland and recreational facilities to serve the city's current and future population based on identified level-of-service standards and community needs.

**Policy 8.93. Service equity.** Invest in acquisition and development of parks and recreation facilities in areas where service-level deficiencies exist.

**Policy 8.94. Capital programming.** Maintain a long-range park capital improvement program, with criteria that considers acquisition, development, and operations; provides opportunities for public input; and emphasizes creative and flexible financing strategies.

**Policy 8.95. Park planning.** Improve parks, recreational facilities, natural areas, and the urban forest in accordance with current master plans, management plans, or adopted strategies that reflect user group needs, development priorities, development and maintenance costs, program opportunities, financing strategies, and community input.

**Policy 8.96. Recreational trails.** Establish, improve, and maintain a complete and connected system of public recreational trails, consistent with Portland Parks & Recreation's trail strategy.

**Policy 8.97. Natural resources.** Preserve, enhance, and manage City-owned natural areas and resources to protect and improve their ecological health, in accordance with both the natural area acquisition and restoration strategies, and to provide compatible public access.

**Policy 8.98. Urban forest management.** Manage urban trees as green infrastructure with associated ecological, community, and economic functions, through planning, planting, and maintenance activities, education, and regulation.

**Policy 8.99. Recreational facilities.** Provide a variety of recreational facilities and services that contribute to the health and well-being of Portlanders of all ages and abilities.

**Policy 8.100. Self-sustaining Portland International Raceway (PIR).** Provide for financially self-sustaining operations of PIR, and broaden its programs and activities to appeal to families, diverse communities, and non-motorized sports such as biking and running.

**Policy 8.101. Self-sustaining and inclusive golf facilities.** Provide financially self-sustaining public golf course operations. Diversify these assets to attract new users, grow the game, provide more introductory-level programming, and expand into other related recreational opportunities such as foot golf and disk golf.

**Policy 8.102. Specialized recreational facilities.** Establish and manage specialized facilities within the park system that take advantage of land assets and that respond to diverse, basic, and emerging recreational needs.

**Policy 8.103. Public-private partnerships.** Encourage public-private partnerships to develop and operate publicly-accessible recreational facilities that meet identified public needs.

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**319.Finding:** The City Council interprets policies 8.92 through 8.103 to address City-owned parks and natural areas and not development on private land. The RIP amendments do not change current parks and recreation programs. Therefore, these policies do not apply. Testimony was received suggesting that the RIP amendments would lead to overcrowding and overuse of park facilities, though no specific park or service deficiency was identified. Portland Parks & Recreation strives to serve all Portlanders, and the park system needs to respond to population growth and recreational trends. While the park system needs to have the capacity to continue serving the large number of Portlanders using parks and recreation programs, Portland Parks & Recreation is also working to deliver equitable access to parks and recreation facilities geographically across the city. These level of service goals are outlined in the Portland Parks & Recreation Vision 2020 and include the goals to have 100% of households within ½ mile walk of a park or natural area. Roughly 96% of RIP zoned lots meet this goal currently. Therefore, providing for additional housing opportunities within these existing lots is one way to achieve this service goal more efficiently. The Citywide systems plan identifies a number of strategies and plans that the Portland Parks Bureau will undertake within the planning period to address current and projected park user demands. The City assesses a Park Systems Development Charge (SDC) on new residential and commercial construction to partially offset the costs associated with providing park services to new development. The RIP amendments provide more opportunities for additional ADU creation which could impact the collection of SDC's, but Council through its adoption of these waivers has already determined that the provision of lower cost long-term residences has greater benefits and value than collection of SDC's in these cases. Other housing types allowed by the RIP amendments will continue to be subject to SDC collection.

Policy 8.98 relates to Urban Forest management including regulation. The RIP amendments do not change current Title 11 Tree Code rules, and development activities conducted in accordance with the RIP amendments will be subject to those existing rules.

### **Public safety and emergency response**

**Policy 8.104. Emergency preparedness, response, and recovery coordination.** Coordinate land use plans and public facility investments between City bureaus, other public and jurisdictional agencies, businesses, community partners, and other emergency response providers, to ensure coordinated and comprehensive emergency and disaster risk reduction, preparedness, response, and recovery.

**Policy 8.105. Emergency management facilities.** Provide adequate public facilities – such as emergency coordination centers, communications infrastructure, and dispatch systems – to support emergency management, response, and recovery.

**Policy 8.106. Police facilities.** Improve and maintain police facilities to allow police personnel to efficiently and effectively respond to public safety needs and serve designated land uses.

**Policy 8.107. Community safety centers.** Establish, coordinate, and co-locate public safety and other community services in centers.

**Policy 8.108. Fire facilities.** Improve and maintain fire facilities to serve designated land uses, ensure equitable and reliable response, and provide fire and life safety protection that meets or exceeds minimum established service levels.

**Policy 8.109. Mutual aid.** Maintain mutual aid coordination with regional emergency response providers as appropriate to protect life and ensure safety.

**Policy 8.110. Community preparedness.** Enhance community preparedness and capacity to prevent, withstand, and recover from emergencies and natural disasters through land use decisions and public

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facility investments.

**Policy 8.111. Continuity of operations.** Maintain and enhance the City's ability to withstand and recover from natural disasters and human-made disruptions in order to minimize disruptions to public services.

**320.Finding:** The City Council interprets policies 8.104 through 8.111 to address the provision of public safety and emergency response services and facilities, and are addressed in Chapter 10 of the CSP. Under day-to-day circumstances, emergency response infrastructure is utilized by bureaus in the City's four-legged stool of emergency response – the Portland Police Bureau (PPB), Portland Fire and Rescue (PF&R), the Bureau of Emergency Communications (BOEC), and the Portland Bureau of Emergency Management (PBEM). This emergency response system places BOEC as the first point of contact for emergency calls, with dispatchers then directing incidents to PPB or PF&R depending on the situation. When incidents or events require the involvement of additional City bureaus, PBEM steps in to coordinate emergency response on a broader scale.

Disaster response and preparedness, including community preparedness, an assessment and planning for adequate emergency management facilities and continuity of operations for City services, is primarily handled through the coordination efforts of PBEM and are not affected by RIP amendments.

The Police Bureau is primarily responsible for Police and community safety center facilities. The RIP amendments provide for more capacity for housing closer to centers where community safety facilities are prioritized by Policy 8.107. Police response is handled through BOEC dispatch to patrols which already service the areas included in the RIP amendments and are thus not affected by these amendments.

The Fire Bureau is responsible for fire facilities planning and maintenance. The 2007 Portland Fire Code, which is based on the 2007 Oregon Fire Code and the International Fire Code (IFC), is implemented by the City of Portland Fire Marshall and provides development and design guidelines to reduce loss of life and property due to fire. The Fire Bureau reviews land use legislative changes to ensure that facilities planning and needs are adequately accounted for to ensure equitable and reliable response. The Fire Bureau has provided feedback related to the RIP amendments in response to emergency access, which was addressed previously in Goal 8.I. Therefore the RIP amendments do not impact these Policies.

### **Solid waste management**

**Policy 8.112. Waste management.** Ensure land use programs, rights-of-way regulations, and public facility investments allow the City to manage waste effectively and prioritize waste management in the following order: waste reduction, recycling, anaerobic digestion, composting, energy recovery, and then landfill.

**321.Finding:** The RIP amendments help advance this policy by prioritizing waste reduction over the life cycle of a home. According to the DEQ Life Cycle Analysis, for Climate Change Impact, the use of the home contributes about 86% of the total impact due to energy use (space and water heating, electricity consumption); materials production contributes 14%; followed by the construction, maintenance, and demolition phases which contribute a combined 2%. Although the environmental benefits of the practices evaluated appear to be waste related, much of the environmental benefit from many of these practices are gained not through the avoidance of needing to manage waste, but rather through avoided manufacturing and production of materials and/or the potential that some such practices may also reduce energy used by the home. It is therefore essential to consider benefits that may occur over the entire life cycle of residential homes and of the materials they

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contain. The City Council interprets other aspects of this policy as addressing the provision of waste management services and not development on private land and therefore do not apply.

### School facilities

**Policy 8.113. School district capacity.** Consider the overall enrollment capacity of a school district – as defined in an adopted school facility plan that meets the requirements of Oregon Revised Statute 195 – as a factor in land use decisions that increase capacity for residential development.

**322.Finding:** David Douglas School District (DDSD) is the only school district in Portland with an adopted school facility plan. The Buildable Lands Inventory calculates available development capacity and predicts where new households will be allocated over the planning period. Comparing the default Comprehensive Plan zoning with the RIP capacity and growth allocation model, the net change to households in the David Douglas School District is a reduction of 132 units (roughly a 1% decrease from 12,000). The David Douglas School District has indicated that it can accommodate these changes into their future forecasting for their facility plan.

**Policy 8.114. Facilities Planning.** Facilitate coordinated planning among school districts and City bureaus, including Portland Parks and Recreation, to accommodate school site/facility needs in response to most up-to-date growth forecasts.

**323.Finding:** BPS routinely coordinates with school districts and city bureaus and shares data pertaining to forecasted growth and actual development activity to facilitate coordinated planning. Staff provided updates and shared relevant data with affected school districts and the Parks Bureau during the project to ensure facility needs and planning remain coordinated.

**Policy 8.115. Co-location.** Encourage public school districts, Multnomah County, the City of Portland, and other providers to co-locate facilities and programs in ways that optimize service provision and intergenerational and intercultural use.

**Policy 8.116. Community use.** Encourage public use of public school grounds for community purposes while meeting educational and student safety needs and balancing impacts on surrounding neighborhoods.

**Policy 8.117. Recreational use.** Encourage publicly-available recreational amenities (e.g. athletic fields, green spaces, community gardens, and playgrounds) on public school grounds for public recreational use, particularly in neighborhoods with limited access to parks.

**Policy 8.118. Schools as emergency aid centers.** Encourage the use of seismically-safe school facilities as gathering and aid-distribution locations during natural disasters and other emergencies.

**Policy 8.119. Facility adaptability.** Ensure that public schools may be upgraded to flexibly accommodate multiple community-serving uses and adapt to changes in educational approaches, technology, and student needs over time.

**Policy 8.120. Leverage public investment.** Encourage City public facility investments that complement and leverage local public school districts' major capital investments.

**Policy 8.121. School access.** Encourage public school districts to consider the ability of students to safely walk and bike to school when making decisions about the site locations and attendance boundaries of schools.

**Policy 8.122. Private institutions.** Encourage collaboration with private schools and educational institutions to support community and recreational use of their facilities.

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**324.Finding:** The City Council interprets policies 8.115 through 8.122 to address school facilities and not development on private land. These policies do not apply.

### Technology and communications

**Policy 8.123. Technology and communication systems.** Maintain and enhance the City’s technology and communication facilities to ensure public safety, facilitate access to information, and maintain City operations.

**Policy 8.124. Equity, capacity, and reliability.** Encourage plans and investments in technology and communication infrastructure to ensure access in all areas of the city, reduce disparities in capacity, and affordability, and to provide innovative high-performance, reliable service for Portland’s residents and businesses.

**325.Finding:** The City Council interprets policies 8.123 and 8.124 to address the provision of technology and communication services. Chapter 10 of the Citywide Systems Plan includes “other essential systems and services” with a section dedicated to “Technology systems”. Technology systems come in a multitude of forms, with a range encompassing computer hardware and software, voicemail systems, video systems, microwave radio systems and other radio equipment, and transmission towers. These systems have a direct impact upon nearly every City agency’s ability to provide services ranging from routine correspondence to emergency response. They enable City agencies to operate more efficiently, with many bureaus relying on sophisticated modeling software, monitoring systems, and databases for construction permitting, land use planning, spatial analysis, and a variety of administrative processes. Reliable, innovative technology systems play a critical role in Portland’s status as a resilient, prosperous, modern city, with many predicting that the importance of these systems will only continue to increase throughout the Comprehensive Plan’s twenty-year planning horizon. For the City, these systems are primarily handled by the Bureau of Technology Services (BTS). The Bureau of Technology Services is tasked with providing management, policy setting, strategic planning, and leadership in the use of computer, radio, and telecommunications technologies for the City. The Bureau of Technology Services is not subject to State comprehensive planning requirements to meet any specific service levels. The Citywide Systems Plan identifies opportunities for on-going maintenance and enhancements, an integrated decision-making process, along with financial strategies. All of which are outside the scope of the RIP amendments and are not impacted by them.

### Energy infrastructure

**Policy 8.125. Energy efficiency.** Promote efficient and sustainable production and use of energy resources by residents and businesses, including low-carbon renewable energy sources, district energy systems, and distributed generation, through land use plans, zoning, and other legislative land use decisions.

**326.Finding:** The RIP amendments do not amend the sections of the zoning code that regulate the production of energy or other types of energy infrastructure. The RIP amendments do reduce the total allowable amount of floor area on a site within RIP zones. This has the potential effect of reducing shading and windbreak impacts on adjacent properties, which could further promote greater passive and active solar energy use and small-scale wind power generation. Moreover, the housing created through the RIP amendments will tend to include smaller attached units which. These smaller units require far less energy to heat and use than larger houses<sup>95</sup>, which were

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<sup>95</sup> A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, September 2010

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allowed prior to the RIP amendments. This further promotes efficient use of energy resources by residents.

**Policy 8.126. Coordination.** Coordinate with energy providers to encourage investments that ensure reliable, equitable, efficient, and affordable energy for Portland residents and businesses.

**327.Finding:** The RIP amendments do not amend the sections of the zoning code that regulate the production of energy or other types of energy infrastructure and do not affect coordination efforts. This policy does not apply.

## Chapter 9 Transportation

**GOAL 9.A: Safety.** Transportation safety impacts the livability of a city and the comfort and security of those using City streets. Comprehensive efforts to improve transportation safety through engineering, education, enforcement and evaluation will be used to eliminate traffic-related fatalities and serious injuries from Portland’s transportation system.

**328.Finding:** PBOT is the bureau primarily charged with ensuring the improved safety of the City’s transportation network. PBOT works in conjunction with community partners and the Police Bureau to strengthen education efforts and enforce Title 16. PBOT has recently launched a new campaign, Vision Zero to eliminate traffic related fatalities. Vision Zero is a strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, equitable mobility for all. The RIP amendments do not affect these efforts or programs. Therefore Goal 9.A continues to be met.

**Goal 9.B: Multiple goals.** Portland’s transportation system is funded and maintained to achieve multiple goals and measurable outcomes for people and the environment. The transportation system is safe, complete, interconnected, multimodal, and fulfills daily needs for people and businesses.

**329.Finding:** This goal is about transportation funding and maintenance priorities. The RIP amendments provide greater housing capacity in areas already served by a complete transportation system including active transportation options<sup>96</sup>. Infill in these areas helps to reduce the burden of creating or extending the transportation network. Some areas of RIP zones currently lack multimodal or fully connected facilities. As lots in these areas develop, either gaps will be filled through incremental frontage improvements, or a charge (LTIC) will be levied to be collected for completing the local street network. Therefore Goal 9.B continues to be met.

**GOAL 9.C: Great places.** Portland’s transportation system enhances quality of life for all Portlanders, reinforces existing neighborhoods and great places, and helps make new great places in town centers, neighborhood centers and corridors, and civic corridors.

**330.Finding:** This goal is about leveraging the design of the transportation system to enhance different types of places. These design classifications for these different street types are embedded in the TSP and remain unchanged by the RIP amendments. Therefore Goal 9.C continues to be met.

**GOAL 9.D: Environmentally sustainable.** The transportation system increasingly uses active transportation, renewable energy, or electricity from renewable sources, achieves adopted carbon reduction targets, and reduces air pollution, water pollution, noise, and Portlanders’ reliance on private vehicles.

**331.Finding:** This goal is about shifting the transportation network from a fossil fuel dependent model to a less carbon intensive, lower pollution source alternative. This means prioritizing active transportation when allocating space within rights of way, and shifting the vehicle fleet and increasing ride-share and transit. The RIP amendments are supportive of these models by creating additional household capacity in areas close to centers and corridors where active transportation and transit networks already exist. The amendments also help create conditions where investments to extend these networks to currently underserved areas or fill in where the networks are fragmented can be more cost-effective by serving more households.

Council heard testimony expressing concern that removing minimum parking requirements could hamper efforts to switch to more electric vehicles. However, this is untrue for several reasons. Most notably, the RIP amendments remove the minimum parking requirement, but do not prohibit

<sup>96</sup> See map “RIP Active Transportation” April 22, 2020

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parking, and as shown in the project staff report and code commentary, different versions of parking solutions under the RIP amendments do exist. Other alternatives exist and are presently practiced by current owners of electric vehicles that do not have an on-site parking space. Charging stations in the right of way, at work destinations, or public charging stations all remain viable options<sup>97</sup>. These include parking garages, retail parking lots, at hotels, new-car dealerships, and even curbside in areas having a higher concentration of EV ownership. Tesla has established an extensive “Supercharger” network of stations at its dealerships and other locations for its own EV owners. Therefore Goal 9.D continues to be met.

**GOAL 9.E: Equitable transportation.** The transportation system provides all Portlanders options to move about the city and meet their daily needs by using a variety of safe, efficient, convenient, and affordable modes of transportation. Transportation investments are responsive to the distinct needs of each community.

**GOAL 9.F: Positive health outcomes.** The transportation system promotes positive health outcomes and minimizes negative impacts for all Portlanders by supporting active transportation, physical activity, and community and individual health.

**GOAL 9.G: Opportunities for prosperity.** The transportation system supports a strong and diverse economy, enhances the competitiveness of the city and region, and maintains Portland’s role as a West Coast trade gateway and freight hub by providing efficient and reliable goods movement, multimodal access to employment areas and educational institutions, as well as enhanced freight access to industrial areas and intermodal freight facilities. The transportation system helps people and businesses reduce spending and keep money in the local economy by providing affordable alternatives to driving.

**332.Finding:** At the heart of 9.E through 9.H is equity, which the Comprehensive Plan defines as “when everyone has access to the opportunities necessary to satisfy their essential needs, advance their well-being, and achieve their full potential.” The RIP amendments enable this by removing zoning barriers from RIP zoned lots that currently restrict housing choice to only allow single family houses. By providing for duplexes, triplexes, fourplexes, additional ADU’s and up to 6 units when meeting regulated affordability requirements expands access to the opportunities Portlanders of different needs may be seeking based on their preferred mode of transport. The transportation system will continue to evolve to respond to the variety of community needs, but it is the ability to find housing in a certain location that determines what options will be available between their origin and destination. RIP does not change planned transportation investments, but does help increase equitable access to those transportation modes. Therefore Goals 9.E through 9.G continue to be met.

**GOAL 9.H. Cost Effectiveness.** The City analyzes and prioritizes capital and operating investments to cost effectively achieve the above goals while responsibly managing and protecting our past investments in existing assets.

**333.Finding:** The State Transportation Planning Rule (TPR) requires each Transportation System Plan (TSP) to include a financing program. This financial plan is designed to meet the State requirements for a financing program, as well as to establish a financial framework for making investment choices in the City’s transportation system over the next 20 years.

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<sup>97</sup> “What If You Want to Drive an Electric Vehicle But Don’t Have a Garage?”, Jim Gorzelany, EV Magazine, April 2019.

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The financial plan allows jurisdictions to assess the adequacy of existing and possible new funding mechanisms to improve elements of the transportation system. As required by the TPR, the financial plan is linked with the TSP's transportation system improvements, which includes planned transportation projects and programs.

The TSP financial plan presents three financial scenarios that respond to a range of existing and potential new revenue sources and forecasts. The three scenarios provide a context for the cost and number of transportation improvements that may be implemented over the 20-year timeframe of the TSP.

Another principle guiding the financial plan is the importance of maintenance and system operations needs as well as capital improvement planning. Stewardship is one of the TSP's themes. Stewardship means proactive management of Portland's transportation system through the efficient use of resources, non-capital solutions to transportation needs, and innovative approaches to infrastructure management.

As demonstrated in the findings for Statewide Planning Goal 12 (Transportation) the RIP amendments do not significantly impact key facilities on the surrounding transportation system. The transportation impacts of the RIP amendments were evaluated by the Portland Bureau of Transportation (PBOT)<sup>98</sup>. The analysis found that the RIP amendments will add little traffic on to the roadways on the ODOT/PBOT list of "Hot Spot" transportation facilities identified in City's 2035 Comprehensive Plan process. The RIP amendments also create more zoning capacity in areas with greater access to jobs, high-quality schools, parks and other amenities, reducing the need to drive and increasing use of less-costly active transportation modes. The RIP amendments do not alter or affect the TSP financial plan or scenarios nor add new capital projects, therefore Goal 9.H continues to be met.

**GOAL 9.I. Airport Futures.** Promote a sustainable airport (Portland International Airport [PDX]) by meeting the region's air transportation needs without compromising livability and quality of life for future generations.

**334.Finding:** The goals 9.I applies to the Portland International Airport and is not affected by the RIP Amendments. Therefore, this Goal is not applicable

## Designing and planning

**Policy 9.1. Street design classifications.** Maintain and implement street design classifications consistent with land use plans, environmental context, urban design pattern areas, and the Neighborhood Corridor and Civic Corridor Urban Design Framework designations.

**335.Finding:** The Transportation System Plan includes and implements the street design classifications consistent with planned land uses, environmental context, urban design pattern areas, and the Neighborhood Corridor and Civic Corridor Urban Design Framework designations. The RIP amendments do not change these classifications. Approximately 92% of the RIP zoned parcels are on local street designations. These streets are intended to distribute local traffic and provide access to local residences or commercial uses. The anticipated land use and development should discourage auto-oriented land uses from using Local Service Traffic Streets as their primary access. Auto oriented development is defined in the TSP as Development that is either: 1) auto-related (such as gas stations and auto repair shops) or 2) auto-accommodating (by its design attracts primarily customers and employees arriving by automobile, such as drive-in restaurants). The

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<sup>98</sup> PBOT Memorandum from Bob Kellett to Morgan Tracy, March 1, 2019

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housing types allowed by the RIP amendments are not auto-oriented uses, and are therefore consistent with the street design classifications in the TSP.

**Policy 9.2. Street policy classifications.** Maintain and implement street policy classifications for pedestrian, bicycle, transit, freight, emergency vehicle, and automotive movement, while considering access for all modes, connectivity, adjacent planned land uses, and state and regional requirements.

**9.2.a.** Designate district classifications that emphasize freight mobility and access in industrial and employment areas serving high levels of truck traffic and to accommodate the needs of intermodal freight movement.

**9.2.b.** Designate district classifications that give priority to pedestrian access in areas where high levels of pedestrian activity exist or are planned, including the Central City, Gateway regional center, town centers, neighborhood centers, and transit station areas.

**9.2.c.** Designate district classifications that give priority to bicycle access and mobility in areas where high levels of bicycle activity exist or are planned, including Downtown, the River District, Lloyd District, Gateway Regional Center, town centers, neighborhood centers, and transit station areas.

**336.Finding:** The Transportation System Plan includes and implements the street policy classifications for pedestrian, bicycle, transit, freight, emergency vehicle, and automotive movement, that consider access for all modes, connectivity, adjacent planned land uses, and state and regional requirements. The RIP amendments do not change these classifications.

**Policy 9.3. Transportation System Plan.** Maintain and implement the Transportation System Plan (TSP) as the decision-making tool for transportation-related projects, policies, programs, and street design.

**337.Finding:** The first update to the Transportation System Plan was completed and adopted by City Council on October 13, 2004 (effective date, November 12, 2004; Ordinance Nos. 178815 and 178826). The second update was completed and adopted by City Council on April 5, 2007 (effective date, May 5, 2007; Ordinance No 180871). While primarily technical in nature, this update also included new policy language to implement the City's Green Street Policy. Stage 1 TSP Update was a part of the City's Comprehensive Plan update process and a component of the State's Periodic Work Plan Task 4. It included Goals, Policies, Projects and Programs and a Financial Plan. It was adopted by City Council in June 2016. The Stage 2 TSP Update was a part of the City's Comprehensive Plan update and changes were made to implement the Comprehensive Plan, as well as reflect adopted plans and classification changes since the last update in 2007, Periodic Work Plan Task 5. It was adopted by City Council in December 2016. TSP Stage 3 TSP Update incorporated regional information; updated geographic policies and objectives; updated objectives; added a few policies; changed the street classification for traffic, transit and emergency response; modal plans; and other changes as identified.

The RIP amendments do not include changes to the TSP list of projects. Development and its related street improvements and right of way dedications will continue to be subject to the design requirements set forth in the TSP either directly as part of the building permit review process, or when LTIC funds are committed to local street improvement projects. Therefore Policy 9.3 continues to be met.

**Policy 9.4. Use of classifications.** Plan, develop, implement, and manage the transportation system in

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accordance with street design and policy classifications outlined in the Transportation System Plan.

**9.4.a.** Classification descriptions are used to describe how streets should function for each mode of travel, not necessarily how they are functioning at present.

**338.Finding:** The RIP amendments do not change the functional classification of any existing or proposed transportation facility, nor do they change the standards implementing a functional classification system, or amend the TSP. Subsequent development on RIP zoned parcels will be required to meet the development standards in Title 17 and its implementing rules which are developed in accordance with the TSP.

**Policy 9.5. Mode share goals and Vehicle Miles Travelled (VMT) reduction.** Increase the share of trips made using active and low-carbon transportation modes. Reduce VMT to achieve targets set in the most current Climate Action Plan and Transportation System Plan and meet or exceed Metro’s mode share and VMT targets.

**339.Finding:** Council interprets this policy to mean reducing the share of single occupant motor vehicle trips through actions, investments, and plans that either encourage use of other modes, for example the Bicycle Parking Project, or discouraging the use of single occupant vehicle use. Specific goals for mode share are stated in policy 9.49. The Climate action plan seeks by 2030 to reduce single occupant commutes by 39 percent and reduce daily per capita vehicle miles traveled in Multnomah County by 30 percent from 2008 levels<sup>99</sup>.

The RIP amendments include strategies to increase the share of trips made using active and low-carbon transportation modes. These serve to improve mode split performance and limit traffic impacts which were not able to be incorporated into the traffic analysis model. These strategies include:

- Eliminating minimum off-street parking requirements for residential uses in single dwelling zones, a recognized transportation demand management strategy in the Transportation Planning Rule<sup>100</sup>.
- Limiting garages and parking through siting and design regulations, which deprioritize private automobile convenience and use, making other modes potentially more attractive.
- Requiring that development of 3 or more units occur on paved streets accepted for maintenance. These streets are generally closer to being more complete in terms of multi-modal design, to encourage the use of other modes (e.g. walking, biking or rolling) than unmaintained gravel streets.
- Allowing for more compact development which can better support area businesses and transit use by reducing the distances required for travel to meet daily needs.
- Increasing development capacity in areas well-served by transit and existing and planned bike and pedestrian infrastructure. 94 percent of the parcels in RIP zones that allow 3 or more units are located within ¼ mile of transit. Most areas are in close proximity to neighborhood greenways as well.<sup>101</sup>

**Policy 9.6. Transportation strategy for people movement.** Implement a prioritization of modes for people movement by making transportation system decisions per the following ordered list:

1. Walking
2. Bicycling
3. Transit

<sup>99</sup> 2015 Climate Action Plan, pgs 75, 78.

<sup>100</sup> Definition of “Demand Management” OAR 660-012-0005

<sup>101</sup> See map “RIP Active Transportation” April 22, 2020

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4. Fleets of electric, fully automated, multiple passenger vehicles
5. Other shared vehicles
6. Low or no occupancy vehicles, fossil-fueled non-transit vehicles

When implementing this prioritization ensure that:

- The needs and safety of each group of users are considered, and changes do not make existing conditions worse for the most vulnerable users higher on the ordered list.
- All users' needs are balanced with the intent of optimizing the right of way for multiple modes on the same street.
- When necessary to ensure safety, accommodate some users on parallel streets as part of multi-street corridors.
- Land use and system plans, network functionality for all modes, other street functions, and complete street policies, are maintained.
- Policy-based rationale is provided if modes lower in the ordered list are prioritized.

**340.Finding:** This policy seeks to prioritize modes through street design considerations. The RIP amendments do not propose new prioritizations or change implementation strategies relevant to this policy. Therefore, this policy is met.

**Policy 9.7. Moving goods and delivering services.** In tandem with people movement, maintain efficient and reliable movement of goods and services as a critical transportation system function. Prioritize freight system reliability improvements over single-occupancy vehicle mobility where there are solutions that distinctly address those different needs.

**341.Finding:** This policy seeks to maintain the efficient movement of freight and services and prioritize freight mobility over single occupant vehicle mobility when being considered together. The RIP amendments result in a general redistribution of allocated households within Portland. Certain areas will see more households and other areas will see fewer households in comparison to the Comprehensive Plan zoning, but the total number of overall households forecasted for 2035 is not changed. PBOT evaluated this redistribution and focused its analysis on the areas where increased households were expected. It is assumed that fewer households resulted in either the same or fewer trips and thus did not negatively affect congestion models. The analysis identified that the overall added traffic from RIP on the citywide transportation network during the peak PM hour is not significant. The added automobile trips do, however, impact some roadway segments that were identified in the 2035 Comprehensive Plan and 2035 Transportation System Plan as areas of concern for future capacity and safety. These roadway segments are also classified as freight routes. These hot spot areas are identified in the TSP and have projects identified to address them. As these projects are planned, designed and implemented, the small number of additional auto trips resulting from RIP can be readily incorporated into the project to maintain an efficient and reliable movement of goods and services.

**Policy 9.8. Affordability.** Improve and maintain the transportation system to increase access to convenient and affordable transportation options for all Portlanders, especially those who have traditionally been under-served or under-represented or have historically borne unequal burdens.

**342.Finding:** This policy addresses the design and planning of transportation facilities and not directly to development on private land. As noted in previous findings, the RIP amendments do not change the functional classification of any existing or proposed transportation facility, nor do they change the standards implementing a functional classification system, or amend the TSP. Subsequent development on RIP zoned parcels will be required to meet the development standards in Title 17

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and its implementing rules which are developed in accordance with the TSP which Improves and maintains the transportation system to increase access to convenient and affordable transportation options for all Portlanders .

**Policy 9.9. Accessible and age-friendly transportation system.** Ensure that transportation facilities are accessible to people of all ages and abilities, and that all improvements to the transportation system (traffic, transit, bicycle, and pedestrian) in the public right-of-way comply with the Americans with Disabilities Act of 1990. Improve and adapt the transportation system to better meet the needs of the most vulnerable users, including the young, older adults, and people with different abilities.

**343.Finding:** Policy 9.9 speaks to ensuring that transportation facilities are accessible to people of all ages and abilities, and that all improvements to the transportation system (traffic, transit, bicycle, and pedestrian) in the public right-of-way comply with the Americans with Disabilities Act of 1990. The three-unit threshold aligns with new requirements for visitability, and paved streets provide for greater multi-modal mobility (i.e. walking, rolling or biking) and are generally more ADA compliant than gravel or unimproved streets.

**Policy 9.10. Geographic policies.** Adopt geographically specific policies in the Transportation System Plan to ensure that transportation infrastructure reflects the unique topography, historic character, natural features, system gaps, economic needs, demographics, and land uses of each area. Use the Pattern Areas identified in Chapter 3: Urban Form as the basis for area policies.

**9.10.a.** Refer to adopted area plans for additional applicable geographic objectives related to transportation. Land use, development, and placemaking

**344.Finding:** Policy 9.10 provides direction regarding planning for the transportation system, and development/updates to the Transportation System Plan. These policies address the design and planning of transportation facilities and not directly to development on private land. These policies do not apply.

### Land use, development, and placemaking

**Policy 9.11. Land use and transportation coordination.** Implement the Comprehensive Plan Map and the Urban Design Framework through coordinated long-range transportation and land use planning. Ensure that street policy and design classifications and land uses complement one another.

**345.Finding:** The RIP amendments expand the types of housing allowed in RIP zones (R2.5, R5 and R7) which make up 68 percent of the acreage and 89 percent of the parcels within all single-dwelling zones. The change to allow duplexes, triplexes, fourplexes, affordable sixplexes and additional ADUs provides greater flexibility for how many units are allowed on a parcel enabling a wider range of smaller housing types and sizes.

From the total 133,497 parcels in RIP zones, a number of parcels were excluded from the ability to provide 3 or more units either based on the lot size was not large enough (-17,780), the lot size was large enough but located in the proposed 'z' overlay (-8,011), or the lot size was large enough and outside the 'z' overlay but did not have frontage on a street that had been accepted for maintenance by the city (-1,601). These factors were included in the RIP household allocation model.

The Portland Bureau of Transportation (PBOT) evaluated the distribution of forecasted units from the RIP amendments and found that peak PM hour traffic resulting was not significant; the added traffic is widely spread across the City; and expected housing types are consistent with the land uses anticipated within the context of the descriptions of the functional classifications of existing or

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planned transportation facilities<sup>102</sup>. Therefore, the RIP amendments have been coordinated with the long-range transportation plans.

Approximately 92% of the RIP zoned parcels are on local street designations. These streets are intended to distribute local traffic and provide access to local residences or commercial uses. The anticipated land use and development should discourage auto-oriented land uses from using Local Service Traffic Streets as their primary access. Auto oriented development is defined in the TSP as Development that is either: 1) auto-related (such as gas stations and auto repair shops) or 2) auto-accommodating (by its design attracts primarily customers and employees arriving by automobile, such as drive-in restaurants). The housing types allowed by the RIP amendments are not auto-oriented uses, and are therefore complement the street design classifications in the TSP.

**Policy 9.12. Growth strategy.** Use street design and policy classifications to support Goals 3A-3G in Chapter 3: Urban Form. Consider the different design contexts and transportation functions in Town Centers, Neighborhood Centers, Neighborhood Corridors, Employment Areas, Freight Corridors, Civic Corridors, Transit Station Areas, and Greenways.

**346.Finding:** Goals 3A-3G and the policies in Chapter 3 convey the City's intent to:

- Foster an equitable system of compact mixed use and commercial centers across the city to increase access to community services and businesses, and create more low carbon complete healthy connected neighborhoods.
- Improve Portland's major corridors so that they become vibrant urban places and key transportation connections.
- Enhance Portland's public realm, integrate nature into the city, and link people, places, and wildlife through active transportation facilities, green infrastructure investments, urban tree canopy, and habitat connections.
- Describe the city's overall development pattern and area character to inform and guide future plans, investments, and development.

Chapter 3 of the Transportation System Plan includes street classifications for all of the streets within Portland based on the objectives laid out in the Comprehensive Plan including the urban design framework. Chapter 4 of the TSP include Master Street Plans that provide an additional level of design specificity for several particular areas including centers. Refinement Plan areas are also called out in Chapter 6 of the TSP, Implementation Strategies for additional projects that will need to consider the different design contexts of the Urban Design Framework as those projects are subsequently designed. The RIP amendments do not change the functional classification or planned investment strategies of any existing or proposed transportation facility, nor do they change the standards implementing a functional classification system. Therefore, this policy continues to be met.

**Policy 9.13. Development and street design.** Evaluate adjacent land uses to help inform street classifications in framing, shaping, and activating the public space of streets. Guide development and land use to create the kinds of places and street environments intended for different types of streets.

**347.Finding:** The RIP amendments do not change the functional classification of any existing or proposed transportation facility, nor do they change the standards implementing a functional classification system. Approximately 92% of the RIP zoned parcels are on local street designations.

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<sup>102</sup> PBOT Memorandum from Bob Kellett to Morgan Tracy, March 1, 2019

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These streets are intended to distribute local traffic and provide access to local residences or commercial uses. The anticipated land use and development should discourage auto-oriented land uses from using Local Service Traffic Streets as their primary access. The housing types allowed by the RIP amendments are not auto-oriented uses, and are therefore consistent with the street design classifications in the TSP. The amendments ensure new development, including development of additional housing types is complementary in scale as land uses already permitted in RIP zones to guide development to create the kinds of places and street environments intended for these streets.

### Streets as public spaces

**Policy 9.14. Streets for transportation and public spaces.** Integrate both placemaking and transportation functions when designing and managing streets by encouraging design, development, and operation of streets to enhance opportunities for them to serve as places for community interaction, environmental function, open space, tree canopy, recreation, and other community purposes.

**Policy 9.15. Repurposing street space.** Encourage repurposing street segments that are not critical for transportation connectivity to other community purposes.

**Policy 9.16. Design with nature.** Promote street alignments and designs that respond to topography and natural features, when feasible, and protect streams, wildlife habitat, and native trees.

**348.Finding:** Policies 9.14 through 9.16 address the design and use of public streets and not development on private land. These policies do not apply. Nevertheless, the RIP amendments support these policies by eliminating on site parking requirements and limiting the location of parking areas and garages on narrow lots and vehicle access on lots with alleys. These changes encourage a more uninterrupted pedestrian sidewalk with fewer curb cuts and driveways that create potential points of conflict between sidewalk users and vehicles, which improves the safety and usability of the sidewalk and increases community interaction and active recreation. This also increases area available for street tree canopy.

### Modal policies

**Policy 9.17. Pedestrian transportation.** Encourage walking as the most attractive mode of transportation for most short trips, within and to centers, corridors, and major destinations, and as a means for accessing transit.

**349.Finding:** The RIP amendments help advance this policy by eliminating minimum parking requirements for residential uses in single dwelling zones, placing additional restrictions on parking locations, and limiting the size and location of garages. While onsite parking is still allowed, removing the parking requirement de-emphasizes private vehicle use as the most convenient option. Also, reducing the number of curb cuts for driveways reduces points of conflict between pedestrians, bicyclists and vehicles. "The layout and design of land uses can affect the choice of mode of travel. Low density commercial and residential developments, often with big road setbacks, large lots, and low density, can discourage walking and bicycling. Buildings set far apart by vast parking areas, liberal landscaping and wide access roads discourage walking between uses."<sup>103</sup>

The RIP amendments include a requirement that sites with 3 or more units provide at least one visitable unit. Visitability requirements provide greater access to those with mobility issues,

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<sup>103</sup> Access Management: An Overview by Elizabeth Humstone & Julie Campoli, Planning Commissioners Journal, Winter 1998

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including pedestrians using mobility devices, and encourages walking as a more attractive option, since there are fewer barriers between the street and the home.

The RIP amendments also allow additional households to locate in more complete neighborhood areas characterized by higher walkability function (more complete sidewalk network, near transit and bikeways, and close to services and amenities). Provisions also limit sites with 3 or more units to lots located on streets that have been accepted for maintenance by the city to better ensure conditions are more suitable for walking.

**Policy 9.18. Pedestrian networks.** Create more complete networks of pedestrian facilities, and improve the quality of the pedestrian environment.

**350.Finding:** HB2001 generally requires cities to permit duplexes on any lot where houses are allowed. Where the city has more discretion for the additional housing types included in RIP (for 3 or more units), these are only available for parcels in RIP zones that are outside the 'z' overlay (areas with natural resources or hazards) and that abut streets that have been accepted for maintenance by the City (i.e. improved/paved streets). This means that these streets generally have an improved paved surface. They may lack complete sidewalks; however, sidewalk improvements can be constructed with each development on these streets, eventually forming a series of sidewalk improvements.

The RIP amendments improve the quality of the pedestrian environment through regulations on the amount of building façade that can be occupied with garages and prohibiting off-street parking between the building and the street, as well as changes to building height calculation to reduce the perceived height from the street on sloped lots. Main entrance standards also limit how far above grade the front door can be, to ensure a more approachable and enhanced visual connection between the dwelling and the street. These “eyes on the street” can enhance the feeling of security for pedestrians. Moreover, for sites with 3 or more units, one of the units is required to be visitable, including a no step entry requirement to provide greater access to people with mobility impairments.

**Policy 9.19. Pedestrian safety and accessibility.** Improve pedestrian safety, accessibility, and convenience for people of all ages and abilities.

**351.Finding:** The RIP amendments improve pedestrian safety by eliminating minimum parking requirements which provides more options for sites to forego onsite parking and the related curb cut and driveway. Alley access requirements for parking also reduces curb cuts and driveways along the street. Driveways present additional conflict points for pedestrians and sidewalk users. RIP further promotes a walkable form through regulations on the amount of building façade that can be occupied with garages and prohibiting off-street parking between the building and the street. Moreover, for sites with 3 or more units, one of the units is required to be visitable, including a no step entry requirement to provide greater access to people with mobility impairments.

**Policy 9.20. Bicycle transportation.** Create conditions that make bicycling more attractive than driving for most trips of approximately three miles or less.

**352.Finding:** The RIP amendments remove minimum parking requirements and place design restrictions on garages and parking locations. Moreover, with new limits on floor area it is more cost effective to develop storage space for bikes than cars, as more floor area can be used for living space as opposed to vehicle storage. These changes help facilitate a shift of preference that make bicycling a more attractive option than driving for most short trips. With more limited on-site parking available, and potentially more competition for on street parking spaces, using the car for short

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trips becomes a decision that must be weighed against convenience. Using a bike ensures that there will be available and convenient parking on both ends of the trip whereas the use of a car may be a quicker trip between points, but available parking at either end is more in question.

Recent changes to the Local Transportation Improvement Charge (LTIC) will enable the additional housing types allowed through the RIP amendments to pay into the fund for cohesive street segment improvements. These improvements are designed holistically for the entire street segment including the modal priorities addressed in previous policies and the TSP. This approach provides for a system improvement that enhances bicycle user experience, as opposed to isolated lot by lot street improvements which leave a disjointed bicycle facility network.

**Policy 9.21. Accessible bicycle system.** Create a bicycle transportation system that is safe, comfortable, and accessible to people of all ages and abilities.

**353.Finding:** This policy addresses the design and use of public transportation infrastructure and not development on private land. The RIP amendments do contribute to increased opportunities for a safer more comfortable bicycle transportation system for all ages and abilities by eliminating minimum parking requirements providing more options for sites to forego onsite parking and the related curb cut and driveway. Alley access requirements for parking also reduce curb cuts and driveways along the street. Additionally, the visitability standards that apply to sites with 3 or more units also benefit bicycle users with a no step entry (as opposed to hoisting bikes up stairs), wider hallways and doors which makes it easier to get bikes inside, and a living area space on the visitable floor that could be utilized for bike parking.

**Policy 9.22. Public transportation.** Coordinate with public transit agencies to create conditions that make transit the preferred mode of travel for trips that are longer than 3 miles or shorter trips not made by walking or bicycling.

**354.Finding:** This policy is related to coordination with public transit agencies and not development on private land. This policy does not apply.

**Policy 9.23. Transportation to job centers.** Promote and enhance transit to be more convenient and economical than the automobile for people travelling more than three miles to and from the Central City and Gateway. Enhance regional access to the Central City and access from Portland to other regional job centers.

**355.Finding:** The RIP amendments provide additional housing capacity to areas that may lack sufficient ridership population to support system enhancements<sup>104</sup>. About 94% of RIP zoned parcels that allow 3 or more units are already located within a ¼ mile of existing transit service. With the additional density allowing for more potential riders, the system could be improved to better serve them (more stops, greater frequency, alternate routing). The changes also remove minimum parking requirements which helps de-emphasize the automobile as a more convenient transportation option than other active transportation alternatives

**Policy 9.24. Transit service.** In partnership with TriMet, develop a public transportation system that conveniently, safely, comfortably, and equitably serves residents and workers 24 hours a day, 7 days a week.

**356.Finding:** This policy is related to coordination with public transit agencies and not development on private land. This policy does not apply.

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<sup>104</sup> Community Characteristics Promoting Transit and Walking Dr. John Holtzclaw, March 2007

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**Policy 9.25. Transit equity.** In partnership with TriMet, maintain and expand high-quality frequent transit service to all Town Centers, Civic Corridors, Neighborhood Centers, Neighborhood Corridors, and other major concentrations of employment, and improve service to areas with high concentrations of poverty and historically under-served and under-represented communities.

**9.25.a.** Support a public transit system and regional transportation that address the transportation needs of historically marginalized communities and provide increased mobility options and access.

**357.Finding:** This policy is related to coordination with public transit agencies and not development on private land. This policy does not apply.

**Policy 9.26. Transit funding.** Consider funding strategies and partnership opportunities that improve access to and equity in transit service, such as raising Metro-wide funding to improve service and decrease user fees/fares.

**358.Finding:** This policy is related to coordination with and funding for public transit agencies and not development on private land. This policy does not apply.

**Policy 9.27. Transit service to centers and corridors.** Use transit investments to shape the city's growth and increase transit use. In partnership with TriMet and Metro, maintain, expand, and enhance Portland Streetcar, frequent service bus, and high-capacity transit, to better serve centers and corridors with the highest intensity of potential employment and household growth.

**9.27.a.** Locate major park-and-ride lots only where transit ridership is increased significantly, vehicle miles traveled are reduced, transit-supportive development is not hampered, bus service is not available or is inadequate, and the surrounding area is not negatively impacted.

**359.Finding:** This policy is related to coordination with public transit agencies and service location decisions. The RIP amendments provide for additional housing capacity in areas that may have lower potential riders. Per the RIP capacity and growth allocation model the allocation of units for centers and corridors are not projected to be significantly altered. The RIP amendments do not include any park and ride facilities. This policy does not apply.

**Policy 9.28. Intercity passenger service.** Coordinate planning and project development to expand intercity passenger transportation services in the Willamette Valley, and from Portland to Seattle and Vancouver, BC.

**360.Finding:** Council interprets this policy as relating to coordination with intercity transportation agencies and not development on private land. This policy does not apply.

**Policy 9.29. Regional trafficways and transitways.** Maintain capacity of regional transitways and existing regional trafficways to accommodate through-traffic.

**361.Finding:** The RIP amendments have been reviewed by PBOT which found that the overall impact to the transportation system from these changes was not significant. There are several "hot spot" areas where future congestion is anticipated under the 2035 Comprehensive Plan. None of the impacts were identified on Regional Transitways. Two Regional Trafficways (99E at Ross Island Bridge, NE Killingsworth between NE Portland Hwy and 82<sup>nd</sup> Ave) experience 27 and 24 additional PM peak trips respectively<sup>105</sup>. These corridors already include projects identified in the TSP that can be refined to address this minor addition of traffic. Therefore, with the implementation of projects

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<sup>105</sup> PBOT Memorandum from Bob Kellett to Morgan Tracy, March 1, 2019

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already planned for in the TSP, capacity of these corridors to accommodate through traffic will be maintained over the course of the planning period.

**Policy 9.30. Multimodal goods movement.** Develop, maintain, and enhance a multimodal freight transportation system for the safe, reliable, sustainable, and efficient movement of goods within and through the city.

**362.Finding:** This policy addresses the design and use of freight transportation infrastructure and not development on private land. This policy does not apply.

**Policy 9.31. Economic development and industrial lands.** Ensure that the transportation system supports traded sector economic development plans and full utilization of prime industrial land, including brownfield redevelopment.

**363.Finding:** This policy addresses transportation infrastructure is available to support prime industrial land and brownfields and does not relate to development on private land. The RIP amendments do not affect the ability of prime industrial land to be fully utilized. This policy does not apply.

**Policy 9.32. Multimodal system and hub.** Maintain Portland's role as a multimodal hub for global and regional movement of goods. Enhance Portland's network of multimodal freight corridors.

**Policy 9.33. Freight network.** Develop, manage, and maintain a safe, efficient, and reliable freight street network to provide freight access to and from intermodal freight facilities, industrial and commercial districts, and the regional transportation system. Invest to accommodate forecasted growth of interregional freight volumes and provide access to truck, marine, rail, and air transportation systems. Ensure designated routes and facilities are adequate for over-dimensional trucks and emergency equipment.

**364.Finding:** Policies 9.32 and 9.33 seek to enhance and develop, manage, maintain the safety, efficiency and reliability of the freight network. The RIP amendments result in a general redistribution of allocated households within Portland. Certain areas will see more likely households and other areas will see fewer households, but the total number of overall households forecasted for 2035 is not changed. PBOT evaluated this household redistribution and focused its analysis on the areas where increased households were expected<sup>105</sup>. It is assumed that fewer households within a traffic analysis zone (TAZ) resulted in either the same or fewer trips and thus did not negatively affect congestion models. This high-level system wide analysis model did not incorporate the effects or reduced traffic from these other areas, nor was it able to incorporate trip reduction effects of transportation demand management measures (TDM). Even so, the analysis identified that the overall added traffic from RIP on the citywide transportation network during the peak PM hour is not significant.

The model showed that added automobile trips do, however, impact some roadway segments that were identified in the 2035 Comprehensive Plan and 2035 Transportation System Plan as areas of concern for future capacity and safety. These roadway segments are also classified as freight routes. These hot spot areas are identified in the TSP and have projects identified to address them to manage, and maintain a safe, efficient, and reliable freight street network.

**Policy 9.34. Sustainable freight system.** Support the efficient delivery of goods and services to businesses and neighborhoods, while also reducing environmental and neighborhood impacts. Encourage the use of energy efficient and clean delivery vehicles and manage on- and off-street loading spaces to ensure adequate access for deliveries to businesses, while maintaining access to homes and businesses.

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**365.Finding:** Policy 9.34 in part calls for supporting efficient delivery of goods and services. As noted in the findings for Statewide Goal 12, the impacts to the overall transportation system for RIP amendments is not significant and contributes a very small amount of additional PM vehicle trips to a few road segments that are forecasted to be at or above capacity in 2035. These hot spot areas are identified in the TSP and have projects identified to address them. Off-street loading is required for buildings with 20 or more units, which is far in excess of what is allowed by the RIP amendments. Therefore, the RIP amendments will not impede the efficient delivery of goods through the city.

**Policy 9.35. Freight rail network.** Coordinate with stakeholders and regional partners to support continued reinvestment in, and modernization of, the freight rail network.

**366.Finding:** Policy 9.35 is about coordination for freight rail investments and are not relevant to the RIP amendments. These policies do not apply.

**Policy 9.36. Portland Harbor.** Coordinate with the Port of Portland, private stakeholders, and regional partners to improve and maintain access to marine terminals and related river dependent uses in Portland Harbor.

**9.36.a.** Support continued reinvestment in, and modernization of, marine terminals in Portland Harbor.

**9.36.b.** Facilitate continued maintenance of the shipping channels in Portland Harbor and the Columbia River.

**9.36.c.** Support more long-distance, high-volume movement of goods to river and oceangoing ships and rail.

**367.Finding:** The RIP amendments do not apply to or impact the Portland Harbor. This policy does not apply.

**Policy 9.37. Portland Heliport.** Maintain Portland's Heliport functionality in the Central City.

**368.Finding:** The RIP amendments do not apply to the Central City. This policy does not apply.

**Policy 9.38. Automobile transportation.** Maintain acceptable levels of mobility and access for private automobiles while reducing overall vehicle miles traveled (VMT) and negative impacts of private automobiles on the environment and human health.

**369.Finding:** The RIP amendments provide more opportunities for housing to be located near services, jobs, schools and amenities to promote use of alternate modes of transport to reduce VMT and improve overall mobility. The overall system was evaluated for congestion related impacts and the overall affect was found to be not significant and able to be ameliorated through minor refinements in already planned capital projects along with strategies already incorporated in RIP or other recently passed amendments (Better housing by Design and Bicycle Parking).

**Policy 9.39. Automobile efficiency.** Coordinate land use and transportation plans and programs with other public and private stakeholders to encourage vehicle technology innovation, shifts toward electric and other cleaner, more energy-efficient vehicles and fuels, integration of smart vehicle technology with intelligent transportation systems, and greater use of options such as car-share, carpool, and taxi.

**370.Finding:** The RIP amendments do not include proposals that address smart vehicle technology or other automobile specific efficiency measures. However, the elimination of parking requirements supports a future vision where privately held vehicles are not a necessity, and that tailored

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transportation options that utilize these technologies are readily supported by future land uses. In other words, these technologies can supplement the suite of other transportation alternatives that are more convenient than the cost and burdens of owning, sheltering, and maintaining a private vehicle, and the RIP amendments help achieve this by removing the mandates for on-site vehicle storage.

Council heard testimony that off street parking and garages were a necessary component of ensuring recharging infrastructure to support electric vehicles could be provided. Council largely rejected this theory. Electric vehicles currently do need stations to recharge, and require extended stopovers to fully charge. However, while a private dedicated charging station would be more convenient (just as having one's own gas pump in one's driveway would be) other options remain readily available and provide more shared use potential<sup>106</sup>. Charging stations at the workplace, grocery store, in parking garages, etc all provide EV owners these options. Moreover, on-street charging stations are also becoming more available. It is also important to recognize that the RIP amendments do not prohibit on site parking, they simply remove the requirement for it. In other words, Council finds that removing the on-site parking requirement provides more flexibility and options to encourage greater vehicle technology innovation.

**Policy 9.40. Emergency response.** Maintain a network of accessible emergency response streets to facilitate safe and expedient emergency response and evacuation. Ensure that police, fire, ambulance, and other emergency providers can reach their destinations in a timely fashion, without negatively impacting traffic calming and other measures intended to reduce crashes and improve safety.

**371. Finding:** Policies 9.39 and 9.40 address the design and use of public transportation infrastructure and not development on private land. These policies do not apply.

Council received testimony requesting that a portion of SE Henry Street be removed from the area where 3 or more units would be allowed on a lot. The testimony notes that this segment of SE Henry is 475 feet in length, contains 35 dwelling units, and is non-compliant with PCC 33.654.120 and 33.654.110.B.2. PCC 33.654.020 states that the regulations of Chapter 33.654 apply to all land divisions. These regulations ensure provision of efficient access to as many lots as possible, and enhance direct movement by pedestrians, bicycles, and motor vehicles between destinations. They are not preconditions for development on existing lots.

Testimony additionally cites provisions in the Fire Code (Section 503.2.3 Dead ends). The City of Portland is designated by the Oregon Fire Marshal as an exempt jurisdiction, and thus responsible for administering fire regulations within its jurisdictional boundaries. This code section includes minimum dimensional criteria for fire access roads, which are reviewed with development applications. Section 503 provides: "the fire code official is authorized to modify Sections 503.2 and 503.2 where any of the following applies: (1) The building is equipped throughout with an approved automatic sprinkler system..." Section 503.2.2 additionally provides: "The fire code official shall have the authority to modify the dimensions specified in Section 503.2.1. Dimensions."

The Assistant Fire Marshall indicated that without an adequate turn-around, it makes it more difficult to get fire equipment turned-around once at the end of a dead-end road. Yet this does not mean it negatively impacts their ability to respond to an incident on a dead-end road. When residential and commercial properties are proposed to be developed on these preexisting streets, Fire works with the applicant to ensure Fire can to respond to the location if an incident does occur. Generally, fire sprinkler protection, Class A roof coverings, and/or non-combustible sidings are required in-lieu of

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<sup>106</sup> "What If You Want to Drive an Electric Vehicle But Don't Have a Garage?", Jim Gorzelany, EV Magazine, April 2019.

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meeting all fire department access requirements in new structures via the Fire Code Appeals process<sup>107</sup>. Council finds the Assistant Fire Marshall's testimony to be persuasive. Further, the RIP amendments do not amend the TSP designated streets for emergency response, nor change the design standards for improving and maintaining these streets to facilitate safe and expedient emergency response and evacuation.

## Airport Futures

**Policy 9.41. Portland International Airport.** Maintain the Portland International Airport as an important regional, national, and international transportation hub serving the bi-state economy.

**Policy 9.42. Airport regulations.** Implement the Airport Futures Plan through the implementation of the Portland International Airport Plan District.

**9.42.a.** Prohibit the development of a potential third parallel runway at PDX unless need for its construction is established through a transparent, thorough, and regional planning process.

**9.42.b.** Support implementation of the Aircraft Landing Zone to provide safer operating conditions for aircraft in the vicinity of Portland International Airport by limiting the height of structures, vegetation, and construction equipment.

**9.42.c.** Support the Port of Portland's Wildlife Hazard Management Plan by implementing airport-specific landscaping requirements in the Portland International Airport Plan District to reduce conflicts between wildlife and aircraft.

**Policy 9.43. Airport partnerships.** Partner with the Port of Portland and the regional community to address the critical interconnection between economic development, environmental stewardship, and social responsibility. Support an ongoing public advisory committee for PDX to:

**9.43.a.** Support meaningful and collaborative public dialogue and engagement on airport related planning and development.

**9.43.b.** Provide an opportunity for the community to inform the decision-making related to the airport of the Port, the City of Portland, and other jurisdictions/organizations in the region.

**9.43.c.** Raise public knowledge about PDX and impacted communities.

**Policy 9.44. Airport investments.** Ensure that new development and redevelopment of airport facilities supports the City's and the Port's sustainability goals and policies, and is in accordance with Figure 9-3 — Portland International Airport. Allow the Port flexibility in configuring airport facilities to preserve future development options, minimize environmental impacts, use land resources efficiently, maximize operational efficiency, ensure development can be effectively phased, and address Federal Aviation Administration's airport design criteria.

**372.Finding:** Policies 9.41 through 9.44 provide policy direction related to Portland International Airport and are not relevant to the single-dwelling zones and other regulations that are the focus of the RIP amendments. The amendments also do not change the Portland International Airport Plan District. These policies do not apply.

## System management

**Policy 9.45. System Management.** Give preference to transportation improvements that use existing roadway capacity efficiently and that improve the safety of the system for all users.

<sup>107</sup> Letter from Nate Takara, Assistant Fire Marshall to Morgan Tracy, BPS, January 24, 2020

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**9.45.a.** Support regional equity measures for transportation system evaluation.

**373.Finding:** The RIP amendments do not propose specific transportation improvements. Projects within the TSP that have been identified to address future roadway congestion in areas that may potentially be affected by RIP amendments are projects to create added capacity to improve the safety of the system for all users.

**Policy 9.46. Traffic management.** Evaluate and encourage traffic speed and volume to be consistent with street classifications and desired land uses to improve safety, preserve and enhance neighborhood livability, and meet system goals of calming vehicle traffic through a combination of enforcement, engineering, and education efforts.

**9.46.a.** Use traffic calming tools, traffic diversion and other available tools and methods to create and maintain sufficiently low automotive volumes and speeds on neighborhood greenways to ensure comfortable cycling environment on the street.

**374.Finding:** This policy is about traffic speed and road design to ensure the classifications and hierarchies within the TSP are maintained consistent with the anticipated land uses. The RIP amendments allow additional housing types within single dwelling zones. Approximately 92% of the RIP zoned parcels are on local street designations. These streets are intended to distribute local traffic and provide access to local residences or commercial uses. The anticipated land use and development should discourage auto-oriented land uses from using Local Service Traffic Streets as their primary access. Auto oriented development is defined in the TSP as development that is either: 1) auto-related (such as gas stations and auto repair shops) or 2) auto-accommodating (by its design attracts primarily customers and employees arriving by automobile, such as drive-in restaurants). The housing types allowed by the RIP amendments (2 units on all lots in RIP zones, up to 4 units in most other lots in RIP zones and up to 6 units when certain affordability requirements are met) are not auto-oriented uses, and therefore complement the street design classifications in the TSP. While a localized increase of traffic volumes may occur on a street with the increase in units, there is no evidence to suggest that residents in a duplex, triplex, fourplex, or multi dwelling building with up to 6 units drive any differently than residents in a single-dwelling house. Therefore, the roadway designs and speed designations are unaffected by the RIP amendments.

**Policy 9.47. Connectivity.** Establish an interconnected, multimodal transportation system to serve centers and other significant locations. Promote a logical, direct, and connected street system through street spacing guidelines and district-specific street plans found in the Transportation System Plan, and prioritize access to specific places by certain modes in accordance with policies 9.6 and 9.7.

**9.47.a.** Develop conceptual master street plans for areas of the City that have significant amounts of vacant or underdeveloped land and where the street network does not meet City and Metro connectivity guidelines.

**9.47.b.** As areas with adopted Street Plans develop, provide connectivity for all modes by developing the streets and accessways as shown on the Master Street Plan Maps in the Comprehensive Plan.

**9.47.c.** Continue to provide connectivity in areas with adopted Street Plans for all modes of travel by developing public and private streets as shown on the Master Street Plan Maps in the Comprehensive Plan.

**9.47.d.** Provide street connections with spacing of no more than 530 feet between connections except where prevented by barriers such as topography, railroads, freeways, or environmental constraints. Where streets must cross over protected water features, provide crossings at an

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average spacing of 800 to 1000 feet, unless exceptional habitat quality of length of crossing prevents a full street connection.

**9.47.e** Provide bike and pedestrian connections at approximately 330 feet intervals on public easements or rights-of-way when full street connections are not possible, except where prevented by barriers such as topography, railroads, freeways, or environmental constraints. Bike and pedestrian connections that cross protected water features should have an average spacing of no more than 530 feet, unless exceptional habitat quality or length of connection prevents a connection.

**375.Finding:** The RIP amendments do not propose specific transportation improvements, do not amend district street plans in the TSP, and do not affect the ability to establish an interconnected system. This policy does not apply.

**Policy 9.48 Technology.** Encourage the use of emerging vehicle and parking technology to improve real-time management of the transportation network and to manage and allocate parking supply and demand.

**376.Finding:** The RIP amendments remove minimum onsite parking requirements. While the combination of RIP amendments de-emphasize private car use/storage and improve the attractiveness of alternate modes of transport, with the addition of roughly 105,000 households citywide by 2035, even with fewer households opting to drive, there is likely to be more competition for on-street parking and demand for other uses of the curb lane. In so doing, these amendments create conditions that are favorable to innovation and developing technical solutions to better allocate parking supply and demand, both onsite and on street.

**Policy 9.49 Performance measures.** Establish multimodal performance measures and measures of system completeness to evaluate and monitor the adequacy of transportation services based on performance measures in goals 9.A. through 9.I. Use these measures to evaluate overall system performance, inform corridor and area-specific plans and investments, identify project and program needs, evaluate and prioritize investments, and regulate development, institutional campus growth, zone changes, Comprehensive Plan Map amendments, and conditional uses.

**9.49.a.** Eliminate deaths and serious injuries for all who share Portland streets by 2025.

**9.49.b.** Maintain or decrease the number of peak period non-freight motor vehicle trips, system-wide and within each mobility corridor to reduce or manage congestion.

**9.49.c.** By 2035, reduce the number of miles Portlanders travel by car to 11 miles per day or less, on average.

**9.49.d.** Establish mode split targets in 2040 Growth Concept areas within the City, consistent with Metro’s targets for these areas.

**9.49.e.** By 2035, increase the mode share of daily non-drive alone trips to 70 percent citywide, and to the following in the five pattern areas:

Pattern Area	2035 daily target mode share
Central City	85%
Inner Neighborhoods	70%

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Western Neighborhoods	65%
Eastern Neighborhoods	65%
Industrial and River	55%

**9.49.f.** By 2035, 70 percent of commuters walk, bike, take transit, carpool, or work from home at approximately the following rates:

Mode	Mode Share
Walk	7.5%
Bicycle	25%
Transit	25%
Carpool	10%
Single Occupant Vehicle (SOV)	30% or less
Work at home	10% below the line (calculated outside of the modal targets above)

**9.49.g.** By 2035, reduce Portland’s transportation-related carbon emissions to 50% below 1990 levels, at approximately 934,000 metric tons.

**9.49.h.** By 2025, increase the percentage of new mixed use zone building households not owning an automobile from approximately 13% (2014) to 25%, and reduce the percentage of households owning two automobiles from approximately 24% to 10%.

**9.49.i.** Develop and use alternatives to the level-of-service measure to improve safety, encourage multimodal transportation, and to evaluate and mitigate maintenance and new trip impacts from new development.

**9.49.j.** Use level-of-service, consistent with Table 9.1, as one measure to evaluate the adequacy of transportation facilities in the vicinity of sites subject to land use review.

**9.49.k.** Maintain acceptable levels of performance on state facilities and the regional arterial and throughway network, consistent with the interim standard in Table 9.2, in the development and adoption of, and amendments to, the Transportation System Plan and in legislative amendments to the Comprehensive Plan Map.

**9.49.l.** In areas identified by Metro that exceed the level-of-service in Table 9.2 and are planned to, but do not currently meet the alternative performance criteria, establish an action plan that does the following:

- Anticipates growth and future impacts of motor vehicle traffic on multimodal travel in the area

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- Establishes strategies for mitigating the future impacts of motor vehicles
- Establishes performance standards for monitoring and implementing the action plan.

Location	Standards		
	Mid-Day One-Hour Peak *	PM 2-Hour Peak *	
		1st Hour	2nd Hour
Central City, Gateway, Town Centers, Neighborhood Centers, Station Areas	0.99	1.1	0.99
I-84 (from I-5 to I-205), I-5 North (from Marquam Bridge to Interstate Bridge, OR 99- E (from Lincoln St. to OR 224), US 26 (from I-405 to Sylvan Interchange), I-405	0.99	1.1	0.99
Other Principal Arterial Routes	0.90	0.99	0.99
*The demand-to-capacity ratios in the table are for the highest two consecutive hours of the weekday traffic volumes. The mid-day peak hour is the highest 60-minute period between the hours of 9 a.m. and 3 p.m. The 2nd hour is defined as the single 60-minute period, either before or after the peak 60-minute period, whichever is highest.			

**9.49.m. Develop performance measures to track progress in creating and maintaining the transportation system.**

Finding: The TSP established multimodal performance measures and measures of system completeness. RIP amendments do not propose changes to these measures or action plans. These measures were used to evaluate overall system performance as part of the transportation impact analysis described in the findings for statewide Goal 12. The results of that analysis found that traffic from the reallocated households resulting from the RIP amendments is not significant. The added traffic is widely spread across the City. The current and proposed housing types are consistent land uses within the context of the descriptions of the functional classifications of existing or planned transportation facilities.

On 10% of the affected streets, the added traffic is between 15 and 50 vehicles in the PM peak hour. On the remainder of the affected streets, the added traffic is fewer than 15 vehicles, or less than 1% of the projected base traffic in 2035. With the exception of several “hot spot” streets of concern described below, this additional traffic is not expected to degrade the performance of existing or planned transportation facilities such that they would not meet the performance standards in the TSP.

As part of the 2035 Comprehensive Plan process, PBOT and ODOT identified a list of “hot spot” streets of concern where future congestion may make it difficult for jurisdictional standards to be met. Of the 60 citywide miles of roadways on the concern list, almost all will see added traffic under

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RIP. This includes 20% of the streets of concern (by length) that are projected to be congested in the future base traffic in 2035.

The additional projected automobile traffic from RIP causes the link Vehicle/Capacity (v/c) to increase by 0.02 points at 11 roadway segments on a total of 7 roads. This level of impact can be readily addressed by existing planned projects and programs, and does not change investment priorities. Therefore, this policy is not affected.

**Policy 9.50 Regional congestion management.** Coordinate with Metro to establish new regional multimodal mobility standards that prioritize transit, freight, and system completeness.

**9.50.a.** Create a regional congestion management approach, including a market-based system, to price or charge for auto trips and parking, better account for the cost of auto trips, and to more efficiently manage the regional system.

**Policy 9.51. Multimodal Mixed-Use Area.** Manage Central City Plan amendments in accordance with the designated Central City Multimodal Mixed-Use Area (MMA) in the geography indicated in Figure 9-2. The MMA renders congestion / mobility standards inapplicable to any proposed plan amendments under OAR 660-0012-0060(10).

**377.Finding:** The Multimodal mixed use area is specific to the Central City, where there are no RIP zones. Policy 9.51 does not apply.

## Transportation Demand Management

**Policy 9.52. Outreach.** Create and maintain TDM outreach programs that work with Transportation Management Associations (TMA), residents, employers, and employees that increase the modal share of walking, bicycling, and shared vehicle trips while reducing private vehicle ownership, parking demand, and drive-alone trips, especially during peak periods.

**Policy 9.53. New development.** Create and maintain TDM regulations and services that prevent and reduce traffic and parking impacts from new development and redevelopment. Encourage coordinated area-wide delivery of TDM programs. Monitor and improve the performance of private-sector TDM programs.

**Policy 9.54. Projects and programs.** Integrate TDM information into transportation project and program development and implementation to increase use of new multimodal transportation projects and services.

**378.Finding.** Policies 9.52 through 9.54 provide direction regarding transportation demand management. When City Council adopted regulatory changes as part of the 2035 Comprehensive Plan Update Task 5 Early Implementation Project, they determined that only developments of 10 or more units would be required to meet TDM plan requirements (payment of a fee per unit at ~\$1,100 per unit, and building owners must distribute transportation options to new tenants and complete an annual transportation survey for the first four years after the project is completed). None of the RIP housing types meet this threshold for requiring these TDM measures, and Council has not chosen to revise the threshold as part of these amendments. Beyond these regulatory requirements, PBOTs TDM programs include Safe Routes to Schools, Smart Trips, Sunday Parkways, Area Parking Permit Program, Metered Parking and the Transportation Wallet which pairs parking pricing with financial incentives for alternative modes of transportation. The RIP amendments do not affect these existing TDM outreach programs and new households that locate in the additional housing types in RIP zones may still benefit from these programs (such as new residents being

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provided with transportation options information and incentives) and as improvements are made along nearby school routes.

### Parking management

**Policy 9.55. Parking management.** Reduce parking demand and manage supply to improve pedestrian, bicycle and transit mode share, neighborhood livability, safety, business district vitality, vehicle miles traveled (VMT) reduction, and air quality. Implement strategies that reduce demand for new parking and private vehicle ownership, and that help maintain optimal parking occupancy and availability.

**379. Finding:** This policy calls for reduced parking demand and parking supply management that help to maintain optimal parking utilization. There are several ways to effectively manage parking supply<sup>108</sup>, including unbundling parking, improving walkability, shared parking and Smart Growth and Location Efficient Development to reduce reliance on automotive trips. The RIP amendments eliminate minimum off-street parking requirements for residential uses in single dwelling zones. This unbundling of parking is one tool to reduce parking demand and improve other transportation mode share and walkability. “One strategy is to limit total parking capacity to encourage a shift to non-automobile transportation modes. Municipalities can begin by eliminating parking minimums, as Minneapolis did in its new 2040 comprehensive plan. Many cities still require a certain number of parking stalls in new developments, which can produce excess automobile capacity — thus encouraging driving — and result in underused or inactive parking adjacent to the public realm, ultimately undermining community walkability.”<sup>109</sup> Limiting garages and parking on narrow lots helps maintain on street parking which can dynamically be shared by more people, as opposed to on-site parking spaces which are only available and used by residents of the site.

**Policy 9.56. Curb Zone.** Recognize that the Curb Zone is a public space, a physical and spatial asset that has value and cost. Evaluate whether, when, and where parking is the highest and best use of this public space in support of broad City policy goals and local land use context. Establish thresholds to utilize parking management and pricing tools in areas with high parking demand to ensure adequate on-street parking supply during peak periods.

**380. Finding:** The RIP amendments support this policy by eliminating minimum off-street parking in single dwelling zones which reduces the need for curb cuts and driveways, effectively increasing the amount of uninterrupted curb space. The changes also require that parking access for parcels that abut alleys be from the alley, further increasing the amount of uninterrupted curb space on streets in areas with alleys. Areas of high parking demand tend to be predominantly along non-local streets in mixed use centers and corridors, and not along local streets in RIP zones. For these local street areas where parking congestion may be experienced, Portland has had an Area Parking Permit Program in effect since 1981. In recent years, this program has expanded to include 17 zones with neighborhoods and businesses collaborating with PBOT to create the rules for their zone. PBOT will continue to seek opportunities to work with neighborhoods to expand the Area Parking Permit Program to address areas where traffic and parking congestion are increasing.

**Policy 9.57. On-street parking.** Manage parking and loading demand, supply, and operations in the public right of way to achieve mode share objectives, and to encourage safety, economic vitality, and livability. Use transportation demand management and pricing of parking in areas with high parking demand.

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<sup>108</sup> TDM Encyclopedia, Victoria Transport Policy Institute, November 2018

<sup>109</sup> Curbing CO2 via Parking Regs, Sam Rockwell, APA December 2019

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**381.Finding:** The Transportation Planning Rule points to the designation of residential on-street parking districts as a tool that local governments within an MPO can use to reduce reliance on automobile trips (660-012-0045). Portland has had an Area Parking Permit Program in effect since 1981. In recent years, this program has expanded to include 17 zones with neighborhoods and businesses collaborating with PBOT to create the rules for their zone. Per City Council ordinance, the Area Parking Permit Program can impose a surcharge on parking permits. The money raised from the surcharge can then be used to fund Transportation Demand Management strategies that reduce automobile trips. While only developments of 10 or more units are required to meet TDM plan requirements (payment of a fee per unit at ~\$1,100/ea, distribute transportation options to new tenants for first four years, and complete an annual transportation survey for the first four years) other aspects of PBOTs TDM programs can continue to benefit occupants in non-qualifying developments such as the Transportation Wallet program where participants can receive significantly reduced transit, bike share, and other mobility passes in exchange for forgoing an on-street parking permit. PBOT will continue to seek opportunities to work with neighborhoods to expand the Area Parking Permit Program to address areas where traffic and parking congestion are increasing.

**Policy 9.58. Off-street parking.** Limit the development of new parking spaces to achieve land use, transportation, and environmental goals, especially in locations with frequent transit service. Regulate off-street parking to achieve mode share objectives, promote compact and walkable urban form, encourage lower rates of car ownership, and promote the vitality of commercial and employment areas. Use transportation demand management and pricing of parking in areas with high parking demand.

**382.Finding:** The RIP amendments remove minimum parking requirements for residential uses in single dwelling zones and apply limitations on parking access (for parcels located on alleys) and restrict the width of street facing garages. New FAR limits apply equally to dwelling space as well as vehicle garages, therefore there is an opportunity cost to reducing useable living space for car storage. 94 percent of RIP zone parcels where additional housing types are allowed (i.e. do not have the constrained sites ('z') overlay) are located within a ¼ mile of a transit line, and 86% are within a ½ mile of frequent transit. Therefore, the amendments de-emphasize private vehicle use which encourages other types of transportation modes (e.g. walking/bicycling) and lower rates of car ownership.

**Policy 9.59. Share space and resources.** Encourage the shared use of parking and vehicles to maximize the efficient use of limited urban space.

**383.Finding:** The RIP amendments remove minimum parking requirements but continue to allow parking areas when provided to be shared between multiple households that are on one parcel (e.g. triplexes and fourplexes).

**Policy 9.60. Cost and price.** Recognize the high public and private cost of parking by encouraging prices that reflect the cost of providing parking and balance demand and supply. Discourage employee and resident parking subsidies.

**384.Finding:** This policy addresses the management of the City's transportation system and not development on private land. The RIP amendments do not change the price of parking in the City's garages or for parking permits. These policies do not apply.

**Policy 9.61. Bicycle parking.** Promote the development of new bicycle parking facilities including dedicated bike parking in the public right-of-way. Provide sufficient bicycle parking at high-capacity transit stations to enhance bicycle connection opportunities. Require provision of adequate off-street

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bicycle parking for new development and redevelopment. Encourage the provision of parking for different types of bicycles. In establishing the standards for long-term bicycle parking, consider the needs of persons with different levels of ability.

**385.Finding:** Changes to the Bicycle Parking Code, including changes that apply to the single-dwelling zones, are being made in a separate ordinance that will be considered by City Council this fall. This ordinance does not include any changes to the bicycle parking regulations.

### Finance, programs, and coordination

**Policy 9.62. Coordination.** Coordinate with state and federal agencies, local and regional governments, special districts, other City bureaus, and providers of transportation services when planning for, developing, and funding transportation facilities and services.

**386.Finding:** These policies address the planning, funding, and design of the City's transportation system and services. The RIP amendments do not change the transportation facilities or services. ODOT and TriMet were both notified as part of the legislative notice but did not submit comments. TriMet and PBOT also participated in technical advisory meetings.

**Policy 9.63. New development impacts.** Prevent, reduce, and mitigate the impacts of new development and redevelopment on the transportation system. Utilize strategies including transportation and parking demand management, transportation system analysis, and system and local impact mitigation improvements and fees.

**387.Finding:** The impacts on the transportation system from the RIP amendments were analyzed. Where streets have not been accepted for maintenance by the City or State (generally in an unimproved condition) 3 or more units on a site is not allowed in RIP zones. This helps prevent impacts of redevelopment on these substandard streets, until such streets are improved. In addition, redevelopment that increase the number of dwelling units will be subject to paying systems development charges that help support improvements to the overall transportation system.

**Policy 9.64. Education and encouragement.** Create, maintain, and coordinate educational and encouragement programs that support multimodal transportation and that emphasize safety for all modes of transportation. Ensure that these programs are accessible to historically under-served and under-represented populations.

**Policy 9.65. Telecommuting.** Promote telecommuting and the use of communications technology to reduce travel demand.

**Policy 9.66. Project and program selection criteria.** Establish transportation project and program selection criteria consistent with goals 9A through 9I, to cost-effectively achieve access, placemaking, sustainability, equity, health, prosperity, and safety goals.

**388.Finding:** Policies 9.64 through 9.66 address the funding and management of the City's transportation system and programs and not development on private land. These policies do not apply.

**Policy 9.67. Funding.** Encourage the development of a range of stable transportation funding sources that provide adequate resources to build and maintain an equitable and sustainable transportation system.

**389.Finding:** Policy 9.67 doesn't apply to the RIP amendments because they do not address, or make recommendations related to, funding for building or maintaining the transportation system. If the

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RIP project included recommendations related to funding for building or maintaining the transportation system, then this policy would apply and findings on the stability of the funding sources would need to be made. However, the RIP project amends the zoning code (and the Housing Code) to encourage middle housing on private land, not the funding sources for the transportation system.

### Connected and Automated Vehicles

**Policy 9.68 New mobility priorities and outcomes.** Facilitate new mobility vehicles and services with the lowest climate and congestion impacts and greatest equity benefits; with priority to vehicles that are fleet/shared ownership, fully automated, electric and, for passenger vehicles, shared by multiple passengers (known by the acronym FAVES). Develop and implement strategies for each following topic.

**9.68.a.** Ensure that all new mobility vehicles and services and levels of automated vehicles advance Vision Zero by operating safely for all users, especially for vulnerable road users. Require adequate insurance coverage for operators, customers, and the public-at-large by providers of new mobility vehicles and services.

**9.68.b.** Ensure that new mobility vehicles and services improve active transportation and shared ride travel time reliability and system efficiency by:

1. maintaining or reducing the number of vehicle trips during peak congestion periods;
2. reducing low occupancy vehicle trips during peak congestion periods;
3. paying for use of, and impact on, Portland's transportation system including factors such as congestion level, carbon footprint, vehicle miles traveled, vehicle occupancy, and vehicle energy efficiency; and
4. supporting and encouraging use of public transportation.

**9.68.c.** Cut vehicle carbon pollution by reducing low occupancy "empty miles" traveled by passenger vehicles with zero or one passengers. Prioritize vehicles and services with the least climate pollution, and electric and other zero direct emission vehicles operated by fleets and carrying multiple passengers.

**9.68.d.** Make the benefits of new mobility available on an equitable basis to all segments of the community while ensuring traditionally disadvantaged communities are not disproportionately hurt by new mobility vehicles and services. This includes people with disabilities, as well as communities of color, women, and geographically underserved communities.

**9.68.e** Identify, prevent, and mitigate potential adverse impacts from new mobility vehicles and services.

**390.Finding:** Policies 9.68 addresses the provisions for and management of mobility vehicles and call for the development of implementation strategies relating to the use and design of rights of way. The RIP amendments do not relate to mobility vehicles, specifically the use or design of rights of way. These policies do not apply.

**Policy 9.69 New mobility tools.** Use a full range of tools to ensure that new mobility vehicles and services and private data communications devices installed in the City right of way contribute to achieving Comprehensive Plan and Transportation System Plan goals and policies.

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**9.69.a.** Maintain City authority to identify and develop appropriate data sharing requirements to inform and support safe, efficient, and effective management of the transportation system. Ensure that when new mobility vehicles and services use City rights-of-way or when vehicles connect with smart infrastructure within the City they share information including, but not limited to, vehicle type, occupancy, speed, travel routes, and travel times, crashes and citations, with appropriate privacy controls. Ensure that private data communications devices installed in the City right of way are required to share anonymized transportation data.

**9.69.b.** Design and manage the mobility zone, curb/flex zone, and traffic control devices, e.g. to limit speeds to increase safety, to minimize cut-through traffic, evaluate future demand for pick-up and drop-off zones, and to prioritize automated electric vehicles carrying more passengers in congested times and locations;

**9.69.c.** Evaluate the public cost and benefit of investments in wayside communication systems serving new mobility vehicles and services.

**9.69.d.** Develop sustainable user-pays funding mechanisms to support new mobility vehicle infrastructure and service investments, transportation system maintenance, and efficient system management.

**9.69.e.** Ensure that new mobility vehicles and vehicles that connect to smart City infrastructure, and private data communications devices installed in the City right of way, help pay for infrastructure and service investments, and support system reliability and efficiency. Develop a tiered pricing structure that reflects vehicle and service impacts on the transportation system, including factors such as congestion level, carbon footprint, vehicle miles traveled, vehicle occupancy, and vehicle energy efficiency.

**391.Finding:** This policy addresses mobility vehicles and services and private data communications devices installed in the City right of way and not development on private land. The RIP amendments do not relate to mobility vehicles, and do not impact the use or design of rights of way. This policy does not apply.

## Chapter 10: Land Use Designations and Zoning

**Goal 10.A: Land use designations and zoning.** Effectively and efficiently carry out the goals and policies of the Comprehensive Plan through the land use designations, Zoning Map, and the Zoning Code.

The RIP amendments include changes to the zoning map and comprehensive plan map to upzone certain parcels from R5 to R2.5 that are mostly comprised of historically narrow lots (see Exhibits C and E). The RIP amendments also include the creation of a new Constrained Sites ‘z’ overlay zone and the removal of the Alternative Design Density ‘a’ overlay zone (see Exhibit D). Additionally, the amendments change the residential housing types allowed in the zoning code on lots within the RIP zones. The RIP amendments are consistent with this goal as they apply land use designations, development standards, use allowances and prohibitions, development incentives, and design standards to maintain and guide the development in the City’s single dwelling zones that is consistent with and furthers the goals and policies of the different applicable chapters of the Comprehensive Plan, as detailed by the findings of this ordinance and as described in Volumes 1-3 of the Staff Report.

**Upzones and changes to plan map designations.** Some areas with concentrations of historically narrow lots are rezoned from R5 to R2.5 in order to ascribe a zoning designation that is consistent with the underlying established lot pattern. This change requires amendments to both the Zoning Map and the Comprehensive Plan Map. The methodology outlined in Volume 1: Staff Report, Section 5.B. was used to develop the proposed Comprehensive Plan and Zoning Map amendments for historically narrow lots.

Historically narrow lots have underlying platting that creates lots that are smaller than typical for the current R5 zoning. Most of these lots are typically are 25 feet wide by 100 feet deep (2,500 square feet). The general development pattern consists of two or more combined historically narrow lots with a single house. This, in combination with subsequent R5 zoning and lot size standards, resulted in areas with R2.5 sized-lots but development patterns more consistent with 50-foot-wide lots. In 1985 the State of Oregon changed rules and required that cities recognize these substandard lots as discrete parcels. In 2019, the State passed SB534 which requires cities to allow development of at least a house on any legally platted lot, regardless of underlying zoning, with some exceptions for natural hazards and infrastructure constraints.

These lots present an opportunity for two attached houses that can be sold independent as “fee simple” units (i.e., house and land are sold together independent of the other attached unit, as opposed to rental units or condominium ownership units, where the land is owned in common). This creates more opportunity for conventional homeownership options.

Staff reviewed plats citywide to identify areas with historically narrow lots with non-conforming R5 zoning. A higher concentration of these historically narrow lot plats exists in North and Northeast Portland, less in Southeast Portland and very few in the east and west areas of the city.

The proposed rezones build on the existing pattern of R2.5 zoning to create a transition from higher density zoning (mixed-use and multi-dwelling) to surrounding single-dwelling zoning. Rezoning from R5 to R2.5 will also increase the allowable building size (Floor Area Ratio) from 0.6 FAR to 0.7 FAR, meaning these areas will provide a transition in scale from higher-intensity zones to lower-intensity zones (Policy 4.30, 4.31). For these reasons, the proposed rezoning is limited to a two- to three-block proximity to:

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- Gateway Regional Center, Town Centers and Neighborhood Centers
- Frequent bus lines, MAX light rail stations and streetcar stops
- Neighborhood amenities such as parks, community centers and schools
- Smaller nodes of commercial zoning or neighborhood-serving retail uses

These are also areas where prioritizing growth is consistent with the urban form goals of Chapter 3. In addition, the presence of the following factors weighed favorably toward effectively and efficiently carrying out the goals and policies of the Comprehensive Plan:

- Alley access (Policy 4.8) which provides parking alternatives that lead to better design of houses on narrow lots.
- Consistent zoning patterns where adjacent areas were zoned R2.5 or a higher-intensity zoning designation, to provide for a logical transition to lower-intensity zones.
- Existing development pattern where historically narrow lots have already been developed with narrow houses.

The following factors weighed unfavorably towards rezoning:

- Discontinuous and unclear zoning patterns for example, R2.5 leapfrogging across other zones or creating islands of isolated R2.5 zones were avoided.
- Publicly owned properties that are in public use were avoided.
- Areas with a high number of unimproved streets, poor connectivity or stormwater or topography issues were also avoided.

Most of these rezoned parcels are also being re-designated from Residential 5,000 to Residential 2,500. Some of these rezoned parcels already have corresponding Residential 2,500 plan designations. In rezoned areas where the current comprehensive plan designation is more intense than Residential 2,500 but still allows R2.5 zoning, the plan designation is unchanged. None of the rezoned parcels (apart from those that are being changed from the Residential 5,000 designation) include designations that do not allow R2.5 zoning.

**Amending Overlay Zones.** The RIP amendments delete the Alternative Design Density ('a') Overlay Zone. The purpose of the 'a' overlay zone, which was initially adopted in 1993, is to allow increased density for development that meets additional design compatibility requirements. The overlay zone includes provisions that allow attached houses on vacant R5 lots, flag lots in the R2.5 zone, triplexes on some R2.5 zoned lots, and additional flexibility to rebuild structures with non-conforming residential densities.

The RIP amendments include residential infill options that require attached houses on narrow lots (25 feet wide or less), create new provisions for "small" flag lots (under 3,000 square feet), and allow triplexes (as well as fourplexes or up to 6 units in limited bonus situations) on more parcels than the 'a' overlay applied to. With the additional housing types allowed in RIP zones, the non-conforming density provisions of the 'a' overlay are also less relevant (since the amendments will render many non-conforming duplexes, triplexes or fourplexes conforming with respect to density). The default non-conforming provisions in Chapter 33.258 can more consistently be applied to development or densities that do not conform to current zoning standards. The Council also finds that the required design review or community design standards created a regulatory barrier that discouraged the creation of additional housing variety envisioned by the 'a'. In the 21-year period between 1995 and 2016, nearly 5,900 permits for new construction or exterior alterations were

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applied for on sites containing the 'a'. Of those, 112 (<2%) involved design review or community design standards, an indication of the low utilization of those provisions. Removing the 'a' will have little impact in the single-dwelling zones. The new base zone's additional housing types will be allowed on these lots, provided the lot is of adequate size and does not have the new 'z' overlay applied. There are 25 lots with R2.5a zoning that are large enough for a triplex today that with the application of the 'z' will be restricted from building three or four units.

In conjunction with proposed allowances for additional housing types, the RIP amendments include a new Constrained Sites ('z') Overlay Zone which would be applied to roughly 8,000 parcels zoned R2.5, R5 or R7. The purpose of the overlay is to reduce the development potential on lots with specific types of development constraints, which make the lots less suitable for three or four dwelling units. A constraints analysis was used to establish areas that would not be able to utilize additional housing types, and thus restrict the introduction of additional households into areas of higher relative risk. Areas with natural resources were likewise included in the 'z' overlay based on an updated Natural Resources Inventory (NRI), which was adopted (Ordinance 185657) and acknowledged by LCDC on June 13, 2014. The NRI identifies the location, quantity, and quality of all significant natural resources. The constraints included in the composite 'z' Constrained Sites overlay zone are:

- Special flood hazard area (Land area covered by the floodwaters of the base flood, as shown on the Federal Emergency Management Agency (FEMA) maps in effect on November 26, 2010);
- Floodway (The active flowing channel during a flood, as designated on the flood maps adopted under authority of Title 24 of the Portland City Code.)
- 1996 Flood Inundation area (A record peak flow in February of 1996 caused the Willamette River and its major tributaries to flood. This map was created to delineate the inundated areas near the mainstem and major tributaries of the Willamette River)
- Potential Rapidly Moving Landslide Hazard Zones (as shown in the DOGAMI IMS-22 publication)
- Deep landslide—High Susceptibility or Landslide Deposit or Scarp as shown in the DOGAMI IMS-57 publication
- Low, medium, or high value resources pursuant to the adopted Natural Resources Inventory

A new Constrained Sites ('z') overlay zone not only limits these housing types in areas with natural resources and/or increased natural hazards, consistent with the policies in the *2035 Comprehensive Plan*, it does so in a clear, transparent and efficient manner.

**Zoning Code changes.** The amended purpose statement in 33.110.010 in the zoning code states that "the single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing and provide options for infill housing that is compatible with the scale of the single-dwelling neighborhood."

The primary use in the single dwelling zones will remain single dwelling development. Over the past decade of periodic review, the City assembled a factual base to support its housing policy choices through community testimony and reports and analysis developed during Tasks 2 and 3. The City determined Policy 5.6 was a logical culmination of findings initially identified in Tasks 2 and 3, as early as 2010, citing work task reports that discuss the emerging trend of the middle housing accessory dwelling unit building type, projected reductions in single-family rental opportunities, and strategies to reduce the cost burden that households face. While the housing types collectively

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referred to as “middle housing” were not consistently referred to as such in Tasks 2 and 3, these housing types were being considered as strategies to provide a range of housing. Similarly, the City explained that Task 3’s Growth Scenarios report produced several conclusions directly related to the development of Policy 5.6. Notably, the report categorizes many middle housing types including duplexes, triplexes, and shared courtyard units as “single family residences” or “single family residential.” Development limitations on maximum building size, along with standards that address street facing facades, main entrances, parking placement and garage design all support more compatible infill of these middle housing types with single dwelling areas.

According to tax assessor data, there are currently about 131,000 tax accounts (parcels) in RIP zones. Of those, there are approximately 119,000 single dwellings (91% of all parcels). Nonresidential uses, including non-conforming or uses allowed conditionally, account for about 1,450 parcels (1%). There are approximately 4,900 duplexes, triplexes, fourplexes (3.7%) and about 2,000 houses with ADUs (1.5%). Other residential uses (greater than 4 units) presently account for less than 443 lots or 0.3%. Lastly, there are about 2,850 vacant sites (a little over 2%).

Based on the RIP capacity and growth allocation model, the forecasted household allocation in RIP zones will increase from the Comprehensive Plan forecast of approximately 16,200 dwelling units to 20,100 dwelling units. Whereas previously the mix of forecasted housing types in these zones was almost exclusively single houses and ADUs, the RIP amendments provide additional incentives (by means of extra floor area) for creating more than a single house on a site so that the mix of housing in these zones may consist of houses, duplexes, triplexes, fourplexes and ADUs. The model did not determine the specific housing type mix for these allocated units, only the number and geographic distribution of dwelling units.

To better understand the effect of this introduced housing diversity in RIP zones, the following scenarios were used to determine the maximum share of single dwellings to duplexes (the lowest efficiency type for accommodating units) and fourplexes (the most efficient) over this planning period<sup>110</sup>. The scenarios look at both the share should all new units be created in new buildings added to the existing mix of houses as well as if no additional buildings were built, and new units were completely realized through conversion of existing houses (a net reduction in the number of houses).

- Current share of houses=119,378 (91.1%)
- Forecasted share of houses if all new units are in newly added fourplexes = 87.7% (119,378 houses to 5,025 added fourplexes)
- Forecasted share of houses if all new units are in newly added duplexes = 84.6% (119,378 houses to 10,050 added duplexes)
- Forecasted share of houses if all new units result from fourplex conversions of existing houses =86% (119,378 - 6,666 converted houses = 112,712 houses to 6,666 added fourplexes)
- Forecasted share of houses if all new units result from duplex conversions of existing houses = 75.8% (119,378 -20,000 converted houses = 99,378 houses to 20,000 added duplexes)

It is unlikely that the share of housing units added over the planning period would be so skewed to a single housing type, especially given the historical utilization rates of duplex allowances. However, what this does show is that even with this unlikely scenario where none of the new units produced over the planning period is a single dwelling (house), single-dwellings continue to maintain between

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<sup>110</sup> RIP zone parcel geography stats, BPS 2020

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a nearly 76% to 88% share of the development types in these zones (including the existing mix of conditional uses, and non-conforming development).

To understand a more likely development scenario, House Bill 2001 provides for certain base assumptions for cities’ updates to their buildable lands inventories, stating that “the density expectations may not project an increase in residential capacity above achieved density by more than three percent without quantifiable validation of such departures”.

Corner lot duplexes and attached houses have been allowed citywide in R20-R2.5 zones since 1991. An inventory of assessor data showed that in RIP zones, the “capture rate” or utilization of the corner lot duplex provision ranged from 3.4 to 5.4 percent of corner lots depending on their proximity to designated centers. The highest quantified validation for duplex utilization under current zoning rules (which looks at the number of corner lots where duplexes exist, and does not account for RIP limitations on FAR which reduce the total allowed building size) is 6.3% in close-in inner neighborhoods near higher amenity centers on the high end and 0.6% for corner lot duplexes in the Western Pattern area on the low end, see the table below<sup>111</sup>:

<b>Corner lot duplexes (R7, R5 and R2.5 zones)</b>		
<b>Pattern Area</b>	<b>All corner lots</b>	<b>Only corner lots within ¼ mile of centers</b>
East	2.0%	2.9%
Inner	4.3%	6.3%
West	0.6%	1.7%
Citywide	3.4%	5.4%

For the reasons cited above, council finds that on balance, the RIP amendments more effectively and efficiently carry out the goals and policies of the Comprehensive Plan through the land use designations, Zoning Map, and the Zoning Code.

**Land use designations**

**Policy 10.1. Land use designations.** Apply a land use designation to all land and water within the City’s Urban Services Boundary. Apply the designation that best advances the Comprehensive Plan goals and policies. The land use designations are shown on the adopted Land Use Map and on official Zoning Maps.

**392.Finding.** The Comprehensive Plan map includes land use designations for all land and water within the City’s USB. The RIP amendments include proposed rezones and changes to the underlying land use designations that correspond to the rezones. Council interprets “best advancing the Comprehensive Plan goals and policies” to mean that with equitable consideration of the benefits and burdens of proposed plans, investments, and regulatory changes in sum total, that the Guiding Principles which reflect the culmination of the goals and policies of the Comprehensive Plan are better served. As described in the preceding findings addressing the Guiding Principles, and after carefully considering all applicable comprehensive Plan policies as described in policy 1.10, the RIP amendments and proposed changes to land use designations and corresponding regulations are found to best advance the Comprehensive Plan goals and policies.

The RIP amendments include Comprehensive Plan Map and Zoning Map amendments that upzone a number of R5 parcels to R2.5, see (Volume 2, Section 5: Map Amendments). Most of these parcels are also being re-designated from Residential 5,000 to Residential 2,500. Some of these

<sup>111</sup> See SFR lots middle housing data, BPS 2020

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rezoned parcels already have corresponding Residential 2,500 plan designations. In rezoned areas where the current comprehensive plan designation is more intense than Residential 2,500 but still allows R2.5 zoning, the plan designation is unchanged. None of the rezoned parcels (apart from those that are being changed with a Residential 5,000 designation) include designations that do not allow R2.5 zoning.

The R2.5 designation “allows a mix of housing types that are single-dwelling in character. This designation is intended for areas near, in, and along centers and corridors, near transit station areas, where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas within this designation generally do not have development constraints. This designation often serves as a transition between mixed use or multi-dwelling designations and lower density single dwelling designations.”

As illustrated in Exhibit B, Volume 3, Appendix F (R2.5 zoning changes), rezone areas and corresponding changes to the comprehensive plan map designations were selected based on existing adjacent zoning patterns, physical development factors, and proximity to centers, corridors and neighborhood amenities, and that have public services available consistent with the policies in the Comprehensive Plan.

### The Zoning Map and the Zoning Code

**Policy 10.2. Relationship of land use designations to base zones.** Apply a base zone to all land and water within the City’s urban services boundary. The base zone applied must either be a zone that corresponds to the land use designation or be a zone that does not correspond but is allowed per Figure 10-1 — Corresponding and Less-Intense Zones for Each Plan Map Designation. In some situations, there are long-term or short-term obstacles to achieving the level of development intended by the land use designation (e.g., an infrastructure improvement to serve the higher level of development is planned but not yet funded). In these situations, a less intense zone (listed in Figure 10-1) may be applied. When a land use designation is amended, the zone may also have to be changed to a corresponding zone or a zone that does not correspond but is allowed.

393. The RIP amendments include Comprehensive Plan Map and Zoning Map amendments that upzone a number of R5 parcels to R2.5, see (Volume 2, Section 5: Map Amendments). Most of these parcels are also being re-designated from Residential 5,000 to Residential 2,500. Some of these rezoned parcels already have corresponding Residential 2,500 plan designations. In rezoned areas where the current comprehensive plan designation is more intense than Residential 2,500 but still allows R2.5 zoning, the plan designation is unchanged. None of the rezoned parcels (apart from those also being changed from a Residential 5,000 designation) include designations that do not allow R2.5 zoning.

#### **Policy 10.3. Amending the Zoning Map.**

**10.3.a.** Amending a base zone may be done legislatively or quasi-judicially.

**10.3.b.** When amending a base zone quasi-judicially, the amendment must be to a corresponding zone (*see Figure 10-1 — Corresponding and Allowed Zones for Each Land Use Designation*). When a designation has more than one corresponding zone, the most appropriate zone, based on the purpose of the zone and the zoning and general land uses of surrounding lands, will be applied.

**10.3.c.** When amending a base zone legislatively, the amendment may be to a corresponding

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zone or to a zone that does not correspond but is allowed (see Figure 10-1 — *Corresponding and Allowed Zones for each Land Use Designation for zones that are allowed*). A legislative Zoning Map amendment may not be to a zone that is not allowed.

**394.Finding:** The RIP amendments include legislatively applied base zone changes to approximately 7,000 parcels from R5 to R2.5 (see Volume 2, Section 5: Map Amendments and Exhibit E). Most of these parcels are also being re-designated on the Comprehensive Plan Map from Residential 5,000 to Residential 2,500 (Exhibit C). Some of these rezoned parcels already have corresponding Residential 2,500 plan designations. In rezoned areas where the current comprehensive plan designation is more intense than Residential 2,500 but still allows R2.5 zoning, the plan designation is unchanged. None of the rezoned parcels (apart from those with a Residential 5,000 designation, which are being changed with these amendments to a conforming Residential 2,500 designation) include designations that do not allow R2.5 zoning, consistent with Figure 10-1.

**10.3.d.** An amendment to a base zone consistent with the land use designation must be approved when it is found that current public services can support the uses allowed by the zone, or that public services can be made capable by the time the development is complete. The adequacy of services is based on the proposed use and development. If a specific use and development proposal is not submitted, services must be able to support the range of uses and development allowed by the zone. For the purposes of this requirement, services include water supply, sanitary sewage disposal, stormwater management, transportation, school district capacity (where a school facility plan exists), and police and fire protection.

**395.Finding:** This policy is applicable to quasi-judicial zone change amendments. The RIP amendments are legislative. This policy does not apply.

**10.3.e.** An amendment to apply or remove an overlay zone or plan district may be done legislatively or quasi-judicially, and must be based on a study or plan document that identifies a specific characteristic, situation, or problem that is not adequately addressed by the base zone or other regulations.

**396.Finding:** The RIP amendments remove the Alternative Design Density ('a') Overlay Zone from all single dwelling zoned parcels. The purpose of the 'a' overlay zone, which was initially adopted in 1993, is to allow increased density for development that meets additional design compatibility requirements. The overlay zone includes provisions that allow attached houses on vacant R5 lots, flag lots in the R2.5 zone, triplexes on some R2.5 zoned lots, and additional flexibility to rebuild structures with non-conforming residential densities.

The RIP amendments include residential infill options that require attached houses on narrow lots (25 feet wide or less), create new provisions for "small" flag lots (under 3,000 square feet), and allow triplexes (as well as fourplexes or up to 6 units in limited bonus situations) on more parcels than the 'a' overlay applied to. With the additional housing types allowed in RIP zones, the non-conforming density provisions of the 'a' overlay are also less relevant (since the amendments will render many non-conforming duplexes, triplexes or fourplexes conforming with respect to density). The default non-conforming provisions in Chapter 33.258 can more consistently be applied to development or densities that do not conform to current zoning standards. The Council also finds that the required design review or community design standards created a regulatory barrier that discouraged the creation of additional housing variety envisioned by the 'a'. In the 21-year period between 1995 and 2016, nearly 5,900 permits for new construction or exterior alterations were applied for on sites containing the 'a'. Of those, 112 (<2%) involved design review or community design standards, an indication of the low utilization of those provisions.

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In conjunction with proposed allowances for additional housing types, the RIP amendments include a new Constrained Sites ('z') Overlay Zone which would be applied to roughly 8,000 parcels zoned R2.5, R5 or R7. The purpose of the overlay is to reduce the development potential on lots with specific types of development constraints, which make the lots less suitable for three or four dwelling units. A constraints analysis was used to establish areas that would not be able to utilize additional housing types, and thus restrict the introduction of additional households into areas of higher relative risk. Areas with natural resources were likewise included in the 'z' overlay based on an updated Natural Resources Inventory (NRI), which was adopted (Ordinance 185657) and acknowledged by LCDC on June 13, 2014. The NRI identifies the location, quantity, and quality of all significant natural resources. The constraints included in the composite 'z' Constrained Sites overlay zone are:

- Special flood hazard area (Land area covered by the floodwaters of the base flood, as shown on the Federal Emergency Management Agency (FEMA) maps in effect on November 26, 2010);
- Floodway (The active flowing channel during a flood, as designated on the flood maps adopted under authority of Title 24 of the Portland City Code.)
- 1996 Flood Inundation area (A record peak flow in February of 1996 caused the Willamette River and its major tributaries to flood. This map was created to delineate the inundated areas near the mainstem and major tributaries of the Willamette River)
- Potential Rapidly Moving Landslide Hazard Zones (as shown in the DOGAMI IMS-22 publication)
- Deep landslide—High Susceptibility or Landslide Deposit or Scarp as shown in the DOGAMI IMS-57 publication
- Low, medium, or high value resources pursuant to the adopted Natural Resources Inventory

**Policy 10.4. Amending the Zoning Code.** Amendments to the zoning regulations must be done legislatively and should be clear, concise, and applicable to a broad range of development situations faced by a growing city. Amendments should:

**10.4.a.** Promote good planning:

- Effectively and efficiently implement the Comprehensive Plan.
- Address existing and potential land use problems.
- Balance the benefits of regulations against the costs of implementation and compliance.
- Maintain Portland's competitiveness with other jurisdictions as a location in which to live, invest, and do business.

**10.4.b.** Ensure good administration of land use regulations:

- Keep regulations as simple as possible.
- Use clear and objective standards wherever possible.
- Maintain consistent procedures and limit their number.
- Establish specific approval criteria for land use reviews.
- Establish application requirements that are as reasonable as possible, and ensure they are directly tied to approval criteria.
- Emphasize administrative procedures for land use reviews.
- Avoid overlapping reviews.

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#### 10.4.c. Strive to improve the code document:

- Use clear language.
- Maintain a clear and logical organization.
- Use a format and layout that enables use of the document by lay people as well as professionals.
- Use tables and drawings to clarify and shorten the document.
- Identify and act on regulatory improvement suggestions.

**397.Finding:** Volume 2 presents the legislative amendments to the Zoning Code to implement the proposals presented in Volume 1 of this ordinance. These amendments have been made in some cases to correct or update existing regulations to be consistent with the direction of RIP, or to include new regulations and standards to allow implementation of RIP as no other provisions may exist to accomplish that task. In all cases, the Zoning Code amendments are presented in as clear and objective of a way possible to ensure the intended users will be able understand and utilize the Zoning Code as it applies to their development proposals, land use, and properties, consistent with Comprehensive Plan Policy 10.4.

The introduction of new development type allowances for triplexes and fourplexes does not detract any further from this designation than previous allowances for accessory dwelling units on any lot and corner lot duplexes, or the ability to construct triplexes in the R2.5 zone. The current mix of single dwellings to multiple unit properties in these zones is 91% to 5%. The projected allocation of new units within these zones is roughly 20,100 units (in a variety of houses, duplexes, triplexes or fourplexes) within the setting of nearly 119,000 existing single-family houses.

While the *ability* to develop more types of housing is allowed by RIP amendments, there is no *requirement* that single dwelling houses cannot be built. If no new houses were constructed as part of this mix of units, and all 20,100 units were accommodated with new multiple unit buildings, in the most extreme build out scenario, houses would continue to represent between 75 and 87 percent of the overall housing mix in these zones<sup>112</sup>. House Bill 2001 provides for certain base assumptions for cities' updates to their buildable lands inventories, stating that "the density expectations may not project an increase in residential capacity above achieved density by more than three percent without quantifiable validation of such departures". As shown in the findings for Goal 10.A, the utilization of current middle housing (corner lot duplex) allowances ranges by geography (both by pattern area of the city and proximity to centers areas) between a low of 0.6% (average of western pattern area) to a high of 6.3% (centers within inner pattern area), and a citywide range of 3.4% to 5.4% (closer to centers). This underscores that single dwellings will continue to be the primary use in these zones.

Primary is defined as "of first rank, importance, or value". While HB2001 restricts the city's ability to limit duplexes and encourages other middle housing types in single dwelling zoned areas, City Council finds that the RIP amendments continue to adhere to single family uses as being primary as evidenced by the zoning code development standards in these zones that continue the pattern of single primary structure forms, in a lower set building scale with generous setbacks and limited heights that respect and are consistent with the single dwelling character. Furthermore, with the current and future units that continue to comprise more than 75% of the development types (and more realistically closer to within the single-family zones houses remain the primary development

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<sup>112</sup> RIP zone parcel geography stats, BPS 2020

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type and are thereby consistent with their designations which describe single-dwelling residential as the primary use.

## Part IV. Area-Specific Plans

To the extent 33.835.040 requires Council to consider whether the amendments are consistent with area plans, these are the only areas plans associated with the regulations because they are the only adopted area plans that include policies related to the single-dwelling zones:

Albina Community Plan (Ordinances 166786 and 167054, effective 1993)

Outer Southeast Community Plan (Ordinance 169763, effective 1996)

Southwest Community Plan Vision, Policies and Objectives (Ordinance 174667, effective 2000)

**398.Finding:** The City Council has identified the following policies and objectives to be applicable to the RIP amendments.

### ALBINA COMMUNITY PLAN (1993)

#### Policy Area I: Land Use

#### Policy B: Livable Neighborhoods

Protect and improve the livability of the residential neighborhoods within the Albina Community. Direct new development activity to those areas that have experienced or are experiencing a loss of housing. Ensure the compatibility of new development with nearby housing. Foster the development of complete neighborhoods that have service and retail businesses located within or conveniently near to them. Promote increases in residential density without creating economic pressure for the clearance of sound housing.

**399.Finding:** The RIP amendments support this policy by encouraging new development activity for additional housing units on vacant and underutilized sites. At the same time the economic analysis shows that RIP's new limits to the amount of floor area that can be built on a site decrease incentive to demolish sound housing by reducing the residual land value for parcels subject to redevelopment. This means that it is less economically feasible to purchase "full price" houses, demolish them and build less square footage than what was previously allowed. In other words, the houses more likely to be redeveloped will be distressed or otherwise comparatively less expensive than other homes in the immediate vicinity.

RIP amendments protect and improve neighborhood livability through design and development rules for new residential development in a number of ways already described in other findings including limitations of the size, height and siting of new residential buildings. These limitations are set to reign in the possibility of new development that is unacceptably large given neighborhood context. RIP also better ensures new development protects and improves the public realm through limitations on street facing garages and location of vehicle areas that disrupt the pattern of how houses address streets and sidewalks. New development on narrow lots will also be improved through requirements for attached housing to better reflect existing development on wider lots.

**Objective 3.** Review new infill development to ensure that it reinforces the neighborhood's positive characteristics.

**400.Finding:** The Albina Plan identifies a range of positive and negative characteristics of Albina's single-dwelling housing in 1993. "On the positive side, the old buildings and homes are an investment from the past that can be continuously used and adapted to meet new demands for space by both residential and non-residential users." However, the Plan describes the predominance of single-

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dwelling detached homes as a limitation that results in less availability of housing options for “low, moderate, or middle-income households searching for housing.” (Page 12: Albina Community Plan, 1993). The Plan goes on to propose a new zoning tool, embodies principles similar to those expanded almost 30 years later by RIP. “The Alternative Design Density overlay encourages infill development in existing residential neighborhoods such as the development of second units through remodeling or expansion of existing structures.” Like RIP, these provisions used development standards “to ensure compatibility of new development with positive features of surrounding neighborhoods...” (Page 16: Albina Community Plan, 1993)

Specifically, RIP includes regulations that will require staff review (through clear and objective standards) to ensure that new development includes elements that reinforce the positive characteristics of residential neighborhoods, such as through expanded requirements for landscaped front setbacks, outdoor space, street-oriented entrances, and limitations on front garages and parking. Moreover, reductions in on-site parking requirements will help to retain continuous sidewalks and provide more area on the lot for outdoor area and trees. Consistent with the purpose of the Albina Plan District, “infill housing compatibility and affordability is encouraged by eliminating off-street parking requirements for small multi-dwelling housing projects.”

#### **Policy C: A Pattern of Green**

Enhance the Albina area with attractive and well-maintained parks and open spaces. Ensure that open space and recreation facilities in the Albina Community meet the needs of present and future residents. Develop green links between Albina's parks and recreational facilities, its residential areas, a City-wide system of green spaces and nearby natural areas.

**Objective 6.** Provide landscaping and street trees with new development and major remodeling projects.

**401.Finding:** Reductions in required on-site parking provide greater opportunities for additional landscaping and street trees. On site tree density and street tree planting requirements of Title 11 ensure that street trees will be planted with new development and major remodeling. Landscaping requirements are also applied to narrow lot development.

#### **Policy E: Transit Supportive Land Use**

Focus new development at locations along transportation corridors that offer opportunities for transit supportive developments and foster the creation of good environments for pedestrians in these areas.

**Objective 1.** Increase opportunities for people to live near where they work and shop by locating higher density housing near commercial and institutional areas.

**Objective 2.** Create opportunities for new housing development near Portland Community College's Cascade Campus and near Concordia College.

**Objective 4.** Consider increasing allowable density to transit supportive levels at locations that are within one-quarter mile of transit streets.

**402.Finding:** The RIP amendments support these transit supportive land use policies through provisions that provide flexibility for more units on sites in single-dwelling zones and by regulations that promote pedestrian-friendly street environments. 94 percent of lots in single dwelling zones without the ‘z’ constrained overlay zone is within a quarter mile of streets with transit. This increases the potential numbers of households within existing transit served areas. These RIP amendments that provide greater flexibility for numbers of housing units also provide more opportunities for housing close to commercial areas and Portland Community College (Cascade

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Campus) and Concordia College. Other RIP amendments promote pedestrian-oriented environments through requirements for street-oriented entrances and limitations on front parking and garages

#### **Policy Area II: Transportation**

Take full advantage of the Albina Community's location by improving its connections to the region. Emphasize light rail transit as the major transportation investment while improving access to freeways to serve industrial and employment centers. Protect neighborhood livability and the viability of commercial areas when making transportation improvements. Provide safe and attractive routes for bicyclists and pedestrians

**Objective 7.** Concentrate new residential developments and commercial investment near transit corridors.

**403.Finding:** The RIP amendments support this policy through provisions that provide flexibility for more units on sites in single-dwelling zones. 94 percent of lots in single dwelling zones without the 'z' constrained overlay zone is within a quarter mile of streets with transit. This increases the potential numbers of households within existing transit served areas.

**Objective 12.** Provide for higher density housing opportunities adjacent to the northern light rail alignment that is timed with the completion of the Environmental Impact Statement (EIS) process and the securing of funding. Limit rezonings that allow higher density housing to locations that are within 2,000 feet of the location of light rail transit stations as identified in the approved EIS.

**404.Finding:** RIP rezones select R5 areas with historically narrow platting that also are near light rail to R2.5. This change is consistent with this policy and responsive to SB534, which requires that cities allow development of at least a house (or duplex with HB2001) on any platted lot.

#### **Policy III: Business Growth and Development**

Stimulate investment, capital formation, and job creation benefiting Albina enterprises and households. Expand and diversify the area's industrial, commercial, and institutional employment base. Aggressively market the Albina Community to investors, developers, business owners, workers, households, and tourists.

**405.Finding:** The RIP amendments do not specifically relate to job creation; however, increasing the range of allowable housing types increases the capacity for additional households to live in the Albina Community. With a wider variety of housing unit sizes and configurations now possible, local business owners, managers, and employees are more likely to find a housing solution that better suits their needs, to help expand and diversify the business base.

Also, as noted in Finding 400, the Albina Community Plan saw the lack of housing options that could be built on the neighborhoods single-dwelling lots. RIP amendments address this by increasing flexibility for Albina homeowners to continue to invest and reuse their properties and potentially build value in this asset.

#### **Policy B: Commercial, Institutional and Employment Centers**

Recruit, retain, and encourage expansion of economic activities and institutions which enhance neighborhood livability. Conserve community assets and resources. Use public programs and resources to encourage more efficient design and utilization in the Albina Community's commercial, institutional and industrial centers.

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**Objective 11.** Increase the proportion of local business owners, managers, and employees who live in the Albina Community.

**406.Finding:** Increasing the potential range of housing types increases the capacity for additional households to live in the Albina Community. Zoning by itself can't dictate who lives where, but it can contribute to conditions that exclude people from living in certain places<sup>113</sup>. With a wider variety of housing unit sizes and configurations now possible, local business owners, managers, and employees are more likely to find a housing solution that better suits their needs. The Albina Community Plan links increasing housing options, supply and investment to this objective. It states, "depressed residential investment...in turn, leads to further erosion of the local consumer market upon which neighborhood-oriented businesses and enterprises are dependent" (Page 12: Albina Community Plan 1993).

**Policy Area V: Housing**

Increase housing opportunities for current and future residents of the Albina Community by preserving and rehabilitating the existing housing stock, constructing appropriate infill housing in residential neighborhoods and building higher density housing near business centers and major transit routes. Stimulate new housing investment by emphasizing the Albina Community's central location, established public services, and qualify housing stock.

**Objective 1.** Improve the quality and quantity of housing for Albina residents. Provide a variety of housing types for households of all sizes and incomes.

**Objective 3.** Provide opportunities for home ownership for Albina residents. Emphasize infill development that accommodates owner-occupancy and is compatible with the surrounding neighborhood.

**Objective 4.** Preserve and encourage the rehabilitation of existing sound housing, especially rental housing.

**407.Finding:** The RIP amendments support these housing objectives through provisions that change regulations to facilitate a diverse range of infill housing, incentives for preserving existing housing, and through allowances for additional units close to commercial areas and transit. The amendments support a broader diversity of housing types by allowing up to four units on a lot instead of just a single house. This combined with building size limit caps that vary by the number of units on the site ensure a greater variety of sizes, suitable for more income levels. The RIP amendments promote a range of affordable housing opportunities through expanded development bonuses for projects that include affordable housing and a new development bonus focused on projects with deeper levels of affordability (for projects in which at 50% of the units are affordable at no more than 60 percent of median area income). Other amendments provide allowances for developing historically narrow lots with attached houses, providing increased homeownership opportunities, and ensuring improved compatibility with development on wider lots.

**408.**As explained in Findings 121 and 125 other amendments include regulations intended to guide new development to be more compatible with existing residential development. As explained in Finding 122, there are several provisions relating to incentives to retain existing houses are designed to encourage preservation and rehabilitation of these homes for additional rental units or condominium ownership opportunities.

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<sup>113</sup> Historical Context of Racist Planning, BPS, September 2019

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**Policy Area IX: Community Image and Character**

**Policy B: Urban Design**

Improve the physical appearance of Albina. Enhance the desirable and distinctive characteristics of the Albina Community and its individual residential, commercial and employment districts. Strengthen visual and physical connections to the rest of the city. Mark transitions into neighborhoods and districts. Create a safe and pleasant environment for pedestrians. Strengthen the pattern of green that exists throughout the Albina Community.

**Objective 8.** Protect and enhance Albina's historic and cultural characteristics and encourage compatible, quality development.

**409.Finding:** The RIP amendments support this policy by provisions that promote the compatibility of duplex, triplex and fourplex development with existing housing and encourage historic preservation. These housing types –common in Albina and other inner neighborhoods – with new limitations on building size will integrate this higher-density development with the characteristics of Albina’s residential neighborhoods. Limitations on street facing garages and location of vehicle areas are also established to provide greater consistency with the characteristics of Albina and other residential neighborhood areas and to ensure that new development enhances the public realm of streets. Other amendments promote historic preservation by providing additional FAR when existing houses are retained as units are added to the site.

Additional protections for historic resources are included in the RIP amendments by restricting 3 or more units on sites with a resource that was demolished without City Council approval. This primarily affects contributing structures in conservation districts and conservation landmarks which are not presently protected by demolition review (which requires city approval) but instead are only limited by a 120-day demolition delay.

**Policy C: Historic Preservation**

Protect the rich historic, cultural and architectural heritage of the Albina Community for its residents, workers and visitors.

**Objective 3.** Encourage adaptive reuses of historic properties as long as the historic character of the structures are maintained.

**410.Finding:** The RIP amendments support this policy by expanding options for adaptive reuse for sites preserving historic resources, including adding more ADUs, or converting the structure into a duplex, triplex or fourplex and by allowing additional amounts of FAR when the existing structure is maintained and the front façade is not substantially (more than 25%) altered. Historic Landmarks in the Albina Plan District are subject to historic resource review when exterior alterations are proposed. Properties in the six conservation districts are additionally subject to design standards to ensure the historic character of structures is maintained. Additional protections for historic resources are included in the RIP amendments by restricting 3 or more units on sites with a resource that was demolished without City Council approval. This primarily affects contributing structures in conservation districts and conservation landmarks which are not presently protected by demolition review (which requires city approval) but instead are only limited by a 120-day demolition delay.

## OUTER SOUTHEAST COMMUNITY PLAN (1996)

### Transportation Policy

Ensure that streets in outer southeast form a network that provide for efficient travel throughout the community and to other parts of Portland and the region. Reduce congestion and pollution caused by the automobile by creating land use patterns that support transit, bike, and pedestrian travel.

**Objective 1.** Reduce the amount of automobile driving done by area residents by making it more convenient to use public transit.

a. Increase housing densities within one-quarter mile of transit streets.

**Objective 2.** Support better mass transit service by creating opportunities to develop higher density housing on or near streets with public-transit service or planned public transit service. Ensure that this housing blends in with that of surrounding residential areas.

**411.Finding:** The RIP amendments support this policy through provisions that provide flexibility for more units on sites in R2.5, R5, and R7 single dwelling-dwelling zones and by regulations that promote pedestrian-friendly street environments. 94 percent of eligible single dwelling lots are within a quarter mile of streets with transit. This means that RIP amendments that allow additional units on sites in single-dwelling zones will allow more people to live closer to transit. Other RIP amendments will foster development that blends in with East Portland residential area characteristics, such as requiring landscaped front setbacks where narrow lots are developed and limits on building scale that will help keep new development better proportioned.

### Housing Policy

Provide a variety of housing choices for outer southeast community residents of all income levels by maintaining the existing sound housing stock and promoting new housing development.

**Objective 2.** Stimulate production of new housing units by both private and nonprofit housing producers to accommodate expected population growth.

**Objective 3.** Increase opportunity for building more single-family housing in outer southeast neighborhoods.

**Objective 4.** Promote construction of attached housing designed to be owner-occupied to accommodate smaller households.

**Objective 7.** Preserve and increase the supply of housing affordable to households below the median income.

**412.Finding:** The RIP amendments support this policy and its objectives through provisions facilitating a broad range of additional housing options and by providing incentives for creating affordable housing units. These amendments include provisions that provide flexibility for more units on sites in single-dwelling zones (R7, R5, R2.5). By increasing the number of units that occupy each lot from 2 to 4 with bonus provisions to achieve up to 6 units when 50% are offered at 60% MFI, there is greater opportunity for more housing units to be produced in each development occurrence. With these incentives and allowances private and nonprofit housing producers are better able to accommodate expected population growth in more types of housing to suit a greater range of housing needs and income levels. To promote the construction of attached houses, several areas in the outer Southeast plan area are rezoned from R5 to R2.5 to reflect the underlying historically narrow lot platting pattern. This rezoning signals to owners and builders that attached housing is anticipated in these areas. These narrow lot attached houses offer fee simple homeownership options for smaller households.

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**Open Space and Environment Policy**

Provide parks and open spaces to meet projected recreational needs of outer southeast residents. Create a sense of connection with the natural environment. Protect natural resources by reducing the impact of development on them.

Objectives:

**Objective 7.** Protect and improve water quality within the Johnson Creek Basin.

- Improve flood plain management.
- Encourage responsible flood plain development.

**413.Finding:** The RIP amendments include a new overlay zone ('z' constrained sites overlay) that restricts development of 3 or more units on lots in flood prone areas. This reduces the pressure to develop in floodplains and reduces the total asset risk in these areas. The 'z' overlay additionally restricts development of 3 or more units on lots with inventoried natural resources to reduce the impact of development on them.

**Objective 9.** Improve the appearance and livability of outer southeast neighborhoods.

**414.Finding:** The RIP amendments include provisions that apply to several areas of East Portland where alleys are present. In these cases, access to vehicle parking must be from the alley. This helps improve the appearance of front yards by eliminating driveways in favor of greenspace. Other standards address building scale and height, limit garages and front parking, and improve the relationship of the front door to the ground, limiting tall flights of stairs to the front door, which improves the approachability of the dwelling.

**Public Safety Policy**

Apply CPTED principles to both public and private development projects. Encourage land use arrangements and street patterns that provide more eyes on the street. Encourage site layouts and building designs that encourage proprietary attitudes and natural surveillance over shared and public spaces.

**Objective 1.** Promote a mix of development and uses at focal points and attractions that provide round-the-clock surveillance.

**415.Finding:** The RIP amendments allow for a greater mix of development types in locations previously restricted to a single house and ADU. Together with street facing window requirements, and minimizing the amount of blank garage walls, increasing the number of households that reside on a lot increases the potential for more people to be at home at any particular time with more street facing windows which increases opportunities for natural surveillance, a CPTED principle.

**Objective 3.** Encourage development of new detached and attached residences with porches, balconies, and windows that overlook the street. Set the garage back from the front of the building.

**416.Finding:** The RIP amendments allow both detached and attached houses, including side by side multi plex units (duplexes, triplexes, fourplexes and sixplexes) that that can be oriented to the street like attached housing. The base zone development standards include minimum street facing window and main entrance requirements and require that garages either match the front building line or be setback from it.

**Subarea Policy I – Traditional Urban Neighborhoods**

Preserve the fabric of these traditional residential neighborhoods and streetcar era commercial districts. Promote construction of new housing on or near transit streets and "Main Street" development on portions of Foster Road, Stark, and Glisan Streets. Encourage infill development.

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**Objective 4.** Encourage compatible infill at densities which support transit on vacant lots in established residential areas.

**417.Finding:** Transit supportive densities for frequent service are generally 15 or more units per acre<sup>114</sup>. In the R7 zone (the lowest density of the three RIP zones), the base density is roughly 6 units per acre. The RIP amendments provide up to 4 units on each lot, providing opportunities for achieving greater transit supportive densities in these areas. This can be accomplished on vacant lots, conversion of houses on developed lots, or adding ADU's to houses or duplexes.

**Subarea Policy II – 82<sup>nd</sup> Avenue/I-205 Corridor**

Promote the revitalization of 82nd Avenue. Increase the number and variety of jobs provided in these areas. Enlarge the market for local retail and service businesses by increasing housing opportunity.

**Objective 6.** Create opportunity for higher-density residential development along transit streets and in areas with vacant residential land.

**418.Finding:** The RIP amendments allow for a greater mix of development types in locations previously restricted to a single house and ADU. This provides opportunity for higher density development along transit streets in locations where those streets are zoned R2.5, R5 or R7. Moreover, vacant land is more attractive to development of these housing types as the comparative cost to purchase a vacant lot to a lot with structures on it will generally be lower, holding parcel size and location constant.

**Subarea Policy III - Lents Town Center Policy**

Foster the development of a Lents Town Center that attracts employment opportunities, residential density, and recreational activities while reducing adverse environmental impacts.

**Objective 4.** Ensure a wide range of housing in terms of structure, ownership, rental patterns, and price.

**419.Finding:** The RIP amendments allow for a greater mix of housing types in locations previously restricted to a single house and ADU. This creates opportunities for a wider range of housing structure types, and with a greater range of unit sizes. The zoning code is tenure neutral, meaning that it does not regulate whether housing is owned or rented. Due to land division limitations, the most likely form of ownership for multi-unit buildings will be as condominiums. Also, since buildings above 3 units must use the commercial building code the cost of development may make them more prone to be rental units<sup>115</sup>. The amendments also rezone a portion of the Lents subarea to R2.5. This area is comprised of historically narrow lots, which are well-positioned to create fee simple homeownership opportunities based on the presence of the underlying lot lines and existing lots.

**Subarea Policy V – MAX LRT Corridor**

Ensure that private development reinforces and is reinforced by the public light rail investment by encouraging development of intense commercial and dense residential uses near the MAX light rail stations.

**Objective 4.** Increase housing densities within one-half mile of the light rail stations to at least the higher density single family designations as the appropriate opportunity arises.

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<sup>114</sup> Community Characteristics Promoting Transit and Walking Dr. John Holtzclaw, March 2007

<sup>115</sup> Economic Analysis of Proposed changes to the Single-dwelling zone development standards, Johnson Economics, November 2018

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**420.Finding:** The RIP rezoning of R5 area to R2.5 is located directly between two light rail stations each within a half mile of the rezoned area. Therefore, this objective is met.

**Subarea Policy VI – Suburban Neighborhoods**

Enhance established suburban neighborhoods by improving connections to transit and shopping, reinforcing transit, providing new open space and focusing development on infill and opportunity sites.

**Objective 1.** Increase single-family housing densities where there are a number of vacant or underused lots.

**421.Finding:** The RIP amendments increase the allowable housing densities within most properties zoned R2.5, R5, and R7 from one house to up to four or six units. The zoning code does not make the distinction based on the vacancy or development utility of lots, however, where vacant or underutilized lots are developed, they are now able to develop at higher densities than previously allowed. Additionally, the RIP amendments include a number of added incentives designed to encourage retaining and converting existing houses, including additional FAR, greater flexibility for basement ADU creation, and the ability to add 250 square feet regardless of FAR limits every five years.

**Subarea Policy VII – Mixed-Era Neighborhoods**

Provide for the orderly development of new housing at urban densities and ensure that residential areas are served by convenient neighborhood commercial centers and transit.

Objectives:

**Objective 1.** Increase the single-family housing opportunity in areas where there are large lots and vacant properties suitable for development.

**422.Finding:** The RIP amendments increase the allowable housing densities within most properties zoned R2.5, R5, and R7 from one house to up to four or six units. The zoning code does not make the distinction based on the vacancy or development suitability of lots, however, where vacant or underutilized lots are developed, they are now able to develop at higher densities than previously allowed. New requirements also ensure greater utilization of double sized lots in these zones by requiring at least two dwelling units with new development.

**Objective 10.** Ensure that potential development permitted by the Comprehensive Plan within the Johnson Creek flood plain does not contribute to the Johnson Creek flooding problem.

**423.Finding:** The RIP amendments restrict 3 or more unit development where flood plains are present. This, in combination with reductions in maximum building scale reduce the overall volume of development potential in the Johnson Creek flood plain area. Existing density transfers continue to be allowed in the Johnson Creek Plan District to transfer density from the flood plain to other areas of the district.

**Subarea Policy VIII – Mt. Scott/Johnson Creek**

Protect the natural character of the area while providing for orderly urban development. Provide for the recreational needs of this newly developing area and locate new housing opportunity near Powell Butte.

**Objective 5.** Create zoning incentives which encourage the orderly urbanization of environmentally constrained and unserved areas.

**424.Finding:** The RIP amendments restrict 3 or more unit development where flood plains, landslide hazards, or inventoried natural resources are present. Unserved areas are primarily in the R10, R20 and RF zones within the subarea and are not included in the housing type amendments. When development does occur in environmentally constrained areas, it must adhere to existing

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environmental regulations, which are unchanged by this ordinance. Furthermore, in the Pleasant Valley Plan District, the R7 minimum site size for a land division is 20 acres, and the minimum site size for a dwelling in the RF zone is also 20 acres. This is intended to encourage more thoughtful master planned development that can better integrate environmentally constrained areas and be at a level that can support extension of services.

### **Objective 6. Create additional opportunity for higher-density housing on vacant land near Powell Butte.**

**425.Finding:** The RIP amendments increase the allowable housing densities within most properties zoned R2.5, R5, and R7 from one house to up to four or six units. The zoning code does not make the distinction based on the vacancy or development utility of lots, however, where vacant or underutilized lots are developed, they are now able to develop at higher densities than previously allowed. New requirements ensure greater utilization of double sized lots in these zones by requiring at least two dwelling units with new development.

## **SOUTHWEST COMMUNITY PLAN (2000)**

### **Land Use and Urban Form**

Enhance Southwest Portland's sense of place as a community and a collection of distinct neighborhoods.

Accommodate Southwest Portland's share of regional growth while protecting the environment in all areas.

Encourage the realization of compact, transit and pedestrian-friendly, mixed-use centers while responding to the need for a range of housing types and prices.

Outside of the mixed-use areas, allow infill housing opportunities which increase neighborhood diversity, stability and home ownership while limiting redevelopment.

**426.Finding:** According to the Southwest Community Plan (SWCP), the area's sense of place comes from a combination of its "diversity in demographics, residential character, terrain and infrastructure, commercial and business enterprises, and public and private facilities and institutions." The SWCP uses a framework of centers, main streets and residential neighborhoods of different densities to connect the whole while responding to distinctive characteristics of the parts. The RIP amendments are designed to work within this framework; and the additional development in RIP designed, in terms of amounts, scale and standards, to specifically to fit the character of development of each single-dwelling zone. The SWCP Objective I.6. states: "Develop zoning, subdivision and design tools to promote infill development that is compatible with the desired character of established residential areas." This is exactly what RIP does by allowing for more housing opportunities while limiting the overall allowed size of new buildings in ways that maintain the sense of place characteristic of the zone and the neighborhoods to which that zone is applied.

The RIP amendments provide more ways that Southwest Portland can accommodate growth on existing developed land. RIP delivers infill development with more units on existing single-dwelling lots. This includes enabling smaller, more energy efficient and lower cost options to help both existing SW residents as they transition in their housing needs, as well as new residents of SW to support and increase the diversity in demographics of the area. With the RIP amendments, the growth allocation of 6,000 additional units in SW neighborhoods can be met with redevelopment of 2,000 fewer single-dwelling lots. This is because some of those single lots will be developed with

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multiple units as allowed by RIP units. In other words, when redevelopment occurs, it is more likely to accommodate more units on a single site, but fewer instances of redevelopment is predicted based on increases in capacity and infill expected in inner neighborhood pattern areas. RIP also allows for this growth while protecting environmental resources. The additional housing types allowed by RIP are restricted by the 'z' overlay zone on properties containing inventoried low, medium, or high natural environmental resources.

Even with the RIP amendments, most of the growth forecast for SW still will be in designated centers and corridors and in mixed-use zones as shown in the in 2035 Comprehensive Plan. This plan was found to meet objectives for compact, transit and pedestrian-friendly, mixed-use centers.

Finally, the additional housing opportunities allowed by RIP will increase the diversity of housing stock, provide more options for residents to change their housing situation while staying in the neighborhood. These units could be developed as or converted to condominium ownership to increase homeownership opportunities as well. The FAR limits and other housing retention provisions simultaneously allow diverse infill opportunities while serving to reduce incentives for redevelopment.

Develop zoning, subdivision and design tools to promote infill development that is compatible with the desired character of established residential areas.

### ***I. Community-wide Objectives***

**Objective 1.** Ensure compatibility of new development with Southwest Portland's positive qualities.

**427.Finding:** The SWCP vision identifies the "positive qualities" desired for SW Portland: These include:

"Throughout Southwest Portland, residents find a diversity of housing and transportation choices. People continue to live close to major commercial/retail corridors in higher-density housing that has allowed preservation of the lower-density inner neighborhoods."

"By 2020, the forested hills and dales of Southwest Portland and its intricate network of rills, creeks, and streams have been preserved or restored to allow an abundant return of native fish and a sustaining habitat for birds and other small wildlife."

City Council finds that RIP ensures that "residents find a diversity of housing" by increasing the diversity of allowed housing types. City Council also finds that RIP does this in a way that preserves lower-density inner neighborhoods. RIP does this by adding development limits on new building size and siting and adding design standards such as restrictions on garages and parking location, main entrance height limitations, and narrow lot design standards. RIP also changes how maximum height are measured in these zones in a way that will help new development better reflect the 2-1/2 story height of houses and reduce tall building walls on the downslope side of sloping lots.

**Objective 2.** Encourage innovative designs in public and private development that are in harmony with the natural character of Southwest Portland.

**428.Finding:** The SWCP describes "the natural character of Southwest Portland" in a number of ways. It refers to SW's terrain and streams, important natural resources and habitat, forested hills, extensive formal and informal trail network and connection to the Willamette River. City Council finds that RIP addresses how new buildings and additional housing options can be added while protecting this character.

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The ways RIP does this is by the limitations on size, siting and design of new infill in single-dwelling zones, by decreasing the market pressure to develop on more environmentally sensitive sites by increasing the number of units yielded through redevelopment or additions to already developed lots, and by limitations of use of RIP options in the “Z” overlay, which corresponds to environmentally and physically sensitive sites. Also, with RIP, e-zone regulations and the storm water manual requirements still apply.

RIP also removes barriers that discourage the use of the Planned Development (PD) review, which is a zoning tool specifically designed to encourage innovative design through allowing flexibility in development standards in exchange for meeting neighborhood compatibility criteria. RIP aligns the PD review with the land division process and changes the thresholds for PDs, which reduces both application costs (removing the requirement for a preapplication conference as well as a lower Type II application fee) and reducing process review times. Also, provisions related to density of allowed dwelling units and maximum FAR were better equalized between the PD and regular land division processes. This is also addressed in Finding 94.

**Objective 3.** Ensure that zoning designations represent densities that are likely to be achieved.

**429.Finding:** The analysis conducted in the RIP process considered both the feasibility of new development under RIP in terms of physically (what fits appropriately on a site), economically (whether demand and costs were likely to support new development) and in terms of provision of city services to new development.

zoning designations in single dwelling zones reflect the allowed lot density. For example, R5 refers to one lot on average per 5,000 square feet of area. The allowed unit density on these lots is being increased from 2 per lot to up to 4 units per lot (where the ‘z’ overlay is not present and where minimum lot size requirements are met) and potentially up to 6 units where deeper levels of affordable units are provided (50% of units at 60% MFI affordability levels). The zoning designations are not being changed in Southwest, except for one 8-acre pocket of R5 zoning with historically narrow lots which is rezoned to R2.5. In this case, the designation is changed to reflect the presence of underlying lots that are already 2,500 square feet. These lots are in areas with available sewer, water, and streets, and are not encumbered by natural hazards or resources.

(b) Encourage redevelopment that has clear public benefit, fewer adverse consequences, minimal environmental limitations and adequate infrastructure.

**430.Finding:** The RIP amendments include a number of measures to encourage existing house retention including the FAR limits themselves which discourage demolitions by reducing residual land values, FAR bonuses for retaining and adding units to an existing house, ADU flexibility, visitability waivers for existing structures, and small additions that are allowed to exceed FAR maximums. When redevelopment occurs, the FAR system is designed to encourage creation of multiple units (up to 4 units or 6 units when meeting affordability requirements). These smaller, compact plexes provide clear public benefit in terms of additional housing choices and units. With limitations on FAR and retaining existing building coverage maximums, the physical impacts are the same as or less than what was previously allowed. Moreover, such redevelopment is limited to duplexes in areas with natural resources and/or hazards (through application of the ‘z’ overlay) and will be required to conform to infrastructure bureau standards at the time of development.

(c) Ensure that development and redevelopment occurring outside of mixed-use areas respects the scale and the desired neighborhood character identified in individual neighborhood plans.

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**431.Finding:** The only adopted neighborhood plan in the Southwest Community Plan Area is the Corbett-Terwilliger-Lair Hill Neighborhood Plan (1977). Within that plan area, RIP zones are found predominantly within the Terwilliger subarea. The relevant goals identified by the Terwilliger Neighborhood are: Goal 1. retain and enhance Terwilliger as a primarily low density residential neighborhood; do not expand the A2.5 zone. Goal 2. encourage construction of housing for the elderly 8) discourage zone changes or conditional use permits in residentially zoned land for parking lots or structures. Goal 10. for geologic stability and as a buffer to the Salem Freeway keep land between Corbett and [I-5] Freeway as undeveloped open space.

The A2.5 (now called the R2.5) zone was in an area that is presently zoned R5. No zone changes are made within this neighborhood plan area with this ordinance. Under RIP R5 will allow 2 or more units under size and siting limitations. This makes the number of units on a site more aligned with R2.5, however in these cases, larger lot sizes are required and the RIP building scale limitations will keep the new development compatible w/ R5.

Also, The RIP amendments require visitable units when 3 or 4 units are developed on a site to better accommodate housing for disabled and elderly persons. Commercial parking is and remains a prohibited use in RIP zones. Land between the I-5 freeway and Corbett has been designated with the 'z' overlay due to the presence of landslide potential and natural resources which further restricts the development potential on these lots.

### **Objective 5. Support protection of historic and scenic resources in Southwest Portland.**

**432.Finding:** As described in Finding 5,122, 142 and 144, the RIP amendments do not change existing historic resource or scenic resource protections. The amendments do reduce total allowable building scale in RIP zones and alters height measurement methods which support scenic protections by reducing the potential degree of visible impact. The amendments also include several incentives to encourage retention of existing houses which can contribute to the historic fabric of Southwest.

### **Objective 6. Develop zoning, subdivision and design tools to promote infill development that is compatible with the desired character of established residential areas.**

**433.Finding:** The RIP amendments introduce a new zoning tool (FAR) to three single dwelling zones. FAR provides for flexibility to ensure that not all homes must look alike, and that massing and architecture can more readily respond to the variety of styles present in southwest. But it also provides an upper limit to the size of structures in these areas that is less than what is achievable today to improve compatibility in established residential neighborhoods.

### **Objective 9. Land use patterns near existing parks in Southwest should consider the desired neighborhood character, service level of the park, and accessibility as well as the potential impact on sensitive environmental areas.**

**434.Finding:** Portland Parks Bureau has not yet adopted levels of service tools for Portland Park facilities. The current Parks 2020 Vision goal is that there be a developed park or natural area within a ½-mile of every resident. 96% of RIP zoned parcels are within a ½ mile of one or both of these types of features. Allowing for additional units to locate near existing parks will help the Parks Bureau more efficiently achieve this vision. Application of the 'z' overlay restricts development (units and FAR) in areas with inventoried natural resources which correspond to sensitive environmental areas.

## ***II. Additional objectives for mixed use areas -***

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**435.Finding:** These objectives are not applicable to the RIP amendments as they speak to mixed use areas.

**III. Special Areas**

**A. Willamette River Greenway**

1. Protect the Willamette River and the Willamette River Greenway by supporting Statewide Goal 15 (Willamette River Greenway), the Willamette Greenway Plan, its regulations, resolutions and vision.

**436.Finding:** The RIP amendments affect a very small area of the Willamette River Greenway in southwest (along SW Miles Place). These greenway regulations are not changed by these amendments.

**B. Other Special Areas**

1. Enhance the scenic qualities of Terwilliger Boulevard and the Terwilliger Boulevard extension not currently within the Terwilliger design overlay zone.

**437.Finding:** As stated in Findings 5 and 141, RIP amendments are consistent with Statewide Planning Goal 5 and do not affect the scenic resource overlay zone, which conserves significant scenic resources identified in the City's adopted Scenic Resources Protection Plan. Also, the amendments reduce total allowable building scale in RIP zones and alters height measurement methods which support scenic protections by reducing the potential degree of visible impact for properties in RIP zones near Terwilliger Boulevard.

**PUBLIC FACILITIES**

Ensure adequate public facilities for both existing and new development through equitable funding mechanisms.

**Objective 1.** Evaluate current deficiencies in public facilities.

**438.Finding:** Public facilities were evaluated through the Comprehensive Plan Citywide systems Plan. The findings in Comprehensive Plan Goals 8 and 9 are additionally incorporated by reference.

**Objective 2.** Develop a long-range plan and strategies to improve public facilities consistent with Southwest Community Plan objectives.

**439.Finding:** Long-range plans and public facility strategies were developed in conjunction with the Comprehensive Plan Citywide Systems Plan consistent with these objectives. The RIP amendments do not include nor necessitate changes to those plans and strategies.

**Objective 3.** Ensure that the provision of new public facilities maintains or enhances the functions of existing public facilities.

**440.Finding:** New public facilities that are required with RIP related development will be provided in accordance with the Citywide Systems Plan, City Code, and current engineering practices to ensure existing facilities are maintained or enhanced.

**Objective 4.** Develop a process involving public participation to find equitable mechanisms for funding improvements to inadequate infrastructure and additional infrastructure needed for new development.

**Finding:** The Citywide Systems Plan was developed through an inclusive public participation process. The RIP amendments are not anticipated to require any major capital infrastructure improvements, but site by site development will be expected to provide for and meet its

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infrastructure needs. Also, the Local Transportation Improvement Charge (LTIC) will be available to collect funds from house and duplex development that occurs in single dwelling zones where the street improvements are not complete. The LTIC is collected by PBOT and used to construct a system of improvements on un- and under-improved local streets. LTIC revenue is allocated based on the city's adopted methodology found in LTIC Administrative Rules (TRN-1.26) as follows:

- 1: Equity: Areas with high concentrations of under-served populations to ensure everyone has access to opportunities necessary to satisfy their essential needs, advance their well-being, and achieve their full potential.
- 2: Effectiveness & Connectivity: Projects that support connectivity and fill critical gaps in the City's transportation and stormwater infrastructure.
- 3: Project Readiness: Projects that are consistent with adopted plans, informed by the results of previous community involvement efforts, cognizant of other related improvements occurring in the City, and that make efficient use of limited City resources by leveraging other funds.

The LTIC ensures that instead of piecemeal and incomplete active transportation improvements occurring on a lot by lot basis, funds are collected and applied more efficiently and effectively to complete these networks in alignment with the LTIC allocation criteria, including filling critical gaps in the City's transportation infrastructure. Recently approved changes to the LTIC ordinance expand the types of housing within single dwelling zones that are eligible to pay this charge so that triplexes, fourplexes and up to 6 plexes may now qualify. Therefore, the RIP amendments continue to enhance access by helping to fund safe and accessible pedestrian and bicycle connections to residential neighborhoods.

#### **Objective 5.** Develop land use patterns and public facilities that protect natural water courses, and consider the impacts of landslides and earthquakes.

**441.Finding:** The amendments reduce total allowable building scale in RIP zones. They additionally restrict additional housing types from areas with specific types of landslide hazards and in areas with inventoried natural resources which generally correspond to streams and other natural water courses. The amendments also maintain current building coverage limits which does not increase the potential stormwater contribution to the public stormwater facility. New construction and major alterations of existing buildings, especially those that add dwelling units, must conform to modern seismic building code regulations. As new structures are built, and existing structures are modified in accordance with the RIP amendments, this construction will be less impacted by earthquakes than construction meeting older building codes.

#### **CITIZEN INVOLVEMENT**

Ensure that the policies and objectives of the Southwest Community Plan are used to guide the collaborative actions of the city and Southwest citizens for the next 20 years. Involve citizens integrally in the Southwest Community Plan from concept through evaluation and revision.

**442.Finding:** The RIP amendments are neither evaluating or revising the SWCP. These findings for the SWCP demonstrate how the Southwest Community Plan policies and objectives were used to guide the RIP amendments. Additionally, the findings for Comprehensive Plan Goal 1, Community Involvement are incorporated by reference.

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**Objective 5.** Use the Southwest Community Plan policies and objectives to create, develop, implement or evaluate new citywide policies, programs, or project proposals to ensure that the concerns of the Southwest community are addressed.

**443.Finding:** These findings demonstrate how the Southwest Community Plan policies and objectives are being met to ensure that the concerns of the Southwest community are addressed.

**Objective 6.** Engage the Southwest community and all relevant stakeholders in discussion of the economic and demographic factors that could affect the current and future needs of development, business, and in the creation, development and successful implementation of the Southwest Community Plan.

**444.Finding:** The project Stakeholder advisory committee included representation from Southwest Neighbors Inc. Moreover, staff conducted several public outreach events at various locations in the Southwest and mailed notices to all affected property owners within the SW plan area. See also findings for Comprehensive Plan Goal 1, Community Involvement which are incorporated by reference

**Objective 9.** Obtain active participation from Southwest neighborhood associations, business associations, and other community-based organizations by soliciting recommendations from their leadership for participation on any citizen advisory committee to engage in any phase or facet of the Southwest Community Plan or plan area. Seek balance and variety on all citizen advisory committees.

**445.Finding:** The project Stakeholder advisory committee (SAC) included representation from Southwest Neighbors Inc. Variety and balance on the SAC was sought as described in the November 2015 Stakeholder Advisory Committee Charter. A key role and responsibility of SAC members was to be a conduit of information between the neighborhoods, other networks, and the City. Staff additionally conducted several public outreach events at various locations in Southwest Portland and attended neighborhood and district coalition meetings.

## HOUSING

Provide a variety of affordable housing choices adequate to meet the needs of current and future Southwest residents. Regard the existing housing stock as one resource to meet this need. Encourage development of housing types that will increase home ownership opportunities for Southwest residents.

**446.Finding:** The RIP amendments provide for a variety of lower cost housing options that are better suited to meet the range of needs of current and future residents. They include incentives for providing one unit affordable to those making up to 80% MFI. Additional bonuses allow up to 6 units when 50% of the units are affordable to those making up to 60% MFI. The realization of this additional affordable housing is dependent on available funding and programmed subsidies however, as the economic feasibility for for-profit models is generally not achievable at fewer than 20 units.

The RIP amendments also provide for lower cost alternatives than prior zoning restrictions on housing type. According to the economic feasibility analysis, by combining structure size limits with additional numbers of allowed units on a lot, the average sales/rent is decreased by over 50% when compared to single dwelling allowances alone.

The amendments regard existing housing stock as a resource to meet the housing need and therefore include incentives to retain existing houses, while still providing for added housing options either by internally converting a house or adding accessory dwelling units to the site. While the zoning code does not regulate tenure, homeownership options are encouraged by increased

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fee simple development in areas with historically narrow lots. With structure size limits on these smaller lots, these homes will tend to be lower priced homes than comparable larger homes on larger lots. Homeownership options are also provided for multi-unit buildings by converting those units to condominiums.

#### **Housing Supply and Quality**

**Objective 1.** Provide opportunities to achieve the development of new housing units over the next 20 years to accommodate new residents and the shift to smaller households.

**447.Finding:** The RIP amendments increase the range of permissible housing types from a house and one ADU and corner lot duplexes, to duplexes, triplexes, fourplexes, and sixplexes on many lots in RIP zones. These types in combination with structure size limits encourages a greater diversity of unit types and sizes better suited to match the diverse needs of southwest residents, more so than previous zoning that permitted only a single house. The combination of increasing land prices and restrictive zoning meant that home sizes had to continue to get larger in order to offset the development costs and maintain consistent with per square foot comparable pricing. Allowing for multi-units means that the site acquisition cost can be absorbed across more units, while the construction costs per square foot remain relatively similar, meaning that smaller units become more feasible to construct and sell.

**Objective 2.** Provide for diversity of size, type, and affordability of housing to meet the needs of young adults, small and large families, empty nesters, the elderly, and others.

**448.Finding:** The RIP amendments increase the range of permissible housing types from a house and one ADU and corner lot duplexes, to duplexes, triplexes, fourplexes, and sixplexes on many lots in RIP zones. These types in combination with structure size limits encourages a greater diversity of unit types and sizes and generally correspond to their affordability level which are better suited to match the diverse needs of southwest residents. The FAR limits were developed in conjunction with the housing types to ensure for a variety of studio and 1-bedroom ADUs, 1+ bedroom fourplexes, 2+ bedroom triplexes, 3+ bedroom duplexes, and 4+ bedroom houses.

**Objective 3.** Increase opportunity for building more detached single-family housing by reducing minimum lot sizes and encouraging the construction of smaller size houses.

**449.Finding:** The amendments include rezoning approximately 8 acres from R5 to R2.5 where historically narrow lots are present. Additionally, to comply with Senate Bill 534, a number of existing platted lots that are otherwise substandard in size for the base zone will now allow the development of at least a house. In the West Portland Park plat for example there are approximately 2,700 such substandard sized single dwelling zoned lots. At least 1/3 are not excluded due to lack of infrastructure or presence of natural resource or slope constraints. These smaller lot sizes provide more opportunities for single dwelling housing. Where lot widths are wider than 25 feet, these can be detached houses. The RIP amendments include structure size limits to provide for smaller size houses.

**Objective 4.** Encourage property owners to maintain and improve their homes and rental properties so that established neighborhoods remain stable and attractive as infill and redevelopment occur.

**450.Finding:** The RIP amendments do not change Title 29, Property Maintenance regulations. Therefore, the city and its residents continue to encourage property owners to maintain and improve their homes and rental properties.

#### **Affordability and Home Ownership**

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**Objective 5.** Encourage public and private developers to vary the affordability, type and size of units in new housing developments to foster the development of inclusive communities.

**451.Finding:** The RIP amendments increase the range of permissible housing types from a house and one ADU and corner lot duplexes, to duplexes, triplexes, fourplexes, and sixplexes on many lots in RIP zones. These housing types in combination with structure size limits encourages a greater diversity of unit types and sizes and generally correspond to their affordability level which are better suited to match the diverse needs of southwest residents. Together with increasing FAR, these allowances are designed to encourage public and private developers to develop these different unit types which foster the development of more inclusive communities.

**Objective 6.** Aid Southwest residents of varying income levels to become homeowners, particularly first-time homebuyers.

**452.Finding:** The zoning code is tenure neutral, and homeownership can either be achieved through fee-simple development (land and structure independently owned) or condominium ownership (land and structural elements owned in common). Either are permissible with the additional housing types allowed by the RIP amendments. Creating more of these opportunities will help Southwest residents to become homeowners. Applying building size limits provides for a variety of smaller size housing units which makes them more affordable to first time homebuyers at varying income levels. The amendments also include rezoning approximately 8 acres from R5 to R2.5 where historically narrow lots are present. Additionally, to comply with Senate Bill 534, a number of existing platted lots that are otherwise substandard in size for the base zone will now allow the development of a house. In the West Portland Park plat for example there are approximately 2,700 such substandard sized single dwelling zoned lots. Roughly 1/3 are not excluded due to presence of natural resource or steep slope constraints. These lots provide more opportunities for fee-simple single dwelling housing.

**Objective 7.** Increase the supply of affordable rental housing of all types for families. This includes units with three or more bedrooms.

**453.Finding:** The RIP amendments increase the range of permissible housing types from a house and one ADU and corner lot duplexes, to duplexes, triplexes, fourplexes, and sixplexes on many lots in RIP zones. The zoning code does not establish requirements for tenancy. While these small plex housing types could be converted to condominium units and owner occupied, they provide for readily available rental housing when not converted to condo ownership. Provisions for additional ADUs also supports multigenerational family semi-independent arrangements.

**Objective 8.** Increase Southwest Portland's supply of housing affordable to households below the median income.

**454.Finding:** The RIP amendments include incentives for providing one unit affordable to those making up to 80% of the median family income (MFI). An additional incentive is available to allow 6-plexes when 50% of the units are affordable to those making up to 60% MFI. The RIP amendments also provide for lower cost alternatives than prior restrictions on housing type. According to the economic feasibility analysis, by combining structure size limits with additional numbers of allowed units on a lot, the average sales/rent is decreased by over 50% when compared to single dwelling allowances alone. The amendments also include incentives to retain existing houses, while still providing for added housing options either by internally converting a house or adding accessory dwelling units to the site. Therefore, these amendments create market incentives to increase Southwest Portland's supply of affordable housing.

**Objective 9.** Encourage the provision of an adequate supply of mixed-income housing so that those working in Southwest can live near where they work.

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**455.Finding:** The RIP amendments include incentives for providing one unit affordable to those making up to 80% MFI. An additional incentive is available to allow 6-plexes when 50% of the units are affordable to those making up to 60% MFI. However, providing additional affordable housing is dependent on available funding and programmed subsidies. The Housing Bureau has programs and priorities to direct funds toward the ends of the housing development spectrum; larger scale multi-family developments on the one end and single-unit homeownership on the other. The bureau is currently not positioned with policies and programs to support dispersed small plex development. However, there may be other sources of funding outside of city resources that could support opportunistic projects along with this bonus.

The RIP amendments also provide for lower cost alternatives than previous zoning which restricted housing types. According to the economic feasibility analysis, by combining structure size limits with additional numbers of allowed units on a lot, the average sales/rent is decreased by over 50% when compared to single dwelling allowances alone. The amendments also include incentives to retain existing houses, while still providing for added housing options either by internally converting a house or adding accessory dwelling units to the site.

These options provide more opportunities for those working in Southwest to find housing at an income level they can afford.

## TRANSPORTATION

Provide a balanced, multimodal transportation system in Southwest Portland that encourages increases in transit use and pedestrian accessibility and connectivity, discourages non-local traffic in residential areas, manages congestion, and focuses on improving and maintaining arterial and local streets.

**Objective 11.** Evaluate the transportation impacts on neighborhoods and arterials when changing the development potential of an area.

**456.Finding:** Traffic impacts to Southwest arterials and neighborhoods are reduced as a consequence of a net reduction in allocated housing units in the area. There is only one Traffic Analysis Zone with an increase in households within the Southwest Area Plan, located at the West Portland Town Center. This area is currently part of a planning effort related to the Southwest Corridor light rail, with several mobility and transportation improvements anticipated as a result of that project. Moreover, the memo from PBOT identified no congestion issues in the Southwest area as a result of the RIP amendments<sup>116</sup>. Also see relevant findings from Statewide Goal 12, and Comprehensive Plan Goal 9 which are incorporated here by reference.

## WATERSHED

Protect and enhance Southwest Portland's environment and natural resources on a watershed by watershed basis. Integrate stormwater management into land use planning and development in a way that prevents net degradation of water quality, aquatic, streamside and riparian habitats and ecosystems, and plant and animal habitats throughout the stream corridor.

**457.Finding:** There are three major watershed basins in the Southwest Plan Area: Fanno Creek, Tryon Creek and the Willamette River. The City, along with its watershed council and other partners work together to protect and enhance these three watersheds with specific strategies that vary by watershed. This is evidenced in the 2005 Portland Watershed Management Plan and Framework for Integrated Management of Watershed Health. As demonstrated in the following findings for

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<sup>116</sup> Residential Infill Project Transportation Analysis, Bob Kellett, PBOT, March 2019

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each watershed objective, the city currently does and will continue to meet this policy with the RIP amendments.

The RIP amendments include a new overlay zone ('z' constrained sites overlay) that restricts development of 3 or more units on lots in flood prone areas. This reduces the pressure to develop in floodplains and reduces the total asset risk in these areas. The 'z' overlay additionally restricts development of 3 or more units on lots with inventoried natural resources to reduce the impact of development on them.

#### **Objective 1.** Manage stormwater runoff on a watershed-wide basis to:

- (a) Prevent any net degradation of water quality, aquatic and streamside plant and animal habitats and ecosystems, channel stability, or watershed health.
- (b) Minimize risk to public safety, private property, and public infrastructure.
- (c) Reduce the volume, velocity and pollutant load of stormwater runoff entering streams.
- (d) Improve dry season stream flows, particularly in headwater areas.

**458.Finding:** The City's Stormwater Management Manual (SWMM) addresses watershed health through development requirements. Contributions to the stormwater system occur through the addition of impervious surfaces like building coverage and/or the removal of vegetation and trees. The RIP amendments do not contribute to additional stormwater as previous building coverage limits are not being increased, Title 11 tree standards and the SWMM are unchanged. Additionally, minimum parking requirements have been removed which reduces the mandate to provide impervious driveway surfaces.

#### **Objective 2.** Integrate stormwater management solutions for individual properties into an overall Watershed Management Plan.

**459.Finding:** BES is responsible for integrating stormwater solutions through its application of the stormwater management manual (SWMM). These solutions all work toward the City's adopted 2005 Watershed Management Plan.

#### **Objective 3.** Base stormwater management on the following core values: water quality and quantity, aquatic and streamside plant and animal habitats and ecosystems, soil, stream and slope stability, and the scenic, educational and recreational values of Southwest Portland's natural areas and streams.

- (a) Integrate land and infrastructure planning and development so as to achieve the core values.
- (b) Enact and strengthen land development regulations, the permit process, and enforcement, consistent with protection of the core values, to achieve City goals.
- (c) Reflect the core values through improved planning, codes, enforcement, incentives, capital improvement projects, community stewardship, and interbureau and interjurisdictional cooperation.

**460.Finding:** The City's Stormwater Management Manual (SWMM) addresses watershed health through development requirements. The RIP amendments do not contribute to additional stormwater as previous building coverage limits are not being increased, Title 11 tree standards and the SWMM are unchanged. Additionally, minimum parking requirements have been removed which reduces the mandate to provide impervious driveway surfaces.

#### **Objective 4.** Promote the maintenance and restoration of the urban forest canopy and use of native vegetation in headwater areas, within upland forests, and along riparian and wildlife corridors.

**461.Finding:** The RIP amendments do not change the City's tree regulations in Title 11, nor are changes proposed to the environmental overlay zone regulations which restrict the use of non-native vegetation. The City's Natural Resources Inventory was used to identify low, medium and high value

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resources including headwater areas, within upland forests, and along riparian and wildlife corridors as a basis for restricting additional housing types (3 or more units per lot) in these areas. Ongoing maintenance and restoration efforts are outside the scope of this project.

**Objective 5.** Protect the structural stability and riparian conditions of stream corridors, water quality and the needs of aquatic and riparian wildlife and vegetation.

**462.Finding:** The City's Stormwater Management Manual (SWMM) addresses watershed health through development requirements. The RIP amendments do not contribute to additional stormwater as previous building coverage limits are not being increased. Improving degraded streams in conjunction with development typically occurs in conjunction with environmental review. Since the 'z' overlay restricts additional housing types (3 or more units per lot) in environmental overlay areas, restoration incentives were not included in these amendments.

**Objective 6.** Create conditions which support the recovery of threatened, endangered, and other sensitive species and remove streams from water quality-limited listings.

**463.Finding:** In addition to the City's environmental planning program and regulations, the Stormwater Management Manual (SWMM) addresses watershed health through development requirements to improve the water quality of streams in the Southwest Plan area. The RIP amendments do not contribute to additional stormwater as previous building coverage limits are not being increased. The 'z' overlay restricts additional housing types (3 or more units per lot) in environmental overlay areas. These factors together create conditions that support the recovery of threatened, endangered, and other sensitive species and work toward removing streams from water quality-limited listings.

**Objective 7.** Provide incentives, as properties are redeveloped and facilities renovated, for using new technology and management practices to improve degraded streams.

**464.Finding:** The City's Stormwater Management Manual (SWMM) addresses watershed health through development requirements and provides performance-based mechanisms for using new technologies and management practices to address the stormwater runoff contributions to degraded streams. As new development and redevelopment occur, existing deficiencies and current conditions can be improved. The RIP amendments do not lead to additional contributed stormwater as previous building coverage limits are not being increased. Existing incentives in the form of Clean River Rewards offer discounts to stormwater rates when certain stormwater conditions are met.

**Objective 8.** Support the Combined Sewer Overflow reduction and other multi-objective projects and encourage "green solutions" - projects that include planting of vegetation - to reduce stormwater, pesticide, fertilizer, and other pollutant runoff into the Willamette River.

**465.Finding:** As explained in detail as part of Finding 11, the RIP amendments do not increase maximum allowable building coverage, they reduce overall building size allowances, and eliminate minimum parking requirements. These changes all help support reductions to the Combined Sewer Overflow and other objectives by allowing for increased on site permeable area and reducing stormwater contributions in the combined system. The SWMM also requires pollutants be intercepted and filtered near the source before discharging into the stormwater system.

**Objective 9.** Integrate floodplain values of the Willamette River with developments and uses along the Willamette Greenway.

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**466.Finding:** Council interprets the floodplain values of the Willamette River as those consistent within the context of the Willamette River Greenway and its corresponding regulations. These regulations are embodied within Chapter 33.440 of the zoning code. Development and other activities are regulated to ensure that the state and local goals for the greenway are maintained including flood plain values. The RIP amendments do not change these rules. Moreover the RIP amendments integrate these values by reducing total allowable building size within the RIP zones along the Willamette River and restricting additional housing types (3 or more units per lot) on sites within the 100 year floodplain and 1996 inundation area through the application of the 'z' overlay.

**Objective 10.** Promote the restoration and protection of vegetated riparian corridors as a means to restore and preserve water quality and aquatic streamside plant and animal habitats and ecosystems.

**467.Finding:** The City's Stormwater Management Manual (SWMM) and Chapter 33.430 environmental overlay regulations address watershed health through development requirements. The RIP amendments do not contribute to additional stormwater as previous building coverage limits are not being increased. Restoring degraded streams and riparian corridors in conjunction with development is promoted in conjunction with environmental review. These together promote the restoration and protection of vegetated riparian corridors.

**Objective 11.** Protect and restore Southwest watersheds as described in Objectives 1 through 10 above by adopting and enforcing new land use regulations. These new regulations may require the amendment of existing base or overlay zone requirements, or adoption of new development standards or plan districts.

**468.Finding:** The RIP amendments do not change existing environmental overlay regulations, Stormwater Management Manual, or Tree code. Environmental overlay regulations have been amended over the years following the adoption of the SW Area Plan in compliance with these objectives. The base zone and overlay amendments within RIP are in conformance with objectives 1 through 10 as evidenced in those findings.

**Objective 12.** Ensure that public facilities are planned and developed in accordance with the Public Facilities policy herein.

**469.Finding:** The Citywide Systems Plan includes the constrained list of significant projects. These projects, when developed will be done in accordance with the City's Stormwater Management Plan principles which reflect the policies in this plan.

## Part V. Comprehensive Plan and Zoning Code Text Amendment Criteria

### 33.835.040 Approval Criteria

**A. Amendments to the zoning code.** Text amendments to the zoning code must be found to be consistent with the Comprehensive Plan, Urban Growth Management Functional Plan, and the Statewide Planning Goals. In addition, the amendments must be consistent with the intent or purpose statement for the base zone, overlay zone, plan district, use and development, or land division regulation where the amendment is proposed, and any plan associated with the regulations. The creation of a new plan district is subject to the approval criteria stated in 33.500.050.

**470.Finding:** The findings in this exhibit demonstrate how the RIP zoning code amendments are consistent with the 2035 Comprehensive Plan, the Urban Growth Management Functional Plan, and the Statewide Planning Goals. Findings showing consistency with the purpose statements are provided for each applicable purpose statement below.

The City Council interprets this criterion to require the RIP amendments show consistency on balance. Council finds that the dictionary defines “consistent” to mean “marked by harmony.” Council notes that Comprehensive Plan also defines the phrase “consistent with” to mean “the subject meets the requirements of, satisfies, or adheres to the regulations, mandate, or plan listed in the goal or policy.” Council finds that the Comprehensive Plan’s definition applies to the term as used in the Comprehensive Plan, not the Zoning Code. However, Council interprets that for the purposes of considering consistency with the Comprehensive Plan, “consistent with” requires that an ordinance adheres to the Comprehensive Plan.

Council finds that PCC 33.835.040(A) requires Council to demonstrate that the RIP Amendments are consistent with, or adheres to, the entire Comprehensive Plan. Council finds that PCC 33.835.040(A) does not require Council to demonstrate that the RIP Amendments are consistent with, or adheres to, individual goals and policies but rather the entire plan. Regardless, here, Council finds that as demonstrated in this exhibit, Council has considered all applicable goals and policies and finds that the RIP Amendments are consistent with all the individual goals and policies. Council finds that there is no applicable goal or policy that is not consistent with the RIP Amendments.

Council further finds this criterion operates in conjunction with Comprehensive Plan Policy 1.10 which requires that amendments to the comprehensive Plan’s supporting documents, such as the Zoning Code, must “comply” with the Comprehensive Plan. “Comply” means “that amendments must be evaluated against the Comprehensive Plan’s applicable goals and policies and on balance be equally or more supportive of the Comprehensive Plan as a whole than the existing language or designation.” Council finds that a proposed amendment is equally supportive when it is on its face directly supported by goals and policies in the Plan. The City Council finds that an amendment is more supportive of the Comprehensive Plan when the amendment will further advance goals and policies, particularly those that are aspirational in nature. The City Council finds that the policy requires consideration as to whether amendments are equally or more supportive of the Plan as a whole. The City Council finds that amendments do not need to be equally or more supportive of individual goals and policies, but rather amendments must be equally or more supportive of the entire Comprehensive Plan. Therefore, the Council finds that there may be instances where specific goals and policies are not supported by the amendments but still the amendment is equally or

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more supportive of the entire Comprehensive Plan when considered cumulatively. The Council finds that there is no precise mathematical equation for determining when the Plan as a whole is supported but rather such consideration requires Council discretion in evaluating the competing interests and objectives of the plan. Council finds that the RIP Amendments equally advance most of the Comprehensive Plan policies. Council further finds that the RIP Amendments are more supportive of the Comprehensive Plan with regard to the goals and policies as discussed below.

The following table includes specific references to amended sections of code and key Comprehensive Plan policies those changes help to advance. These are not indicative of all policies the RIP amendments support, advance or are consistent with, as demonstrated in the totality of these findings, nor do they reflect every change in the RIP amendments, but rather link major proposal changes with policies that Council found to be especially supported.

Proposal	Summary of change	Code reference	Key Comp Plan policy
<b>HOUSING OPTIONS AND SCALE</b>			
Allow more housing types	Allow duplex, triplex, or fourplex Allow up to 6 units Allow a house with two ADUs, or a duplex with one ADU	33.110.265.D.& E. 33.110.265.F 33.205.020	4.61, 5.1-5.8, 5.11, 5.15, 5.21, 5.25, 5.29, 5.31, 5.39, 5.43
Restrict housing types in certain situations	Unmaintained streets Demolished Historic Resources Constrained sites	33.110.265.E and F. 33.110.265.E and F. 33.418	9.9, 9.19 4.46, 4.50, 4.57 4.79, 4.80, 4.81
Limit the overall size of structures	New floor to area (FAR) standard Basements and floor area defined	33.110.210 33.910	4.3, 4.11, 4.12, 4.16, 4.18, 4.30, 4.44, 4.61
Visitability	Require one unit to be visitable, when 3 or more units are on the site Require two units to be visitable, when up to 6 units are in a building	33.110.265.E 33.205.040.C 33.270.200 33.110.265.F	3.4, 5.9, 5.19
Double-size lots	Require at least two units on oversized lots	33.110.205	3.6
Historically narrow lots	Allow historically narrow R5 lots to be confirmed	33.110.202	5.39, 5.41
Small flag lots	Allow small flag lots to be created through property line adjustments	33.677.300.C	4.60, 5.25, 5.42
Planned developments	Equivalency with land division reviews	33.270.020.B 33.854.200	3.8, 4.10, 4.75, 5.53
<b>BUILDING DESIGN</b>			
Revise height measurement	Measure from lowest point Dormer projection	33.930.050 33.110.215.C	4.22, 4.30, 4.44
Building features and articulation	Limit height of main entrance 2' eave projections	33.110.235.D 33.110.220.C.	4.5, 4.6

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More flexible ADU design	Basement ADU conversions Remove front door limitation	33.205.040.C.2 33.205.040.C.1	5.25, 5.42 5.36
Modify parking requirements	Delete minimum parking requirements Alley access requirement	33.266.110.B.2 33.266.120.C.3	5.36, 9.55, 9.56, 9.58, 9.59, 9.60 4.8
Limit garages	Garages on narrow facades/50% garage limit	33.110.250.C	3.E, 3.2, 3.43, 4.A
Building design for lots less than 32 feet wide	Limit detached house height Require attached houses	33.110.260.C.2 33.110.260.C.1	4.3 4.68

Applying both the Zoning Code criterion and Policy 1.10 together, as discussed above, Council finds that the ordinance is consistent and complies with the Comprehensive Plan.

Council also finds that this criterion requires Council to consider whether the RIP Amendments are consistent with the Urban Growth Management Functional Plan and Statewide Planning Goals. As discussed fully above, Council finds that the RIP Amendments are consistent with both the Urban Growth Management Functional Plan and the Statewide Planning Goals.

Finally, as discussed below, Council finds that this ordinance is consistent with the applicable intent or purpose statement for the base zones, overlay zones, plan district, use and development where amendments have been proposed.

No new plan district has been proposed, therefore the criteria in 33.500.050 do not apply.

For all of these reasons, Council finds that the RIP amendments are consistent and comply with each applicable policy in the Comprehensive Plan and the amendments are consistent with the Urban Growth Management Functional Plan, the Statewide Planning Goals and relevant purpose statements.

### 33.110 SINGLE DWELLING ZONES

#### 33.110.010 Purpose

The single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing and provide options for infill housing that is compatible with the scale of the single dwelling neighborhood.

- A. Use regulations.** The use regulations are intended to create, maintain and promote single-dwelling neighborhoods. They allow for some non-household living uses but not to such an extent as to sacrifice the overall image and character of the single-dwelling neighborhood.
- B. Development standards.** The development standards preserve the character of neighborhoods by providing six different zones with different densities and development standards. The development standards work together to promote desirable residential areas by addressing aesthetically pleasing environments, safety, privacy, energy conservation, and recreational opportunities. The site development standards allow for flexibility of development while maintaining compatibility within the City's various neighborhoods. In addition, the regulations provide certainty to property owners, developers, and neighbors about the limits of what is allowed. The development standards are generally written for houses on flat, regularly shaped lots. Other situations are addressed through special regulations or exceptions.

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**471.Finding:** The RIP amendments include changes to the purpose statement of this chapter reflecting the changes that allow increased infill options. The amended purpose statement notes that these infill options are to be compatible in scale with the single dwelling zones. The application of floor area ratios (FAR) limits, in addition to current scale-related development standards (height, setbacks, building coverage) ensures a compatible scale to what already exists or is smaller than what is currently allowed in single dwelling zones. The RIP amendments do not change the uses that are allowed but do increase the range of residential structure types allowed in the form of duplexes, tri-, four-, five- and six-plexes. The development standards have also been amended to address these other housing types.

### **33.205 ACCESSORY DWELLING UNITS**

#### **33.205.010 Purpose**

Accessory dwelling units are allowed in certain situations to:

- Create new housing units while respecting the look and scale of single-dwelling development;
- Increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives;
- Allow more efficient use of existing housing stock and infrastructure;
- Provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and
- Provide a broader range of accessible and more affordable housing.

**472.Finding:** The RIP amendments are consistent with the purpose of 33.205 development standards because they expand where ADUs are allowed, while maintaining the development standards that ensure the look and scale of single dwelling development is respected. The change that removes limitations on the location of front entrances for ADUs is consistent with standards that apply to single-dwelling development, which have no similar limits. The change to remove size limits for basement ADU conversions increases the viability of such conversions without affecting the exterior appearance of existing development. The change to require one unit be visitable when there are three units on the site also helps to provide a broader range of accessible housing.

### **33.251 MANUFACTURED HOMES AND MANUFACTURED DWELLING PARKS**

#### **33.251.010 Purpose**

This chapter provides standards which will allow the placement of manufactured homes, mobile homes and manufactured dwelling parks in residential areas without changing the character of existing neighborhoods. These regulations promote additional housing options and provide locational opportunities for manufactured dwellings.

**473.Finding:** The RIP amendments are consistent with the purpose of 33.251 as they remove regulatory barriers that restrict placement of some manufactured homes on individual lots and increase the ability for manufactured homes to be used as accessory dwelling units which promote additional housing options. These individual manufactured homes will continue to be subject to the same development standards that apply to conventional home construction, thereby maintaining the character of existing neighborhoods.

### **33.266 PARKING, LOADING, AND TRANSPORTATION AND PARKING DEMAND MANAGEMENT**

#### **33.266.110 Minimum Required Parking Spaces**

- A. Purpose.** The purpose of required parking spaces is to provide enough on-site parking to accommodate the majority of traffic generated by the range of uses which might locate at the

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site over time. Sites that are located in close proximity to transit, have good street connectivity, and good pedestrian facilities may need little or no off-street parking. Parking requirements should be balanced with an active pedestrian network to minimize pedestrian, bicycle and vehicle conflicts as much as possible. As shown in the active transportation network<sup>117</sup>, most of the RIP zoned parcels are well-served by these networks. Transit-supportive plazas and bicycle parking may be substituted for some required parking on a site to encourage transit use and bicycling by employees and visitors to the site. The required parking numbers correspond to broad use categories, not specific uses, in response to this long-term emphasis. Provision of carpool parking, and locating it close to the building entrance, will encourage carpool use.

**474.Finding:** The RIP amendments remove minimum parking requirements for household living uses in single dwelling zones. A key tool in transportation demand management, as identified in the Transportation Planning Rule and also cited in Policy 9.55 is parking management. To reduce reliance on automobiles, the Transportation Planning Rule requires local governments within an MPO to achieve a 10 percent reduction in the number of parking spaces per capita over a planning period (660-012-0045). The reductions in minimum parking requirements and changes to achieve greater walkable form serve to achieve these aims. This is consistent with the purpose of this chapter to balance parking with greater incentive for other modes of transportation, such as walking, biking, or transit use. Reducing the need for on-site parking for uses with relatively low trip generation, and where on-street parking is more widely available also reduces the need for curb cuts and driveways which present points of conflict for pedestrians and bicyclists. Sites in these zones are more frequently located on lower traffic roadways consistent with their designation in the TSP.

### 33.266.120 Development Standards for Houses and Duplexes

- A. Purpose.** The size and placement of vehicle parking areas are regulated in order to enhance the appearance of neighborhoods.

**475.Finding:** The RIP amendments to this section support this purpose statement, as they limit front parking by requiring sites on alleys to utilize alleys for parking access which enhances the appearance of neighborhoods by providing more space in front yards for landscaping.

### 33.270 PLANNED DEVELOPMENTS

#### 33.270.010 Purpose

The Planned Development regulations provide an opportunity for innovative and creative development. Planned Development provides a master planning mechanism for allowing additional housing types and uses, the transfer of density and floor area to different portions of a site, and across internal zoning boundaries, and bonus floor area and increased height on large sites in commercial/mixed use zones. In this case, the flexibility is allowed when the development includes features that provide public benefits.

These regulations allow flexibility, and in some cases increased intensity of development, beyond that allowed by other chapters of this Title, if the proposed development is well-designed and can be successfully integrated into the neighborhood and provides public benefits. Overall, a Planned Development is intended to promote:

- High quality design that is integrated into the broader urban fabric, and complements existing character within the site and adjacent to the site;

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<sup>117</sup> Active Transportation Routes and RIP zones, BPS April 2020

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- Development that is pedestrian-oriented, with a strong orientation towards transit and multimodal transportation alternatives;
- Building bulk, height, and orientation that ensures that light and air is accessible within the public realm, and that public view corridors are protected;
- A safe and vibrant public realm, with buildings and uses that are oriented to activate key public gathering spaces, be they public open space, transit stations, or the Willamette River;
- Open space areas that include gathering spaces and passive and/or active recreation opportunities;
- Affordable housing; and
- Energy efficient development.

**476.Finding:** The RIP amendments are consistent with the purpose of the chapter. They include new density calculations for sites in RIP zones that are outside of the 'z' overlay zone. These changes in density calculations provide parity between the new density allowances in the base zone through residential infill options and planned development sites located outside the 'z' constrained sites overlay zone. By ensuring parity in density, an applicant is offered more flexibility whether or not to pursue a planned development, that by definition allows for more innovation and creativity in site and building design. Visitability requirements are additionally included to promote more pedestrian-oriented development and feature greater accessibility as a public benefit.

#### 33.611 LOTS IN THE R2.5 ZONE

##### 33.611.010 Purpose

This chapter contains the density and lot dimension requirements for approval of a Preliminary Plan for a land division in the R2.5 zone. These requirements ensure that lots are consistent with the desired character of the zone while allowing lots to vary in size and shape provided the planned intensity of the zone is respected. This chapter works in conjunction with other chapters of this Title to ensure that land divisions create lots that can support appropriate structures in accordance with the planned intensity of the R2.5 zone.

**477.Finding:** The RIP amendments reduce minimum lot widths from 36 feet to 21 and 16 feet to better accommodate the attached housing type envisioned for the small lot R2.5 zone. Previous allowances for narrower lots relied on demonstrating consistency with existing lots, which created barriers in areas transitioning from R5 lot pattern development. This amendment also provides greater flexibility for dividing more constrained infill sites. The 16-foot minimum width for internal lots will require the lot to be at least 100 feet deep (to meet the 1,600 square foot minimum lot size). The 21-foot width for end lots provides for a 16-foot-wide house and 5 foot side setback. These dimensions provide ample room to situate the house, accommodate front and rear setbacks, and provide outdoor area. The base zone rules have also been amended to ensure that houses on these narrow lots are attached at the time of development.

#### 33.677 PROPERTY LINE ADJUSTMENT

##### 33.677.010 Purpose

This chapter states the procedures and regulations for property line adjustments. A Property Line Adjustment (PLA) is the relocation of a common property line between two abutting properties. A Property Line Adjustment does not create lots. The regulations ensure that:

- A Property Line Adjustment does not result in properties that no longer meet the requirements of this Title;

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- A Property Line Adjustment does not alter the availability of existing services to a site;
- A Property Line Adjustment does not result in properties that no longer meet conditions of approval; and
- A Property Line Adjustment does not make it difficult to delineate property boundaries or apply use and development standards predictably and uniformly.

**478.Finding:** The RIP amendments include new restrictions on lot reconfigurations that result in elimination of alley frontage. This is to adhere to new requirements in the parking chapter (33.266) that require alley access for parking and prevents property line adjustments that could circumvent this requirement. The other significant amendment to this chapter is the introduction of provisions allowing configuration of small flag lots (less than 3,000 square feet) that are intended to encourage existing house retention. These changes include standards to ensure lot size and dimensions allow predictable development of the flag lot and service availability for both lots is maintained. In addition, specific alleviation from floor to area size limits for the existing house is offered to increase the feasibility of such property line adjustment requests. The changes do not affect existing regulations that require compliance with the Title, assurances for service availability, conformance with conditions of approvals and regular lot lines in R10-R2.5 zones.

### **33.854 REVIEW OF PLANNED DEVELOPMENT**

#### **33.854.010 Purpose**

These regulations assign Planned Development Reviews to an appropriate procedure type. The approval criteria ensure that innovative and creative development is encouraged when it is well designed and integrated into the neighborhood.

**479.Finding:** The RIP amendments create improved parity between similarly intensity levels of development for both land divisions and planned developments by allowing up to 20 units in R7, R5, and R2.5 zones to be reviewed through a Type IIX procedure type. Land division sites in these zones could accommodate between 2 and 4 units, and up to 10 lots are reviewed through a Type IIX level of review. Additional refinements are added to the approval criteria to address site design, open area, accessible routes, and garbage areas which provide more guidance when multi-dwelling development types are proposed in single dwelling zones. These criteria help improve the design and better integrate the project into the neighborhood.

### **33.930 MEASUREMENTS**

#### **33.930.010 Purpose**

This Chapter explains how measurements are made in the zoning code.

**480.Finding.** The RIP amendments include revisions to the height measurement method to resolve inconsistencies and prevent unintended building heights from grade manipulation and buildings on sloping sites. The methods have also been restructured to be clearer.

**B. Amendments to the goals and policies of the Comprehensive Plan.** Text amendments to the goals and policies of the Comprehensive Plan must be found to be consistent with the Comprehensive Plan, the Urban Growth Management Functional Plan, and with the Statewide Planning Goals.

**481.Finding:** The RIP amendments make no amendments to the goals of the Comprehensive Plan. The RIP amendments make one amendment to the policies of the Comprehensive Plan. The amendment to the policies is a change in the name of the residential land use designations. The findings in this exhibit demonstrate how the RIP comprehensive plan text amendments are

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consistent with the 2035 Comprehensive Plan, the Urban Growth Management Functional Plan, and the Statewide Planning Goals.

The City Council interprets this criterion to require the RIP amendments show consistency on balance. Council finds that the dictionary defines “consistent” to mean “marked by harmony.” Council notes that Comprehensive Plan also defines the phrase “consistent with” to mean “the subject meets the requirements of, satisfies, or adheres to the regulations, mandate, or plan listed in the goal or policy.” Council finds that the Comprehensive Plan’s definition applies to the term as used in the Comprehensive Plan, not the Zoning Code. However, Council interprets that for the purposes of considering consistency with the Comprehensive Plan, “consistent with” requires that an ordinance adheres to the Comprehensive Plan.

Council finds that PCC 33.835.040(B) requires Council to demonstrate that the RIP Amendments are consistent with, or adheres to, the entire Comprehensive Plan. Council finds that PCC 33.835.040(B) does not require Council to demonstrate that the RIP Amendments are consistent with, or adheres to, individual goals and policies but rather the entire plan. Regardless, here, Council finds that as demonstrated in this exhibit, Council has considered all applicable goals and policies and finds that the RIP Amendments are consistent with all the individual goals and policies. Council finds that there is no applicable goal or policy that is not consistent with the RIP Amendments.

Council further finds this criterion operates in conjunction with Comprehensive Plan Policy 1.10 which requires that amendments to the Comprehensive Plan’s supporting documents, such as the Zoning Code, must “comply” with the Comprehensive Plan. “Comply” means “that amendments must be evaluated against the Comprehensive Plan’s applicable goals and policies and on balance be equally or more supportive of the Comprehensive Plan as a whole than the existing language or designation.” Council finds that a proposed amendment is equally supportive when it is on its face directly supported by goals and policies in the Plan. The City Council finds that an amendment is more supportive of the Comprehensive Plan when the amendment will further advance goals and policies, particularly those that are aspirational in nature. The City Council finds that the policy requires consideration as to whether amendments are equally or more supportive of the Plan as a whole. The City Council finds that amendments do not need to be equally or more supportive of individual goals and policies, but rather amendments must be equally or more supportive of the entire Comprehensive Plan. Therefore, the Council finds that there may be instances where specific goals and policies are not supported by the amendments but still the amendment is equally or more supportive of the entire Comprehensive Plan when considered cumulatively. The Council finds that there is no precise mathematical equation for determining when the Plan as a whole is supported but rather such consideration requires Council discretion in evaluating the competing interests and objectives of the plan. Council finds that the RIP Amendments equally advance most of the Comprehensive Plan policies. Council further finds that the RIP Amendments to the Comprehensive Plan are more supportive of the Comprehensive Plan with regard to the goals and policies as discussed below.

Revising the name of the land use designations for the formerly “single dwelling zones” is more reflective of the types of housing that has been allowed in these zones since 1981 (ADUs) 1991 (corner duplexes), and 1993 (triplexes in the ‘a’ overlay), and is more reflective of the additional Residential Infill Options that are included with the RIP amendments and required by House Bill 2001. This is supportive of Goal 10.A to effectively and efficiently carry out the goals and policies of the comprehensive plan by providing a naming convention that is more reflective of the implementing zones and regulations.

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Applying both the Zoning Code criterion and Policy 1.10 together, as discussed above, Council finds that the ordinance is consistent and complies with the Comprehensive Plan.

Council also finds that this criterion requires Council to consider whether the RIP Amendments are consistent with the Urban Growth Management Functional Plan and Statewide Planning Goals. As discussed fully above, Council finds that the RIP Amendments are consistent with both the Urban Growth Management Functional Plan and the Statewide Planning Goals.

## Part VI. Comprehensive Plan Map and Zoning Map Amendment Criteria

### 33.810.050 Approval Criteria

**B. Legislative.** Amendments to the Comprehensive Plan Map which are legislative must be found to be consistent with the goals and policies of the Comprehensive Plan, Metro's Urban Growth Management Functional Plan, the Statewide Planning Goals, and any relevant area plans adopted by the City Council.

**482.Finding:** The RIP amendments make a legislative change to the Comprehensive Plan Map. The RIP amendments change the land use designation of approximately 6,666 parcels (~770 acres) from Residential – 5,000 to Residential – 2,500. See Volume 3, Appendix F, R2.5 Rezones. These parcels are predominantly comprised of underlying platted lots that are 25' by 100'. Consistent with the land use designation policies, the parcels re-designated to Residential – 2,500 are near, in, and along centers and corridors, near transit station areas, where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. The areas to receive the higher land use designation do not have development constraints, as called for in the land use designation policy.

The City Council interprets this criterion to require the RIP amendments to show consistency on balance. The City Council has applied all applicable policies and the findings in this exhibit demonstrate that the RIP amendments to the Comprehensive Plan Map are on balance, consistent with the Comprehensive Plan, and are consistent with the Urban Growth Management Functional Plan, the Statewide Planning Goals, and relevant area plans.

### 33.855.050 Approval Criteria for Base Zone Changes

An amendment to the base zone designation on the Official Zoning Maps will be approved (either quasi-judicial or legislative) if the review body finds that the applicant has shown that all of the following approval criteria are met:

**A. Compliance with the Comprehensive Plan Map.** The zone change is to a corresponding zone of the Comprehensive Plan Map. When the Comprehensive Plan Map designation has more than one corresponding zone, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes or characteristics of each zone and the zoning pattern of surrounding land.

**483.Finding:** The RIP amendments rezone 6,756 parcels (781 acres). from R5 to R2.5. See Volume 3, Appendix F, R2.5 Rezones. Approximately 6,400 of those parcels are comprised of underlying platted lots that are 25' by 100'. In addition, another roughly 300 parcels (~40 acres) are rezoned from R5 to R2.5 to ensure a more logical zoning pattern transition between existing R5, existing and amended R2.5 and existing higher density zones. The RIP amendments also change the

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corresponding comprehensive plan map designations on 6,666 parcels (770 acres) from Residential 5,000 to Residential 2,500 so that the R2.5 rezones correspond to this new designation. The remaining rezoned areas are either already designated Residential 2,500 (R2.5) or allow for R2.5 zoning per Figure 10-1 in the Comprehensive Plan. In areas where the designation permits multiple other zones (for example MU-C and RM2 designations) the current zone is R5, and R2.5 is the next higher zoning designation. The entire extent of these higher-designated areas is comprised of historically narrow lots in a single dwelling residential setting. Therefore, all proposed zoning map amendments are consistent with the Comprehensive Plan map.

**B. Adequate public services.**

1. Adequacy of services applies only to the specific zone change site.
2. Adequacy of services is determined based on performance standards established by the service bureaus. The burden of proof is on the applicant to provide the necessary analysis. Factors to consider include the projected service demands of the site, the ability of the existing and proposed public services to accommodate those demand numbers, and the characteristics of the site and development proposal, if any.
  - a. Public services for water supply, and capacity, and police and fire protection are capable of supporting the uses allowed by the zone or will be capable by the time development is complete.

**484.Finding:** The RIP amendments rezone approximately 740 acres of areas that are predominantly comprised of 25x100' historically narrow lots. This rezoning did not affect the amount of developability allowed on these lots, because these previously zoned R5 historically narrow lots could have been developed individually if they have been vacant for at least 5 years.

The remaining R2.5 rezones include areas that are located adjacent to the rezoned historically narrow lots and other higher intensity zoning. This accounts for approximately 40 acres interspersed across the city. Comparing the number of existing lots (324) to the number of potential lots, if each were to be divided at the most efficient rate of 2,500 square foot lot sizes, there is a net increase of 372 potential additional lots.

When comparing the additional housing types allowed in R5 versus R2.5, an interesting result emerges with the historically narrow lots. The pair of narrow lots in R5 (typically 5,000 sq ft) is large enough for a triplex or fourplex, with the 4,500 sq ft minimum lot size. With R2.5 zoning, the pair of lots is also capable of accommodating a triplex or fourplex; however, the lots independently are only able to accommodate a house or duplex, as the minimum lot size for three units in the R2.5 zone is 3,200 sq ft. Therefore, in the vast majority of cases, the number of units possible in the historically narrow lots is roughly equivalent to the number of units permissible with R5 zoning.

For the remaining R2.5 rezones, the land could also be divided so as to maximize the number of 3,200 square foot lots. In this case, the number of potential units increases from 1,548 (40 acres ÷ 4,500sf x 4 units) to 2,178 (40 acres ÷ 3,200sf x 4 units), a difference of 630 units at complete theoretical buildout, which will have a minimal impact on public facilities.

The adopted 2035 Comprehensive Plan includes the Citywide Systems Plan (CSP), which was adopted (Ordinance 185657) and acknowledged by LCDC on April 25, 2017. The CSP includes the Public Facilities Plan with information on current and future transportation, water, sanitary sewer, and stormwater infrastructure needs and projects, consistent with the requirements of Statewide Planning Goal 11.

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In addition, the service limitations identified in the CSP have been incorporated into the adopted BLI development constraint analysis that identified parts of Portland that lack needed urban infrastructure. The BLI constraint analysis is the basis of a geographic evaluation of the RIP household allocation to ensure that public facilities are planned to support any potential development that could result from these amendments. See also findings for Statewide Goal 8, Public Facilities and Services, and Chapter 8 of the Comprehensive Plan.

#### Water

Water demand forecasts developed by the Water Bureau anticipate that while per capita water demands will continue to decline somewhat over time, the overall demands on the Portland water system will increase due to population growth. The Portland Water Bureau has not experienced any major supply deficiencies in the last 10 years.

All rezone areas are located adjacent to streets with at least 6 inch water mains.

#### Police and Fire Protection

The Police and Fire Bureaus have not established any specific or quantifiable levels of service for new development. Fire response times for all but two rezone areas are less than 8 minutes. The areas with response times greater than 8 minutes include the area bounded by SE Harney, SE 70<sup>th</sup>, SE Tenino, SE 67<sup>th</sup>, and the other bounded by NE Stanton, NE 32<sup>nd</sup>, NE Siskiyou, and NE 33<sup>rd</sup>. Both areas are not in water service deficient areas and have water service located along the frontages of all lots.

As noted in the findings above, the RIP amendments are consistent with Statewide Planning Goal 11 (Public Facilities and Services) and the applicable Comprehensive Plan policies in Chapter 8 (Public Facilities and Services) and the findings in response to those goals and policies are incorporated by reference. Therefore, the public services for water supply, and capacity, and police and fire protection are capable of supporting the R2.5 rezoning.

- b. Proposed sanitary waste disposal and stormwater disposal systems are or will be made acceptable to the Bureau of Environmental Services. Performance standards must be applied to the specific site design. Limitations on development level, mitigation measures or discharge restrictions may be necessary in order to assure these services are adequate.

#### **485.Finding:**

##### Sanitary Sewer

Both Portland's combined sewer system and its separated sanitary sewer system have hydraulic and condition deficiencies that can impact the ability of these systems to serve existing properties at designated service levels. The Citywide Systems Plan includes two projects to respond to these deficiencies based on risk:

- *Sewer Capacity Upgrades.* Based on the Systems Plan, program adds capacity by upsizing pipes and/or adding surface infiltration facilities. Projects are prioritized based on risk and benefit/cost. Work may also include high priority pipe rehabilitation. Work will occur in small areas within the combined sewer system that are not addressed by basin specific projects.
- *Sewer Pipe Rehabilitation.* Based on regular inspection, this program rehabilitates the highest risk pipes.

##### Stormwater

Stormwater is conveyed through the combined sewer system, pipes, ditches, or drainageways to

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streams and rivers. In some cases, stormwater is managed in detention facilities, other vegetated facilities, or allowed to infiltrate in natural areas. Since 1999, the Stormwater Management Manual (SWMM) has provided policy and design requirements for stormwater management throughout the City of Portland. The requirements apply to all development, redevelopment, and improvement projects within the City of Portland on private and public property and in the public right-of-way.

As noted in the findings above, the RIP amendments are consistent with Statewide Planning Goal 11 (Public Facilities and Services) and the applicable Comprehensive Plan policies in Chapter 8 (Public Facilities and Services) and the findings in response to those goals and policies are incorporated by reference. Therefore, the public services for water supply, and capacity, and police and fire protection are capable of supporting the uses allowed by the R2.5 zone in the locations that are included in the RIP amendments.

- c. Public services for transportation system facilities are capable of supporting the uses allowed by the zone or will be capable by the time development is complete. Transportation capacity must be capable of supporting the uses allowed by the zone by the time development is complete, and in the planning period defined by the Oregon Transportation Rule, which is 20 years from the date the Transportation System Plan was adopted. Limitations on development level or mitigation measures may be necessary in order to assure transportation services are adequate.

**486.Finding:** As noted in the findings above, the RIP amendments are consistent with Statewide Planning Goal 11 (Public Facilities and Services) and the applicable Comprehensive Plan policies in Chapter 9 (Transportation) and the findings in response to those goals and policies are incorporated by reference. Therefore, the public services for transportation are capable of supporting the uses allowed by the R2.5 zone in the locations that are included in the RIP amendments. Additionally, Oregon House Bill 2001 which passed in the 2019 legislative session changed what cities with a population over 25,000 are required to allow in single-dwelling zones. The bill requires that cities allow for more density on each parcel. Generally it requires that cities allow development of at least a duplex on each lot where a detached house is allowed and provides that “a local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility” when amending the comprehensive plan or land use regulations to comply with the 2019 act.”

- d. The school district within which the site is located has adequate enrollment capacity to accommodate any projected increase in student population over the number that would result from development in the existing zone. This criterion applies only to sites that are within a school district that has an adopted school facility plan that has been acknowledged by the City of Portland.

**487.Finding:** The David Douglas School District is the only school district in Portland with an adopted school facility plan. David Douglas School District (DDSD) in East Portland is the only school district in Portland with an adopted school facility plan. Within the DDSD boundaries, approximately 24 acres are rezoned to R2.5.

As noted above, the potential unit differential between R5 and R2.5 zones where historically narrow lots are present is roughly equivalent. There is one parcel approximately 36,000 sq ft in size that has been replatted into 9 condominium unit ownerships. This site could be divided into 10 3,200 sq ft lots each allowing up to 4 units, for a net difference of 31 units. The David Douglas

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School District has indicated that it can accommodate any future increase in student enrollment that can be expected from these amendments.

**33.855.060 Approval Criteria for Other Changes**

In addition to the base zones and Comprehensive Plan designations, the Zoning Map also shows overlay zones. An amendment will be approved (either quasi-judicial or legislative) if the review body finds that all of the following approval criteria are met:

- A. Where a designation is proposed to be added, the designation must be shown to be needed to address a specific situation. When a designation is proposed to be removed, it must be shown that the reason for applying the designation no longer exists or has been addressed through other means;

**488.Finding:** The RIP amendments remove the Alternative Design Density (a) Overlay Zone from roughly 46,000 single dwelling zoned parcels, effectively deleting the overlay entirely. Removing the 'a' overlay from these lots will have little impact. The purpose of the Alternative Design Density Overlay Zone is to focus development on vacant sites, preserve existing housing and encourage new development that is compatible with and supportive of the positive qualities of residential neighborhoods. The concept for the zone is to allow increased density for development that meets additional design compatibility requirements. Many of the original 'a' overlay provisions have already been incorporated into the base zone regulations. The regulations that remain in the 'a' overlay that allow increased density for development that meets additional design compatibility requirements have not been well-utilized. In fact, of the nearly 45,000 properties in the overlay zone, staff estimates that fewer than 250 properties have ever used the 'a' overlay provisions. The new base zone's additional housing types will be allowed on these lots, provided the lot is of adequate size and does not have the new 'z' overlay applied. There are only 25 lots that currently had the 'a' overlay that will not be allowed a triplex, due to the presence of the 'z' overlay. There are no triplexes on any of these lots today.

The RIP amendments concurrently add a new Constrained Sites ('z') overlay zone to roughly 10,000 parcels in RIP zones that have either natural resources or natural hazards present that make those parcels unsuitable for additional households that could result from the additional housing type allowances pursuant to Policies 4.79-4.81, and Policies 7.19-7.26. This overlay was applied through GIS mapping that selected parcels that intersected with one or more of the following attributes:

Flood risk

- 100-year floodplain: areas that are within the FEMA 100-year floodplain including the FEMA-defined floodway
- 1996 flood inundation area

Landslide prone areas

- Deep landslide susceptibility: Deep landslides involve movement of a relatively thick layer of material.
- Potentially rapid moving landslides: These areas are subject to debris flow hazards. Debris flows are mixtures of water, soil, rock and/or debris that have become a slurry and commonly move rapidly downslope.
- Landslide scarps and deposits: These show areas where previous landslides have occurred and are indicative of areas more susceptible to future landslides.

Significant natural resources

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- Ranked as low, medium, or high value resources on the Natural Resource Inventory.

Other approaches were considered including use of GIS mapping to determine a lot's eligibility for the additional housing type allowances. However, consistent with Policies in Chapter 10, establishing an overlay zone was chosen over the need to review 6 different data layers, as this approach provides both professionals and lay people easier access to the information to determine when development entitlements would apply or not.

- B. The addition or removal is consistent with the purpose and adoption criteria of the regulation and any applicable goals and policies of the Comprehensive Plan and any area plans; and**

**489.Finding:** The purpose of the Alternative Design Density ('a') Overlay Zone is to focus development on vacant sites, preserve existing housing and encourage new development that is compatible with and supportive of the positive qualities of residential neighborhoods. The overlay zone provisions have gradually been shifted into base zone provisions since the overlay's inception in 1993. The remaining distinct provision applies only to R2.5 zoned sites and allows for triplexes on these lots. The requirement that these triplexes either meet additional design standards or go through a discretionary design review has a potential impact on the affordability of those units, which can contribute to economically exclusive neighborhoods, counter to Policy 5.36. Instead, the RIP amendments propose a wider palette of additional housing types including triplexes on R2.5 lots within the residential infill options in the base zone subject to clear and objective standards that are similar to regular houses. Therefore the 'a' overlay is no longer necessary.

The introduction of the Constrained Sites ('z') Overlay Zone is consistent with several policies in the Comprehensive Plan including polies 4.79-4.81, 5.47, and 7.19-7.26 which seek to limit development of housing in hazard prone areas and Goal 3.G which preserves natural resources within a system of ecosystem services.

- C. In the Marquam Hill plan district, relocation of a scenic viewpoint must be shown to result in a net benefit to the public, taking into consideration such factors as public access, the quality of the view, the breadth of the view, and the public amenities that are or will be available.**

**490.Finding:** There are no changes to scenic viewpoints as a result of the RIP amendments. This criterion does not apply.

**- END -**

# Residential Infill Project

AN UPDATE TO PORTLAND'S  
SINGLE-DWELLING ZONING RULES

Adopted August 12, 2020  
Ordinance No. 190093

## VOLUME 1: STAFF REPORT AND MAP AMENDMENTS



Bureau of Planning and Sustainability  
Innovation. Collaboration. Practical Solutions.  
*City of Portland, Oregon*



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# Executive Summary

***Portland's success is tied to the vibrancy and diversity of our neighborhoods.***

The Residential Infill Project is just one tool of many needed to address the housing issues in our city. Affordable housing mandates, rent stabilization and community housing partnerships are also important to address the needs of our most vulnerable community members.

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*A house is made of brick and mortar, but home is made by the people who live there.*

—M. K. Soni

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Any plan that ignores the exclusionary pattern of single-dwelling zones will further separate our community between those that “have” and those that “need,” making these areas even more exclusive enclaves for only the wealthiest residents. The Residential Infill Project seeks to remove regulatory barriers that exclude people with fewer means from our neighborhoods to ensure Portland is resilient, prosperous and equitable in the face of our challenging future.

## Zoning Code Changes

The Residential Infill Project includes 12 key proposals to increase housing choice in single-dwelling zones, while limiting their overall size to reduce housing costs, retain a compatible scale and improve building form. This is achieved through innovative changes to development rules in the base zones.

Proposals relating to **housing options and scale** are described beginning on **page 13**. These include allowances for duplexes, triplexes, fourplexes and additional accessory dwelling units (ADUs), along with limits on building size using a new floor area ratio (FAR) tool.

**Building design** proposals begin on **page 31**. These new rules include changes to address building height, limit tall flights of stairs to the front door, remove minimum parking requirements and limit front garages and paving, as well as improve the look of houses built on narrow lots.

## Map Changes

The Zoning and Comprehensive Plan Map changes fall into the following categories:

**Apply a new ‘z’ overlay zone:** Describes areas where additional housing types should *not* be allowed based on natural resources or hazards. The new ‘z’ overlay in those areas will maintain current allowances for duplexes on corner lots or a single ADU with a house. See **page 41**.

**Rezone historically narrow lots:** Some areas with historically narrow lots are proposed to be changed from R5 to R2.5. See **page 47**.

**Remove the current ‘a’ overlay zone:** The Alternative Design Density (‘a’) overlay zone in single-dwelling zones is being deleted, with increased housing allowances incorporated into the base zones. See **page 51**.

The Revised Proposed Draft adds increased housing options to the base zone and proposes a new Constrained Sites (‘z’) overlay zone for properties that are *not* eligible for these housing options. Consequently, over 90 percent of lots in the R7, R5 and R2.5 zones will be eligible to use these additional housing options.

In addition, approximately 7,000 parcels are proposed to be rezoned from R5 to R2.5 (higher density) to reflect the existing platted lot size pattern and increased FAR allowance based on their proximity to transit, shops and other amenities.

## Outcomes

The construction of additional housing types is expected to occur incrementally. As our housing stock ages, rehabilitation and remodeling will help prolong the useful life of many of these structures, but some houses will ultimately need to be replaced. As land costs continue to climb and fewer buyers are able to afford expensive single detached houses, more middle housing types (duplexes, triplexes and fourplexes) will begin to emerge to respond to that need. When that occurs, new development will be more seismically sound, free of lead and asbestos, and more energy-efficient.

This middle housing will be distributed in neighborhoods across the city. Single-dwelling neighborhoods will continue to be mostly traditional detached houses, infused with other types of units over time. These proposals offer an alternative to our current approach of only allowing for a single house on lots that encompass over 40% of our city. While single houses will continue to be allowed, these middle housing types are responsive to the changing demographic of our aging and increasingly smaller households, allow more seniors and couples to downsize and remain in their community, while also providing more options for working families to get a foothold in these great neighborhoods.

Accessory dwelling units (ADUs) were once opposed by some neighborhoods as a one-size-fits-all approach and a detriment to single-dwelling neighborhoods. Today, they are commonplace and have gained far greater acceptance in many neighborhoods for their benefits and flexibility. Increasing allowances for two ADUs or internal conversions to add units will offer homeowners even greater potential to gently increase the housing capacity within their neighborhoods—without the disruption of redevelopment.

## Impacts

These new housing types will complement existing neighborhoods. Smaller in size, they provide more choices for first-time homebuyers, downsizing empty-nesters and middle-wage earners. Also, current homeowners that already have an ADU will be able to add another ADU. These smaller units can house young couples, students, grandparents or caregivers, offering an alternative to larger apartment buildings.

Still others will continue to be burdened by higher prices in the housing market. Vulnerable populations of low-income renters, people of color and seniors on fixed incomes will continue to feel the pressures of rent increases and could be displaced through redevelopment. Homeowners are not immune, though they have more control over deciding whether to sell. Strategies to decrease the risk of displacement are needed regardless of the proposals in the Residential Infill Project.

Conversely, without allowing additional housing types to occur in single-dwelling neighborhoods, one conclusion is certain: When homes are demolished or when vacant sites are developed, the resulting redevelopment will result in only *one* house (likely large and expensive), when options for two, three or four households could have been built in its stead. This will continue to increase pressure and demand on the fixed number of homes allowed in these neighborhoods, putting homeownership further out of reach for many.

Together, these revised proposals reduce the cost of housing, limit the size of new houses, mitigate and lessen displacement citywide, and prioritize a wide range of housing types for people of all ages, abilities and incomes.

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### **Section 6: Zoning Code Amendments**

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## Volume 3 – Appendices (under separate cover)

**Appendix A:** *Economic Analysis of Proposed Changes to the Single-Dwelling Zone Development Standards*, Memorandum from Johnson Economics, November 2018

**Appendix B:** Displacement Risk Analysis, BPS Staff, February 2019

**Appendix C:** *Use of Floor Area Ratios (FARs) in Single Family Zoning*, Dyett & Bhatia Urban and Regional Planners, June 2016

**Appendix D:** *Visitability Best Practices*, Alan DeLaTorre. Ph.D., Alex Freeman, and Matthew Wadleigh (Portland State University), June 27, 2017

**Appendix E:** Catalog of 2015 New Single-Family House Permits in the R2.5 Zone, BPS Staff, 2017

**Appendix F:** R2.5 Zone Changes by District, BPS Staff, 2018

**Appendix G:** Portland’s Historically Narrow Lots, BPS Staff, 2017



# Section 1: Introduction

***As Portlanders, we have an opportunity to update the rules that shape our residential neighborhoods so that more people can live in them, while limiting the construction of very large new houses.***

Portland's residential neighborhoods are the places where we spend time with friends and family. Where we join our neighbors for block parties, host barbeques in the backyard and chat with the mail carrier. Where we walk our dogs, take our kids to school and grab a coffee. These interactions make our communities stronger and safer.

As a city and community, we're committed to increasing access to these great neighborhoods, while expanding economic opportunities for households and reducing our impact on the environment.

These decisions are particularly important because **Portland's population continues to grow**. By 2035, the number of households in the city will increase by more than 100,000. That's roughly 200,000 new residents—or 30 percent more people than live here today.

The **composition of our neighborhoods** is also changing. The city is becoming more diverse, the overall population is aging and the number of people per household is getting smaller (from 2.3 persons today to 2.1 in 2035, which is less than half the average size of households just a century before). But despite shrinking households, there are few options for smaller households to live in residential neighborhoods, where increasing land costs and market trends have produced mostly larger houses.

The **rising cost of housing** is a top concern across the city, as more people are finding it difficult to afford housing—whether they are buying or renting. Between 2011 and 2015, the median home sale price citywide rose 44 percent—or more than \$100,000. And as of 2015, the median home sale price exceeded \$400,000 in more than half the neighborhoods in the city. Meanwhile, in the same period the median family income rose only 9% to roughly \$80,000.

Portlanders are also worried about **the construction of very large homes** that are more expensive and can overwhelm surrounding older homes.

To address these issues around growth and change, the City of Portland is taking a fresh look at the rules affecting development in residential neighborhoods to ensure that housing is available in a variety of sizes and prices for all Portlanders, regardless of age, income, ability, race or origin.

Over the past three years, the Bureau of Planning and Sustainability has engaged Portlanders in the development of proposed changes to our residential zoning rules through online surveys, open houses, public hearings and e-mail updates, resulting in more than 15,000 comments and responses. Portlanders will also have opportunities to share their feedback through public testimony to the City Council.

# Why is it important to revisit the zoning code for residential neighborhoods?

By updating the rules that govern the types of housing allowed in our neighborhoods, we have an opportunity to accomplish two main goals:

- 1) Expand housing choices in residential neighborhoods to help ensure a more inclusive and diverse community.
- 2) Limit the size of new buildings to bring them more in line with existing homes.

Just as important as the *amount* of housing in the city are the *types* of housing that are available and *where* that housing is located. If adopted by City Council, the proposed rule changes would expand the range of available housing choices across more neighborhoods. The proposal allows more housing units, *but only if they follow the new limits on the size of new buildings.*

Currently, on many lots, builders can build houses up to 6,750 square feet for just a single household. This proposal would allow for more types of housing, including duplexes, triplexes and fourplexes when lots meet certain minimum size requirements. Additionally, more opportunities are afforded to create accessory dwelling units (ADUs) with houses and duplexes. In all these cases, new limits would cap the structure size to less than what can be built on a lot today. The proposal also includes flexibility and incentives to retain existing houses or encourage building affordable housing units. Finally, the zoning on narrow lots is updated to allow for increased homeownership options in high-amenity neighborhoods.

## Why this is important

*The rules that govern the types of housing allowed in our neighborhoods also affect who can live there. These rules are meant to be adapted to suit the evolving needs and values of our communities.*

Together, these new rules help increase housing options in the form of ADUs, duplexes, triplexes and fourplexes—smaller and less expensive options that allow for more people to live in our residential neighborhoods while also limiting the construction of very large houses.

## Addressing inequity in our community

A history of racially discriminatory decision-making and public policies have contributed to many of today's inequitable outcomes for communities of color. While some groups and neighborhoods prospered, Black, Latino, Native American and immigrant households have faced structural barriers to housing stability and economic mobility. The historic use of racially restrictive covenants and redlining by both public and private entities directly contributed to today's racial disparities in homeownership rates and wealth attainment. It also contributed greatly to the geographic racial segregation that still exists.

Portland's new Comprehensive Plan includes policies to address equity, prevent displacement and provide for ongoing affordability. The proposal to update zoning rules in residential neighborhoods is consistent with these policies. It is intended to create opportunities for more types of housing development. The proposals were evaluated in terms of whether, how and where land use changes could cause further harm to historically under-served and under-represented communities.

*Appendix H: Displacement Risk and Mitigation* provides a detailed account of the methodology used to identify vulnerable households and determine relative risk. The analysis shows a significant reduction in potential displacement as a result of the project proposals over the baseline scenario. While this reduced risk is encouraging, these zoning changes do not eliminate displacement risk and much greater effort and resources will still be required to right previous systemic wrongs and ensure community stability and future prosperity. The appendix also includes strategies specifically tailored to vulnerable renters and vulnerable homeowners. These strategies could be employed or further bolstered to address and prevent further harms to under-represented communities.

## Direction from the 2035 Comprehensive Plan

Portland’s 2035 Comprehensive Plan guides how and where land is developed to prepare for and respond to population and job growth. This proposal offers amendments to some of the Comprehensive Plan’s most important implementation tools—the Zoning Code and Zoning Map. In addition, the proposal would amend the Comprehensive Plan map itself.

The amendments proposed are consistent with the Guiding Principles, goals and policies of the Plan. The following describes how the Plan shaped the proposals. Additional policy direction is provided in *Appendix A: Guidance from the Comprehensive Plan*.

The 2035 Comprehensive Plan gives direction to use equity as a lens when creating and assessing plans and programs. This is articulated in a Guiding Principle focused on equity and a suite of policies around displacement risk and mitigation. This approach is the result of the Equity Framework and Healthy Connected City Strategy in the Portland Plan. These have been incorporated into several policies in the 2035 Comprehensive Plan that direct the City to evaluate plans and investments for the potential to increase displacement and to mitigate for anticipated impacts.

## Guiding Principles

The 2035 Comprehensive Plan includes five guiding principles, recognizing that implementation of the Plan must be balanced, integrated and multi-disciplinary. The proposed residential zoning changes help advance these guiding principles in the following ways:

**1. Equity.** *Promote equity and environmental justice by reducing disparities, minimizing burdens, extending community benefits, increasing the amount of affordable housing, affirmatively furthering fair housing, proactively fighting displacement, and improving socio-economic opportunities for under-served and under-represented populations. Intentionally engage under-served and under-represented populations in decisions that affect them. Specifically recognize, address, and prevent repetition of the injustices suffered by communities of color throughout Portland’s history.*

The recommendation furthers this principle by increasing the range of housing types and choices available across the city. Increased opportunity for additional housing options, incentives for affordable housing and reductions in the allowed size of new houses help stabilize and impede rising housing costs. Intentional outreach was conducted to engage with historically under-represented populations and continued in the *Discussion Draft* phase. A Displacement Risk Analysis was also conducted to determine the extent of potential impacts on affected communities. The analysis found that with the increase in allowable units, the net number of impacted vulnerable households

was reduced by about one-third compared to the default Comprehensive Plan scenario, although some areas may experience higher rates of displacement (see *Appendix H*).

**2. Economic Prosperity.** *Support a low-carbon economy and foster employment growth, competitiveness, and equitably-distributed household prosperity.*

This principle is furthered by providing for smaller, less energy-intensive, less expensive housing options in more areas throughout the city. This offers more opportunities for people across a wider range of the income spectrum to find housing in and around areas of retail and service-sector job growth. More people in and near these areas help to encourage and sustain neighborhood businesses. Allowing increased and well-located housing options affordable to more families supports household prosperity. This helps people spend less of their income on combined housing, utilities and transportation costs and invest a greater percentage of their income in the local economy.

**3. Human Health.** *Avoid or minimize negative health impacts and improve opportunities for Portlanders to lead healthy, active lives.*

The recommendation furthers this principle in several ways. It minimizes personal stress caused by housing instability by allowing for diverse housing types that can better meet changing household preferences, needs, abilities and economic conditions; promotes social interaction through requirements that allow people of all abilities to visit others; and increases potential for active living through reduced automobile use by placing housing in areas with greater active transportation and transit options.

**4. Environmental Health.** *Weave nature into the city and foster a healthy environment that sustains people, neighborhoods, and fish and wildlife. Recognize the intrinsic value of nature and sustain the ecosystem services of Portland's air, water, and land.*

The recommendation furthers this principle by increasing open space and natural features while promoting development that responds to positive qualities of the natural setting and site conditions. By implementing a new floor area ratio (FAR) tool, the proposal reduces the allowable amount of development, which reduces material use and waste, better accommodates sustainable stormwater solutions and provides options for additional space to grow and preserve trees. The recommendation avoids impacts to areas with significant habitat resource value through the application of a new constraint overlay zone. Also, more compact housing is the single most effective way of reducing heating and cooling demands, lowering energy use and carbon emissions, thereby improving air and water quality.

**5. Resilience.** *Reduce risk and improve the ability of individuals, communities, economic systems, and the natural and built environments to withstand, recover from, and adapt to changes from natural hazards, human-made disasters, climate change, and economic shifts.*

This principle is furthered by providing additional opportunities for compact housing development. These smaller units are more energy-efficient than most older homes and comparable larger new homes. New housing and houses that are retrofitted for additional units will be built to modern

seismic and fire safety codes, thereby providing additional resiliency. Areas prone to flooding or landslides or with inadequate utility infrastructure were carefully evaluated when determining where additional housing units should be allowed. Moreover, by providing for a broader range of housing types and sizes, people are better able to find a dwelling suited to their needs and circumstances in changing economic climates.

### A paradigm shift toward more “middle” housing

Middle housing is a term used to describe housing forms that are compatible in scale with single-dwelling areas but accommodate more units. These housing types range from duplexes, triplexes, and fourplexes on the low-intensity end to bungalow courts in the middle of the spectrum and live-work units and courtyard apartments on the higher-intensity end. This project focuses on the lower-intensity end of the “middle” housing spectrum in single-dwelling zones, while the Better Housing by Design project is exploring the complete range of middle housing in multi-dwelling zones.

Consider a young Portland couple, renting a one-bedroom apartment, that may not be able to afford the significant investment needed to buy a house. As their family grows, they may seek additional indoor and outdoor living space in a walkable neighborhood with good access to amenities. A unit in a duplex or triplex could provide this opportunity at a price that is more affordable than that of a single-family home. In addition, if this young couple moves out of a lower-rent apartment, that unit is then freed up for someone else who is entering the housing market.

Or consider an older adult who no longer wants or is able to take care of a large house and yard but wants to remain near long-time neighbors and businesses in a familiar setting. Community-oriented cohousing and accessory dwelling units (ADUs) could provide viable alternatives for meeting these needs in a desired location.

In both scenarios, greater housing choice typically means more variety in unit prices and living arrangements, and therefore a better chance to find a house in a location and at a price that meets a wider range of needs. Additional housing options, when built at a scale and form compatible with single-dwelling neighborhoods, are considered the “middle” housing spectrum. Duplexes, triplexes and fourplexes along with additional ADUs comprise the part of the spectrum that the Residential Infill Project aims to expand. These new units will be built at a size that complements older, existing homes that have defined Portland’s neighborhoods for decades.



*This proposal recommends allowances for a small segment of the range of middle housing types (shown in the dashed box) that can be achieved at a scale and within a form that is compatible with the character of many of the city’s single-dwelling residential neighborhoods.*

# Section 2: Public Involvement

This project is being completed in two phases. The concepts for the proposals were developed in Phase I, which took place in 2015 and 2016. The recommendations in this report are part of the legislative phase (Phase II) and include the Zoning Code and Zoning Map amendments needed to implement the concepts from Phase I. Input from the public in Phase I was invaluable in developing the proposals in Phase II.

We are currently in Phase II. In Fall of 2017 the public reviewed and provided comment on the staff's proposed zoning code and map amendments (the *Discussion Draft*). Those proposals were reshaped by testimony received and deliberation by the Planning and Sustainability Commission (PSC) between May and September 2018. This draft—the *Recommended Draft*—reflects the PSC's final recommendations.

## Phase I: Concept Development

Public involvement from July 2015 to December 2016

### Stakeholder Advisory Committee

In September 2015, former Mayor Charlie Hales appointed an advisory committee to assist the Bureau of Planning and Sustainability with the Residential Infill Project. The Stakeholder Advisory Committee (SAC) was composed of nominees from each of the District Coalition Offices, the Planning and Sustainability Commission, East Portland Action Plan, Home Builders Association of Metropolitan Portland, United Neighborhoods for Reform and the Immigrant and Refugee Community Organization. In addition, 13 members-at-large were chosen to ensure the committee was well-balanced among individuals representing neighborhood interests, the development community and those who bring a different perspective related to single-dwelling housing issues, such as anti-displacement, aging and disability, and historic preservation advocates. A balance in terms of gender composition, geographic distribution and community networks was also considered while forming the SAC. (See *Stakeholder Advisory Committee Member Biographies*.<sup>1</sup>)

The SAC met 14 times between September 2015 and October 2016. In addition to regular meetings, SAC members attended neighborhood walks and a full-day design workshop to develop a range of concepts and options for the Residential Infill Project concept proposal. A Facebook group was created to provide a forum for SAC members to share and discuss issues and articles related to their work on the project. Members of the public could view all postings, links and uploads to this group page.

The SAC was an advisory group and was not expected to come to a consensus. (See *the SAC Charter and the June 2016 SAC Summary Report*.<sup>2,3</sup>)

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<sup>1</sup> "Member Biographies," Bureau of Planning and Sustainability, <https://www.portlandoregon.gov/bps/article/544829>.

<sup>2</sup> *Stakeholder Advisory Committee Charter*, Bureau of Planning and Sustainability (November 2015), <https://www.portlandoregon.gov/bps/article/564206>.

<sup>3</sup> *Stakeholder Advisory Committee Summary Report*, Bureau of Planning and Sustainability (June 17, 2016), <https://www.portlandoregon.gov/bps/article/581153>.

## Public Outreach and Feedback

The SAC was just one element of an inclusive public engagement effort. Other efforts included regular project updates, an online open house and questionnaires, public events and City Council hearings. Public input helped formulate the recommendations in the Residential Infill Project Concept Report.

### Project Updates

Updates on the project were shared in several ways: e-updates sent to the project mailing list, blog posts for news and updates, BPS E-newsletters and BPS social media accounts (Facebook, NextDoor and Twitter).

### Transparency in SAC Meetings

All SAC meetings were open to the public with time for public comments (oral and written) during the meetings. In addition to regular meetings, the public was invited to an open house after the SAC design workshop in January 2016. Announcements of upcoming meetings and summary notes of each meeting were included in e-updates and blog posts. In addition, all SAC meeting agendas, summaries and meeting materials were posted on the project website.

### Online Questionnaire

**Over 7,000** online questionnaire responses were received between December 9, 2015 and January 12, 2016. The questionnaire asked participants to prioritize the residential infill issues most important to them. The majority of respondents throughout the city said housing affordability and neighborhood compatibility were their top concerns. Other top concerns included demolition of viable homes, preservation of farm and forestland outside the city, and loss of green spaces and tree canopy. Staff used the results to help identify key community values for regulating development in single-dwelling zones. Concepts were developed for community review in the spring. In addition to the many voices and opinions that were shared, the demographic results also helped pinpoint where additional targeted outreach was needed to gain additional input from those not well-represented in this survey. Results, including key findings, methodology, demographic information, responses by geographic areas and demographic groups, and open-ended comments summarized by topic areas were posted on the project website and shared with the SAC.

### Public Review of Concept Report

The public review period for the Residential Infill Project Concept Report and Draft Proposals occurred from June 15, 2016 through August 15, 2016. Opportunities for the public to learn more about the project and give staff feedback included:

- An online open house and second questionnaire that offered the public a chance to learn about the project and provide comments on the proposals;
- A series of open houses around the city to learn about the project, review the proposals, ask questions and share feedback;
- Meetings in collaboration with community members including Oregon Opportunity Network's public forum on the Residential Infill Concept Report and Draft Proposals and a special meeting for older adults and people with disabilities; and

- Meetings with organizations to gather feedback and help distribute information about the draft proposal to their members, such as Anti-Displacement PDX, REACH CDC and the Portland Housing Center, among others.

During the eight-week public review period, **over 700** people attended an open house or meeting where the proposals of the project were presented, **8,604** people visited the online open house and staff collected more than **1,500** public comments from the online questionnaire, comment forms, chart pack notes at open houses, emails and letters.

The *Summary Report of Public Comments on the Draft Proposal* includes six appendices that provide the entire text of the comments received, the notes from the open house question and answer sessions and demographic cross-tab tables for the questionnaire responses.<sup>4,5</sup>

Staff used the feedback to refine the concepts in the Recommended Concept Report to City Council published on October 17, 2016.

### Media Coverage

The project received much attention by several news outlets. Stories appeared in several neighborhood newspapers, in addition to *The Oregonian*, *Portland Tribune*, *Willamette Week* and *Portland Mercury*. Staff appearances on OPB, KBOO, KGW, FOX12 and KATU helped to disseminate information and publicize upcoming City Council hearings.

### City Council Public Hearing

At the request of former Mayor Charlie Hales, staff brought the concepts directly to City Council so that he would be able to provide input prior to the end of his term. City Council held public hearings on November 9 and November 16, 2016. Nearly 120 people testified in person; Council also received approximately 550 letters and emails during their review. In December 2016 Council passed several amendments to the concepts and passed a resolution directing staff to develop Zoning Code and mapping amendments to implement the concepts. Staff began the code development and map amendment process in early 2017.



<sup>4</sup> *Public Comments on the Draft Proposal: Summary Report*, EnviroIssues (September 2016), <https://www.portlandoregon.gov/bps/article/590169>.

<sup>5</sup> "Appendices: Public comments received on the Draft Concept Proposals," Bureau of Planning and Sustainability (September 2016), <https://www.portlandoregon.gov/bps/71629>.

# Phase II: Code and Map Amendments

## Public involvement from October 2017 through project completion

As the code and map amendments are developed, the public will have had a chance to review and provide comments on the proposals in the *Discussion Draft*, the *Proposed Draft* to the Planning and Sustainability Commission (PSC), and PSC's *Recommended Draft* to City Council.

### ***Discussion Draft***

The public review period for the Residential Infill Project *Discussion Draft* was from October 3 to November 30, 2017. During this time the public had opportunities to learn about the proposals at a kick-off meeting and six drop-in events throughout the city. Staff also presented the proposals at various community meetings and had numerous conversations with groups and individuals through email and phone inquiries. In addition, an interactive online Map App was available that showed parcel-specific information about how the proposals would affect individual properties.

Comments were submitted via mail, email or online using a comment form on the project website. A [What We Heard Summary Report](#) is included on the project website which describes the range of feedback that staff received, along with an [appendix](#) that includes all comments received.<sup>6,7</sup>

### ***By the numbers***

- **433** people submitted **3,425** comments through the online and paper comment forms
- **249** emails were sent to project staff
- Staff received **46** letters from organizations or groups which included nonprofits and advocacy groups, public-sector agencies and commissions, coalitions of for-profit housing developers, business interests, and neighborhood associations and district coalitions
- **36** comments were written on a lobby exhibit in the 1900 Development Services Building

### ***How we got the word out***

- News blogs featured on the Residential Infill Project website
- Monthly email updates were sent to the project mailing list (over 1,000 email addresses as of January 2018) to provide project updates and public input opportunities.
- BPS and Bureau of Development Services e-newsletters
- Posts by BPS on NextDoor, Twitter and Facebook (many of which were shared by others)
- Articles in local newspapers (including *The Oregonian*, *Daily Journal of Commerce* and *Portland Tribune*)
- Media coverage on local TV news stations and local radio programs
- BPS project staff provided updates to neighborhood associations and other community groups

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<sup>6</sup> *What We Heard Summary Report*, Bureau of Planning and Sustainability (January 2018), <https://www.portlandoregon.gov/bps/article/670156>.

<sup>7</sup> "Documents and Resources," Bureau of Planning and Sustainability, <https://www.portlandoregon.gov/bps/67730>.

## ***Proposed Draft to Planning and Sustainability Commission***

Comments received during the *Discussion Draft* public review period informed the *Proposed Draft*, which is staff's proposal to the Planning and Sustainability Commission (PSC). The *Proposed Draft* was posted on the project website on April 2, 2018—5 weeks before the PSC's first public hearing on May 8, 2018. As part of the *Proposed Draft* publication and legislative process requirements, the following legal notices were sent:

- **Form 1 Notice**  
State notice sent to the Oregon Department of Land Conservation and Development
- **Legislative Notice** (~1,000 notices)  
City notice sent to interested parties, recognized organizations, affected bureaus, TriMet, Metro and ODOT and published in the *Daily Journal of Commerce*
- **Measure 56 Notice** (~135,000 notices)  
State Ballot Measure 56 notice sent to owners of each lot or parcel of property where there is a proposed change to the base zoning of the property or where there are limits or prohibition of land uses previously allowed in the affected zone.

In addition to these legal requirements, information about the PSC hearings was featured in blog posts on the project website, e-updates to project mailing list, media releases and posts by BPS on NextDoor, Twitter and Facebook.

The PSC received over 1,200 pieces of testimony on the *Proposed Draft* through mail, email, the Map App and verbally. Over 100 people testified in person during hearings held on May 8 and 15 and more than 40 letters from various organizations and neighborhood associations were received.

## ***Revised Proposed Draft***

After the Planning and Sustainability Commission considered public testimony, they held a series of work sessions to consider and deliberate over suggested changes to the *Proposed Draft*. On September 11, the Commission gave staff direction to develop revised code and map proposals to reflect those changes. The *Revised Proposed Draft* incorporated those changes and was reviewed by the PSC in February 2019 to ensure that the direction they provided staff through their deliberations and prior work sessions had been effectively incorporated into the proposal. On March 12, the PSC made a few small amendments to the *Revised Proposed Draft* before voting to move their formal recommendation to City Council.

## ***Recommended Draft to City Council***

City Council held public hearings on January 15 and 16, 2020 at 3 pm and 5 pm respectively. 140 testified in person over the course of the two hearing dates, and more than 700 written pieces of testimony were also received.

Based on testimony received, City Council introduced 17 concepts for potential additional changes to the amendments. These were reviewed at work sessions on January 29<sup>th</sup> and February 12<sup>th</sup>, where Council gave staff direction to return with formal code revisions for 7 of the concepts. One of these concepts which related to infrastructure, was withdrawn in light of changes to the PBOT Local Transportation Improvement Charge which were adopted on June 24, 2020. The remaining six revisions included:

- Technical changes to align the proposals with recently adopted projects for consistency, including 82<sup>nd</sup> Avenue Study, Better Housing by Design, and Expanding Opportunities for Affordable Housing.
- Changes to align duplex allowances with state mandates in House Bill 2001.
- Changes to respond to the state Senate Bill 534 requirement to recognize certain substandard platted lots.
- Creating a combined replat process for lot consolidations and property line adjustments.
- Including Provisions for a “Deeper Affordability Bonus” that provides additional FAR and up to 6 units when 50% of the units are rent restricted to families earning up to 60% of the median area income
- Adding a “Historic Resource Demolition Disincentive” that limits available housing types on sites where a resource has been demolished without prior city review and approval.

A public hearing on these potential revisions was scheduled for March 12, 2020, but due to the emergence of COVID-19, at the urging of members of the public and City Council, the hearing was cancelled. A new hearing date was set for June 3, 2020. This hearing, held virtually through a Zoom meeting platform consistent with state guidance and Council practice during the COVID crisis, had nearly 100 people signed up to testify. This required that testimony be continued on June 18. A total of 75 people testified virtually, and over 300 written pieces of testimony were received. Much of the testimony centered around the “Deeper Affordability Bonus” and the “Historic Resource Demolition Disincentive”. Council met on July 9, 2020 and ultimately voted to accept all 6 of the revisions, which have all been incorporated into this final As-Amended draft.

# Section 3: Summary of Amendments

On March 12, 2019, the Planning and Sustainability Commission (PSC) voted to recommend that City Council adopt the Residential Infill Project proposals. The PSCs recommended changes do the following:

- Increase the variety of available **housing options**, in more locations, while ensuring greater compatibility of **scale** of these buildings.
- Address and improve **building design** in Portland’s single-dwelling neighborhoods.

The amendments address the scale of infill development and how and where to increase the range of new infill housing options, including development on historically narrow lots. Additional detail and analysis of the 12 proposals is included in Section 4: Analysis of Amendments, noted by page number references below.

## Housing Options and Scale

1. Allow for more housing types. *Page 13*
2. Limit the overall size of buildings. *Page 16*
3. For three or four units, at least one unit must be visitable. *Page 20*
4. Require at least two dwelling units when developing a vacant double-sized lot. *Page 22*
5. Rezone half of the historically narrow lots from R5 to R2.5. Allow the remainder of the historically narrow lots in the R5 zone to be confirmed for attached houses. *Page 24*
6. Allow small flag lots through property line adjustments. *Page 27*
7. Continue to allow added different building forms and site arrangements through a planned development review. *Page 28*

## Building Design

8. Revise how height is measured. *Page 31*
9. Address building features and articulation. *Page 33*
10. Provide greater flexibility for ADU design. *Page 35*
11. Modify parking rules. *Page 36*
12. Improve building design on lots less than 32 feet wide. *Page 38*

# Section 4: Analysis of Amendments

The goal of the Residential Infill Project is to update Portland’s single-dwelling zoning rules to better meet the changing housing needs of current and future residents.

- Portland is expected to grow by more than 100,000 households by 2035. About 20 percent of those units will be in single-dwelling neighborhoods. Still, two-thirds of our housing in 20 years will be the housing that exists today.
- The average age of city residents is increasing, yet most of our housing supply will not be able to meet the mobility needs of these older adults and will be a barrier to aging-in-community.
- The average number of people per household will continue to decrease, while the average new house size continues to increase.

The recommendations in this report reflect key changes to the Zoning Code, Zoning Map and Comprehensive Plan Map in residential areas to address these trends by allowing for a wider range of housing types that can serve our growing and changing community. These changes are intended to allow for a gradual transition to a more prosperous, healthy, equitable and resilient city.

## Housing Options and Scale

The proposals create more opportunity for additional housing types on most of the single-dwelling lots in Portland, except those with natural resource or hazard constraints or those that do not have the infrastructure to support additional households.

The proposals result in:

- Greater consistency with the established Portland pattern of houses.
- Increased land-use and resource efficiency.
- Additional outdoor yard space and/or increased privacy and solar access for neighbors.
- Opportunities for smaller, less expensive houses.

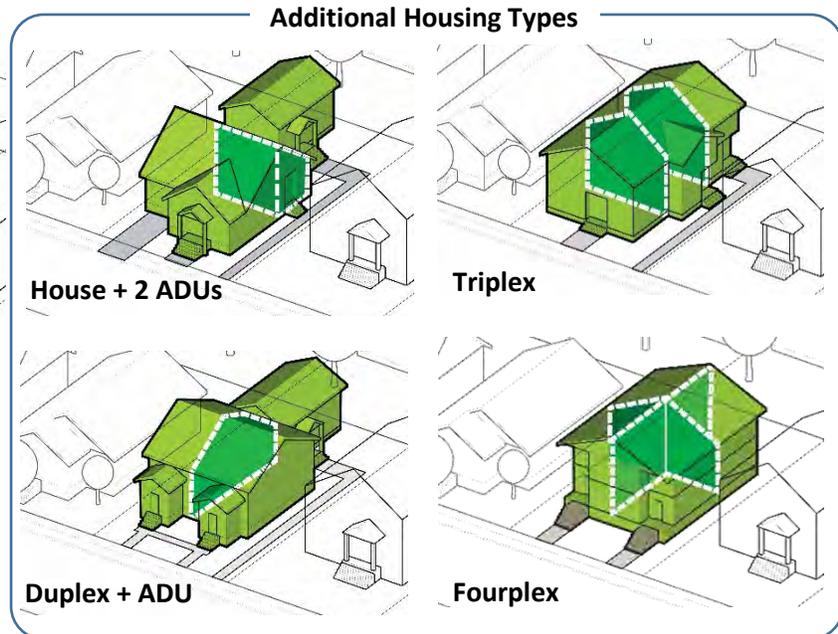
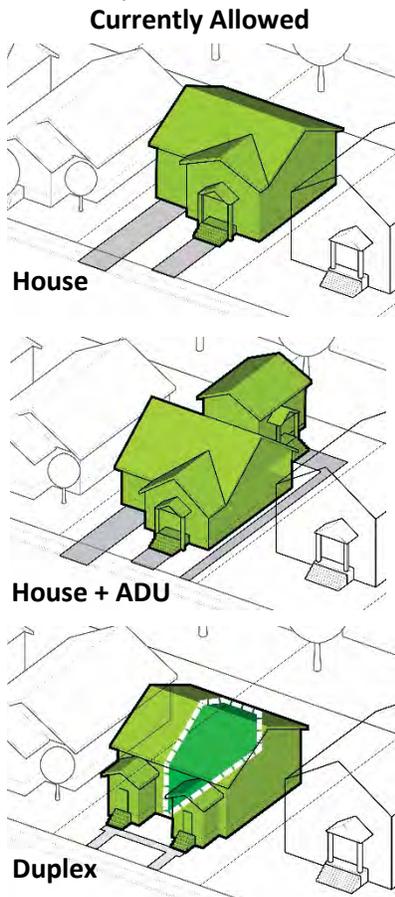
### 1. Allow for more housing types.

**Affects** R7, R5 and R2.5 zoned properties; ADUs in all zones.

#### The proposal

- Allow for houses, duplexes, triplexes and fourplexes
- Allow a house to have two accessory dwelling units (ADUs) or a duplex to have one ADU
- Limit lots with the following constraints to a house plus one ADU, or a corner lot duplex:
  - 100-year floodplain
  - Areas identified in the natural resource inventory (NRI)
  - Landslide hazards
  - Unpaved streets
  - Sites where a historic resource has been demolished in the past ten years
- Set a minimum lot size for lots with 1-2 units and a larger lot size for lots with 3-4 units.

For example:



*Variations of different residential infill options. In each case, there is a single primary structure on the lot at a scale that is compatible with existing single houses.*

**NOTE:** A “deeper affordability bonus” is also available that permits 4-6 units when at least ½ are affordable at the 60% MFI level. See Volume 2: Code and Commentary for specifics.

### What is the intended benefit?

Portland is facing some tough choices about how to adapt to the changing housing needs of current and future residents. Home prices keep climbing and apartments are the predominant housing type being built (about 74 percent of units built in 2016). The additional housing types proposed offer **alternatives** to apartment buildings and single houses. In addition, many neighborhoods already have these housing types from past eras of development.

As the price of land for housing continues to climb, the ability for many households to gain entry into single-dwelling areas grows increasingly out of reach. Current zoning in nearly half of the city’s land area limits development to a single house. To recoup the cost paid for the land, larger and therefore more expensive houses are built, or smaller houses are remodeled into larger houses. By providing alternatives that allow two, three or four units on a lot instead, suddenly a wider variety of housing options becomes possible. These units can be sold as condominium units at roughly **half the average cost of a single new house**. This opens opportunities for more middle-wage earners to find a foothold in the housing market and **avoid being priced out of neighborhoods** entirely. The proposed new housing options can help **increase the supply of housing and smaller units** in a way that fills a gap between single houses and apartment buildings.

The proposed housing options **use land and resources more efficiently**. Our current development trends are not keeping pace with our housing demands. While average household sizes have

declined in Portland from nearly 4.2 persons a century ago to about 2.3 persons today, the size of homes has increased from just over 1,000 square feet to 2,700 square feet today. Some neighborhoods are seeing additional new houses built, while simultaneously they are losing population. Smaller unit sizes are also more **energy-efficient** than a single unit twice the size.

**What else about the proposal should I know?**

Houses may have up to two accessory dwelling units (ADUs). Both ADUs may be detached from the house or one may be attached to or internal to the house. A duplex may only have a detached ADU. In any case, three units in a single building is considered a triplex, including three attached townhouses.

Lots that only have frontage on **unpaved streets** would not be eligible to construct additional housing types. These streets are less accessible to bikes and pedestrians, and they require more frequent maintenance than paved streets. Additionally, unpaved streets are less likely to handle stormwater effectively. Lots on private streets that connect to paved public streets would be eligible for additional housing types.

Additional housing options are more limited for sites where a contributing structure or landmark has been demolished without demolition review. Adaptive reuse of **historic resources** can preserve the historic structure while simultaneously adding needed middle housing units. To further encourage adaptive reuse of historic resources and discourage demolitions, this limitation restricts the residential infill options to a house, a house with one ADU, or a duplex and would apply for a period of 10 years following the demolition.

**Landslide hazards** are defined as areas that are subject to deep landslide susceptibility (slow moving, large soil volume), in the path of potentially rapid moving landslides (quick moving mudflow), or on historic landslide deposits and scarps. **Floodplains** include both the FEMA 100-year floodplain and the 1996 flood inundation area. Restricting housing options in these areas reduces the level of asset risk by reducing the number of households that are exposed to these risks.



*Example of an unpaved street*



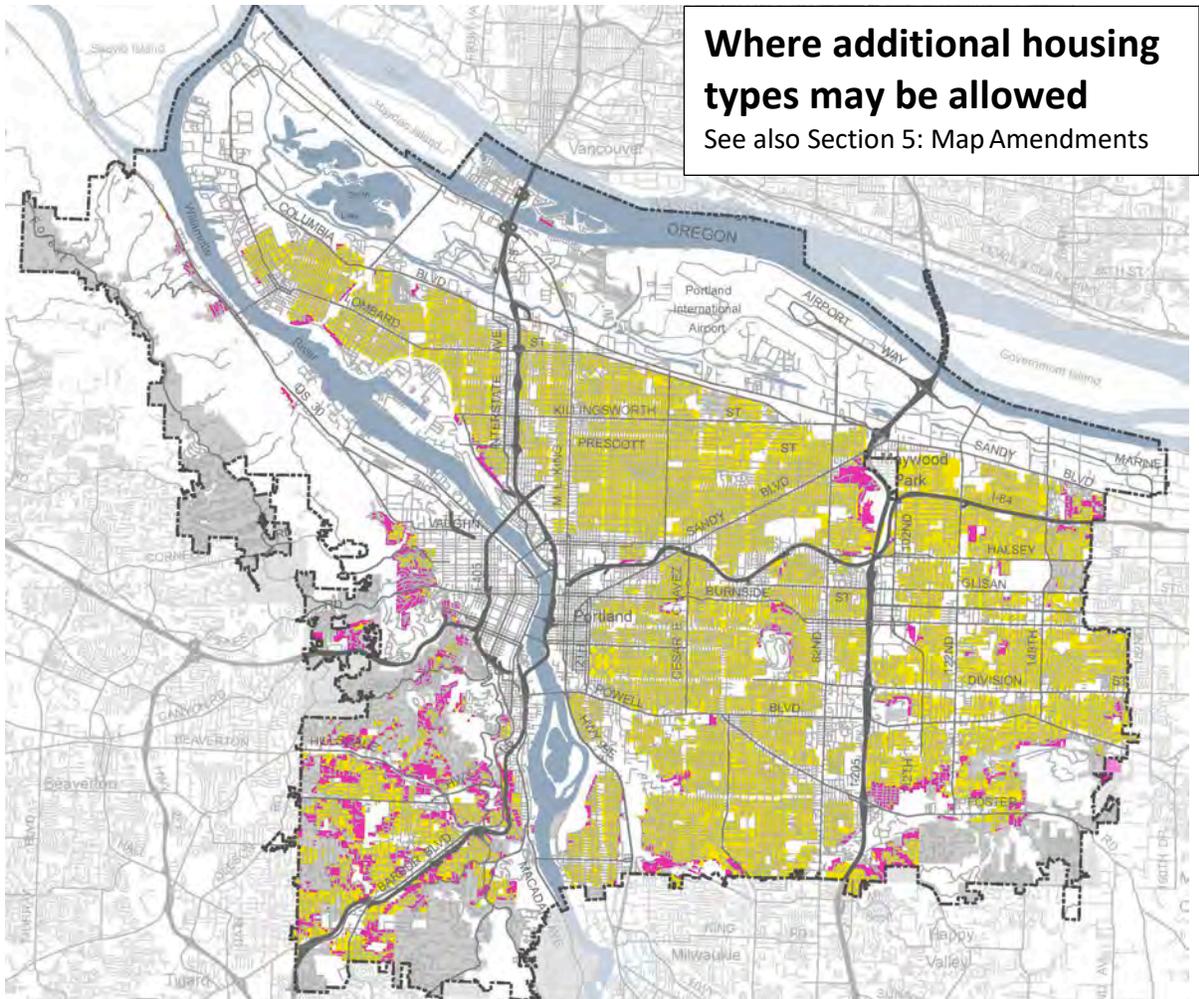
*Example of an active deep landslide*

The additional housing types would only be allowed on lots that meet the following **minimum lot sizes**. Larger lot sizes ensure that sites are big enough in conjunction with their associated FAR limits to accommodate reasonably sized units, plus provide suitable area for yards and any proposed parking.

Comparison of proposed FAR by zone on minimum sized lots with resulting average unit sizes\*

# of Units	Housing Type	R7			R5			R2.5		
		Min lot size	Base FAR	Average unit sizes	Min lot size	Base FAR	Average unit sizes	Min lot size	Base FAR	Average unit sizes
1	House	4,200	0.4	1,680	3,000	0.5	1,500	1,600	0.7	1,120
2	House + ADU, or Duplex		0.5	1,050		0.6	900		0.8	640
3	House + 2 ADUs Duplex + ADU, or Triplex	5,000	0.6	1,000	4,500	0.7	1,050	3,200	0.9	960
4	Fourplex			750						788

\*Average unit sizes derived from: (lot size\*FAR)/# of units. They do not reflect ADU unit size limits.



**Where additional housing types may be allowed**  
See also Section 5: Map Amendments

Areas in yellow indicate the R2.5, R5 and R7 zones that are proposed to allow the additional housing types. The magenta areas indicate natural hazard or resource constraints, and the gray areas indicate low-density RF, R20 and R10 zones. Note that minimum lot size, street condition requirements, and historic resource limitations which could limit additional housing types are not reflected in this map.

## 2. Limit the overall size of buildings.

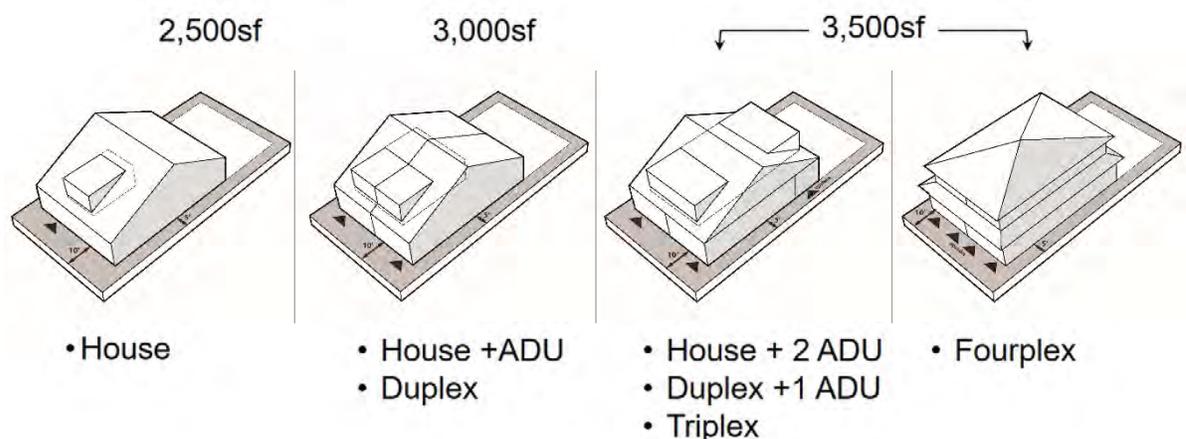
**Affects** R7, R5 and R2.5 zoned properties.

### The proposal

- Set a total maximum building size, measured by floor-to-area ratio (FAR), that is less than what is achievable today.
- Scale the FAR to increase as the number of units increases on the site.
- Exclude attics and basements from FAR.
- Allow a bonus increase in FAR on the site if:
  - At least one of the units is affordable (80% median family income),
  - At least 50% of units are affordable (60% median family income), or
  - Units are added to a site with an existing house and the street-facing facade of the house remains substantially unaltered.

For example:

On a 5,000 square foot lot in the R5 zone, the following building sizes would be possible.



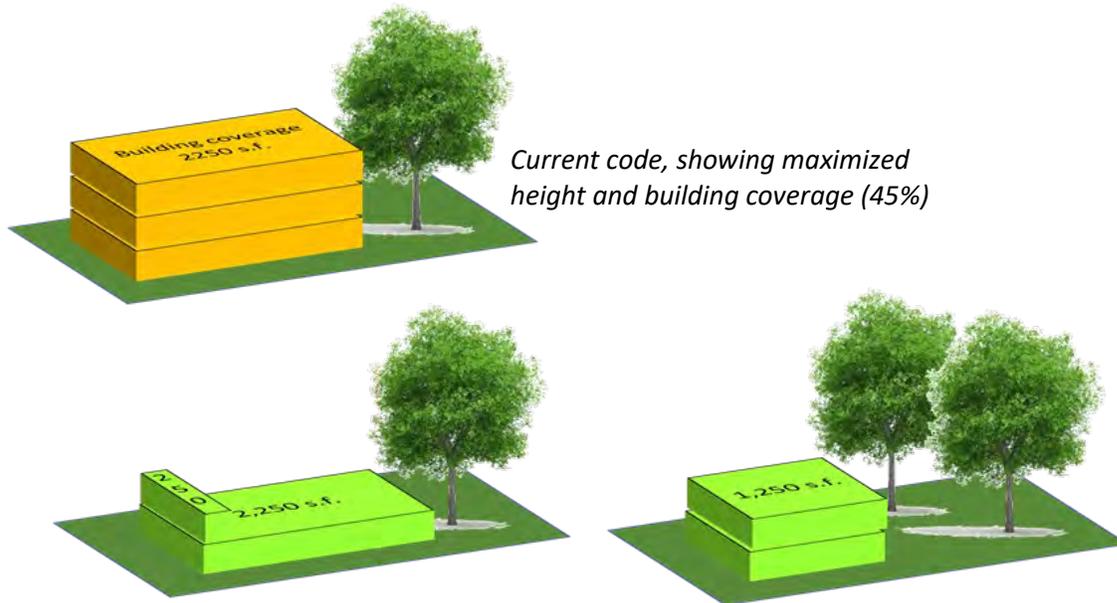
### What is the intended benefit?

Using FAR is intended to **prevent disproportionately large buildings, while retaining flexibility** that does not create a barrier to new development or remodels.

Other approaches like reducing building coverage, lowering heights and increasing setbacks could be applied; however, they can excessively limit development of smaller lots, while still allowing overly large buildings on larger lots. FAR provides for a proportionate amount of square footage that is linked to lot size. How that square footage is allocated (either spread out or stacked up) remains flexible. Reducing building coverage alone encourages taller buildings. Combining height limits with building coverage limits creates a complicated set of rules that are less flexible for subsequent additions.

The proposed FARs have been set to **encourage, but not mandate, two-story buildings**. This can result in much lower building coverage than the maximum that is currently allowed.

For example:



Current code, showing maximized height and building coverage (45%)

Proposed FAR creates a choice: spread out (45% coverage) or stack up (25% coverage).

	<b>R7 – 7,000 square foot lot</b>	<b>R5 – 5,000 square foot lot</b>	<b>R2.5 – 2,500 square foot lot</b>
<b>Current Code maximum size*</b> Based on building coverage and height limits	7,650 square feet <i>This is roughly 1.1 FAR.</i>	6,750 square feet <i>This is roughly 1.35 FAR.</i>	4,375 square feet <i>This is roughly 1.75 FAR.</i>
<b>Proposed maximum size</b> Base (one unit)	2,800 square feet <i>Maximum 0.4 FAR</i>	2,500 square feet <i>Maximum 0.5 FAR</i>	1,750 square feet <i>Maximum 0.7 FAR</i>
Maximum (three or four units with bonus FAR)	4,900 square feet <i>Maximum 0.7 FAR</i>	4,000 square feet <i>Maximum 0.8 FAR</i>	2,500 square feet <i>Maximum 1.0 FAR</i>
	R7 House      Fourplex	R5 House      Fourplex	R2.5 (5,000 sq. ft. lot) Duplex**      Fourplex

\* The current code maximum size is determined by calculating the building coverage and multiplying by the number of stories that can be built under the height limit. For example, for the R5, 5,000 square foot lot, the building coverage is 2,250 square feet, and the height is 30' (3 stories). Multiplying 2,250 times 3 yields 6,750 square feet of total allowable building area.

\*\* In the R2.5 zone on a 5,000 sq. ft. lot, a minimum of 2 units is required (see proposal 4)

**What else about the proposal should I know?**

Detached accessory structures are included with primary structures in the total calculation of floor area allowed on the site. One FAR standard will apply to the entire site. This provides greater flexibility to have a larger or smaller accessory structure, depending on how much square footage is being used for the primary structure. To encourage ADU creation, additional FAR is provided when there is a second or third unit on the site.

The calculation of total floor area does not include basements (floors where at least 50 percent of the combined wall area is below grade) or portions of attics where the ceiling height is less than 80 inches (the minimum height required by the building code to be considered “habitable space”).

FAR is not an adjustable standard. Due to the inclusion of scaled FARs for two and three units as well as the incentives for affordable housing or converting existing home sites described below, an adjustment process would undermine and negate the benefits those provisions aim to achieve. To achieve additional base FAR, more units must be provided.

**Bonus FAR may be obtained** in one of two ways:

The first is by adding units to a site while **retaining an existing house or converting the house** to a duplex, triplex or fourplex. The front façade of the house must remain substantially unaltered to achieve this bonus FAR.

The other way to gain FAR is by meeting **affordability requirements**. When one unit is priced for those making up to 80 percent of the median income, then an additional 0.1 FAR above the base FAR can be achieved. A **deeper affordability bonus** is also available. When half of the units in 4-6 unit buildings are kept affordable to those earning up to 60% of the median income, then the FAR is increased to 1.2 total (in all zones). This is designed to help make small, affordable infill-housing development projects more feasible by making more FAR available than what is allowed for market-rate housing projects and/or to better accommodate larger families in affordable housing.

The proposed FAR limits take into consideration the typical sizes of new and existing homes in neighborhoods. The first half of the table below summarizes the average size of new houses built in 2015 by zone based on permit data. The second half shows the average size of existing houses citywide by zone based on tax assessor data, which is the best available data. This comparison shows that while many of the new houses being built today surpass the proposed FAR limits, most of the housing stock—older, existing houses—would fall within the proposed limits. The expected outcome of this proposal is new houses will be smaller than what is being built today and more comparable to existing houses.

2015 Houses	R2.5	R5	R7
Number of permits	99	275	51
Largest house size (square feet)	4,574	4,627	4,809
Largest FAR	1.32 to 1	1.27 to 1	.96 to 1
Average house size (square feet)	2,381	2,669	3,252
Average FAR	.75 to 1	.64 to 1	.47 to 1
Permits above the proposed FAR	51%	76%	59%
<i>Includes habitable area only, excluding low attics, garages and unfinished basements.</i>			
Existing Houses	R2.5	R5	R7
Number of houses	13,279	76,027	27,669
Average FAR	0.31 to 1	0.30 to 1	0.21 to 1
Number and percentage of houses that are nonconforming with proposed FAR	476 (3.5%)	9159 (12%)	1412 (5.1%)

## Analyzing the risk of displacement

The 2035 Comprehensive Plan defines displacement as when households are involuntarily forced to move from a neighborhood because of increasing values, rents, or changes in the neighborhood's ability to meet their basic needs. **Policy 5.15, Gentrification/displacement risk**, requires new plans to evaluate the potential to cause displacement or increase housing costs in vulnerable communities. *Appendix H* presents the detailed displacement risk analysis summarized here.

### ***Who is vulnerable to displacement?***

Economic vulnerability is measured across four variables: households that rent, people who identify with a community of color, people without four-year degrees and low-income households. These socioeconomic factors indicate a reduced ability to withstand housing market price increases.

Displacement Risk Areas are census tracts that have a vulnerable population, have experienced demographic change and have housing market conditions with increasing prices. In addition to those geographic areas, **the analysis also focused specifically on the impact to the 14,000 low-income households who rent single-family homes**. These households are most vulnerable because they have the least control over their housing (they are subject to eviction) and limited choice in housing (based on affordability).

### ***Where is redevelopment most likely?***

Redevelopment occurs because a new building might be of higher value than an existing single-family house. In this situation, redevelopment could occur when a developer chooses to demolish an existing house to build a new structure with multiple units. The analysis evaluates two 2035 development scenarios: one for current zoning as the baseline scenario and one for the Residential Infill Project.

Overall, the project proposals are likely to **reduce displacement of low-income renters in single-family homes across Portland**. This reduction is the result of allowing more units to be built on one lot, which means there will be fewer lots redeveloped overall across Portland. Other key findings from the comparison between the baseline current zoning scenario and the proposal include:

- **Inner Portland neighborhoods** like Buckman, Richmond, Eliot, and Humboldt **see minimal change in redevelopment** rates and **moderate increases in housing** units.
- **Middle ring neighborhoods**, including St. Johns, Portsmouth, Concordia, Cully, Montavilla, Brentwood-Darlington and Lents, **see significant increases in new units**, but **lower rates of redevelopment**.
- **West Portland** neighborhoods see minimal change in redevelopment.
- **Most East Portland neighborhoods** see **moderate increases in new housing units** including Centennial, Powellhurst-Gilbert, Mill Park and eastern portions of Lents.
- Conversely, **some areas of Portland** see **decreases in redevelopment and new units**. These areas include neighborhoods such as Eastmoreland, Southwest Hills, Sylvan-Highlands, Hayhurst, Maplewood and Wilkes. In many cases **the cost to purchase existing houses exceeds the land price threshold necessary to support new development**.
- **Brentwood-Darlington, Lents**, and parts of the **Montavilla** neighborhood that are east of 82<sup>nd</sup> Avenue are likely to see significant increases in redevelopment that could also lead to the displacement of vulnerable households.

These findings suggest the Residential Infill Project will **reduce displacement of vulnerable households citywide (with some increases in certain areas), increase housing supply and choice and create less-expensive housing options** in Portland's single-dwelling zones.

### 3. For three or four units, at least one unit must be visitable.

**Affects** R7, R5 and R2.5 zoned properties.

#### The proposal

- For lots with three or four units, at least one unit on the site must meet the following visitability requirements:
  - No-step entry
  - Wider doorways
  - Living space and bathroom on the ground floor

There are exceptions for units that are added in an existing building (which can be difficult to remodel to meet visitability requirements), for very steeply sloping lots, or when the slope of the lot from the street to the front door makes this standard impractical.

#### What is the intended benefit?

The recommended additional housing options include **new “visability” requirements** to increase the accessibility and resiliency of neighborhoods. These requirements:

- Add to the supply of housing with fewer barriers to people with mobility impairments (including elderly and disabled persons).
- Add housing options for people to stay in their neighborhoods as they age and downsize.
- Offer convenience to other users of all ages, who, for example, use strollers or bicycles.
- Help remove barriers that can lead to social isolation for those with mobility limitations.

As our population continues to live longer, the demographics of the city are also changing and will reflect a higher average age. According to the 2017 American Community Survey, over 36 percent of adults 75 years and older in Portland have an ambulatory disability. About 13 percent of adults between the ages of 65 and 75 and another 10.5 percent of persons under the age of 65 experience mobility issues. As we think about the future housing stock, it is important to think about ways this housing can be readily adapted to suit our changing needs.

Some of those adaptations are fairly straightforward and do not require structural changes, but other costlier and potentially infeasible barriers to overcome include removing steps leading into a home, providing adequate-width doorways, and ensuring there is a bathroom on the accessible floor.



*Retrofitting existing development can require extensive and costly modifications.*

To be “visitable,” a dwelling must meet the requirements for Type C visitable units, as defined by the International Code Council, which includes installation of a zero-step entry, wider doors (31 ¾ inches minimum), a bathroom with adequate maneuvering area, an area to socialize of at least 200 square feet on the same floor as the bathroom and visitable entrance, and lighting controls at an accessible level. The proposal to include minimum living space area on the accessible floor ensures that units

do not simply include an entry with an interior landing, a half-bath and a stairway to the dwelling area of the house. This is intended as a relatively low-cost but high-impact way to increase accessibility. It does not accomplish or cost the same as providing for full accessible living, but it does provide a platform for future home modifications that can be tailored to meet the specific needs of the occupant.

#### **What else about the proposal should I know?**

Certain situations are exempt from the visitability requirements due to the impracticalities of meeting the standards. For example, existing houses or accessory buildings are exempt because of their fixed set of conditions like the level of the entrance or interior room layouts. Grading to achieve a zero-step entry could negatively impact the building. Reconfiguring interior walls or adding bathrooms where there is no plumbing would likewise be challenging.

Additionally, lots that are very steep (20 percent average slope) or have a steep slope from the street to the front door would require extensive grading, which could add significant cost and potentially remove topographic characteristics that help define the street.

## **4. Require at least two dwelling units when new development is proposed on a double-sized lot.**

**Affects** R7, R5 and R2.5 zoned properties.

#### **The proposal**

- When new development is proposed on lots that are twice the standard size lot for the zone, at least two units will be required.

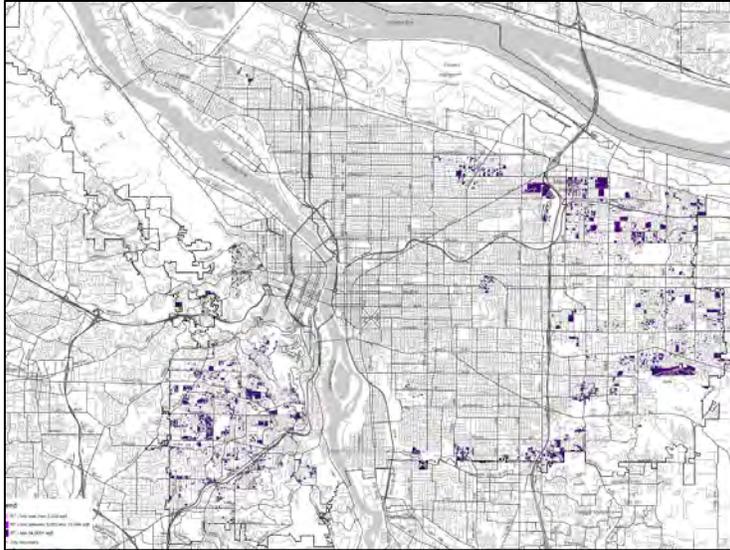
#### **What is the intended benefit?**

Single-dwelling zones only require one dwelling unit on a site, regardless of the site size. Conversely, multi-dwelling zones require that minimum densities be met at the time of development. For example, on a 10,000-square-foot R1 multi-dwelling site, the maximum density is 1 unit per 1,000 square feet (or 10 units), while the minimum density is 1 unit per 1,450 square feet (or 7 units). This ensures that land allocated for certain levels of housing densities are achieving those levels.

In the R7, R5 and R2.5 zones, minimum densities are only ensured when lots are being divided. When new development is proposed, or when a house is demolished on a double-sized or larger lot, current rules allow just a single house to be built. This is an issue in the R2.5 zone where almost 40 percent of the lots are at least double the required average lot size. While this situation applies to fewer than 10 percent of the lots in the R7 and R5 zones, without this provision, a single large house (5,000-square-foot house on a 10,000-square-foot lot in the R5) could be built and would be a lost opportunity for adding housing.

#### **What else about the proposal should I know?**

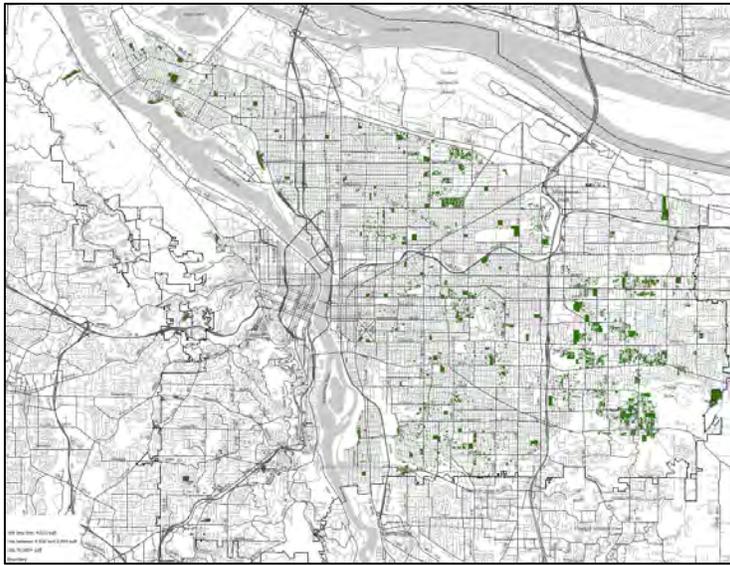
The two dwelling-unit requirement only applies to new development sites and does not apply to lots that have an existing house when additions are proposed. The requirement does not require that large lots be divided. It can be met with a house plus and accessory dwelling unit (ADU), or a duplex on sites where duplexes are allowed. Most lots in these zones will also allow for duplexes, and all corner lots currently permit duplexes.



## R7

All lots:  
32,953

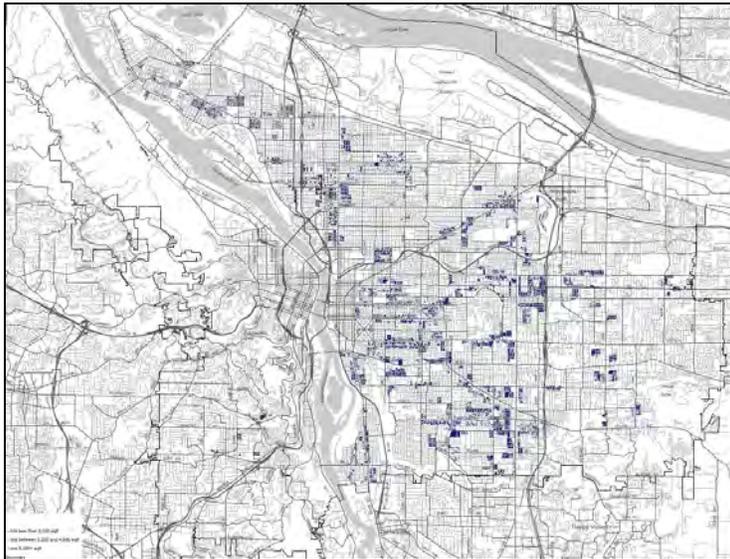
Lots 14,000 sq. ft. and larger:  
2,812 (8.5%)



## R5

All lots:  
73,557

Lots 10,000 sq. ft. and larger:  
4,629 (6.3%)



## R2.5

All lots:  
26,675

5,000 sq. ft. and larger:  
10,614 (39.8%)

## 5. Rezone half of the historically narrow lots from R5 to R2.5. Allow the remainder of the historically narrow lots in the R5 zone to be built with pairs of attached houses.

**Affects** Historically narrow lots in the R5 zone.

### The proposal

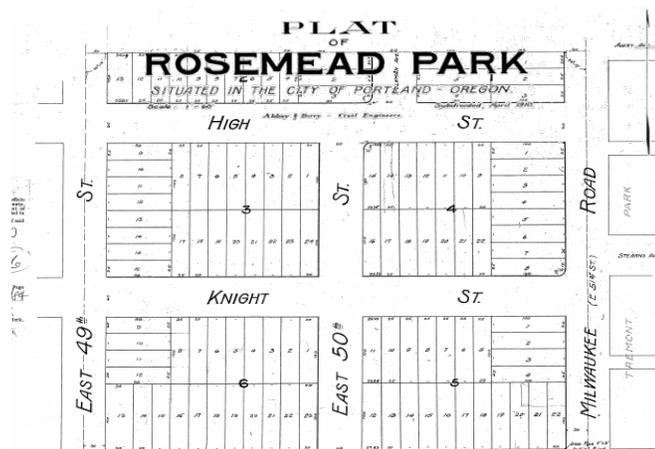
- Rezone historically narrow lots that have the highest access to amenities from R5 to R2.5.
- For the remaining historically narrow lots zoned R5 citywide, allow these lots to be developed with attached houses that can be owned separately.

Summary of Lots and Area Proposed for Rezoning		
Citywide Statistics	Lots	Acres
R5 historically narrow lots	14,435	1,804
<b>R5 to R2.5 Rezoning</b>		
R5 Historically narrow lots	6,384	742
Other R5 rezones (not historically narrow lots)	324	40
<b>Total properties rezoned to R2.5</b>	<b>6,708</b>	<b>782</b>

### What is the intended benefit?

Some areas of the city have original, **underlying platting that created lots smaller than typical for the current zoning**. These are referred to as “historically narrow lots.” Most of these areas are in R5 zones. A typical R5-zoned property is 50 feet wide by 100 feet deep (5,000 square feet). A typical R5 “historically narrow lot” is 25 feet wide by 100 feet deep (2,500 square feet). The platting pattern and the concentration of historically narrow lots in certain areas of the city predates modern zoning and their location is an artifact of history.

Current rules in the single dwelling zones allow development on any legally-created property that meets the minimum lot size and is at least 36 feet wide. Current rules in the R5 zone also allow development on sites that do not meet the minimum lot dimension standards if the lot has been vacant for five years. This applies to historically narrow lots. While the “vacant lot provision” has probably prevented some demolitions, it has also led to confusion about the zoning pattern and what is allowed and what is not. This issue is sometimes called the “five-year moratorium.” For more information about historically narrow lots, see *Appendix G: Portland’s Historically Narrow Lots*.



*Plat for Rosemead Park, filed 1910. The lots in this plat are 25 feet wide, with varying lot depths.*

Rezoning some historically narrow lots to R2.5 is **consistent with Comprehensive Plan** Policy 10.1, which states that the R2.5 Single-Dwelling – 2,500 designation:

*“allows a mix of housing types that are single-dwelling in character. This designation is intended for areas near, in, and along centers and corridors, near transit station areas, where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas within this designation generally do not have development constraints. This designation often serves as a transition between mixed use or multi-dwelling designations and lower density single dwelling designations. The maximum density is generally 17.4 lots per acre. The corresponding zone is R2.5.”*

There are challenges to addressing historically narrow lots, but there are opportunities too:

Rezoning Some Historically Narrow Lots to R2.5	
Opportunities	Challenges
<ul style="list-style-type: none"> <li>• Rezoning approach is transparent and consistent with lot size and density</li> <li>• Increases supply of lots for housing in the right places</li> <li>• Increases opportunities for fee-simple homeownership</li> <li>• Smaller homes and lots can be less expensive</li> <li>• Promotes smaller, more energy-efficient houses</li> </ul>	<ul style="list-style-type: none"> <li>• Locations of historically narrow lots are not distributed evenly throughout the city</li> <li>• Increases demolition pressures in some neighborhoods</li> <li>• Narrow houses often do not reflect neighborhood character of houses built on wider lots</li> <li>• Multiple driveways eliminate on-street parking opportunities</li> </ul>

The rezoning **increases the potential supply of housing in amenity-rich areas**, as called for in the Comprehensive Plan. The rezoning is based on their proximity to centers, parks, schools and other community amenities as well as consistent zoning designations and patterns of development.

The proposal provides the opportunity for a different housing type in the R5 zone—**fee-simple attached houses**. Fee-simple ownership is the most common ownership type in single-dwelling neighborhoods. It differs from condominium ownership in that the land under the house is owned by one owner, instead of being owned in common. Also, since these lots already exist, more costly land divisions would not be required to provide these fee-simple lots.

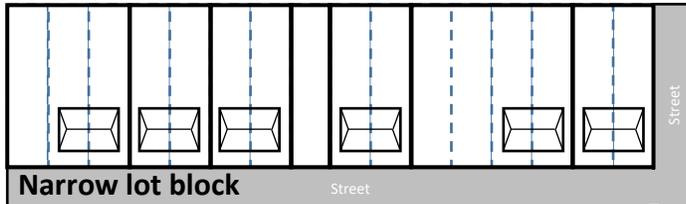
**What else about the proposal should I know?**

On the historically narrow lots that will remain zoned R5, the “five-year moratorium” will no longer apply and the underlying lots can be developed when attached houses are proposed. A key distinction between R2.5 and R5 lots is the allowable scale of houses. In the R2.5 zone at 0.7 FAR, each attached house would be up to 1,750 square feet, whereas the lower FAR of 0.6 in the R5 zone limits the maximum size of each attached house to 1,500 square feet. Another distinction is that the R5 zone only allows pairs of attached houses, as opposed to structures with multiple attached rowhouses (up to eight) in the R2.5 zone.

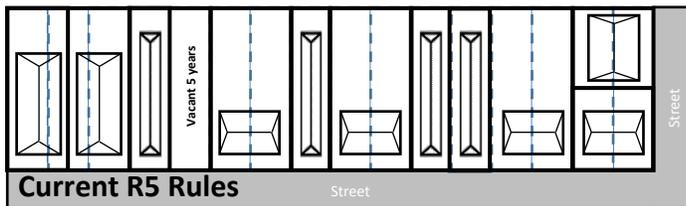
Exceptions would still allow developing detached houses on individual substandard R5 lots. For example, lots wider than 25 feet will permit a detached house. Also, if a detached house is already

built on a 25-foot-wide lot, the house may be rebuilt if accidentally damaged or destroyed. Lastly, if there is existing development on both lots adjacent to a historically narrow lot, that stand-alone lot would be allowed to be built with a detached house, since attaching to existing development on the other lot would be impractical.

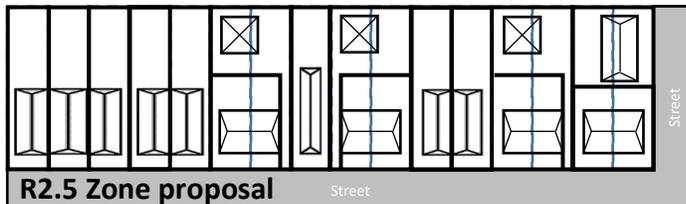
Individual historically narrow lots are too small to qualify for the additional housing types described in Proposal 1, so it is not possible to put a triplex or fourplex on these lots. Where two or more substandard lots are combined to meet the minimum lot dimension requirements, this combination of lots could qualify for the additional housing types.



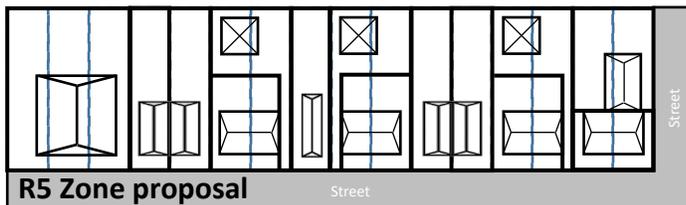
**Existing historically narrow lots**  
 This shows an example R5 zoned block with seven tax lots (solid lines) and 16 historically narrow lots (dashed lines).



**R5 - Current infill potential**  
 Under current rules: • Property lines can be adjusted from three lots to create two 36'+ wide lots. • A house can be built on one lot, leaving the other lot vacant for five years. • The stand-alone lot can be built. • Skinny detached houses can be built on vacant lots. The corner lot can rotate the property line for detached houses.



**R2.5/R5 - Proposed infill potential**  
 Historically narrow lots will have more infill opportunities: • Houses in R2.5 will have a max 0.7 FAR, while houses in R5 will have a max 0.6 FAR. • Attached houses will be required on narrow lots. In R5, only pairs of attached houses will be allowed. • Flag lots will be allowed through property line adjustments when an existing house is kept. • Stand-alone lots can be built. • Corner lots can rotate property lines for wider lots that allow detached houses.



Some small pockets of R5-zoned areas that did not include historically narrow lots have been included in the R2.5 rezone proposal (324 lots, 40 acres) to provide for a transition between existing higher-intensity zones and the proposed rezone areas.

For more information about the criteria used and the location of proposed zone changes, see Section 5: Map Amendments and *Appendix F: R2.5 Zone Changes by District*.

## 6. Allow small flag lots through property line adjustments.

**Affects** R2.5 zones and historically narrow lots in the R5 zone.

### The proposal

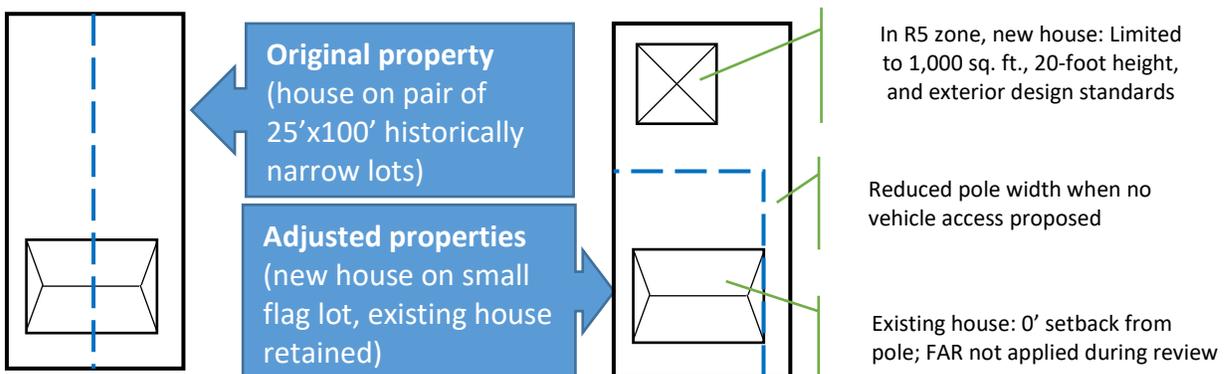
- Require that the existing house be retained and exempt from FAR limits at the time of the property line adjustment review.
- In the R5 zone, limit the height of the house on the flag lot to 20 feet, limit its size to a maximum FAR of 0.5 and require additional exterior design elements.

### What is the intended benefit?

The proposal allows for a small flag lot to be created either through a property line adjustment (R5 historically narrow lots and other R2.5 lots) or with a land division (R2.5 zones only). In general, flag lots are a less desirable form of development because the lots are disconnected from the public street. Because they are behind an existing house, they are also located next to the back yards of adjacent houses. On the other hand, flag lots afford infill opportunities while retaining existing houses<sup>8</sup>.

A property line adjustment process is quicker and less costly than a land division. This streamlined review process supports the creation of more fee-simple homeownership opportunities with smaller, less expensive units and provides homeowners the opportunity to capitalize on their investment. The provision encourages the preservation of a house by allowing this process and lot configuration only if a house is retained.

For example:



<sup>8</sup> Staff estimates that in proposed rezone areas, less than 10 percent of historically narrow lots are vacant, while the proportion of lots with flag lot potential is closer to 20 percent.

### What else about the proposal should I know?

To provide additional incentives to retain the existing house, the FAR for the existing house will not be reviewed during the flag lot property line adjustment request. Normally, when evaluating property line adjustment requests, the applicable development standards are evaluated to ensure that development remains in compliance. For example, if minimum setbacks or building coverage cannot be met as a result of changing the lot configuration, a land use adjustment is required. Exempting the FAR during a flag lot property line adjustment removes another potential barrier to keeping the existing house.



*This image shows how a flag lot created through a property line adjustment could accommodate a small house.*

In the R5 zone, additional limitations are proposed on the flag lot to maintain a more conventional pattern of primary structures along the street with smaller detached structures in the back yard. To achieve this, the flag lot house will be limited in size (max FAR 0.5) and height (20 feet), and exterior design requirements (similar to what is required for taller accessory structures) will apply to structures taller than 15 feet.

## 7. Continue to allow different building forms and site arrangements through a planned development review.

**Affects** R7, R5 and R2.5 zoned properties.

### The proposal

- Align the review procedure, allowable density, and development standards for similarly sized planned developments and land division sites.

### What is the intended benefit?

**Cottage clusters** are groups of relatively small homes that are typically oriented around a shared common space such as a courtyard or garden. Parking is often relegated to the edge of the site. These clustered developments foster a sense of community among residents and can be modeled to suit many specific living needs. The units could be part of a cohousing project, tailored to older adults or people with disabilities or built with other innovative attributes.

**Planned Development (PD)** is the type of review process used for new cottage cluster projects and other projects that may not otherwise conform to the base zone development typologies. The primary difference between a cottage cluster PD and a standard subdivision is the lack of individual lots. Some or all the cottage cluster units share a lot.

The PD review enables the flexibility needed by cottage clusters to respond to site characteristics, constraints and opportunities. Because a cottage cluster is a break from the standard lot pattern, these proposals are reviewed for their site layout and architecture to ensure compatibility with the surrounding neighborhood.

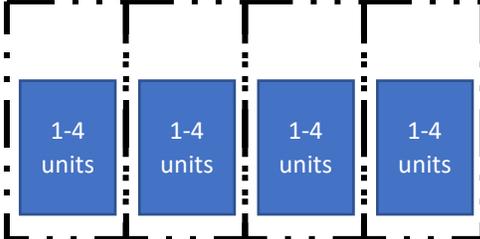


*For example: Smaller homes clustered around a common open space in Northwest Heights.*

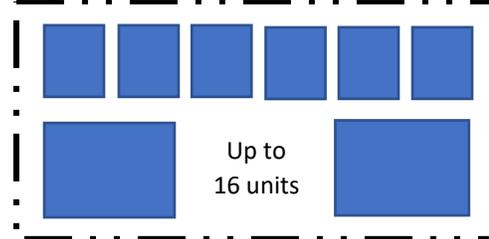
The proposal accomplishes **four key objectives:**

1. It allows for similar densities that would be allowed through a standard subdivision.
2. It more closely aligns the type of review procedure with subdivisions proposing the same number of units.
3. It retains flexibility that allows more types of housing, site layout and building design while ensuring compatibility with the neighborhood through a discretionary review process and providing certainty in the subsequent phases of development through a land use approval.
4. It provides the opportunity for community members to receive public notice and comment on the PD proposal.

*4-lot land division*



*Single lot planned development*



*In a standard land division of a 20,000 square foot R5 zoned property into four lots, each could include between 1 and 4 units (house through fourplex). A planned development would allow the same number of units but with greater flexibility in how they are arranged on the site and would be reviewed for context and compatibility during the review. Both would be reviewed through the same review procedure type (Type IIx).*

<i>Comparison of Planned Development and Land Division reviews on a 20,000-square-foot R5 site</i>			
	<b>Land Division</b>	<b>Current PD (no LD)</b>	<b>Proposed PD (no LD)</b>
Review Type	IIx	III	IIx
Number of lots	4	1	1
Total number of units	Up to 16 (4 plex x 4 lots)	4 (20,000 ÷ 5,000 sq. ft.)	Up to 16
FAR	4 Houses=0.5 4 Duplexes=0.6 4 Triplex/fourplex=0.7	N/A	0.7
Building coverage	45% per lot (average)	22.5% but modifiable	22.5% but modifiable
Visitability	1 per triplex/fourplex	N/A	33% of units

**What else about the proposal should I know?**

Planned developments allow for cottage cluster-style developments, but they also provide the flexibility for other types of housing arrangements, too. This might include garden apartments, courtyard housing, or other combinations of houses, duplexes and triplexes. The proposal is not specific to cottage clusters but rather allows for greater alignment with land division sites in terms of numbers of units, building sizes and review procedures on sites where the land is not being divided into multiple lots.

In the R5 and R7 zones, the allowable units for a planned development site is four times the potential number of lots. However, in the R2.5 zone, the allowable density is just two times the number of potential lots, in part due to the difference between larger lot size required for three or four units (3,200 square feet) as opposed to the underlying lot density (one lot per 2,500 square feet).

Land use review procedures, in order from least to greatest level of process, include Type I and Ix, Type II and IIx, Type III and Type IV. Most PDs currently go through a Type III procedure, which is decided by a Hearings Officer and, if appealed, by City Council. By comparison, a Type IIx land use review, which applies to smaller land divisions, is less expensive, requires less time to process and is a staff decision that can be appealed to the Hearings Officer. Both procedure types utilize the same approval criteria and provide opportunities for appeals at both the City and State level.

The recommended threshold for PDs is changed so that proposals for up to 20 units are processed as a Type IIx case, the same maximum number of units that can be reviewed through a Type IIx standard R2.5 subdivision (10 lots with two units each). Any proposal in a single-dwelling zone that includes commercial or multi-dwelling structures (structures containing five or more units), regardless of the number of units being proposed, remains a Type III review procedure.

# Building Design

The proposals seek to improve building design, resulting in:

- Building heights that better relate to the site
- Improved roof articulation and front setback alignment
- Reduced impacts from onsite driveways and garages
- Houses on narrow lots that are more consistent with homes on wider lots

## 8. Revise how height is measured.

**Affects** RF – R2.5 zoned properties.

### The proposal

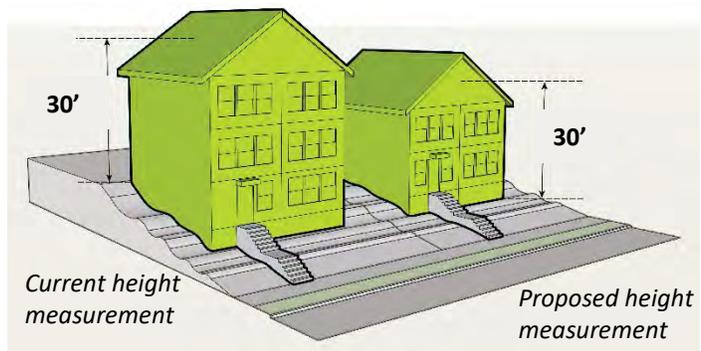
- Measure height from the *lowest* point near the house, not the *highest* point.
- Clarify that small dormers are excluded from the height measurement.
- Continue to allow 2½ story houses (30 feet high) on standard lots.

### What is the intended benefit?

This change limits the ability to artificially elevate the reference point to obtain a taller structure. It also limits the ability to use dormers to fully extend an additional floor (see examples below).

The revised height measurement method ensures that structures have a **better relationship to the public street and sidewalk**. Lots that slope up from the street currently may allow for a full additional floor when viewed at the street. Lots that steeply slope down from the street will continue to have an alternative method that allows for 23 feet of height above the street elevation. The net effects of the change are lower rooflines and facades that do not tower over the street.

The current height measurement uses the highest point near the house as the base point and measures to the midpoint of the sloped roof. On sloping sites, this can result in houses that exceed 2½ stories. Moreover, retaining walls and fill can be used to artificially elevate one part of the site to obtain a higher base point measurement. By measuring height from the lowest point, it becomes more difficult to artificially raise the height reference point. The entire area around the house would need to be raised (as opposed to the current method, where only a single raised point can establish the base reference point).



Dormers (which are often not measured under current code and frequently have a higher roof) would be measured for height unless they maintain a minimum 3:1 pitch, are set back from exterior

walls by 1 foot, do not project above the roof ridgeline and are less than 75 percent of the width of the roof they are on.

For example:

*Currently, dormers are not included in height measurements.*

*The changes would include dormers in height measurements unless they met specific limits.*



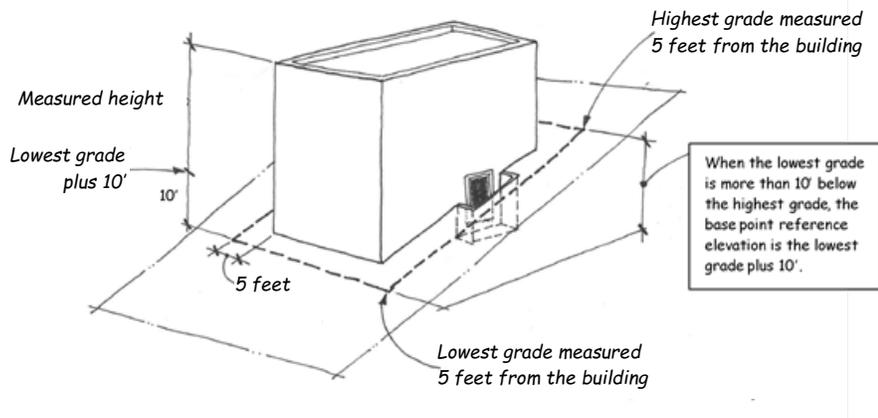
pro.homeadvisor.com



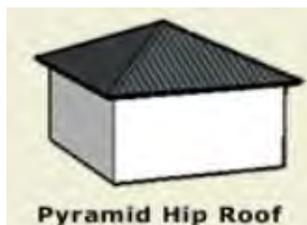
finehomebuilding.com

**What else about the proposal should I know?**

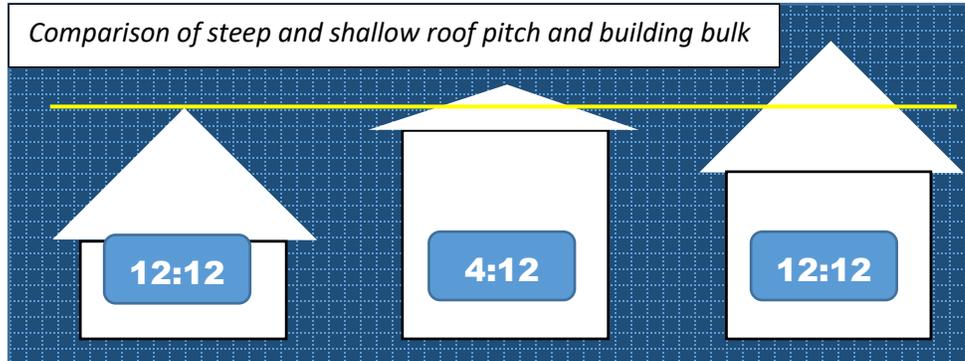
Since the height measurement is taken along a perimeter that sits 5 feet away from the edge of the building, window wells and exterior stairs to basements would not affect the new height measurement, provided they fall inside the 5-foot perimeter distance. In addition, a 5-foot-wide pedestrian access would be allowed through the perimeter without affecting the measured height. This provides for access to basement units, for example, on raised lots.



The current code differentiates measurement methods between gable roofs with less than 12:12 pitch (measure to the midpoint) from those with 12:12 and greater roof pitch (measure to the peak). The code also measures to the peak of pyramidal shaped roofs, even though the distinction between these and gable/hipped roofs is nearly imperceptible from the ground.



The proposed changes would treat these roof types the same by measuring to the midpoint in both cases, consistent with building code methodology. This allows for steeper pitched roofs that may be taller, but the building profile is typically less bulky than buildings with lower-pitched roofs. This will work together with FAR limits that count tall attic spaces to reduce the overall building bulk.



## 9. Address building features and articulation.

**Affects** R20, R10, R7, R5 and R2.5 zoned properties.

### The proposal

- Limit how high the front door can be above the ground (R10 – R2.5 zones).
- Allow eaves to project up to 2 feet into setbacks (R20 – R2.5 zones).
- Allow the front door of each corner lot duplex unit to face the same street (R20 – R2.5 zones).

### What is the intended benefit?

Limiting the height that the front door can be above grade reduces the number of stairs needed to get into a house and ensures that the first level of the house is kept closer to the surrounding grade. This helps to better “anchor” the house and **visually reduces the apparent height** of the structure. It also helps provide a more approachable and less foreboding front door while maintaining the appearance of a conventional single-dwelling structure, and it prevents the façade from being obscured by stairs.

In zones with a required side yard setback of 5 feet, eaves may only project 1 foot into the setback under current rules. Taller, wider houses generally look and fit better with wider eaves. In addition to **better proportioned buildings**, wider eaves also afford better **protection from sun and rain**.

For example:



*Front doors are positioned closer to the ground and both oriented to the same street. Larger eaves better complement the roof.*



*Tall flights of stairs to raised front doors will no longer be allowed. Increased allowances for eave projections will enable wider eaves to be built.*

Current rules require that corner lot duplexes have their front doors and addressing oriented to opposing streets. Removing this limitation provides **greater flexibility for duplex design** and can increase neighbor interaction and strengthen street identity.

**What else about the proposal should I know?**

The limitation on the height of front stairs does not apply to sites in the 100-year floodplain, where building code requirements mandate that the finished floor level be a certain distance above the 100-year flood elevation. In some cases, the limitation on how far above grade the front door can be could create conflicts with floodplain regulations.

This proposal also includes changes to how eaves are factored into building coverage calculations. Current code exempts eaves of any size from building coverage calculations. As long as a roof projection is cantilevered and not supported by posts, it is considered an eave. Consequently, very large eaves do not count toward building coverage limits. The proposed change to the definition of building coverage will now only exclude eaves that are up to 2 feet deep.

## 10. Provide greater flexibility for ADU design

**Affects** Accessory dwelling units (ADUs) in all zones.

### The proposal

- Maintain current ADU allowances (living area).
- Allow basement ADU conversions to exceed the 800 sq. ft./75% size cap in an existing house.
- Allow the front door of an internal ADU to face the street.

### What is the intended benefit?

Accessory dwelling units have gained popularity in Portland in recent years. They represent an excellent way to provide smaller housing choices and alternatives to apartments while also offering homeowners a way to supplement their income. They provide flexible options for extended family or others while maintaining a greater degree of autonomy than more traditional roommate situations. The current ADU allowances have been in effect for several years and have not placed undue barriers to ADU development. The proposed refinements are intended to further facilitate their creation.

Proposed **accessory dwelling units in basements** will have greater flexibility in size. Current code limits an ADU to 800 square feet or 75 percent of the primary dwelling unit size. In cases where a basement is being converted, the basement may either be slightly larger than the 800 square feet allowed, or the house may have just a single level above the basement meaning the ADU exceeds the 75 percent proportion limit. When this is the case, sections of the basement must be walled off as inaccessible, area must be designed for common use between both units, or an adjustment to the standards is required. To create added incentive to retain existing houses and promote additional ADUs, the size restrictions would not apply for converting a basement into an ADU provided that the entire ADU is in the basement and the home is at least five years old.



*Example: Basement ADU*

Removing the limitation that restricts having the front door of an accessory dwelling unit on the same façade as the main house will also provide more design options for internal ADUs or greater flexibility to convert space in an existing house to an ADU, such as a garage conversion.

### What else about the proposal should I know?

Additional clarification is being added to the code to better differentiate “attached accessory structures” (built inside or alongside a primary structure), “connected accessory structures” (built separate from a primary structure but attached via a breezeway or deck), and “detached accessory structures” (built apart from and not connected to the primary structure). This is intended to more clearly specify that height, building coverage, and design standards for ADUs that are connected by a breezeway are the same as detached ADUs. Connected structures will need to meet base zone setbacks. The connection (e.g., breezeway) is subject to base zone height, building coverage and setback standards.

## 11. Modify parking rules

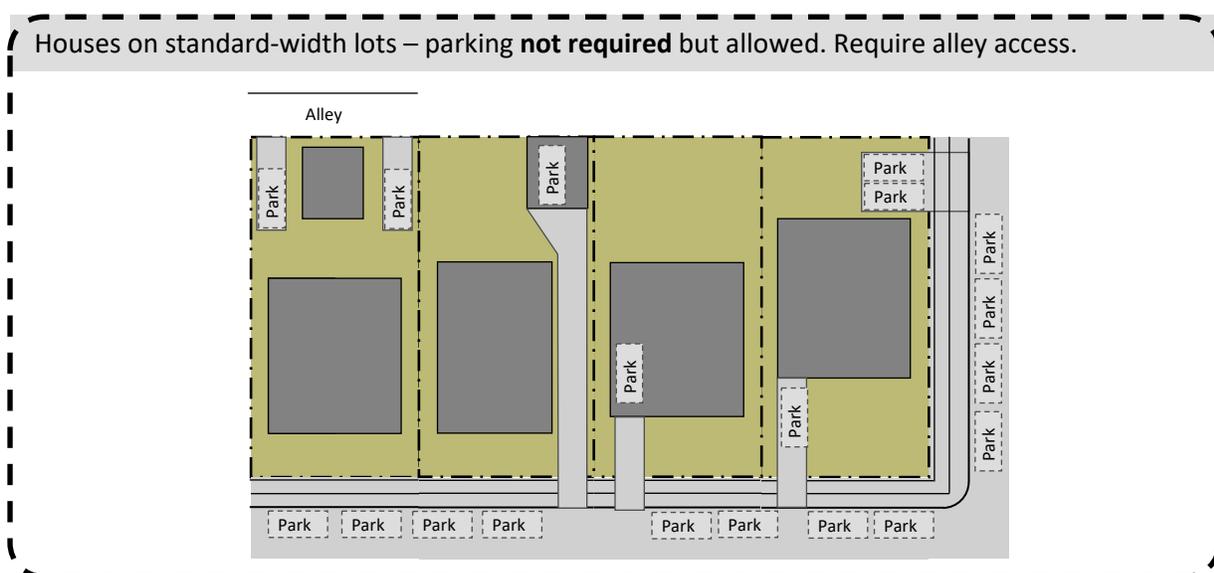
**Affects** Parking for houses, duplexes, triplexes and fourplexes in all zones.

### The proposal

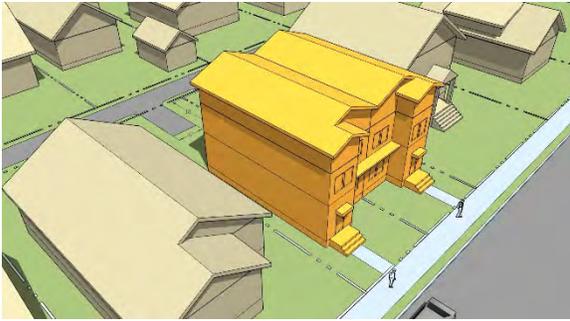
- Delete minimum parking requirements for residential uses (RF-R2.5 zones only).
- If a lot abuts an alley, require parking access to be from the alley when parking is provided.

### What is the intended benefit?

**Removing parking requirements** for residential uses provides the opportunity to reduce the amount of lot area used for pavement and provides more space for yards and trees. It also offers greater flexibility to site housing and reduces costs when on-site parking is not provided. Further, it promotes preserving on-street parking spaces that could be lost to driveways and curb cuts.



**Alley-loaded parking** is an optimal parking solution where alleys are present. It preserves the front yard landscaping, retains more area for street trees, eliminates curb cuts and reduces conflicts with pedestrians. However, requiring alley access has been problematic in some cases where the condition of the alley is unimproved, or where there are multiple encroachments (e.g., sheds, gardens, fences). The proposals strike a balance by requiring alley access for vehicles when the lot abuts an alley but not requiring parking to account for those cases when it may be impractical to use or improve the alley.



*If a lot abuts an alley, then parking may be provided, but it must be accessed from the alley.*



*Wider building facades (22 feet or wider) would be allowed to have a garage.*

**Narrow lots** present unique challenges for accommodating parking. First, their narrow width means that there is already limited curb space for on-street parking, and each driveway curb cut removes 15 feet of curb (9-foot-wide driveway with 3-foot aprons on each side). This essentially removes one on-street parking space for an off-street space. A series of narrow lots with driveways can effectively eliminate on-street parking opportunities on that side of the street entirely.

Secondly, the narrow width of the front façade of a detached house means that nearly 80 percent of the first floor facing the street is a garage. Attached houses fare slightly better at 60 percent. Current rules limit garages on most lots to 50 percent of the width of the house to **lessen the garage prominence** and **maintain a stronger connection between the living area of the house and the public realm**. When a building is at least 22 feet wide (e.g., a detached house on a 32-foot-wide lot), a garage may be built.

Currently, parking is not required for historically narrow lots, yet a 12-foot-wide garage is allowed. Narrow lots created more recently through a land division are required to have parking, but garages are not allowed, and alley access is required where alleys are present. The proposal combines these requirements so that parking is not required, and vehicle areas and parking are prohibited between the front building line and the street. Garages are limited based on the combined width of the building facades. On lots that abut an alley, parking access from the alley will continue to be required. For other lots, parking located behind the front building line will be allowed.

**Narrow lots with attached houses, duplexes, triplexes, fourplexes – parking **not required**, and **prohibited** between the building and the street.**



## 12. Improve building design for all narrow lots.

**Affects** Lots less than 32 feet wide in RF – R2.5 zones

### The proposal

For development on lots less than 32 feet wide:

- Apply a single set of rules to narrow lots.
- Limit height of a detached house to 1½ times its width.
- Require attached houses on lots 25 feet wide or narrower.
- Require landscaped front yards.
- Allow narrower lots for attached houses in the R2.5 zone.

For example:



*Tall, detached narrow houses are discouraged, and front-loaded garages are prohibited on narrow facades.*



*The proposal requires attached houses with landscaping and other design elements to ensure façade reads as a single building.*

### What is the intended benefit?

These improvements are intended to enhance the development outcomes on narrow lots. They include some streamlining and consolidation of rules to treat similar lot sizes the same and require building forms that are more consistent with established neighborhood patterns.

**Consolidated rules.** There are several sets of requirements that currently apply to narrow lots, depending on the date the lot was created. The proposed rules consolidate and update these requirements into one set of narrow lot rules, improving consistency and reducing confusion about development outcomes on lots with similar dimensions and zoning.

**Height limit.** Narrow facades tend to accentuate vertical proportions and appear taller. Establishing a relationship of building height to building width helps control these proportions and prevent buildings from looking incompatibly taller.

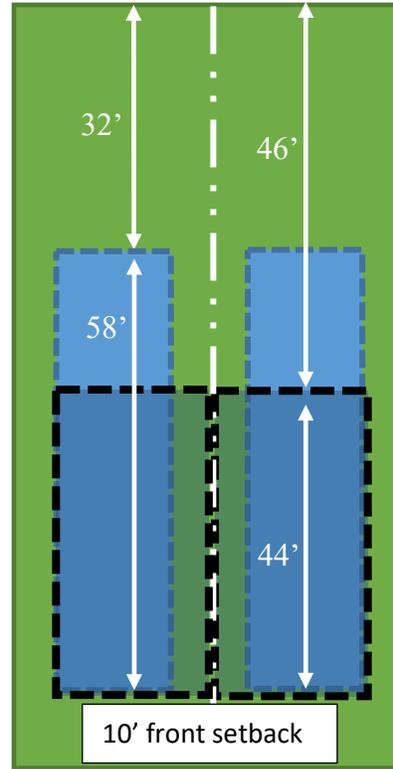
**Front landscaping.** These standards help soften the appearance of houses on narrow lots and make them look more established by ensuring that new development provides landscaping along the front foundation wall and front yard.

**Attached houses.** A significant proposed change is the requirement for attached houses when the lots are 25 feet wide and narrower. Attached houses provide wider floorplates (typically 20 feet each versus 15 feet) and their combined width better mirrors the width of more common wider house facades. They are also more energy-efficient and require less material than detached houses. By attaching the houses instead of leaving small side yard setbacks, coupled with the FAR limits on house size, the resulting houses will tend to be less deep than detached houses (e.g., 44 feet versus 58 feet), leaving more useable backyard space (e.g., 46 feet versus 32 feet).

**What else about the proposal should I know?**

Exceptions for the attached house requirement acknowledge that stand-alone narrow lots exist or that in some cases existing development on the abutting lots may make attached houses impractical.

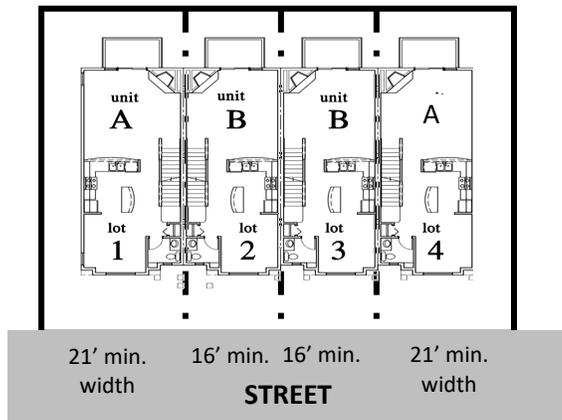
The current rules for narrow lots allow exceptions through either Design review, Planned Development review or Adjustment review. The proposed change consolidates these into one land use review type: Adjustment review. The Adjustment review evaluates how a proposal will equally or better meet the purpose of the requirement being adjusted, ensures that the proposal will not significantly detract from the livability or appearance of the residential area, and requires that any impacts are mitigated.



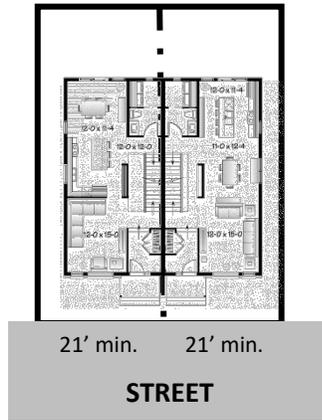
*Comparison of back yard space between attached houses and detached houses on pairs of narrow lots*

**Lot width in the R2.5 zone.** Current rules require new lots in the R2.5 zone to be at least 36 feet wide, unless an exception can be justified. This can be difficult for dividing lots that are 50 feet wide and makes it more difficult to retain an existing house on a site. Reducing the minimum width to 21

*Reduced lot widths in the R2.5 zone will allow for additional attached houses.*



*Four-lot attached house land division*



*Two-lot "semi-detached" house land division*

feet for attached houses allows a 50-foot wide lot to be divided and provides greater flexibility for lots that may be slightly narrower.

When there are three or more attached units in a row (only two are allowed in R5 through R20, but up eight may be attached in the R2.5 zone), lots for the middle units may be 16 feet wide. FAR and building coverage will be applied to the whole rowhouse site, as opposed to each individual lot. This is intended to provide consistent unit widths and sizes (as units on the end are required to have larger lots to accommodate 5-foot-wide exterior side setbacks). See the previous examples above.

# Section 5: Map Amendments

This section addresses map changes proposed as part of the Residential Infill Project and is divided into the following subsections:

- A. Defining the Areas in the ‘z’ Overlay Zone:** Explains where and why the proposed Constrained Sites overlay zone (‘z’ overlay) will be applied to select areas;
- B. Rezoning Historically Narrow Lots:** Explains how and where the Comprehensive Plan Map and Zoning Map are proposed to be amended from R5 to R2.5 for some historically narrow lots; and
- C. Removing the Current ‘a’ Overlay Zone:** Explains the reasons and impacts for deleting portions of the current ‘a’ overlay, the Alternative Design Density overlay zone.

The previous section of this report (Section 4: Analysis of Amendments) provides the background and analysis of all the proposals. This section describes the methodology that was used to develop the map proposals.

## A. Defining the Areas in the ‘z’ Overlay Zone

The purpose of an overlay zone is to apply distinct requirements or restrictions to specific geographic areas. Overlay regulations work in concert with the underlying base zone to further specific goals such as environmental or historic resource protection.

The *Recommended Draft* allows additional housing options through base zone regulations in all R2.5, R5 and R7 zones. The recommended **Constrained Sites** overlay zone (‘z’ overlay) will limit areas within these base zones that are less suitable for locating additional households. The Planning and Sustainability Commission (PSC) recommended that areas with natural hazards present (like floodplains or landslide hazards) or include inventoried natural resources be excluded from the additional housing type allowances. The overlay is intended to work in conjunction with the “Residential Infill Options” section of the R2.5 through R7 base zones to clearly define the lots that do not qualify for increased density based on these constraints.

**Going from ‘a’ to ‘z’**

*The PSCs recommendation replaces the previously proposed ‘a’ overlay that allowed additional housing types on roughly 66 percent of the R2.5 through R7 lots with the ‘z’ overlay, which restricts additional housing types on approximately 7 percent of the R2.5 through R7 lots. The remaining 93 percent of the lots in these base zones may utilize the additional housing types, subject to meeting other lot size and infrastructure requirements.*

### Identifying constraints

- **Natural hazards and resource constraints**  
Properties with the following natural hazards and/or natural resources would not be able to take advantage of new proposed base zone regulations that allow additional housing options.

- Flood risk (Map A1)
  - 100-year floodplain: areas that are within the FEMA 100-year floodplain including the FEMA-defined floodway
  - 1996 flood inundation area
- Landslide prone areas (Map A2). This map combines three types of landslide risk:
  - Deep landslide susceptibility: Deep landslides involve movement of a relatively thick layer of material.
  - Potentially rapid moving landslides: These areas are subject to debris flow hazards. Debris flows are mixtures of water, soil, rock and/or debris that have become a slurry and commonly move rapidly downslope.
  - Landslide scarps and deposits: These show areas where previous landslides have occurred and are indicative of areas more susceptible to future landslides.
- Significant natural resources: Areas ranked as having low, medium, or high value resources on the Natural Resource Inventory. (Map A3)

- **Infrastructure constraints**

The following infrastructure constraints are applicable to development of additional households, but due to their changing status, or ability to be rectified through utility improvements, they were not appropriate to map in the overlay. Assessment of specific infrastructure constraints will occur during the development application review.

- Sewer conveyance limitations: areas that may not be able to connect to a public sewer system due to topographic or other constraints. These constraints are codified in Title 17.
- Stormwater conveyance limitations: areas that may be unable to connect to an approvable off-site stormwater system or use on-site disposal methods. These are codified in Title 17 and the Stormwater Management Manual.
- Water system deficient areas: areas with substandard fire flow or water mains that are too small to accommodate sufficiently sized water meters. These constraints are codified in Title 21 and do not need further site limitations.
- Unpaved streets: These include public streets that lack a paved surface connection to another street. While street standards are also contained in Title 17, the Bureau of Transportation will allow a development to pay a Local Transportation Improvement Charge (LTIC) in lieu of constructing the street improvement. Additionally, a partial improvement in front of one parcel that does not connect to other paved streets does not accomplish the objectives envisioned by the residential Infill options. Private streets that do not connect to maintained public streets will also be ineligible for triplex and fourplexes.

- **Inapplicable constraints**

The following constraints are not recommended factors in determining appropriate locations for the additional housing options:

- Physical barriers to centers and transit corridors: Staff's initial proposal limited additional housing types to within a quarter-mile distance from centers, corridors with frequent transit, and light rail stations. Areas where significant physical barriers that

limited convenient connections to centers and transit corridors were also considered constrained, including areas with poor street connectivity, steep topography, natural features and other barriers such as freeways and railroads.

The PSC recommended removing proximity to transit and centers as a constraint, preferring to allow the additional housing types across a wider geographic area of the city.

- Johnson Creek Plan District: The PSC agreed that the FEMA 100-year floodplain area of the plan district should be considered “constrained,” but not the entire district. The transfer of development rights from sites in this area will continue to be allowed to other residential sites in the district.
- Portland International Airport Noise Impact Zone: The PSC found that the few R7 through R2.5 zoned areas in the Airport Noise Impact Zone are in the lowest noise contour band (55 DNL) which requires that residents be given notice of airport noise but does not limit residential densities as is the case in higher decibel (68 DNL) contours.
- Glendoveer Plan District: The PSC found that the regulations of the Glendoveer Plan District maintain certain larger lot sizes and setbacks for R7 parcels, but not specific densities.

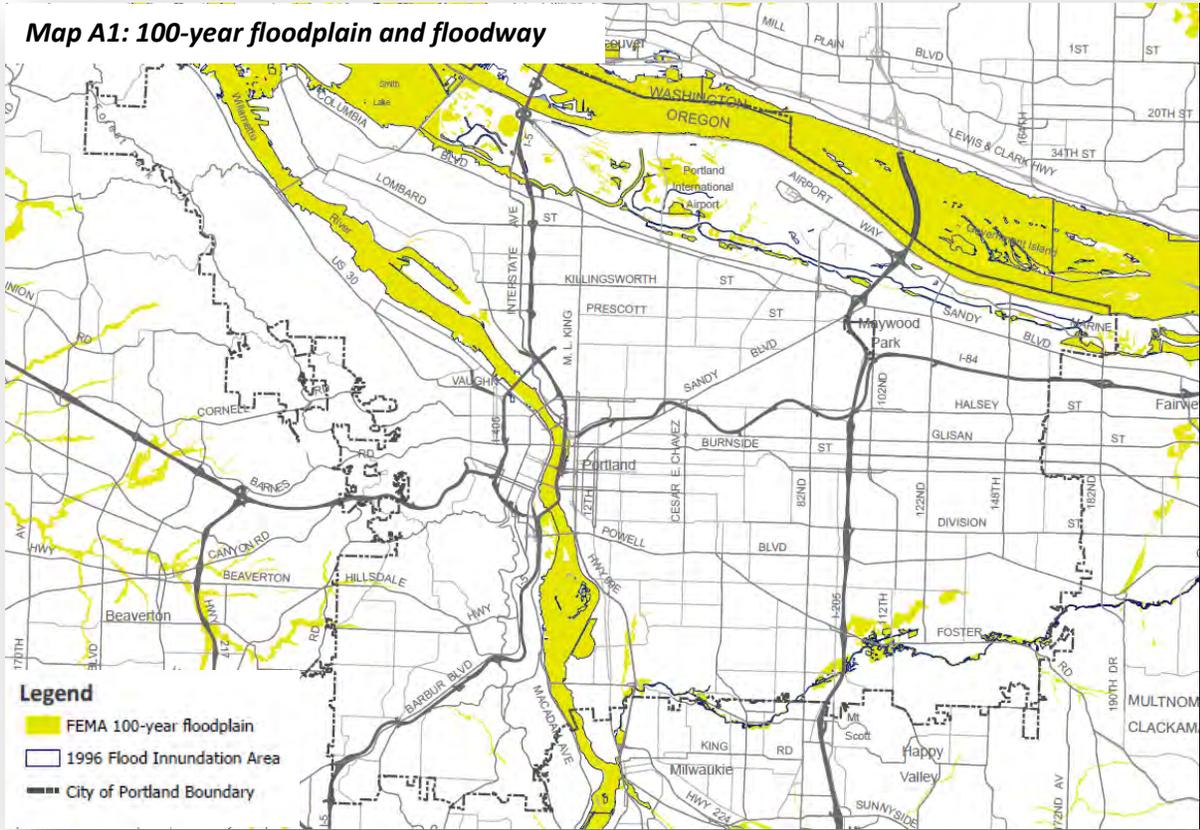
## **Proposal. Establish the ‘z’ Constrained Sites Overlay Zone**

The Planning and Sustainability Commission’s recommended overlay mapping allows for nearly 93 percent of the lots in R2.5 through R7 zones to be able to qualify for the additional housing types. Consequently, it was more appropriate to embed the additional housing type allowances in the base zone regulations (as opposed to in an overlay) and apply an overlay to the sites that are constrained instead. This overlay zone is referred to as the Constrained Sites, or ‘z’ overlay zone. Properties within the ‘z’ overlay will retain current allowances for duplexes on corner lots or a single accessory dwelling unit with a house and will now be allowed a duplex on interior lots, but are ineligible for triplexes, fourplexes, or two ADU’s.

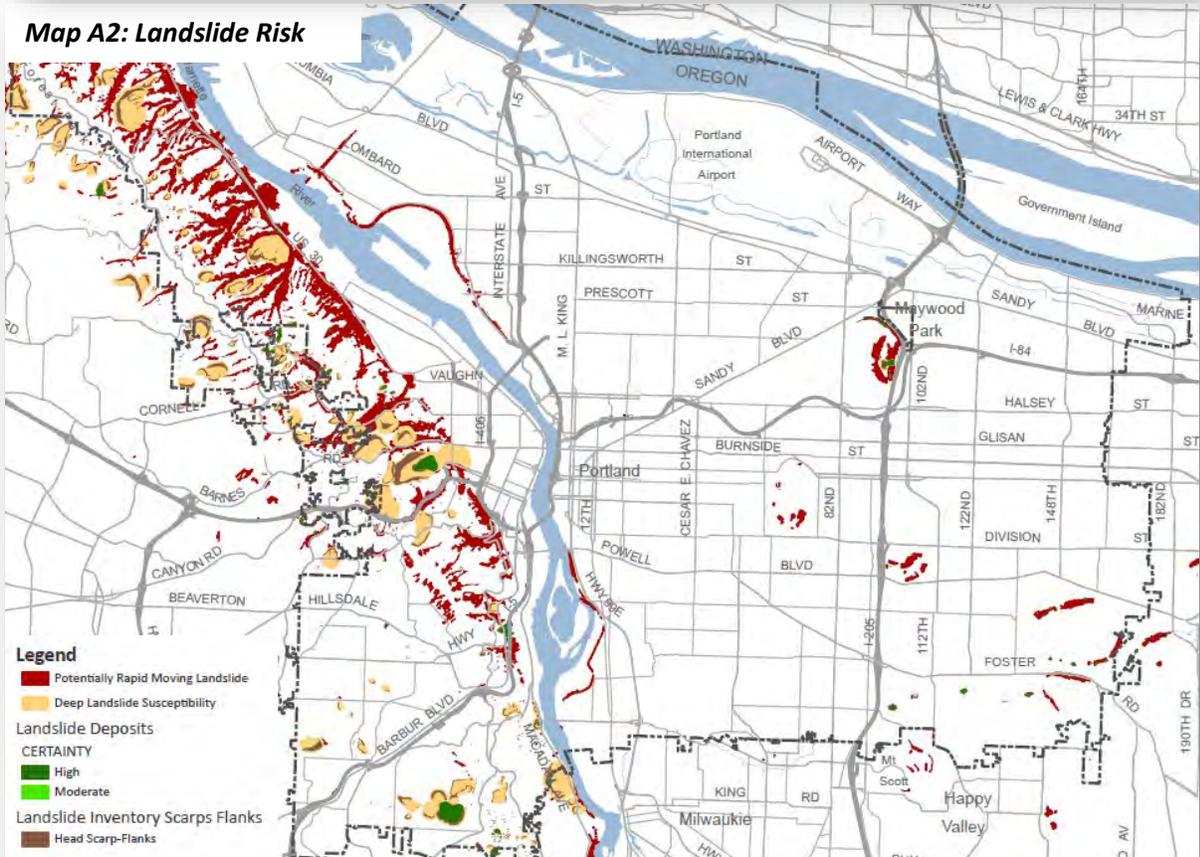
Property owners can request to be removed from the constrained sites overlay through a discretionary map change request by demonstrating that the applicable constraints are not present or that the specific location of a mapped constraint (such as the floodplain) is incorrect. Sites may only be added to the overlay through a legislative project, which could occur as a result of new information (like flood elevations, new mandates, etc.).

The recommended ‘z’ overlay is shown on *Map A4: Proposed ‘z’ Overlay Zone (Constrained Sites Overlay)*. *Map A5: Proposed ‘z’ Overlay Zone with R2.5, R5 and R7 Zones* illustrates both the ‘z’ overlay and the R2.5, R5 and R7 parcels that are not mapped as constrained. The individual constraint layers that were used to map the proposed ‘z’ overlay are provided in Map A1: FEMA 100-Year Floodplain, Map A2: Landslide Risk, and Map A3: Significant Natural Resources.

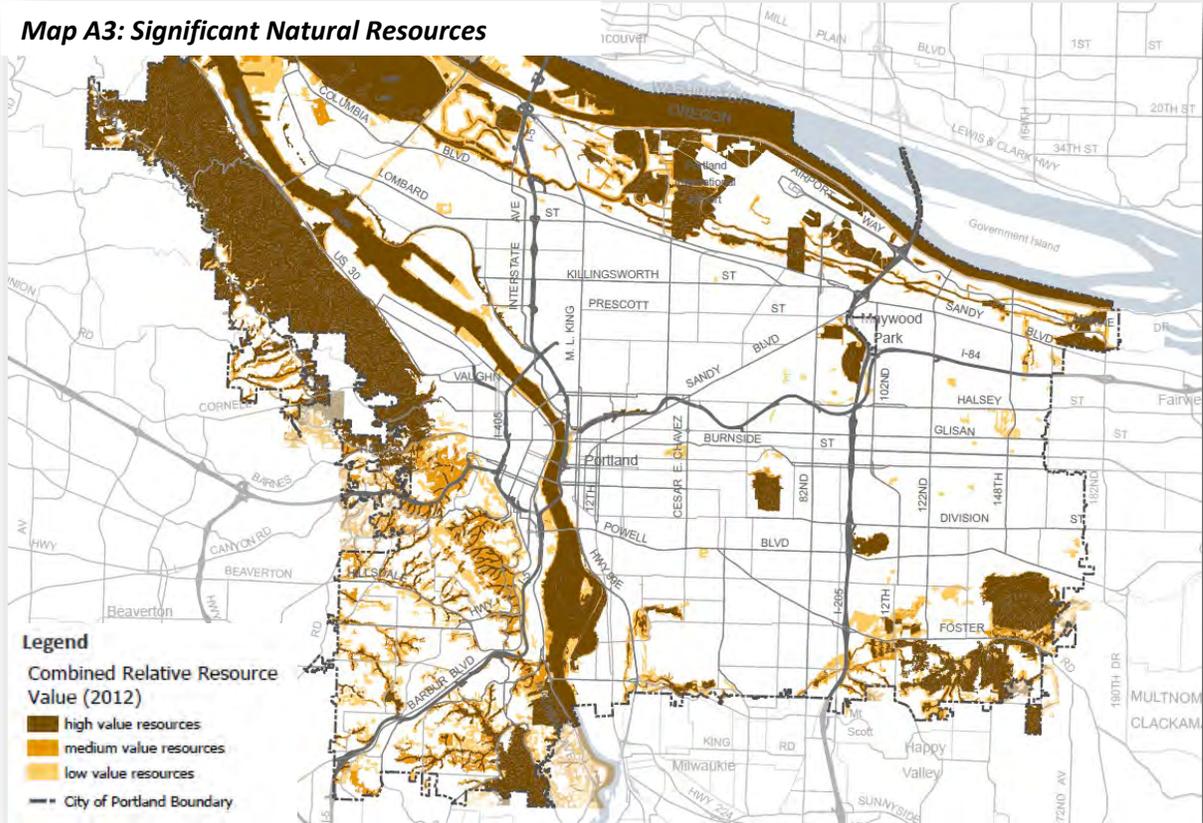
**Map A1: 100-year floodplain and floodway**



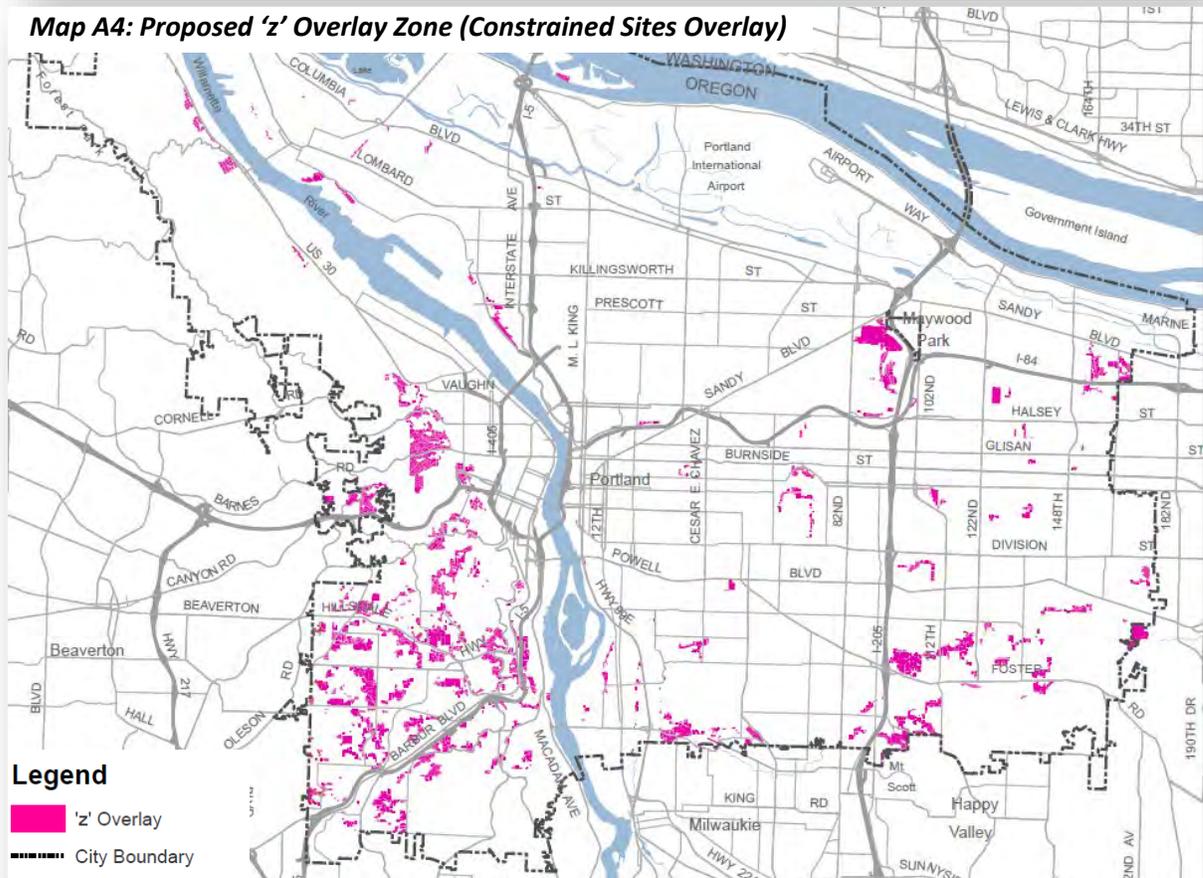
**Map A2: Landslide Risk**



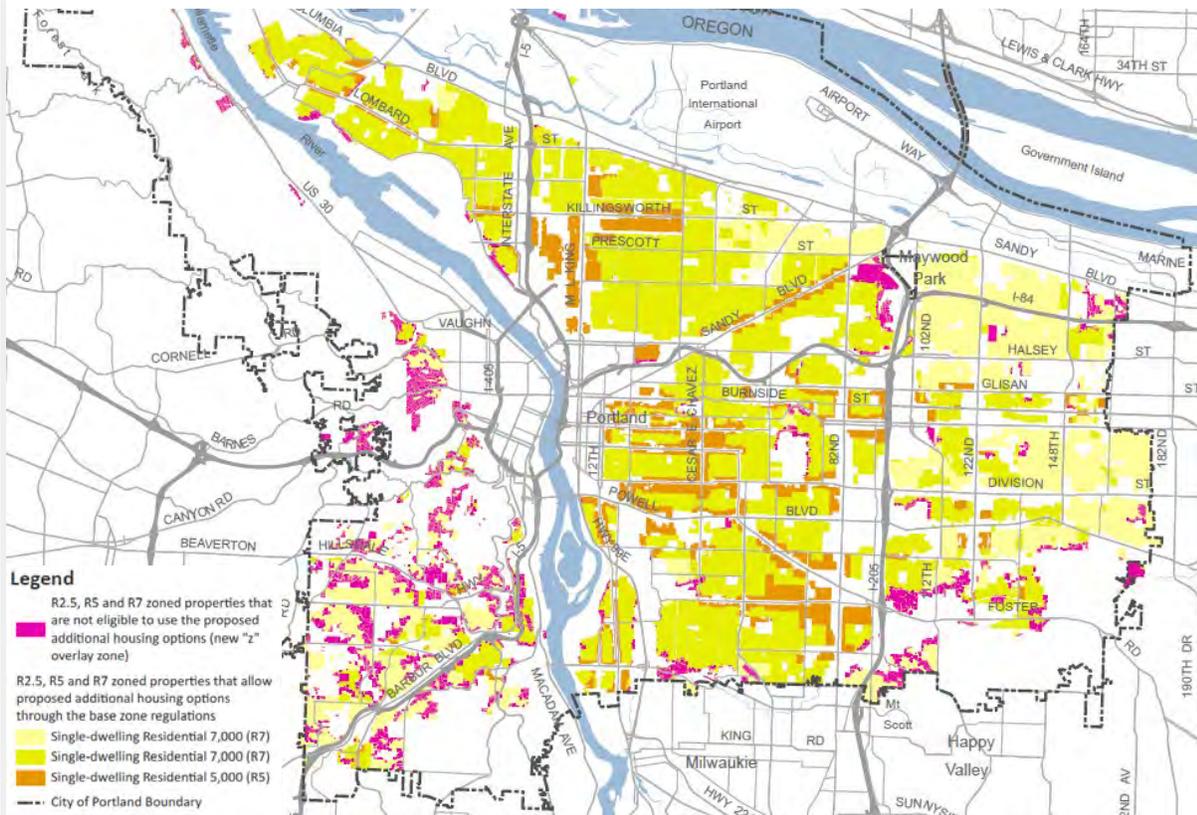
**Map A3: Significant Natural Resources**



**Map A4: Proposed 'z' Overlay Zone (Constrained Sites Overlay)**



**Map A5: Proposed 'z' Overlay Zone with R2.5, R5 and R7 Zones shown**



Summary of Areas Encumbered by 'z' Overlay Zone				
	Lots and Acreage in City		Lots and Acreage in proposed 'z' overlay	
	Lots	Acres	Lots	Acres
R7	32,839	7,501	5,674	1,712
R5	79,911	11,553	3,245	745
R2.5	19,804	2,392	156	29
<b>TOTAL</b>	<b>132,554</b>	<b>21,446</b>	<b>9,075</b>	<b>2,486</b>
Percentage of R2.5-R7	100%	100%	7%	12%
Percentage of SD zones	89%	69%	6%	8%
Percentage of city		30%		3%

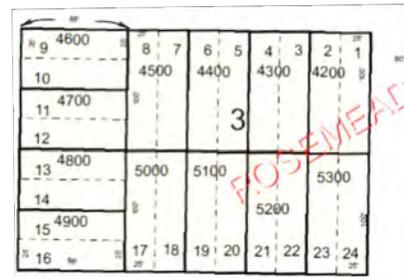
## B. Rezoning Historically Narrow Lots

Some areas with concentrations of historically narrow lots are recommended to be rezoned from R5 to R2.5 in order to ascribe a zoning designation that is consistent with the underlying established lot pattern. This change requires amendments to both the Zoning Map and the Comprehensive Plan Map. The following methodology was used to develop the proposed Comprehensive Plan and Zoning Map amendments for historically narrow lots.

### Historically Narrow Lots

Historically narrow lots have underlying platting that creates lots that are smaller than typical for the current zoning. Most of these lots are in R5 zones and typically are 25 feet wide by 100 feet deep (2,500 square feet). The general development pattern consists of two or more combined historically narrow lots with a single house—reflective of a time when vacant land was more plentiful and less costly. This, in combination with subsequent R5 zoning and lot size standards, resulted in areas with R2.5 sized-lots but development patterns more consistent with 50-foot-wide lots. In 1985 the State of Oregon changed rules and required that cities recognize these substandard lots as discrete parcels. For more information on the background of historically narrow lots, refer to *Appendix G*.

There is an opportunity for these properties to be easily separated for two attached houses that can be sold “fee-simple” (i.e., house and land are sold together independent of the other attached unit, as opposed to rental units or condominium ownership units, where the land is owned in common). Alternatively, these lots can be “confirmed” as individual building lots and with a property line adjustment, the existing house can be retained while providing opportunities for a new fee-simple house to be built on the flag lot.



*Tax map showing individual tax lots (e.g. 4600) comprised of two historically narrow platted lots (e.g. 9 & 10)*

Staff reviewed plats citywide to identify areas with historically narrow lots. A higher concentration of these historically narrow lot plats exists in North and Northeast Portland, less in Southeast Portland and almost none in the east and west areas of the city.<sup>9</sup> These concentrations of lots created the inventory of lots to further analyze. Single historically narrow lots or very small areas of historically narrow lots may not have been captured. See *Map B1: Historically Narrow Lots with Existing and Proposed R2.5 Zoning*.

### Proximity to Centers, Corridors and Neighborhood Amenities

The proposed rezones build on the existing pattern of R2.5 zoning to create a transition from higher-density zoning (mixed-use and multi-dwelling) to surrounding single-dwelling zoning. Rezoning from R5 to R2.5 will also increase the allowable building size (Floor Area Ratio) from 0.6 FAR to 0.7 FAR, meaning these areas will provide a transition in scale from higher-intensity zones to lower-intensity zones. For these reasons, the proposed rezoning is limited to a two- to three-block proximity to:

- Gateway Regional Center, Town Centers and Neighborhood Centers

<sup>9</sup> There are small pockets of historically narrow lots in the West Portland Park area and in Linnton. However, since 2003, these areas have had larger lot size requirements, based on infrastructure and natural hazard constraints.

- Frequent bus lines, MAX light rail stations and streetcar stops
- Neighborhood amenities such as parks, community centers and schools
- Smaller nodes of commercial zoning or neighborhood-serving retail uses

## Physical Factors

In addition, the presence of the following factors weighed *favorably* towards rezoning:

- **Alley access.** Alley access provides greater flexibility and better design of houses on narrow lots.
- **Consistent zoning pattern.** Where adjacent areas were zoned R2.5 or a higher-intensity zoning designation, the R2.5 zone provides for a logical transition to lower-intensity zones.
- **Existing development patterns.** Areas where historically narrow lots have already been developed with narrow houses were weighed favorably.

The following factors weighed *unfavorably* towards rezoning:

- **Discontinuous and unclear zoning patterns.** Creating inconsistent zoning patterns (for example, R2.5 leapfrogging across other zones or creating islands of isolated R2.5 zones) was avoided.
- **Public land.** Publicly-owned properties that are in public use were avoided.
- **Site constraints.** Areas with a high number of unimproved streets, poor connectivity or stormwater or topography issues were avoided.

## Equity Lens

These zone changes will allow development of more historically narrow lots with fee-simple housing options. Where development occurs, this could potentially displace existing renters but also benefits current and future homeowners in these areas, especially given that homes developed on narrow lots are likely to be smaller and therefore less expensive than homes developed on larger lots. An equity lens was applied to the rezoning proposal, but the results did not affect the outcome because historically under-served and under-represented groups were not found to be disproportionately impacted.

**Consideration of demographic factors.** Staff examined the proportion of communities of color in census block groups that coincided with areas where rezones are proposed. The table below shows that the rezoned areas do not disproportionately affect any racial or ethnic group compared to the citywide average.

Comparison of Citywide Race/Ethnicity Composition to Proposed Rezone Areas								
	White	Black/African American	American Indian/Alaskan Native	Asian-American	Pacific Islander	Other race	Two or more races	Latino/Hispanic
Citywide	71.80%	5.52%	0.49%	7.42%	0.62%	0.28%	4.34%	9.54%
Rezones	74.65%	4.91%	0.64%	6.97%	0.91%	0.31%	4.00%	7.61%

**Consideration of geography.** The platting pattern and the concentration of historically narrow lots in certain areas of the city predate modern zoning, and their location is an artifact of history. Staff therefore examined whether the rezone proposals affected one part of the city more than another. This is not to say that there is equal distribution of these lots by neighborhood.

The table below shows the geographic distribution of R5 zoned historically narrow lots citywide and how many are proposed to be rezoned. Unsurprisingly, East and West areas have the fewest historically narrow lots, while North has the most, which corresponds to the concentration of historically narrow lots in these areas.

<b>Allocation of Narrow Lots and Proposed Rezones</b>			
	<b>Total narrow lots</b>	<b>Narrow lots proposed to be rezoned</b>	<b>Percent of narrow lots proposed to be rezoned</b>
North	5,878	2,138	36%
Northeast	4,567	2,220	49%
Southeast	3,281	1,984	60%
West	447	27	6%
East	262	170	65%
Total	14,435	6,539	45%

The table shows that out of 14,435 historically narrow lots in the city, about 45 percent—6,539 lots—are proposed to be rezoned.

It also shows that the rezones are proposed for about one-half to two-thirds of the narrow lots in all parts of the city, except for the West pattern area. This is also not surprising, as most of the historically narrow lots in West are in West Portland Park, an area with steep slopes, unpaved streets and considerable infrastructure constraints.

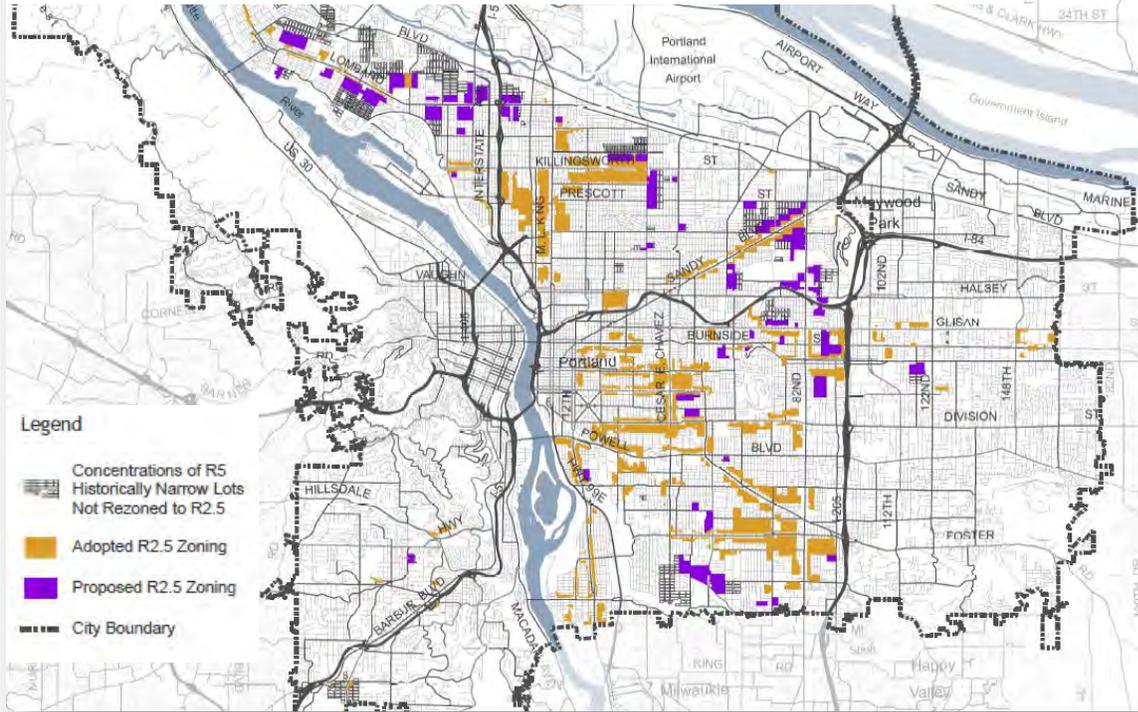
### **Proposal: Rezone half the historically narrow lots from R5 to R2.5**

The proposal amends the Comprehensive Plan and rezones almost half—6,539 out of 14,435—of the historically narrow lots in the city from R5 to R2.5. The Comprehensive Plan Map land use designations are only being changed to R2.5 where current designations do not allow or correspond to the proposed R2.5 rezoning. The rezones are proposed in areas with the most convenient access to services and where physical barriers and site constraints are not present. The proposal does not disproportionately affect one racial or ethnic group more than another. Finally, about one-half to two-thirds of the historically narrow lots are proposed to be rezoned to R2.5 in each quadrant of the city, except West, largely due to existing restrictions in West Portland Park, and North, where many narrow lots were farther from transit and commercial services.

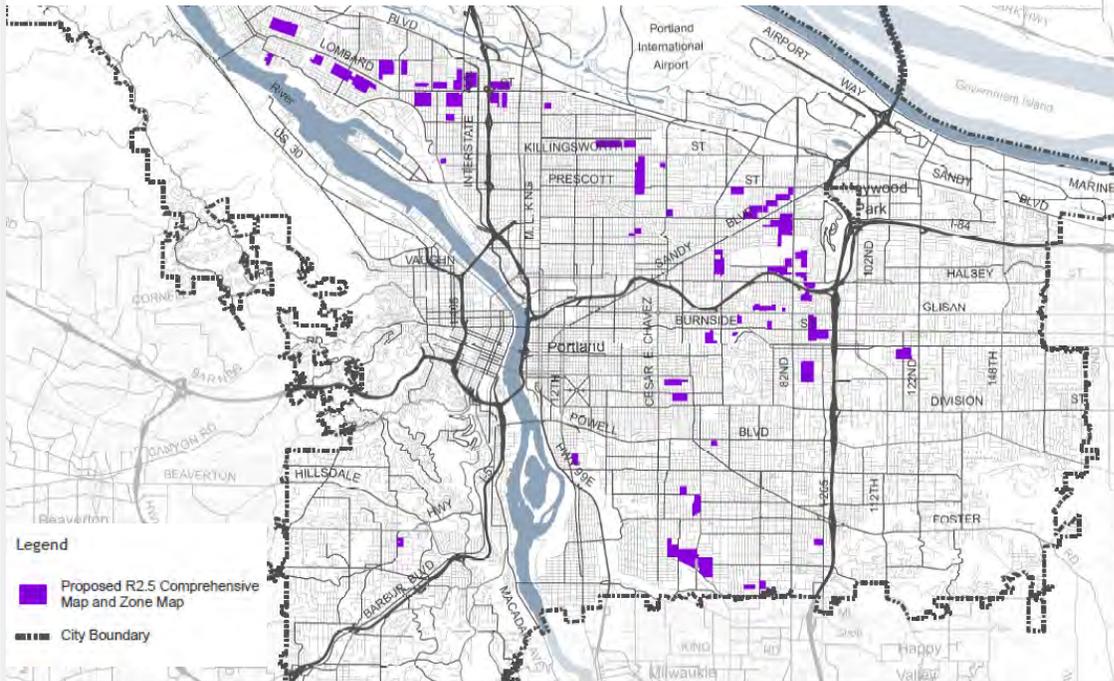
While the proposed additional housing types in the base zone would allow a duplex, triplex or fourplex on combinations of two or more of these narrow lots (because one narrow lot would not meet minimum lot size requirements), rezoning them provides for more floor area, which provides for larger family-sized units (1,750 square feet each versus 1,250 square feet allowed in R5).

The proposed rezones are shown on *Map B2: Comprehensive Plan Map and Zoning Map Changes (R5 to R2.5)*. *Map B1: Historically Narrow Lots with Existing and Proposed R2.5 Zoning* provides the context for the proposed rezones with other current R2.5 zoning along with the distribution of historically narrow lot plats throughout the city.

**Map B1: Historically Narrow Lots with Existing and Proposed R2.5 Zoning**



**Map B2: Comprehensive Plan Map and Zoning Map Changes (R5 to R2.5)**



## C. Removing the Current ‘a’ Overlay Zone

The ‘a’ Alternative Design Density overlay zone was adopted with the Albina Community Plan in 1993 as a way to allow additional housing options that met certain design requirements. It was applied to R1, R2 and R3 (multi-dwelling zones) and R2.5, R5, R7 and R10 (single-dwelling zones). The ‘a’ overlay first applied in the Albina community (North/Northeast Portland) and was later expanded to areas in Lents, Powellhurst-Gilbert and Sellwood.

In single-dwelling zones, the original ‘a’ overlay offered an additional dwelling unit in the form of an internal ADU, attached houses on vacant lots, and triplexes on 4,800-square-foot lots in the R2.5 zone. Design review, with the option of using Community Design Standards, was required for these additional units.

In more recent years, many of the original ‘a’ overlay provisions have been incorporated into the base zone regulations. The regulations that remain in the ‘a’ overlay have not been well-utilized. In fact, of the nearly 45,000 properties in the overlay zone, staff estimates that fewer than 250 properties have used the ‘a’ overlay provisions.<sup>10</sup> This was in large part due to the requirements for design review and later due to the incorporation of similar allowances in the base zones, where design review was not required.

### **Proposal: Remove the ‘a’ overlay zone from single dwelling zones**

The proposal removes the ‘a’ overlay for all single-dwelling zones sites as shown on *Map C1: Alternative Design Density Overlay Zone to be Removed (RF-R2.5 Zones)*. Concurrently, the Zoning Code is being amended to delete the associated single-dwelling ‘a’ overlay zone provisions (see Section 6: Zoning Code Amendments in *Volume 2*).

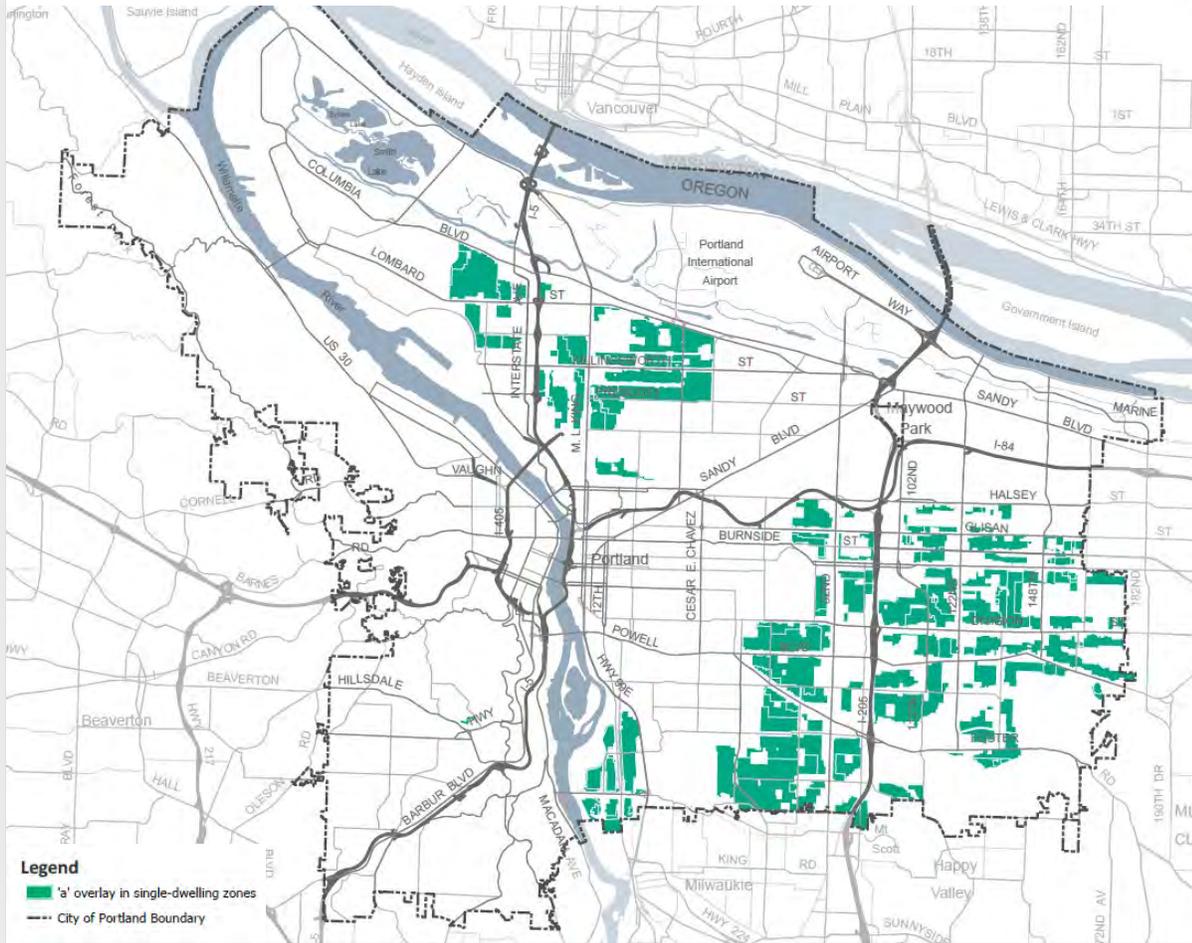
Removing the ‘a’ will have little impact in the single-dwelling zones. The new base zone’s additional housing types will be allowed on these lots, provided the lot is of adequate size and does not have the new ‘z’ overlay applied. There are 25 lots with R2.5a zoning that are large enough for a triplex today that with the application of the ‘z’ will be restricted from building three or four units.

The Better Housing by Design project, which is addressing the regulations in multi-dwelling zones, is proposing to remove the remaining ‘a’ Alternative Design Density overlay zone from those zones, as the provisions are incorporated or superseded by changes in the base zone.

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<sup>10</sup> Staff analyzed building permit records for properties in the current ‘a’ and flagged those that either went through a design review or used the Community Design Standards (prerequisites for use of the ‘a’). Of the 45,420 properties, there were 5,889 permits for new construction or exterior alterations between 1995 and 2016. Of those, 68 properties applied for design review, and 144 properties used Community Design Standards. In addition, according to the 2003 Accessory Dwelling Unit Monitoring Project Inventory, there were 13 ADUs created in the ‘a’ before they were allowed more broadly.

**Map C1: Alternative Design Density Overlay Zone to Be Removed (RF-R2.5 zones)**



**Legend**  
■ 'a' overlay in single-dwelling zones  
--- City of Portland Boundary



The Residential Infill Project is updating Portland’s single dwelling zoning rules to meet the changing needs of current and future residents.

For more information:

Visit the project website [www.portland.gov/bps/rip](http://www.portland.gov/bps/rip)

Email the project team [Residential.Infill@portlandoregon.gov](mailto:Residential.Infill@portlandoregon.gov)



### What is the “As Amended Draft”?

On March 12, 2019, the Planning and Sustainability Commission voted to move their **Recommended Draft** to City Council. City council held public hearings on January 15 and 16, 2020 and heard from 140 testifiers and received over 700 written pieces of testimony. In response to this testimony, Council introduced several amendments to the PSC recommendation. These which were subsequently heard at a City Council Hearing on June 3<sup>rd</sup> and 18<sup>th</sup> where 75 people testified orally and nearly 500 additional pieces of written testimony were received. On July 9, City Council voted to approve six packages of amendments which have been incorporated into this final **As-Amended Draft**.

# Residential Infill Project

AN UPDATE TO PORTLAND'S  
SINGLE-DWELLING ZONING RULES

Adopted August 12, 2020  
Ordinance No. 190093

## VOLUME 2: ZONING CODE, COMPREHENSIVE PLAN, AND TITLE 30 AMENDMENTS



Bureau of Planning and Sustainability  
Innovation. Collaboration. Practical Solutions.  
City of Portland, Oregon



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#### About Volume 2

Volume 2 presents Zoning Code, Comprehensive Plan, and Title 30 amendments as amended by City Council on July 9, 2020.

## Section 6: Zoning Code Amendments

This document is formatted to facilitate readability by showing proposed amendments on the right-hand pages and explanatory commentary on the facing left-hand pages. Underlined formatting indicates added text, while ~~strikethrough~~ formatting shows what text is deleted. The table of contents provides page numbers for each affected chapter of the zoning code and the comprehensive plan amendments. The “crosswalk table” below is not an exhaustive list of all code changes, but rather it provides a cross reference between the core proposals in the Residential Infill Project and where those code changes appear in this document.

### Major Proposals – where to find them in the Zoning Code amendments

Proposal	Summary of change	Code reference
<b>HOUSING OPTIONS AND SCALE</b>		
Allow more housing types	Allow duplex, triplex, or fourplex Allow up to 6 units Allow a house with two ADUs, or a duplex with one ADU	33.110.265.D.& E. 33.110.265.F 33.205.020
Restrict housing types in certain situations	Unmaintained streets Demolished Historic Resources Constrained sites	33.110.265.E and F. 33.110.265.E and F. 33.418
Limit the overall size of structures	New floor to area (FAR) standard Basements and floor area defined	33.110.210 33.910
Visitability	Require one unit to be visitable, when 3 or more units are on the site Require two units to be visitable, when up to 6 units are in a building	33.110.265.E 33.205.040.C 33.270.200 33.110.265.F
Double-size lots	Require at least two units on oversized lots	33.110.205
Historically narrow lots	Allow historically narrow R5 lots to be confirmed	33.110.202
Small flag lots	Allow small flag lots to be created through property line adjustments	33.677.300.C
Planned developments	Equivalency with land division reviews	33.270.020.B 33.854.200
<b>BUILDING DESIGN</b>		
Revise height measurement	Measure from lowest point Dormer projection	33.930.050 33.110.215.C
Building features and articulation	Limit height of main entrance 2’ eave projections	33.110235.D 33.110.220.C.
More flexible ADU design	Basement ADU conversions Remove front door limitation	33.205.040.C.2 33.205.040.C.1
Modify parking requirements	Delete minimum parking requirements Alley access requirement	33.266.110.B.2 33.266.120.C.3
Limit garages	Garages on narrow facades/50% garage limit	33.110.250.C
Building design for lots less than 32 feet wide	Limit detached house height Require attached houses	33.110.260.C.2 33.110.260.C.1

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## Commentary

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- 610 Lots in RF through R5 Zones
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- 675 ~~Lot Consolidation~~Replat
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## Commentary

### 33.110 Single-Dwelling Zones

The chapter is being reorganized and renumbered.

The changes:

- Reorganize the order of sections so that general development standards are located toward the front of the chapter followed by additional standards, residential infill options, institutions, and fences and retaining walls
- Update table and figure references to reflect the order of appearance in the chapter
- Move the relevant parking and loading standards from the base zone into the Parking and Loading Chapter (33.266)
- Add a section for minimum dwelling unit density to address new development on double sized lots in the R7 through R2.5 zones (33.11.210)
- Add a new section for floor area ratios (33.110.210)
- Move flag lot provisions from Alternative Development Options into a new section titled Additional Development Standards for Flag Lots, (33.110.255)
- Reorganize and amend Alternative Development Options in a new section titled Residential Infill Options (33.110.265)
- Revise rules that previously applied to historically narrow lots and substandard lots created before July 26, 1979 to a new section titled Additional Development Standards for Narrow Lots" (33.110.260)

## 33.110 Single-Dwelling Zones

110

### Sections:

#### General

- 33.110.010 Purpose
- 33.110.020 List of the Single-Dwelling Zones
- 33.110.030 Other Zoning Regulations

#### Use Regulations

- 33.110.100 Primary Uses
- 33.110.110 Accessory Uses
- ~~33.110.120 Nuisance-Related Impacts~~

#### Development Standards

- 33.110.200 Housing Types Allowed
- 33.110.~~202~~212 When Primary Structures are Allowed
- 33.110.205 Minimum Dwelling Unit Density
- 33.110.210 Floor Area Ratio
- 33.110.215 Height
- 33.110.220 Setbacks
- 33.110.225 Building Coverage
- 33.110.227 Trees
- 33.110.230 Main Entrances in ~~R10 through R2.5 Zones~~
- 33.110.~~235~~232 Street-Facing Facades in ~~R10 through R2.5 Zones~~
- 33.110.~~240~~235 Required Outdoor Areas
- ~~33.110.240 Alternative Development Options~~
- 33.110.~~245~~250 Detached and Connected Accessory Structures
- 33.110.~~250~~253 Additional Development Standards for Garages
- 33.110.255 Additional Development Standards for Flag Lots
- 33.110.~~260~~213 Additional Development Standards for Narrow Lots and Lots of Record  
Created Before July 26, 1979
- 33.110.265 Residential Infill Options
- 33.110.~~270~~245 Institutional Development Standards
- 33.110.~~275~~255 Fences
- 33.110.~~280~~257 Retaining Walls
- 33.110.~~285~~260 Demolitions
- 33.110.~~290~~270 Nonconforming Situations~~Development~~
- 33.110.~~292~~275 Parking and Loading
- 33.110.~~295~~280 Signs

### General

#### 33.110.010 Purpose

The single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing and provide options for infill housing that is compatible with the scale of the single-dwelling neighborhood.

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## Commentary

- A. Use regulations.** The use regulations are intended to create, maintain and promote single-dwelling neighborhoods. They allow for some non-household living uses but not to such an extent as to sacrifice the overall image and character of the single-dwelling neighborhood.
- B. Development standards.** The development standards preserve the character of neighborhoods by providing six different zones with different densities and development standards. The development standards work together to promote desirable residential areas by addressing aesthetically pleasing environments, safety, privacy, energy conservation, and recreational opportunities. The site development standards allow for flexibility of development while maintaining compatibility within the City's various neighborhoods. In addition, the regulations provide certainty to property owners, developers, and neighbors about the limits of what is allowed. The development standards are generally written for houses on flat, regularly shaped lots. Other situations are addressed through special regulations or exceptions.

### **33.110.020 List of the Single-Dwelling Zones**

The full names, short names, and map symbols of the single-dwelling residential zones are listed below. When this Title refers to the single-dwelling zones, it is referring to the six zones listed here. When this Title refers to the residential zones, or R zones, it is referring to both the single-dwelling zones in this chapter and the multi-dwelling zones in Chapter 33.120. The Residential Farm/Forest zone is intended to generally be an agricultural zone, but has been named Residential Farm/Forest to allow for ease of reference.

<b>Full Name</b>	<b>Short Name/Map Symbol</b>
Residential Farm/Forest	RF
Residential 20,000	R20
Residential 10,000	R10
Residential 7,000	R7
Residential 5,000	R5
Residential 2,500	R2.5

### **33.110.030 Other Zoning Regulations**

The regulations in this chapter state the allowed uses and development standards for the base zones. Sites with overlay zones, plan districts, or designated historical landmarks are subject to additional regulations. The Official Zoning Maps indicate which sites are subject to these additional regulations. Specific uses or development types may also be subject to regulations in the 200s series of chapters.

## **Use Regulations**

### **33.110.100 Primary Uses**

- A. Allowed uses.** Uses allowed in the single-dwelling zones are listed in Table 110-1 with a "Y". These uses are allowed if they comply with the development standards and other regulations of this Title. Being listed as an allowed use does not mean that a proposed use will be granted an adjustment or other exception to the regulations of this Title. In addition, a use or development listed in the 200s series of chapters is also subject to the regulations of those chapters.

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## Commentary

### **33.110.100.B Limited uses**

The Paragraphs in this subsection are being renumbered so that they align with the order that they appear in Table 110-1.

**B. Limited uses.** Uses allowed that are subject to limitations are listed in Table 110-1 with an "L". These uses are allowed if they comply with the limitations listed below and the development standards and other regulations of this Title. In addition, a use or development listed in the 200s series of chapters is also subject to the regulations of those chapters. The paragraphs listed below contain the limitations and correspond with the footnote numbers from Table 110-1.

~~140.~~ 140. Retail Sales ~~and~~ Service. This regulation applies to all parts of Table 110-1 that have a ~~note-[140]~~ note [140]. Retail plant nurseries are a conditional use. All other Retail Sales And Service uses are prohibited.

~~26.~~ 26. Manufacturing And Production. This regulation applies to all parts of Table 110-1 that have a ~~note-[26]~~ note [26]. Utility Scale Energy Production from large wind turbines is a conditional use in the RF zone. All other Manufacturing And Production uses are prohibited.

~~35.~~ 35. Basic Utilities. This regulation applies to all parts of Table 110-1 that have a ~~note-[35]~~ note [35].

- a. Basic Utilities that service a development site are accessory uses to the primary use being served.
- b. Small Scale Energy Production that provides energy for on-site or off-site use are considered accessory to the primary use on the site. Installations that sell power they generate—at retail (net, metered) or wholesale—are included. However, they are only considered accessory if they generate energy from biological materials or byproducts from the site itself, or conditions on the site itself; materials from other sites may not be used to generate energy. The requirements of Chapter 33.262, Off Site Impacts must be met.
- c. All other Basic Utilities are conditional uses.

~~41.~~ 41. Community Service Uses. This regulation applies to all parts of Table 110-1 that have a ~~note-[41]~~ note [41]. Most Community Service uses are regulated by Chapter 33.815, Conditional Uses. Short term housing and mass shelters have additional regulations-in Chapter 33.285, Short Term Housing and Mass Shelters.

~~52.~~ 52. Parks And Open Areas. This regulation applies to all parts of Table 110-1 that have a ~~note~~ note [52]. Parks And Open Areas uses are allowed by right. However, certain accessory uses and facilities ~~which that~~ are part of a Parks And Open Areas use require a conditional use review. These accessory uses and facilities are listed below.

- a. Swimming pools.
- b. Cemeteries, including mausoleums, chapels, and similar accessory structures associated with funerals or burial.
- c. Golf courses, including club houses, restaurants and driving ranges.
- d. Boat ramps.
- e. Parking areas.
- f. Recreational fields for organized sports. Recreational fields used for organized sports are subject to the regulations of Chapter 33.279, Recreational Fields for Organized Sports.

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## Commentary

**33.110.100.B.8 Agriculture in R10 and R7 zones.** This sentence is being added to make it consistent with other paragraphs.

**33.110.100.B.9 Agriculture in R5 and R2.5 zones.** The word "it" is being clarified because it could be referring to the use or the site.

**33.110.100.C Conditional Uses**

The reference for accessory short-term rentals that require a conditional use is being removed, as it is captured in the general language in 33.110.110 Accessory Uses. There are no proposed changes to the accessory short-term rental regulations.

- ~~63.~~ Daycare. This regulation applies to all parts of Table 110-1 that have ~~a note-~~[63]. Daycare uses are allowed by right if locating within a building ~~which~~that contains or contained a College, Medical Center, School, Religious Institution, or a Community Service use.
7. Agriculture in RF and R20 zones. This regulation applies to all parts of Table 110-1 that have ~~a note-~~[7]. Agriculture is an allowed use. Where the use and site meet the regulations of Chapter 33.237, Food Production and Distribution, the applicant may choose whether it is allowed as a Market Garden.
8. Agriculture in R10 and R7 zones. This regulation applies to all parts of Table 110-1 that have an [8]. Agriculture is a conditional use. Where the use and site meet the regulations of Chapter 33.237, Food Production and Distribution, the applicant may choose whether it is allowed as a Market Garden, which does not require a conditional use.
9. Agriculture in R5 and R2.5 zones. This regulation applies to all parts of Table 110-1 that have ~~a note-~~[9]. If the use and site do not meet the regulations of Chapter 33.237, Food Production and Distribution, ~~it~~Agriculture is prohibited.
104. Radio Frequency Transmission Facilities. This regulation applies to all parts of Table 110-1 that have ~~a note-~~[104]. Some Radio Frequency Transmission Facilities are allowed by right. See Chapter 33.274.

**C. Conditional uses. 1.**—Table 110-1. Uses ~~which~~that are allowed if approved through the conditional use review process are listed in Table 110-1 with a "CU". These uses are allowed provided they comply with the conditional use approval criteria for that use, the development standards, and other regulations of this Title. Uses listed with a "CU" that also have a footnote number in the table are subject to the regulations cited in the footnote. In addition, a use or development listed in the 200s series of chapters is also subject to the regulations of those chapters. The conditional use review process and approval criteria are stated in Chapter 33.815, Conditional Uses.

~~2.~~—~~Accessory short term rentals. Accessory short term rentals are accessory uses that may require a conditional use review. See Chapter 33.207.~~

**D. Prohibited uses.** Uses listed in Table 110-1 with an "N" are prohibited. Existing uses in categories listed as prohibited may be subject to the regulations of Chapter 33.258, Nonconforming Uses And Development.

### **33.110.110 Accessory Uses**

Accessory uses to a primary use are allowed if they comply with all development standards. Accessory home occupations, accessory dwelling units, and accessory short-term rentals have specific regulations in Chapters 33.203, 33.205, and 33.207 respectively.

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## Commentary

### 33.110.120 Nuisance-Related Impacts

References that are not regulatory and only refer to other titles of City code are being removed.

### Table 110-1

Numbers in Table 110-1 are being reordered to reflect the order that they appear in the table (and correspond to the revisions to the previous notes in 33.110.100).

**33.110.120 Nuisance-Related Impacts**

- A. ~~Off-site impacts.~~** All nonresidential primary and accessory uses must comply with the standards of Chapter ~~33.262, Off-Site Impacts.~~
- B. ~~Vehicles.~~** The regulations for operable vehicles and for vehicle service and repair are stated in ~~33.266.150, Vehicles in Residential Zones.~~ The open accumulation and storage of inoperable, neglected, or discarded vehicles is regulated by Section ~~29.20.010 of Title 29, Property and Maintenance Regulations.~~
- C. ~~Animals.~~** Nuisance-type impacts related to animals are regulated by Title 13, Animals. Title 13 is enforced by the County Health Officer.
- D. ~~Other nuisances.~~** Other nuisances are regulated by Section ~~29.20.010 of Title 29, Property and Maintenance Regulations.~~

<b>Table 110-1 Single-Dwelling Zone Primary Uses</b>						
<b>Use Categories</b>	<b>RF</b>	<b>R20</b>	<b>R10</b>	<b>R7</b>	<b>R5</b>	<b>R2.5</b>
<b>Residential Categories</b>						
Household Living	Y	Y	Y	Y	Y	Y
Group Living	CU	CU	CU	CU	CU	CU
<b>Commercial Categories</b>						
Retail Sales And Service	CU <u>[110]</u>					
Office	N	N	N	N	N	N
Quick Vehicle Servicing	N	N	N	N	N	N
Vehicle Repair	N	N	N	N	N	N
Commercial Parking	N	N	N	N	N	N
Self-Service Storage	N	N	N	N	N	N
Commercial Outdoor Recreation	N	N	N	N	N	N
Major Event Entertainment	N	N	N	N	N	N
<b>Industrial Categories</b>						
Manufacturing And Production	CU <u>[26]</u>	N	N	N	N	N
Warehouse And Freight Movement	N	N	N	N	N	N
Wholesale Sales	N	N	N	N	N	N
Industrial Service	N	N	N	N	N	N
Bulk Fossil Fuel Terminal	N	N	N	N	N	N
Railroad Yards	N	N	N	N	N	N
Waste-Related	N	N	N	N	N	N

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## Commentary

### Table 110-1

Footnote numbers are being updated to be in numerical order

Language to be **added** is underlined  
 Language to be **deleted** is shown in ~~strikethrough~~

<b>Table 110-1 Single-Dwelling Zone Primary Uses</b>						
<b>Use Categories</b>	<b>RF</b>	<b>R20</b>	<b>R10</b>	<b>R7</b>	<b>R5</b>	<b>R2.5</b>
<b>Institutional Categories</b>						
Basic Utilities	<u>L/CU [35]</u>					
Community Service	<u>L/CU [41]</u>					
Parks And Open Areas	<u>L/CU [52]</u>					
Schools	CU	CU	CU	CU	CU	CU
Colleges	CU	CU	CU	CU	CU	CU
Medical Centers	CU	CU	CU	CU	CU	CU
Religious Institutions	CU	CU	CU	CU	CU	CU
Daycare	<u>L/CU [63]</u>					
<b>Other Categories</b>						
Agriculture	<u>L [7]</u>	<u>L [7]</u>	<u>L/CU [8]</u>	<u>L/CU [8]</u>	<u>L [9]</u>	<u>L [9]</u>
Aviation And Surface Passenger Terminals	CU	N	N	N	N	N
Detention Facilities	N	N	N	N	N	N
Mining	CU	N	N	N	N	N
Radio Frequency Transmission Facilities	<u>L/CU [104]</u>					
Railroad Lines And Utility Corridors	CU	CU	CU	CU	CU	CU

Y = Yes, Allowed  
 CU = Conditional Use Review Required  
 Notes:

L = Allowed, But Special Limitations  
 N = No, Prohibited

- The use categories are described in Chapter 33.920.
- Regulations that correspond to the bracketed numbers [ ] are stated in 33.110.100.B.
- Specific uses and developments may also be subject to regulations in the 200s series of chapters.

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## Commentary

### Table 110-2

The reference to duplexes and attached houses on transitional lots is being deleted from the table because the transitional lot alternative development option is being deleted (see page 71 for further discussion).

References to triplexes and fourplexes are being added because those housing types will be allowed as described in 33.110.265, Residential Infill Options

Multi dwelling structures are generally not allowed in single dwelling zones, except when approved as part of a planned development; however a new residential infill option allows for up to 6 units in a building in the R2.5, R5, and R7 zones when at least 50% of the units are affordable at 60% MFI (see 33.110.265.F)

A reference to multi-dwelling development is being added to the table because the housing type is currently allowed in single dwelling zones through a planned development, but the table has not included the reference.

The term group structure is being corrected to match the actual name of the residential structure type—group living facility.

## Development Standards

### 33.110.200 Housing Types Allowed

- A. Purpose.** Housing types are limited in the single-dwelling zones to maintain the overall image and character of the City's single-dwelling neighborhoods. However, the regulations allow options to increase housing variety and opportunities, and to promote affordable and energy-efficient housing.
- B. Housing types.** The kinds of housing types allowed in the single-dwelling zones are stated in Table 110-2.

<b>Table 110-2</b>						
<b>Housing Types Allowed In The Single-Dwelling Zones</b>						
Housing Type	RF	R20	R10	R7	R5	R2.5
House	Yes	Yes	Yes	Yes	Yes	Yes
Attached house (See <u>33.110.260.C</u> and <del>33.110.240</del> <u>265.C, E &amp; H</u> )	No	Yes	Yes	Yes	Yes	Yes
Accessory dwelling unit (See 33.205)	Yes	Yes	Yes	Yes	Yes	Yes
Duplexes: On corners (See <del>33.110.240</del> <u>265.DE</u> )	No	Yes	Yes	Yes	Yes	Yes
<del>On transitional lots (See 33.110.240.H)</del>	<del>No</del>	Yes	Yes	Yes	Yes	Yes
Other situations (See <del>33.110.240</del> <u>265.D</u> )	No	No	No	<del>No</del> <u>Yes</u>	<del>No</del> <u>Yes</u>	Yes
<u>Triplexes</u> (See <u>33.110.265.E</u> )	<u>No</u>	<u>No</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
<u>Fourplexes</u> (See <u>33.110.265.E</u> )	<u>No</u>	<u>No</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
<u>Multi-dwelling Structure</u> (See <u>33.110.265.F</u> )	<u>No</u>	<u>No</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
Manufactured home (See Chapter 33.251)	Yes	Yes	Yes	Yes	Yes	Yes
Manufactured Dwelling park	No	No	No	No	No	No
Houseboat (See Chapter 33.236)	Yes	Yes	Yes	Yes	Yes	Yes
Single Room Occupancy (SRO) units	No	No	No	No	No	No
Attached Duplexes	Only in Planned Developments, See Chapter 33.270.					
Group <u>Living Facility structure</u>	Only when in conjunction with an approved conditional use.					
<del>Multi-dwelling structure</del>	<del>Only in Planned Developments, See Chapter 33.270</del>					
<u>Multi-dwelling Development</u>	<u>Only in Planned Developments, See Chapter 33.270.</u>					

Yes = allowed; No = prohibited.

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## Commentary

### 33.110.202.C. Primary Structures Allowed

This section is amended to incorporate provisions relating to 2019 Senate Bill 534. This requires that development of at least one unit be allowed on each platted lot, unless the City determines the lot is constrained by natural resources, hazards, or lack of infrastructure. These revised standards address four types of parcels:

**Lot** - platted through a recorded subdivision or partition plat.

**Lot of record** - a piece of property that is not a lot and was established by a deed recorder prior to July 26, 1979.

**Adjusted lot** - this term is being modified (see 33.910). Adjusted lots will now refer to lots that have had their property lines adjusted (either by deed prior to 1979, or property line adjustment) and are as large as or larger than the original lot size.

**Lot remnant** - this term is also being modified (see 33.910). Lot remnants will now refer to lots that have had their property lines adjusted (either by deed prior to 1979, or property line adjustment) and are smaller in size than the original lot.

Key changes to this section include:

- When parcels are smaller than the dimensions listed in Table 110-3, they are generally ineligible for primary structures. Additional provisions in 33.110.202.C.4.b. will allow development of a primary structure on smaller historically platted lots (and adjusted lots) when topography, and natural resource or hazard constraints are not present, consistent with the requirements of Senate Bill 534. It is possible that lots, lots of record, adjusted lots, and/or lot remnants that may not individually meet the requirements of this section would meet these requirements when combined with other properties.
- The current exception in R5 zones which allows development on 2,400 sf lots when they have been vacant for 5 years is replaced by a consistent 3,000 sf lot size (matches land division code for new lots). R5 lots (and adjusted lots) that are smaller than 3,000 sf will be subject to the SB534 "constraints test" before primary structures are allowed; however, these smaller lots will no longer be limited based on their vacancy status.
- Removing provisions for West Portland Park. SB534 restricts blanket lot size restrictions, instead focusing on specific constraints to determine whether development is allowed.

### 33.110.202.C.4.b.

Senate Bill 534 allows cities to exclude platted lots from development if they are encumbered with certain constraints, including:

**Natural resources** - The lot has environmental overlay zones (c or p zone)

**Natural hazards** - The lot is within a flood hazard area

**Slopes** - The lot has an average slope of 25% or greater

### 33.110.202.C.5

Lots of record and lot remnants must meet the requirements of Table 110-3. There are no provisions that allow smaller lots of record or lot remnants to be buildable, as SB534 does not apply to these.

### **33.110.202212** When Primary Structures are Allowed

- A. Purpose.** The regulations of this section allow for development of primary structures on lots and lots of record that are an adequate size, but do not legitimize plots that were divided after subdivision and partitioning regulations were established. The regulations ensure that development on a site will in most cases be able to comply with all site development standards. The regulations also allow development of primary structures on lots that were large enough in the past, but were reduced by condemnation or required dedications for right-of-way.
- B. Adjustments.** Adjustments to this section are prohibited.
- C. Primary structures allowed.** ~~In all areas outside the West Portland Park Subdivision,~~ Development of a primary structures is allowed as follows:
1. On a lots created on or after July 26, 1979;
  2. On a lots created through the Planned Development or Planned Unit Development process;
  3. On a lots, lots of record, lot remnants, or combinations thereof that ~~did not abut~~have not abutted a lot, lot of record, or lot remnant under the same ownership on July 26, 1979, and has not abutted a lot, lot of record, or lot remnant under the same ownership since July 26, 1979; or any time since that date.
  4. On a lots or adjusted lot or combination thereof that either: lots of record, lot remnants, or combinations thereof created before July 26, 1979 that meet the requirements of Table 110-6.
    - a. Meets the minimum lot size requirements stated in Table 110-3; or
    - b. Does not meet the minimum lot size requirements stated in Table 110-3 but meets all of the following:
      - (1) No portion of the lot, adjusted lot or combination is in an environmental protection, environmental conservation, or river environmental overlay zone;
      - (2) No portion of the lot, adjusted lot or combination is in the special flood hazard area; and
      - (3) The lot, adjusted lot or combination has an average slope of less than 25 percent;
  5. On a lot of record or lot remnant or combination thereof that meets the minimum lot size requirements of Table 110-3.

## Commentary

### 33.110.202.C.5 and C.6.

These provisions have been incorporated into the footnotes in Table 110-3.

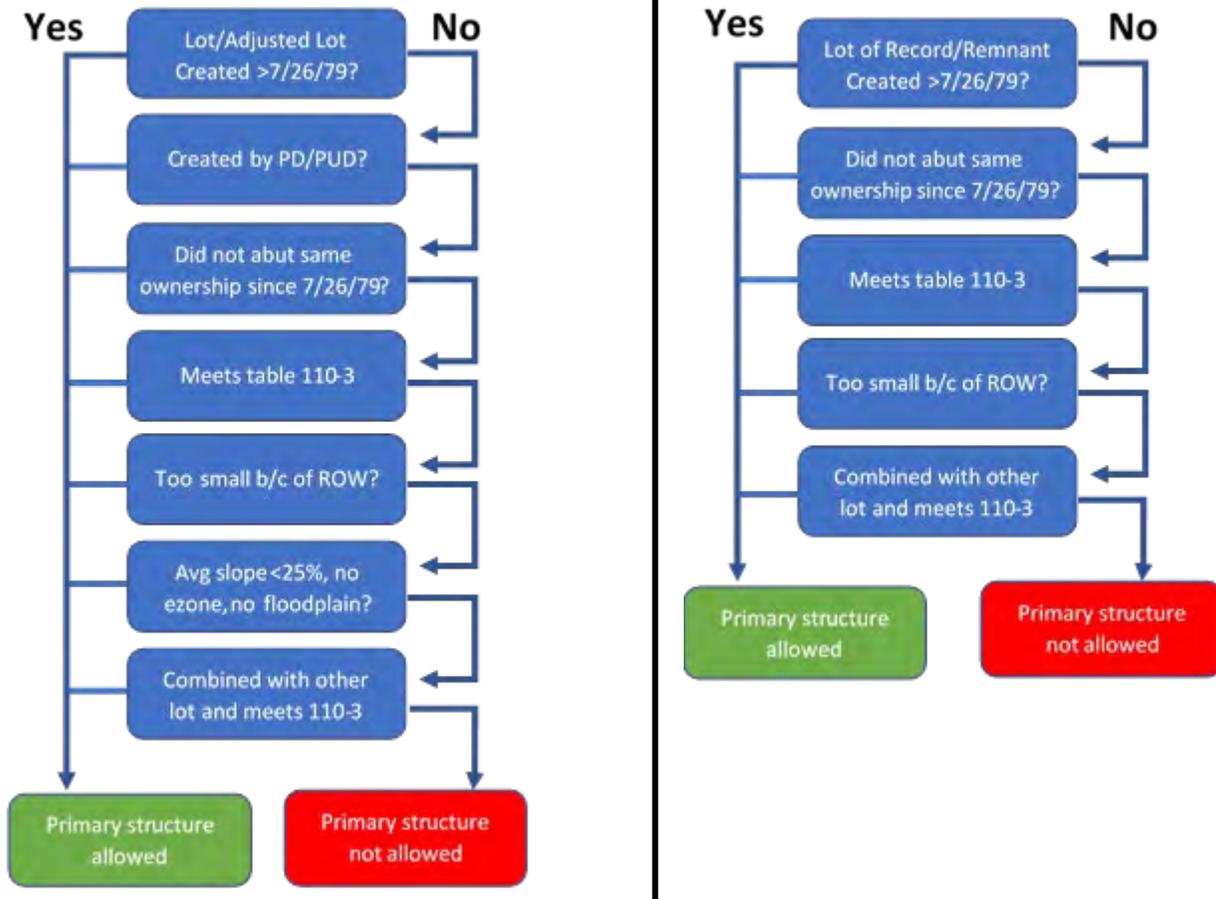
### 33.110.202.D. Regulations for West Portland Park

West Portland Park is an area in SW Portland platted with 25x100' lots. Different standards for this area currently require larger minimum lot sizes (e.g. 5,000 s.f. in the R5 zone) based on the general lack of available infrastructure (streets, sewer, stormwater and/or water availability). SB 534 overrides this, but development on individual lots will now be subject to the eligible constraints test and confirmation of infrastructure service will be assessed with the building permit.

### 33.110.202.F.

There are existing provisions in Section 33.258.065 that already address Nonconforming Lots, Lots of Record, and Lot Remnants in Single-Dwelling Zones

*Decision making tree for Lots/Adjusted Lots and Lots of Record/Lot Remnants:*



5. ~~Primary structures are allowed on lots, lots of record, lot remnants, and combinations thereof that did meet the requirements of Table 110-6 in the past but were reduced below those requirements solely because of condemnation or required dedication by a public agency for right-of-way.~~
6. ~~On lots, lots of record, lot remnants, and combinations thereof zoned R20 that met the requirements of Table 110-6 in the past but no longer meet the requirements solely due to a zone change effective on May 24, 2018.~~

**D. ~~Regulations for West Portland Park.~~** In the West Portland Park subdivision, primary structures are allowed as follows:

1. ~~On lots created on or after July 26, 1979;~~
2. ~~On lots, lots of record, lot remnants, or combinations thereof that have not abutted a lot, lot of record, or lot remnant under the same ownership on July 26, 1979 or any time since that date;~~
3. ~~On lots, lots of record, lot remnants, or combinations thereof created before July 26, 1979, that meet the requirements of this paragraph. The requirements are:~~
  - a. ~~R7 zone. In the R7 zone, the lot, lot of record, lot remnant or combinations thereof must be at least 7,000 square feet in area;~~
  - b. ~~R5 zone. In the R5 zone, the lot, lot of record, lot remnant or combinations thereof must be at least 5,000 square feet in area; or~~
  - c. ~~R2.5 zone. In the R2.5 zone, the lot, lot of record, lot remnant or combinations thereof must meet the requirements of Table 110-6;~~
4. ~~Primary structures are allowed on lots, lots of record, lot remnants and combinations thereof that did meet the requirements of D.3, above, in the past but were reduced below those requirements solely because of condemnation or required dedication by a public agency for right-of-way.~~

**DE. Plots.** Primary structures are prohibited on plots that are not lots, adjusted lots, lots of record, or lot remnants or tracts.

**F. ~~Nonconforming situations.~~** Existing development and residential densities that do not conform to the requirements of this chapter may be subject to the regulations of Chapter 33.258, Nonconforming Situations. Chapter 33.258 also includes regulations regarding damage to or destruction of ~~nonconforming situations.~~

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## Commentary

### Table 110-3

The major changes to this table affect the R5 zone. Whereas previously, an R5 lot that was not in an environmental zone and was vacant for the prior 5 years could be as small as 2,400 square feet, these changes require all lots (and adjusted lots, lots of record, and lot remnants) to meet the minimum lot sizes in the land division code. For the R5 zone, this means 3,000 square feet minimum. Lots and adjusted lots below this 3,000 square foot minimum must be free from the applicable constraints listed in 33.110.202.C.4 in order to allow primary structures.

#### Footnotes:

Footnote [1] is the same as the previous footnote [4]

The former footnote [1] is no longer necessary due to reformatting of the table.

Footnote [2] moves the caveat relating to right of way dedication from the standards in 33.110.202.C. embedding it as part of the table as it relates to calculating lot sizes.

The former footnote [2] is no longer necessary as it relates to when an R5 lot is considered vacant.

Footnote [3] moves the caveat relating to R20 zone changes completed as part of the Comprehensive Plan from the standards in 33.110.202.C. embedding it as part of the table as it relates to calculating lot sizes.

The former footnote [3] has been revised and updated as reflected in footnote [4]

Footnote [4] allows primary structures on lots that have been previously confirmed prior to these new rules going into effect.

<b>Table 110-36</b>		
<b>Minimum Lot Size Requirements <del>Dimension Standards</del> for Lots, Adjusted Lots, Lots of Record, and Lot Remnants Created Prior to July 26, 1979</b>		
<b>RF through <del>R5R7</del> Zones</b>		
<u>Lots, including Adjusted Lots</u> [1]	36 feet wide and meets the minimum lot area requirement of Table 610-2. [ <u>1, 2, 3, 4, 5</u> ]	
<u>Adjusted Lot</u>		
<u>Lot Remnants</u>		
<u>Lots of Record</u>		
<b>R5 Zone</b>		
<u>Lots, including Adjusted Lots</u> [1, 3]	If the lot has had a dwelling unit on it in the last five years or is in an environmental zone [2]	3000 sq. ft. and 36 ft. wide [4]
	If the lot has not had a dwelling unit on it within the last five years and is not in an environmental zone	2400 sq. ft. and 25 ft. wide [4]
	If the lot was approved through a property line adjustment under 33.667.300.A.4.	1600 sq. ft. and 36 ft. wide [4]
<u>Lot Remnants</u> [3]		3000 sq. ft. and 36 ft. wide [4]
<u>Lots of Record</u> [1, 3]		3000 sq. ft. and 36 ft. wide [4]
<b>R2.5 Zone</b>		
<u>Lots, including Adjusted Lots</u> [1]	1600 sq. ft. [ <u>1, 4</u> ]	
<u>Adjusted Lot</u>		
<u>Lot Remnants</u>		
<u>Lots of Record</u>		

Notes:

[1] A primary structure is allowed on a lot or lot of record that did meet the requirements of Table 110-3 in the past but was reduced below the requirements solely because of condemnation or required dedication by a public agency for right-of-way. If the property is both an adjusted lot and a lot of record, the site may meet the standards for adjusted lots.

[2] In the R5 zone, the minimum size requirements for adjusted lots and lot remnants approved through a property line adjustment under 33.677.300.A.4. or 33.677.300.C. are 36 ft. wide and 1,600 sq. ft. Primary structures are allowed if the site has had a dwelling unit on it within the last five years that has been demolished as a public nuisance under the provisions of Chapter 29.40.030 or 29.60.080. The site is exempt from minimum lot dimension standards.

[3] In the R20 zone, a primary structure is allowed on a lot, lot of record, adjusted lot, lot remnant, or combination thereof that did meet the requirements of Table 110-3 in the past but no longer meets the requirements solely due to a zone change effective on May 24, 2018. Primary structures are allowed on a site if it has been under a separate tax account number from abutting lots or lots of record on April 24, 2010 or an application was filed with the City before April 24, 2010 authorizing a separate tax account and the site has been under separate tax account from abutting lots or lots of record by April 24, 2011. The site is exempt from minimum lot dimension standards.

[4] A primary structure is allowed on a lot, lot of record, adjusted lot, lot remnant, or combination thereof that was separated from abutting lots through a lot confirmation that was finalized before [INSERT EFFECTIVE DATE]

[5] Lot width for a flag lot is measured at the midpoint of the flag portion of the lot.

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## Commentary

### 33.110.205 Minimum Dwelling Unit Density

In order to ensure that lots are not underutilized in close-in, well-served neighborhoods, sites in the R7, R5, and R2.5 zones that are at least twice the base zone average lot size will require two dwelling units. The dwelling units can be configured as a duplex or a house with accessory dwelling unit. Existing houses on these larger lots will become nonconforming in residential density, but if an existing house is damaged or destroyed by fire or other natural cause, it can be rebuilt at the original density within 5 years. New primary structures on sites that are vacant, or where a house is intentionally demolished, will be required to provide two dwelling units.

### **33.110.205 Minimum Dwelling Unit Density**

**A. Purpose.** This standard promotes additional housing opportunities in areas of the city where services are available and restricts larger sites from being utilized for a single house.

**B. Minimum dwelling unit density.**

1. R7. In the R7 zone, a minimum of two dwelling units are required on sites that are 14,000 square feet or larger in total site area.
2. R5. In the R5 zone, a minimum of two dwelling units are required on sites that are 10,000 square feet or larger in total site area.
3. R2.5. In the R2.5 zone, a minimum of two dwelling units are required on sites that are 5,000 square feet or larger in total site area.

## Commentary

**Table 110-4**

This table is being amended to include the floor area ratio (FAR) limits that are being added to the R7, R5, and R2.5 zones. FAR will be used as the principle tool for reducing the maximum size of buildings in these zones. FAR will be allotted based on the zone, the size of the lot and the number of dwelling units proposed. The table below shows housing types and the maximum FAR allowed across the three zones. Bonus FAR (0.1) will be allowed when either one unit is affordable at 80% MFI, or when units are added to a site and an existing house is retained (see page 33). FAR of 1.2 is allowed for multi dwelling structures when adhering to the deeper affordability bonus in 33.110.265.F.

Zone	# of units	Allowed housing type	FAR	Min lot size (sf)	New max bldg size	average unit size*	Current code max bldg. size**
	R7 Zone	1	House	0.4	4,200	1,680	1680
2		Duplex <i>or</i> house + ADU	0.5	2100		1050	
3		Triplex <i>or</i> duplex + ADU <i>or</i> house + 2 ADUs	0.6	5,000	3,000	1000	6,750
4		Fourplex				750	
4-6		Multi-dwelling structure	1.2		6,000	1,000-1,500	
R5 Zone	1	House	0.5	3,000	1,500	1500	4,500
	2	Duplex <i>or</i> house + ADU	0.6		1800	900	
	3	Triplex <i>or</i> duplex + ADU <i>or</i> house + 2 ADUs	0.7	4,500	3,150	1050	6,187
	4	Fourplex				787.5	
	4-6	Multi-dwelling structure	1.2		4,500	900-1,350	
R2.5 Zone	1	House	0.7	1,600	1,120	1120	2,800
	2	Duplex <i>or</i> house + ADU	0.8		1280	640	
	3	Triplex <i>or</i> duplex + ADU <i>or</i> house + 2 ADUs	0.9	3,200	2,880	960	5,512
	4	Fourplex				720	
	4-6	Multi-dwelling structure	1.2		3,200	640-960	

\* average unit sizes are derived from the total building size divided by number of units

\*\* Current code max building sizes are derived from lot size, building coverage and height limits

The table is also being amended to consolidate the R2.5 attached and detached standards because the only remaining distinction between the two housing types within the zone is a slightly smaller outdoor area. This change will decrease the outdoor area requirement for detached houses.

And, a reference to the building coverage table is being incorporated into the summary table so that the table is a more comprehensive list of development standards.

Language to be **added** is underlined  
 Language to be **deleted** is shown in ~~strikethrough~~

<b>Table 110-43</b>							
<b>Summary of Development Standards In Single-Dwelling Zones</b>							
<b>Standard</b>	<b>RF</b>	<b>R20</b>	<b>R10</b>	<b>R7</b>	<b>R5</b>	<b>R2.5</b> Detached/attached See 33.110.240.C	
<u>Maximum FAR</u> - 1 total dwelling unit - 2 total dwelling units [1] - 3 or more total dwelling units [1] (See 33.110.210 and 33.110.265)	no limit	no limit	no limit	<u>0.4 to 1</u> <u>0.5 to 1</u> <u>0.6 to 1 [2]</u>	<u>0.5 to 1</u> <u>0.6 to 1</u> <u>0.7 to 1 [2]</u>		<u>0.7 to 1</u> <u>0.8 to 1</u> <u>0.9 to 1 [2]</u>
<u>Maximum FAR with Bonus</u> - 1 total dwelling unit - 2 total dwelling units [1] - 3 or more total dwelling units [1] (See 33.110.210 and 33.110.265)	NA	NA	NA	<u>0.4 to 1</u> <u>0.6 to 1</u> <u>0.7 to 1</u>	<u>0.5 to 1</u> <u>0.7 to 1</u> <u>0.8 to 1</u>		<u>0.7 to 1</u> <u>0.9 to 1</u> <u>1 to 1</u>
Maximum Height (See 33.110.215)	30 ft.	30 ft.	30 ft.	30 ft. [2]	30 ft. [2]	<del>35 ft.</del>	35 ft.
Minimum Setbacks - Front building setback - Side building setback - Rear building setback - Garage entrance setback (See 33.110.220)	20 ft.	20 ft.	20 ft.	15 ft.	10 ft.	<del>10 ft.</del>	10 ft.
	10 ft.	10 ft.	10 ft.	5 ft.	5 ft.	<del>5 ft.</del>	0/5 ft.
	10 ft.	10 ft.	10 ft.	5 ft.	5 ft.	<del>5 ft.</del>	5 ft.
	18 ft.	18 ft.	18 ft.	18 ft.	18 ft.	<del>18 ft.</del>	18 ft.
<u>Maximum Building Coverage</u> (See 33.110.225)	<u>See Table 110-6</u>	<u>See Table 110-6</u>	<u>See Table 110-6</u>	<u>See Table 110-6</u>	<u>See Table 110-6</u>		<u>See Table 110-6</u>
Required Outdoor Area - Minimum area - Minimum dimension (See 33.110.240 <u><del>235</del></u> )	250 sq. ft.	250 sq. ft.	250 sq. ft.	250 sq. ft.	250 sq. ft.	<del>250 sq. ft.</del> <del>12 ft. x</del> <del>12 ft.</del>	200 sq. ft. 10 ft. x 10 ft.

[1] Including accessory dwelling units.

[2] Additional FAR and height may be allowed. See 33.110.265.F.

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## Commentary

### 33.110.210 Floor Area Ratios

FAR limits are being added to the R7, R5 and R2.5 zones. Over the last few years, new house in these zones have grown in size to the point where new development sometimes overwhelms existing houses on the block. With the potential for additional ADUs and dwelling units (up to four units per lot in some cases), there could be pressure to continue to increase the size of buildings.

FAR is an effective tool for regulating the overall bulk of a building while providing reasonable flexibility in site layout, housing style and design. Buildings with more floors will have smaller footprints, which increase outdoor area and yard space, but more floors can increase shadowing and reduce privacy on adjacent lots. Buildings that are single level can have larger footprints that reduce yard space, however this configuration can improve privacy for adjacent lots. The proposed FARs were calculated with consideration of building coverage limits to encourage smaller building footprints and larger outdoor areas. The proposed FARs also encourage compatibility with adjacent existing houses.

FAR limits are not proposed for the lowest density zones (RF, R20, R10), because these areas are characterized by larger and more variable lot sizes. Consequently, new development in these areas has not generally overwhelmed adjacent lots. In addition, the additional housing types allowed in R7-R2.5 will not be allowed in RF-R10, which lessens pressure for building larger structures.

Floor area in basements and attics where the ceiling height is less than 80 inches will not count toward FAR because these spaces do not contribute significantly to visible building bulk (see the amended definition of Floor Area and Basement on pages 221 and 223).

Adjustments to FAR will be prohibited. Additional FAR will be allowed by retaining and converting an existing house, and by providing an affordable unit. Allowing adjustment to maximum FAR would undermine this system of incentives.

#### 33.110.210.C Exception

An exception to floor area limits is provided for houses (and other primary structures) that are at least 5 years old. This allows modest additions (250 s.f. or less) that exceed the FAR limits. A 5-year period between additions is included to limit serial alterations. This reduces complexity for the applicant because demonstrating compliance with FAR would require showing the interior layout and dimensions of the entirety of a house, not just the proposed addition.

#### 33.110.210.D Maximum FAR with Bonus

Bonus FAR (up to 0.1 total) may be gained when either:

- one unit is made available to those earning up to 80% of the area median income; or
- additional units (up to a maximum of four) are added to a site with an existing residential structure. The existing residential structure can be converted to add units or ADUs can be added to the site.

This additional FAR is not additive, meaning these two provisions cannot be combined for even more FAR.

### **33.110.210 Floor Area Ratios**

- A. Purpose.** Floor area ratios (FAR) in the R7, R5 and R2.5 zones work with height, setback, and building coverage requirements to control the overall bulk and placement of buildings. The maximum FAR allowances have been calibrated by zone to:
- Define the character of each zone by establishing greater FAR allowances in the higher intensity zones;
  - Encourage the provision of additional dwelling units within existing neighborhoods by relating the allowed amount of FAR to the total number of units on a site; and
  - Ensure that the bulk of buildings on one lot does not overwhelm development on adjacent lots.
- B. Maximum FAR.** Maximum floor area ratios are stated in Table 110-4. The maximum FAR allowed is based on the total number of dwelling units on the site and whether a bonus option is chosen. The maximum FAR for institutional uses is stated in 33.110.270. Adjustments to the maximum FAR ratios, including bonus ratios, are prohibited.
- C. Exception.** Maximum FAR does not apply to one alteration or addition of up to 250 square feet when the alteration or addition is to a primary structure that received final inspection at least 5 years ago. This exception is allowed once every 5 years.
- D. Maximum FAR with bonus.**
1. Affordable housing bonus option. In the R7, R5 and R2.5 zones, the maximum FAR for sites that provide at least one dwelling unit to those earning no more than 80 percent of the area median family income is stated in Table 110-4. To qualify for this maximum FAR with bonus:
    - a. The applicant must provide a letter from the Portland Housing Bureau certifying that the development meets the affordability standard stated above. The letter is required to be submitted before a building permit can be issued but is not required in order to apply for a land use review; and
    - b. The property owner must execute a covenant with the City that complies with the requirements of 33.700.060. The covenant must ensure that the affordable dwelling unit will remain affordable to households meeting the income restriction and any administrative requirements of the Portland Housing Bureau.
  2. Preserving existing dwelling units bonus option. In the R7, R5 and R2.5 zones, the maximum FAR for sites that contain a primary residential structure that received final inspection at least 5 years ago is stated in Table 110-4. To qualify for this maximum FAR with bonus, no more than 25 percent of the existing street-facing façade of the primary residential structure may be altered to add additional floor area.

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## Commentary

### **33.110.215.B.2. Exceptions**

The height for narrow lots have been consolidated and amended in a section—33.110.260, Additional Development Standards for Narrow Lots

### 33.110.215 Height

**A. Purpose.** The height standards serve several purposes:

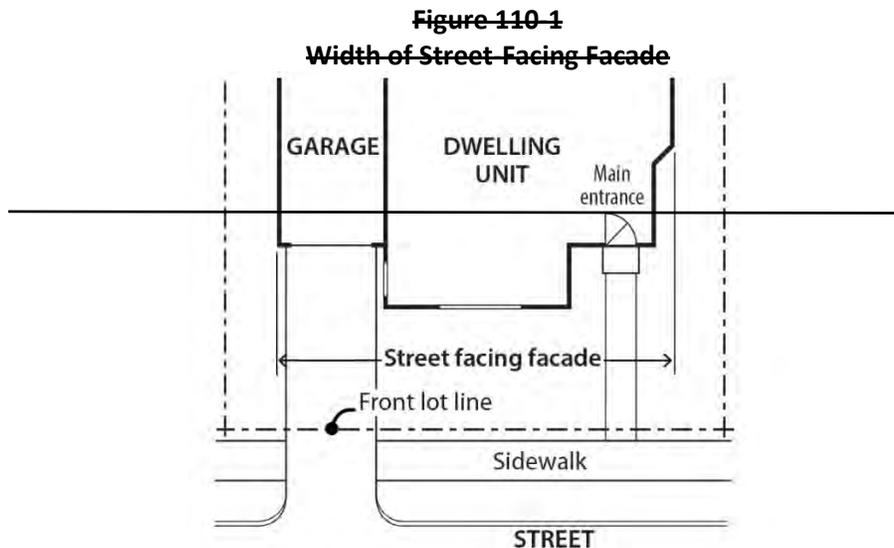
- They ~~promote~~foster a reasonable building scale and relationship of one residence to another;
- They promote options for privacy for neighboring properties; and
- They reflect the general building scale and placement of houses in the city's single-dwelling neighborhoods.

**B. Maximum height.** ~~1.—Generally. The maximum height allowed for all structures is stated in Table 110-4-3. The maximum height standard for institutional uses is stated in 33.110.245, Institutional Development Standards. The maximum height standards for detached and~~ connected accessory structures are stated in 33.110.245~~250~~, Detached and Connected Accessory Structures. The maximum height standard for narrow lots is stated in 33.110.260, Additional Development Standards for Narrow Lots. The maximum height standard for small flag lots is stated in 33.110.255, Additional Standards for Flag Lots. The maximum height standard for Institutional uses is stated in 33.110.270, Institutional Development Standards.

~~2.—Exceptions.~~

- a.—~~R10-R5 zones. The maximum height for all primary structures on new narrow lots in the R10 to R5 zones is 1.2 times the width of the structure, up to the maximum height limit listed in Table 110-3; and~~
- b.—~~R2.5 zone. The maximum height for all primary structures on new narrow lots in the R2.5 zone is 1.5 times the width of the new structure, up to the maximum height limit listed in Table 110-3.~~

~~For the purposes of this Paragraph, width is the length of the street-facing facade of the dwelling unit. See Figure 110-1. Modifications are allowed through Planned Development Review, see Chapter 33.638, Planned Development. Adjustments to this paragraph are prohibited.~~



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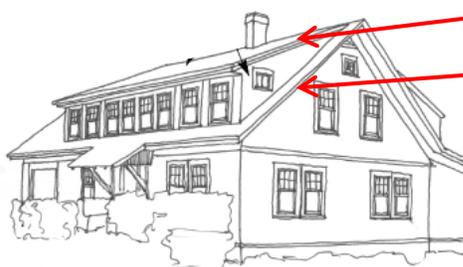
## Commentary

### 33.110.215.C. Exceptions to Maximum Height.

Currently, the midpoint of the highest gable on a gable roof is used to measure height. Dormers have been used to extend a full floor above the height limit, as long as the ridge of the dormer is below the top of the gable, making it not the "highest gable" (see drawing below). Amendments to the method of measuring height (see Chapter 33.930 Measurements) identifies the "top" of a building as the roof that yields the highest reference point. On a house with a dormer, the shed roof of the dormer would be measured to the highest point (the apex of the dormer shed roof).

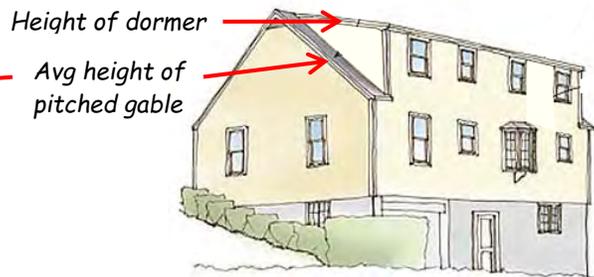
This exception is intended to allow dormer projections but constrain them so that they remain a secondary roof mass, and not an extension of the entire floor as a way of circumventing the height limit (see comparison below). Dormers can provide additional useable space and help add interest and variety to otherwise blank roof masses.

*Dormer meets exception to height standard*



*Credit: finehomebuilding.com*

*Dormer would be calculated for height*



*Credit: pro.homeadvisor.com*

**C. Exceptions to the maximum height.**

1. Chimneys, vents, flag poles, satellite receiving dishes and other similar items ~~attached to a building,~~ with a width, depth, or diameter of 3 feet or less may extend above the height limit, as long as they are attached to a building and do not exceed 5 feet above the top of the highest point of the roof. If they are greater than 3 feet in width, depth, or diameter, they are subject to the height limit.
2. Dormers are not included in the height calculation when:
  - a. The roof of the dormer has a pitch of at least 3 in 12 and no part of the dormer extends above the ridgeline of the roof;
  - b. The walls of the dormer are set back at least 12 inches from the plane of any exterior wall of the floor below; and
  - c. The width of the dormer is not more than 75 percent of the width of the roof from which it projects. See Figure 110-1
- ~~3~~2. Farm buildings associated with an agricultural use, such as silos and barns are exempt from the height limit as long as they are set back from all lot lines, at least one foot for every foot in height.
- ~~4~~3. Antennas, utility power poles, and public safety facilities are exempt from the height limit.
- ~~5~~4. Small wind turbines are subject to the standards of Chapter 33.299, Wind Turbines.
- ~~6~~5. Roof mounted solar panels are not included in height calculations, ~~and may exceed the maximum height limit~~ as follows: ~~if the following are met;~~
  - a. For flat roofs or the horizontal portion of mansard roofs, ~~they~~ the roof mounted solar panel may extend up to 5 feet above the top of the highest point of the roof.
  - b. For pitched, hipped or gambrel roofs, ~~they~~ the roof mounted solar panel must be mounted no more than 12 inches from the surface of the roof at any point, and may not extend above the ridgeline of the roof. The 12 inches is measured from the upper side of the solar panel.

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## Commentary

### **33.110.215.D. Alternative height limits for steeply sloping lots.**

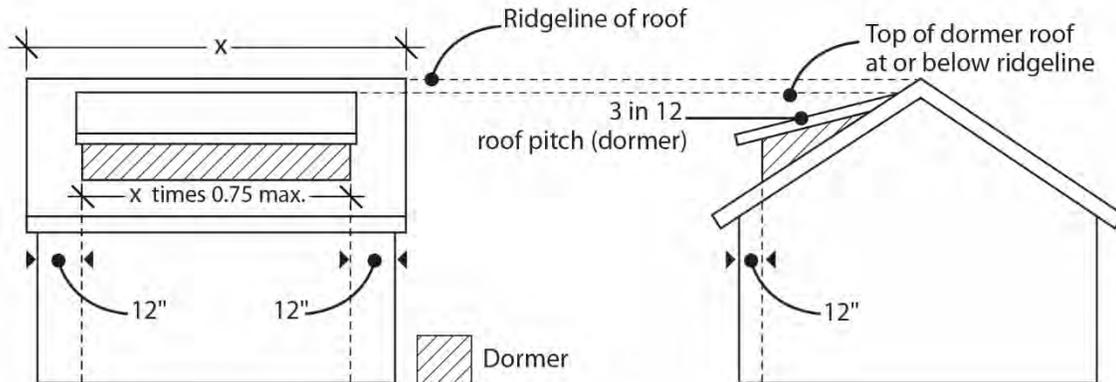
Additional clarity is being added regarding where to measure the average street grade. For the purpose of this regulation, the average street grade will be measured at the street lot line property corners as opposed to somewhere within the sidewalk, the street centerline, or other location within the ROW.

Paragraph 3 is being added because it is currently not clear what to do when a lot both slopes up and down from a street (e.g. through lot or corner lot). The amendment clarifies that in this situation, the applicant can choose to meet the alternative height measurement in D.1.

### **33.110.220.A Setbacks**

The purpose is being amended to clarify that the setback regulations reflect the scale and placement of buildings in the single-dwelling zones as opposed to buildings in other zones across the city.

**Figure 110-1**  
**Dormers**



**D. Alternative height limits for steeply sloping lots.**

1. Downhill slope from street. On lots that slope downhill from the street with an average slope of 20 percent or greater, the height limit is the higher of either 23 feet above the average of the grade of the street or the normal height limit calculated as stated in Chapter 33.930, Measurements. In addition, the alternative height and setback standards of Subsection 33.110.220.D apply. For the purpose of this paragraph, the average grade of the street is measured at the street lot line property corners.
2. Uphill slope from the street. On lots that slope uphill from the street with an average slope of 20 percent or greater the alternative height and setback standards of Subsection 33.110.220.D apply.
3. Downhill and uphill slope from the street. On lots that slope uphill from one street and downhill from another street with an average slope of 20 percent or greater, the applicant may meet the alternative height limit of Paragraph D.1.

**33.110.220 Setbacks**

**A. Purpose.** The setback regulations for buildings and garage entrances serve several purposes:

- They maintain light, air, separation for fire protection, and access for fire fighting;
- They reflect the general building scale and placement of ~~houses~~residences in the city's single-dwelling neighborhoods;
- They ~~promote~~foster a reasonable physical relationship between residences;
- They promote options for privacy for neighboring properties;
- They require larger front setbacks than side and rear setbacks to promote open, visually pleasing front yards;
- They provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity; and
- They provide room for a car to park in front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street.

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## Commentary

**33.110.220.C.1.d(4)** The limitation on doors in a bay is being deleted to allow for "Juliet" balconies.



**33.110.220.C.2.** This amendment provides for a consistent 2-foot eave allowance in a setback rather than a percentage of setback to account for the different size setbacks in the single dwelling zones. The change will improve the relationship of eave proportion to building height and width. Requiring at least 3 feet between the eave and the lot line is consistent with the minimum distance required before additional building code regulations for fire protecting eaves are triggered



**33.110.220.C.3.** This minor amendment is being made to avoid confusion between detached, attached and connected accessory structures and because it is irrelevant whether the stair, deck or ramp is attached, connected or detached.

- B. Required setbacks.** The required setbacks for buildings and garage entrances are stated in Table 110-4-3. The walls of the garage structure are subject to the front, side, and rear building setbacks stated in Table 110-4-3. The minimum setbacks for institutional uses are stated in 33.110.270245, Institutional Development Standards. Other setbacks may apply to specific types of development or situations.
- C. Extensions into required building setbacks.**
1. The following features of a building may extend into a required building setback up to 20 percent of the depth of the setback. However, the feature must be at least three feet from a lot line:
    - a. ~~Eaves, e~~Chimneys, fireplace inserts and vents, mechanical equipment, and fire escapes;
    - b. Water collection cisterns and stormwater planters that do not meet the standard of Paragraph C.32;
    - c. Decks, stairways, wheelchair ramps and uncovered balconies that do not meet the standards of Paragraph C.32; and
    - d. Bays and bay windows that meet the following requirements:
      - (1) Each bay and bay window may be up to 12 feet long, but the total area of all bays and bay windows on a building facade cannot be more than 30 percent of the area of the facade;
      - (2) At least 30 percent of the area of each bay which faces the property line requiring the setback must be glazing or glass block; and
      - (3) Bays and bay windows must cantilever beyond the foundation of the building; and
      - (4) ~~The bay may not include any doors.~~
  2. Building eaves may extend up to 2 feet into a required building setback provided the eave is at least three feet from a lot line.
  - ~~32.~~ The following minor features of a building may extend into the entire required building setbacks:
    - a. Utility connections attached to the building that are required to provide services such as water, electricity, and other similar utility services;
    - b. Gutters and downspouts that drain stormwater off a roof of the structure;
    - c. Stormwater planters that are no more than 2-1/2 feet above the ground;
    - d. Water collection cisterns that are 6 feet or less in height;
    - e. ~~Attached d~~Decks, stairs and ramps that are no more than 2-1/2 feet above the ground. However, stairways and wheelchair ramps that lead to one entrance on the street-facing façade of a building are allowed to extend into the required setback from a street lot line regardless of height above ground; and
    - f. On lots that slope down from the street, vehicular or pedestrian entry bridges that are no more than 2-1/2 feet above the average sidewalk elevation.

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## Commentary

### **33.110.220.D.2. Exception for flag lots**

The setback exception for the side lot line along a flag lot pole is being reduced from 3 to zero. This will reduce the need for an adjustment when a flag lot is being created and the existing house is too close to the new side lot line. The reduced setback is appropriate because the flag pole area will not be developed with anything other than a driveway and there will continue to be at least 10 feet between the existing house and the side lot line of the lot next door.

### **33.110.220.D.6. Established building lines**

This amendment is a minor clarification. The use of the term "new development" is incorrect in the context of this exception. The provision applies to existing nonconforming development which, by definition, is not new development.

- ~~43.~~ Detached accessory structures. The setback standards for detached-accessory structures, including detached mechanical equipment, are stated in 33.110.~~245~~250. Fences are addressed in 33.110.~~275~~255. Detached accessory dwelling units are addressed in Chapter 33.205.

**D. Exceptions to the required setbacks.**

1. Setback averaging. The front building setback, ~~garage entrance setback~~, and the setback of decks, balconies, and porches may be reduced to the average of the respective setbacks on the abutting lots. See Chapter 33.930, Measurements, for more information.
2. Flag lots. The lot in front of a flag lot may reduce its side building setback along the flag pole lot line to zero~~3 feet~~. ~~Eaves may be within 2 feet of the flag pole lot line.~~ All other setback requirements remain the same.
3. Environmental zone. The front building and garage entrance setback may be reduced to zero where any portion of the site is in an environmental overlay zone. Where a side lot line is also a street lot line the side building and garage entrance setback may be reduced to zero. All other provisions of this Title apply to the building and garage entrance.
4. Steeply sloping lots. This provision applies to lots ~~which~~that slope up or down from the street with an average slope of 20 percent or greater. See Chapter 33.930, Measurements, for more information on how to measure average slope.
  - a. In the RF, R20, R10, and R7 zones, the front building setback for the dwelling may be reduced to 10 feet. However, the height limitations of subparagraph c. ~~below~~ apply. See Figures 110-2 and 110-3.
  - b. In all single-dwelling residential zones, the front building setback for the garage wall and/or the garage entrance setback may be reduced to five feet. However, the height limitations of Paragraph D.4.c. ~~below~~ apply. See Figures 110-2 and 110-3.
  - c. Height limitation. The height limit in the area of the reduced setback is lowered one foot for every foot of reduced setback. See Figures 110-2 and 110-3.
5. Established building lines. The front, side, or rear building setback for the primary structure may be reduced for sites with existing nonconforming development in a required setback. The reduction is allowed if the width of the portion of the existing wall of the primary structure within the required setback is at least 60 percent of the width of the respective facade of the existing primary structure. The building line created by the nonconforming wall serves as the reduced setback line. Eaves associated with the nonconforming wall may extend the same distance into the reduced setback as the existing eave. However, side or rear setbacks may not be reduced to less than 3 feet in depth and eaves may not project closer than 2 feet to the side or rear property line. See Figure 110-4. This reduced setback applies to new development alterations that are ~~that is~~ no higher than the existing nonconforming wall. For example, a second story could not be placed up to the reduced setback line if the existing nonconforming wall is only one story high.

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## Commentary

### **33.110.220.D.7. Land Divisions and Planned Developments with existing development**

This amendment extends the setback exception for existing development close to a proposed ROW to the RF, R20 and R10 zones and to Planned Developments. Occasionally, ROW is proposed as part of a Planned Development that is not also going through a Land Division and there is no reason to limit the exception to only Land Divisions. Similarly, existing development could be located close to a ROW dedication in the RF, R20 or R10 zones.

### **33.110.220.D.8. Required dedication**

With more opportunities to convert existing houses to add more units, right of way dedications to widen existing rights-of-way may be required. Adding this exception reduces barriers to retaining existing houses and avoids the need for a costly setback adjustment.

6. Split zoning. No setbacks are required from an internal lot line that is also a zoning line on sites with split zoning.
7. Land divisions and Planned Developments with existing development. ~~In the R7, R5, and R2.5 zones, t~~The following setback reductions are allowed when proposed as part of a land division or Planned Development:
  - a. The minimum setback between an existing building and a side lot line along a proposed right-of-way dedication or street tract may be reduced to three feet;
  - b. When a dedication of public right-of-way along the frontage of an existing street is required as part of a land division or Planned Development, the minimum front or side setback between an existing building and a lot line that abuts the right-of-way may be reduced to zero. Future additions or development must meet required minimum setbacks.
  - c. Eaves on an existing building may extend one foot into the reduced setback allowed by D. 7.a. or b. ~~above~~, except they may not extend into the right-of-way.
8. Required dedication. When a dedication of public right-of-way along the frontage of an existing street is required by a public agency, the minimum front or side setback between an existing building and a lot line that abuts the right-of-way may be reduced to zero. Future additions or development must meet required minimum setbacks. Eaves on an existing building may extend one foot into the reduced setback except they may not extend into the right-of-way.
98. Alley. No side, rear, or garage entrance setback is required from a lot line abutting an alley.

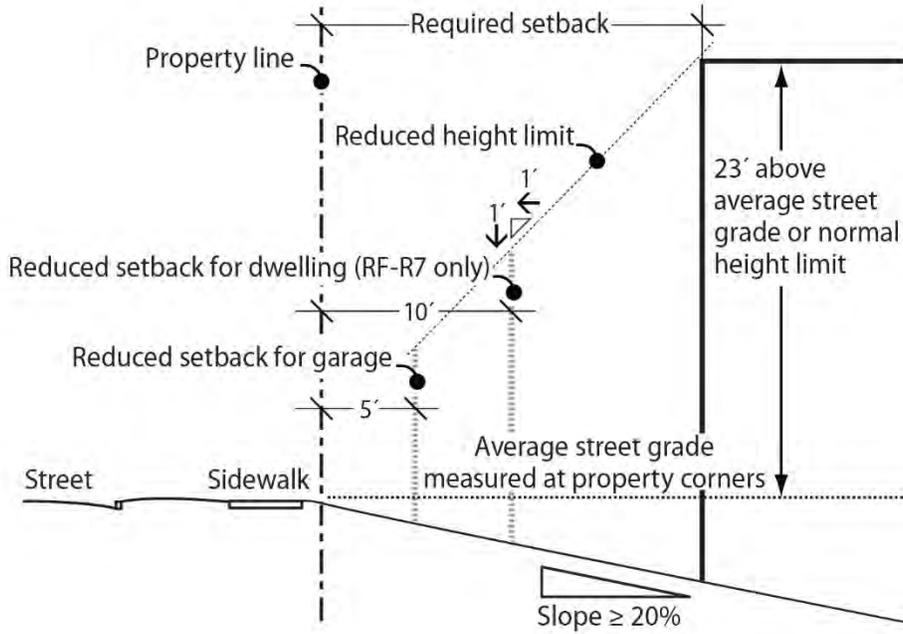
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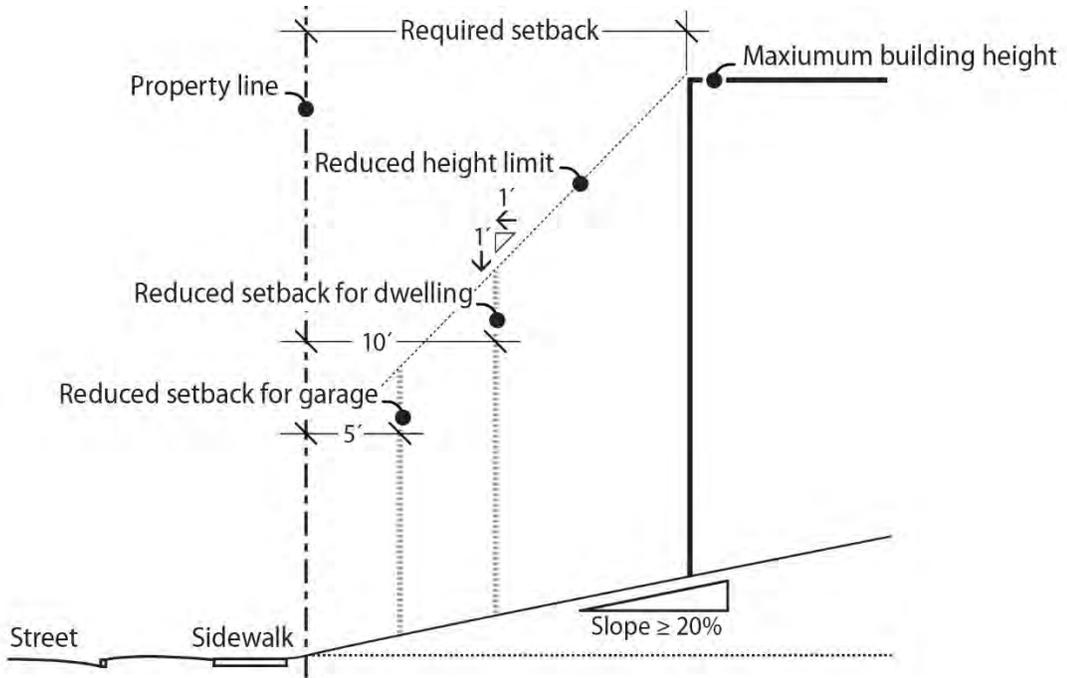
## Commentary

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**Figure 110-2**  
**Exceptions To Front Building Setback And Garage Entrance Setback—Downhill**



**Figure 110-3**  
**Exceptions To Front Building Setback And Garage Entrance Setback—Uphill**



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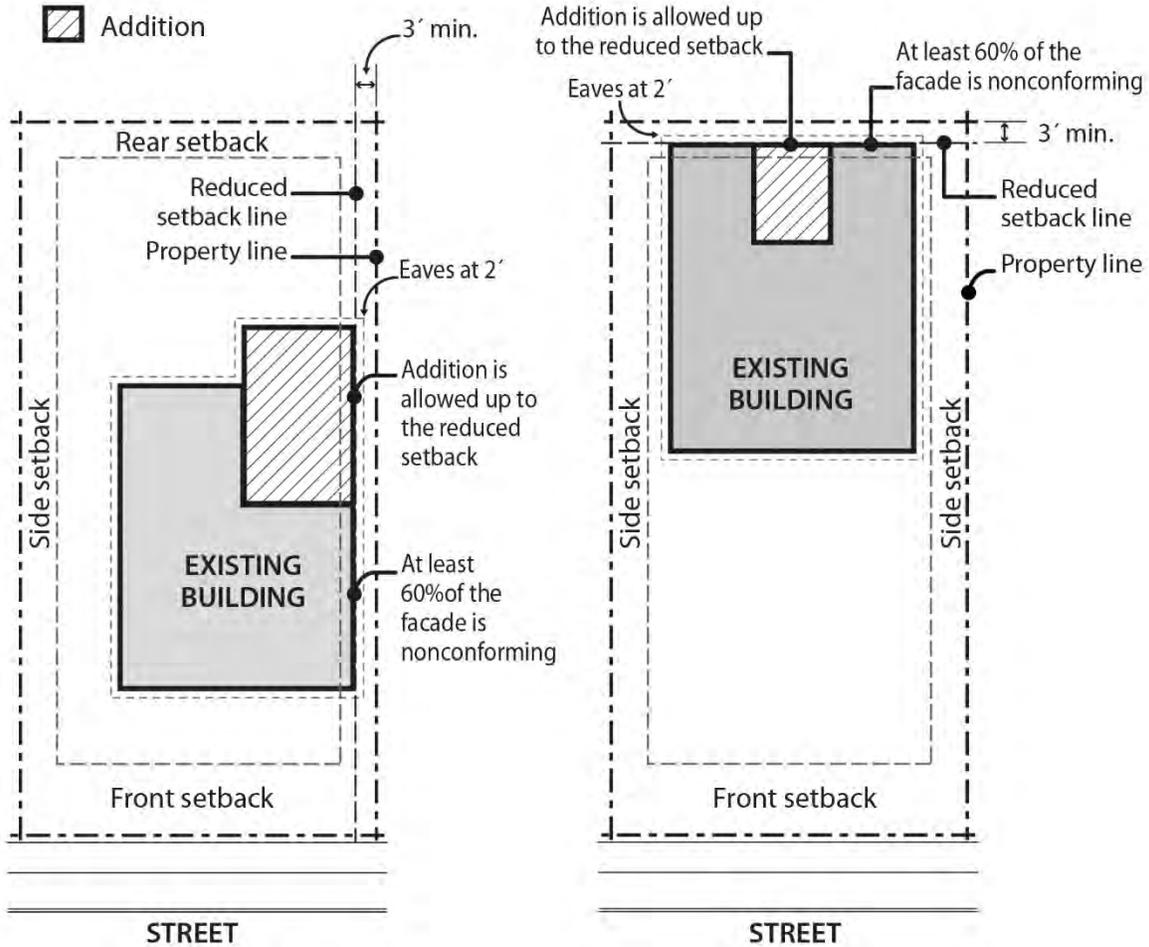
## Commentary

### **33.110.225.A**

The purpose statement for building coverage is being amended to reflect that the new floor area ratio standard will also work with building coverage to help control the bulk of buildings in the single-dwelling zones.

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**Figure 110-4**  
**Established Building Lines**



**33.110.225 Building Coverage**

- A. **Purpose.** The building coverage standards, limit the footprint of buildings and work together with the height, and setback, and floor area ratio standards to control the overall bulk of structures. They are intended to ensure that taller buildings will not have such a large footprint that their total bulk will overwhelm adjacent houses. Additionally, the standards help define the character of the different zones by limiting the amount of buildings allowed on a site.
- B. **Building coverage standards.** The maximum combined building coverage allowed on a site for all covered structures is stated in Table 110-5-4.

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## Commentary

### **33.110.230.B.1 Where these standards apply**

This minor amendment replaces the list of residential structure types to which the main entrance standards apply with the term "all residential structure types except accessory dwelling units". The change in language avoids lengthening the sentence by adding triplex and fourplex.

### **33.110.230.B.2**

This provision is being deleted because it is covered in B.1.

### **33.110.230.B.4**

Development that is located in the special flood hazard area will be exempt from the main entrance standard that limits how high above grade the main entrance can be. In these areas, the lowest floor of the residence is required to be elevated 1 foot above the 100 year flood elevation. In some cases, this is achieved by placing the structure on piers (as opposed to raising the surrounding grade), which could make compliance with this standard impractical.

<b>Lot Size</b>	<b>Maximum Building Coverage</b>
Less than 3,000 sq. ft.	50% of lot area
3,000 sq. ft. or more but less than 5,000 sq. ft.	1,500 sq. ft. + 37.5% of lot area over 3,000 sq. ft.
5,000 sq. ft. or more but less than 20,000 sq. ft.	2,250 sq. ft. + 15% of lot area over 5,000 sq. ft.
20,000 sq. ft. or more	4,500 sq. ft. + 7.5% of lot area over 20,000 sq. ft.

Notes:

[1] Group Living uses are subject to the maximum building coverage for institutional development stated in Table 110-8-5.

### **33.110.227 Trees**

Requirements for street trees and for on-site tree preservation, protection, and overall tree density are specified in Title 11, Trees. See Chapter 11.50, Trees in Development Situations.

### **33.110.230 Main Entrances in R10 through R2.5 Zones**

#### **A. Purpose.** These standards:

- Together ~~Work~~ with the street-facing facade and garage standards, to ensure that there is a physical and visual connection between the living area of the residence and the street;
- Enhance public safety for residents and visitors and provide opportunities for community interaction;
- Ensure that the pedestrian entrance is visible or clearly identifiable from the street by its orientation or articulation; and
- ~~Ensure that pedestrians can easily find the main entrance, and so establish how to enter the residence.~~
- Ensure a connection to the public realm for development on lots fronting both private and public streets by making the pedestrian entrance visible or clearly identifiable from the public street.

#### **B. Where these standards apply.**

1. The standards of ~~Subsection C~~ this section apply to all residential structure types except accessory dwelling units ~~houses, attached houses, manufactured homes, and duplexes~~ in the R10 through R2.5 zones;
- ~~2. The standard of Subsection D applies to attached houses on new narrow lots.~~
23. Where a proposal is for an alteration or addition to existing development, the standards of this section apply only to the portion being altered or added;
34. On sites with frontage on both a private street and a public street, the standards apply to the site frontage on the public street. On all other sites with more than one street frontage, the applicant may choose on which frontage to meet the standards;~~;~~
45. Development on flag lots or on lots that slope up or down from the street with an average slope of 20 percent or more is exempt from these standards; ~~and~~
56. Subdivisions and PUDs that received preliminary plan approval between September 9, 1990, and September 9, 1995, are exempt from these standards;~~;~~ and
6. Development on lots where any portion of the lot is in the special flood hazard area is exempt from the standard in Subsection D.

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## Commentary

### 33.110.230.D. Distance from Grade

This standard, which previously applied only to attached houses on new narrow lots (lots created after 2002), will now apply to all residential structure types on all lots. The standard limits long, tall runs, or “floating”, stairways. Applying it to all lots will improve the relationship between the first floor of the dwelling and the surrounding grade. The standard applies only to the one main entrance that meets the street-facing standard of subsection C.

The standard is also being clarified and illustrated with a diagram to show how to measure the average grade (see page 53). The clarification addresses tuck under garages and other excavations that may complicate the calculation of average grade.



Houses with main entrance high above average grade



Main entrances within 4 feet of average grade

The amendment also allows the adjustment review procedure for modifications to the standards rather than requiring a Planned Development. This provides for a more consistent review process when one or more base zone standards are being adjusted.

- C. Location.** At least one main entrance for each structure must:
1. Be within 8 feet of the longest street-facing wall of the dwelling unit; and
  2. Either:
    - a. Face the street. See Figure 110-5;
    - b. Be at an angle of up to 45 degrees from the street; or
    - c. Open onto a porch. See Figure 110-6. The porch must:
      - (1) Be at least 25 square feet in area;
      - (2) Have at least one entrance facing the street; and
      - (3) Have a roof that is:
        - No more than 12 feet above the floor of the porch; and
        - At least 30 percent solid. This standard may be met by having 30 percent of the porch area covered with a solid roof, or by having the entire area covered with a trellis or other open material if no more than 70 percent of the area of the material is open.
- D. Distance from grade.** The main entrance that meets Subsection C, ~~above~~, must be within 4 feet of grade. For the purposes of this Subsection, grade is the average grade measured at the outer most corners of the street facing façade along the foundation of the longest street-facing wall of the dwelling unit. See Figure 110-7. ~~Modifications to this standard are allowed through Planned Development Review. See Chapter 33.638, Planned Development. Adjustments are prohibited.~~

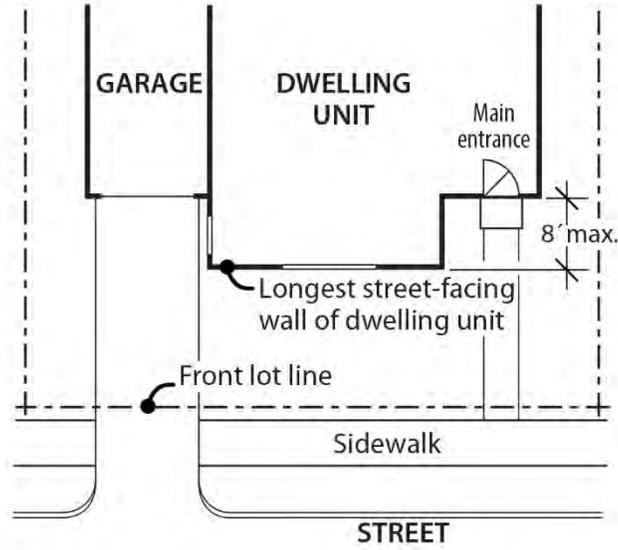
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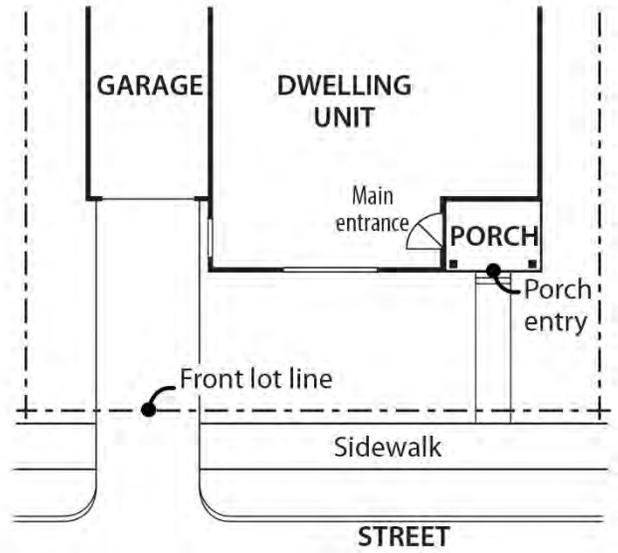
## Commentary

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**Figure 110-5**  
**Main Entrance Facing the Street**



**Figure 110-6**  
**Main Entrance Opening onto a Porch**



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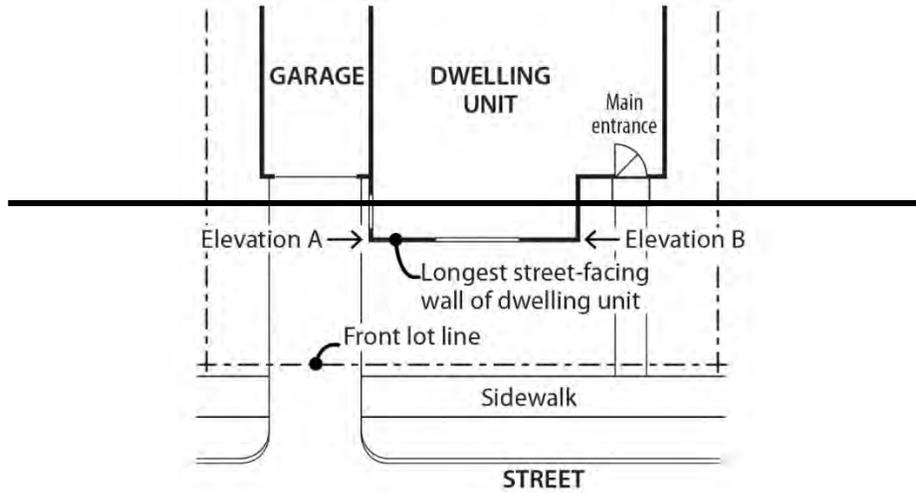
## Commentary

### Figure 110-7

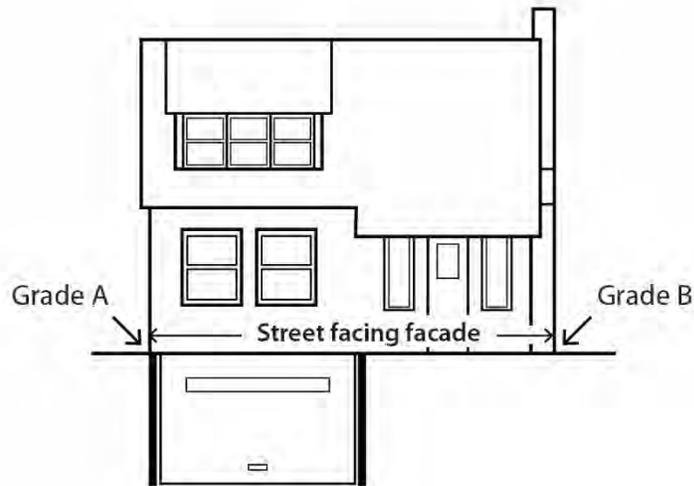
The figure is being amended to show the new method for measuring average grade.

Language to be **added** is underlined>  
Language to be **deleted** is shown in ~~strikethrough~~

**Figure 110-7**  
**Calculation of Grade: ~~(Elevation A + Elevation B) / 2~~**



**Figure 110-7**  
**Calculation of Grade: (Grade A + Grade B) / 2**



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## Commentary

### 33.110.235.A.

The purpose statement is being amended to reflect the additional standard related to second story entrances.

### 33.110.235.B. Where these standards apply

This minor amendment replaces the list of residential structure types to which the main entrance standards apply with the term "all residential structure types except accessory dwelling units". The change in language avoids lengthening the sentence by adding triplex and fourplex.

### 33.110.235.C.

The subsection is being renamed to differentiate the minimum window requirement from the exterior stair standard.

### 33.110.235.D.

This standard is being added to prevent exterior stairs to a second story from being located between the building façade and a street. Like the main entrance distance from grade standard, this standard will limit long, tall runs, or "floating", stairways on the front façade of a structure and ensure that the front façade is not obscured by a staircase. Stairs to second story entrances will be allowed on non-street side and rear façades.



Example of a second-floor entry on the front façade, which would not be allowed

### **33.110.235232 Street-Facing Facades in R10 through R2.5 Zones**

**A. Purpose.** ~~This~~The standards:

- ~~Together~~Work with the main entrance and garage standards, to ensures that there is a visual connection between the living area of the residence and the street;
- Enhances public safety by allowing people to survey their neighborhood from inside their residences; and
- Provides a ~~more~~-pleasant pedestrian environment along the street by preventing large expanses of blank facades and façade-obscuring staircases from interrupting the connection between the residence and the public realm~~along streets.~~

**B. Where the standards apply.**

1. The street-facing façade standards of this section apply to all residential structure types except accessory dwelling units, houses, attached houses, manufactured homes, and duplexes in the R10 through R2.5 zones;
2. Where a proposal is for an alteration or addition to existing development, the applicant may choose to apply the standard either to the portion being altered or added, or to the entire street-facing façade;
3. Development on flag lots or on lots that slope up or down from the street with an average slope of 20 percent or more is exempt from this standard; and
4. In addition, ~~s~~Subdivisions and PUDs that received preliminary plan approval between September 9, 1990, and September 9, 1995, are exempt from ~~this~~ these standards.

**C. ~~The standard~~Windows.** At least 15 percent of the area of each facade that faces a street lot line must be windows or main entrance doors. Windows used to meet this standard must allow views from the building to the street. Glass block does not meet this standard. Windows in garage doors do not count toward meeting this standard, but windows in garage walls do count toward meeting this standard. To count toward meeting this standard, a door must be at the main entrance and facing a street lot line.

**D. Exterior stairs.** Fire escapes and exterior stairs providing access to an upper level are not allowed on any facade that faces a street lot line.

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## Commentary

### **33.110.240.B Required outdoor area size**

The requirement for a minimum outdoor area is being amended to apply per lot rather than per dwelling unit. The experience with accessory dwelling units has been that it is hard to fit in more than one 250 square foot outdoor area and that problem will be exacerbated with the option to build or convert a structure to a triplex or fourplex. In addition, this change also makes the requirement more consistent with the outdoor area requirement in the multi-dwelling zones (48 square feet per unit). Total open area on a site will not be affected by this change because building coverage limits will continue to apply limiting the amount of a lot that can be covered by buildings.

### **33.110.240.C.2**

This amendment will ensure that required outdoor area is not also used as vehicle areas (including storage of vehicles).

### **33.110.240235-Required Outdoor Areas**

- A. Purpose.** The required outdoor areas standards ensure~~assure~~ opportunities in the single-dwelling zones for outdoor relaxation or recreation. The standards work with the maximum building coverage standards to ensure that some of the land not covered by buildings is of an adequate size and shape to be usable for outdoor recreation or relaxation. The location requirements provide options for private or semiprivate areas. The requirement of a required outdoor area serves in lieu of a large rear setback requirement and is an important aspect in addressing the livability of a residential structure.
- B. Required outdoor area sizes.** The minimum sizes of required outdoor areas per lot~~dwelling unit~~ are ~~is~~ stated in Table 110-4-3. The shape of the outdoor area must be such that a square of the stated dimension will fit entirely in the outdoor area.
- C. Requirements.**
1. The required outdoor area must be a contiguous area and may be on the ground or above ground.
  2. The area must be surfaced with lawn, pavers, decking, or sport court paving which allows the area to be used for recreational purposes. User amenities, such as tables, benches, trees, planter boxes, garden plots, drinking fountains, spas, or pools may be placed in the outdoor area. It may be covered, such as a covered patio, but it may not be fully enclosed. Required outdoor area may not be used as vehicle area.
  3. General landscaped areas that~~which~~ are included as part of the required outdoor area may extend into the required side and rear building setback, but the required outdoor area may not be located in the front building setback.

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## Commentary

### 33.110.240 Alternative Development Options

This section is being restructured, renamed and moved. See 33.110.265, Residential Infill Options.

Key structural changes:

- The flag lot standards are being moved to 33.110.255. Additional Standards for Flag Lots.
- The transitional site option is being deleted. In the R7, R5, and R2.5 zones, up to 4 units will be allowed on most lots, including transitional sites that presently only allow 2 units. In addition, there are fewer than 15 transitional sites in the R10 and R20 zones and due to the low applicability of this option, it is being deleted.
- The zero lot line development option is being deleted due to difficulties with building code compliance. For example, the building code does not allow window or door openings within 3 feet of a property line and does not allow eaves to project across a property line. In addition, this option has been rarely used.
- The reference to the Permit Ready House program is also being deleted. The permit ready houses program was initiated in 2004/2005. Two pre-approved plans were developed with BDS staff to help administer the program. With the 2009 recession and subsequent budget cuts, this program was discontinued and the plans are no longer under copyright. Twelve houses were built under this program. Due to its seldom use and the lack of flexibility in modifying the copyrighted plans, Chapter 33.278, Permit Ready Houses, was deleted from the zoning code in May, 2018.

### **33.110.240 Alternative Development Options**

**A. Purpose.** ~~The alternative development options allow for variety in development standards while maintaining the overall character of a single-dwelling neighborhood. These options have several public benefits:~~

- ~~• They allow for development that is sensitive to the environment, especially in hilly areas and areas with water features and natural drainageways;~~
- ~~• They allow for the preservation of open and natural areas;~~
- ~~• They promote better site layout and opportunities for private recreational areas;~~
- ~~• They promote opportunities for affordable housing;~~
- ~~• They promote energy-efficient development;~~
- ~~• They allow for the provision of alternative structure types where density standards are met; and~~
- ~~• They reduce the impact that new development may have on surrounding residential development.~~

**B. General requirements for all alternative development options.** ~~The alternative development options listed in this section are allowed by right unless specifically stated otherwise. The project must comply with all of the applicable development standards of this section. The project must also conform with all other development standards of the base zone unless those standards are superseded by the standards in this section.~~

**C. Attached housing.** ~~Attached housing allows for more efficient use of land and for energy-conserving housing.~~

~~1. R20 through R5 zones.~~

~~a. Lot dimensions. Each attached house must be on a lot that complies with the lot dimension standards for new lots in the base zone stated in Chapter 33.610, Lots in RF through R5 Zones.~~

~~b. Building setbacks.~~

~~(1) Interior (noncorner) lots. On interior lots the side building setback on the side containing the common wall is reduced to zero. The reduced setback applies to all buildings on the lot and extends along the full length of the lot line that contains the common or abutting wall. The side building setback on the side opposite the common wall must be double the side setback standard of the base zone.~~

~~(2) Corner lots. On corner lots either the rear setback or nonstreet side setback may be reduced to zero. However, the remaining nonstreet setback must comply with the requirements for a standard rear setback.~~

~~c. Number of units. Two attached houses may have a common wall. Structures made up of three or more attached houses are prohibited unless approved as a Planned Development.~~

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## Commentary

### **33.110.240.C.1.d.**

The narrow lot landscape standards have been moved to 33.110.260, Additional Standards for Narrow Lots.

- d. ~~Landscape standards. The following landscape standards must be met on lots in the R10 through R5 zones that do not meet the minimum lot width standard of 33.610.200.D.1, and were created by a land division submitted after July 1, 2002. Modification of these standards is allowed through Planned Development Review. See Chapter 33.638, Planned Development. Adjustments are prohibited.~~
- (1) ~~All street facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every 3 lineal feet of foundation; and~~
- (2) ~~Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios.~~
2. ~~R2.5 zone.~~
- a. ~~Density and lot size. The density and minimum lot dimension standards are stated in Chapter 33.611, Lots in the R2.5 Zone, apply.~~
- b. ~~Number of units. Up to eight attached houses may have common walls. Structures made up of nine or more attached houses are prohibited.~~
- c. ~~Building setbacks.~~
- (1) ~~Perimeter building setbacks. The front, side, and rear building setbacks around the perimeter of an attached housing project are those of the base zone.~~
- (2) ~~Interior building setbacks. The side building setback on the side containing the common wall is reduced to zero. The reduced setback extends along the full length of the lot line that contains the common or abutting wall.~~
- (3) ~~Corner lots. On corner lots either the rear setback or nonstreet side setback may be reduced to zero. However, the remaining nonstreet setback must comply with the requirements for a standard rear setback.~~
- d. ~~Landscape standards. The following landscape standards must be met on lots in the R2.5 zone that do not meet the minimum lot width standard of 33.611.200.C.1, and were created by a land division submitted after July 1, 2002. Modification of these standards is allowed through Planned Development Review. See Chapter 33.638, Planned Development. Adjustments are prohibited:~~
- (1) ~~All street facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every 3 lineal feet of foundation; and~~
- (2) ~~Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios.~~

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## Commentary

### 33.110.240.D.3

The limitation on fire escapes and stairs on the front façade has been incorporated as a general requirement in 33.110.240, Street Facing Façades.

**D. ~~Duplex in R2.5 zone.~~** Duplexes are allowed in the R2.5 zone if the following are met:

- ~~1. Density. A maximum density of 1 unit per 2,500 square feet of site area is allowed. Density for this standard is calculated before public right-of-way dedications are made;~~
- ~~2. Development standards. Duplexes must comply with the height, building setback, building coverage, and required outdoor area requirements of the base zone, overlay zone, or plan district; and~~
- ~~3. Front facade. Fire escapes, or exterior stairs that provide access to an upper level are not allowed on the front facade of the building.~~

**E. ~~Duplexes and attached houses on corners.~~** This provision allows new duplexes and attached houses in locations where their appearance and impact will be compatible with the surrounding houses. Duplexes and attached houses on corner lots can be designed so each unit is oriented towards a different street. This gives the structure the overall appearance of a house when viewed from either street.

- ~~1. Qualifying situations. This provision applies to corner lots in the R20 through R2.5 zones.~~
- ~~2. Density. One extra dwelling unit is allowed up to a maximum of two units.~~
- ~~3. Lot dimension regulations. Lots in the R20 through R2.5 zones must meet the lot dimension regulations of this section. Adjustments are prohibited.~~
  - ~~a. In the R20 through R7 zones:
    - ~~(1) Duplexes. Lots for duplexes must meet the minimum lot dimension standards for new lots in the base zone.~~
    - ~~(2) Attached houses. Where attached houses are proposed, the original lot, before division for the attached house proposal, must meet the minimum lot dimension standards for new lots in the base zone. The new lots created for the attached houses must meet the minimum lot dimension standards stated in Chapter 33.611, Lots in the R2.5 Zone.~~
    - ~~(3) Attached houses as a result of a Property Line Adjustment. Attached houses are allowed on adjusted lots that are a result of a Property Line Adjustment.~~~~
  - ~~b. In the R5 zone:
    - ~~(1) Duplexes. Lots for duplexes must be at least 4,500 square feet in area.~~
    - ~~(2) Attached houses as a result of a land division. Where attached houses are proposed, the original lot, before division for the attached house proposal, must be at least 4,500 square feet. The new lots created for the attached houses must meet the minimum lot dimension standards stated in Chapter 33.611, Lots in the R2.5 Zone.~~
    - ~~(3) Attached houses as a result of a Property Line Adjustment. Attached houses are allowed on adjusted lots that are a result of a Property Line Adjustment.~~~~

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## Commentary

~~c. In the R2.5 zone:~~

- ~~(1) Duplexes. Lots for duplexes must be at least 3,000 square feet in area.~~
- ~~(2) Attached houses as a result of a land division. Where attached houses are proposed, the original lot, before division for the attached house proposal, must be at least 3,000 square feet. There are no minimum lot dimension standards for the new lots.~~
- ~~(3) Attached houses as a result of a Property Line Adjustment. Attached houses are allowed on adjusted lots that are a result of a Property Line Adjustment.~~

~~4. Development standards. Both units of the duplex or attached houses must meet the following standards to ensure that the two units have compatible elements. Adjustments to this paragraph are prohibited, but modifications may be requested through Design Review. The standards are:~~

- ~~a. Entrances. Each of the units must have its address and main entrance oriented towards a separate street frontage. Where an existing house is being converted to two units, one main entrance with internal access to both units is allowed;~~
- ~~b. Height. If attached housing is proposed, the height of the two units must be within four feet of each other; and~~

~~c. On both units:~~

- ~~(1) Exterior finish materials. The exterior finish material must be the same, or visually match in type, size and placement.~~
- ~~(2) Roof pitch. The predominant roof pitch must be the same.~~
- ~~(3) Eaves. Roof eaves must project the same distance from the building wall.~~
- ~~(4) Trim. Trim must be the same in type, size and location.~~
- ~~(5) Windows. Windows must match in proportion and orientation.~~

~~**F. Flag lot development standards.** The development standards for flag lots include specific screening and setback requirements to protect the privacy of abutting residences. The following standards apply to development on flag lots:~~

~~1. Setbacks. Flag lots have required building setbacks that are the same along all lot lines. The required setbacks are:~~

<b>Zone</b>	<b>Setback</b>
RF, R20, R10	15 feet
R7, R5, R2.5	10 feet

~~2. Landscaped buffer area. In the R7 through R2.5 zones, on lots that are 10,000 square feet or less in area, a landscaped area is required around the perimeter of the flag lot to buffer the flag portion from surrounding lots. The pole and the lot lines that are internal to the original land division site, or adjacent to an alley, are exempt from this requirement. The landscaped area must be at least 5 feet deep and be landscaped to at least the L3 standard. It may be reduced where the pole portion meets the flag portion to accommodate a 9-foot driveway. See Figure 110-9.~~

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## Commentary

- ~~3.—Building coverage. Only the area of the flag portion of the flag lot is considered when calculating building coverage. The area of the pole portion of the lot is not included.~~
- ~~4.—Required outdoor area. The required outdoor area may not extend into the required landscaped buffer area required by F.2.~~
- ~~5.—Detached accessory structures. Detached accessory structures may project into the flag lot setbacks as allowed in 33.110.250. However, these structures may not extend into the landscaped buffer area required by F.2.~~

~~**G.—Planned development.** See Chapter 33.270, Planned Developments.~~

~~**H.—Transitional sites.** The transitional site standards allow for a transition of development intensities between nonresidential and single dwelling zones. A stepped increase in density is allowed on single dwelling zoned lots that are adjacent to most commercial/mixed use, employment, industrial, or campus institutional zones. The transitional site provisions promote additional housing opportunities in a way that has minimal impacts on built up single dwelling neighborhoods.~~

- ~~1.—Qualifying situations. The transitional site regulations apply only to sites in the R20 through R2.5 zones that have a side lot line that abuts a lot in the CM2, CM3, CE, CX, E, I, or CI zones. The side lot line of the residential site must abut the lot in a nonresidential zone for more than 50 percent of the residential site's length. The residential site must comply with the minimum lot dimension standards in the applicable base zone listed in Chapters 33.610 and 33.611.~~
- ~~2.—Density. The site may have one dwelling unit more than the density allowed by 33.610.100.C.1 and 33.611.100.C.1.~~
- ~~3.—Housing types allowed. The site may contain a duplex or be divided for attached houses.~~
- ~~4.—Standards for attached housing projects. New lots created for attached houses must meet the minimum lot dimension standards stated in Chapter 33.611, Lots in the R2.5 Zone. Development must meet the site development regulations for attached houses in the R2.5 zone.~~

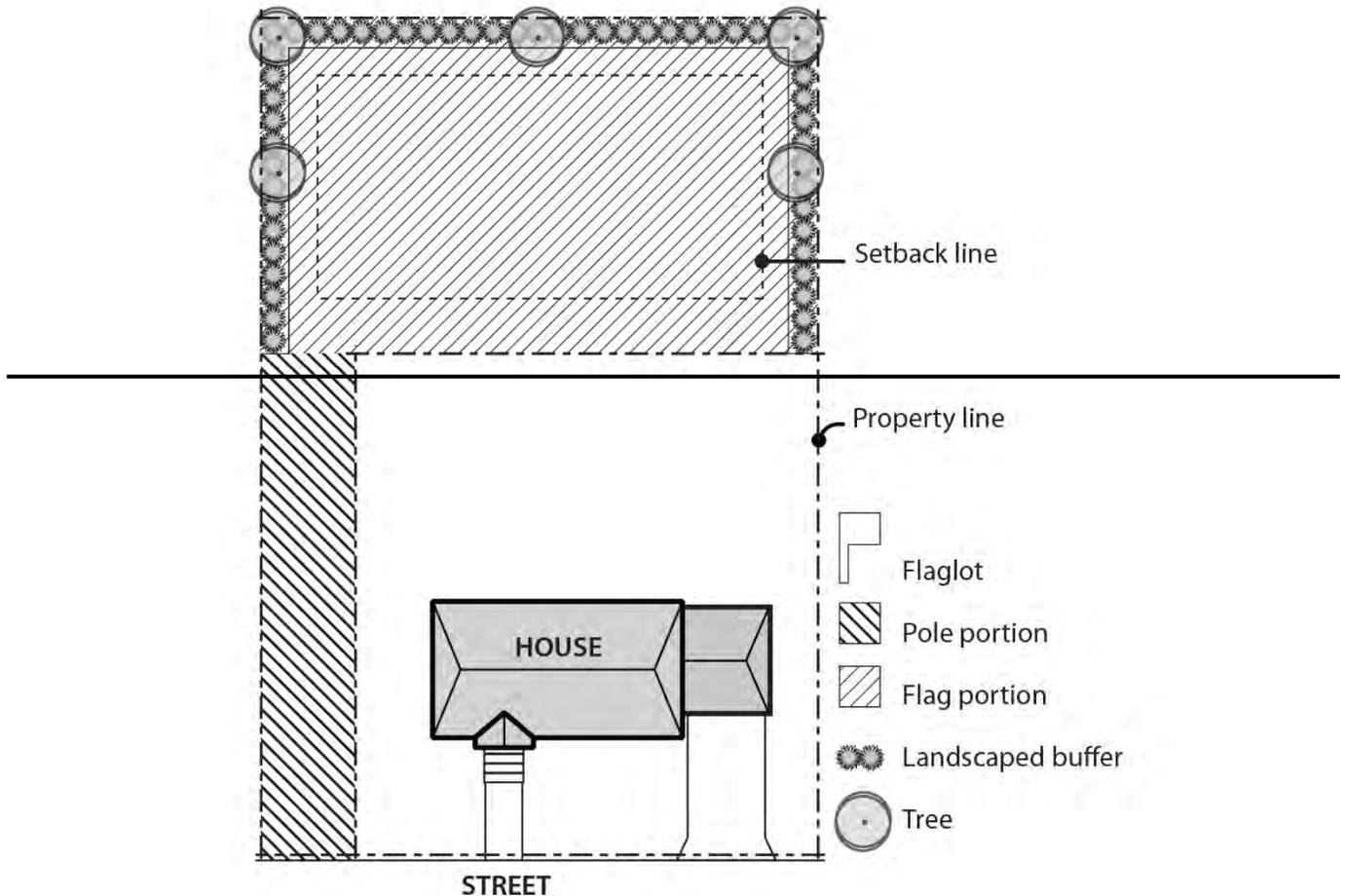
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## Commentary

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**Figure 110-9**  
**Flag Lot Description and Buffer**



**1. Zero lot line.** A zero lot line development is where houses in a development on a common street frontage are shifted to one side of their lot. See Figure 110-10. This provides for greater usable yard space on each lot. These developments require that the planning for all of the house locations be done at the same time. Because the exact location of each house is predetermined, greater flexibility in site development standards is possible while assuring that the single dwelling character is maintained.

1. Qualifying situations. Zero lot line developments are allowed for houses in the R20 through R2.5 zones.
2. Procedure. Zero lot line developments are allowed by right. Restrictions which assure the minimum distance between houses, and any required easements, must be recorded on the deeds of the applicable lots. Proof of such recording must be submitted as part of the building permit application.
3. Building setbacks. The side building setback on one side of the house may be reduced to zero. This reduction does not apply to the side building setback adjacent to a street, or to the side building setback adjacent to lots that are not part of the zero lot line project.

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## Commentary

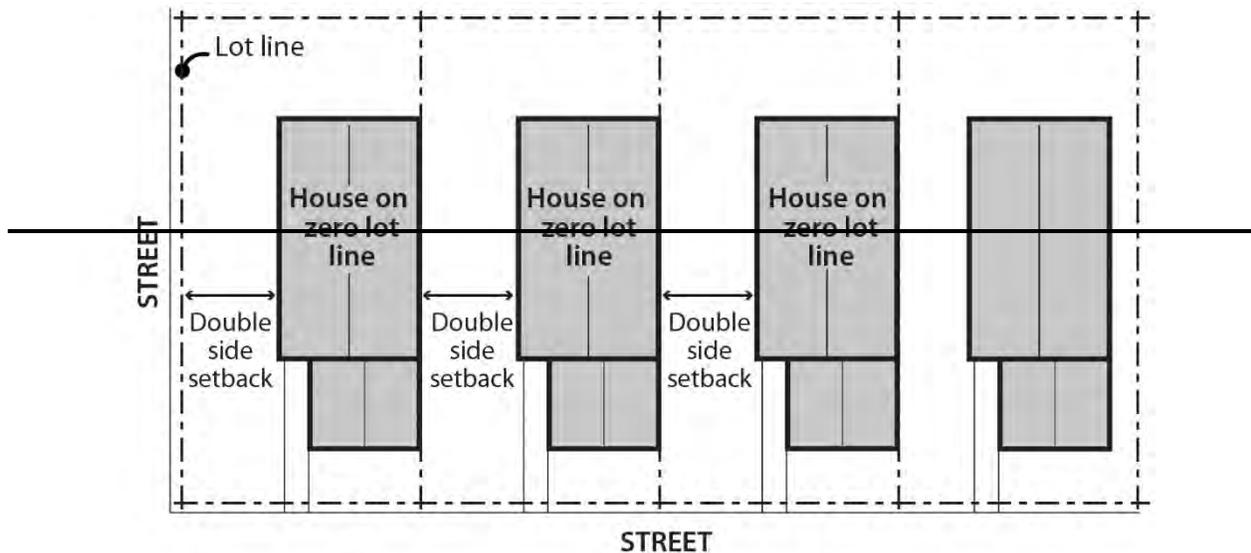
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4.—Additional site development standards.

- a.—Distance between houses. The minimum distance between all buildings in the development must be equal to twice the required side building setback standard of the base zone. A deed restriction must be recorded on the deed of each applicable lot to ensure the continued fulfillment of this setback.
- b.—Eaves. The eaves on the side of a house with a reduced setback may project a maximum of 18 inches over the adjacent property line. In this case, an easement for the eave projection must be recorded on the deed for the lot where the projection occurs.
- c.—Maintenance. An easement between the two property owners to allow for maintenance or repair of the house is required when the eaves or side wall of the house are closer than four feet to the adjacent property line. The easement on the adjacent property must be wide enough to allow four feet between the eaves or side wall and the edge of the easement.
- d.—Privacy. If the side wall of the house is on the property line, or within three feet of the property line, windows or other openings which allow for visibility into the side yard of the adjacent lot are not allowed. Windows that do not allow visibility into the side yard of the adjacent lot, such as a clerestory window or a translucent window, are allowed.

J.—~~Permit-Ready Houses.~~ Chapter 33.278 contains provisions for Permit-Ready houses on narrow lots.

**Figure 110-10**  
**Zero Lot Line Development**



## Commentary

### 33.110.245.B General Standards

The accessory structure standards are being amended to more clearly distinguish between detached accessory structures, connected accessory structures, and attached accessory structures. The accessory structure standards will apply to detached and connected accessory structures. An attached structure that shares a wall, floor or ceiling with a primary building appears like an extension of that building, whereas a structure that is connected via just a breezeway or deck reads more like a detached structure.

See also changes to definitions of attached structure and connected structure in 33.910

	Attached accessory structures (shared wall or floor/ceiling)	Connected accessory structures	Detached accessory structures
Setbacks	Base zone	<ul style="list-style-type: none"> <li>• Reduced side/rear</li> <li>• Connection still subject to base zone setbacks</li> </ul>	Reduced side/rear
Building Coverage	Combined building coverage limit	<ul style="list-style-type: none"> <li>• 15% /not larger than primary structure.</li> <li>• Connections not included in 15% building coverage limit, but counted for site coverage</li> </ul>	15% /not larger than primary structure.
Height	30/35' measured at low point of total bldg	<ul style="list-style-type: none"> <li>• 20' measured at low point of accessory structure</li> <li>• Connection subject to base zone height limit.</li> </ul>	20' measured at low point of accessory structure
Exterior material standards	No	<ul style="list-style-type: none"> <li>• Yes (when taller than 15')</li> <li>• Connection not subject to material standards</li> </ul>	Yes (when taller than 15')



Attached accessory structure



Connected accessory structure

### **33.110.245250 Detached and Connected Accessory Structures**

- A. Purpose.** This section regulates detached and connected structures that are incidental to primary buildings to prevent them from becoming the predominant element of the site. The standards limit the height and bulk of these structures, promote compatibility of design for larger structures, provide for necessary access around larger structures, help maintain privacy ~~to~~ between abutting lots, and maintain open front setbacks.
- B. General standards.**
1. The regulations of this section apply to ~~all~~ detached accessory structures and connected accessory structures. Farm structures associated with an agricultural use such as barns and silos are exempt from these standards as long as they are set back from all lot lines at least one foot for every foot in height. Additional regulations for accessory dwelling units are stated in Chapter 33.205.
  2. Detached accessory structures are allowed on a lot only in conjunction with a primary building, and may not exist on a lot prior to the construction of the primary structure, except as allowed by Paragraph B.3, ~~below~~.
  3. A detached accessory structure that becomes the only structure on a lot as the result of a land division, a property line adjustment, a lot confirmation~~separation of ownership~~, or a demolition of the primary structure may remain on the lot if the owner has executed a covenant with the City that meets the requirements of Section 33.700.060.
    - a. For a land division, the covenant must require the owner to remove the accessory structure if, within two years of final plat approval, a primary structure has not been built and received final inspection. The covenant must be executed with the City prior to final plat approval.
    - b. For a property line adjustment or a lot confirmation~~separation of ownership~~, the covenant must require the owner to remove the accessory structure if a primary structure has not been built and received final inspection within two years. The two years begins on the date the letter from BDS approving ~~confirming~~ the property line adjustment or lot confirmation ~~separation of ownership~~ is mailed. The covenant must be executed with the City before the final letter from BDS is issued.
    - c. For a demolition of a primary structure, the covenant must require the owner to remove the accessory structure if a new primary structure has not been built and received final inspection within two years. The two years begins on the date of the final inspection of the demolition. The covenant must be executed with the City prior to the issuance of the demolition permit.

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## Commentary

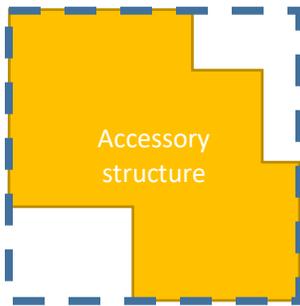
### 33.110.245.C. Detached and connected covered accessory structures.

Additional clarification is added to distinguish the applicable standards for detached versus connected accessory structures.

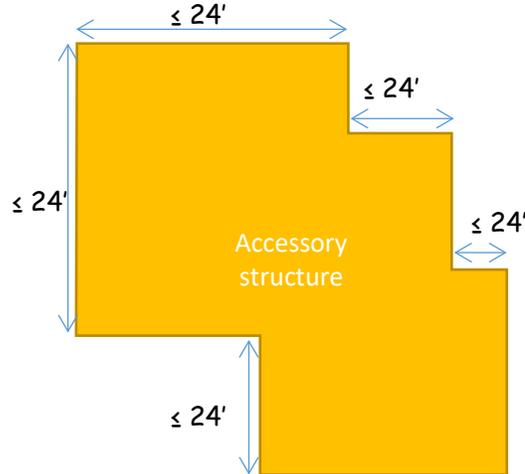
#### 33.110.245.C.2.b(2)

Clarification is added to specify that the 24 foot dimension applies to the total footprint of the structure, not just a single dimension.

24' x 24' footprint (dashed line)



Structure with "dimensions" that do not exceed 24 feet



**C. Detached and connected covered accessory structures.** The following standards apply to all detached covered accessory structures and connected covered accessory structures. Detached covered accessory structures are items such as garages, carports, greenhouses, artist's studios, guest houses, accessory dwelling units, storage buildings, wood sheds, water collection cisterns, and covered decks or patios that are not connected to the primary structure. Connected covered accessory structures include accessory structures that are connected to a primary structure via a roofed structure such as a breezeway. The standards of this subsection do not apply to the portion of the structure that connects the accessory structure to the primary structure. ~~The following standards apply to all detached covered accessory structures.~~ Garages are also subject to the standards of 33.110.250~~253~~.

1. Height. The maximum height allowed for all detached covered accessory structures and connected covered accessory structures is 20 feet.
2. Setbacks. Except as follows, detached covered accessory structures and connected covered accessory structures are subject to required building setbacks. See the additional regulations for garages in 33.110.250~~253~~.
  - a. Water collection cisterns that are 6 feet or less in height are allowed in required side and rear setbacks.
  - b. In the R7, R5 and R2.5 zones, detached covered accessory structures other than water collection cisterns, are allowed in ~~the~~ required side and rear building setbacks if all of the following are met:
    - (1) The structure is at least 40 feet from a front lot line, and if on a corner lot, is at least 20 feet from a side street lot line;
    - (2) The structure's footprint has dimensions that do not exceed 24 feet by 24 feet, excluding eaves;
    - (3) If more than one structure is within the setback, the combined length of all structures in the setback adjacent to each property line is no more than 24 feet;
    - (4) The structure is no more than 15 feet high, and the walls of the structure are no more than 10 feet high, excluding the portion of the wall within a gable;
    - (5) The portion of the structure within the setback must be screened from adjoining lots by a fence or landscaping, unless it is enclosed within the setback by a wall. Screening is not required for enclosed structures. Screening must comply with the L3 or F2 standards of Chapter 33.248, Landscaping and Screening;
    - (6) Walls located within the setback do not have doors or windows facing the adjacent lot line;

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## Commentary

### **33.110.245.C.2.b(8)**

The dormer standard is intended to preserve privacy between lots, however if the dormer faces a lot line that abuts a street, then the dormer does not need to set back 5 feet. This amendment makes that clear.

### **33.110.245.C.3.a**

This amendment clarifies that the building coverage standard for accessory structures applies to detached and connected accessory structures. For example, the building coverage of a garage connected to the house via a breezeway plus a detached shed may not exceed 15% of the total site area.

### **33.110.245.C.4.**

The term "visually match" is being deleted because it is discretionary.

### **33.110.245.C.4.b. Roof pitch**

This amendment clarifies what the term "predominant" was intended to mean.

- (7) The structure does not have a rooftop deck; and
  - (8) Dormers are set back at least 5 feet from the side and rear lot lines that abut another lot.
3. Building coverage. The following additional building coverage standards apply to detached covered accessory structures and connected covered accessory structures:
- a. The combined building coverage of all detached and connected covered accessory structures may not exceed 15 percent of the total area of the site; and
  - b. The building coverage of a detached covered accessory structure may not be greater than the building coverage of the primary structure, and the building coverage of a connected covered accessory structure may not be greater than the building coverage of the primary structure.
4. Additional development standards ~~for detached covered accessory structures~~. The following additional standards apply to detached covered accessory structures and connected covered accessory structures that are more than 15 feet high. Additions to existing structures that do not meet a standard are exempt from that standard.
- a. Exterior finish materials. The exterior finish materials ~~on the detached covered accessory structure~~ must meet one of the following:
    - (1) The exterior finish material must be the same ~~or visually match~~ in type, size and placement, as the exterior finish material of the primary structure; or
    - (2) Siding must be made from wood, composite boards, vinyl or aluminum products, and the siding must be composed in a shingle pattern, or in a horizontal clapboard or shiplap pattern. The boards in the pattern must be 6 inches or less in width.
  - b. Roof Pitch. The ~~roof~~ pitch of the roof with the highest ridgeline ~~detached covered accessory structure~~ must meet one of the following:
    - (1) The ~~predominant roof~~ pitch of the roof with the highest ridgeline must be the same as the ~~predominant roof~~ pitch of the roof with the highest ridgeline of the primary structure; or
    - (2) The ~~roof~~ pitch of the roof with the highest ridgeline must be at least 6/12.
  - c. Trim. The trim ~~on the detached covered accessory structure~~ must meet one of the following:
    - (1) The trim must be the same in type, size, and location as the trim used on the primary structure; or
    - (2) The trim around all windows and doors must be at least 3 ½ inches wide.

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## Commentary

- d. Windows. The windows on all street facing facades ~~of the detached covered accessory structure~~ must meet one of the following:
  - (1) The windows must match those on the street facing façade of the primary structure in orientation (horizontal or vertical); or
  - (2) Each window must be square or vertical – at least as tall as it is wide.
- e. Eaves. The eaves ~~on the detached covered accessory structure~~ must meet one of the following:
  - (1) The eaves must project from the building walls the same distance as the eaves on the primary structure;
  - (2) The eaves must project from the building walls at least 1 foot on all elevations; or
  - (3) If the primary structure has no eaves, no eaves are required.

**DE. Detached uncovered vertical structures.** Detached uncovered vertical structures are items such as flag poles, trellises, arbors and other garden structures, play structures, antennas, satellite receiving dishes, and lamp posts. The following standards apply to detached uncovered vertical structures. Fences are addressed in 33.110.~~275255~~:

- 1. Height. Except as follows, the maximum height allowed for all detached uncovered vertical structures is 20 feet:
  - a. Antennas, utility power poles, and public safety facilities are exempt from the height limit.
  - b. Flagpoles are subject to the height limit of the base zone for primary structures.
  - c. Detached small wind turbines are subject to the standards of 33.299, Wind Turbines.
- 2. Setbacks. Except as follows, detached uncovered vertical structures are subject to required building setbacks:
  - a. Detached uncovered vertical structures that are no larger than 3 feet in width, depth, or diameter and no taller than 8 feet are allowed in required building setbacks.
  - b. A single arbor structure that is up to 6 feet wide, up to 3 feet deep, and up to 8 feet tall is allowed in the front setback. The arbor must allow for pedestrian access under its span.
  - c. Flagpoles are allowed in required building setbacks.
  - d. In the R7, R5, and R2.5 zones, detached uncovered vertical structures that exceed the allowances of Subparagraph 2.a are allowed in side and rear setbacks if all of the following are met:
    - (1) The structure is at least 40 feet from a front lot line, and if on a corner lot, at least 20 feet from a side street lot line;
    - (2) The structure's footprint has dimensions that do not exceed 24 feet by 24 feet;
    - (3) The structure is no more than 10 feet high;

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## Commentary

- (4) The portion of the structure within the setback must be screened from adjoining lots by a fence or landscaping, unless it is enclosed within the setback by a wall. Screening is not required for enclosed structures. Screening must comply with the L3 or F2 standards of Chapter 33.248, Landscaping and Screening; and
- (5) The structure does not have a rooftop deck.

**EF. Detached uncovered horizontal structures.** Uncovered horizontal structures are items such as decks, stairways, swimming pools, hot tubs, tennis courts, and boat docks not covered or enclosed. The following standards apply to detached uncovered horizontal structures.

1. Height. The maximum height allowed for all detached uncovered horizontal structures is 20 feet.
2. Setbacks. Except as follows, detached uncovered horizontal structures are subject to required buildings setbacks:
  - a. Detached uncovered decks, ramps, and stairways that are more than 2-1/2 feet above the ground may extend into a required building setback up to 20 percent of the depth of the setback. However, the deck or stairway must be at least three feet from a lot line.
  - b. Structures that are no more than 2-1/2 feet above the ground are allowed in required building setbacks.

**FG. Detached mechanical equipment.** Detached mechanical equipment includes items such as heat pumps, air conditioners, emergency generators, radon mitigation components, and water pumps. Generally, detached mechanical equipment will not be attached to a building but may have components such as ventilation or electrical systems attached to the primary structure. The following standards apply to detached mechanical equipment:

1. Height. The maximum height allowed for all detached mechanical equipment is 20 feet.
2. Setbacks. Except as follows, detached mechanical equipment is subject to required buildings setbacks. Detached mechanical equipment is allowed in side or rear building setbacks if all of the following are met:
  - a. The equipment is no more than 5 feet high; and
  - b. The equipment is screened from adjoining lots by walls, fences or vegetation. Screening must comply with the L3 or F2 standards of Chapter 33.248, Landscaping and Screening.

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## Commentary

### **33.110.250.B Additional regulations**

This statement is being deleted because it is unnecessary because the accessory structure section already refers to these additional standards.

### **33.110.250.C.1.**

The paragraph is being reworded so that it applies to all garages including garages that are accessory to triplexes and fourplexes. The amendment avoids adding to words triplex and fourplex to the already cumbersome list of structure types.

### **33.110.250253 Additional Development Standards for Garages**

#### **A. Purpose.** These standards:

- Together with the window and main entrance standards, ensure that there is a physical and visual connection between the living area of the residence and the street;
- Ensure that the location and amount of the living area of the residence, as seen from the street, is more prominent than the garage;
- Prevent garages from obscuring the main entrance from the street and ensure that the main entrance for pedestrians, rather than automobiles, is the prominent entrance;
- Provide for a more pleasant pedestrian environment by preventing garages and vehicle areas from dominating the views of the neighborhood from the sidewalk; and
- Enhance public safety by preventing garages from blocking views of the street from inside the residence.

~~**B. Additional Regulations.** The regulations of this Section apply in addition to those of 33.110.250, Accessory Structures.~~

#### **BC. Existing detached garages.**

1. Rebuilding. A detached garage that is nonconforming due to its location in a setback, may be rebuilt on the footprint of the existing foundation, if the garage was originally constructed legally. In this case, the rebuilt garage may be no more than 15 feet high, and the garage walls may be no more than 10 feet high, excluding the portion of the wall within a gable. Decks are not allowed on the roof of the garage. The rebuilt garage is not required to comply with other standards of this chapter.
2. Additions. An addition may be made to an existing or rebuilt detached garage that is nonconforming due to its location in a setback as follows:
  - a. The expanded garage complies with all other standards of this chapter; or
  - b. The combined size of the existing foundation and the addition is no larger than 12 feet wide by 20 feet deep. In this case, the garage may be no more than 15 feet high, and the walls of the addition may be no more than 10 feet high, excluding the portion of the wall within a gable. Decks are not allowed on the roof of the garage. The expanded garage is not required to comply with other standards of this chapter.

#### **CD. Length of street-facing garage wall.**

1. Where these regulations apply. Unless exempted by Paragraph CE.2, ~~below~~, the regulations of this subsection apply to garages ~~accessory to houses, attached houses, manufactured homes, and duplexes~~ in the R10 through R2.5 zones.
2. Exemptions.
  - a. ~~Garages that are accessory to d~~Development on flag lots, ~~or and~~ development on lots ~~which that~~ slope up or down from the street with an average slope of 20 percent or more are exempt from the standards of this subsection.

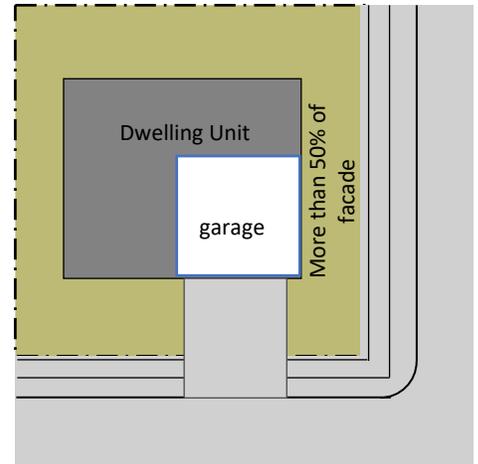
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## Commentary

### 33.110.250.C.2.c

This exemption is being clarified so that when the standard applies to only one street lot line, it is the street lot line with the garage door or garage doors. On corner lots, the standards are not intended to limit a garage that opens to one street from being located on the side of the primary structure that faces the other street (where the inside of the garage wall without the garage door may exceed 50% of the depth of the primary structure).



### 33.110.250.C.3.b

The length of the street-facing garage wall standard is being reorganized to address the introduction of triplexes and fourplexes into the single-dwelling zones and to align with additional limitations on vehicle area between a building and the street that are being added to the Parking chapter (see page 113). The standards are intended to prevent garages from becoming the predominant design element on a street-facing façade, while providing reasonable flexibility for some of the units to have a garage. The standard applies differently but hopefully the outcome is consistent among houses, attached houses, duplexes, triplexes and fourplexes.

For houses, where generally only one built, the standard remains the same—only 50% of the street facing façade can be garage wall. When the façade is less than 22 feet wide, a garage is not allowed because it is hard to park a car in a garage that is less than 11 feet wide.

For attached houses, where each unit is wider than 22 feet, each unit may have up to 50% devoted to garage wall. When any of the units are less than 22 feet wide, then the 50% façade limit will apply to the combined façade of all the units.

For other residential structure types (duplexes, triplexes, and fourplexes) because the units could be arranged side by side (like attached houses) or stacked, applying the standard to each unit is not workable in all cases. Therefore, the 50% garage limit applies to the combined building façade.

For four units (i.e. four narrow attached units or a fourplex), an additional limit is applied. This states that in addition to the 50% limit on garage wall width on a street facing façade, a minimum of 50% of the façade wall that is not garage (i.e. the dwelling unit) must be contiguous. This ensures the building façade is not dominated by multiple garages and driveways that negatively impact the pedestrian experience and effectively eliminate on street parking opportunities.



- b. ~~Garages in~~ Subdivisions and PUDs that received Preliminary Plan approval between September 9, 1990, and September 9, 1995, are exempt from the standards of this subsection.
  - c. On corner lots, only ~~one~~ the street-facing garage wall that contains the garage door must meet the standards of this subsection.
3. Standards.
- a. Garages that are accessory to houses. For garages that are accessory to houses and manufactured homes, the length of the-garage wall facing the street may be up to 50 percent of the length of the-street-facing building-façade. See Figure 110-811. Where the street-facing facade is less than 22 feet long, an attached garage is not allowed as part of that façade. For duplexes, this standard applies to the total length of the street-facing facades. For all other lots and structures, the standards apply to the street-facing facade of each unit.
  - b. Garages that are accessory to attached houses. The following standards apply to garages that are accessory to attached houses:
    - (1) The length of the garage wall facing the street may be up to 50 percent of the length of the street facing building façade. See Figure 110-8. When all the units are 22 feet wide or wider, the standard applies to the street-facing façade of each unit. In all other situations, the standard applies to the total length of the street-facing facades; and
    - (2) When the attached house structure is made up of more than three attached houses and at least one attached house is less than 22 feet wide, at least 50 percent of the total length of the street-facing facades must be without garage, and the 50 percent length without garage must be contiguous. See Figure 110-9.
  - c. Garages that are accessory to duplexes, triplexes, and fourplexes. The following standards apply to garages that are accessory to duplexes, triplexes, and fourplexes:
    - (1) The length of the garage wall facing the street may be up to 50 percent of the total length of the street-facing building façades. See Figure 110-8. Where the total length of the street-facing facades is less than 22 feet long, an attached garage is not allowed; and
    - (2) For a fourplex, at least 50 percent of the total length of the street-facing building facades must be without garage, and the 50 percent length without garage must be contiguous. See Figure 110-9.
  - b. ~~Where the street-facing facade is less than 22 feet long, an attached garage is not allowed as part of that façade.~~

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## Commentary

### **33.110.250.C.4 and C.5. Exception**

These paragraphs provided exceptions for attached garage development on historically narrow lots and new narrow lots. Narrow lot standards are being amended and consolidated into one section 33.110.260, Additional Development Standards For Narrow Lots.

### **33.110.250.D.3.**

To address duplexes, triplexes and fourplexes which may have main entrances on more than a single street facing façade, the standard applies to any street façade where there is a main entrance.

- ~~4. Exception. Where the building is not being built on a new narrow lot, the garage wall facing the street may exceed the standards listed in Paragraph D.3 above if D.4.a and either D.4.b or c. are met. See Figure 110-12.~~
  - ~~a. The garage wall facing the street is no more than 12 feet long; and~~
  - ~~b. There is interior living area above the garage. The living area must be set back no more than 4 feet from the street-facing garage wall; or~~
  - ~~c. There is a covered balcony above the garage that is at least the same length as the street-facing garage wall, at least 6 feet deep, and accessible from the interior living area of the dwelling unit.~~
- ~~5. For new narrow lots, modifications to the standards of this subsection are allowed through Planned Development Review. See Chapter 33.638, Planned Development. Adjustments are prohibited.~~

**DE. Street lot line setbacks.**

1. Where this standard applies. The standard of this paragraph applies to garages ~~that are accessory to houses, attached houses, manufactured homes, and duplexes~~ in the R10 through R2.5 zones. Where a proposal is for an alteration or addition to existing development, the standard applies only to the portion being altered or added.
2. Exemptions.
  - a. Development on flag lots or on lots ~~which~~that slope up or down from the street with an average slope of 20 percent or more are exempt from this standard.
  - b. Subdivisions and PUDs that received preliminary plan approval between September 9, 1990, and September 9, 1995, are exempt from this standard.
  - c. Where a lot has more than one street lot line, and there is an existing dwelling unit on the lot, this standard must be met only on the street-facing facade on which the main entrance is located.
3. Standard. A garage wall that faces a street may be no closer to the street lot line than the longest street-facing wall of the dwelling unit. See Figure 110-~~1013~~.
4. Exception. A street-facing garage wall may be up to 6 feet in front of the longest street-facing wall of the dwelling unit, if:
  - a. The street-facing garage wall is 40 percent or less of the length of the building facade; and
  - b. There is a porch at the main entrance. The garage wall may not be closer to the street lot line than the front of the porch. See Figure 110-~~1114~~. The porch must meet the following:
    - (1) The porch must be at least 48 square feet in area and have minimum dimensions of 6 feet by 6 feet;
    - (2) The porch must have a solid roof; and
    - (3) The roof may not be more than 12 feet above the floor of the porch.

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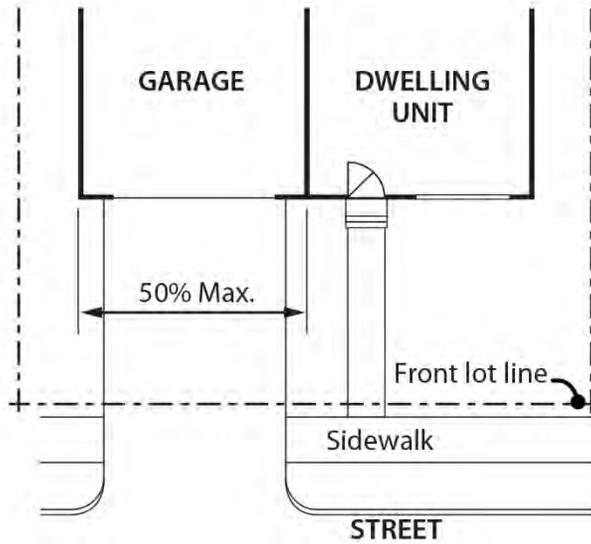
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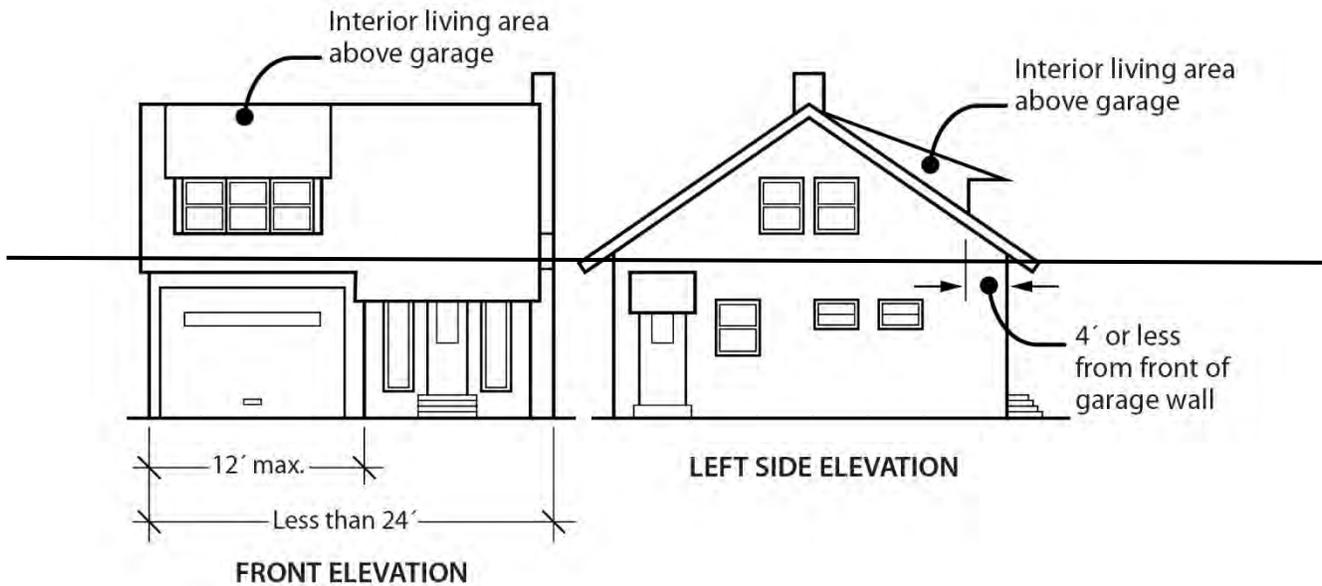
**Figure 110-12** is being deleted from the code because this exception is being deleted.

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Language to be **deleted** is shown in ~~strikethrough~~

**Figure 110-811**  
**Length of Street-Facing Garage Wall**



**Figure 110-12**  
**Length of Street-Facing Garage Wall Exception**



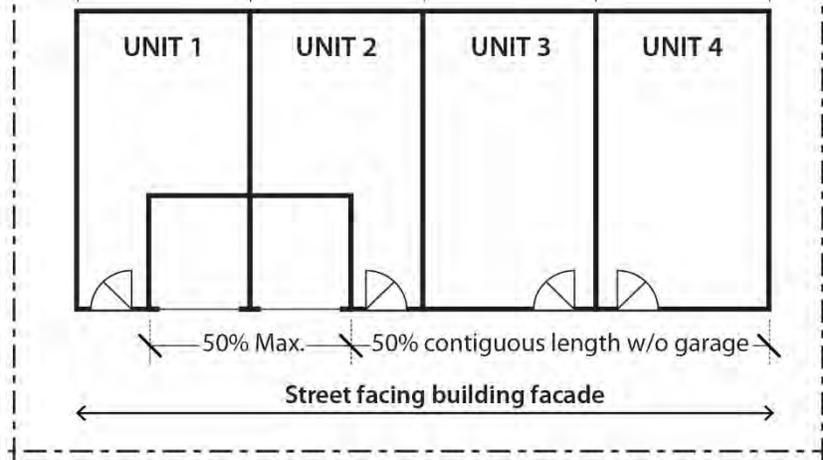
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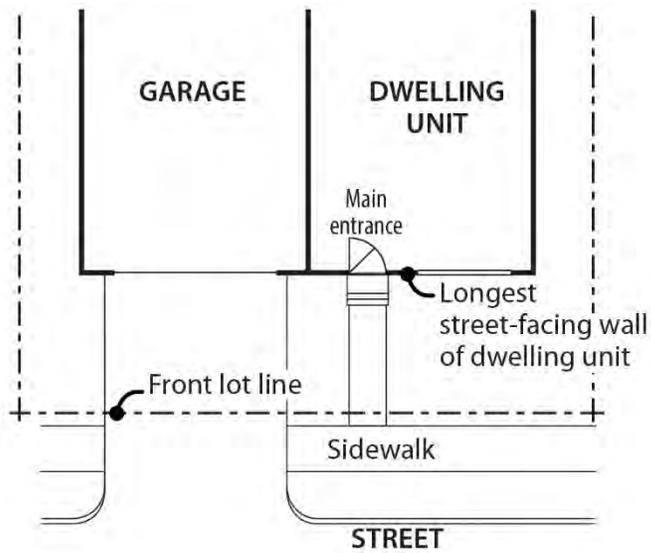
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**Figure 110-9**  
**Combined Length of Street-Facing Garage Wall**



**Figure 110-10~~13~~**  
**Street Lot Line Setback**



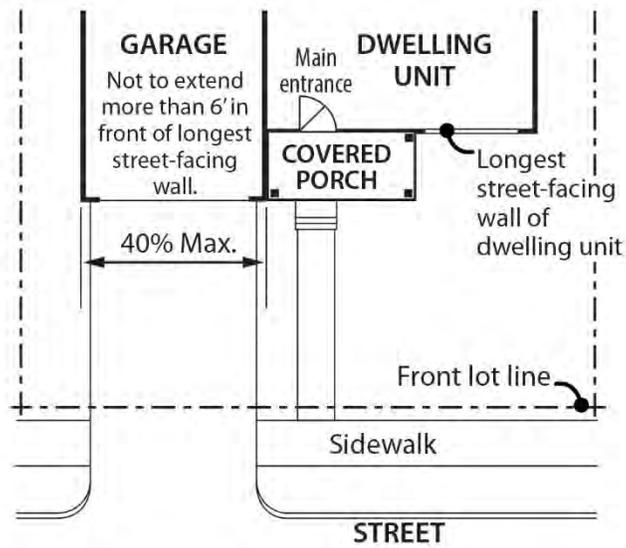
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## Commentary

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**Figure 110-1114**  
**Garage Front Setback Exception**



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## Commentary

### 33.110.255 Flag Lots

The flag lot standards are being moved from the Alternative Development Options section to their own section so that they are easier to find for user. Flag lots are becoming increasingly common as infill housing is being incorporated onto lots with existing houses.

The standards will also be tailored to large (3000 square feet and larger) and small (less than 3000 square feet) flag lots.

The standards for large flag lot are the same as the previous standards except that the landscape buffer requirement is being amended to apply to any lot 10,000 square feet in area rather than just those lots in R7-R2.5. The change reflects the fact that new lots in the R10 zone can be as small as 6,000 square feet when the overall average lot size is 10,000 square feet.

**33.110.255 Additional Development Standards for Flag Lots**

**A. Purpose.** Flag lots encourage additional housing opportunities in a land efficient manner that allows existing homes to be retained. The standards in this section are intended to:

- Protect privacy between the flag lots and abutting residences; and
- Increase the compatibility of structures on small flag lots.

**B. Flag lot standards.**

1. Large flag lots. The following standards apply to flag lots that are 3,000 square feet or more in area. Only the area of the flag portion of the flag lot is included when calculating area. The pole portion of the flag lot is not included. See Figure 110-11:

a. Setbacks. Large flag lots have required building setbacks that are the same along all lot lines. The required setbacks are:

<b>Zone</b>	<b>Setback</b>
<u>RF, R20, R10</u>	<u>15 feet</u>
<u>R7, R5, R2.5</u>	<u>10 feet</u>

b. Landscaped buffer area. A landscaped area is required around the perimeter of a flag lot that is 10,000 square feet or less in area to buffer the flag portion from surrounding lots. The pole portion of the flag lot is not included when calculating area, and the pole and the lot lines that are internal to the original land division site, or are adjacent to an alley, are exempt from the landscaped area requirement. The landscaped area must be at least 5 feet deep and must be landscaped to at least the L3 standard. Landscaping is not required within the first 10 feet from the point at which the pole portion meets the flag portion of the lot. See Figure 110-12;

c. Building coverage. Only the area of the flag portion of the flag lot is included when calculating building coverage. The area of the pole portion of the lot is not included;

d. Required outdoor area. The required outdoor area may not extend into the required landscaped buffer area required by Subparagraph B.1.b.; and

e. Detached and connected accessory structures. Detached and connected accessory structures may project into the flag lot setbacks as allowed by 33.110.245, Detached and Connected Accessory Structures. However, these structures may not extend into the landscaped buffer area required by Subparagraph B.1.b.

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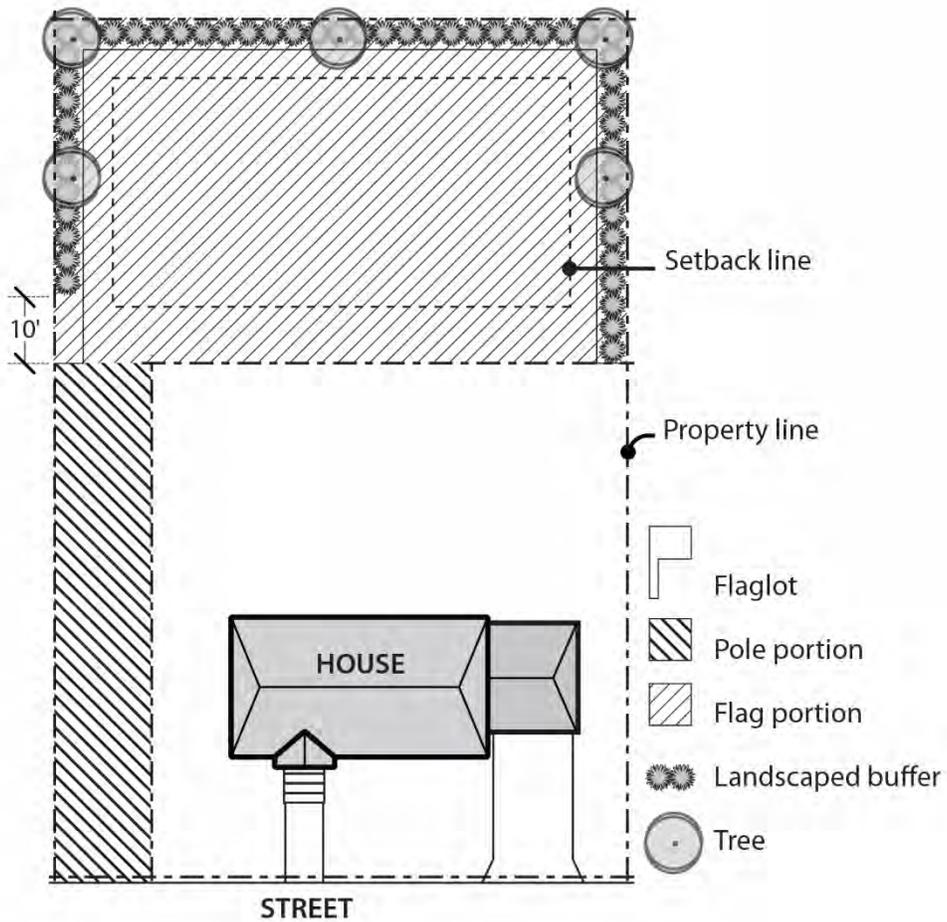
## Commentary

### Figure 110-12

This figure currently exists as part of 33.110.240, Alternative Development Options and is being moved to this section with the other flag lot standards.

Language to be **added** is underlined  
Language to be **deleted** is shown in ~~strikethrough~~

**Figure 110-12**  
**Flag Lot Description and Buffer**



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## Commentary

### 33.110.255.C.2. Small flag lots

Specific development standards for development on small flag lots are being added to address structure size and design compatibility. Development on small flag lots (former backyard space) has the potential to overwhelm existing surrounding development especially on small sites with limited area for buffering. Additional size, height limit and design requirements are proposed to ensure more compatible development of these lots in R5 zones.

The new standards generally apply the height and design standards that apply to a detached accessory dwelling unit. This includes a 20-foot height limit and material, trim, and eave requirements that encourage matching the house on the front lot.

An FAR max of .5 is applied even when the lot has an ADU or is developed with a duplex. Given the small lot size and the building location in the former back yard of the house, the larger .6 FAR has a greater potential to impact adjacent neighbors. Where .5 FAR can be accommodated in a single level within building coverage limits, .6 FAR requires at least a portion of the structure have a second level.



NOTE: An existing accessory detached structure is not allowed to become the primary structure on a lot through a property line adjustment or a land division unless a covenant has been signed agreeing to either build a primary structure or remove/convert the accessory structure within 2 years (see 33.110.245.B.3.)

In cases where an accessory dwelling unit becomes the sole structure on the flag lot, a conversion to a primary structure may be possible, once certain code and utility requirements have been reviewed. In some cases, this may mean payment of System Development Charges (since waivers currently apply only to Accessory Dwelling Unit) and combined sewer, storm, water and private utilities will need to be separated and located on their own respective lots. Where the accessory structure is in a setback, an adjustment would also be required.

2. Small flag lots. The following standards apply to flag lots where the flag portion of the lot is less than 3,000 square feet in area:
- a. Setbacks. Small flag lots have a 5 foot required building setback along all lot lines;
  - b. Building coverage. Only the area of the flag portion of the flag lot is included when calculating building coverage. The area of the pole portion of the lot is not included;
  - c. Maximum FAR. In the RF through R5 zones, the maximum floor area ratio allowed on a small flag lot is .5 to 1.
  - d. Maximum height. In the RF through R5 zones, the maximum height allowed for all structures is 20 feet.
  - e. Design standards. In the RF through R5 zones, the following design standards apply to structures that are more than 15 feet high:
    - (1) The exterior finish material must be the same in type, size and placement as the exterior finish material on the primary structure on the lot in front of the flag lot, or be made from brick, stucco, wood, composite boards, vinyl or aluminum. Wood, composite boards, vinyl or aluminum siding must be arranged in a shingle, horizontal clapboard, or shiplap pattern. The boards in the pattern must be 6 inches or less in width.
    - (2) The pitch of the roof with the highest ridgeline must be the same as the pitch of the roof with the highest ridgeline of the primary structure on the lot in front of the small flag lot or be at least 6/12.
    - (3) The trim around all windows and doors must be the same as the window and door trim on the primary structure on the lot in front of the flag lot or be at least 3-1/2 inches wide.
    - (4) The eaves must project the same as the eaves on the primary structure on the lot in front of the flag lot, or project from the building walls at least 1 foot on all elevations.

## Commentary

### 33.110.260 Additional Development Standards for Narrow Lots

This section combines the zoning code requirements for historically narrow lots and new narrow lots into one section. The standards have been updated and made consistent for all narrow lots regardless of when they were created.

The standards currently apply based on when the narrow lot was created—historically narrow lots created pre July 26, 1979; new narrow lots created post June 30, 2002; and other narrow lots created between 1979 and 2002. Having three sets of standards applying to the same size and shape lot has been confusing. Development on narrow lots should relate to the lot dimensions and site conditions, not when the lot was created.

The table below compares the current code and amended code. The proposed code applies based on the type of house (attached or detached) and apply to all lots less than 32 feet wide.

Standard	Current Code		Amended Code
	New Narrow Lots	Historically Narrow Lots	All Narrow Lots (<32 feet wide)
<b>House type</b>	Attached houses required (<25' wide lots)	Detached and attached houses allowed	Attached houses required (<26' wide lots)
<b>Street facing garage</b>	Not allowed on facades <22 feet wide	12' wide max allowed	Not allowed on facades <22 feet wide
<b>Parking space/driveway</b>	Parking required	Parking not required	Parking not required Driveways prohibited between building and street (when façade is <22' wide)
<b>Access</b>	Alley access required	Access not limited	Alley access required
<b>Height</b>	1.2 X width of house (R5) 1.5 X width of house (R2.5)	1.5 X width of house (R5&R2.5)	Detached: 1.5 X width of house Attached: 30' (R5) 35' (R2.5)
<b>Setbacks</b>	Base zone	Base zone	Base zone
<b>Main entrance height</b>	Attached houses only	All houses	Base zone (new grade limits apply to all houses)
<b>Building Coverage</b>	50% max	40% max	50% max
<b>Materials, trim, and eaves</b>	Not regulated	Required	Not regulated
<b>Front landscaping</b>	Attached houses only	Not regulated	Required
<b>Exceptions to development standards</b>	<u>Planned Development</u> Garages, height, and landscaping <u>Adjustment</u> Setbacks and building coverage	<u>Design Review</u> Garages, height, setbacks, building coverage, and materials	<u>Adjustment</u> Any exception to additional development standards, including the attached house requirement), except when prohibited

**~~33.110.26033.110.213~~ Additional Development Standards for Narrow Lots and Lots of Record  
Created Before July 26, 1979**

- A. Purpose.** These standards increase the compatibility of residential structures~~new houses~~ on ~~small and narrow lots by:-~~
- Ensuring a reasonably proportional relationship between the width and height of structures on narrow lots;
  - Promoting wider front facades by requiring two attached houses on very narrow lots;
  - Promoting open landscaped front yards;
- B. Where these regulations apply.** The following additional development standards apply to lots, lots of record, and combinations of lots or lots of record that are less than 32 feet wide in the R20 through R2.5 zones. Lots in planned unit developments are exempt from the additional standards.
- ~~1. RF through R7 zones. These regulations apply in the RF through R7 zones, if the lot, lot of record, or combination of lots or lots of record is less than 36 feet wide and has not abutted any lot or lot of record owned by the same family or business on July 26, 1979, or any time since that date.~~
  - ~~2. R5 zone. In the R5 zone, these regulations apply to lots, lots of record, or combinations of lots or lots of record that were created before July 26, 1979 and are:~~
    - ~~a. Less than 3,000 square feet in area; or~~
    - ~~b. Less than 36 feet wide.~~
  - ~~3. R2.5 zone. In the R2.5 zone, these regulations apply to lots, lots of record, or combinations of lots or lots of record that were created before July 26, 1979 and are less than 1,600 square feet in area.~~
  - ~~4. Planned unit developments. Lots in planned unit developments are exempt from the requirements of this section.~~

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## Commentary

### 33.110.260.C Standards

This amendment switches the process for modifying this standard from design review to an adjustment review.

#### 33.110.260.C.1

Attached houses will be required on narrow lots (lots 25 feet wide or narrower). This has several benefits:

- Attached houses have wider floorplates and mirror the greater building width of more standard detached houses.
- Attached houses are more energy efficient and require less siding material than detached houses.
- Connecting the houses, coupled with the FAR limits, results in houses that are less deep (43 feet) than detached houses (58 feet) which leaves more useable backyard space.

There are exceptions built into this requirement to acknowledge that there may be existing development on the abutting lots that preclude attaching two houses together. In this case, a detached house will be allowed. In the R20-R5 zones, where there is an odd number of narrow lots and only two attached houses are allowed, a planned development can be requested to allow for more than 2 units to be attached. Alternatively, pairs of attached houses could be built, and the remaining single lot could be developed with a detached house because the adjacent lots have development that precludes attaching.

#### 33.110.260.C.2

Additional FAR is allowed for R5 narrow lots when a pair of attached houses is proposed. This ensures a more consistent approach between a duplex (two units on a single lot) and pair of attached houses (two units, each on their own lot). This also provides an additional incentive for attached houses on narrow lots where they are not required (e.g. lot is wider than 25 feet).

#### 33.110.260.C.3

The height limit that previously applied to new narrow lots in the R5 zone is being applied to all residential structures on narrow lots. A 15 foot wide house would be capped at 22.5 feet, while a 25 foot wide or wider house would be capped at 30 feet.

The maximum building coverage, main entrance and garage door standards are being deleted because they are covered by other standards in this chapter.

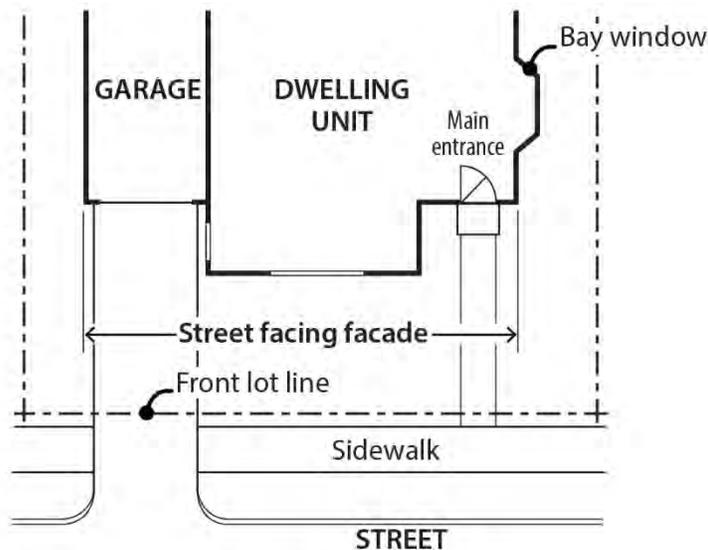
#### Figure 110-13

This figure has been clarify to show that minor building projections, like bay windows, are not included in the calculation of facade width for the purposes of determining the maximum height.

**C. Standards.** ~~Modifications to the standards of this subsection may be requested through Design Review. Adjustments are prohibited. The standards are:~~

1. Required housing type. Attached houses are required on lots and lots of record that are less than 26 feet wide. Attached houses are not required on sites that contain a combination of lots or lots of record when the combination is at least 26 feet wide. Attached houses are also not required when there are primary structures on all of the adjacent sites that share a side lot line with the development site. See 33.110.265.C. for development standards that apply to attached houses.
2. Floor Area Ratio. The maximum floor area ratio for attached houses in the R5 zone on lots less than 3,200 square feet is 0.6 to 1.
- ~~3.~~ Maximum height. The maximum height allowed for all primary structures is 1.5 times the width of the structure, up to the maximum height limit listed in Table 110-43. Attached houses are exempt from this standard. For the purposes of this Paragraph, width is the length of the street-facing façade of the structure. See Figure 110-13.
2. ~~Maximum building coverage.~~ The maximum combined building coverage for structures on lots, adjusted lots, and lots of record in the R5 zone that have not had a dwelling unit on it in the last five years, and is not in an environmental zone is 40 percent.
3. ~~Main entrance.~~ The main entrance that meets Subsection 33.110.230.C, Main entrances in R10 through R2.5 Zones, must be within 4 feet of grade. For the purposes of this requirement, grade is the average grade measured along the foundation of the longest street-facing wall of the dwelling unit. See Figure 110-7;
4. ~~Garage door.~~ In addition to meeting the requirements of 33.110.253.E, if the garage door is part of the street facing facade, it may not be more than 8 feet wide. If there is more than one garage door, the combined width may not be more than 8 feet;

**Figure 110-13**  
**Width of Street-Facing Facade**



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## Commentary

### **33.110.260.C.4**

The landscaping standards currently apply to attached houses on new narrow lots but not to historically narrow lots. The standards will now be applied to all narrow lot development to ensure consistency between narrow lots.

The design-related standards are being deleted because they are covered by other standards in this chapter.

4. Landscaping.

- a. All street-facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every 3 lineal feet of foundation; and
- b. Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with ground cover. Up to one-third of the required landscaped area may be for recreational use or for use by pedestrians. Examples include walkways, play areas, and patios.

~~5. No parking required. No off-street parking is required.~~

~~6. Exterior finish materials. The standards of this paragraph must be met on all building facades.~~

- a. ~~Plain concrete block, plain concrete, corrugated metal, plywood, composite materials manufactured from wood or other products, and sheet pressboard may not be used as exterior finish material, except as secondary finishes if they cover no more than 10 percent of each facade.~~
- b. ~~Composite boards manufactured from wood or other products, such as hardboard or hardplank, may be used when the board product is less than 6 inches wide;~~
- c. ~~Where wood products are used for siding, the siding must be shingles, or horizontal siding, not shakes;~~
- d. ~~Where horizontal siding is used, it must be shiplap or clapboard siding composed of boards with a reveal of 6 inches or less, or vinyl or aluminum siding which is in a clapboard or shiplap pattern where the boards in the pattern are 6 inches or less in width;~~
- e. ~~Siding material may not cover required window and door trim.~~

~~7. Trim. Trim must mark all building rooflines, porches, windows, and doors on all facades. The trim must be at least 3 1/2 inches wide. Buildings with an exterior material of stucco or masonry are exempt from this standard;~~

~~8. Eaves. Roof eaves must project from the building wall at least 12 inches on all elevations; and~~

~~9. Attached housing. Attached housing is allowed, but no more than two units may be attached. Attached housing allowed under this provision is not subject to the development standards of subsection 33.110.240.C.~~

~~10. Setbacks. Adjustments to minimum required setbacks are prohibited. Modifications may be requested through Design Review.~~

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## Commentary

### 33.110.265 Residential Infill Options

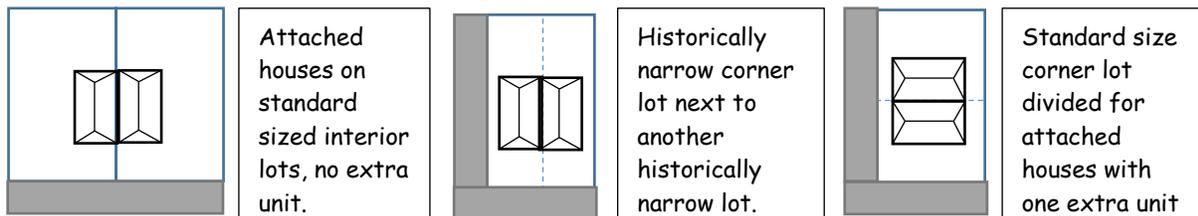
This new section is one of the more major changes that implement the concepts in the Residential Infill Project.

The 2035 Comprehensive Plan identifies the need for a diversity of housing types in high-amenity areas. The residential infill options have been designed to address that need in R7, R5 and R2.5 zones. Duplexes, triplexes and fourplexes will be allowed on lots in these zones that meet certain size thresholds because these areas generally have convenient access to jobs, services, schools, and other amenities. Areas with constraints that make additional density undesirable will be in a new overlay zones called the Constrained Sites overlay zone (see page 177) and the additional housing types will not be allowed. This section also maintains the existing attached house and corner duplex provisions from the Alternative Development Options section for the R20 and R10 zones.

### 33.110.265.C Attached housing

This subsection contains the existing corner and interior lot standards for attached houses that are currently contained in the Alternative Development Options section of Chapter 33.110.

The regulations allows pairs of attached houses in the R20-R5 zones provided the lots meet the minimum lot size for development in the zone (see page 19). No additional density is allowed in this case. On corner lots, an existing lot that is large enough for a house can be divided to the R2.5 lot dimension standards with one additional dwelling allowed. A single historically narrow R5 corner lot could not be additionally divided as the new lots would be too small to meet the R2.5 1,600 sf minimum lot size.



### **33.110.265 Residential infill options**

- A. Purpose.** The residential infill options allow for a variety of residential housing types in a manner that maintains the overall character of single-dwelling neighborhoods. These options have several public benefits:
- They promote housing types that accommodate households of varying sizes and income levels;
  - They promote energy-efficient development;
  - They provide for a more efficient use of residential land; and
  - They promote better site layout and opportunities for private recreational areas.
- B. General requirements for all residential infill options.** The residential infill options listed in this section are allowed by right unless specifically stated otherwise. The project must comply with the applicable development standards of this section.
- C. Attached housing.** Attached housing allows for more efficient use of land and for energy-conserving housing.
1. R20 through R5 zones. Attached houses are allowed as follows:
    - a. Lot dimensions.
      - (1) Interior (noncorner) lots. Each attached house must be on a lot that complies with Section 33.110.202, Development on Lots and Lots of Record.
      - (2) Corner lots. The original lot must comply with Section 33.110.202, Development on Lots and Lots of Record, and the new lots for attached houses must either meet the minimum lot dimension standard stated in Chapter 33.611, Lots in the R2.5 Zone, or must have been created through a Property Line Adjustment. Adjustments are prohibited
    - b. Number of attached houses. Two attached houses may have a common wall. Structures made up of three or more attached houses are prohibited unless approved as a Planned Development.
    - c. Building setbacks. The required building setback on the side containing the common wall is reduced to zero. The reduced setback applies to all buildings on the lot and extends along the full length of the lot line that contains the common or abutting wall.

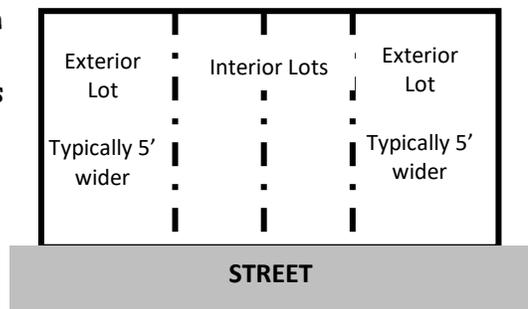
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## Commentary

### 33.110.265.C.2.d Building coverage

Since R2.5 attached house projects can include more than a pair of attached houses, the lot sizes will often vary to accommodate side setbacks on the end units. This creates issues when applying building coverage limits, as the interior lots are smaller (thus less building coverage allowed). This provision allows the building coverage to be applied across the entire site, while including a cap so that no individual lot is allowed more than 5 percent more than would have been allowed otherwise.



### 33.110.265.C.2.e Floor Area

Similar to building coverage, with different size lots, the resulting maximum floor area will vary. Because attached houses may also include an ADU, the FAR can also vary per lot between 0.7 and 0.8. This provision allows for a single floor area ratio to be applied to the project site, when all the lots contain the same number of dwelling units, and includes limitations to ensure that FAR is not disproportionately applied to a single lot.

d. Development standards. Both attached houses must meet the following standards to ensure that the two units have compatible elements:

(1) Height. The height of the two units must be within four feet of each other; and

(2) On both units:

- Exterior finish materials. The exterior finish material must be the same in type, size and placement.
- Roof pitch. The roof pitch must be the same.
- Eaves. Roof eaves must project the same distance from the building wall.
- Trim. Trim must be the same in type, size and location.
- Windows. Windows must match in proportion and orientation.

2. R2.5 zone. Attached houses are allowed as follows:

a. Density and lot dimensions. Each attached house must be on a lot that meets the density and minimum lot dimensions stated in Chapter 33.611, Lots in the R2.5 Zone.

b. Number of attached houses. Up to eight attached houses may have common walls. Structures made up of nine or more attached houses are prohibited.

c. Building setbacks. The required building setback on the side containing the common wall is reduced to zero. The reduced setback extends along the full length of the lot line that contains the common or abutting wall.

d. Building coverage. The maximum building coverage of the base zone applies to the entire attached housing project, however the building coverage per lot may not exceed 5 percent more than the base zone maximum.

e. Floor area. The maximum floor area ratio may be applied to the entire attached housing project, however the floor area ratio per lot may not exceed .05 more than the base zone maximum floor area per lot.

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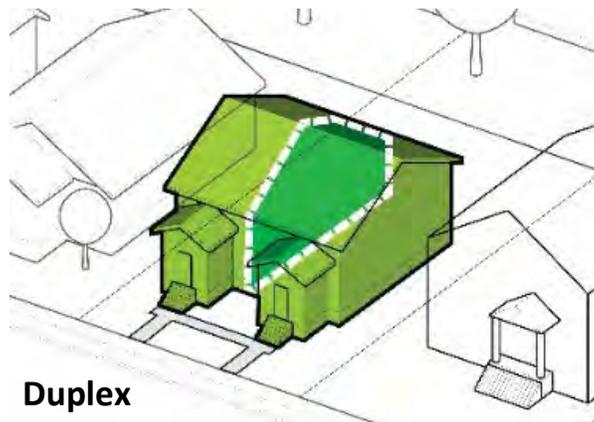
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## Commentary

### 33.110.265.D. Duplexes

This subsection includes the corner lot duplex standards that currently apply in the R20-R2.5 zones (existing Alternative Development Options) and adds a new allowance for duplexes on interior lot in the R7, R5 and R2.5 zones. The minimum lot sizes for duplexes in the R2.5 and R5 zones have been reduced to be consistent with the minimum lot size for a house and an ADU.

Minimum Lot/Site Size for Duplex		
Zone	Previous Minimum Lot Area	New Minimum Lot Area
R2.5	3,000 sq. ft.	1,600 sq. ft.
R5	4,500 sq. ft.	3,000 sq. ft.
R7	4,200 sq. ft.	4,200 sq. ft.
R10	6,000 sq. ft.	6,000 sq. ft.
R20	12,000 sq. ft.	12,000 sq. ft.



**D. Duplexes.** Duplexes are allowed on corner lots in the R20 and R10 zones, and on interior and corner lots in the R7 through R2.5 zones as follows:

1. Density. One extra dwelling unit is allowed up to a maximum of two units.
2. Minimum lot area. Lots for duplexes must meet the minimum lot area standard shown in Table 110-6. Adjustments are prohibited

<u>Zone</u>	<u>Minimum Lot Area</u>
<u>R20</u>	<u>12,000 sq. ft.</u>
<u>R10</u>	<u>6,000 sq. ft.</u>
<u>R7</u>	<u>4,200 sq. ft.</u>
<u>R5</u>	<u>3,000 sq. ft.</u>
<u>R2.5</u>	<u>1,600 sq. ft.</u>

3. Compatibility standards. Both units of the duplex must meet the following standards to ensure that the two units have compatible elements. The standards are:
  - a. Exterior finish materials. The exterior finish material must be the same in type, size and placement.
  - b. Roof pitch. The roof pitch must be the same.
  - c. Eaves. Roof eaves must project the same distance from the building wall.
  - d. Trim. Trim must be the same in type, size and location.
  - e. Windows. Windows must match in proportion and orientation.

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## Commentary

### 33.110.265.E Triplexes and Fourplexes

Triplexes and fourplexes will be allowed in the R7, R5 and R2.5 zones when lots meet minimum lot size standards. Sites that do not have frontage on at least one improved street will not be eligible to use these provisions because areas with unimproved streets create impediments to access, reducing walkability and bikeability. While new development and conversions to add units would trigger the need for a street improvement or payment of a fee-in lieu (LTIC), the incremental improvements could be mid-block and not connect to the street network or may occur elsewhere. To further encourage adaptive reuse of existing historic resources and discourage their demolition, additional restrictions apply for sites where a contributing structure in Historic or Conservation Districts, or Historic or Conservation Landmark have been demolished without demolition review. This limitation would apply for a period of 10 years following the demolition and restricts the residential infill options to a house, house+ADU, or duplex.



#### 33.110.265.E.2. Minimum Lot Area

The minimum required lot size for a triplex or fourplex is larger than for a duplex. This ensures that sites are large enough to accommodate the triplex or fourplex units, plus suitable yard area and parking if proposed.

Minimum Lot/Site Size for Triplex or Fourplex			
Zone	Minimum Lot Area	FAR	Building Size
R2.5	3,200 sq. ft.	.9	2,880 sq. ft.
R5	4,500 sq. ft.	.7	3,150 sq. ft.
R7	5,000 sq. ft.	.6	3,000 sq. ft.
R10	n/a	-	
R20	n/a	-	

**33.110.265.E.3. Visitability** Access to housing for people of all ages and abilities is an important policy objective in the 2035 Comprehensive Plan but current Building Code requirements for "accessible" housing only apply to buildings with 5 or more dwelling units. This provision requires that one unit in a triplex or fourplex be visitable. Type C visitable units are not included in the Oregon Structural Specialty Code, but are detailed in International Code Council (ICC) standards.

To meet this requirement, units will need at least 200 square feet of living area on the same level as the unit entrance and must meet Type C standards that require:

- No step, barrier free access to the unit (maximum slope of 1:20 or 1:12).
- A bathroom with a sink and toilet (with wall reinforcement for grab bars).
- Doorway clearances of 31 $\frac{3}{4}$  inches.
- Lighting controls at an accessible level (no higher than 4 feet).

Using references to ICC code standards helps facilitate implementation, as it allows BDS building code staff - already familiar with such standards - to use their expertise to review proposals. This is also consistent with the visitability bonus option requirements in the multi-dwelling zones.

**E. Triplexes and fourplexes.** Triplexes and fourplexes that meet the following standards are allowed on interior and corner lots in the R7 through R2.5 zones. Triplexes and fourplexes are prohibited on lots that abut a street that has not been accepted for maintenance by the City of Portland, or the State of Oregon in the case of state highways, and are prohibited on lots that abut a private street that connects to a street or highway that has not been accepted for maintenance by the City or State. See Title 17.42, Property Owner Responsibility for Streets. Payment in lieu of street improvements does not satisfy this requirement. Triplexes and fourplexes are also prohibited on lots where a Historic or Conservation Landmark or a contributing structure in a Historic or Conservation District was demolished within the past ten years unless the landmark or contributing structure was destroyed by fire or other causes beyond the control of the owner, the only structure that was demolished was an accessory structure, or the demolition was approved through demolition review.

1. Density. Up to a maximum of four dwelling units are allowed.
2. Minimum lot area. Lots for triplexes and fourplexes must meet the minimum lot area requirement shown in Table 110-7. Adjustments are prohibited.

<b>Zone</b>	<b>Minimum Lot Area</b>
<u>R7</u>	<u>5,000 sq. ft.</u>
<u>R5</u>	<u>4,500 sq. ft.</u>
<u>R2.5</u>	<u>3,200 sq. ft.</u>

3. Visitability.
  - a. Purpose. Visitability standards ensure that a baseline of accessible features is provided to accommodate people living in or visiting the residence regardless of age or ability. The standards:
    - Promote a diverse supply of more physically accessible housing;
    - Allow people of all ages and abilities to easily enter and visit the residence;
    - Foster community interaction by reducing barriers that can lead to social isolation; and
    - Enhance public safety for all residents and visitors.

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## Commentary

### 33.110.265.E.3.b. Visitable unit standards.

- 1) There are four basic elements required to be visitable:
- 2) A zero step route and entry to ensure easy access to the unit. The slope of the route can be no steeper than 12.5%.
- 3) Bathroom (sink and toilet) on the floor with the visitable entrance
- 4) Living area with space to entertain and socialize
- 5) Doorways that are at least 34 inches wide. This provides adequate clearance considering the width of the door itself when open.

### 33.110.265.E.3.c Exemptions.

Certain exemptions are included to address particular site conditions such as slopes and existing development. Steeply sloped lots (>20%) are commonly exempted from additional zoning code standards based on their unique development challenges, especially in terms of making a zero-step entry work.

Internal conversions to add dwelling units to existing structures also present challenges in terms of existing entrances and location of walls and plumbing that new construction has a greater opportunity to plan for and address.

Another common challenge is lots that are elevated from the street. When the highest point along the street lot line to the lowest grade along the front setback is more than 3 feet, then the visitability standards do not apply. Providing for a route that does not exceed 12.5% over a 3-foot rise will require a 24-foot-long ramp. This allows for sufficient room within the front setback to accommodate the ramp.

Flexibility is also provided by allowing the route to the visitable entrance to be from either the street or from an on site parking space.

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Language to be **deleted** is shown in ~~strikethrough~~

- b. Visitable unit standard. Unless exempted by Subparagraph E.3.c., at least one dwelling unit on the lot must meet the requirements for Type C visitable units in ICC A117.1 (2009 Edition) and must have at least 200 square feet of living area on the same floor as the main entrance. The property owner must execute a covenant with the City that meets the requirements of Section 33.700.060 and ensures that the features required by the Type C standards are retained for the life of the dwelling unit.
- c. Exemptions. The following are exempt from the standards of this Subsection:
- (1) Lots with an average slope of 20 percent or greater;
  - (2) Lots where there is more than a 3-foot rise between the highest elevation along the street lot line and the lowest grade measured at the front setback.
  - (3) Conversion of an existing residential structure to a triplex or fourplex.

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## Commentary

### 33.110.265.F Affordable fourplexes and multi-dwelling structures.

To qualify for this new voluntary bonus, projects will generally need to have at least 50 percent of units on the site affordable to households earning no more than 60 percent of MFI. In combination with related amendments to Title 30 (Affordable Housing), this bonus provides an affordable home ownership option for projects in which at least half of the units are ownership units affordable to households earning no more than 80 percent of MFI. The minimum required percentage of 50 percent will allow developments to include some market-rate units to help offset the costs of the affordable units and allow for income diversity. Both this bonus and the standard inclusionary housing bonus will involve the Housing Bureau in administration (administrative rules will require rental units to remain affordable for a term of 99 years and ownership units to be affordable for 10 years).

This bonus provides up to 1.2 FAR (an added 0.6 FAR in R7, 0.5 FAR in R5, or 0.2 FAR in R2.5), an additional 5 feet of height in R7 and R5 (35' total), and two more dwelling units (up to 6 maximum). Greater variability in the number of allowed units (4-6) within the maximum FAR provides more options for providing larger family-sized units, or a greater mix of unit sizes especially on larger sized lots.

Similar requirements for lot eligibility apply to these housing types as apply to triplexes and fourplexes (lot size, sited on an improved street, located outside the 'z' overlay). To further encourage adaptive reuse of existing historic resources and discourage their demolition, additional restrictions apply for sites where a contributing structure in Historic or Conservation Districts, or Historic or Conservation Landmark have been demolished without demolition review. This limitation would apply for a period of 10 years following the demolition and restricts the residential infill options to a house, house+ADU, or duplex.

For these building types, at least two visitable units are required.

- F. Affordable fourplexes and multi-dwelling structures.** Fourplexes and multi-dwelling structures with no more than six dwelling units are allowed on interior and corner lots in the R7 through R2.5 zones when the following standards are met. Fourplexes and multi-dwelling structures are prohibited on lots that abut a street that has not been accepted for maintenance by the City of Portland, or the State of Oregon in the case of state highways, and are prohibited on lots that abut a private street that connects to a street or highway that has not been accepted for maintenance by the City or State. See Title 17.42, Property Owner Responsibility for Streets. Payment in lieu of street improvements does not satisfy this requirement. Fourplexes and multi-dwelling structures are also prohibited on lots where a Historic or Conservation Landmark or a contributing structure in a Historic or Conservation District was demolished within the past ten years unless the landmark or contributing structure was destroyed by fire or other causes beyond the control of the owner, the only structure that was demolished was an accessory structure, or the demolition was approved through demolition review.
1. Density. A maximum of six dwelling units are allowed. More than six dwelling units are prohibited.
  2. Affordability. 50 percent of the total number of dwelling units on the site must be affordable to those earning no more than 60 percent of the area median family income or an affordability level established by Title 30. The applicant must provide a letter from the Portland Housing Bureau certifying that the development meets the affordability requirement of this option and any administrative requirements of the Portland Housing Bureau. The letter must be submitted before a building permit can be issued for the development but is not required in order to apply for a land use review. Adjustments are prohibited.
  3. Minimum lot area. Lots for multi-dwelling structures must meet the minimum lot area requirement shown in Table 110-7. Adjustments are prohibited.
  4. Maximum FAR. The maximum FAR is 1.2 to 1. Adjustments are prohibited.
  5. Maximum Height. The maximum height is 35 feet. Adjustments are prohibited.
  6. Visitability.
    - a. Purpose. The visitability standard ensures that a baseline of accessible features is provided to accommodate people living in or visiting the residence regardless of age or ability. The standards:
      - Promote a diverse supply of more physically accessible housing;
      - Allow people of all ages and abilities to easily enter and visit the residence;
      - Foster community interaction by reducing barriers that can lead to social isolation; and
      - Enhance public safety for all residents and visitors.
    - b. VISIBLE unit standard. Unless exempted by Subparagraph E.3.c., at least two dwelling units on the lot must meet the requirements for Type C visitable units in ICC A117.1 (2009 Edition) and each must have at least 200 square feet of living area on the same floor as the main entrance. The property owner must execute a covenant with the City that meets the requirements of Section 33.700.060 and ensures that the features required by the Type C standards are retained for the life of the dwelling unit.

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## Commentary

### **33.110.265.G Planned Developments**

This provides a reference to the Planned Development Chapter which offers greater infill flexibility in housing type and arrangement configurations.

c. Exemptions. The following are exempt from Subparagraph E.3.b:

- (1) Lots with an average slope of 20 percent or greater;
- (2) Lots where there is more than a 3-foot rise between the highest elevation along the street lot line and the lowest grade measured at the front setback.
- (3) Conversion of an existing residential structure to a fourplex or multi-dwelling structure.

**G. Planned development.** See Chapter 33.270, Planned Developments.

**33.110.270245 Institutional Development Standards**

- A. Purpose.** The general base zone development standards are designed for residential buildings. Different development standards are needed for institutional uses which may be allowed in single-dwelling zones. The intent is to maintain compatibility with and limit the negative impacts on surrounding residential areas.
- B. Use categories to which these standards apply.** The standards of this section apply to uses in the institutional group of use categories, whether allowed by right, allowed with limitations, or subject to a conditional use review. The standards apply to new development, exterior alterations, and conversions to institutional uses. Recreational fields used for organized sports on a school, school site, or in a park, are subject to Chapter 33.279, Recreational Fields for Organized Sports.
- C. The standards.**
1. The development standards are stated in Table 110-8-5. If not addressed in this section, the regular base zone development standards apply.
  2. Setbacks on a transit street or in a Pedestrian District.
    - a. Purpose. The purpose of these regulations is to reduce reliance on the automobile and encourage pedestrians and transit riders by ensuring safe and convenient pedestrian access to buildings.
    - b. Building setbacks on a transit street or in a Pedestrian District. Buildings on a transit street or in a Pedestrian District must meet the provisions of 33.120.220.C.
    - c. Conflicts.
      - (1) If the depth of the minimum building setback or buffering standards conflicts with the maximum building setback standard, the depth of the maximum building setback standard supersedes the depth of the minimum building setback and buffering standards.
      - (2) If the depth of the minimum setback standard for detached accessory structures conflicts with the depth of the minimum buffering standard, the depth of the minimum buffering standard supersedes the depth of the minimum setback standard for detached accessory structures.
    - d. Exception. Development that is not subject to conditional use review under Section 33.815.040 is exempt from the maximum transit street setback requirement.
  3. Exterior storage. Exterior storage of materials or equipment is prohibited.

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## Commentary

### **33.110.270.C.6 Mechanical Equipment**

The mechanical equipment screening requirement is being amended to clarify that mechanical equipment on the roof of an institution only needs to be screened when it is located within 50 feet of an adjacent residential lot. Because the institutional lot is also zoned residential, the current wording of the standard could be read to imply that the mechanical equipment needs to be screened even when it is far from an adjacent lot.

4. Outdoor activity facilities. Except as specified in paragraph C.5. below, outdoor activity facilities, such as swimming pools, basketball courts, tennis courts, or baseball diamonds must be set back 50 feet from abutting R-zoned properties. Playground facilities must be set back 25 feet from abutting R-zoned properties if not illuminated, and 50 feet if illuminated. Where the outdoor activity facility abuts R-zoned properties in School uses, the required setback is reduced to zero.
5. Recreational fields for organized sports. Recreational fields used for organized sports on a school, school site, or in a park, are subject to Chapter 33.279, Recreational Fields for Organized Sports.
6. Mechanical equipment. Mechanical equipment located on the ground, such as heating or cooling equipment, pumps, or generators must be screened from the street and any abutting residential zones by walls, fences, or vegetation. Screening must comply with at least the L2 or F2 standards of Chapter 33.248, Landscaping and Screening, and be tall enough to screen the equipment. Mechanical equipment placed on roofs must be screened in one of the following ways; if the equipment is within 50 feet of an abutting R zoned lot:
  - a. A parapet along facades facing the R zone that is as tall as the tallest part of the equipment;
  - b. A screen around the equipment that is as tall as the tallest part of the equipment; or
  - c. The equipment is set back from roof edges facing the R zone 3 feet for each foot of height of the equipment.
7. Electrical substations. In addition to the standards in Table 110-~~8-5~~, the entire perimeter of electrical substations, including the street lot line (except for the access point), must be landscaped to the L3 standards stated in Chapter 33.248. This landscaping must be planted on the outside of any security fence. Electrical substations that are in a fully enclosed building are exempt from this requirement.
8. Grassy areas. Grassy play areas, golf courses, cemeteries, and natural areas are not subject to the L3 landscaping standard of Table 110-~~8-5~~ and are exempt from the setback standard of Paragraph 4, above.
9. Garbage and recycling collection areas. All exterior garbage cans. Garbage collection areas, and recycling collection areas must be screened from the street and any adjacent properties. Trash receptacles for pedestrian use are exempt. Screening must comply with at least the L3 or F2 standards of Chapter 33.248, Landscaping and Screening. See Section 17.102.270, Business and Multifamily Complexes Required to Recycle, of the Portland City Code for additional requirements for recycling areas.
10. Pedestrian standards. The on-site pedestrian circulation system must meet the standards of Section 33.120.255, Pedestrian Standards.

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## Commentary

### **Footnote [5]**

Footnote 5 is being amended to replace "surface parking lot" with "vehicle area". Surface parking does not include driveways and the driveway to a parking area on a site with an institution should be subject to parking lot landscaping and setback standards. The text has also been amended to reflect the updated name of Chapter 266.

<b>Table 110-8-5 Institutional Development Standards [1]</b>	
Minimum Site Area for New Uses	10,000 sq. ft.
Maximum Floor Area Ratio [2]	0.5 to 1
Maximum Height [3]	50 ft.
Minimum Building Setbacks [2]	1 ft. back for every 2 ft. of bldg. height, but in no case less than 15 ft.
Maximum Building Setback Transit Street or Pedestrian District [7]	20 ft. or per CU/IMP review
Maximum Building Coverage [2]	50% of site area
Minimum Landscaped Area [2,4]	25% of site area to the L1 standard
Buffering from Abutting Residential Zone [5]	15 ft. to L3 standard
Buffering Across a Street from a Residential Zone [5]	15 ft. to L1 standard
Setbacks for All Detached Accessory Structures Except Fences [6]	10 ft.
Parking and Loading	See Chapter 33.266, <del>Parking And Loading</del>
Signs	See Title 32, Signs and Related Regulations

Notes:

[1] The standards of this table are minimums or maximums as indicated. Compliance with the conditional use approval criteria might preclude development to the maximum intensity permitted by these standards.

[2] For campus-type developments, the entire campus is treated as one site. Setbacks are only measured from the perimeter of the site. The setbacks in this table only supersede the setbacks required in Table 110-4-3. The normal regulations for projections into setbacks and for detached accessory structures still apply.

[3] Towers and spires with a footprint of 200 square feet or less may exceed the height limit, but still must meet the setback standard. Elevator mechanical equipment that is set back at least 15 feet from all roof edges on street facing facades may extend up to 16 feet above the height limit. Other mechanical equipment and stairwell enclosures that provide rooftop access when these cumulatively cover no more than 10 percent of the roof area and are set back at least 15 feet from all roof edges on street facing facades may extend up to 10 feet above the height limit.

[4] Any required landscaping, such as for required setbacks or parking lots, applies towards the landscaped area standard.

[5] ~~Surface parking lots~~ Vehicle areas are subject to the parking lot setback and landscaping standards stated in Chapter 33.266, ~~Parking And Loading And Transportation And Parking Demand Management~~.

[6] Setbacks for structures that are accessory to recreational fields for organized sports on a school, school site, or in a park, are stated in Chapter 33.279, Recreational Fields for Organized Sports.

[7] The maximum building setbacks are described in 33.110.270~~245~~.C.

**33.110.275~~255~~ Fences**

- A. Purpose.** The fence standards promote the positive benefits of fences without negatively impacting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access, hinder the safe movement of pedestrians and vehicles, and create an unattractive appearance. These standards are intended to promote the positive aspects of fences and to limit the negative ones.

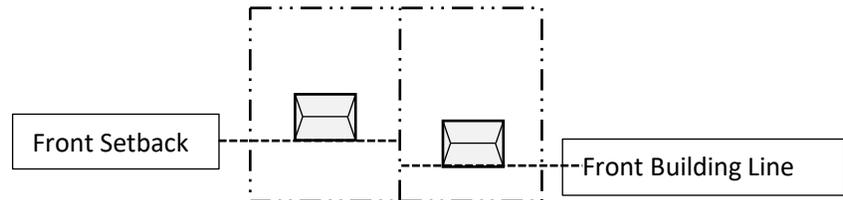
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## Commentary

### 33.110.275.C.1. Front Building Setbacks

Currently, fence height is limited to 3-1/2 feet within the front setback even if the house is closer to the front lot line than the required setback. This amendment will allow the taller fence can be built in line with the front of the house in this nonconforming situation.



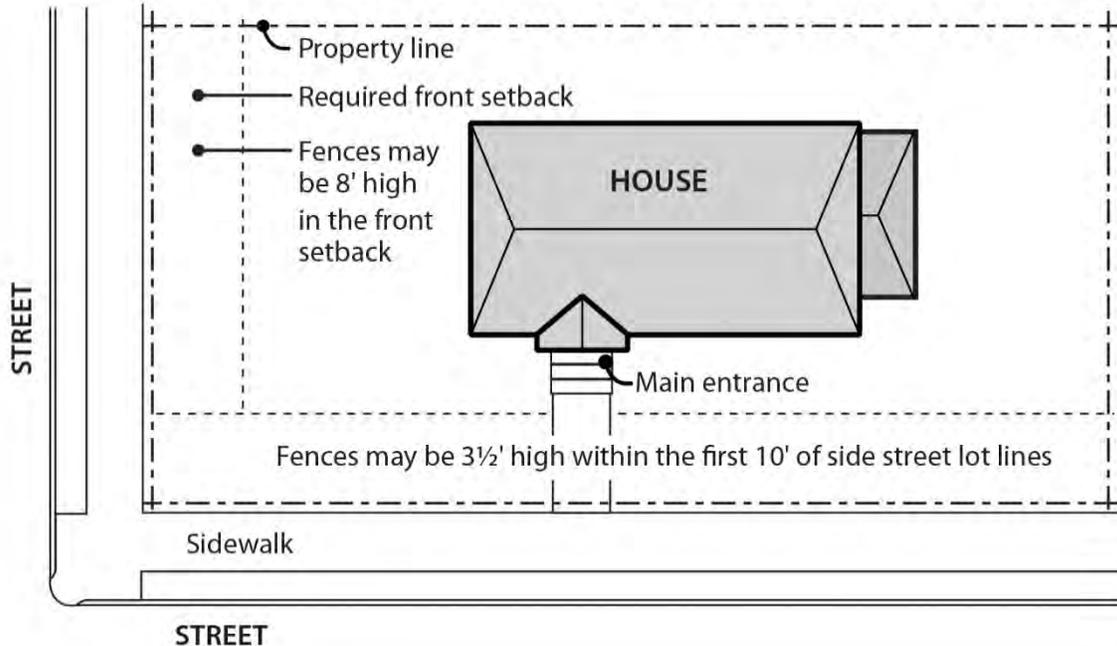
- B. Types of fences.** The standards apply to walls, fences, and screens of all types whether open, solid, wood, metal, wire, masonry, or other material.
- C. Location and height.**
1. Front building setbacks. Fences up to 3-1/2 feet high are allowed in required front building setbacks, or between the front lot line and the front building line of the primary structure, whichever is less.
  2. Side and rear building setbacks.
    - a. Fences up to 8 feet high are allowed in required side or rear building setbacks that do not abut a pedestrian connection.
    - b. Fences abutting a pedestrian connection.
      - (1) Fences up to 8 feet high are allowed in required side or rear building setbacks that abut a pedestrian connection if the pedestrian connection is part of a right-of-way that is at least 30 feet wide.
      - (2) Fences up to 3-1/2 feet high are allowed in required side or rear building setbacks that abut a pedestrian connection if the pedestrian connection is part of a right-of-way that is less than 30 feet wide.
  3. Exceptions for corner lots. On corner lots, if the main entrance is on the facade facing the side street lot line, the applicant may elect to meet the following instead of C.1 and C.2. See Figure 110-15.
    - a. Fences up to 3-1/2 feet high are allowed within the first 10 feet of the side street lot line.
    - b. Fences up to 3-1/2 feet high are allowed in required setbacks that abut a pedestrian connection if the pedestrian connection is part of a right-of-way that is less than 30 feet wide;
    - c. Fences up to 8 feet high are allowed in the required front building setback, outside of the area subject to 3.a.
    - d. Fences up to 8 feet high are allowed in all other side or rear building setbacks.
  4. Not in building setbacks. The height for fences that are not in required building setbacks is the same as the regular height limits of the zone.

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## Commentary

**Figure 110-15**  
**Fence Height Option on Corner Lots**



- D. Reference to other regulations.** Electrified fences are regulated under Title 26, Electrical Regulations. The use of barbed wire is regulated under Title 24, Building Regulations.

**33.110.28033.110.257 Retaining Walls**

- A. Purpose.** The standards of this section help mitigate the potential negative effects of large retaining walls. Without mitigation, such walls can create a fortress-like appearance and be unattractive. By requiring large walls to step back from the street and provide landscaping, the wall is both articulated and visually softened.
- B. Where these regulations apply.**
1. Generally. These regulations apply to the portions of street-facing retaining walls that are in required setbacks along street lot lines. Where there is no required setback, or the setback is less than 10 feet, the regulations apply to the first 10 feet from the line.
  2. Exceptions. The following are not subject to the regulations of this section:
    - a. Retaining walls in the areas described in B.1 that are less than four feet high, as measured from the bottom of the footing.
    - b. Retaining walls on sites where the site slopes downward from a street in the area described in B.1.
    - c. Retaining walls on sites where the site slopes upward from a street and the existing slope within the area regulated by B.1 is 50 percent or more.
    - d. Replacing an existing retaining wall, where the replacement will not be taller or wider than the existing wall.

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## Commentary

- e. Retaining walls on sites where any portion of the site is in an environmental overlay zone.

**C. Standards.**

1. Retaining walls are limited to 4 feet in height measured from the bottom of the footing, as shown in Figure 110-16.
2. Retaining walls must be set back at least 3 feet from other street-facing retaining walls, as shown in Figure 110-16. The 3 foot setback area must be landscaped to at least the L2 standard, except that trees are not required. A wall or berm may not be substituted for the shrubs.

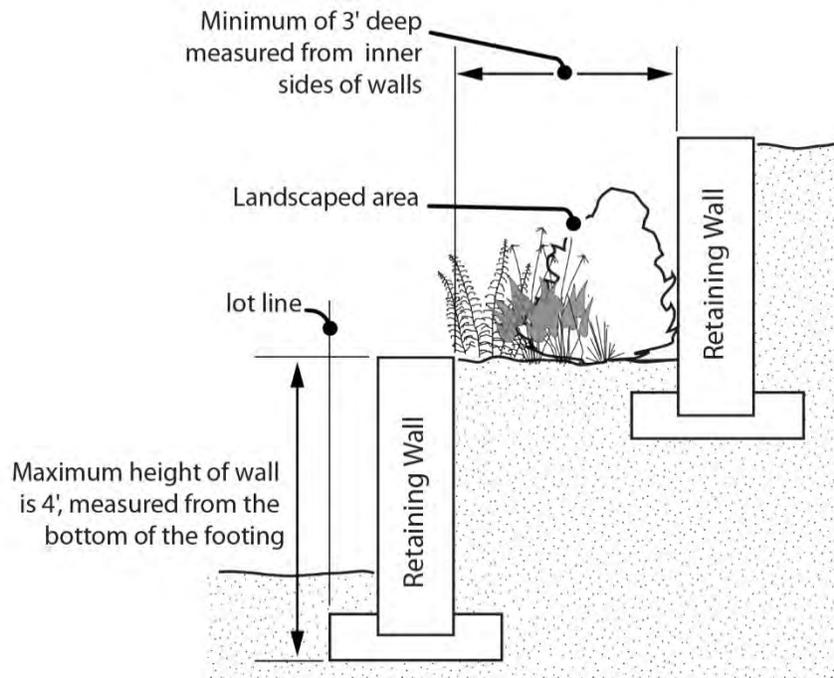
**33.110.285260 Demolitions**

- A. Generally.** Demolition on a site that requires a demolition permit is subject to the tree preservation and protection requirements of Title 11, Trees. See Chapter 11.50, Trees in Development Situations.
- B. Historic resources.** Demolition of historic resources is regulated by Chapter 33.445, Historic Resource Overlay Zone.

**33.110.290270 Nonconforming Development**

Existing developments that do not conform to the development standards of this chapter may be subject to the regulations of Chapter 33.258, Nonconforming Situations.

**Figure 110-16  
Retaining Walls**



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## Commentary

### 33.110.292 Parking and Loading

The requirement for access from an alley when an alley exists and parking is proposed is being moved to 33.266.120.C and will apply to all houses, attached houses, duplexes and triplexes on lots that abut an alley. See page 147.

### **33.110.292275 Parking and Loading**

For parking and loading regulations, see Chapter 33.266, Parking and Loading.

~~**A. Access to parking.** Vehicle access to a lot must be from an alley under the following conditions. Modifications to this standard are allowed through Planned Development Review. See Chapter 33.638, Planned Development. Adjustments are prohibited.~~

~~1. The lot abuts an alley;~~

~~2. The lot was created by a land division submitted after July 1, 2002; and~~

~~3. The lot is either:~~

~~a. In the R10 through R5 zones and does not meet the minimum lot width standard of 33.610.200.D.1; or~~

~~b. In the R2.5 zone and does not meet the minimum lot width standard of 33.611.200.C.1.~~

~~**B. Parking and loading.** For all other parking and loading regulations, see Chapter 33.266, Parking and Loading.~~

### **33.110.295280 Signs**

The sign regulations are stated in Title 32, Signs and Related Regulations.

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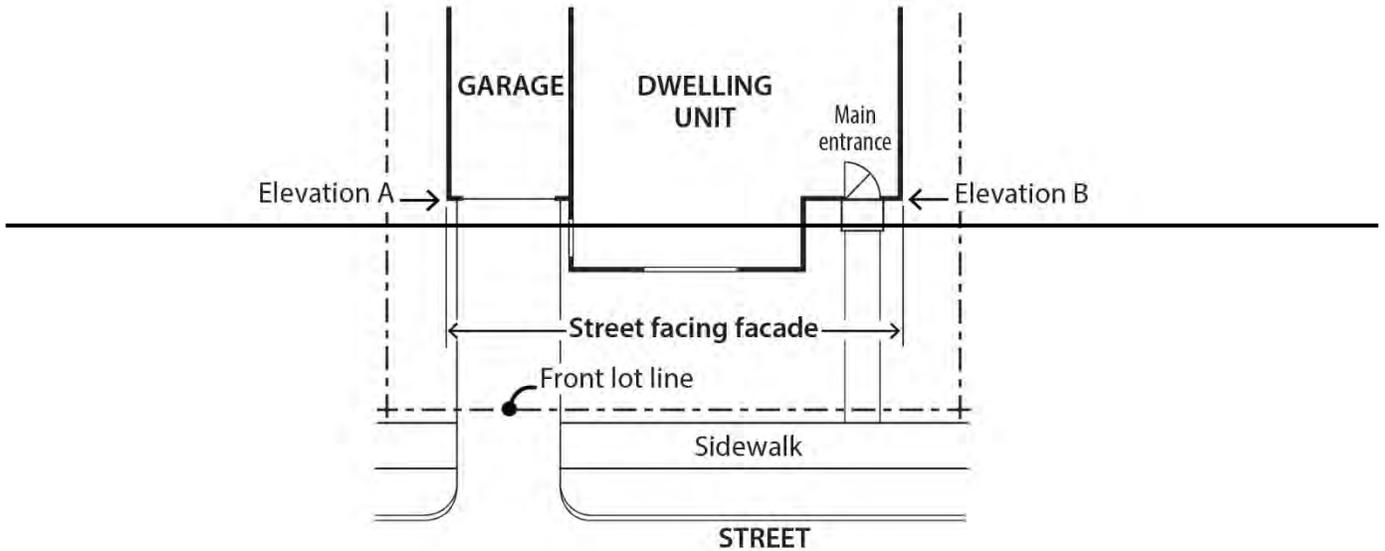
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## Commentary

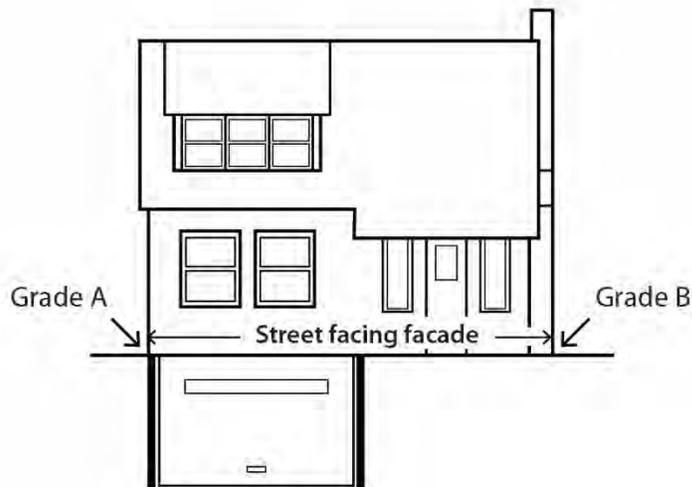
### 33.120 Multi-Dwelling Zones

120

**Figure 120-11**  
Calculation of Grade: (Elevation A + Elevation B) / 2



**Figure 120-11**  
Calculation of Grade: (Elevation A + Elevation B) / 2



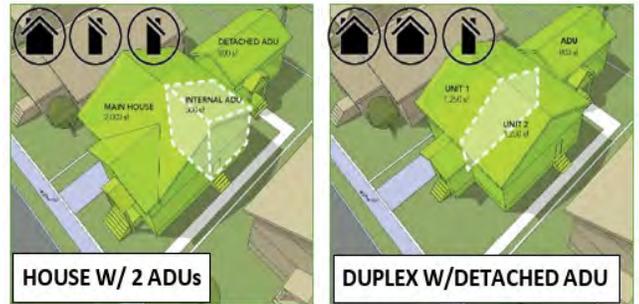
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## Commentary

### 33.205 Accessory Dwelling Units

Accessory dwelling units are currently allowed in conjunction with a house on any lot, but are not allowed in conjunction with a duplex. These changes allow for a second ADU in conjunction with a house, or a detached ADU in conjunction with a duplex.



## 33.205 Accessory Dwelling Units

205

Sections:

- 33.205.010 Purpose
- 33.205.020 Where These Regulations Apply
- 33.205.030 General Requirements
- 33.205.040 Development Standards
- 33.205.050 Density

### 33.205.010 Purpose

Accessory dwelling units are allowed in certain situations to:

- Create new housing units while respecting the look and scale of single-dwelling development;
- Increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives;
- Allow more efficient use of existing housing stock and infrastructure;
- Provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and
- Provide a broader range of accessible and more affordable housing.

### 33.205.020 Where Accessory Dwelling Units are Allowed~~These Regulations Apply~~

~~An accessory dwelling unit may be added to a house, attached house, or manufactured home in an R, C, or EX zone except for attached houses in the R20 through R5 zones that were built using the regulations of 33.110.240.E, Duplexes and Attached Houses on Corners.~~

**A. RF through R10.** One accessory dwelling unit is allowed on a site with a house, attached house or manufactured home in the RF through R10 zones except for attached houses in the R20 and R10 zones that were built using the regulations of 33.110.265.C.1. In this case, an accessory dwelling unit is prohibited.

**B. R7 through R2.5.**

1. One accessory dwelling unit is allowed on a site with a house, attached house or manufactured home in the R7 through R2.5 zones when the lot complies with Section 33.110.202, When Primary Structures are Allowed.

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## Commentary

### 33.205.020.B.2

In the R7 - R2.5 zone, a larger lot size is required for the third unit and the lot must front on a street that has been accepted for maintenance (consistent with the standards for triplexes - 33.110.265.E). To further encourage adaptive reuse of existing historic resources and discourage their demolition, additional restrictions apply for sites where a contributing structure in Historic or Conservation Districts, or Historic or Conservation Landmark have been demolished without demolition review. This limitation would apply for a period of 10 years following the demolition and restricts the residential infill options to a house, house+ADU, or duplex.

Additionally, to avoid potential conflicts with the building code, only one ADU is allowed within a house and an ADU added to a duplex must be detached. Three units with one structure must be permitted as a triplex under the building code.

### Table 205-1

The lot size threshold for a site with 2 ADUs or a duplex and 1 ADU is that same as for required for a triplex or fourplex under the residential infill options n 33.110.265.

2. Up to two accessory dwelling units are allowed on a site with a house, attached house or manufactured home in the R7 through R2.5 zones when the lot meets the minimum lot area requirement stated in Table 205-1. Two accessory dwelling units are prohibited on lots that do not abut a street that has been accepted for maintenance by the City of Portland, or the State of Oregon in the case of state highways, and are prohibited on lots that abut a private street that connects to a street or highway that has not been accepted for maintenance by the City or State. See Title 17.42, Property Owner Responsibility for Streets. Payment in lieu of street improvements does not satisfy this requirement. Two accessory dwelling units are also prohibited on lots where a Historic or Conservation Landmark or a contributing structure in a Historic or Conservation District was demolished within the past ten years unless the landmark or contributing structure was destroyed by fire or other causes beyond the control of the owner, the only structure that was demolished was an accessory structure, or the demolition was approved through demolition review. If there are two accessory dwelling units on the site, only one may be attached to or within the primary structure.

<b>Zone</b>	<b>Minimum Lot Area</b>
<u>R7</u>	<u>5,000 sq. ft.</u>
<u>R5</u>	<u>4,500 sq. ft.</u>
<u>R2.5</u>	<u>3,200 sq. ft.</u>

3. One accessory dwelling unit is allowed on a site with a duplex in the R7 through R2.5 zones when the lot meets the minimum lot area requirements stated in Table 205-1. An accessory dwelling unit is prohibited on lots that do not abut a street that has been accepted for maintenance by the City of Portland, or the State of Oregon in the case of state highways, or is prohibited on lots that abut a private street that connects to a street or highway that has not been accepted for maintenance by the City or State. See Title 17.42, Property Owner Responsibility for Streets. Payment in lieu of street improvements does not satisfy this requirement. An accessory dwelling unit is also prohibited on lots where a Historic or Conservation Landmark or a contributing structure in a Historic or Conservation District was demolished within the past ten years unless the landmark or contributing structure was destroyed by fire or other causes beyond the control of the owner, the only structure that was demolished was an accessory structure, or the demolition was approved through demolition review. The accessory dwelling unit must be detached.

**C. Multi-dwelling, C and EX.**

1. Up to two accessory dwelling units are allowed on a site with a house, attached house or manufactured home in the multi-dwelling, C and EX zones. If there are two accessory dwelling units on the lot, only one may be attached to or within the primary structure.
2. One accessory dwelling unit is allowed on a site with a duplex in the multi-dwelling, C and EX zones. In this case, the accessory dwelling unit must be detached .

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## Commentary

### **33.205.030.A. Number of residents.**

The limitation on the number of residents on a site with an ADU is being deleted because the ADU size limitation serves to limit the number of people living in an ADU.

### **3.205.040.A. Purpose Statement**

The phrase "house, attached house, or manufactured home" is changed to "primary dwelling unit" to reflect that in some cases, ADUs are allowed with duplexes.

### **33.205.040.C.1. Location of Entrances**

The limitation on doors on the front façade of the house to provide greater flexibility and allow for easier conversion of existing spaces such as attached garages.

### **33.205.040.C.2. Maximum Size**

These provisions are being amended to address size limits when an ADU is proposed with a duplex (i.e. a building with two primary units). This clarifies that when units in the duplex are different sizes from each other, the size of the ADU is based on the larger of the primary units to ensure that the ADU is smaller than at least one of the primary units. This provides consistency for determining the size of the detached ADU whether it is based on a duplex or a house with an internal ADU.

A new provision is being added to recognize situations where a basement is being converted and where the basement is the same size as the house on the first floor. In these cases, the 75 percent/800 square foot size limit leads to either walling off area in the basement, designing it as common area for both units, or triggering the need for an adjustment. Since there is often little to no exterior difference, the impact is minimal. This, together with the 5 year time threshold, also serves as an incentive to adapt existing basement space as opposed to redeveloping the site.

### 33.205.030 General Requirements

- ~~A. **Number of residents.** The total number of individuals that reside in both units may not exceed the number that is allowed for a household.~~
- ~~B. **Other uses.**~~
- A.1. Type B home occupation. An accessory dwelling unit is prohibited on a site with a Type B home occupation.
- B.2. Type A accessory short-term rental. An accessory dwelling unit is allowed on a site with a Type A accessory short-term rental.
- C.3. Type B accessory short-term rental. An accessory dwelling unit is allowed on a site with a Type B accessory short-term rental if the accessory dwelling unit meets the standards of Paragraph 33.815.040.B.1.

### 33.205.040 Development Standards

- A. Purpose.** Standards for creating accessory dwelling units address the following purposes:
- Ensure that accessory dwelling units are compatible with the desired character and livability of Portland's residential zones;
  - Respect the general building scale and placement of structures to allow sharing of common space on the lot, such as driveways and yards;
  - Ensure that accessory dwelling units are smaller in size than primary dwelling units ~~houses, attached houses, or manufactured homes~~; and
  - Provide adequate flexibility to site buildings so that they fit the topography of sites.
- B. Generally.** The development standards for accessory dwelling units are stated in this section. If not addressed in this section, the base zone development standards apply.
- C. Requirements for ~~all~~ accessory dwelling units.** ~~All~~ Accessory dwelling units must meet the following:
- ~~1. Location of entrances. Only one entrance may be located on the facade of house, attached house, or manufactured home facing the street, unless the house, attached house, or manufactured home contained additional entrances before the accessory dwelling unit was created. An exception to this regulation is entrances that do not have access from the ground such as entrances from balconies or decks. Detached accessory dwelling units are exempt from this standard.~~
  - 2.1. Parking. No additional parking is required for the accessory dwelling unit. Existing required parking ~~for the house, attached house, or manufactured home~~ must be maintained or replaced on-site.
  - 3.2. Maximum size. The size living area of the accessory dwelling unit may be no more than 75 percent of the living area of the primary dwelling unit or 800 square feet of living area, whichever is less. This maximum size standard does not apply when the basement of a primary dwelling unit is converted to an accessory dwelling unit and the primary dwelling unit has been on the site for at least 5 years. The size measurements are based on what the square footage of the primary dwelling unit and accessory dwelling unit will be after the accessory dwelling unit is created. When the primary dwelling unit is a duplex, the size of the accessory dwelling unit may be no more than 75 percent of the living area of the larger of the two primary units or 800 square feet of living area, whichever is less.

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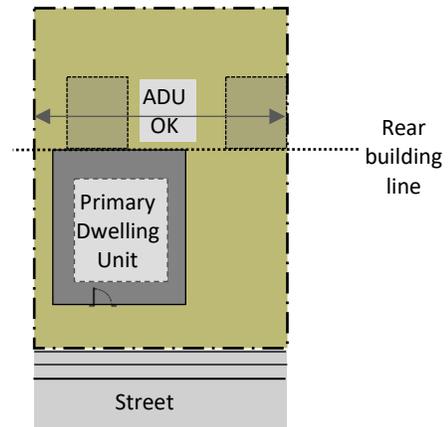
## Commentary

### 33.205.040.C.3. Setbacks

This amendment clarifies that the ADU must be behind the rear building line as opposed to physically behind the house itself.

### 33.205.040.C.4.

With the addition of connected structures, clarification is added to address ADUs that are connected to the primary structure via a breezeway. A detached or connected ADU must meet the applicable height, setback, building coverage, and exterior design requirements for detached and connected covered accessory structures.



### 33.205.040.C.5 Visitability

These visitability requirements are being included to be consistent with the Residential Infill Options that require a visitable unit when there are 3 or more units are provided on a site (for example having two ADUs with a house, or one ADU with a duplex). See commentary on page 112.

### 33.205.050 Density

This provision is being amended to allow accessory dwelling units to count toward the new minimum dwelling unit density requirement for double-sized lots in R2.5, R5, and R7 zones (see page 25).

43. Setbacks. Detached and connected accessory dwelling units must be:
- a. Set back 40 feet from the front lot line; or
  - b. Located behind the rear building line~~wall~~ of the primary dwelling unit~~house, attached house, or manufactured home~~. For the purpose of this regulation, the rear wall of the house is the wall furthest from the wall with the main entrance to the street.
54. Detached and connected accessory dwelling units must meet the development standards for ~~detached~~ covered accessory structures in the base zone.
5. Visitability.
- a. Purpose. Visitability standards ensure that a baseline of accessible features is provided to accommodate people living in or visiting a residence regardless of age or ability. The standards:
    - Promote a diverse supply of more physically accessible housing;
    - Allow people of all ages and abilities to easily enter and visit the residence;
    - Foster community interaction by reducing barriers that can lead to social isolation; and
    - Enhance public safety for all residents and visitors.
  - b. When the visitable unit standards apply. Unless exempted by Subparagraph C.5.c, the visitable unit standards apply to the following situations:
    - (1) When there are two accessory dwelling units on a site with a house, attached house or manufactured home; and
    - (2) When there is one accessory dwelling unit on a site with a duplex.
  - c. Visitability standard. Unless exempted by Subparagraph C.5.d., at least one dwelling unit on the lot must meet the requirements for Type C visitable units in ICC A117.1 (2009 Edition) and must have at least 200 square feet of living area on the same floor as the main entrance. The property owner must execute a covenant with the City that meets the requirements of Section 33.700.060 and ensures that the features required by the Type C standards are retained for the life of the dwelling unit.
  - d. Exemptions. The following are exempt from the visitable unit standards of this Paragraph:
    - (1) Lots with an average slope of 20 percent or greater;
    - (2) Lots where there is more than a 3-foot rise between the highest elevation along the street lot line and the lowest grade measured at the front setback.
    - (3) Conversion of an existing accessory structure that is at least 5 years old or converting space in a house that is at least 5 years old to an accessory dwelling unit.

### **33.205.050 Density**

~~In the single-dwelling zones, accessory dwelling units are not included in the minimum or maximum density calculations for a site. In all other zones, a~~ Accessory dwelling units are included in the minimum density calculations but are not included in the maximum density calculations.

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## Commentary

### **33.251.020.D**

Several of the development standards for manufactured homes are being deleted to remove barriers to this type of housing. Manufactured homes are an affordable housing option and the development standards that are being deleted (minimum floor area, minimum roof pitch and required siding) all present barriers and can increase the cost of manufactured homes when adjustments are required to site a manufactured home that is less than 1000 square feet or has a roof pitch that is less than 3/12. In addition, conventionally built homes do not have similar requirements except in certain situations (design overlay zone or small flag lot) and deleting these standards will bring parity between the structure types.

### **33.251.020.D.2 Foundation**

The foundation standard will remain because having a perimeter foundation is more in keeping with conventionally built houses, and having it enclosed helps improve energy efficiency by reducing heat loss. The standard is being amended because the specifications regarding the foundation (depth of excavation and back filling) are prescribed by building code.

## 33.251 Manufactured Homes and Manufactured Dwelling Parks

251

### 33.251.010 Purpose

This chapter provides standards ~~which will that~~ allow the placement of manufactured homes, mobile homes and manufactured dwelling parks in residential areas without changing the character of existing neighborhoods. These regulations promote additional housing options and provide locational opportunities for manufactured dwellings.

### 33.251.020 Manufactured Homes on Individual Lots

A.-B. [No change]

C. **Development standards.** Manufactured homes must meet the development standards of the base zone, except on individual lots in manufactured dwelling parks that were created under the provisions of Chapter 33.642.

D. **Other regulations.** Manufactured homes must meet the following standards:

- ~~1.~~ Floor area. ~~The manufactured home must be at least 1,000 square feet in floor area.~~
- ~~2.~~ Roof. ~~The manufactured home must have a pitched roof with a pitch of at least a nominal 3/12. The roof must be covered with shingles, shakes, or tile. Eaves from the roof must extend at least 1 foot from the intersection of the roof and the exterior walls.~~
13. Foundation. The manufactured home must be set on an excavated, back-filled a foundation that is and enclosed at the perimeter.
- ~~4.~~ Exterior siding. ~~The exterior siding of the manufactured home must have the same appearance as materials commonly used on residential dwellings. Metal siding must be painted or anodized.~~
25. Hauling mechanisms. The transportation mechanisms including the wheels, axles and hitch must be removed.

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## Commentary

### 33.266.110.B.2

Sites located close to transit are currently exempt from the minimum parking requirements. This amendment exempts sites in single-dwelling zones that are far from transit from the minimum parking requirements. Eliminating the parking requirement for household living uses has several benefits:

- Reducing required parking reduces the cost of building housing. Building a parking space cost on average \$3,000-20,000 per space.
- With the inclusion of a maximum FAR standard, eliminating the requirement that some of the floor area be devoted to a garage increases the amount of floor area that can be devoted to living space.
- Reducing the amount of parking required allows more of the site to be used for outdoor area, trees and landscaping.
- Eliminating parking requirement offers the opportunity for better site and building design because there may be less emphasis on accommodating vehicle storage.

## 33.266 Parking, Loading, And Transportation And Parking Demand Management

266

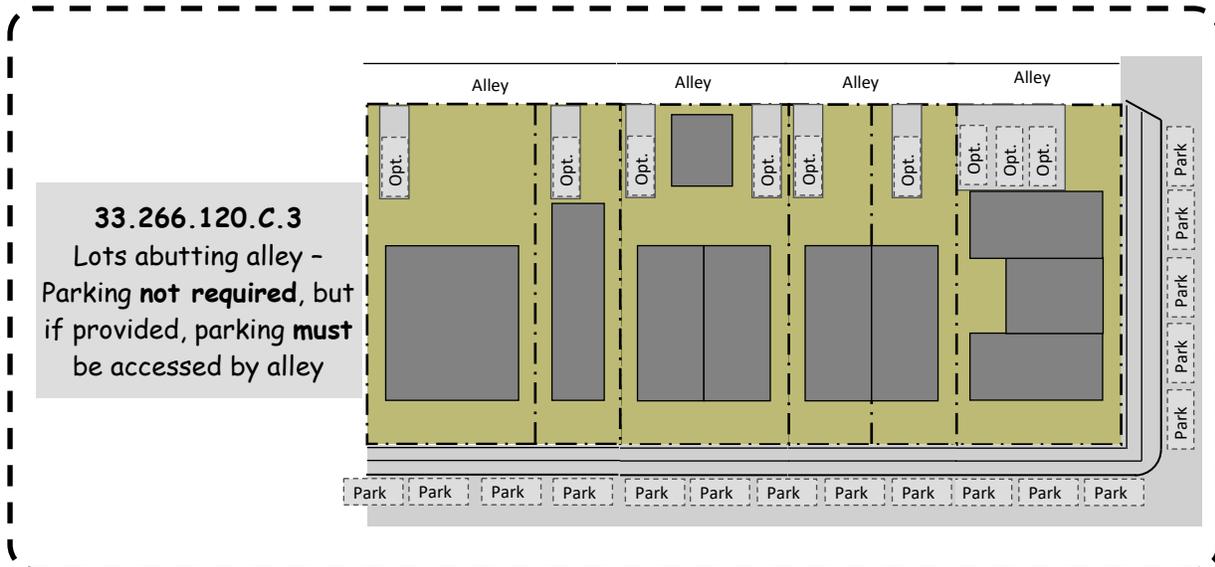
### 33.266.110 Minimum Required Parking Spaces

- A. [No change]
- B. **Minimum number of required parking spaces.**
  - 1. Minimum for sites located close to transit. For sites located 1500 feet or less from a transit station, or 500 feet or less from a transit street with 20-minute peak hour service the following minimum parking requirements apply. The Bureau of Transportation will publish a map annually, adopted through Administrative Rule, showing sites that meet these service thresholds. For sites not shown on the map, the applicant may provide current information demonstrating that the site meets the service thresholds:
    - a. Household Living uses. No parking is required for Household Living uses in the single-dwelling zones. For all other zones, ~~the~~ the minimum number of required parking spaces for a site with a Household Living use is:
      - (1) Where there are up to 30 dwelling units on the site, no parking is required;
      - (2) Where there are 31 to 40 dwelling units on the site, the minimum number of required parking spaces is 0.20 spaces per dwelling unit;
      - (3) Where there are 41 to 50 dwelling units on the site, the minimum number of required parking spaces is 0.25 spaces per dwelling unit; and
      - (4) Where there are 51 or more dwelling units on the site, the minimum number of required parking spaces is 0.33 spaces per dwelling unit.
    - b. All other uses. No parking is required for all other uses.
  - 2. Minimum for sites located far from transit. For sites located more than 1500 feet from a transit station, or more than 500 feet from a transit street with 20-minute peak hour service the following minimum parking requirements apply:
    - a. Household Living uses.
      - (1) Single-dwelling zones. No parking is required for Household Living uses in the single-dwelling zones.
      - (2) All other zones. The minimum number of parking spaces required for Household Living uses in all other zones is stated in Table 266-1.
    - b. All other uses. ~~the~~ the minimum number of parking spaces required is stated in Table 266-1.
  - 3. [No change]

## Commentary

### C.3. Alley access

This amendment requires parking to be accessed via an alley when an alley exists, and parking is proposed. Alley-loaded parking is an optimal parking solution where alleys are present. It preserves the street-facing side of the house for landscaping and more interesting architectural details, retains area for street trees, eliminates curb cuts and reduces conflicts with pedestrians. This is not a requirement to improve an unimproved alley because on-site parking will no longer be required.



Example of a garage built adjacent to an alley but does not use the alley for access. This removes on street parking, limits street trees and creates a very wide curb cut zone. This will no longer be allowed.

### **33.266.120 Development Standards for Houses, ~~and Duplexes, Triplexes and Fourplexes~~**

**A.-B.** [No change]

#### **C. Parking area locations.**

1. Vehicle area. The following standards apply to the location of vehicle area:
  - a. Vehicle area is prohibited between the primary structure and the street except as follows. This standard does not apply to houses on lots that are at least 32 feet wide:
    - (1) Parking spaces located entirely behind the front and side street building lines of a primary structure are allowed; and
    - (2) Driveways to parking spaces located entirely behind the front and side street building lines of a primary structure are allowed.
  - b. No more than 40 percent of the land area between the front lot line and the front building line may be paved or used for vehicle areas. See Figure 266-2. On corner lots, no more than 20 percent of the land area between the side street lot line and the side street building line may be paved or used for vehicle areas. For attached houses, this standard applies to the combined lot lines of attached house lots. As an exception to the area limitations in this subparagraph, a flag lot with a pole that allows vehicle access is allowed at least a 12-foot wide vehicle area.
2. Parking spaces. The following standards apply to the location of parking spaces:
  - a. Generally, parking spaces are not allowed within the first 10 feet from a front lot, and on corner lots, parking spaces are not allowed within the side street setback.
  - b. Exceptions.
    - (1) A parking space is allowed within the first 10 feet from a front lot line or within a side street setback when the parking space is in a driveway behind a parking space that is located outside of the first 10 feet from a front lot line or outside of the side street setback. See Figure 266-1.
    - (2) On lots where the front lot line abuts a common green or shared court, parking spaces are allowed within 10 feet of the front lot line.
3. Vehicle area access. If the lot abuts an alley, all parking and vehicle access to the site must be from the alley.
43. Parking in garages. Parking in garages is subject to the garage setback standards of the base zone, overlay zone or plan district.

**D.-E.** [No change]

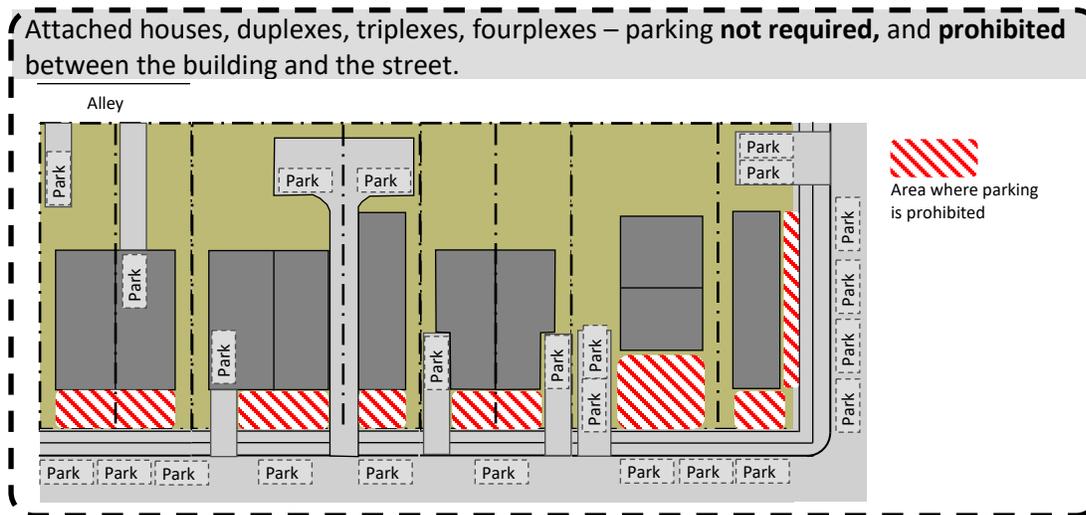
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## Commentary

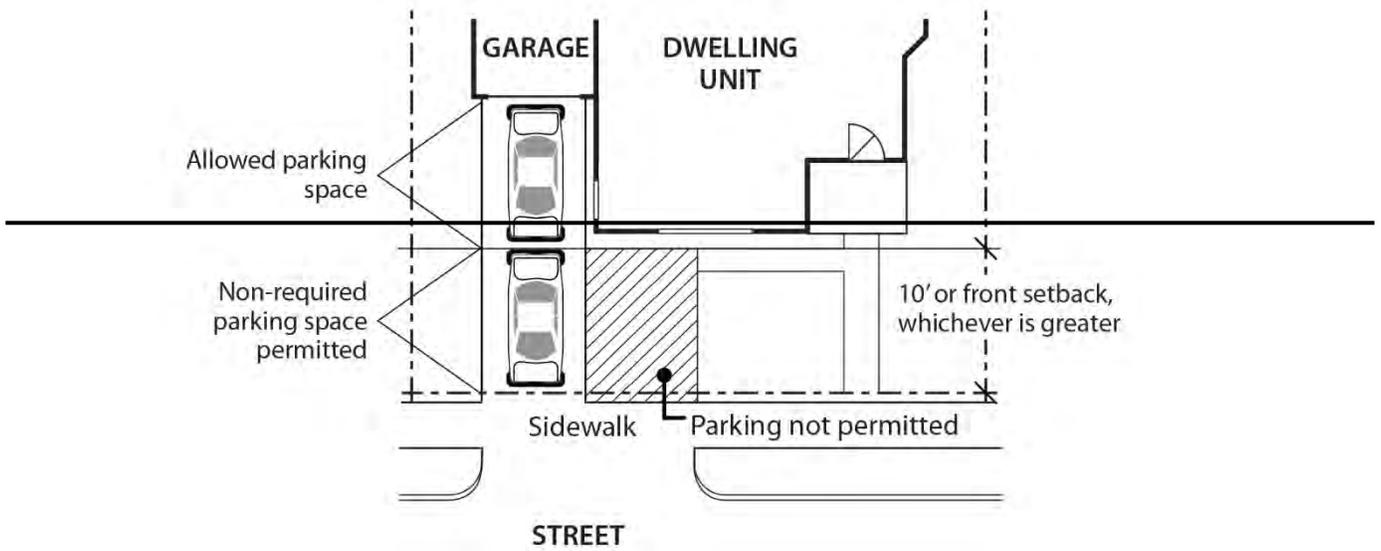
**Figure 266-1**

With the changes to eliminate minimum required parking for houses, duplex, and triplexes in single dwelling zones, the figure delineating the distinction between required and non-required parking is being replaced to instead illustrate where parking spaces are/are not allowed.

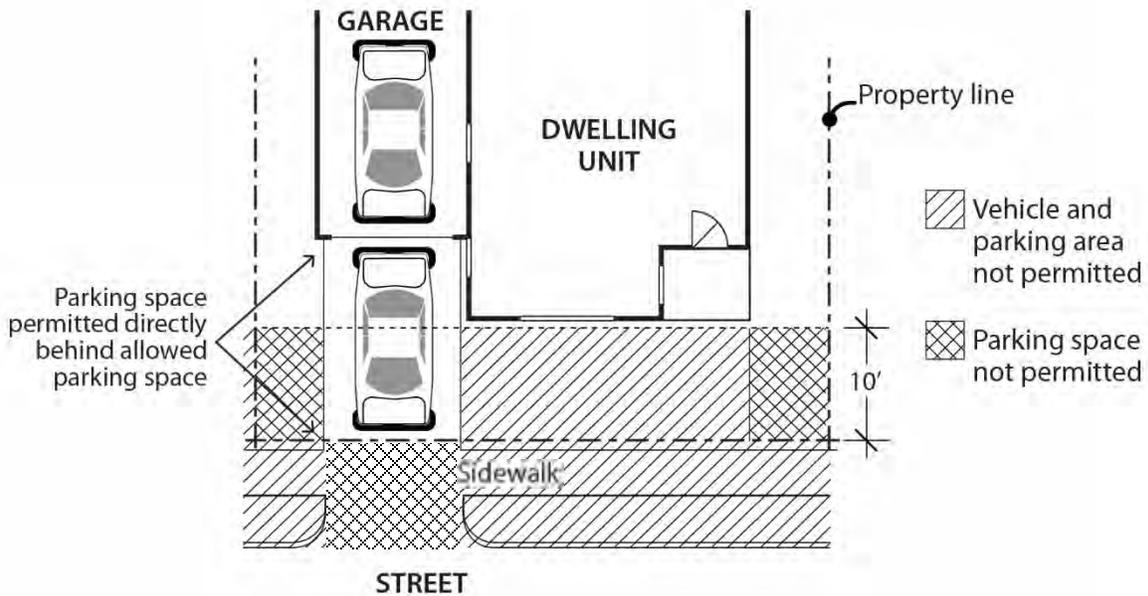


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Language to be **deleted** is shown in ~~strikethrough~~

**Figure 266-1**  
**Non-Required Parking**



**Figure 266-1**  
**Parking Space Locations**



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## Commentary

### 33.266.130 Development Standards for all other development

B. Where the standards apply. This was amended to refer to vehicle areas more broadly, not just parking locations. Vehicle areas refers to all the area on a site where vehicles may circulate or park including parking areas, driveways, drive-through lanes, and loading areas.

**33.266.130 Development Standards for All Other Development**

A.-B. [No change]

**C. On-site locations and size of vehicle areas.**

1. Location of vehicle areas. The allowed on-site location of all vehicle areas is stated in Table 266-3. Additionally, on sites in single dwelling zones or multi-dwelling zones that abut an alley and are 10,000 square feet or less in total site area, vehicle area may only be accessed from the alley.
2. [No change]
3. Frontage limitation.
  - a. The standards of this Subparagraph applies outside the Central City plan district in the R7, R5, R2.5, RM1, RM2, RM3, RM4 and RMP zones. No more than 40 percent of the frontage on a street may be used for vehicle areas. On sites with more than one street frontage, this standard applies to the street with the highest transit designation. If two streets have the same highest transit classification, the applicant may choose on which street to meet the standards. Sites where there is less than 100 square feet of net building area are exempt from this standard.
  - b. [No change]
4. [No change]

D.-G. [No change]

<b>Table 266-3 Location of Vehicle Areas [1], [2]</b>			
<b>Zone</b>	<b>General Standard</b>	<b>Exception for Through Lots and Sites with Three Frontages</b>	<b>Exception for Full-Block Sites</b>
<b>OS, RF-<del>R5, R2.5, R10</del>, EG2, I</b>	No restrictions.		
<b>RMP, IR, CE, EG1, CI; sites in RM1, RM2, and RM3 that are more than 10,000 square feet in total area; sites in CM1, CM2, and CM3 that are more than 2 acres in total area</b>	Vehicle areas not allowed between the portion of the building that complies with the maximum street setback and the transit street or streets in a Pedestrian District.	May have vehicle areas between the portion of the building that complies with the maximum street setback and one Local Service Transit Street.	May have vehicle areas between the portion of the building that complies with the maximum street setback and two Local Service Transit Streets.
<b><u>R7-R2.5, RM4, RX, CX, CR, EX</u>; sites in RM1, RM2, and RM3 that are 10,000 square feet or less in total area; sites in CM1, CM2, and CM3 that are 2 acres or less in total area</b>	Not allowed between a building and any street.	May have vehicle areas between the building and one Local Service Transit Street.	May have vehicle areas between the building and two Local Service Transit Streets.

Notes:

[1] Driveways that provide a straight-line connection between the street and a parking area inside a building are not subject to these regulations.

[2] Vehicle areas that are separated from a street by a building are not subject to these regulations.

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## Commentary

### 33.270.020.B.1 Density and FAR.

These amendments are intended to more closely align the new housing allowances in the R7-R2.5 zones with the allowed density in the Planned Development regulations. For example, if 5 lots in the R5 zone could each have 4 dwelling units (i.e. a fourplex per lot) with a total of 20 units among the 5 lots, then a similarly sized planned development site should likewise be allowed 20 units. The Planned Development review provides for flexibility in how dwelling units are arranged (i.e. a mixture of different housing types) while ensuring compatibility with the surrounding area. The density calculation for Planned Developments in the R7, R5 and R2.5 zones have been revised to allow for a system of near equivalency between the number of dwelling units allowed on a site that is divided through a land division and one that is not divided but is designed through a Planned Development review.

For the R7 and R5 zones, the maximum number of dwelling units allowed for a site that is not in the Constrained Sites overlay zone or otherwise prohibited from having a triplex or fourplex will be 4 times the base zone density standard. This maximum number of dwelling units is based on the fact that the average lot sizes in the R7 and R5 zones are larger than the minimum lot size required to build a triplex/fourplex in the zones (R7 average lot size = 1/7,000 sq. ft., min lot size for a triplex/fourplex = 5,000 sq. ft.; R5 average lot size = 1/5,000 sq. ft., minimum lot size for a triplex/fourplex = 4,500 sq. ft.).

## 33.270 Planned Development

270

### Sections:

- 33.270.010 Purpose
- 33.270.020 Relationship to Other Regulations
- 33.270.100 Additional Allowed Uses and Development in ~~Single Dwelling Zones~~
- 33.270.110 Limitations on Residential Uses and Development
- 33.270.200 Additional Requirements for Planned Developments in R7 and R5 zones
- ~~33.270.200~~210 Additional Requirements for Planned Developments in Commercial/Mixed Use Zones

### 33.270.020 Relationship to Other Regulations

- A. Flexibility.** Approval of a Planned Development allows certain kinds of flexibility for development in residential zones and commercial/mixed use zones. Some of the flexibility allowed by Planned Developments may also be allowed under other provisions of this Title. Where such situations exist, the applicant may choose which provision to apply.
- B. Density and FAR.** ~~Adjustments to density and FAR regulations are prohibited. Minimum residential density and minimum FAR requirements must be met in a Planned Development. Adjustments to minimum density or minimum FAR are prohibited. Where the density requirement is expressed as a number of lots, it can be met in the Planned Development by providing the same number of dwelling units. Maximum density requirements in Single-Dwelling zones are specified in 33.610.100 and 33.611.100. Maximum FAR requirements are specified in 33.130.205.~~

1. Density.

a. Maximum dwelling unit density.

(1) RF through R10. In RF through R10, maximum density is expressed as a number of lots. Maximum density for the RF through R10 zones is specified in 33.610.100. Maximum density can be met in the Planned Development by providing the same number of dwelling units.

(2) R7 and R5.

- If the Planned Development is in the Constrained Sites Overlay or does not qualify to use the triplex or fourplex provisions of 33.110.265.E, maximum density is calculated as follows:

Square footage of site;

÷ Maximum density from Table 610-1;

x 2

= Maximum number of dwelling units allowed.

- For all other Planned Developments, maximum density is calculated as follows:

Square footage of site;

÷ Maximum density from Table 610-1;

x 4

= Maximum number of dwelling units allowed.

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## Commentary

### **33.270.020.B.1.a(3) R2.5**

The maximum number of dwelling units allowed through a Planned Development in the R2.5 zone will be twice the base zone density rather than four times the base zone density as in the R7 and R5 zones. This is because the average lot size for a triplex or fourplex in the R2.5 zone is smaller than the minimum lot size required to build a triplex/fourplex on a lot in this zone (R2.5 average lot size = 2,500 sq. ft., minimum lot size for a triplex/fourplex = 3,200 sq. ft.). Allowing up to four times the number of dwelling units on a Planned Development site in this zone would result in more dwelling units than would be allowed if the site was divided through a land division.

### **33.270.020.B.2.FAR**

In the R7 - R2.5 zones, the FAR increases with the number of units on a single lot. Table 110-4 specifies different FARs for lots and sites with 1, 2 and 3 or more units. When multiple units are proposed for a single site, the higher FARs will apply.

### **C. Land Divisions**

This amendment reiterates that the number of lots that can be created through a Land Division

(3) In R2.5 maximum density is calculated as follows:

Square footage of site;

÷ 2,500;

x 2

= Maximum number of dwelling units allowed.

b. Minimum density. Minimum density must be met in the Planned Development. Minimum density for single-dwelling zones is expressed as a number of lots. Minimum density can be met in a Planned Development by providing the same number of dwelling units. Minimum density for single-dwelling zones is stated in 33.610.110 and 33.611.100. Minimum density for all other zones is stated in the base zone chapters.

2. FAR.

a. Maximum FAR.

(1) R7 through R2.5. The maximum FAR in the R7 through R2.5 zones is specified in 33.110.210.

(2) Multi-dwelling zones. The maximum FAR in the multi-dwelling zones is specified in 33.120.210.

(3) Commercial/mixed use zones. The maximum FAR in the commercial/mixed use zones is specified in 33.130.205.

b. Minimum FAR. Where the base zone requires a minimum FAR, the standard must be met in a Planned Development

C. **Land Divisions.** A Planned Development may be the only land use review requested for a site, or may be part of a proposal for a Land Division. Certain site conditions or aspects of a proposal require a Land Division, including situations where a tract is required (such as when there is floodway on the site), or where rights-of-way are requested or required. Maximum dwelling unit density in a Planned Development does not equate to maximum lot density in a Land Division.

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## Commentary

### **33.270.100.D Triplexes and E. Fourplexes**

This amendment identifies triplexes and fourplexes as being allowed housing types through a Planned Development because triplexes and fourplexes will be stand-alone housing types—they were previously covered under the definition of multi-dwelling structure (see page 227). The housing type multi-dwelling structures will now be defined as buildings with five or more dwelling units.

### **33.270.100.I Alternative Residential Dimensions**

This flexibility allows the minimum lot dimensions for new lots to be modified through a Planned Development. Currently, in the single-dwelling zones the dimensions that can be modified are minimum lot area, depth and front lot line. Whereas all of the minimum lot dimensions standards for new lots in multi-dwelling zones may be modified through a PD. This amendment will allow lot width and maximum lot area to be modified through a PD in the single-dwelling zones because chapters 33.610 and 33.611 both currently say lot width can be modified through a PD.

### **33.270.100 Additional Allowed Uses and Development**

In addition to the housing types and uses allowed by other chapters of this Title, the following uses and development may be requested through Planned Development Review. More than one of these elements may be requested:

**A.-H.** [No change]

- I. Alternative residential dimensions.** ~~Proposals for lots that do not meet the minimum lot area, minimum lot width, minimum lot depth, or minimum front lot line standards may be requested in RF through R2.5 zones.~~ Proposals for lots that do not meet the minimum lot size-dimensions regulations for land divisions may be requested in the ~~RM1RE~~ through RM4 zones.

**J.-N.** [No change]

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## Commentary

### **33.270.200 Additional requirements for Planned Developments in the R7 and R5 zones**

As part of aligning Planned Developments with Land Divisions in the R7-R5 zones, the visitability requirements are similarly applied when there are at least 3 units proposed on a site. One-third of the units will need to meet the visitability standards. An exemption is provided for steeply sloping sites. An exemption is also provided for PDs with a concurrent land division. In these cases, if the new lots will be developed with triplexes or fourplexes, they will be subject to the visitability standards and exemptions specified in the Residential Infill Options.

R2.5 zones are not included, since the density calculations (33.270.020.B.1.a(3)) only double the unit allowance.

See commentary related to visitability requirements on page 112.

### **33.270.200.C. Exemptions**

The exemptions for the visitability requirement include steeply sloping sites (same as base zone, and ADU requirements), proposals when there are fewer than 3 units (for example a PD for a duplex or two single houses on a site), and proposals that also include a land division to create lots for subsequent building (as these would be treated like other lots where 3 or 4 units are proposed).

### **33.270.110 Limitations on Residential Uses and Development**

The following limitations apply to Planned Developments proposed in EG or I Zones:

- A. Industrial zones.** Residential uses and development are prohibited in industrial zones. Using floor area transferred from industrial zones for residential uses is prohibited in all zones.
- B. EG1 and EG2 zones.** Residential uses and development are prohibited in EG1 and EG2 zones. Using floor area transferred from EG1 or EG2 zones for residential uses is prohibited in all zones.

### **33.270.200 Additional requirements for Planned Developments in the R7 and R5 Zones**

- A. Where this standard applies.** In the R7 and R5 zones, unless exempted by Subsection C., the standards of this section apply when the total number of proposed dwelling units is at least 75 percent of the maximum number of dwelling units allowed through the Planned Development.
- B. Visitability.** At least 33 percent of the dwelling units on the Planned Development site must meet the requirements for Type C visitable units in ICC A117.1 (2009 Edition) and must have at least 200 square feet of living area on the same floor as the main entrance. The property owner must execute a covenant with the City that meets the requirements of Section 33.700.060 and ensures that the features required by the Type C standards are retained for the life of the dwelling unit.
- C. Exemptions.** The following are exempt from the standards of Subsection B:
  - 1. Sites with an average slope of 20 percent or greater
  - 2. Sites where fewer than 3 units are proposed.
  - 3. Sites with a concurrent land division where no multi-dwelling development or multi dwelling structures are proposed. For these sites, the visitability standards are applied to each lot according to 33.110.265.E.3. at the time of development.

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## Commentary

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Language to be **deleted** is shown in ~~strikethrough~~

**33.270.200210 Additional Requirements for Planned Developments in the Commercial/Mixed Use Zones**

Planned Developments in the CM2, CM3, and CE zones, and in the CX zone outside the Central City and Gateway plan districts, that are using the Planned Development bonus, must met all of the following requirements:

**A.-D.** [No change]

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## Commentary

## 33.281 Schools and School Sites

**281**

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### 33.281.100 General Standards

In the OS, R, and R zones, the development standards for institutional uses apply except where superseded by the standards in this chapter. The institutional development standards are stated in 33.110.~~270~~245 and 33.120.275. In C and E zones, the development standards of the base zone apply except where superseded by the standards in this chapter. Recreational fields used for organized sports are subject to Chapter 33.279, Recreational Fields for Organized Sports.

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## Commentary

## Overlay Zones

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- 33.400 Aircraft Landing Zone – h
- ~~33.405 Alternative Design Density Overlay Zone – a~~
- 33.410 Buffer Zone – b
- 33.415 Centers Main Street Overlay Zone – m
- 33.418 Constrained Sites Overlay Zone – z
- 33.420 Design Overlay Zone – d
- 33.430 Environmental Zone – c or p
- 33.435 Future Urban Zone – f
- 33.440 Greenway Zones – g, i, n, q, or r
- 33.445 Historic Resource Protection Overlay Zone
- 33.465 Pleasant Valley Natural Resources Overlay Zone – v
- 33.470 Portland International Airport Noise Impact Zone – x
- 33.471 Prime Industrial Overlay Zone – k
- 33.475 River Overlay Zones – g\*, e
- 33.480 Scenic Resource Zone – s

A list of symbols that appear on the Official Zoning Maps and their corresponding Zoning Code chapters is contained in the front of the Zoning Code, following the Table of Contents, under “Index of Symbols on the Official Zoning Maps”.

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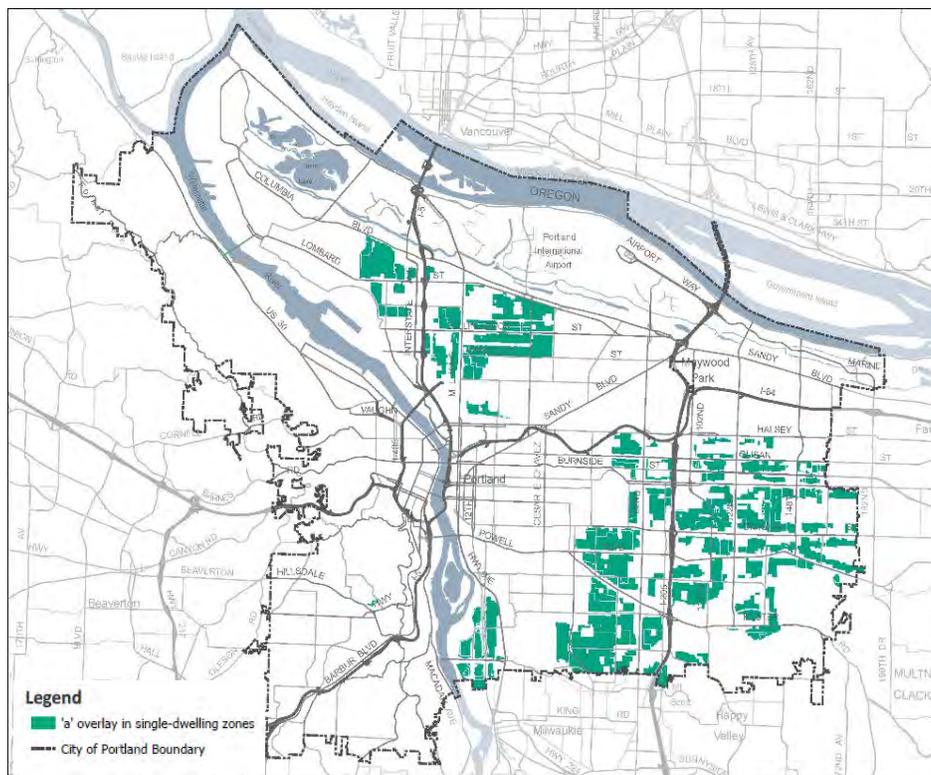
## Commentary

### 33.405 Alternative Density Design overlay zone

This map shows the location and extent of the current a-overlay as applied to single dwelling zoned areas. The a overlay is being removed from single dwelling zones because for all intents and purposes, the additional housing allowances that are available in the a overlay zone will be available going forward in the base zones. These allowances include attached houses on narrow lots in the R5 zone, triplexes on 4,800 square foot lots in the R2.5 zone, and flag lots in the R2.5 zone.

Design review or meeting community design standards was required for all proposals using these provisions. Between 1995 and 2016 there were approximately 6,000 permits for alterations or new construction for the approximately 45,000 lots in the 'a' overlay. Staff estimates that fewer than 250 properties (roughly 0.5 percent) used provisions of the 'a' overlay.

The provisions relating to multi-dwelling zones were removed as part of the Better Housing by Design project. The remaining provisions that pertain to the single dwelling zones are also recommended for removal. Consequently, the entire overlay map and associated regulations are to be deleted.



## ~~33.405 Alternative Design Density Overlay Zone~~

405

### Sections:

#### General

~~33.405.010 Purpose~~

~~33.405.020 Short Name and Map Symbol~~

~~33.405.030 Applying the Alternative Design Density Overlay Zone~~

#### Development Standards

~~33.405.060 Attached Houses on Vacant Lots in the R5 Zone~~

~~33.405.070 Alternative Development Options in the R2.5 Zones~~

~~33.405.080 Nonconforming Multi-Dwelling Housing~~

~~33.405.090 Design Review and Community Design Standards~~

~~33.405.100 Review for Timeliness~~

### **General**

#### **33.405.010 Purpose**

~~The purpose of the Alternative Design Density Overlay Zone is to focus development on vacant sites, preserve existing housing and encourage new development that is compatible with and supportive of the positive qualities of residential neighborhoods. The concept for the zone is to allow increased density for development that meets additional design compatibility requirements.~~

#### **33.405.020 Short Name and Map Symbol**

~~The Alternative Design Density Overlay Zone is referred to as the ADD zone, and is shown on the Official Zoning Maps with the letter "a" map symbol.~~

#### **33.405.030 Applying the Alternative Design Density Overlay Zone**

~~The Alternative Design Density Overlay Zone may be established or removed as the result of an area planning study, reviewed through the legislative procedure. Establishment or removal of the Alternative Design Density Zone through a quasi-judicial procedure is prohibited. The ADD zone has no effect on projects in multi-dwelling IR, C, E, or I zones. When property is rezoned to one of these zoning designations from a zone that is accompanied by the "a," the ADD zone will be deleted from the Official Zoning Map.~~

### **Development Standards**

#### **33.405.060 Attached Houses on Vacant Lots in the R5 Zone.**

~~**A. Purpose.** The increased density permitted by this section encourages infill development in areas that are generally well served by existing public services. The increase allows the area to absorb additional growth without creating market pressure that might lead to the early removal of existing sound housing. The increased density will lower the cost of housing while increasing opportunities for owner-occupied housing. Required design review of new development ensures that the new housing will make a positive contribution to the neighborhood's character.~~

~~**B. Attached houses.** Attached houses are allowed in the R5 zone if all of the following are met. Adjustments to this section are prohibited:~~

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## Commentary

1. ~~The proposed attached housing development will be on a lot or lot of record that was created at least five years ago;~~
2. ~~There has not been a dwelling unit on the lot or lot of record for at least five years;~~
3. ~~The density requirements of Chapter 33.611 must be met, and each attached house must be on a lot that meets the lot dimension standards of Chapter 33.611;~~
4. ~~Attached houses must meet the following development standards:~~
  - a. ~~Height and front setback standards. Attached houses must meet the height and front setback standards of the R5 zone; and~~
  - b. ~~All other development standards. The attached house must meet all other development standards for attached housing projects in the R2.5 zone;~~
5. ~~Design review required:~~
  - a. ~~Generally. Attached residential development must be approved through design review or meet the Community Design Standards in Chapter 33.218, as set out in Section 33.405.090, Design Review and Community Design Standards, below; and~~
  - b. ~~Exception. If the site is a Historic or Conservation Landmark, or in a Historic or Conservation District, it is subject to the regulations for historic resource review as set out in Chapter 33.445, Historic Resource Overlay Zone.~~
  - c. ~~Land Division. If the proposal requires, or the applicant requests, a land division, the application for the land division must show how the Community Design Standards are met. If the Community Design Standards cannot be met or the applicant chooses not to meet the Community Design Standards, design review is required. When design review is required, the design review process must be concurrent with the land division. The Community Design Standards must be met or design review must be approved in order for the land division to be approved.~~
  - d. ~~Changes to a design approved concurrently with a land division. If the design of the proposed development was reviewed concurrently with the land division through design review, changes to the design of the proposed development after final plat approval must be reviewed through design review. If the proposed development met the Community Design Standards concurrently with the land division, changes to the design of the proposal after final plat approval must continue to meet the Community Design Standards, or must be reviewed through design review. Concurrent land division review is not required to change the design of the proposed development after final plat approval.~~

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## Commentary

### **33.405.070 Alternative Development Options in the R2.5 Zones**

- A. Purpose.** ~~The provisions of this section offer opportunities for enhancing the variety of housing types and building forms that are found in areas zoned for attached or low density multi-dwelling residential development. Such areas generally include a mixture of single-dwelling detached and small multi-dwelling development. A variety of types of housing in areas receiving infill development will improve continuity with the character of the existing buildings.~~
- B. Triplex.** ~~Triplexes are allowed, if they meet all the following requirements:~~
- ~~1. The proposed development conforms with the maximum height, minimum setbacks, maximum building coverage, and required outdoor area requirements for attached housing projects in the R2.5 zone. The proposed development must meet all other development standards of the base zone, overlay zone, and plan district; and~~
  - ~~2. The maximum density allowed under this provision is one dwelling unit for each 1,600 square feet of site area. However, no more than three dwelling units may be placed on a single lot.~~
- C. Flag lots averaging 2,500 square feet.** ~~Lots in the and R2.5 zone may be developed as flag lots with an average area of 2,500 square feet when the proposed development meets all of the following requirements:~~
- ~~1. Both attached and detached dwellings are allowed;~~
  - ~~2. The average area of the lots created must be at least 2,500 square feet. Each must be at least 1,600 square feet;~~
  - ~~3. The pole portion of the flag lot must be part of the flag lot, must connect to a street, and must be at least 12 feet wide for its entire length;~~
  - ~~4. Detached structures on a flag lot are required to have an eight foot setback from all lot lines. Attached structures on flag lots are required to have an eight foot setback along those lot lines that abut a lot that is not a part of the flag lot development; and~~
  - ~~5. Required setbacks must include a landscaped buffer area. The landscaped area must be at least 3 feet deep and be landscaped to at least the L3 standard. See Figure 405-1.~~

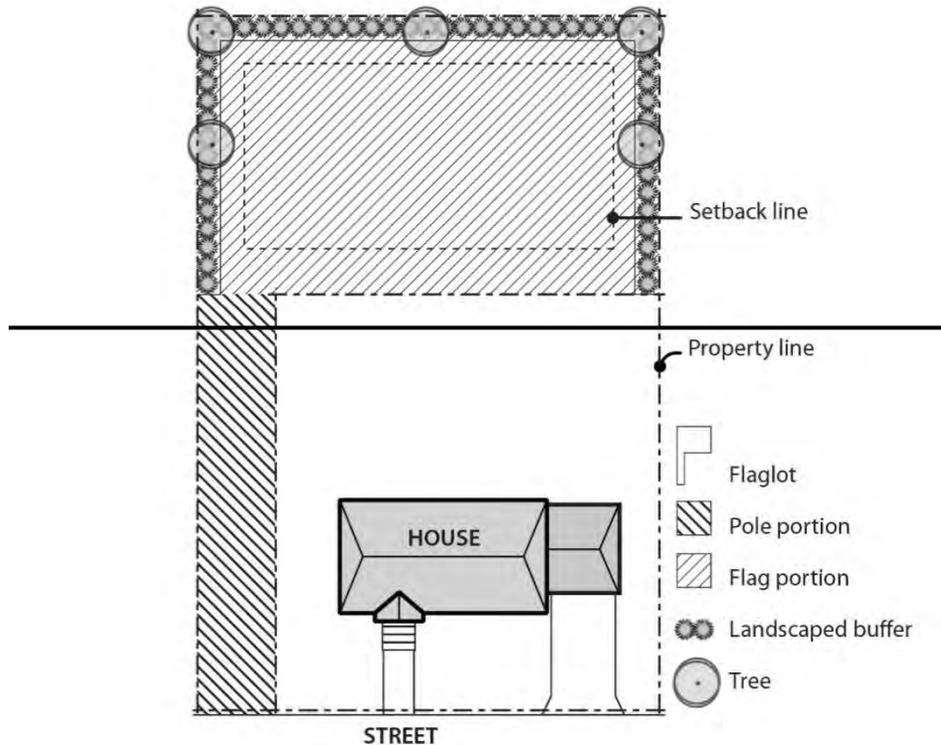
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## Commentary

Language to be **added** is underlined>  
Language to be **deleted** is shown in ~~strikethrough~~

**Figure 405-1**  
**Flag Lot Description and Buffer**



**D. Design review required.**

1. Generally. Proposals taking advantage of the provisions of this section must be approved through design review or meet the Community Design Standards in Chapter 33.218, as set out in Section 33.405.090, Design Review and Community Design Standards, below; and
2. Exception. If the site is a Historic or Conservation Landmark, or in a Historic or Conservation District, it is subject to the regulations for historic resource review as set out in Chapter 33.445, Historic Resource Overlay Zone.
3. Land Division. If the proposal requires, or the applicant requests, a land division, the application for the land division must show how the Community Design Standards are met. If the Community Design Standards cannot be met or the applicant chooses not to meet the Community Design Standards, design review is required. When design review is required, the design review process must be concurrent with the land division. The Community Design Standards must be met or design review must be approved in order for the land division to be approved.
4. Changes to a design approved concurrently with a land division. If the design of the proposed development was reviewed concurrently with the land division through design review, changes to the design of the proposed development after final plat approval must be reviewed through design review. If the proposed development met the Community Design Standards concurrently with the land division, changes to the design of the proposal after final plat approval must continue to meet the Community Design Standards, or must be reviewed through design review. Concurrent land division review is not required to change the design of the proposed development after final plat approval.

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## Commentary

### **~~33.405.080 Nonconforming Multi-Dwelling Housing~~**

- ~~A. Purpose.~~** These provisions are intended to foster the continuation of housing that is both affordable and compatible with its surroundings.
- ~~B. Damage or destruction.~~** When a residential structure that contains nonconforming residential density is damaged or destroyed by fire or other causes beyond the control of the owner, the nonconforming residential density rights are maintained if the structure is rebuilt within 5 years. The structure may be rebuilt with the old number of units, and the development standards imposed by Section 33.258.060.B.2 Nonconforming Residential Densities, will not apply to the building's coverage, setbacks, length, number of parking spaces, location of parking, height, amount of landscaped area and amount and location of outdoor areas. If not rebuilt within 5 years, the lot is considered vacant and is subject to the base zone density and development standards.
- ~~C. Design review required.~~**
- ~~1. Generally. Proposals taking advantage of the provisions of this section must be approved through design review or meet the Community Design Standards in Chapter 33.218, as set out in Section 33.405.090, Design Review and Community Design Standards, below; and~~
  - ~~2. Exception. If the site is a Historic or Conservation Landmark, or in a Historic or Conservation District, it is subject to the regulations for historic resource review as set out in Chapter 33.445, Historic Resource Overlay Zone.~~

### **~~33.405.090 Design Review and Community Design Standards~~**

- ~~A. Purpose.~~** Design review is required for projects taking advantage of the provisions of the Alternative Design Density Overlay Zone. In some cases, the ADD zone permits densities and types of development that would otherwise not be allowed. Design review ensures that development is compatible with the positive qualities of the surrounding area.
- ~~B. Design review required.~~** Development taking advantage of the provisions of this chapter is subject to design review.
- ~~C. Community Design Standards.~~** The Community Design Standards in Chapter 33.218 provide an alternative process to design review for some proposals. Where a proposal is eligible to use the Community Design Standards, the applicant may choose to go through the discretionary design review process set out in Chapter 33.825, Design Review, or to meet the objective Community Design Standards. If the proposal meets the Community Design Standards, no design review is required.
- ~~1. When Community Design Standards may be used. The Community Design Standards provide an alternative process to design review for some proposals. For some proposals, the applicant may choose to go through the design review process set out in Chapter 33.825, Design Review, or to meet the objective standards of Chapter 33.218, Community Design Standards. Proposals that do not meet the Community Design Standards—or where the applicant prefers more flexibility—must go through the design review process.~~
- ~~— Unless excluded by Paragraph C.2, below, proposals that are within the maximum limits of Table 405-1 may use the Community Design Standards as an alternative to design review.~~

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## Commentary

Language to be **added** is underlined  
 Language to be **deleted** is shown in ~~strikethrough~~

<b>Table 405-1</b>	
<b>Maximum Limits for Use of the Community Design Standards</b>	
<b>Zones</b>	<b>Maximum Limit—New Dwelling Units or Floor Area</b>
<b>Single Dwelling Zones</b>	<b>5 dwelling units</b>
RM1 Zones	10 dwelling units
RM2, RM3, RM4, RX, C, & E Zones	20,000 sq. ft. of floor area
I-Zones	40,000 sq. ft. of floor area
IR-Zone	See institution's Impact Mitigation Plan or Conditional Use Master Plan.
<b>Zones</b>	<b>Maximum Limit—Exterior Alterations</b>
All except IR	<ul style="list-style-type: none"> <li>▲ For street facing facades less than 3,000 square feet, alterations affecting less than 1,500 square feet of the facade.</li> <li>▲ For street facing facades 3,000 square feet and larger, alterations affecting less than 50% of the facade area.</li> </ul>
IR-Zone	See institution's Impact Mitigation Plan or Conditional Use Master Plan.

2. When Community Design Standards may not be used. The Community Design Standards may not be used as an alternative to design review as follows:
- a. In the Central City plan district (See Map 510-1);
  - b. For institutional uses in residential zones, unless specifically allowed by an approved Impact Mitigation Plan or Conditional Use Master Plan;
  - c. For alterations to sites where there is a nonconforming use;
  - d. For mixed-use or non-residential development in the RF through R1 zones; and
  - e. If the proposal uses Section 33.405.050, Bonus Density for design review.

**33.405.100 Review for Timeliness**

The ADD zone must be reviewed for possible changes in both map application and content at or before the first update of the Albina Community Plan.

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*(Added by Ord. No. 167054, effective 10/25/93. Amended by: Ord. No. 169763, effective 3/25/96; Ord. No. 170916, effective 2/19/97; Ord. No. 171589, effective 11/1/97; Ord. No. 171879, effective 2/2/98; Ord. No. 174263, effective 4/15/00; Ord. Nos. 175965 and 176333, effective 7/1/02; Ord. No. 176469, effective 7/1/02; Ord. No. 177701, effective 8/30/03; Ord. No. 178172, effective 3/5/04; Ord. No. 178509, effective 7/16/04; Ord. No. 178657, effective 9/3/04; Ord. No. 181357, effective 11/9/07; Ord. No. 182429, effective 1/16/09; Ord. No. 185915, effective 5/1/13; Ord. No 187216, effective 7/24/15; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18.)*

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## Commentary

### 33.418 Constrained Sites Overlay Zone

This overlay zone is being added to restrict use of the additional housing types allowed in the single-dwelling zones through the Residential Infill Options (see page 107) and the additional accessory dwelling unit allowances for a duplex and a second ADU with a house. The restrictions in this overlay zone will apply to lots that have significant natural resources or a natural hazard that make the lots unsuitable for additional development.

The constraints include lots with any portion located in:

- The City's Natural Resource Inventory areas
- The 100-year flood plain, floodway, and 1996 flood inundation area
- Landslide risk areas (which is comprised of three sets of data layers including rapidly moving landslide potential, high susceptible areas for deep seated landslides, and areas with previous landslide evidence, i.e. scarps and deposits)

## **33.418 Constrained Sites Overlay Zone**

**418**

### Sections:

33.418.010 Purpose

33.418.020 Map Symbol

33.418.030 Applying the Constrained Sites Overlay Zone

33.418.040 Housing Type Limitations

### **33.418.010 Purpose**

Under some circumstances, up to four dwelling units is allowed per lot in the R7, R5 and R2.5 zones. The Constrained Sites overlay zone reduces that development potential on lots that have certain development constraints. The constraints make the lots unsuitable for three or more dwelling units.

### **33.418.020 Map Symbol**

The Constrained Sites overlay zone is shown on the Official Zoning Maps with the letter “z” map symbol.

### **33.418.030 Applying the Constrained Sites Overlay Zone**

The Constrained Sites overlay zone is applied to lots in the R7, R5 and R2.5 zones when any portion of the lot has one of the following constraints:

- A. Low, medium, or high value natural resource as shown on the City’s Natural Resources Inventory;
- B. Special flood hazard area;
- C. Floodway;
- D. 1996 Flood Inundation area;
- E. Potential Rapidly Moving Landslide Hazard Zones as shown in the DOGAMI IMS-22 publication;
- F. Deep landslide—High Susceptibility or Landslide Deposit or Scarp as shown in the DOGAMI IMS-57 publication.

### **33.418.040 Residential Infill and ADU Limitations**

The following residential infill and accessory dwelling unit options do not apply in the Constrained Sites overlay zone:

- A. 33.110.265.E which allows triplexes and fourplexes in the R7 through R2.5 zones;
- B. 33.110.265.F which allows fourplexes and multi-dwelling structures with up to six dwelling units in the R7 through R5 zones;
- C. 33.205.020.B.2 which allows two accessory dwelling units on a site with a house, attached house, or manufactured home in the R7 through R2.5 zones; and
- D. 33.205.020.B.3 which allows an accessory dwelling unit on a site with a duplex in the R7 through R.25 zones.

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## Commentary

### **33.420.041.I When Design Review is Required**

This subsection is being amended to delete reference to 33.505.230, Attached Residential Infill on Vacant Lots in R5-Zoned Areas, as that section is being deleted.

## 33.420 Design Overlay Zone

420

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### 33.420.041 When Design Review is Required

Unless exempted by Section 33.420.045, Exempt From Design Review, design review is required for the following:

**A.-G** [No change]

~~**H.** Proposals using one of the provisions of the a, Alternative Design Density Overlay Zone, specified in Sections 33.405.040 through .080;~~

**HI.** Floating structures, except individual houseboats; and

**IJ.** In the Marquam Hill plan district, proposals to develop or improve formal open area required by Chapter 33.555. This includes designating existing open areas as formal open areas.

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## Commentary

### **33.445 Historic Resources Overlay Zone**

These changes reflect the deletion of the Alternative Density Design overlay zone, so references to that chapter are removed from 33.445.140, 33.445.230, 33.445.320, and 33.445.420

## 33.445 Historic Resource Overlay Zone

445

### 33.445.140 Alterations to a Historic Landmark

Alterations to a Historic Landmark require historic resource review to ensure the landmark's historic value is considered prior to or during the development process.

- A. When historic resource review for a Historic Landmark is required.** Unless exempted by Subsection B, below, the following proposals are subject to historic resource review. Some modifications to site-related development standards may be reviewed as part of the historic resource review process; see Section 33.445.050:

1.-2. [No change]

3. Installation or alteration of exterior signs; and

4. Alteration of an interior space when that interior space is designated as a Historic Landmark; ~~and.~~

~~5. Proposals using any of the provisions of the a, Alternative Design Density Overlay Zone, specified in Sections 33.405.040 through .080.~~

- B.** [No change]

### 33.445.230 Alterations to a Conservation Landmark

Alterations to Conservation Landmarks require historic resource review to ensure the landmark's historic value is considered prior to or during the development process.

- A. When historic resource review for a Conservation Landmark is required.** Unless exempted by Subsection B, below, the following proposals are subject to historic resource review. Some may be eligible to use the Community Design Standards as an alternative; see Section 33.445.710:

1.-2. [No change]

3. Installation or alteration of exterior signs; and

4. Alteration of an interior space when that interior space is designated as a Conservation Landmark; ~~and~~

~~5. Proposals using one of the provisions of the a, Alternative Design Density Overlay Zone, specified in Sections 33.405.040 through .080.~~

- B.** [No change]

### 33.445.320 Development and Alterations in a Historic District

Building a new structure or altering an existing structure in a Historic District requires historic resource review to ensure the resource's historic value is considered prior to or during the development process.

- A. When historic resource review is required in a Historic District.** Unless exempted by Subsection B, below, the following proposals in a Historic District are subject to historic resource review:

1.-2. [No change]

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## Commentary

3. Installation or alteration of exterior signs; and
4. Nonstandard improvements in the public right-of-way, such as street lights, street furniture, planters, public art, sidewalk and street paving materials, and landscaping. Nonstandard improvements in the public right-of-way must receive approval from the City Engineer prior to applying for historic resource review. ~~;~~ and
5. ~~Proposals using one of the provisions of the a, Alternative Design Density Overlay Zone, specified in Sections 33.405.040 through .080.~~

B. [No change]

### **33.445.420 Development and Alterations in a Conservation District**

Building a new structure or altering an existing structure in a Conservation District requires historic resource review to ensure the resource's historic value is considered prior to or during the development process.

**A. When historic resource review is required in a Conservation District.** Unless exempted by Subsection B., below, the following proposals in a Conservation District are subject to historic resource review. Some may be eligible to use the Community Design Standards as an alternative; see Section 33.445.710:

1.-2 [No change]

3. Installation or alteration of exterior signs; and
4. Nonstandard improvements in the public right-of-way, such as street lights, street furniture, planters, public art, sidewalk and street paving materials, and landscaping. Nonstandard improvements in the public right-of-way must receive approval from the City Engineer prior to applying for historic resource review. ~~;~~ and
5. ~~Proposals using one of the provisions of the a, Alternative Design Density Overlay Zone, specified in Sections 33.405.040 through .080.~~

B. [No change]

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## Commentary

### **33.563.225 Duplexes and Attached Houses in the Linnton Hillside Subarea**

The cross references in this section have been updated. This section previously referred to the alternative development option in the single-dwelling zones that pertained to additional density allowances for corner lot duplexes or attached houses (33.110.240.E).

The references now point to attached houses where an additional unit is allowed for a corner lot (33.110.265.C.1.a.(2)) and the additional density allowances for duplexes (33.110.265.D.1.)

On lots that meet the lot requirements of 33.563.220, attached houses without additional density, will continue to be allowed.

This section does not need to prohibit triplexes, fourplexes and additional ADUs because the new z overlay covers the extent of R2.5, R5 and R7 zoning within the Linnton Hillside area. The z overlay zone prohibits triplexes, fourplexes, and additional ADU's.

## 33.563 Northwest Hills Plan District

563

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### 33.563.220 When Primary Structures Are Allowed in the Linnton Hillside Subarea

The regulations of Section 33.110.~~202~~212 do not apply in the Linnton Hillside Subarea. In this subarea, primary structures are allowed in single-dwelling residential zones as specified in this section.

Adjustments to the standards of this section are prohibited. Primary structures are prohibited on lot remnants that are not otherwise lots of record or are not combined with lots or lots of record. Primary structures are only allowed if one of the requirements in A. through E. are met:

**A. - G.** [No change]

### 33.563.225 Duplexes and Attached Houses in the Linnton Hillside Subarea.

In the Linnton Hillside subarea, duplexes as allowed by 33.110.265.D, and attached houses on corners as allowed by 33.110.265.C.1.a(2) ~~33.110.240.E~~ are prohibited.

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## Commentary

## Land Divisions and Planned Developments

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### Reviews

33.660 Review in OS & R Zones

33.662 Review of Land Divisions in Commercial/Mixed Use, Campus Institutional, Employment, and Industrial Zones

33.663 Final Plats

33.664 Review on Large Sites in I Zones

33.668 Review of Changes to an Approved Planned Unit Development

33.669 Review of Changes to an Approved Industrial Park

33.670 Review of Land Divisions of Manufactured Dwelling Parks

33.675 ~~Lot Consolidation~~ Replat

33.676 Lot Confirmation

33.~~677~~667 Property Line Adjustments

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## Commentary

### **33.610.200.D.2. Minimum lot width.**

These criteria allow for reduced lot widths and narrow lots as part of a land division in certain circumstances.

### **33.610.200.D.2.b.**

The minimum lot width for a detached house is being amended to 26 feet for consistency with the narrow lot standards in the base zone.

### **33.610.200.D.2.c.**

This requirement will apply to all houses, duplexes, triplexes, and fourplexes based on the amendments in 33.266.120.C.3. and 33.266.130.C.1

### **33.610.200.D.2.e.**

This landscaping requirement is being added to the base zone chapter to apply to all narrow lots not just to attached houses. This amendment makes this land division criterion consistent with that new base zone landscaping standard.

### **33.610.200.D.2.f.**

The parking standards for houses, attached houses, duplexes and triplexes are being amended to require alley access whenever an alley exists, and parking is proposed. This criterion is being amended to make it consistent with that requirement.

## 33.610 Lots in RF Through R5 Zones

# 610

### 33.610.200 Lot Dimension Regulations

Lots in the RF through R5 zones must meet the lot dimension regulations of this section.

**A. - C.** [No change]

**D. Minimum lot width.** Each lot must meet one of the following regulations. Lots that do not meet these regulations may be requested through Planned Development Review. Adjustments to the regulations are prohibited.

1. Each lot must meet the minimum lot width standard stated in Table 610-2; or
2. Minimum lot width may be reduced below the dimensions stated in Table 610-2, if all of the following are met:
  - a. On balance, the proposed lots will have dimensions that are consistent with the purpose of the Lot Dimension Regulations;
  - b. The minimum width for lots that will be developed with detached houses may not be reduced below 2526 feet;
  - c. If the lot abuts a public alley, then vehicle access must be from the alley. ~~This requirement will be imposed as a condition of approval of the land division;~~
  - d. Lots must be configured so that development on the site will be able to meet the garage limitation standard of Subsection 33.110.250.C ~~253.D~~ at the time of development;
  - e. Lots that are less than 32 feet wide ~~will be developed with attached houses~~ must be configured so that 60 percent of the area between the front lot line and the front building line can be landscaped at the time of development; and
  - f. In areas where parking is not required by this Title, lots may be proposed that will not accommodate on-site vehicle access and parking. Such lots do not have to meet the requirements of ~~Subparagraphs 2.c and D.2.d~~. As a condition of approval of the land division, the property owner must execute a covenant with the city. The covenant must:
    - (1) State that the owner will develop the property without parking, and that a driveway for access to on-site parking may not be created in the future, unless it is in conformance with regulations in effect at the time;
    - (2) Meet the requirements of Section 33.700.060, Covenants with the City; and
    - (3) Be attached to, and recorded with the deed for the new lot.

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## Commentary

### Table 610-1

The table is being revised because land division density calculations result in the number of lots allowed not the number of units allowed.

Language to be **added** is underlined  
Language to be **deleted** is shown in ~~strikethrough~~

E. - G. [No change]

<b>Table 610-1 Maximum Density Standard</b>					
	<b>RF</b>	<b>R20</b>	<b>R10</b>	<b>R7</b>	<b>R5</b>
<b>Maximum Density</b>	1 <u>lot</u> <del>unit</del> per 87,120 sq. ft.	1 <u>lot</u> <del>unit</del> per 20,000 sq. ft.	1 <u>lot</u> <del>unit</del> per 10,000 sq. ft.	1 <u>lot</u> <del>unit</del> per 7,000 sq. ft.	1 <u>lot</u> <del>unit</del> per 5,000 sq. ft.

### **33.610.400 Flag Lots**

The following regulations apply to flag lots in the RF through R5 zones:

A. - E. [No change]

- F. **Vehicle access.** Where it is practical, vehicle access must be shared between the flag lot and the lots between the flag portion of the lot and the street. Factors that may be considered include the location of existing garages, driveways, alleys, and curb cuts, stormwater management needs, and tree preservation. Access easements may be used.

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## Commentary

### 33.611 Lots in the R2.5 Zone

The changes in this chapter will make it easier to create narrow lots for attached houses. Current regulations require a minimum 36-foot wide lot (the same as required in the R5 zone) even though the minimum lot size is significantly less than in the R5 zone. For example, a 1600 sf lot that is 36 feet wide would be 44 feet deep. Moreover, many R2.5 sites are in areas with typical 50-foot-wide by 100-foot-deep platting, which lend them to narrow (25x100') dimensions.

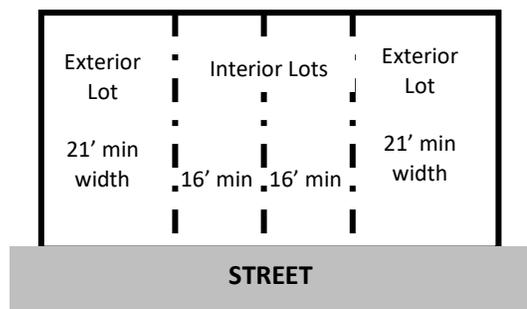
Under the existing code, lots less than 36 feet wide can be created when certain approval criteria are met. Alternatively, flag lots are allowed when either 1) a house is located that precludes a standard lot division, or 2) the site is less than 50 feet wide. Changing from approval criteria to clear and objective standards for flag lots will make it easier to propose flag lots.

The R2.5 zone was initially established as a row house zone. Changes to the zone over time have made it harder to create lots for attached houses. However, with the proposed changes to the R2.5 base zone to require attached houses on very narrow (25-foot wide) lots, the R2.5 zone will be more like it was originally intended. Where detached structures are proposed, wider lots are required. And where row houses are proposed, lot width minimums are set to facilitate that housing type.

Lots that do not meet these lot width standards may not be adjusted but may be requested through Planned Development review.

The new standards allow for the following lot configurations

1. 36-foot-wide and wider lots:
  - Attached or detached houses allowed, no additional provisions.
2. 26-foot-wide to 36 foot wide lots:
  - A detached house will be allowed where an existing house is situated such that a standard 36 foot wide lot could not fit on the land division site.
  - A detached house will be allowed on an oddly configured parcel, like a narrow through lot, where the sides of the proposed lot do not abut other lots in the land division site and there is insufficient room for a 36 foot wide lot.
3. 21 foot wide and wider lots:
  - Attached houses are allowed where a pair of attached houses is proposed (semi-detached housing) or the lots will be end units in a row of units.
4. 16-foot-wide and wider lots:
  - Attached houses allowed in the middle of a set of rowhouses (this provides consistent house widths in the row, accounting for side yard setbacks for the end units).



## 33.611 Lots in the R2.5 Zone

# 611

### 33.611.200 Lot Dimension Regulations

Lots in the R2.5 zone must meet the lot dimension regulations of this section. Lots that do not meet these regulations may be requested through Planned Development Review. Adjustments to the regulations are prohibited.

A. - B. [No change]

C. **Minimum lot width.** Each lot must meet one of the following regulations. ~~Lots that do not meet these regulations may be requested through Planned Development Review. Adjustments to the regulations are prohibited.~~

1. Each lot must be at least 36 feet wide; or
2. Minimum lot width may be reduced to 26 feet if the following are met:
  - a. An existing dwelling unit or attached garage is located on the site so that it precludes a land division that meets the minimum lot width standard of Paragraph C.1. The dwelling unit and attached garage must have been on the site for at least 5 years; or
  - b. The side lot line of a lot that is less than 36 feet wide will not abut the side lot line of any other lot within the land division site.
3. Minimum lot width may be reduced to 21 feet for a lot if the lot will be developed with an attached house that shares a common wall with at least one other attached house.
4. Minimum lot width may be reduced to 16 feet for a lot if the lot will be developed with an attached house that shares two common walls with two other attached houses.
2. ~~Minimum lot width may be reduced below 36 feet, if all of the following are met:~~
  - a. ~~On balance, the proposed lots will have dimensions that are consistent with the purpose of this section;~~
  - b. ~~The minimum width for lots that will be developed with detached houses may not be reduced below 25 feet;~~
  - c. ~~If the lot abuts a public alley, then vehicle access must be from the alley. This requirement will be imposed as a condition of approval of the land division;~~
  - d. ~~Lots must be configured so that development on the site will be able to meet the garage limitation standard of Subsection 33.110.253.D, at the time of development;~~
  - e. ~~Lots that will be developed with attached houses must be configured so that 60 percent of the area between the front lot line and the front building line can be landscaped at the time of development; and~~

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## Commentary

### **33.611.200.C.2. Minimum lot width (previous page)**

This paragraph is replaced by new lot width standards. Requirements that were included for alley access, lot configuration, and covenants are no longer necessary since all narrow lots (less than 32 feet wide) are now subject to the requirements in 33.110.260, Additional Development Standards for Narrow Lots

### **33.611.200. D. Minimum Front Lot Line.**

These changes are made to allow the front lot line (typically 30 feet) to be reduced to match the reduced lot widths described above.

~~f. In areas where parking is not required by this Title, lots may be proposed that will not accommodate onsite vehicle access and parking. Such lots do not have to meet the requirements of subparagraphs 2.c and d. As a condition of approval of the land division, the property owner must execute a covenant with the city. The covenant must:~~

- ~~(1) State that the owner will develop the property without parking, and that a driveway for access to on-site parking may not be created in the future, unless it is in conformance with regulations in effect at the time;~~
- ~~(2) Meet the requirements of Section 33.700.060, Covenants with the City; and~~
- ~~(3) Be attached to, and recorded with the deed for the new lot.~~

**D. Minimum front lot line.** Each lot must have a front lot line that is at least 30 feet long. Lots that are created under the provisions of Paragraph ~~C.2. through C.4. above~~, may reduce the front lot line to equal the width of the lot.

**E. - F.** [No change]

### **33.611.400 Flag Lots**

The following regulations apply to flag lots in the R2.5 zones:

**A.** [No change]

**B. When a flag lot is allowed.** A flag lot is allowed only when the following are met:

1. One of the following ~~is~~ are met:
  - a. An existing dwelling unit or attached garage on the site is located so that it precludes a land division that meets the minimum lot width standard of Paragraph 33.611.200.C.1. The dwelling unit and attached garage must have been on the site for at least five years; or
  - b. The site has a width of less than 50 feet if two lots are proposed and a width of less than 75 feet if three lots are proposed.
2. Up to three lots are proposed, only one of which is a flag lot; and
3. Minimum density requirements for the site will be met.

**C. - E.** [No change]

**F. Vehicle access.** Where it is practical, vehicle access must be shared between the flag lot and the lots between the flag portion of the lot and the street. Factors that may be considered include the location of existing garages, driveways, alleys, and curb cuts, stormwater management needs, and tree preservation. Access easements may be used.

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## Commentary

## 33.663 Final Plats

**663**

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### **33.663.320 Changes to Final Plat Survey After Recording**

After the Final Plat Survey has been recorded with the County Recorder and Surveyor, changes are processed as a new land division or alternative process, such as a ~~Lot Consolidation~~ Replat under 33.675, or Property Line Adjustment under Chapter 33.667677, if allowed.

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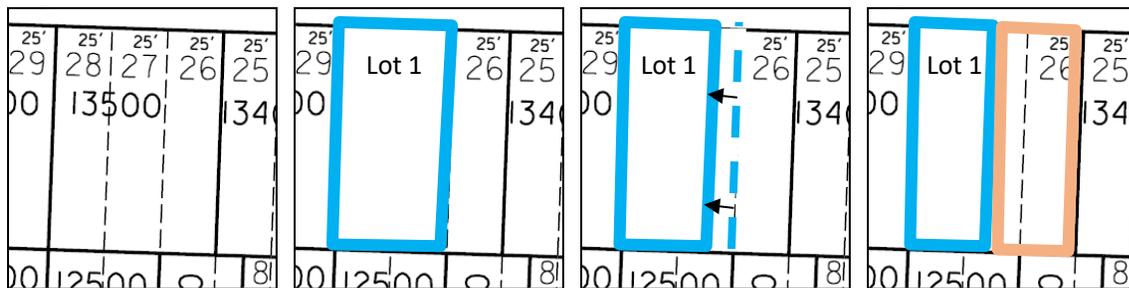
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## Commentary

This chapter is being renamed from Lot Consolidation to Replat to reflect the change to the scope of the review. The existing lot consolidation process can only be used to combine lots by removing lot lines but does not allow internal lot lines to be moved. For example, 3 lots could become 2, but the location of the remaining property line that divided the original lots could not change. Today, this example requires a two (or more) step process involving a property line adjustment after the lot consolidation process is complete (see example 1 below). The proposed replat process allows lots within site to be reconfigured and/or consolidated in a single review (see example 2 below).

A replat cannot result in more lots than the original plat because adding lot lines will continue to require a land division. A replat also cannot result in more than 3 lots at the conclusion of the process. For example, replatting 6 lots into a total of 3 could be allowed; whereas replatting 2 lots into 3 could not.

*Example 1: Lot consolidation of Lots 27 and 28 first, then a property line adjustment. Note the original property line between new Lot 1 and Lot 26 is still denoted as a dashed line on the tax map.*



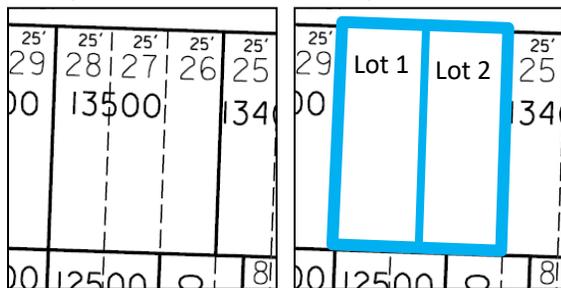
### 33.675.010 Purpose

The purpose is being amended to remove the reference to tax lot consolidation. This clarification is no longer necessary with the renaming of this chapter.

### 33.675.050 When these regulations apply

These changes enable BDS to process a replat consisting of no more than 3 lots to alter the internal lot line configuration. This reduces the time required to process and record a lot consolidation first and wait for the county to complete the recording process, before applying for the subsequent property line adjustment. See example 2 below

*Example 2: A 3 lot to 2 lot replat, with internal property lines reconfigured*



## **33.675 ~~Lot Consolidation~~ Replat**

**675**

### Sections:

- 33.675.010 Purpose
- 33.675.050 When These Regulations Apply
- 33.675.100 Review Procedure
- 33.675.200 Application Requirements
- 33.675.300 Approval Criteria
- 33.675.400 Recording an Approval

### **33.675.010 Purpose**

This chapter states the procedures and regulations for removing or reconfiguring lot lines within a site to combine into one to three lots. The regulations ensure that the ~~lot consolidation~~ replat does not circumvent other requirements of this Title, and that lots and sites continue to meet development standards and conditions of land use approvals. ~~The lot consolidation process described in this chapter is different from (and does not replace) the process used by counties to consolidate lots under one tax account. A tax account consolidation does not affect the underlying platted lots. A lot consolidation results in a new plat for the consolidation site.~~

### **33.675.050 When These Regulations Apply**

A ~~lot consolidation~~ replat may be used to remove or reconfigure lot lines within a site to combine into no more than three lots. The perimeter of ~~consolidated lots~~ a replatted site must follow existing lot lines. Lot lines cannot be created ~~or moved~~ through this process however lot lines can be moved. A replat cannot result in the creation of a flag lot or the creation of a buildable lot from an unbuildable lot remnant or lot of record. The applicant may also ~~choose to remove or reconfigure such~~ lot lines through a land division. A ~~lot consolidation~~ replat may be required by other provisions of this Title.

### **33.675.100 Review Procedure**

- A. Generally.** ~~Lot consolidations~~ Replats are reviewed through Type Ix procedure.
- B. Sites in PUDs or PDs.** If any portion of the site is within a Planned Unit Development (PUD) or Planned Development (PD), an amendment to the PUD or PD is also required. The amendment to the PUD or PD must be reviewed concurrently with the ~~lot consolidation~~ replat.

### **33.675.200 Application Requirements.**

An application for a ~~lot consolidation~~ replat must contain the following:

- A. Application form.** ~~Two copies~~ One copy of the completed application form bearing an accurate legal description, tax account numbers and location of the property. The application must include the name, address, telephone number, and original signatures of the applicant and all property owners and the nature of the applicant's interest in the property.

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## Commentary

### 33.675.300 Approval Criteria

The terms "consolidated lot" and "consolidation" have been replaced with "reconfigured lot" or "replat" to reflect that lots may not *necessarily* be consolidated through a replat process.

"Lot consolidation" has been replaced with "replat" to reflect the new name of the chapter and process.

1. Lot dimension standards. Lots in a replat must meet the dimensional standards that apply to proposed lots in a land division. This ensures that the replat cannot be used to convert lots of record or lot remnants into newly "created" lots and make them buildable when they were not previously. Replats that alter internal property lines in a manner that conforms with base zone dimensional standards would be permissible.

a. Minimum lot area. Senate Bill 534 provides that substandard sized lots and adjusted lots are eligible for primary structures when they do not have environmental zoning, flood plain, and are not steeply sloping. For these lots, so long as the replat does not result in further size reductions, the resulting lots may still be smaller than the base zone minimum for new lots. This allows, for example, three 2,500 sf R7 lots to become two 3,750 sf lots, when 4,200 square feet is normally required.

b. Maximum lot area. There is also an exemption for sites with lots that exceed maximum lot size standards, provided that the same number of oversize lots is proposed. For example, where a large lot and small lot are reconfigured so that the large lot gets larger, while the small lot must meet minimum and maximum lot size standards. In this case, the resulting replatted lots are exempt from the maximum lot area standard, although the minimum density standards continue to apply. This ensures that the replat process cannot be used to circumvent minimum densities, but still affords the flexibility to consolidate and reconfigure larger lots; which can be useful to prepare a site for a future land division.

**B. Surveys.**

1. A Three copies of a survey of the site prepared, stamped and signed by a registered land surveyor showing all existing property lines and the location, dimensions and setbacks from property lines for all structures and other improvements and utilities on the site. The survey may not be larger than 18 inches by 24 inches in size. The survey must be drawn to a scale no less than 1 inch = 200 feet, and no greater than 1 inch = 20 feet.
2. If the site is part of an existing plat, a copy of the recorded plat; and
3. A Three copies of a Final Partition Plat showing the ~~consolidated~~ reconfigured lot or lots. Copies of the Final Plat must be drawn to scale and of a format, material, and number acceptable to the Director of BDS. The following statement must be on the Final Plat: "This plat is subject to the conditions of the City of Portland Case File No. LUR..."

**C. Other.**

1. Title reports. A current title report issued by a title insurance company verifying ownership and detailing any deed restrictions; and
2. Narrative. A written narrative explaining how the regulations and approval criteria of this chapter have been met;
3. Fees. The applicable filing fees.

**33.675.300 Approval Criteria**

A ~~lot consolidation replat~~ will be approved if the review body finds that the applicant has shown that all of the approval criteria have been met:

**A. Lots.** ~~Consolidated~~ The replatted lots must meet the standards of Chapters 33.605 through 33.615, with the following exceptions:

1. Lot dimension standards.
  - a. Minimum lot area. ~~If the area of the entire lot consolidation site is less than that required of new lots, lots in the lot consolidation site are exempt from minimum lot area requirements.~~ Lots and adjusted lots that do not meet the minimum lot area required for new lots are exempt from the minimum lot area requirement if they do not move further out of conformance with the minimum lot area required for new lots, and they meet the following:
    - (1) No portion of the lot or adjusted lot is in an environmental protection, environmental conservation, or river environmental overlay zone;
    - (2) No portion of the lot or adjusted lot is in the special flood hazard area; and
    - (3) The lot or adjusted lot has an average slope of less than 25 percent;
  - b. Maximum lot area. If any of the lots within the ~~lot consolidation replat~~ site are larger than the maximum lot area allowed, the same number of lots in the ~~lot consolidation replat~~ site are exempt from maximum lot area requirements;

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## Commentary

### 33.675.300 Approval Criteria (continued)

c. Minimum Lot Width. Per SB534 substandard width lots and adjusted lots are eligible for primary structures when they do not have environmental zoning, flood plain, and are not steeply sloping. For these lots, so long as the replat does not result in further width reductions, the resulting lots may still be smaller than the base zone minimum for new lots. This allows, for example, three 25' wide R7 lots to become two 37.5' wide lots, when 40 feet is normally required.

d. Minimum front lot line. This exemption was removed because substandard lot frontages could create issues as sites get larger and their utility and access needs increase. In these cases, the appropriate review would be a planned development that can also evaluate specific development proposals and utility needs.

e. Minimum lot depth. This exemption was removed because the ability to reconfigure shallow depth lots in the replat process could result in more small/oddly shaped lots which are more difficult to develop in compliance with development standards.

2. Regular Lot Lines. This criterion was added to mirror the land division criterion since lot lines can be reconfigured through the replat process, and to prevent irregular lot boundaries.

B. Development Standards. Previously when this chapter only provided for lot consolidation, compliance with development standards was not an issue. Now, with the ability to reconfigure lot dimensions within the replat, issues such as setbacks, building coverage, and FAR must be reviewed to ensure non-conforming situations are created.

- c. Minimum lot width. ~~If the width of the entire lot consolidation site is less than that required of new lots, lots in the lot consolidation site are exempt from minimum lot width requirements.~~ Lots and adjusted lots that do not meet the minimum lot width required for new lots are exempt from the minimum lot width requirement if they do not move further out of conformance with the minimum lot width required for new lots, and they meet the following:
- (1) No portion of the lot or adjusted lot is in an environmental protection, environmental conservation, or river environmental overlay zone;
  - (2) No portion of the lot or adjusted lot is in the special flood hazard area; and
  - (3) The lot or adjusted lot has an average slope of less than 25 percent;
- d. ~~Minimum front lot line. If the front lot line of the entire lot consolidation site is less than that required of new lots, lots in the lot consolidation site are exempt from minimum front lot line requirements;~~
- e. ~~Minimum lot depth. If the depth of the entire lot consolidation site is less than that required of new lots, lots in the lot consolidation site are exempt from minimum lot depth requirements.~~
2. ~~Regular lot lines. As far as is practical, all lot lines must be straight and the side lot lines of a lot or parcel must be at right angles to the street on which it fronts, or be radial to the curve of a curved street.~~
- ~~23.~~ Maximum density. If the consolidation replat brings the lot consolidation replat site closer to conformance with maximum density requirements, the consolidation replat does not have to meet maximum density requirements;
- ~~34.~~ Lots without street frontage. If the lot consolidation replat consolidates lots that do not have street frontage with lots that have street frontage, the replat consolidation does not have to meet minimum density and maximum lot area requirements;
- ~~45.~~ Through lots. If any of the existing lots within the lot consolidation replat site are through lots with at least one front lot line abutting an arterial street, then the consolidated or reconfigured lots may be through lots;
- ~~56.~~ Split zoning. If any of the existing lots within the lot consolidation replat site are in more than one base zone, then the consolidated or reconfigured lot may be in more than one base zone.
- B. Development standards.** If existing development is in conformance with the development standards of this Title, the development must remain in conformance after the replat. If existing development is not in conformance with a development standard of this title, the replat will not cause the development to move further out of conformance with the standard unless an adjustment is approved.

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## Commentary

**BC. Conditions of land division approvals.** The ~~lot consolidation~~replat must meet one of the following:

1. All conditions of previous land division approvals continue to be met or remain in effect; or
2. The conditions of approval no longer apply to the site, or to development on the site, if the lots are ~~consolidated~~reconfigured.

**CD. Conditions of other land use approvals.** Conditions of other land use approvals continue to apply and must be met.

**DE. Services.** The ~~lot consolidation~~replat does not eliminate the availability of services to the lots, and the ~~consolidated~~reconfigured lots are not out of conformance with service bureau requirements for water, sanitary sewage disposal, and stormwater management.

### **33.675.400 Recording an Approval**

The Final Plat and the deed for the ~~consolidated lot or lots~~replat must be recorded with the County Recorder and Surveyor within 90 days of approval by the Director of BDS.

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## Commentary

### **33.676 Lot Confirmation**

This is a new chapter and set of rules to formalize the Lot Confirmation process. Confirming lots as individual buildable pieces of property has been an evolving practice. What was once an informal verification of the legality of the lot's creation has become more formalized to include deed research to confirm the validity and ownership status of the lot over time, and an examination of some development standards to ensure the separation of a site does not create non-conforming development.

The County tax assessor now requires a letter from the City confirming that the lot is legal and eligible for a primary structure prior to creating a new tax account for the property. This helps prevent potential buyers from purchasing a piece of property that is not buildable.

This chapter is modeled largely after 33.677 Property Line Adjustments

### **33.676.100 Prohibited Lot Confirmations**

Properties that were not lawfully created through a deed recorded prior to July 26, 1979 or a properly recorded land division plat cannot be confirmed through a lot confirmation. Instead a land division would be required to validate such properties, subject to some additional State statutes.

### **33.676.200.B.**

In some instances, the Zoning Code stipulates that a lot had to be under separate ownership from abutting lots or that the ownerships had not been combined at any time since their creation. In these cases, supporting documentation illustrating chain of ownership of the property and abutting properties is necessary.

## **33.676 Lot Confirmation**

**676**

### Sections:

- 33.676.010 Purpose
- 33.676.100 Prohibited Lot Confirmations
- 33.676.150 Method of Review
- 33.676.200 Application Requirements
- 33.676.300 Standards
- 33.676.400 Finalizing the Lot Confirmation

### **33.676.010 Purpose**

This chapter states the procedures and regulations for confirming a lot, lot of record or combination of lots or lots of record. The regulations ensure that the Lot Confirmation does not:

- Create a new lot;
- Result in development sites that no longer meet the dimensional requirements and development standards of this Title; and
- Result in sites that no longer meet conditions of approval of a previous land use review.

### **33.676.100 Prohibited Lot Confirmations**

A Lot Confirmation cannot be used to create a buildable lot from an unbuildable plot or to create plots.

### **33.676.150 Method of Review**

Lot Confirmations are reviewed through a non-discretionary, administrative procedure. The decision of the Director of BDS is final.

### **33.676.200 Application Requirements**

The application for a Lot Confirmation must contain the following:

- A. Application Form.** One copy of the completed application form bearing an accurate legal description, tax account number and location of the property. The completed form must also include the name, address, telephone number, and original signatures of the applicant and all property owners and the nature of the applicant's interest in the property.
- B. Supporting documentation.** Documentation that establishes when and how the lot was created is required. For Lot Confirmations where the base zone requires that the lot was under separate ownership from abutting lots, ownership information for the lot and abutting lots is also required. This may include copies of recorded plats, historic deeds, or other documentation that provides evidence of the creation and chain of ownership of the property.
- C. Site plan and supplemental survey.**
  - 1.** A site plan no larger than 18 inches by 24 inches in size is required for all applications. The site plan must be drawn to scale and show:
    - The location of existing lot or property lines;
    - The boundaries of the re-established lot, lot of record, or combinations thereof;
    - All development on the site including driveways and parking areas;
    - The location of utilities and services; and
    - The location and dimensions of existing curb cuts abutting the site.

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## Commentary

### **33.676.300.B. Minimum lot dimension standards.**

Adjustments are prohibited to these lot size and frontage standards. Moreover, a property line adjustment may not be used to alter the dimensions of a substandard lot to make it meet these standards. The intention is that for lots that existed prior to a land division that already meet certain reduced standards, these will be recognized as developable, even though they may not meet density requirements for the zone. If the substandard lot needs to be modified, then it should be subject to current land division requirements, including density standards.

The standards for single-dwelling zones also include that the lots must have street frontage. This is in part because measuring lot width in single-dwelling zones is measured at the front setback line. There is no front setback when there is no street frontage, making it impossible to determine if the lot meets the 36-foot minimum width requirement. Also, lots without street frontage lack access for residents and utilities unless easements are provided. Easements are generally not acceptable for some utility connections and cannot be established until *after* the lots are in separate ownership.

A reference to overlay zone and plan district requirements is included to capture the additional requirements of Linnton (NW Hills), Glendoveer, Pleasant Valley, etc.

### **33.676.300.C, Development Standards.**

This standard ensures that when confirming a lot for development, the development on the original site does not become non-conforming or does not increase the degree of non-conformity. This may include reductions to setbacks, exceeding building coverage or FAR limits, etc. In these cases, adjustments to the development standards may be requested, to the degree that adjustments are allowed for those standards. Note that FAR is not an adjustable standard.

**33.676.300.D. Conditions of previous land use reviews.** To change the applicability of a condition of approval that is still relevant to a site, a new land use review would be required, adjustments are not allowed.

### **33.676.400**

Following the Lot Confirmation approval, the applicant must submit the decision to the County to obtain a new tax account. A timeline has been established for this submittal to prevent approvals from getting "stale". That is where the approval sits without being acted upon, the development or Lot Confirmation rules change and the lot would not be confirmable under the new requirements. The timeline does not pertain to when the county assigns the tax account number, only when the request is submitted to the county for processing.

2. If existing buildings on the site will remain after the lot confirmation, a supplemental survey signed and stamped by a registered land surveyor is also required. The survey must show the distances between the buildings on the lot and the property line that is being confirmed.

### **33.676.300 Standards**

A request for a Lot Confirmation will be approved if all of the following are met:

- A. Lot or lot of record.** Each lot or lot of record that will be confirmed meets the definition of lot, adjusted lot, lot remnant or lot of record.
- B. Minimum lot dimension standards.** The following lot dimension standards apply to each lot, adjusted lot, lot remnant, lot of record or combination thereof. The standards must be met without necessitating a property line adjustment. Adjustments are prohibited:
  1. In the OS, C, EX, CI and IR zones, each lot must have a front lot line that is at least 10 feet long. There are no other minimum lot dimension standards.
  2. In the single-dwelling zones, each lot must have frontage on a street, and each lot must meet the standards of 33.110.202, When Primary Structures are Allowed.
  3. In the multi-dwelling zones, each lot must have frontage on a street, and each lot must meet the standards of Section 33.120.205, Development on Lots and Lots of Record.
  4. In the EG zones, each lot must meet Standard B stated in Table 614-1.
  5. In the I zones, each lot must meet Standard B stated in Table 615-1.
  6. If the lot is in an overlay zone or plan district that regulates minimum lot dimensions, the minimum lot dimension standards of the overlay zone or plan district must be met instead of the standard that corresponds to the base zone.
- C. Development standards.** If existing development is in conformance with the development standards of this Title, the development must remain in conformance after the Lot Confirmation. If existing development is not in conformance with a development standard of this title, the Lot Confirmation will not cause the development to move further out of conformance with the standard unless an adjustment or Property Line Adjustment is approved.
- D. Conditions of previous land use reviews.** All applicable conditions of previous land use reviews must be met, see 33.700.110, Prior Conditions of Land Use Approvals. Adjustments are prohibited.

### **33.676.400 Finalizing the Lot Confirmation**

A Lot Confirmation approval must be submitted to the appropriate county assessment and taxation office within 90 days of the City's decision. The County is responsible for creating separate tax identification numbers for each confirmed lot.

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## Commentary

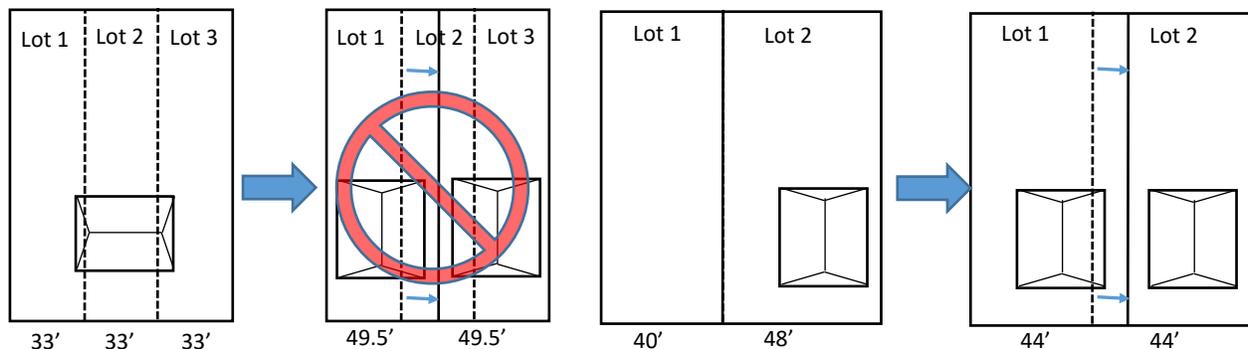
### 33.677 Property Line Adjustment

The Chapter is being renumbered to accommodate the new Lot Confirmation chapter.

#### 33.677.100 Prohibited Property Line Adjustments

A. Flag lots. Additional flexibility has been added to allow flag lots through a property line adjustment in the R5 and R2.5 zone provided certain qualifications are met, including the added standards in 33.677.300.C.

B. Unbuildable Lots. The current code allows lots to be confirmed even though they do not meet minimum width or area requirements, provided a concurrent property line adjustment is proposed that would satisfy the dimensional requirements. For example, in the R7 zone with 3 lots that are substandard in width (less than 40 feet wide) a concurrent property line adjustment could previously be used to move one lot line, forming two lots that are wide enough to be buildable.



*Current property line adjustment allowance (R7 example): Lot 1 is confirmed and the property line moved to create two conforming lots. This will no longer be allowed*

*Amended property line adjustment allowance (R7 example) Lot 1, when confirmed already conforms to lot width standards. Moving the property line while maintaining more than 40 feet of lot width for both lots is allowed.*

The amendment in essence establishes a two-step process. First, one must be able to develop on the lot or lot of record (it's a legal lot, large enough and wide enough). Only then can one modify the lot lines. This prohibits Property Line Adjustments from being used to create buildable lots from lots (or lot remnants, etc) that are unbuildable since they did not meet the requirements for when primary structures are allowed (e.g. 33.110.202). Where lot density requirements can be met, a land division in these cases could be proposed.

D. Alley Frontage. Emphasis is being added for lots that have alley frontage in terms of locating vehicle access. For example, lots that abut an alley will be required to use the alley to access any parking that may be proposed. To prevent circumventing this requirement, property line adjustments will not be allowed to configure the lot to remove the alley frontage. An exception is provided when creating small flag lots to further encourage retaining existing houses by removing potential regulatory barriers.

## **33.67733.667 Property Line Adjustment**

**677667**

### Sections:

- 33.~~677667~~.010 Purpose
- 33.~~677667~~.050 When these Regulations Apply
- 33.~~677667~~.100 Prohibited Property Line Adjustments
- 33.~~677667~~.150 Method of Review
- 33.~~677667~~.200 Application Requirements
- 33.~~677667~~.300 Standards
- 33.~~677667~~.400 Recording an Approval

### **33.677667.100 Prohibited Property Line Adjustments**

The following are prohibited as part of a Property Line Adjustment:

- A.** A Property Line Adjustment that configures either property as a flag lot, unless:
  - 1. The the property was already a flag lot; or
  - 2. Both properties are in the R5 or R2.5 zone and:
    - a. There is an existing house on one or both properties;
    - b. Only one flag lot is proposed;
- B.** A Property Line Adjustment that results in the creation of a buildable property from an unbuildable lot, lot of record, or lot remnant;
- C.** A Property Line Adjustment that results in the creation of street frontage for property that currently does not have frontage on a street; ~~and~~
- D.** A Property Line Adjustment that removes alley frontage from one or both properties unless alley frontage will only be removed from the lot in front of a flag lot that is being created through the Property Line Adjustment; and
- E. ~~D.~~** A Property Line Adjustment that creates a nonconforming use.

### **33.677667.150 Method of Review**

Property Line Adjustments are reviewed through a non-discretionary, administrative procedure. The decision of the Director of BDS is final.

### **33.677667.200 Application Requirements**

No more than three Property Line Adjustments may be requested on a site within one calendar year. The application must contain the following:

- A. Application form.** Two copies of the completed application form bearing an accurate legal description, tax account numbers and location of the property. The application must include the name, address, telephone number, and original signatures of the applicant and all property owners and the nature of the applicant's interest in the property.

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## Commentary

### **33.677.300.A.2**

A new provision is added to afford more flexibility when proposing a flag lot PLA. The ability to use a property line adjustment to create a flag lot is intended as an incentive to retain existing houses on Historically Narrow Lots. Frequently, existing houses will exceed the typical max FAR (1,250 - 1,500 square feet). By allowing the house to exceed the maximum FAR enables the PLA to be approved. Subsequent development (either on the vacant flag lot or as an alteration to the house) will have to comply with the maximum FAR.

### **33.677.300.A.5**

This provision is also known as "the corner lot swivel". It allows historically narrow corner lots in the R5 zone to rotate the lot line to create two standard width lots for detached houses. The reference to the additional standards in 33.110.213 is being removed. These standards have been amended and apply specifically to narrow lots. Since the adjusted lots will no longer be narrow, these additional standards will not apply

**B. Surveys.**

1. Three paper copies of a property line survey. The survey must be prepared, stamped and signed by a registered land surveyor to meet ORS 92.050. The survey must show all existing and proposed property lines and all existing lot lines. The survey may not be larger than 18 inches by 24 inches in size. The survey must be drawn to a scale no less than 1 inch = 200 feet, and no greater than 1 inch = 20 feet;
2. One copy of the property line survey that is 8-1/2 by 11 inches in size; and
3. One paper copy of a survey of the proposed PLA prepared, stamped, signed, and attested to for accuracy by a registered land surveyor, showing the location, dimensions and setbacks of all improvements on the site. This survey map must be drawn to a scale at least 1 inch = 200 feet.

- C. Legal description.** Two copies of the legal description for each adjusted property and each exchange parcel. The legal descriptions must be prepared and signed by a registered land surveyor.

**33.677667.300 Standards**

The site of a Property Line Adjustment is the two properties affected by the relocation of the common property line. A request for a Property Line Adjustment will be approved if all of the following are met:

- A. Conformance with regulations.** Both pProperties will remain in conformance with regulations of this Title, including those in Chapters 33.605 through 33.615, except as follows:

1. If a property or development is already out of conformance with a regulation in this Title, the Property Line Adjustment will not cause the property or development to move further out of conformance with the regulation;
2. If the Property Line Adjustment will configure one of the properties as a flag lot, nonconformance with the maximum floor area ratio standard is allowed for the existing development at the time of the property line adjustment. Future alterations may not move the development further out of conformance and new development must comply with the maximum floor area ratio;
- ~~3.~~ If both properties are already out of conformance with maximum lot area standards, they are exempt from the maximum lot area standard;
- ~~4.~~ If one property is already out of conformance with maximum lot area standards, it is exempt from the maximum lot area standard; and
- ~~5.~~ Lots with an institutional use are exempt from maximum lot size standards; and
- ~~6.~~ If at least one lot is already out of conformance with the minimum lot area standards and the site is in the R5 zone, the minimum lot area is 1600 square feet and the minimum width is 36 feet, if:
  - a. At least one lot is a corner lot; and
  - b. The adjusted property line must be perpendicular to the street lot line for its entire length; and
  - c. ~~New houses must meet the standards of 33.110.213. Existing houses are exempt from the standards of 33.110.213.~~

See Figure ~~6677~~-1.

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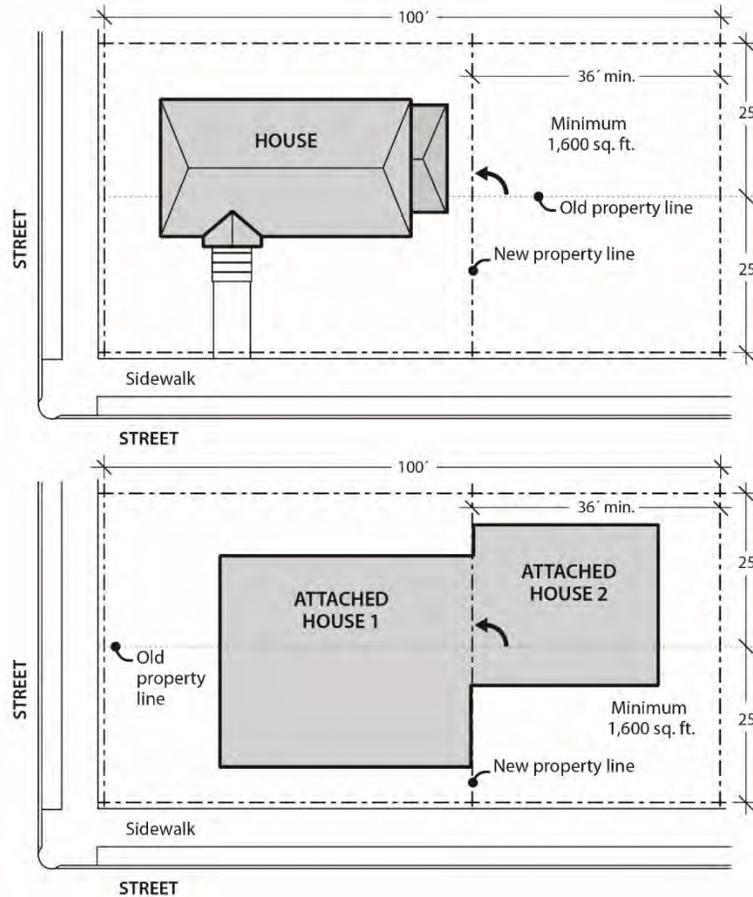
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## Commentary

Language to be **added** is underlined  
Language to be **deleted** is shown in ~~strikethrough~~

- B. Regular ~~Lot~~ Lines.** In the R10 through RM4 and RMP zones, the adjusted property line must be a straight line or up to 20 percent shorter or 20 percent longer than the existing lot line. Lines that are adjusted to follow an established zoning line or the boundary of the special flood hazard area or floodway are exempt from this requirement. In addition, if both properties are part of a site with an institutional use on it, this standard does not apply.

**Figure 6677-1**  
**Property Line Adjustment on Corner Site in R5 Zone**



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## Commentary

### 33.677.300.C Flag Lots in the R5 and R2.5 Zone.

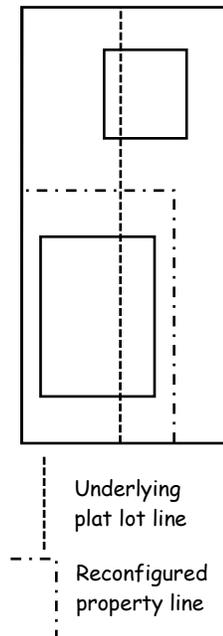
Many Historically Narrow Lots are sites comprised of pairs of 25' x 100' lots. Those sites may be developed with a house+one or two ADUs, pair of attached houses, duplex+ADU, triplex or fourplex.

One alternative to redevelopment that would permit a homeowner to remain in place while taking advantage of the underlying lot and providing for a modest home available for separate purchase (i.e. "fee-simple ownership") is to allow a property line adjustment to reconfigure the parallel lots into a flag lot.

Presently, property line adjustments that configure lots into flag lots are prohibited. In general, flag lots are a less desirable urban form, as they put houses in the back yards of other houses, disrupting the pattern of yards in a block and adding driveways and impervious area. However, in some cases, lot configuration or existing development prevent standard side by side lots, making flag lots the only alternative for land divisions, and thus an option for infill in limited cases.

This change would permit a property line adjustment to reconfigure already existing lots when there is an existing house on the site, the reconfigured lots must be at least 1,600 s.f. and the flag lot may not exceed 3,000 s.f. This ensures that minimum lot area requirements apply, and the maximum lot area ensures that the standards for small flag lots apply (33.110.255).

Additional flexibility is also added to the base zone to reduce the setback from the existing house to the pole (33.110.220.D).



**C. Flag Lots in the R5 and R2.5 Zone.** In the R5 and R2.5 zone, a Property Line Adjustment may be used to configure a property as a flag lot when all the following are met:

1. Flag pole. The pole portion of the flag lot must meet the following standards. Adjustments are prohibited:
  - a. The pole must connect to a street;
  - b. Pole width:
    - (1) If the pole portion of the flag lot will provide vehicle access to the flag portion of the flag lot, the pole must be at least 12 feet wide for its entire length; or
    - (2) If the pole portion of the flag lot will not provide vehicle access to the flag portion of the flag lot, the pole must be at least 10 feet wide for its entire length. A covenant must be recorded with the deed specifying that no vehicle access is allowed along the pole.
2. Lot dimensions. The lots must meet the following lot dimension standards:
  - a. Lot area.
    - (1) Minimum lot area. Each reconfigured lot must be at least 1,600 square feet. Only the area of the flag portion is included when calculating the minimum lot area for the flag lot. The area of the pole portion of the lot is not included.
    - (2) Maximum flag lot area. The area of the flag lot must be less than 3,000 square feet. The total area of the flag lot, including the pole portion, is included when calculating the maximum lot area for the flag lot.
  - b. Front lot line. There is no minimum front lot line standard for the flag lot.
  - c. Lot width and depth. The minimum lot width and minimum lot depth required for the flag lot is 36 feet measured at the midpoints of the opposite lot lines of the flag portion of the lot. The minimum lot width for the lot in front of the flag lot is 36 feet.

**DC. Split zoning.** The Property Line Adjustment will not result in a property that is in more than one base zone, unless that property was already in more than one base zone.

**ED. Environmental overlay zones.** If any portion of either property is within an environmental overlay zone, the provisions of Chapter 33.430 must be met. Adjustments are prohibited.

**FE. Services.** The adjustment of the property line will not eliminate the availability of services to the properties and the properties will not move out of conformance with service bureau requirements for water, sanitary sewage disposal, and stormwater management. Adjustments are prohibited.

**GF. Conditions of previous land use reviews.** All conditions of previous land use reviews must be met. Adjustments are prohibited.

### **33.677667.400 Recording an Approval**

The Property Line Adjustment application, survey, legal descriptions, and the deed for the exchange parcel must be recorded with the County Recorder and Surveyor within 90 days of the final decision.

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## Commentary

### Table 825-1

In the RF- R2.5 zones, for development on small or narrow lots that were created prior to July 26, 1979, there were additional development standards that applied. These standards were revised and are now embedded in 33.110.260 Additional Development Standards for Narrow Lots (see page 101). Included in those changes is the ability to request deviations from the standards through an adjustment review as opposed to requesting a design review modification. Therefore, this reference in the Table is no longer necessary.

### 33.825 Design Review

# 825

<b>Table 825-1 Procedure Type for Design Review Proposals</b>			
<b>Overlay Zones</b>			
<del>“a”</del> Alternative Design Density overlay	<del>Using other provisions in 33.405</del>	<del>In single dwelling zones</del>	<del>Type II</del>
“d” Design overlay	Development proposals	Not identified elsewhere in this table and value > \$2,297,050	Type III
		Not identified elsewhere in this table and value < \$2,297,050	Type II
<b>Base Zones</b>			
All zones	Signs	In design overlay zones	Type II
	Exterior mechanical equipment		
	New or replacement awnings		
C zones	Planned Development	Using the Planned Development bonus provision described in 33.130.212	Type III
C, E, I, RX, CI zones	Facade alteration	≤ 500 square feet in design overlay zones	Type II
<del>RF—R2.5 zones</del>	<del>Subject to section 33.110.213, Additional Development Standards</del>	<del>Requests to modify standards</del>	<del>Type II</del>
IR zone site with an approved Impact Mitigation Plan (IMP)	Proposals that are identified in IMP	IMP design guidelines are qualitative	Type II
	Proposals that are identified in IMP	IMP design guidelines are objective or quantitative	Type IX

[No changes to remainder of Table 825-1]

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## Commentary

### 33.854 Planned Development Review

The changes shown here incorporate additional review criteria related to cluster housing open space and circulation.

#### 33.854.200.C. Review Procedures

For Planned Developments, the changes reduce the review type from a Type III review to a Type IIx review for multi dwelling development proposals. (sites containing more than one primary dwelling unit on a single lot). Planned Developments that propose multi dwelling structures (buildings containing five or more units) are still subject to a Type III review.

For sites in R7 through R2.5, the threshold for Type III review has been increased from 11 to 21 units. While this is not directly equivalent to a 10 lot land division that could allow up to 4 units per lot, there are many variables that make direct parity impossible and/or create significant complexity in the code. To be directly parallel, an applicant would need to demonstrate that the site could be divided into at least 10 lots that meet minimum lot sizes for 3-4 units, considering right of way needs, site constraints and lot configurations. A requirement to develop a land division plan for the purposes of determining an equivalent review threshold is impractical and counter to the purpose of more holistic site planning for planned developments. Therefore, for the sake of simplicity while still acknowledging higher unit potential in the higher density single dwelling zones and other zones where household living is allowed, the threshold has been doubled to 20 units.

## 33.854 Planned Development Review

854

### Review of Planned Development

#### 33.854.200 Review Procedures

- A. Concurrent reviews.** When land use reviews in addition to Planned Development Review are requested or required, all of the reviews must be processed concurrently, except for Design Review for buildings within a Planned Development site when the Planned Development bonus is being utilized (See 33.130.212.E). In this case, Design Review may be processed after the Planned Development Review.
- B. Planned Development bonus.** Proposals that are using the commercial/mixed use zones Planned Development bonus (See 33.130.212.E) are processed through a Type III procedure, but with the additional steps required under Section 33.700.025, Neighborhood Contact.
- C. All other Planned Development Reviews.**
1. Review in conjunction with a land division. When a Planned Development is requested in conjunction with a land division, the review will be processed as follows:
    - a. Type III review. Proposals in the RF through R2.5 zones that include ~~attached duplexes, multi-dwelling structures, or multi-dwelling development~~ are processed through a Type III procedure, but with the additional steps required under Section 33.700.025, Neighborhood Contact.
    - b. Type IIx review. All other proposals are processed through the Type IIx procedure, but with the additional steps required under Section 33.700.025, Neighborhood Contact.
  2. Review not in conjunction with a land division. When a Planned Development is not in conjunction with a land division, the review will be processed as follows:
    - a. ~~Type III review. Planned Developments Proposals~~ that include any of the following elements are processed through a Type III procedure, but with the additional steps required under Section 33.700.025, Neighborhood Contact:
      - (1) ~~Attached duplexes, Multi-dwelling structures, or multi-dwelling development~~ in the RF through R2.5 zones;
      - (2) Eleven or more units in the RF through R10 zones
      - (3) Twenty-one or more units in R7 through R2.5, Multi-Dwelling, Commercial/Mixed Use, CI2, IR and EX zones;
      - ~~(4)(3)~~ Four or more units where any building location, utility, or service is proposed within a Potential Landslide Hazard Area;
      - ~~(5)(4)~~ Environmental review;
      - ~~(6)(5)~~ Any portion of the site is in an Open Space zone.
    - b. Type IIx review. All other proposals not assigned to a Type III in Subparagraph C.2.a. are processed through a Type IIx procedure, but with the additional steps required under Section 33.700.025, Neighborhood Contact.

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## Commentary

### **33.854.310 Approval Criteria for Planned Developments in All Zones**

Corrected the reference for the applicable criteria for proposals seeking additional height or FAR in the CM2, CM3, CE and CX zones.

Changed the reference to refer to two new criteria (G. Pedestrian Access and H. Garbage and Recycling Areas)

### **33.854.310.A. Urban design and development framework.**

Two minor changes: the first updates the name from "master plan area" to "planned development area" for clarity and to be more accurate. The second removes the extemporaneous "and" at the end of the list.

### **33.854.310.E. Site Design.**

These changes highlight the need to orient development to the adjacent streets, to prevent the design from "turning its back" to the street. Public realm is also clarified to include plazas and other gathering areas that are accessible from the street. Also, the extemporaneous "and" was removed from the end of this list.

### **33.854.310 Approval Criteria for Planned Developments in All Zones**

Criteria A through ~~EF~~ apply to proposals for additional height or FAR in the CM2, CM3, CE, and CX zones that are taking advantage of 33.270.100.I. If the Planned Development is not proposing additional height or FAR as allowed by 33.270.100.I, then only criteria E through Hand ~~F~~ apply.

#### **A. Urban design and development framework.**

1. The proposed overall scheme and site plan provide a framework for development that meets applicable Community Design Guidelines and will result in development that complements the surrounding area;
2. Scale and massing of the development addresses the context of the area, including historic resources, and provides appropriate scale and massing transitions to the adjacent uses and development specifically at the edges of the Planned Development ~~Master Plan~~ area;
3. Proposed plazas, parks, or open areas are well located to serve the site and public, and are designed to address safety and comfort of users; and
4. The site plan promotes active ground floor uses on key streets to serve the development and surrounding neighborhood. ~~;~~ ~~and~~

#### **B. Transportation system.** [No change]

#### **C. Stormwater Management.** [No change]

#### **D. Phasing Plan.** [No change]

#### **E. Site Design.** Configure the site and development to visually integrate both the natural and built features of the site and the natural and built features of the surrounding area. Aspects to be considered include:

1. Orienting the site and development to the public realm, while limiting less active uses of the site such as parking and storage areas along the public realm. Public realm includes adjacent streets as well as plazas and common open areas that are accessible from the street;
2. Preservation of natural features on the site, such as stands of trees, water features or topographical elements;
3. Inclusion of architectural features that complement positive characteristics of surrounding development, such as similar building scale and style, building materials, setbacks, and landscaping;
4. Mitigation of differences in appearance through means such as setbacks, screening, landscaping, and other design features;
5. Minimizing potential negative effects on surrounding residential uses; and
6. Preservation of any City-designated scenic resources. ~~;~~ ~~and~~

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## Commentary

### **33.854.310.F Open Area**

These changes add a title to the subsection, and differentiate criteria for providing "adequate open area" for proposals that include attached houses, duplexes, triplexes, fourplexes or multi dwelling structures from proposals that include only detached primary units (houses).

For multi-dwelling developments with detached single units, a "featured open area" is required. The intent is to have this area be a focal point for the development by orienting at least half the units around it.

### **33.854.310.G. Accessible connections**

When multi dwelling development or multi dwelling structures are proposed in zones where they are not allowed outright, pedestrian connections are not specifically addressed in the base zone. This new criterion ensures pedestrian connections are provided between buildings and the street or parking area and call for a pleasant pedestrian experience to encourage walking through the site.

### **33.854.310.H Garbage and Recycling Areas**

When multi dwelling development or multi dwelling structures are proposed in zones where they are not allowed outright, garbage and recycling areas are not specifically addressed. This new criterion ensures that adequate area and attention is given to the functional needs for garbage and recycling collection.

- F. Open Area.** ~~Provide adequate open area on~~ On sites zoned RF through R2.5:
1. ~~Where proposed development includes attached houses, duplexes, triplexes, fourplexes, attached duplexes, or multi-dwelling structures, or multi-dwelling development, adequate open area to accommodate the proposed development must be provided.~~ Open area does not include vehicle areas.
  2. Where multi-dwelling development with detached single dwelling units is proposed, 50 percent of the total number of dwelling units on the site must be oriented around a common outdoor area.
- G. Accessible connections.** Provide one or more accessible routes that connect all buildings on the site to adjacent streets, common open areas, and parking areas. Use landscaping and site furnishings to ensure the accessible route provides a pleasant user experience.
- H. Garbage and recycling areas.** Garbage and recycling collection areas must be adequate in size to accommodate the proposed development, designed to encourage recycling, and located to facilitate pick-up service. Screening and buffering of garbage and recycling areas must be provided to maintain a clean and attractive development.

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## Commentary

### 33.900 List of Terms

Basement is a new term being added which correlates to the definition of "Floor Area"

Connected Structure is a new term being added which is used to better distinguish attached and detached accessory structures.

Fourplex is being added as a type of residential structure that is distinct from multi-dwelling structures.

No other changes to the list of terms are being made.

Language to be **added** is underlined  
Language to be **deleted** is shown in ~~strikethrough~~

## 33.900 List of Terms

**900**

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### 33.900.010 List of Terms

The following terms are defined in Chapter 33.910, Definitions, unless indicated otherwise.

Basement

Connected Structure

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## Commentary

### 33.910 Definitions

**Attached structure.** The definition of attached structure is being revised to more closely align with the definition of attached houses. In both cases, the term "attached" will mean that the structures share a wall or floor/ceiling (the floor of one structure is the ceiling of the other). The revision to the definition of attached structure helps to clarify the difference between a structure that is attached and one that is connected to another. Structures that are connected are not joined by walls or floor/ceilings. Connected structures are connected by a minor element such as a breezeway, and connected structures appear more like detached structures.

**Basement.** A definition of basement is being added to the zoning code because basements are exempt from the measurement of floor area. Floor area, which is intended to be a measure of building bulk, includes exemptions for building space that is partially or fully below grade. The definition of basement is intended to ensure that daylight basements and other basement levels that are at least half concealed below the ground are not counted toward the maximum FAR limit. This in part addresses concerns that some existing basement floors that are less than 4 feet below grade, but are still half below ground (e.g. 3 ½ feet down, 3 ½ feet up). This would also consider a daylight basement a "basement" provided for example -one wall was up to 100% exposed, the opposite wall was 0% exposed and the side walls each 50% or less exposed.

**Building Coverage.** The definition of building coverage currently excludes eaves from the calculation. The exclusion is intended to encourage the use of eaves on houses and other buildings. However, very deep eaves have been proposed to provide cover over decks and balconies. When this occurs, the eave is acting as a roof and should be counted toward building coverage. Therefore, the definition of building coverage is being amended so that only eaves up to 2 feet deep are excluded from building coverage. A corollary amendment in the Single-Dwelling Zones chapter will allow eaves to project up to 2 feet into setbacks.



**Connected structure.** This is a new definition used to distinguish "attached structure" from a structure that is attached to a primary structure by a cover or deck. These connected structures are being regulated more similarly to detached structures.

### 33.910 Definitions

# 910

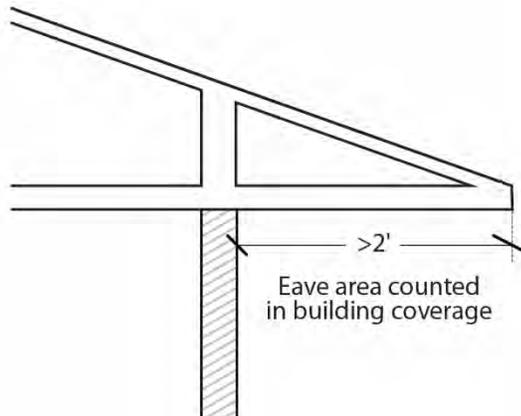
**Adjusted Lot.** See Lot-Related Definitions

**Attached Structure.** Any structure that is attached to a primary~~another~~ structure by a common wall or shares a common floor/ceiling. For example, a garage is an attached structure when it shares a common wall with a primary dwelling unit. Structures that are attached solely by elements other than a common wall or floor/ceiling are not considered attached. See Connected Structure. ~~by a roof, or by structural connections that allow pedestrian access to both structures.~~ For example, ~~decks or stairways are attached structures when they are connected to another structure.~~ A garage may be attached to another structure by sharing a wall or by a roofed structure such as a breezeway. Structures connected by an "I" beam or similar connections are ~~not considered attached.~~

**Basement.** The portion of a building that is partly or completely below grade. A minimum of 50 percent of the total combined area of the basement walls must be below grade to be considered a basement. Only one basement level may be partly below grade; additional basement levels must be completely below grade.

**Building Coverage.** The area that is covered by buildings or other roofed structures. A roofed structure includes any structure more than 6 feet above grade at any point, and that provides an impervious cover over what is below. Building coverage also includes uncovered horizontal structures such as decks, stairways and entry bridges that are more than 6 feet above grade. Eaves up to 2 feet in depth are not included in building coverage. See Figure 910-11.

**Figure 910-11**  
**Area of eave excluded from building coverage**



**Connected Structure.** Any structure that is connected to a primary structure by a roof, a deck or by other structural connections, and which does not share a common wall, ceiling or floor. For example, decks or stairways are connected structures when they are fastened to a primary structure. A garage that is connected to a primary structure by a roofed structure such as a breezeway, and does not share a common wall with the primary structure, is a connected accessory structure. See Attached Structure.

**Corner Lot.** See Lot-Related Definitions

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## Commentary

**Floor area.** Because FAR limits will apply in single-dwelling zones, minor revisions to the definition of floor area are being made to address smaller residential structure types. (See definition of basement on previous page.) This is more relevant for smaller residential structures that sit inside the lot away from the street than it is for larger mixed use buildings which more frequently are located directly adjacent to rights of way.

Also, portions of attics with a low ceiling height are excluded from "floor area". These spaces are not counted as habitable area per the building code, and with the low headroom, they do not substantially increase a building's height or bulk.

### Figure 910-20 Floor Area in Attics

This new figure shows what is and what is not floor area in an attic space. Where the ceiling is higher than 6'8" tall, that portion of the room is counted.

#### Chapter 3, Section 305 of the Oregon Residential Specialty Code

##### 305.1 Minimum height.

Habitable space, hallways, bath-rooms, toilet rooms, laundry rooms and portions of basements containing these spaces shall have a ceiling height of not less than 7 feet (2134 mm).

##### Exceptions

2. For rooms with sloped ceilings, at least 50 percent of the required floor area of the room must have a ceiling height of at least 7 feet (2134 mm) and no portion of the required floor area may have a ceiling height of less than 5 feet (1524 mm).
4. Conversion of existing nonhabitable spaces, such as a basement or attic, to habitable space, shall provide a minimum 6 feet, 8 inch (2032 mm) ceiling height for flat ceilings or the portion required under Exception 2 above.

**Grade.** The definition of grade is being simplified as part of related changes to the definition of height. The amendments clarify that grade is the final (altered) elevation, not the pre-development site elevation. This definition also no longer aligns with the building code definition of grade (or "grade plane"), so reference to the Oregon Structural Specialty Code is being removed.

#### Chapter 2, Section 202 of the 2014 Oregon Structural Specialty Code

**GRADE PLANE.** A reference plane representing the average of finished ground level adjoining the building at *exterior walls*. Where the finished ground level slopes away from the *exterior walls*, the reference plane shall be established by the lowest points within the area between the building and the *lot line* or, where the *lot line* is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.

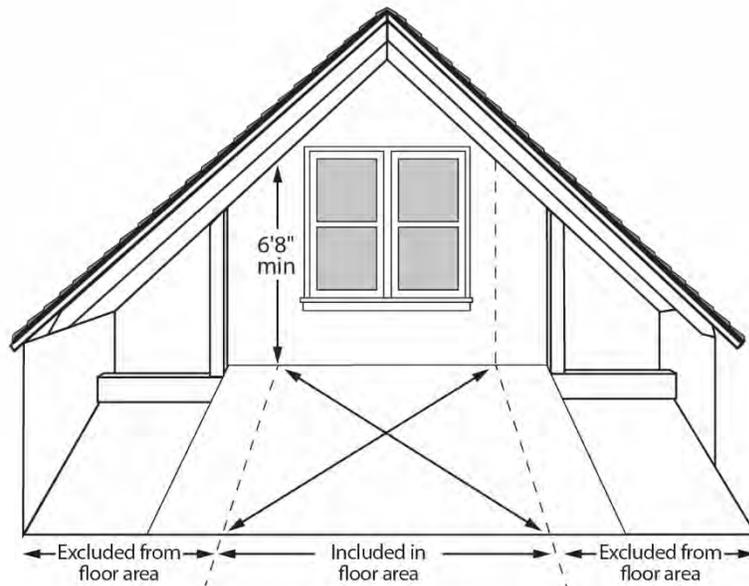
**Flag Lot.** See Lot-Related Definitions

**Floor Area.** The total area of all floors of a building. Floor area is measured for each floor from the exterior faces of a building or structure. Floor area includes stairwells, ramps, shafts, chases, and the area devoted to garages and structured parking. Floor area does not include the following:

- Areas where the elevation of the floor is 4 feet or more below the adjacent right-of way;
- Basements;
- Portions of attics where the finished ceiling height is less than 6 feet 8 inches. See Figure 910-20;
- Roof area, including roof top parking;
- Roof top mechanical equipment; and
- Roofed porches, exterior balconies, or other similar areas, unless they are enclosed by walls that are more than 42 inches in height, for 75 percent or more of their perimeter.

See also Net Building Area, Gross Building Area

**Figure 910-20**  
**Floor Area in Attics**



**Grade.** The final elevation of the ground. ~~The lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line or, when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building. This is the definition used in the Oregon Structural Specialty Code (the Uniform Building Code as amended by the State.)~~

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## Commentary

In order to address the requirements of Senate Bill 534, several changes to the definitions were necessary. The Senate Bill refers to "platted lots", or in the parlance of the zoning code - "lots". It does not pertain to "lots of record" which were created for a variety of reasons, not always for land development purposes, and are therefore more prone to not be of a size, shape, or configuration that lends itself to orderly development. Minimum lot size and width requirements help ensure more compatible development in these cases.

### **Moving the term "adjusted lot"**

The zoning code previously listed "adjusted lot" as a subtype of "lot". This was confusing because the other subtypes relate to the lot's configuration, e.g. corner lot, flag lot, through lot; whereas an adjusted lot refers to a lot whose dimensions have been changed.

### **"Adjusted lot" versus "lot remnant"**

The property boundaries of platted lots can change over time. Prior to 1979, this was done primarily through deed exchanges. Today, these changes are done through property line adjustments. The result of these boundary changes is that the original lots can get larger or smaller, or be the same size, just in a different configuration. For the purposes of determining when lots are eligible for primary structures, lots that are adjusted and are the same size or get larger will be treated like lots. These are defined as "adjusted lots". Lots that are adjusted and get smaller are defined as "lot remnants" and will be treated like lots of record.

### **Lot versus lot of record**

There are essentially two ways lots can be created; either through platting, or through deeds or similar instruments recorded before July 26, 1979. Lots created through a deed are called "lots of record" and are not subject to Senate Bill 534. These will continue to be regulated as they are today. Lots created through platting are called "lots" or "parcels". The platted lots that meet current minimum lot size standards will also continue to be regulated as they are today. Platted lots that are smaller than the minimum lot size requirements are subject to additional limitations.

Another aspect that is reflected in the definition of "lot" is an acknowledgement that right of way dedication or condemnation does not affect the status of a lot. In other words, if a lot was platted and was large enough to be buildable at the time, the right of way dedication will not result in making the lot ineligible for a primary structure. Other zoning and development requirements may still make the development infeasible, or require adjustments in order to develop the site.

Clarification is also added that a lot may be considered more than one subtype of lot. For example, a corner lot may also be a through lot. Moreover, an adjusted lot can be a corner lot, a through lot, or a flag lot.

### **Adjusted Lot.**

The definition of adjusted lot is being moved to alphabetical order and is no longer a subtype of "lot". Lot types relate to their configuration (e.g. flag lot, corner lot, through lot)

**Lot.** See Lot-Related Definitions

**Lot Lines.** The property lines along the edge of a lot, adjusted lot, lot of record, lot remnant, or site.

**Lot-Related Definitions**

- **Adjusted Lot.** A lot that has had one or more of its lot lines altered through a deed, or other instrument relocating a property line, that was recorded with the appropriate county recorder prior to July 26, 1979, or through an approved property line adjustment. An adjusted lot has a lot area that is equal to or larger than the original platted lot. See Figures 910-17 and 910-18.
- **Corner Lot.** A lot, adjusted lot, lot remnant, or lot of record that has frontage on more than one intersecting street, and where the lot frontages intersect. A street that curves with angles that are 120 degrees or less, measured from the center line of the street, is considered two intersecting streets for the purpose of evaluating whether a lot is a corner lot. See Figure 910-4. A corner lot may also be a through lot.
- **Flag Lot.** A lot, adjusted lot, lot remnant, or lot of record with two distinct parts. See Figure 910-5:
  - The flag, which is the only building site; and is located behind another lot; and
  - The pole, which connects the flag to the street; provides the only street frontage for the lot; and at any point is less than the minimum lot width for the zone.
- **Lot.** A lot is a legally defined piece of land other than a tract that is the result of a land division. This definition includes the State definition of both lot, (result of subdividing), and parcel, (result of partitioning). This definition also includes a lot that is smaller than the original platted lot solely because of condemnation or required dedication by a public agency for right-of-way. See also Ownership and Site.
- **Lot of Record.** A lot of record is a plot of land:
  - That was not created through an approved subdivision or partition;
  - That was created and recorded before July 26, 1979; and
  - For which the deed, or other instrument dividing the land, is recorded with the appropriate county recorder.
- **Lot Remnant.** A lot that has had one or more of its lot lines altered through a deed, or other instrument relocating a property line, that was recorded with the appropriate county recorder prior to July 26, 1979, or through an approved property line adjustment. A lot remnant has a lot area that less than the lot area of the original platted lot. This definition does not include lots that are smaller than the original platted lot solely because of condemnation or required dedication by a public agency for right-of-way. See Figure 910-17.
- **Through Lot.** A lot, adjusted lot, lot remnant, or lot of record that has frontage on two streets, and where the lot frontages do not intersect. See Figure 910-4. A through lot may also be a corner lot.

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## Commentary

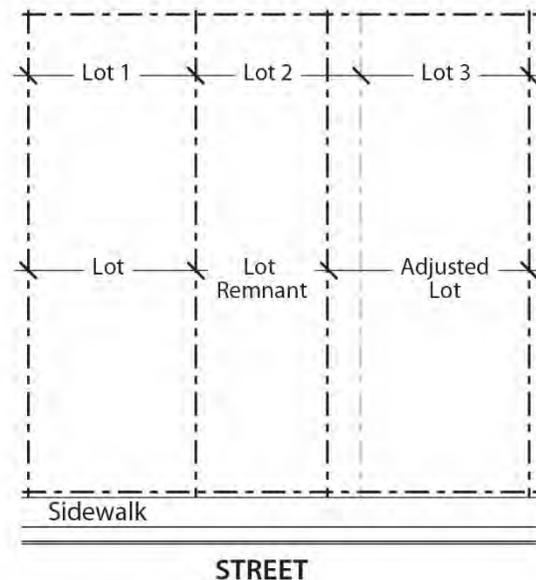
### Figure 910-17

This figure is being altered to accurately reflect the revised definitions for adjusted lot and lot remnant.

**New Narrow Lot.** The definition of new narrow lot is being deleted because development standards for narrow lots will no longer be based on when a narrow lot was created. See proposed amendments to 33.110.260, Additional Development Standards for Narrow Lots.

Language to be **added** is underlined  
Language to be **deleted** is shown in ~~strikethrough~~

**Figure 910-17**  
**Adjusted Lot and Lot Remnant**



**Lot.** A lot is a legally defined piece of land other than a tract that is the result of a land division. This definition includes the State definition of both lot, (result of subdividing), and parcel, (result of partitioning). See also, Ownership and Site.

- **Adjusted Lot.** A lot that has had one or more of its lot lines altered through an approved property line adjustment or through a deed, or other instrument relocating a property line, recorded with the appropriate county recorder prior to July 26, 1979. An adjusted lot may have equal or larger lot area than the original lot. An adjusted lot may have smaller lot area than the original lot, but must have a lot area that is more than 50 percent of the original lot area. Portions of an original lot that are 50 percent or less of the original lot area are defined as lot remnants. See Figures 910-17 and 910-18.
- **Corner Lot.** A lot that has frontage on more than one intersecting street, and where the lot frontages intersect. A street that curves with angles that are 120 degrees or less, measured from the center line of the street, is considered two intersecting streets for the purpose of evaluating whether a lot is a corner lot. See Figure 910-4.
- **Flag Lot.** A lot with two distinct parts. See Figure 910-5:
  - The flag, which is the only building site; and is located behind another lot; and
  - The pole, which connects the flag to the street; provides the only street frontage for the lot; and at any point is less than the minimum lot width for the zone.
- **Through Lot.** A lot that has frontage on two streets, and where the lot frontages do not intersect. See Figure 910-4.
- **New Narrow Lot.** A lot that was created by a land division submitted after June 30, 2002, and:
  - Is in the R10 through R5 zone and does not meet the minimum lot width standard of 33.610.200.D.1; or
  - Is in the R2.5 zone and does not meet the minimum lot width standard of 33.611.200.C.1.

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## Commentary

### Figure 910-19

This figure is being deleted as it is no longer necessary. The information is incorporated into amended Figure 910-17.

### Non-conforming development

Provisions in 33.258 allow non-conforming development to be rebuilt when destroyed by accidental causes (e.g. fire). The qualification that non-conforming development excludes existing buildings that are over a certain size (when that size is prohibited) is confusing and not intended to prevent existing buildings that exceed FAR limits from being rebuilt. Therefore, this statement is deleted.

Language to be **added** is underlined  
Language to be **deleted** is shown in ~~strikethrough~~

**Lot of Record.** A lot of record is a plot of land:

- ~~Which was not created through an approved subdivision or partition;~~
- ~~Which was created and recorded before July 26, 1979; and~~
- ~~For which the deed, or other instrument dividing the land, is recorded with the appropriate county recorder.~~

**Lot Remnant.** A portion of a lot that has a lot area of 50 percent or less of the original platted lot. See Figure 910-17 and 910-19.

~~Figure 910-17  
Adjusted Lot and Lot Remnant  
(Delete Figure 910-17)~~

~~Figure 910-19  
Lot Remnants that are 50 Percent of the Original Platted Lot Area  
(Delete Figure 910-19)~~

**Lot of Record.** See Lot-Related Definitions

**Lot Remnant.** See Lot-Related Definitions

**Nonconforming Development.** An element of a development, such as a setback, height, or parking area, that was created in conformance with development regulations but which subsequently, due to a change in the zone or zoning regulations, is no longer in conformance with the current applicable development standards. ~~Nonconforming development includes development that is over a maximum allowed building size, as long as the development does not include a building size that is specifically prohibited by the current development standards.~~

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## Commentary

### Residential Structure Types

**Accessory Dwelling Unit.** The amendments to the definition of accessory dwelling unit reflect the fact that other amendments in this proposal will allow ADUs to be added to duplexes and to sites with detached single-dwelling structures approved through a Planned Development. The definition focuses on the subordinate nature of the ADU, rather than with what structure type it is being created.

**Fourplex.** A new definition of fourplex is being added because the single-dwelling zone Residential Infill Options will allow fourplexes (four units in one structure) on some R2.5, R5, and R7 lots.

**Multi-Dwelling development.** The example in the definition is removed because it creates confusion. The terms "house" and "duplex" are defined as structures located on their own lots. Therefore, the statement that a "duplex in front with either 1 or more single dwelling houses behind or 1 or more duplex units or multi-dwelling structures behind " is not technically accurate. The moment a separate primary unit in a separate building is added to a site with a house or duplex, the site is considered multi-dwelling development.

**Multi-Dwelling Structure.** The definition is being changed to reflect that triplexes and fourplexes are no longer defined as a multi-dwelling structure type, but remain their own distinct structure type, like "duplexes". This makes these residential structure types mutually exclusive and removes overlap.

**Triplex.** Triplexes are not a new residential structure type, but they had previously been considered a subset of multi-dwelling structures. They were redefined as their own structure type, but continue to be defined as three dwelling units in one structure on a lot.

**Plot.** A piece of land created by a partition, subdivision, deed, or other instrument recorded with the appropriate county recorder. This includes a lot, an adjusted lot, a lot remnant, a lot of record, a tract, or a piece of land created through other methods.

### **Residential Structure Types**

- **Accessory Dwelling Unit.** An additional~~second~~ dwelling unit created on a lot with a primary dwelling unit, house, attached house, or manufactured home. ~~The additional~~second unit is created ~~auxiliary to, and is always~~ smaller than the primary dwelling unit except when the accessory dwelling unit is in an existing basement house, attached house, or manufactured home. The accessory dwelling unit includes its own independent living facilities including provision for sleeping, cooking, and sanitation, and is designed for residential occupancy by one or more people, independent of the primary dwelling unit. Kitchen facilities for cooking in the unit are described in Section 29.30.160 of Title 29, Property and Maintenance Regulations. The unit may have a separate exterior entrance or an entrance to an internal common area accessible to the outside.
- **Attached Duplex.** [no change]
- **Attached House.** [No change]
- **Duplex.** [No change]
- **Dwelling Unit.** [No change]
- **Fourplex.** A structure that contains four primary dwelling units on one lot. Each unit must share a common wall or common floor/ceiling with at least one other unit.
- **Group Living Facility.** [No change]
- **House.** [No change]
- **Houseboat Moorage.** [No change]
- **Manufactured Dwelling.** [No change]
- **Multi-Dwelling Development.** A grouping of individual structures where each structure contains 1 or more dwelling units. The land underneath the structures is not divided into separate lots. ~~A multi-dwelling development project may include an existing single dwelling detached building with 1 or more new detached structures located to the rear or the side of the existing house. It might also include a duplex in front with either 1 or more single dwelling houses behind or 1 or more duplex units or multi-dwelling structures behind.~~ The key characteristic of this housing type is that there is no requirement for the structures on the sites to be attached.
- **Multi-Dwelling Structure.** A structure that contains five or more dwelling units that share common walls or floor/ceilings with one or more units. The land underneath the structure is not divided into separate lots. Multi-dwelling includes structures commonly called garden apartments, apartments, and condominiums.
- **Single Room Occupancy Housing (SRO).** [No change]
- **Triplex.** A structure that contains three primary dwelling units on one lot. Each unit must share a common wall or common floor/ceiling with at least one other unit.

**Tract.** A piece of land created and designated as part of a land division that is not a lot, adjusted lot, lot remnant, lot of record, or a public right-of-way. Tracts are created and designed for a specific purpose. Land uses within a tract are restricted to those uses consistent with the stated purpose as described on the plat, or in the maintenance agreements, or through Conditions, Covenants and Restrictions (CC&Rs). Examples include stormwater management tracts, private street or alley tracts, tree preservation tracts, environmental resource tracts, and open space tracts.

**Through Lot.** See Lot-Related Definitions

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## Commentary

### 33.930.050 Measuring Height

The changes to the measurement of building height are significant. They aim to close potential loopholes that have allowed buildings to be taller than desired. In the past, pushing the envelope on base zone height limits has not been an issue because new development was not maximizing development allowances on sites. Recently however, new development frequently maximizes the development to compensate for the increased land cost. It is relatively frequent for development to exceed the height limit by exposing the basement or building full-floor “dormers” to create a 4 story house. The amendments to this section are intended to ensure that the height limit keeps structures at 2½ story in the single dwelling zones.

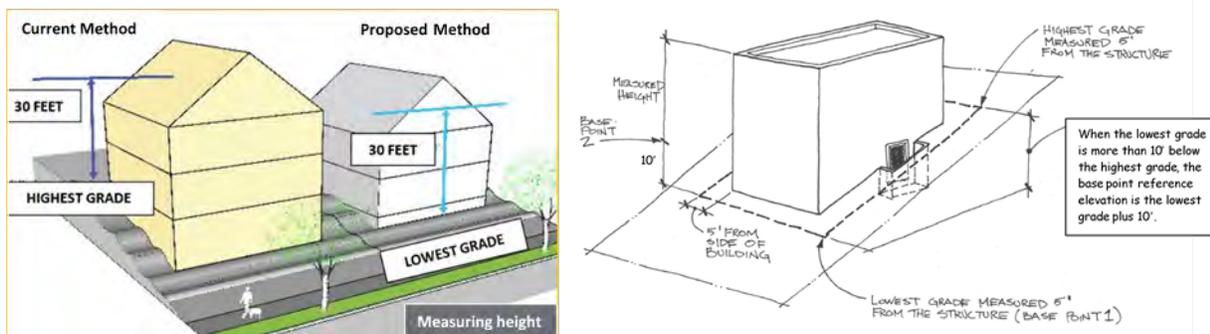
The new height measurement methodology maintains the current paradigm of measuring height between a base point and a top reference point determined by the type of roof.

Height is still measured from the finished grade—not the pre-development grade—as pre-development grade is difficult to verify once construction has begun, can create challenging design scenarios, and for sites with pre-existing development, raise questions about what “pre-development” grade is.

The most significant proposed change is switching from measuring from the *highest* point anywhere within a 5-foot distance from a building wall, to measuring from the *lowest* point along a perimeter line drawn 5 feet from the building wall. This ensures that the base point reference can't be artificially raised in one spot or along one side of a building to allow the entire building to be taller; the entire perimeter of the building would need to be raised. By using a perimeter line 5 feet from the building versus describing the entire area within 5 feet of the building, window wells and access stairs to basements can be excluded as the “lowest point” for calculating height provided these features do not extend beyond the 5-foot area.

An allowance is also provided for a 5-foot wide pedestrian only connection through the perimeter grade measurement line. If the lowest point is within this connection, the next lowest grade point is used. This is to provide connections between the street and basements on raised lots.

The changes also clarify that measured height is the greatest vertical distance between the two reference points. In other words, if a roof midpoint on the opposite side of a house is higher than the roof midpoint nearer to the lowest base point, the higher roof reference point is used.



## 33.930 Measurements

930

### 33.930.050 Measuring Height

**A. Measuring building height.** The height of a building is the vertical distance between the base reference point and the highest roof-type reference point. The methods for establishing the base reference point are described in Paragraph A.1. Methods to establish the roof-type reference point are described in Paragraph A.2.

1. Base reference point.

a. In commercial/mixed use and multi-dwelling zones. In the commercial/mixed-use zones, when any portion of a building is within 25 feet of an existing or proposed sidewalk, the base reference point is determined using the method described in Subsubparagraphs A.1.a(1) and A.1.a(2). See Figure 930-25 and 930-26. If no portion of a building is within 25 feet of an existing or proposed sidewalk, the base reference point is determined using the method described in Subparagraph A.1.b. In addition, in the multi-dwelling zones, when the structure is a multi-dwelling structure, and some portion of the building is within 25 feet of an existing or proposed sidewalk, the applicant may choose to use the following method for determining base reference point:

(1) Identify the lowest and highest grade of the sidewalk located within 25 feet of the building.

(2) Determine the base reference point:

- When the lowest grade of the existing or proposed sidewalk located within 25 feet of the building is not more than 10 feet below the highest grade of the sidewalk adjacent to the site within 25 feet of the building, the base reference point is the highest grade of the sidewalk.
- When the lowest grade of the existing or proposed sidewalk located within 25 feet of the building is more than 10 feet below the highest grade of the sidewalk adjacent to the site within 25 feet of the building, the base reference point is the lowest grade of the sidewalk plus 10 feet.

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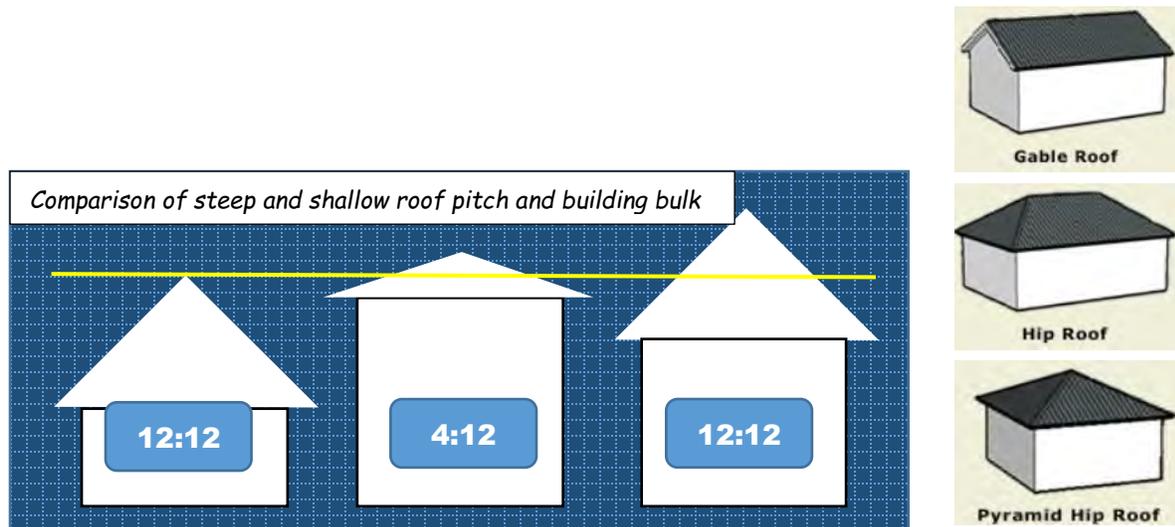
## Commentary

### Roof Type Reference Point

The other significant change is the requirement to use the roof-type reference point that yields the highest measurement. Currently the average height of the highest gable is most commonly used to determine building height. However, if there is a smaller gable roof with an average height that is higher than the larger roof (by virtue of using averages) but that roof is not above the ridgeline of the larger roof, then the lower reference for the larger roof is used. Or if there is a shed roof dormer on a gable roof, but the shed roof doesn't project above the gable, then the midpoint of the gable is currently used. With this change, the reference point for each roof would be compared to see which yields the highest measurement (see example on next commentary page).

The amendments also delete the differentiation between less steep roofs (<12:12 pitch) and very steep roofs (12:12 pitch and greater). Currently, the code differentiates measurement methods between gable and hip roofs with less than 12:12 pitch (measure to the midpoint), from those with 12:12 and greater roof pitch (measure to the peak). The code also requires that the measurement for pyramidal shaped roofs be to the peak of the roof, even though the difference between pyramidal and gable/hipped roofs is nearly imperceptible from the ground.

These changes treat these roof types the same by measuring to the midpoint in all cases. This allows for steeper pitched roofs that may be taller, but the building profile is typically less bulky than buildings with lower pitched roofs. This, along with FAR limits that count tall attic spaces will work together to reduce the overall building bulk.



b. In all other situations, the base reference point is determined using the method described in Subparagraphs A.1.b(1) and A.1.b(2). See Figure 930-7:

(1) Identify the lowest and highest grade exactly 5 feet from the building. To establish lowest and highest grade, draw a line exactly 5 feet from all sides of the building and identify the lowest and the highest grade along the line. Exclude from the identification of lowest grade pedestrian-only paths that are no more than 5 feet wide that provide access from the street to an entrance into the building. If the property line is less than 5 feet from any side of the building, the line must follow the property line for the segment where the property line is less than 5 feet from the building.

(2) Determine the base reference point:

- When the lowest grade is not more than 10 feet below the highest grade exactly 5 feet from the building, the lowest grade is the base reference point.
- When the lowest grade is more than 10 feet below the highest grade exactly 5 feet from the building, the base reference point is the lowest grade plus 10 feet.

2. Roof-type reference point. The methods to determine the roof-type reference point are described below and are shown in Figure 930-5. There may be multiple roof-type reference points on a building:

- Flat roof (pitch is 2 in 12 or less): Measure to the highest point of the roof except in the single-dwelling zones where the measurement is to the top of the parapet, or if there is no parapet, to the highest point of the roof.
- Mansard roof: Measure to the deck line.
- Gabled, hipped, gambrel, or pyramidal roof: Measure to the average height of the gable.
- Other roof types such as domed, shed, or vaulted shapes: Measure to the highest point.
- Stepped or terraced building: Measure to the highest point of any segment of the building.

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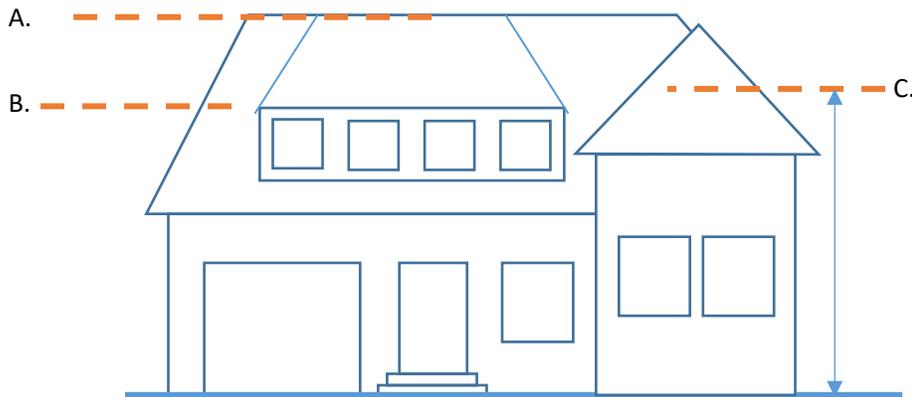
## Commentary

### Figure 930-5

A small refinement was made to this drawing to show that the height for sloped roofs is measured at the point where the wall intersects with the roof plane, not the upper edge of the eave.

### Figure 930-6

This figure has been revised to incorporate the restructured height measurement language which no longer refers to "base point 1" and "base point 2"



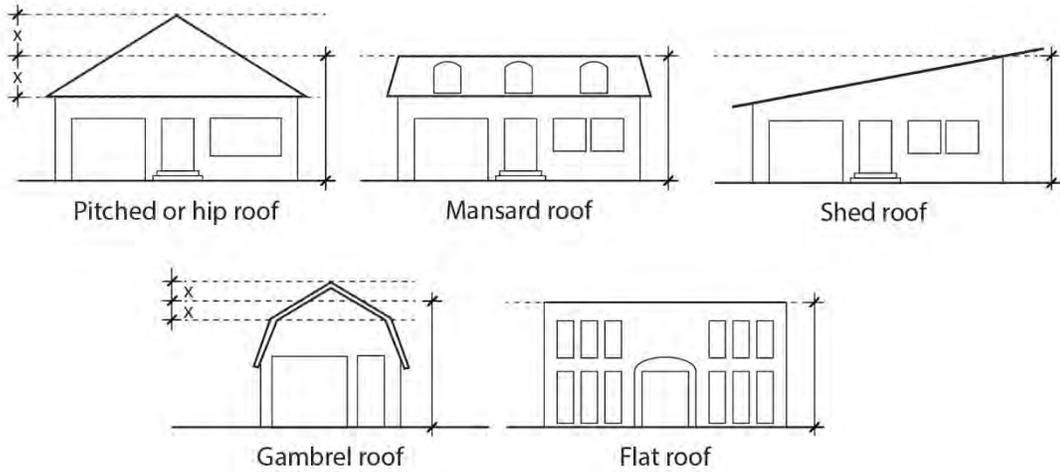
**Dormer shed roof (A.)** this is not included in height calculation in single dwelling base zone, if it meets the standards of 33.110.220.C.2

**Main gable roof (B.)** even though the ridge is highest, its midpoint is not.

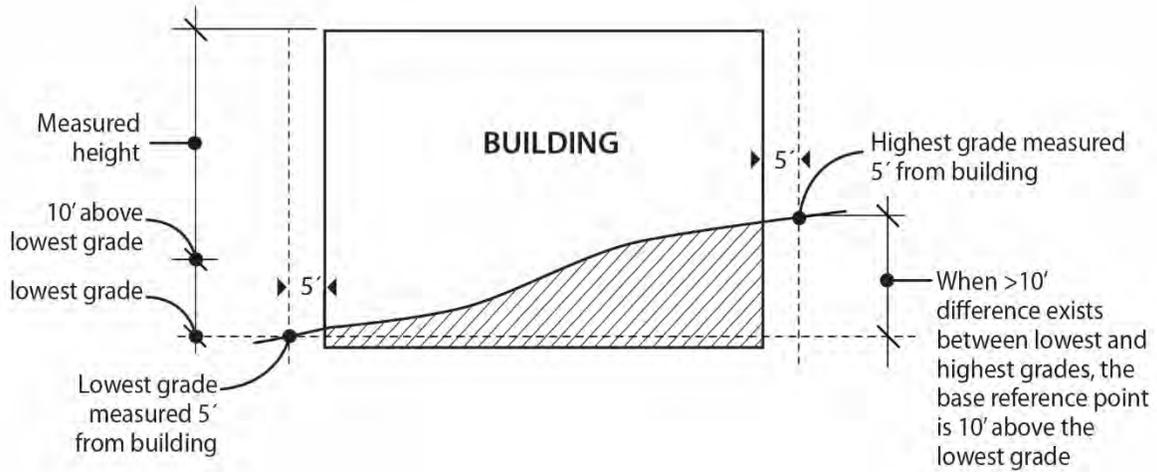
**Small gable roof (C.)** even though this roof ridgeline is lower than the larger gable, the midpoint of this roof is the highest roof reference point, therefore this point is used for height calculation.

Language to be **added** is underlined  
Language to be **deleted** is shown in ~~strikethrough~~

**Figure 930-5**  
**Measuring Height – Roof Types**



**Figure 930-6**  
**Measuring Height – Determining Base Reference Point**



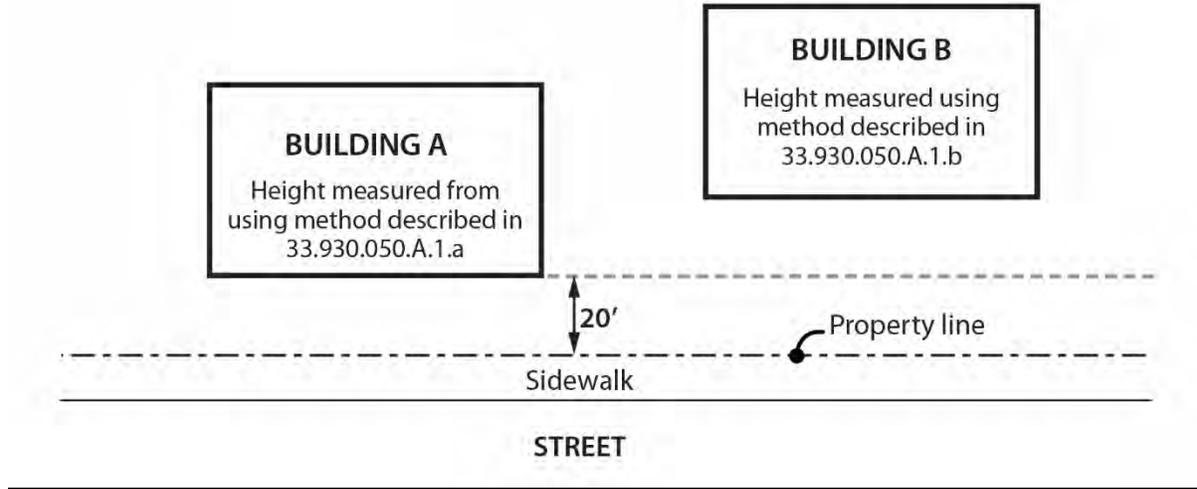
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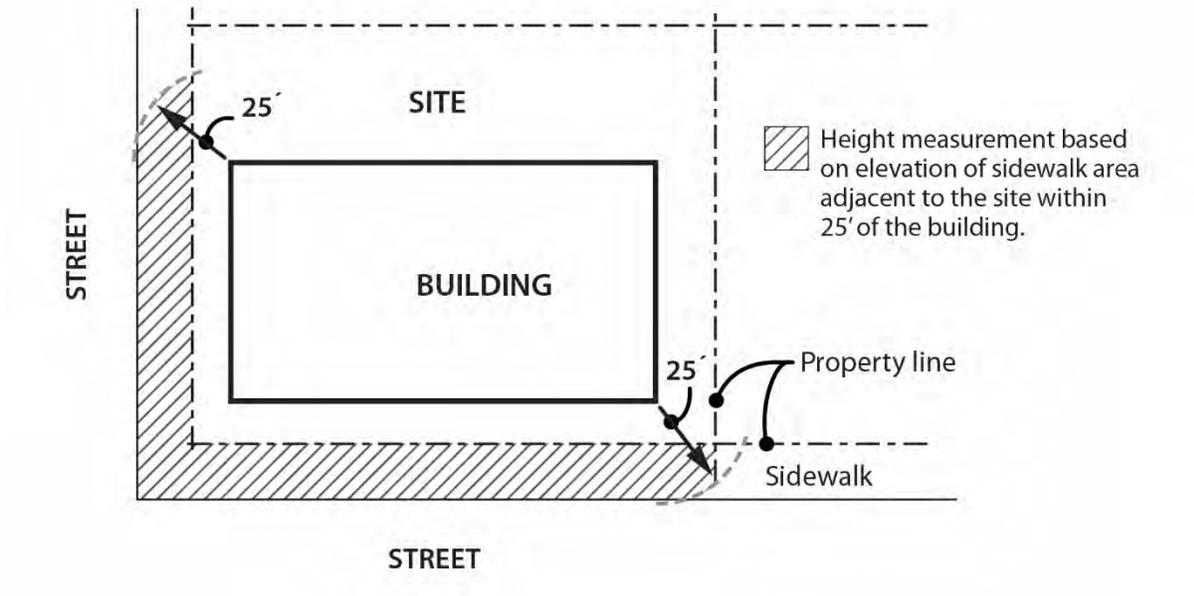
## Commentary

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**Figure 930-25**  
**Measuring Height – Commercial/Mixed Use Zones**



**Figure 930-26**  
**Measuring Height – Sidewalk Area Used for Height Measurement in Commercial/Mixed Use Zones**



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## Commentary

### **33.930.050 Measuring Height**

**A. Measuring building height.** Height of buildings is generally measured as provided in the Oregon Structural Specialty Code (the Uniform Building Code as amended by the State.) The height of buildings is the vertical distance above the base point described in Paragraphs A.1. or A.2., unless the site is in a commercial/mixed use zone, in which case the height of buildings is measured as described in Paragraph A.3. The base point used is the method that yields the greater height of building. Methods to measure specific roof types are shown below and in Figure 930-5:

- ~~Flat roof (pitch is 2 in 12 or less): Measure to the highest point of the roof except in the residential zones where the measurement is to the top of the parapet, or if there is no parapet, to the highest point of the roof.~~
  - ~~Mansard roof: Measure to the deck line.~~
  - ~~Gabled, hipped, or gambrel roof where roof pitch is 12 in 12 or less: Measure to the average height of the highest gable.~~
  - ~~Gabled or hipped roofs with a pitch steeper than 12 in 12: Measure to the highest point.~~
  - ~~Gambrel roofs where both pitches are steeper than 12 in 12: Measure to the highest point.~~
  - ~~Other roof shapes such as domed, shed, vaulted, or pyramidal shapes: Measure to the highest point.~~
  - ~~Stepped or terraced building: Measure to the highest point of any segment of the building.~~
1. ~~Base point 1. Base point 1 is the elevation of the highest adjoining sidewalk or ground surface within a 5 foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade. See Figure 930-6.~~
  2. ~~Base point 2. Base point 2 is the elevation that is 10 feet higher than the lowest grade when the sidewalk or ground surface described in Paragraph 1., above, is more than 10 feet above lowest grade. See Figure 930-7.~~
  3. ~~In the commercial/mixed use zones, the height measurement is based on the location of a building relative to a street lot line and the elevation of sidewalk area adjacent to the site, as follows:~~
    - a. ~~When any portion of a building is within 20 feet of a street lot line, the base point from which height is measured is described below. See Figure 930-25 and Figure 930-26:~~
      - (1) ~~Within 25 feet of the building, when the difference between the highest elevation and the lowest elevation of sidewalk is 10 feet or less, the base point is the highest elevation of the sidewalk; or~~
      - (2) ~~Within 25 feet of the building, when the difference between the highest elevation and the lowest elevation of sidewalk is more than 10 feet, the base point is a point 10 feet above the lowest elevation of the sidewalk.~~
    - b. ~~For all other buildings, or if no sidewalk exists or is proposed within 25 feet of the building, height is measured using the base points described in Paragraphs A.1. and A.2.~~

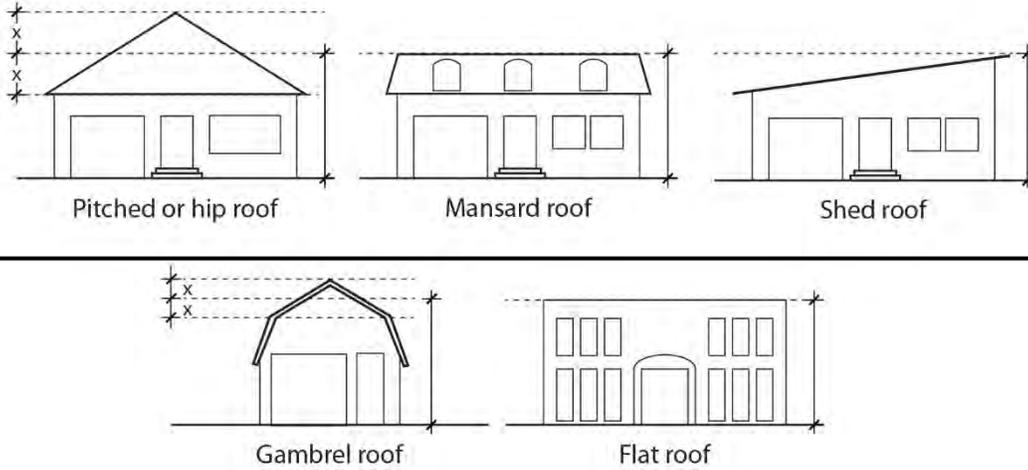
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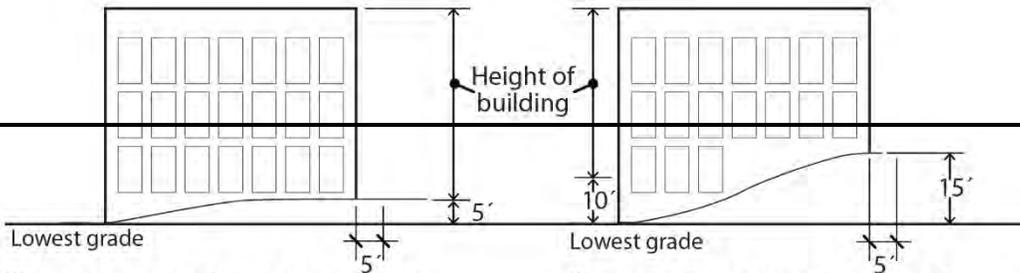
## Commentary

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**Figure 930-5**  
**Measuring Height—Roof Types**



**Figure 930-6** — **Figure 930-7**  
**Measuring Height—Base Point 1** — **Measuring Height—Base Point 2**



When highest grade is 10 feet or less above the lowest grade, the base point is the elevation of the highest adjoining sidewalk or grade within a 5-foot horizontal distance.

When highest grade is more than 10 feet above the lowest grade, the base point is the elevation 10 feet above the lowest grade.

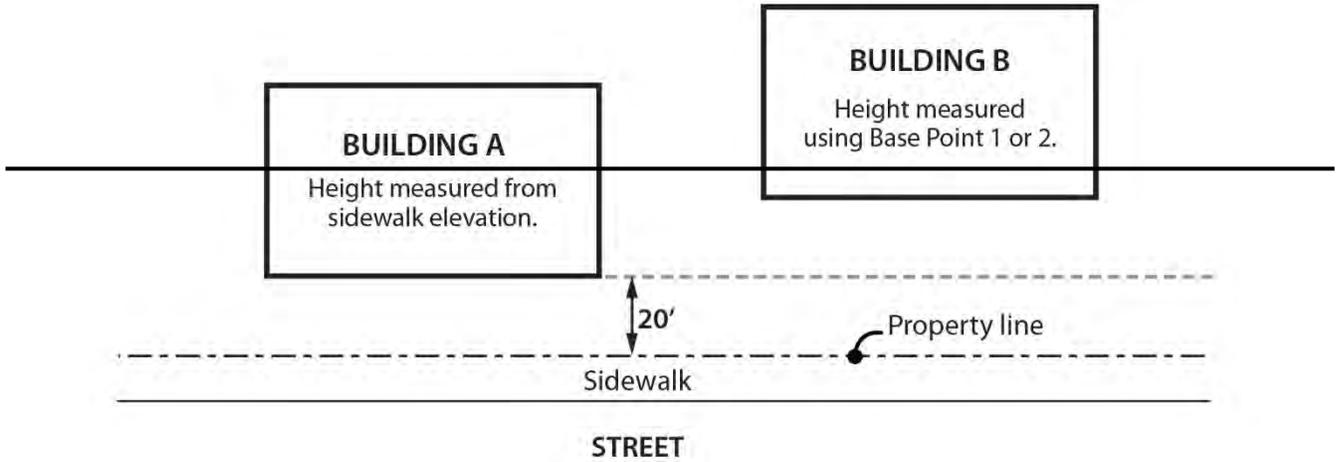
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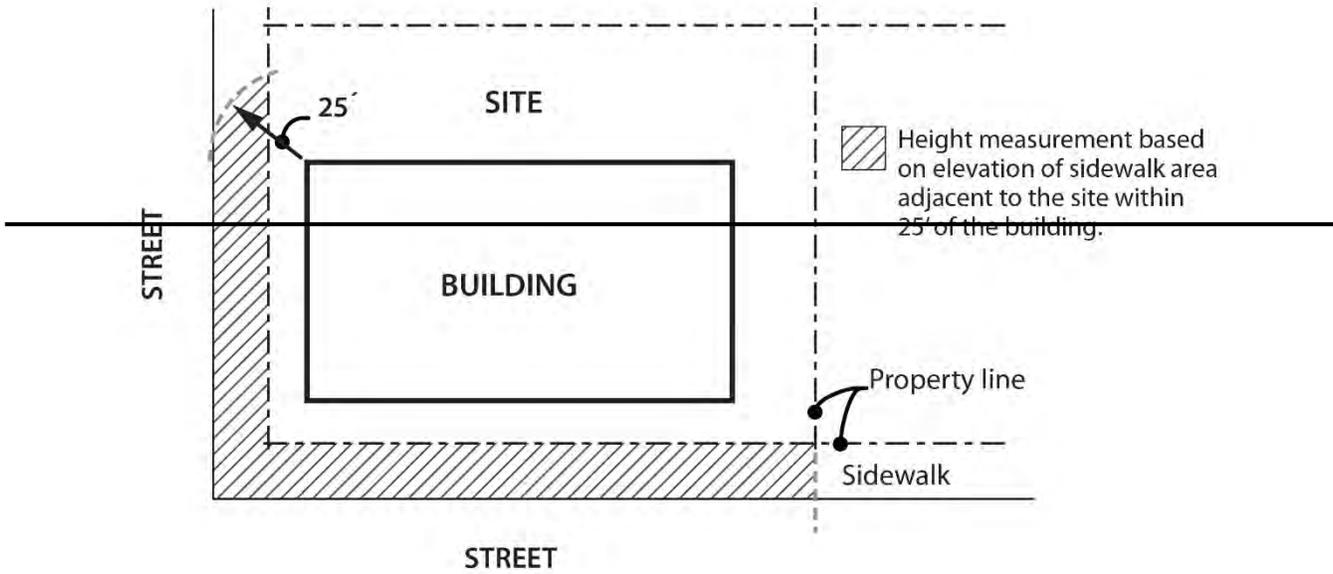
## Commentary

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Language to be **deleted** is shown in ~~strikethrough~~

**Figure 930-25**  
**Measuring Height – Commercial/Mixed Use Zones**



**Figure 930-26**  
**Measuring Height – Sidewalk Area Used for Height Measurement in Commercial/Mixed Use Zones**



**B. Measuring height of other structures. [No change]**

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## Commentary

### **33.930.060 Determining Average Slope**

The numbering for Subsection A was deleted as there is no longer a subsection B.

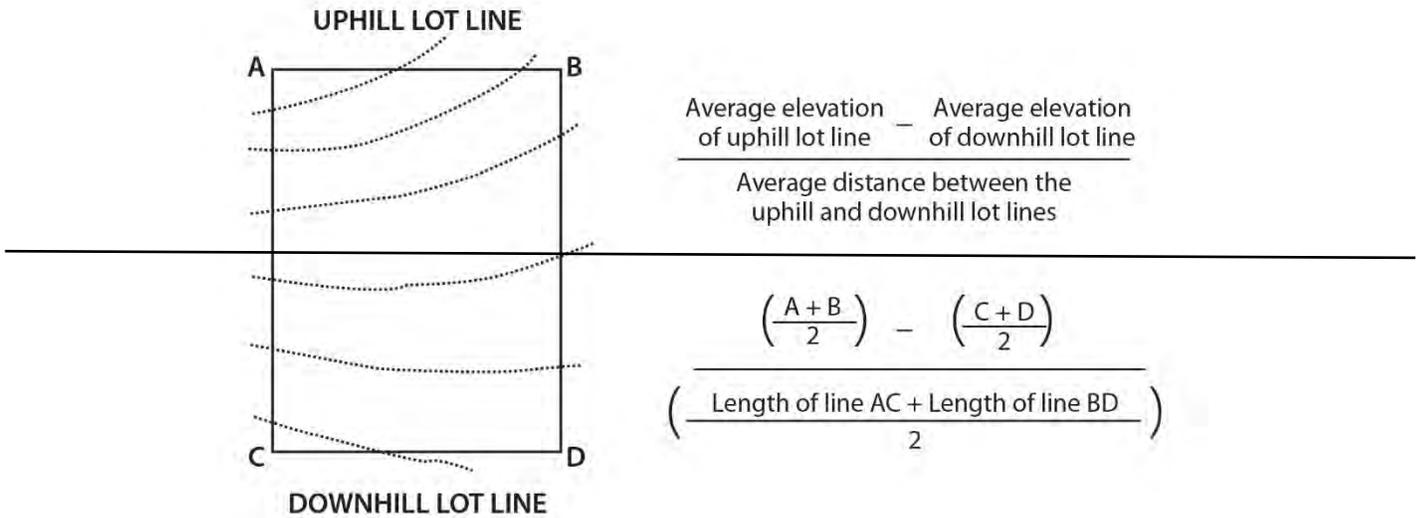
### **Figure 930-9 Calculating Average Slope**

This figure was updated to show an irregular lot configuration, to clarify how measurements are made in these situations. The method was not changed.

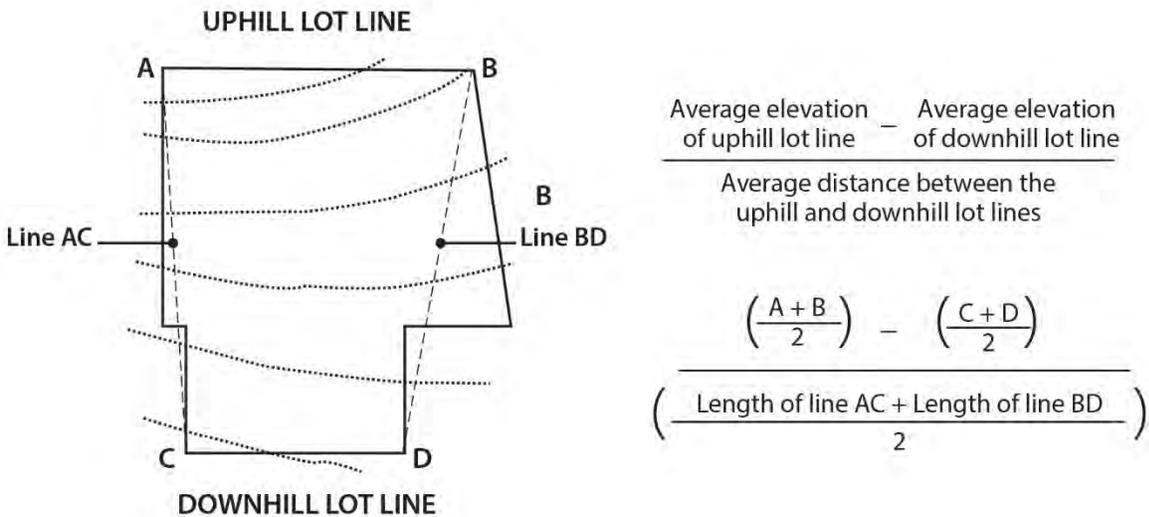
**33.930.060 Determining Average Slope**

~~A. Average slope used.~~ When calculating the slope of a lot an average slope is used based on the elevations at the corners of the lot. The average slope of a lot is calculated by subtracting the average elevation of the uphill lot line and the average elevation of the downhill lot line and dividing the sum by the average distance between the two lot lines. The average elevation of the uphill or downhill lot line is calculated by adding the elevations at the ends of the lot line and dividing by two. See Figure 930-9.

**Figure 930-9**  
**Calculating Average Slope**



**Figure 930-9**  
**Calculating Average Slope**



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## Commentary

### **33.930.100 Measuring Lot Widths**

The Section title and Subsection B were changed to reflect that 33.930.103 addresses Lot Depths.

### **33.930.100 Measuring Lot Widths ~~and Depths~~**

- A. Single-Dwelling zones.** In the single-dwelling zones, lot width is measured by placing a rectangle along the minimum front building setback line. Where the setback line is curved, the rectangle is placed on the line between the intersection points of the setback line with the side lot lines. See Figure 930-20.

The rectangle must have a minimum width equal to the minimum lot width specified for the zone in Chapters 33.610 and 33.611. The rectangle must have a minimum depth of 40 feet, or extend to the rear property line, whichever is less. The rectangle must fit entirely within the lot. See Figure 930-20.

- B. All other zones.** In all other zones, lot widths ~~and depths~~ are measured from the midpoints of opposite lot lines. See Figure 930-15.

## Commentary

### Section 7: Comprehensive Plan Amendments

#### Chapter 10: Land Use Designations and Zoning

The following table compares the Comprehensive Plan Designation and Zoning Names for the single-dwelling and multi-dwelling zones, including pending changes proposed by the Better Housing by Design Project.

Replacing "single-dwelling" with a less specific "residential" designation reflects existing and new allowances for additional housing types beyond just a single house, for example accessory dwelling units, corner lot duplexes, as well as duplexes, triplexes and fourplexes in many areas of R2.5, R5, and R7 zones.

Comprehensive Plan Designation		Zoning Name and Symbol			
Current	Proposed	Current	Proposed	Short name Current/proposed	
Farm and Forest	Farm and Forest	Residential Farm/Forest	No change	RF	No change
<del>Single Dwelling 20,000</del>	Residential 20,000	Residential 20,000	No change	R20	
<del>Single Dwelling 10,000</del>	Residential 10,000	Residential 10,000	No change	R10	
<del>Single Dwelling 7,000</del>	Residential 7,000	Residential 7,000	No change	R7	
<del>Single Dwelling 5,000</del>	Residential 5,000	Residential 5,000	No change	R5	
<del>Single Dwelling 2,500</del>	Residential 2,500	Residential 2,500	No change	R2.5	
<del>Multi Dwelling 3,000</del>	Multi-Dwelling - Neighborhood	<del>Residential 3,000</del>	Residential Multi-Dwelling 1	R3	RM1
<del>Multi Dwelling 2,000</del>		Residential 2,000		R2	
<del>Multi Dwelling 1,000</del>	Multi-Dwelling - Corridor	<del>Residential 1,000</del>	Residential Multi-Dwelling 2	R1	RM2
High Density Multi-Dwelling	Multi-Dwelling - Urban Center	<del>High Density Residential (2:1 FAR)</del>	Residential Multi-Dwelling 3	RH	RM3
		<del>High Density Residential (4:1 FAR)</del>	Residential Multi-Dwelling 4		RM4
Central Residential	Central Residential	Central Residential	Central Residential	RX	RX

## Chapter 10 - Land use designations and zoning

The Comprehensive Plan Map is one of the Comprehensive Plan's implementation tools. The map includes land use designations, which are used to carry out the Comprehensive Plan. The land use designation that best implements the goals and policies of the Plan is applied to each area of the city. This section contains general descriptions of the land use designations.

Each description includes:

- Type of place or Pattern Area for which the designation is intended.
- General use and intensity expected within the area. In some cases, alternative development or infill options allowed in single-dwelling residential zones (e.g. duplexes and attached houses on corner lots; accessory dwelling units) may allow additional residential units beyond the general density described below.
- Level of public services provided or planned.
- Level of constraint.

**Policy 10.1, Land use designations.** Apply a land use designation to all land and water within the City's Urban Services Boundary. Apply the designation that best advances the Comprehensive Plan goals and policies. The land use designations are shown on the adopted Land Use Map and on official Zoning Maps.

1. **Open Space** [No change]
2. **Farm and Forest** This designation is intended for agricultural and forested areas far from centers and corridors, where urban public services are extremely limited or absent, and future investment to establish an urban level of public services is not planned. Areas within this designation generally have multiple significant development constraints that may pose health and safety risks if the land were more densely developed. The designation can be used where larger lot sizes are necessary to enable on-site sanitary or stormwater disposal. It also may be used in locations that may become more urban in the future, but where plans are not yet in place to ensure orderly development. Agriculture, forestry, and very low-density single-dwelling residential will be the primary uses. The maximum density is generally 1 ~~unit~~lot per 2 acres. The corresponding zone is RF.
3. **Single-Dwelling Residential — 20,000** This designation is intended for areas that are generally far from centers and corridors where urban public services are extremely limited or absent, and future investments in urban public services will be limited. Areas within the designation generally have multiple significant development constraints that may pose health and safety risks if the land were more densely developed. Very low-density single-dwelling residential and agriculture will be the primary uses. The maximum density is generally 2.2 ~~units~~lots per acre. The corresponding zone is R20.
4. **Single-Dwelling Residential — 10,000** This designation is intended for areas far from centers and corridors where urban public services are available or planned but complete local street networks or transit service is limited. This designation is also intended for areas where ecological resources or public health and safety considerations warrant lower densities. Areas within this designation generally have development constraints, but the constraints can be managed through appropriate design during the subdivision process. Single-dwelling residential will be the primary use. The maximum density is generally 4.4 ~~units~~lots per acre. The corresponding zone is R10.

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## Commentary

5. ~~Single Dwelling Residential~~ — **7,000**. This designation is intended for areas that are not adjacent to centers and corridors, where urban public services are available or planned, but complete local street networks or transit service is limited. This designation is also intended for areas where ecological resources or public health and safety considerations warrant lower densities. Areas within this designation may have minor development constraints, but the constraints can be managed through appropriate design during the subdivision process. This designation may also be applied in areas where urban public services are available or planned, but the development pattern is already predominantly built-out at 5 to 6 units per acre. Single-dwelling residential will be the primary use, but other housing types are also allowed. The maximum density is generally 6.2 ~~units~~ lots per acre. The corresponding zone is R7.
  
6. ~~Single Dwelling Residential~~ — **5,000**. This designation is Portland’s most common pattern of single-dwelling development, particularly in the city’s inner neighborhoods. It is intended for areas where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas within this designation generally have few or very minor development constraints. Single-dwelling residential will be the primary use, but other housing types are also allowed. The maximum density is generally 8.7 ~~units~~ lots per acre. The corresponding zone is R5.
  
7. ~~Single Dwelling Residential~~ — **2,500**. This designation allows a mix of housing types that are single-dwelling in character. This designation is intended for areas near, in, and along centers and corridors, near transit station areas, where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas within this designation generally do not have development constraints. This designation often serves as a transition between mixed use or multi-dwelling designations and lower density single dwelling designations. The maximum density is generally 17.4 ~~units~~ lots per acre. The corresponding zone is R2.5.

**8. – 22. [No change]**

*Figure 10-1. Corresponding and Allowed Zones for Each Land Use Designation*

LU Designation	Corresponding Zone(s)	Non-corresponding zone(s) that are allowed
Open Space	OS	none
Farm and Forest	RF	OS
<del>Single Dwelling Residential</del> 20,000	R20	RF, OS
<del>Single Dwelling Residential</del> 10,000	R10	R20, RF, OS
<del>Single Dwelling Residential</del> 7,000	R7	R10, R20, RF, OS
<del>Single Dwelling Residential</del> 5,000	R5	R7, R10, R20, RF, OS
<del>Single Dwelling Residential</del> 2,500	R2.5	R5, R7, R10, R20, RF, OS

**[No change to remainder of Figure 10-1]**

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## Commentary

### Glossary

#### Accessory Dwelling Unit

The term accessory dwelling unit is used several times in the comprehensive plan to convey additional housing types that should be encouraged.

The Comprehensive Plan glossary notes that "Words not included in this Glossary are defined by their dictionary meaning, or in some cases, by their meaning in state or federal law."

The term Accessory Dwelling Unit was not previously defined in state law, but it subsequently has been:

ORS 197.312(5)(b): "accessory dwelling unit" means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.

This meaning is sufficient and does not conflict with the meaning in the Comprehensive Plan, so the redundancy is being deleted.

## Glossary

The Comprehensive Plan uses clear, everyday language as much as possible. Words and terms in the Glossary have the specific meaning stated below when used in the Comprehensive Plan, unless the context clearly indicates another meaning. Words not included in this Glossary are defined by their dictionary meaning, or in some cases, by their meaning in state or federal law.

~~**Accessory dwelling unit (ADU):** A second dwelling unit on a lot with a house, attached house, or manufactured home. The second unit is created auxiliary to, and is always smaller than, the house, attached house, or manufactured home. The unit includes its own independent facilities including provisions for sleeping, cooking, and sanitation, and is designed for occupancy by one or more people independent of the primary dwelling unit.~~

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## Commentary

### 30.01.140 Deeper Housing Affordability FAR Bonus Program

These changes expand the Deeper Housing Affordability FAR Bonus Program that was created for the Multi-dwelling zones "Better Housing by Design project" to apply to single dwelling zone areas as well. This works in conjunction with the "affordable fourplexes and multi-dwelling structures" bonus in 33.110.265.F (Residential Infill Options). To qualify for this new voluntary bonus, projects will need to have at least 50 percent of units on the site affordable to households earning no more than 60 percent of MFI. This bonus alternatively provides an affordable home ownership option for projects in which at least half of the units are ownership units affordable to households earning no more than 80 percent of MFI.

Several other wording refinements are also included in these amendments for greater clarity and consistency.

**30.01.140 ~~Multi-Dwelling Zones~~ Deeper Housing Affordability FAR Density Program.**

- A. Purpose Statement.** The City intends to implement the ~~Multi-Dwelling Zones~~ Deeper Housing Affordability FAR Density Bonus Program (the "DHA Program") to increase the numbers of ~~D~~dwelling ~~U~~nits available for sale or for rent to households earning incomes that fall within particular City established parameters.
- B. Administration.**
1. PHB will certify whether the applicant's proposed development meets the standards and requirements set forth in PCC Subsection 33.120.211.C.2., PCC Subsection 33.110.265.F. and this Section.
  2. PHB may adopt, amend, and repeal Administrative Rules and prepare forms for the implementation, administration and compliance monitoring consistent with the provisions of this Section 30.01.140. The Director of PHB, or a designee, shall have the authority to modify the Administrative Rules as necessary to meet current City housing program requirements. PHB Administrative Rules will set forth clear and objective criteria to establish minimum ~~development~~ standards for aAffordable Housing units ~~subject to restricted under~~ the DHA Program.
- C. Standards.** ~~Developments~~Buildings or sites approved for the DHA Program must satisfy the following criteria:
1. Dwelling units for sale shall remain affordable for a period of at least 10 years and be available to households earning 80 percent or less of area ~~median income, MFI, and~~ Ddwelling units for rent shall remain affordable for a period of 99 years and be available to households earning 60 percent or less of area ~~median income~~MFI;
  2. Owners are required to sign a ~~Regulatory Agreement~~ covenant that will encumber the property receiving a density bonus under the DHA Program, and will be recorded in the official records of Multnomah County, Oregon;
  3. For rental ~~D~~dwelling ~~U~~nits, the owner or a representative shall submit annual documentation of tenant income and rents to PHB;
  4. The City may inspect any of the affordable rental ~~D~~dwelling ~~U~~nits in the building for fire, life, and safety hazards and for compliance with DHA Program requirements and may inspect files documenting tenant income and rents of the affordable rental ~~D~~dwelling ~~U~~nits; and
  5. Failure to meet the requirements of the DHA Program will result in a penalty; and may result in legal action.

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## Commentary

## D. Penalties.

1. In the event of a failure to meet the requirements of the DHA Program and the additional requirements established in the ~~Regulatory Agreement covenant~~, PHB may choose, to negotiate with the building owner to bring the building into ~~project~~ compliance.
2. Should PHB and the owner not agree upon an acceptable remedy to bring the project into compliance, the owner will owe financial penalties payable to PHB as follows:

- a. **Dwelling units for rent:**

**For-Rent Dwelling Unit Penalty.** For a building or site with rental ~~D~~dwelling Uunits, a penalty equal to multiplying the gross square feet of the residential and residential-related portions of the ~~B~~building or buildings by \$23; ~~and~~

**Interest.** Interest on the entire unpaid For-Rent Dwelling Unit ~~p~~Penalty amount, assessed at the rate of .833 percent simple interest per month or fraction thereof (10 percent per annum), computed from the date of default; ~~and~~

**Financial Incentives.** Repayment of any financial incentives and exemptions received according to code and ~~a~~AAdministrative ~~r~~Rules including, but not limited to, system development charges, property taxes, and construction excise taxes; and

**Additional Penalties.** PHB may pursue any remedy available at law, or in equity, including but not limited to injunctive relief, and other remedies such as foreclosure, or receivership if the financial penalties established in this Subsection 2. are not timely paid in accordance with the timeframe prescribed by PHB or a court of competent jurisdiction.

Upon ~~the~~ the ~~Owner's~~ Owner's payment in full of the applicable For-Rent Dwelling Unit Penalty, Interest, Financial Incentives repayment amounts due and payment of any Additional Penalties, the impacted building and for Sale D~~d~~wdwelling Uunits for rent will cease to be bound to the restrictions of the DHA Program, and PHB will release the ~~C~~ccovenant.

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## Commentary

b. ~~For Sale Dwelling Unit Penalty~~ Dwelling units for sale:

(1) For ~~for Sale Dwelling Units~~ for sale, after the initial sale to an eligible homebuyer, the repayment of the difference between the ~~R~~restricted S~~ale P~~price and the assessed value for each dwelling unit as stated in the DHA Program ~~Covenant~~Administrative Rules; and

(2) **For-Sale Dwelling Unit Penalty.** For a building or site with dwelling units for sale, a penalty equal to multiplying the gross square feet of each dwelling unit and the corresponding percentage of the residential and residential-related portions of the building by \$23;

**Interest.** Interest on the entire unpaid For-Sale Dwelling Unit Penalty amount, assessed at the rate of .833 percent simple interest per month or fraction thereof (10 percent per annum), computed from the date of default; ~~and~~

**Financial Incentives.** Repayment of any financial incentives and exemptions received according to code and ~~a~~Administrative R~~ules~~ including, but not limited to, system development charges, property taxes, and construction excise taxes; and

**Additional Penalties.** PHB may pursue any remedy at law, or in equity, including but not limited to injunctive relief, and other remedies such as foreclosure, or receivership if the financial penalties established in this ~~Section~~Subsection 2. are not timely paid in accordance with the timeframe prescribed by PHB or a court of competent jurisdiction.

Upon ~~O~~owner's payment in full of the applicable For-Sale Dwelling Unit Penalty, Interest, Financial Incentives ~~R~~epayment amounts due and payment of any Additional Penalties, the impacted ~~for Sale Dwelling Unit~~ for sale will cease to be bound to the restrictions of the DHA Program and PHB will release the ~~Covenant~~ for that dwelling unit.



# Residential Infill Project

AN UPDATE TO PORTLAND'S  
SINGLE-DWELLING ZONING RULES

Adopted August 12, 2020  
Ordinance No. 190093

## VOLUME 3: APPENDICES A-G



Bureau of Planning and Sustainability  
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City of Portland, Oregon  
Ted Wheeler, Mayor • Susan Anderson, Director



## **Volume 3 – Appendices**

**Appendix A:** *Economic Analysis of Proposed Changes to the Single-Dwelling Zone Development Standards*, Memorandum from Johnson Economics, November 2018

**Appendix B:** Displacement Risk Analysis, BPS Staff, February 2019

**Appendix C:** *Use of Floor Area Ratios (FARs) in Single Family Zoning*, Dyett & Bhatia Urban and Regional Planners, June 2016

**Appendix D:** *Visitability Best Practices*, Alan DeLaTorre, Ph.D., Alex Freeman, and Matthew Wadleigh (Portland State University), June 27, 2017

**Appendix E:** Catalog of 2015 New Single-Family House Permits in the R2.5 Zone, BPS Staff, 2017

**Appendix F:** R2.5 Zone Changes by District, BPS Staff, 2018. Amended by Council 2020

**Appendix G:** Portland's Historically Narrow Lots, BPS Staff, 2017



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## MEMO

**DATE:** December 5, 2018

**TO:** Planning and Sustainability Commission

**FROM:** Morgan Tracy, Residential Infill Project Manager  
Tyler Bump, Senior Economic Planner

**CC:** Joe Zehnder, Director  
Sandra Wood, Principal Planner

**SUBJECT:** Residential Infill Project Economic Analysis for the Revised Proposed Draft

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On December 11, 2018 the Planning and Sustainability Commission (PSC) will discuss the revised economic analysis for the Residential Infill Project. Attached is the analysis provided by Johnson Economics. This memo summarizes the analysis and provides key findings.

### Background

In April 2018, staff released the Residential Infill Project *Proposed Draft*. The *Draft* included Appendix B: *Economic Analysis of Proposed Changes to the Single Dwelling Zone Development Standards*, conducted by Johnson Economics.

The analysis was based on proposed changes to R7, R5 and R2.5 zone standards with new limitations on floor area and additional housing type allowances in the new 'a' overlay zone.

In September 2018, the PSC directed staff to revise the proposal by incrementally increasing floor area limits for additional units, allowing more housing types, in more locations in the affected zones.

In November 2018, Johnson Economics conducted an update to the *Economic Analysis of Proposed Changes to the Infill Development Standards* that reflects increases in floor area allowances and allowing more housing types in a broader geographic area consistent with direction from the PSC.



## Economic Analysis Summary

Both analyses were conducted over a 20-year development horizon. The following table summarizes the results:

	Summary of Analysis Results	
	Staff Proposal, April 2018	Revised Proposal, Sept 2018
<b>\$ investment</b>	-\$1.5 Billion (-30%)	+\$817 Million (15%)
<b>New units</b>	+1,713 (31%)	+24,450 (179%)
<b>Replaced units</b> (house is replaced by 1 or more units)	-1,498 (-22%)	+117 (8%)
<b>Total Additional Units</b>	+215 (2%)	+24,333 (198%)
<b>Average rent</b>	\$3,000 (-35%)	\$1,800 (-56%)

### Key findings:

- Increasing allowable units without increasing FARs provides a small market incentive to build an alternative to a single house (in the form of being able to offer individually lower priced, smaller units). This result is borne out in the staff's April 2018 proposal.
- Increasing FARs with the number of units provides a more significant incentive to build housing types other than a single house. This is seen in the September 2018 revised proposal.
- Staff's April 2018 proposal:
  - Significantly reduced the number of replaced units (22% reduction). This is primarily a function of lower FARs limits.
  - Provided a modest increase to the total number of units (215 total units) and reduced construction investment (by 30 percent) over the 20-year time horizon.
  - Resulting units were smaller (e.g. 1,000 sf triplex units and 1,250 sf duplex units) and consequently, less expensive in comparison to a single house (e.g. 2,500 sf).



- The resulting rents (e.g. average of \$3000 per unit) are not low enough to expect that new construction would be built as a rental product.
- The September 2018 revised proposal:
  - Significantly increases the unit production (by nearly 200 percent) and increases construction investment by 15 percent.
  - Marginally increases the number of replaced units.
  - With the housing type allowances for three and four units, the resulting unit sizes were further reduced (e.g. 1,100 sf triplex units and 875 sf fourplex units).
  - These reductions in unit size bring the average rent near to the market rate for new apartment construction (e.g. average of \$1800 per unit).

**About the Economic Model:**

The economic analysis is based on a **predictive model** that looks at the real market value of parcels against a series of housing prototype proformas to determine the relative likelihood that a parcel will develop.

For example, when the real market value (RMV) of a parcel is less than the residual land value (RLV) of a development type, then that parcel is assumed to develop. These results are then aggregated up into a total. These results are compared against a baseline (the no change scenario). The model is especially sensitive to achievable sales/rental pricing which is a function of market conditions and specific geographies, and allowable floor area.

The following table lists the relevant inputs that were used in the model to conduct both analyses:

	<b>Comparison of Relevant Economic Model Inputs</b>	
	<b>Staff Proposal, April 2018</b>	<b>Revised Proposal, September 2018</b>
<b>Floor Area Ratios*</b>	R7 = 0.4; R5 = 0.5; R2.5 = 0.7 Corner triplex = +.15	R7 = 0.4; R5 = 0.5; R2.5 = 0.7 2 <sup>nd</sup> unit = +.10 More than 2 units = +.20
<b>Housing types**</b>	Duplex Triplex	Duplex Triplex Fourplex
<b>Geography</b>	~66% of affected zones	~92% of affected zones

\* The modeling did not account for bonus FARs (affordability or house retention incentives)

\*\* Accessory dwelling units were not specifically factored in the model



The analysis did not look specifically at **accessory dwelling unit (ADU)** potential. There are two reasons for this: First, for the purposes of evaluating the revised proposal, the model considered development costs per square foot, number of units, and total allowable square footage. Because the allowable FAR in the proposal is tied to the number and not type of units, the model made no distinction between different development configurations. In other words, it doesn't distinguish between three units in a triplex and three units in a house with two ADUs. Second, ADUs created by homeowners are largely built using home equity sources of financing and are sensitive to other factors that the model cannot readily predict.

Therefore, **the production of ADUs would be in addition to the units included in this analysis.** Current ADU projections, based on 2010-2016 trends, assume 5,000 more ADUs between 2017 and 2035, or about 280 per year. Both staff's April 2018 proposal and September 2018 revised proposal include allowances to double ADU entitlements.

We look forward to our conversation on December 11.





## MEMORANDUM

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**DATE:** November 29, 2018

**To:** Tyler Bump  
BUREAU OF PLANNING AND SUSTAINABILITY

**FROM:** Jerry Johnson  
JOHNSON ECONOMICS LLC

**SUBJECT:** Economic Analysis of Proposed Changes to the Infill Development Standards

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The City of Portland Bureau of Planning and Sustainability continues to refine the Residential Infill Project, and this analysis provides an updated to previous work completed by Johnson Economics on the project from March 2018. A number of changes have been made since the previous draft standards, including changes in allowable FAR, the number of units allowed in the structure, and a change in zoning of some parcels.

The proposed change in allowed development being evaluated are as follows:

Units	Allowed Housing Type	R7	R5	R2.5
<b>Minimum Lot Size (1-2 Units)</b>		4,200 SF	3,000 SF	1,600 SF
1	Single Family Home	Base FAR: 0.4	Base FAR: 0.5	Base FAR: 0.7
2	Duplex or Single Family Home + ADU	Base FAR: 0.5 W/Bonus: 0.6	Base FAR: 0.6 W/Bonus: 0.7	Base FAR: 0.8 W/Bonus: 0.9
<b>Minimum Lot Size (3+ Units)</b>		5,000 SF	4,500 SF	3,200 SF
3	Triplex, Duplex +ADU, or House +2 ADUs	Base FAR: 0.6 W/Bonus: 0.7	Base FAR: 0.7 W/Bonus: 0.8	Base FAR: 0.9 W/Bonus: 1.0
4	Fourplex			
<b>Current Allowed FAR</b>		1.1 FAR	1.35 FAR	1.75 FAR

The changes allow for more units on individual parcels, and modest increases in allowed FAR as the number of units increases. The bonus FAR is available if at least one of the units is affordable at 80% MFI, or an existing home is converted to multiple units. Both of these conditions favor multi-unit development solutions for redevelopment.

The geographic coverage for the residential infill project has also changed.

While the FAR reductions are significant, the current allowed size of structure for the three residential zones is likely well above what would be expected in the market, as homes in these size ranges represent a small percentage of housing stock. The revised allowable home sizes will likely restrict final home sizes below what the market may



support, particularly for single family homes, and we would expect new development to largely develop close to the new limits.

The new proposal includes a rezone of a number of parcels from R5 to R2.5, which has a significant impact on allowable density under the proposal, with fourplexes now allowed at up to 1.0 FAR on a 3,200 square foot lot.

In summary, the most recent proposed changes to the code increase allowable density in terms of units, and the FAR and bonus structure provides incentives for greater unit counts at redevelopment. The net impact is expected to be a greater proportion of redevelopment being multiple-unit properties, providing greater net unit yield and lower average price points as a result.



## I. PROTOTYPES

As with our previous analyses, Johnson Economics modeled the economic feasibility of a series of prototypical development types. A total of 11 development prototypes were evaluated, five representing current zoning standards with an additional 6 under the revised standards. Under the new proposed standards, the allowable square footage is reduced due to lower allowable FAR, while the number of allowed units is increased. By allowing for multiple residential structures on the site, a developer is able to produce housing at a lower overall price point which broadens the potential market for the housing. While the lower price point will reduce market risk, these units are likely to be largely rental product.

The following are summary pro formas for these development forms. The assumed pricing levels in these examples was included as an example, with actual pricing varied based on a series of eleven discrete pricing bands identified in the study area. The number of pricing bins was reduced as the geographic coverage of the new proposal is more limited although including a greater number of parcels, with less pricing variability between areas.



EXAMPLE OF DEVELOPMENT PROTOTYPES, RENTAL RESIDENTIAL ANALYSIS

		Current Zoning Assumptions					New Zoning Assumptions					
		Rental_Middle_SFR	Rental_Middle_Skinny	Rental_Middle_Duplex	Rental_Middle_4-Plex_2	Rental_Middle_Triplex	Rental_Middle_SFR_2	Rental_Middle_Skinny_2	Rental_Middle_Duplex_2	Rental_Middle_4-Plex_2	Rental_2.5-4-Plex_2	Rental_Middle_Triplex_2
<b>PROGRAM</b>	<b>Property Assumptions</b>											
	Site Size (SF)	5,000	2,500	4,500	4,500	4,500	4,200	4,200	4,200	4,500	3,800	4,500
	Density	8.71	17.42	19.36	38.72	29.04	10.37	10.37	20.74	38.72	45.85	29.04
	Unit Count	1	1	2	4	3	1	1	2	4	4	3
	Ave Unit Size	2,000	1,850	1,710	788	990	2,100	2,940	1,260	731	713	1,050
	Efficiency Ratio	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Building Square Feet	2,750	1,850	3,420	3,150	2,970	2,100	2,940	2,520	2,925	2,850	3,150
	Stories	2	3	2	2	2.0	2.0	2.0	2.0	2.0	2.0	2.0
	Bldg Footprint	1,375	617	1,710	1,575	1,485	1,050	1,470	1,260	1,463	1,425	1,575
	FAR	0.55	0.74	0.76	0.70	0.66	0.50	0.70	0.60	0.65	0.75	0.70
	Parking Ratio/Unit	1.5	1.0	1.0	0.5	1.0	1.5	1.0	1.0	0.5	1.0	1.0
	Total Parking Spaces	1.5	1.0	2.0	2.0	2	1.5	1.0	2.0	2.0	2.0	2.0
	Parking SF/Space - Surface											
	Parking SF/Space - Structure											
	Parking Spaces - Surface	-	1.0	-	-	-	-	1.0	-	-	-	-
	Parking Spaces - Structure	2.0	-	2.0	2.0	2.0	1.5	-	2.0	2.0	2.0	2.0
	Structured Parking %	100%	0%	100%	100%	100%	100%	0%	100%	100%	100%	100%
	<b>Cost Assumptions</b>											
	Base Construction Cost/SF	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185
	Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Construction Cost/SF	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185	\$185	
Base Parking Costs/Space	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	
Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Parking Cost/Space	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	
<b>PROPERTY VALUATION</b>	<b>Income Assumptions</b>											
	Base Income/Sf/Mo.	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	
	Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Achievable Pricing	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	\$1.95	
	Parking Charges/Space/Mo	\$122	\$122	\$122	\$122	\$122	\$122	\$122	\$122	\$122	\$122	
	<b>Expenses</b>											
	Vacancy/Collection Loss	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	
	Operating Expenses	32.0%	32.0%	32.0%	32.0%	32.0%	32.0%	32.0%	32.0%	32.0%	32.0%	
	Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
	Operating Expenses	32%	32%	32%	32%	32%	32%	32%	32%	32%	32%	
	Reserve & Replacement	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	
	<b>Valuation</b>											
Capitalization Rate	5.50%	5.50%	6.00%	6.00%	6.00%	5.50%	5.50%	6.00%	5.50%	5.50%	6.00%	
Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Capitalization Rate	5.50%	5.50%	6.00%	6.00%	6.00%	5.50%	5.50%	6.00%	5.50%	5.50%	6.00%	
<b>SUPPORTABLE PROPERTY VALUE</b>	<b>Cost</b>											
	Cost/Construct w/o prkg.	\$508,750	\$342,250	\$632,700	\$582,750	\$549,450	\$388,500	\$543,900	\$466,200	\$541,125	\$527,250	\$582,750
	Total Parking Costs	\$40,000	\$0	\$40,000	\$40,000	\$40,000	\$30,000	\$0	\$40,000	\$40,000	\$40,000	\$40,000
	Estimated Project Cost	\$548,750	\$342,250	\$672,700	\$622,750	\$589,450	\$418,500	\$543,900	\$506,200	\$581,125	\$567,250	\$622,750
	<b>Income</b>											
	Annual Base Income	\$64,350	\$43,290	\$80,028	\$73,710	\$69,498	\$49,140	\$68,796	\$58,968	\$68,445	\$66,690	\$73,710
	Annual Parking	\$2,928	\$0	\$2,928	\$2,928	\$2,928	\$2,196	\$0	\$2,928	\$2,928	\$2,928	\$2,928
	Gross Annual Income	\$67,278	\$43,290	\$82,956	\$76,638	\$72,426	\$51,336	\$68,796	\$61,896	\$71,373	\$69,618	\$76,638
	Less: Vacancy & CL	\$3,364	\$2,165	\$4,148	\$3,832	\$3,621	\$2,567	\$3,440	\$3,095	\$3,569	\$3,481	\$3,832
	Effective Gross Income	\$63,914	\$41,126	\$78,808	\$72,806	\$68,805	\$48,769	\$65,356	\$58,801	\$67,804	\$66,137	\$72,806
	Less Expenses:											
	Operating Expenses	\$20,453	\$13,160	\$25,219	\$23,298	\$22,018	\$15,606	\$20,914	\$18,816	\$21,697	\$21,164	\$23,298
	Reserve & Replacement	\$1,917	\$1,234	\$2,364	\$2,184	\$2,064	\$1,463	\$1,961	\$1,764	\$2,034	\$1,984	\$2,184
	Annual NOI	\$41,544	\$26,732	\$51,225	\$47,324	\$44,723	\$31,700	\$42,482	\$38,221	\$44,073	\$42,989	\$47,324
	<b>Property Valuation</b>											
	Return on Cost	7.57%	7.81%	7.61%	7.60%	7.59%	7.57%	7.81%	7.55%	7.58%	7.58%	7.60%
	Threshold Return on Cost	6.33%	6.33%	6.90%	6.90%	6.90%	6.33%	6.33%	6.90%	6.33%	6.33%	6.90%
Residual Property Value	\$108,075	\$80,384	\$69,696	\$63,105	\$58,710	\$82,685	\$127,745	\$47,724	\$115,679	\$112,420	\$63,105	
RPV/SF	\$21.61	\$32.15	\$15.49	\$14.02	\$13.05	\$19.69	\$30.42	\$11.36	\$25.71	\$29.58	\$14.02	



EXAMPLE OF DEVELOPMENT PROTOTYPES, OWNERSHIP RESIDENTIAL ANALYSIS

		Current Zoning Assumptions					New Zoning Assumptions					
		Condo_Middle_SFR	Condo_Middle_Skinny	Condo_Middle_Duplex	Condo_Middle_4-Plex_2	Condo_Middle_Triplex	Condo_Middle_SFR_2	Condo_Middle_Skinny_2	Condo_Middle_Duplex_2	Condo_Middle_4-Plex_2	Condo_2.5-4-Plex_2	Condo_Middle_Triplex_2
<b>PROGRAM</b>	<b>Property Assumptions</b>											
	Site Size (SF)	5,000	2,500	4,500	4,500	4,500	4,200	4,200	4,200	4,500	3,800	4,500
	Density	9	17	19	39	29	10	10	21	39	46	29
	Unit Count	1	1	2	4	3	1	1	2	4	4	3
	Ave Unit Size	2,000	1,850	1,710	788	990	2,100	2,940	1,260	731	713	1,050
	Building Square Feet	2,750	1,850	3,420	3,150	2,970	2,100	2,940	2,520	2,925	2,850	3,150
	Stories	2	3	2	2	2	2	2	2	2	2	2
	Bldg Footprint	1,375	617	1,710	1,575	1,485	1,050	1,470	1,260	1,463	1,463	1,575
	FAR	0.55	0.74	0.76	0.70	0.66	0.50	0.70	0.60	0.65	0.75	0.70
	Parking Ratio/Unit	1.50	1.00	1.00	0.50	1.00	1.50	1.00	1.00	0.50	1.00	1.00
	Total Parking Spaces	2	1	2	2	2	2	1	2	2	2	2
	Parking SF/Space - Surface	350	350	350	350	350	350	350	350	350	350	350
	Parking SF/Space - Structure	350	350	375	350	375	350	350	-	-	-	-
	Parking Spaces - Surface	-	1	-	-	-	-	1	-	-	-	-
	Parking Spaces - Structure	2	-	2	2	2	2	-	2	2	2	2
	Structured Parking %	100%	0%	100%	100%	100%	100%	0%	100%	100%	100%	100%
	<b>Cost Assumptions</b>											
	Base Construction Cost/SF	\$204	\$204	\$204	\$204	\$204	\$204	\$204	\$204	\$204	\$204	\$204
Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Construction Cost/SF	\$204	\$204	\$204	\$204	\$204	\$204	\$204	\$204	\$204	\$204	\$204	
Base Parking Costs/Space	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	
Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Parking Cost/Space	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	
<b>INCOME</b>												
<b>Income Assumptions</b>												
Sales Price/SF	\$278	\$278	\$278	\$278	\$278	\$278	\$278	\$278	\$278	\$278	\$278	
Adjustment Factor	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Achievable Pricing	\$278	\$278	\$278	\$278	\$278	\$278	\$278	\$278	\$278	\$278	\$278	
Parking Charges/Space	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875	\$21,875	
<b>Expenses</b>												
Sales Commission	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	
<b>SUPPORTABLE PROPERTY VALUE</b>												
<b>Cost</b>												
Cost/Construct w/o prkg.	\$559,625	\$376,475	\$695,970	\$641,025	\$604,395	\$427,350	\$598,290	\$512,820	\$595,238	\$579,975	\$641,025	
Total Parking Costs	\$40,000	\$0	\$40,000	\$40,000	\$40,000	\$30,000	\$0	\$40,000	\$40,000	\$40,000	\$40,000	
Estimated Project Cost	\$599,625	\$376,475	\$735,970	\$681,025	\$644,395	\$457,350	\$598,290	\$552,820	\$635,238	\$619,975	\$681,025	
<b>Income</b>												
Gross Income - Units	\$763,620	\$513,708	\$949,666	\$874,692	\$824,710	\$583,128	\$816,379	\$699,754	\$812,214	\$791,388	\$874,692	
Gross Income - Parking	\$43,750	\$0	\$43,750	\$43,750	\$43,750	\$32,813	\$0	\$43,750	\$43,750	\$43,750	\$43,750	
Gross Sales Income	\$807,370	\$513,708	\$993,416	\$918,442	\$868,460	\$615,941	\$816,379	\$743,504	\$855,964	\$835,138	\$918,442	
Less: Commission	(\$32,295)	(\$20,548)	(\$39,737)	(\$36,738)	(\$34,738)	(\$24,638)	(\$32,655)	(\$29,740)	(\$34,239)	(\$33,406)	(\$36,738)	
Effective Gross Income	\$775,075	\$493,160	\$953,679	\$881,704	\$833,721	\$591,303	\$783,724	\$713,763	\$821,725	\$801,732	\$881,704	
<b>Property Valuation</b>												
Return on Sales	29.26%	30.99%	29.58%	29.47%	29.38%	29.29%	30.99%	29.11%	29.36%	29.32%	29.47%	
Threshold Return on Cost	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	
Residual Property Value	\$74,353	\$52,360	\$93,316	\$85,674	\$80,580	\$56,826	\$83,209	\$67,844	\$79,306	\$77,184	\$85,674	
<b>RPV/SF</b>	<b>\$14.87</b>	<b>\$20.94</b>	<b>\$20.74</b>	<b>\$19.04</b>	<b>\$17.91</b>	<b>\$13.53</b>	<b>\$19.81</b>	<b>\$16.15</b>	<b>\$17.62</b>	<b>\$20.31</b>	<b>\$19.04</b>	



## II. PREDICTIVE DEVELOPMENT MODELING

### Description of Model

Johnson Economics used a predictive development model, which is designed to estimate the marginal impact of changes in the development environment on the expected magnitude and character of development. The model is designed to predict the magnitude and form of likely development or redevelopment activity over an assumed time frame. The primary approach used to predict likely development patterns is the relationship between the supportable residual land value for prospective uses and the current value of the property (including land as well as improvements, if any). The underlying assumption is that when the value of a property for new development is high relative to the current value of the property, it will be more likely to see development or redevelopment over a defined time-period.

The model evaluates the likelihood of development at the parcel level, although the results are expressed in aggregated geographies. What the model solves for is probabilities to redevelop as well as anticipated development forms, and the results reflect the expected value of development/redevelopment activity. The model will not indicate that a specific parcel will or won't redevelop, rather, it will indicate the probability of that occurrence as well as predict the likely form of development.

### Pricing Gradients

The analysis used the achievable pricing gradients developed in our March 2018 work. While these have not been changed, we recognize that pricing has continued to trend upwards for ownership housing product, while rental housing product has seen less escalation.

The model was broken down into eleven separate pricing bins, which have similar achievable price points. The table to the right shows the pricing bins, the number of parcels in that bin, as well as the average residential rent per square foot and the average sales price per square foot in that bin. A total of 118,528 parcels were evaluated, which represented all parcels zoned either R7, R5, or R2.5 in the study area. The average achievable rent assumption was \$1.91 per square foot, while the average achievable sales price was \$273 per square foot.

<b>Pricing Bin</b>	<b># of Parcels</b>	<b>Residential Rent/SF</b>	<b>Sales Price/SF</b>
1	7,525	\$1.47	\$209
2	19,516	\$1.54	\$219
3	8,776	\$1.64	\$234
4	6,889	\$1.75	\$249
5	11,326	\$1.85	\$263
6	17,059	\$1.95	\$278
7	15,700	\$2.05	\$292
8	13,824	\$2.17	\$309
9	13,043	\$2.32	\$330
10	4,570	\$2.61	\$372
11	300	\$2.72	\$387
<b>Total/Avg.</b>	<b>118,528</b>	<b>\$1.91</b>	<b>\$273</b>



Model Output

Our predictive development model was run for two scenarios, reflecting current and proposed development standards. The results showed an expected aggregate increase in the level of construction investment but yielding a sharply higher number of predicted new residential units in the study area. The output reflects a modest increase in the level of redevelopment, but a greater unit density, expected net unit yield, and lower price point per unit on properties that do redevelop.

The predicted net development yield from residential development/redevelopment in the study area was 12,281 units over the next twenty years under the current zoning, increasing to 36,614 units under the proposed new zoning. The construction of these units will entail the loss of existing residential capacity (demolition of existing structures where present), which is reflected in the net unit estimates. The impact on rental residential pricing was highly significant, with average rents dropping by 56% as compared to the default scenario (current zoning), which reflects a change in unit size as opposed to reduced rents per square foot.

**SUMMARY OF PREDICTED DEVELOPMENT ACTIVITY  
WITH PROPOSED MODIFICATIONS IN ZONING CODES  
20 Year Study Period , No Pricing Changes**

	Predicted Development Yield				
	Construction Investment	New Units	Replaced Units	Net Units	Average Rent
<b>BASELINE</b>					
New Construction	\$5,233,460,967	13,665	(1,384)	12,281	\$4,159
<b>NEW ZONING</b>					
New Construction	\$6,105,186,215	38,115	(1,501)	36,614	\$1,823
<b>NET IMPACT</b>					
Total	<b>\$871,725,248</b>	<b>24,450</b>	<b>-117</b>	<b>24,333</b>	<b>-\$2,336</b>
% Change	17%	179%	8%	198%	-56%

The number of new units predicted is quite high, and market support for that many units in these configurations may limit the study area’s ability to support this level and type of development over a planning period.

When output is broken down by pricing bin, the impact on pricing is spread broadly, with redevelopment favoring higher density solutions providing smaller units at lower price points. As with our previous analysis, the lowest priced neighborhoods have no predicted redevelopment under either the baseline or new zoning scenario.



**SUMMARY OF RENTAL ANALYSIS RESULTS AT THE PRICING BIN LEVEL**

Pricing Bin	# of Parcels	Residential Rent/SF	Sales Price/SF	Baseline		New Zoning		Net Change		
				Units	Avg. Rent	Units	Avg. Rent	Units	Avg. Rent	% Price
1	7,525	\$1.47	\$209	0	\$0	0	\$0	0	\$0	0%
2	19,516	\$1.54	\$219	0	\$0	0	\$0	0	\$0	0%
3	8,776	\$1.64	\$234	235	\$3,178	641	\$1,683	406	(\$1,496)	-47%
4	6,889	\$1.75	\$249	192	\$3,396	537	\$1,799	345	(\$1,597)	-47%
5	11,326	\$1.85	\$263	331	\$3,618	1,001	\$1,902	670	(\$1,715)	-47%
6	17,059	\$1.95	\$278	567	\$3,854	2,396	\$1,758	1,829	(\$2,096)	-54%
7	15,700	\$2.05	\$292	1,639	\$4,008	6,280	\$1,873	4,641	(\$2,135)	-53%
8	13,824	\$2.17	\$309	1,179	\$4,224	5,381	\$1,667	4,202	(\$2,557)	-61%
9	13,043	\$2.32	\$330	5,755	\$4,046	13,467	\$1,777	7,712	(\$2,269)	-56%
10	4,570	\$2.61	\$372	3,685	\$4,568	8,213	\$1,977	4,528	(\$2,590)	-57%
11	300	\$2.72	\$387	82	\$4,679	199	\$2,082	117	(\$2,598)	-56%
Total/Avg.	118,528	\$1.91	\$273	13,665	\$4,159	38,115	\$1,823	24,450	(\$2,336)	-56%

Under the assumptions used, rental residential largely outbid ownership residential solutions in the current pricing environment. Over the study period, the relationship between rental and ownership residential units will likely change, with ownership units shifting to the highest and best use solution.

### III. SUMMARY

Our analysis indicates that the proposed changes in entitlements would likely result in a modest increase in redevelopment activity in terms of construction investment but yield a significantly higher number of units through the development of multi-unit development forms.

The predicted marginal increase in unit capacity associated with the changes is significant, but the level of development may be limited by market factors and demand. The large number of units in a multi-unit configuration are likely to be disproportionately rental, and the market for this type of rental unit as well as investors interested in holding these types of income properties is limited. Nonetheless, our analysis indicates that the proposed changes will support an increase in residential yield as well as a reduction in average pricing for new units under the proposed changes.

#### Ownership Residential

Ownership residential solutions under the proposed new codes would be expected to be limited, particularly for multiple-unit development projects. This is due to challenges in developing condominium units in the current environment. While smaller condominium units would likely be well received by the market due to their lower price point, few developers are interested in producing and selling condominiums. This is largely attributable to construction defect litigation risk, in which purchasers can sue the developer and members of his team (architects, contractors, product manufacturers).

Construction defects can range from complex foundation and framing issues which threaten the structural integrity of buildings, to aesthetic issues such as improperly painted surfaces and deteriorating wood trim around windows and doors. In the State of Oregon, there is a ten-year statute of limitations on construction defect claims. As condominium developments have homeowner’s associations (HOA), the suits typically use the HOA as a class to



pursue to the claim. Pursuit of these claims was widespread during the last cycle, during which a large number of new condominium units were constructed.

Insurance rates have climbed significantly for condominium construction, which is typically carried by the developer as well as members of the team. Due to the vagaries of this type of litigation, developers and contractors now must buy 10-year trailing insurance before they commence construction, as that is the period during which can be sued. This additional insurance adds significantly to the cost of construction.

These factors have largely deterred developers from initiating new condominium projects due to concern regarding the cost, risk, and time burden entailed by construction defect litigation. If one was to be built, the costs associated with the cost of insurance and increased risk would need to be reflected in higher pricing. One way to reduce this risk is to sell units with fee-simple ownership of the property, where the unit includes the underlying land. This type of ownership is typically found in townhomes. While generating a lower density yield than three- and four-plex solutions, this type of development would likely be favored by a developer looking to construct and sell ownership residential units. While our model may indicate a multi-unit plex solution as representing the highest and best use from a return perspective, townhome development entails less risk and may be a more favored program solution for ownership residential.

Residential Infill Project  
**Displacement Risk and Mitigation**

February 2019

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Addendum: Memo from staff to PSC dated February 22, 2019

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# EXECUTIVE SUMMARY

The Residential Infill Project, an update to Portland’s single-dwelling zoning code, does not occur in a vacuum. It occurs within a historical context of zoning patterns and other land use regulations that have had exclusionary intents and/or impacts on communities of color. Portland, like most other cities across the United States, has a history of racially exclusionary zoning as well as land use and real estate practices that reinforced segregated neighborhoods. **Zoning, redlining, racial covenants, and community planning have played a role in shaping the city’s urban form—and in exacerbating inequities along race and class lines. Exclusive neighborhoods that do not allow for more housing options to absorb a growing and changing population can increase gentrification pressures in other neighborhoods as housing demand spills over and increases housing costs.**

As the City of Portland continues to understand the history of racially exclusionary zoning and land use practices and understand their impacts, the challenge comes in not repeating past mistakes and beginning to redress past actions. The City established equity as a guiding principle in the adopted 2035 Comprehensive Plan, with a recognition that equitable access to opportunity is essential to Portland’s long-term success.

The Comprehensive Plan calls upon new plans to evaluate the potential to cause displacement or increase housing costs in vulnerable communities. Part I examines who is vulnerable to indirect displacement and where redevelopment is most likely to happen under the proposal. **Overall, the proposal is likely to reduce displacement of low-income renters in single-family homes across Portland.** This reduction results from allowing more units to be built on one lot, which means fewer lots will be redeveloped across the city. However, **Brentwood-Darlington, Lents, and parts of the Montavilla neighborhood east of 82nd Avenue are likely to see significant increases in redevelopment that could lead to the increased displacement of vulnerable households.**

The proposal **will likely significantly reduce the cost of housing** for the additional housing types allowed in single-dwelling zones. This is a function of the smaller unit sizes as well as the ability to defray land costs across two, three, or four housing units as opposed to one unit. These findings suggest the proposals will **reduce displacement citywide, increase housing supply, create less-expensive housing options, and provide choices for types of housing** that were historically allowed but have since been disallowed in Portland’s single-dwelling zones. This, in turn, gives more people across wider range of the income and racial spectrum the opportunities and benefits afforded by our great neighborhoods.

The Comprehensive Plan also calls for identification and implementation of strategies to mitigate for anticipated impacts. Part II presents an **array of potential strategies to mitigate displacement among vulnerable residents in Portland’s single-dwelling neighborhoods.** Where program funding is available for anti-displacement and community stabilization in single-dwelling zones, the neighborhoods most at risk of displacement should be the focus for these actions. Strategies for vulnerable renters include education, financial assistance, incentives to property owners to keep rent affordable, and expanded homeownership opportunities. Strategies for vulnerable homeowners include education to combat predatory practices, financial assistance to stabilize homeowners, and technical assistance and financing to enable low- and moderate-income homeowners to take advantage of the expanded housing choices allowed by the proposal.

# Part I: DISPLACEMENT RISK ANALYSIS

This analysis aims to estimate the number of households that may be at risk of displacement due to the proposals of the Residential Infill Project, when compared to the baseline zoning scenario adopted by the 2035 Comprehensive Plan, and to describe the characteristics of households that could be at risk as the result of these proposals.

## SUMMARY OF FINDINGS

Key findings from this analysis of the Residential Infill Project proposals in comparison to the baseline zoning scenario include:

- There is a **net reduction in the frequency of demolition and redevelopment** across the city while at the same time a **net increase in the amount of housing units**.
- Housing units that are produced are likely to be **smaller** and **less expensive** than under the current single-family zoning allowances.
- **Citywide**, there is a **28 percent reduction of indirect displacement for low-income renters who live in single-family homes**. Through 2035, around **680** low-income renters in single-family homes are at risk of displacement, compared to **950** such renters under the current zoning regulations.
- In Portland neighborhoods that are identified as **Displacement Risk Areas**, there is a **21 percent reduction of indirect displacement risk for low-income renters who live in single-family homes**. In these neighborhoods, through 2035, around **480** low-income renters in single-family homes are at risk of displacement, compared to **610** such renters under the current zoning regulations.
- **The potential for displacement** is greatest where increases in redevelopment are more likely, and where there is a higher proportion of low-income renters.
- **Three areas have higher potential for displacement: Brentwood-Darlington, Lents, and parts of the Montavilla neighborhood that are east of 82<sup>nd</sup> Avenue.**

## Potential Benefits of the Residential Infill Project

The Residential Infill Project is likely to **reduce displacement of low-income renters in single-family homes across Portland**. This is the result of allowing for more units with each instance of redevelopment. In other words, **allowing more units to be built on one lot means there will be fewer lots redeveloped** overall across Portland through 2035.

Previous analysis by Johnson Economics showed that development of a duplex, triplex, or fourplex rather than a single house would yield more new housing units at sizes that are affordable to households at 80% to 120% median family income.<sup>1</sup> Current zoning standards are most likely to produce larger detached single-family houses that are only affordable to households at 150% to 220% median family income. Together, these findings suggest **the proposals will reduce displacement, increase**

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<sup>1</sup> Jerry Johnson, "Economic Analysis of Proposed Changes to the Infill Development Standards" (Johnson Economics, November 29, 2018), <https://www.portlandoregon.gov/bps/article/705704>.

**housing supply, create less-expensive housing options, and provide choices for types of housing that do not exist in Portland’s single-dwelling zones today.**

## INTRODUCTION

### Direction from the 2035 Comprehensive Plan

The 2035 Comprehensive Plan defines gentrification and displacement in the following ways:

- **Gentrification** occurs when an under-valued neighborhood becomes desirable, resulting in rising property values and changes to demographic and economic conditions of the neighborhood. These changes include a shift from lower-income to higher-income households, and often there is a change in racial and ethnic make-up of the neighborhood’s residents and businesses.
- **Displacement** is defined as when households or businesses are involuntarily forced to move from a neighborhood because of increasing market values, rents, or changes in the neighborhood’s ability to meet basic needs in the case of households, or erosion of traditional client base in the case of businesses.

The Comprehensive Plan includes a number of related policies in Chapter 5: Housing. This analysis comes in response to two key policies found in that chapter:

**Policy 5.15**, Gentrification/displacement risk, directs City agencies to evaluate new plans and investments for the potential to cause displacement or increase housing costs in vulnerable communities as well as to identify strategies to mitigate anticipated displacement.

**Policy 5.16**, Involuntary displacement, calls for programming and coordination with nonprofit housing organizations to create permanently affordable housing and mitigate the impacts of market pressures that cause involuntary displacement when plans and investments are expected to create neighborhood change.

This analysis presents the methodology and findings to evaluate the potential for increased risk of displacement due to the proposed changes to residential zoning through the Residential Infill Project. Part II identifies potential methods to mitigate displacement in the single-dwelling zones.

### Where Are We Now?

The Residential Infill Project proposes to revise the height, mass, and range of housing types allowed in single-dwelling residential base zones. This can also expand the diversity of housing in terms of homeownership and rental opportunities in smaller-scale buildings throughout Portland’s neighborhoods.

The proposals presented to the Planning and Sustainability Commission (PSC) in April 2018 included a displacement risk analysis and proposed mitigation strategies. Areas that included a higher proportion of vulnerable populations (defined as areas with a higher percentage of people of color, people with lower educational attainment, renters, and/or low-income residents) were identified as areas at higher

risk of displacement. Areas with higher proportions of vulnerable populations that also had lower housing opportunity scores (based on proximity to amenities such as employment access, transportation access, educational opportunities, parks, grocery stores, and similar factors) were identified. The additional housing types could not be built in these areas until and unless a suite of anti-displacement programs, shaped by community input, would be in place to protect vulnerable renters and homeowners.

In September 2018, the Planning and Sustainability Commission (PSC) considered the Proposed Draft and gave staff direction to revise the proposal to allow additional housing types (duplexes, triplexes, fourplexes, and additional accessory dwelling units) in most areas of the city, and including areas identified as having a high risk of displacement. This was based on an economic analysis done by Johnson Economics in March 2018 that showed that the *size of the building*, which would be regulated similarly across the city, *not the number of units* allowed, was the primary driver of whether a lot would be redeveloped.<sup>2</sup> This meant that allowing additional units would not significantly increase displacement pressure but would offer those parts of the city the same opportunities to create more housing.

In addition, the Commission was persuaded by input from nonprofit affordable housing providers, housing and anti-displacement advocates, the Portland Housing Bureau, some neighborhood associations, and other groups and individuals who supported allowing the additional housing types to be built “everywhere” in the city.

The new displacement risk analysis described in this appendix is based on changes the PSC has requested, which are detailed in the *Revised Proposed Draft*.

## DEFINING DISPLACEMENT RISK

This analysis seeks to understand the potential for the Residential Infill Project proposals to encourage the redevelopment of existing single-family houses in a way that would result in outcomes that further burden historically under-represented communities.

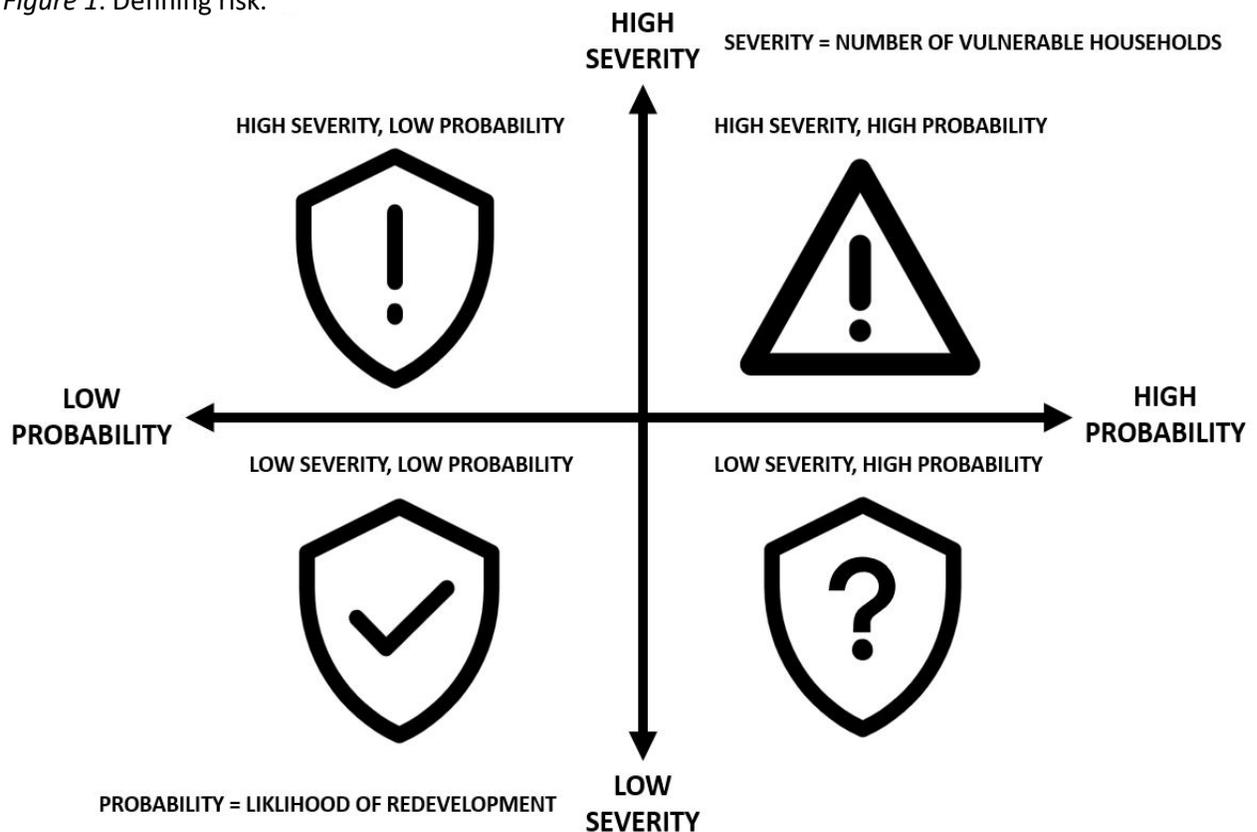
Risk is defined as **the combination of the probability of harm occurring and the severity of that harm**. What is the likelihood (probability) of redevelopment of an existing house as a result of new development standards, and what is the magnitude (severity) of that displacement in terms of the number of vulnerable households that could be displaced by that redevelopment?

Probability and severity are charted on the matrix below, with the highest-risk situation (areas with highest severity and highest probability) shown in the top right quadrant.

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<sup>2</sup> Jerry Johnson, “Economic Analysis of Proposed Changes to the Infill Development Standards” (Johnson Economics, March 27, 2018), <https://www.portlandoregon.gov/bps/article/678769>.

Figure 1. Defining risk.



## DISPLACEMENT IN THE CONTEXT OF THE RESIDENTIAL INFILL PROJECT

Displacement related to plans and public investments can be classified into three categories:

1. **Direct displacement** occurs when government acquires property through eminent domain and a property owner is forced to sell their home—for example, when right of way for a transit line requires condemnation of property.
2. **Indirect displacement** occurs when policy changes create measurable impacts on market dynamics, such as an increase in rates of redevelopment—for example, regulatory changes in zoning around a transit station.
3. **Induced displacement** occurs when market conditions respond to new development and changes in neighborhood character and impact existing housing units in terms of increasing rents or prices—for example, expected increases in property values from the introduction of transit or other new amenities.

Direct displacement is easily measured but not evaluated in this analysis because the proposals will not be acquiring property or using eminent domain.

Indirect displacement is more difficult to measure, but it is possible to use models to estimate the likelihood of redevelopment with some degree of certainty. Indirect displacement is defined for this analysis as a home being torn down and replaced with one or more new units as a result of new development standards. In other words, for the purposes of this analysis, **we define indirect displacement as the displacement of existing houses/households resulting from the redevelopment of units in the R2.5, R5, and R7 zones**, which would see new allowances because of these proposals.

Induced displacement is much more challenging to measure, and it relies on assumptions that are not widely acknowledged or agreed upon.

Therefore, only the second category of displacement—indirect displacement — is evaluated in this displacement risk analysis. This analysis considers the following three steps:

1. **Severity: How many households are vulnerable to displacement?** This step characterizes the households that are the most vulnerable to displacement as a result of the proposal, as well as the magnitude of the impact to vulnerable households.
2. **Probability: Where is redevelopment most likely?** Not all parts of the city will see the same level of redevelopment. This step identifies areas that are most likely to see redevelopment of single-family houses in single-family neighborhoods.
3. **Risk Assessment: What parts of Portland have high severity and probability?** This step examines the overlap of severity and probability to assess which areas with higher levels of vulnerability are most at risk of displacement.

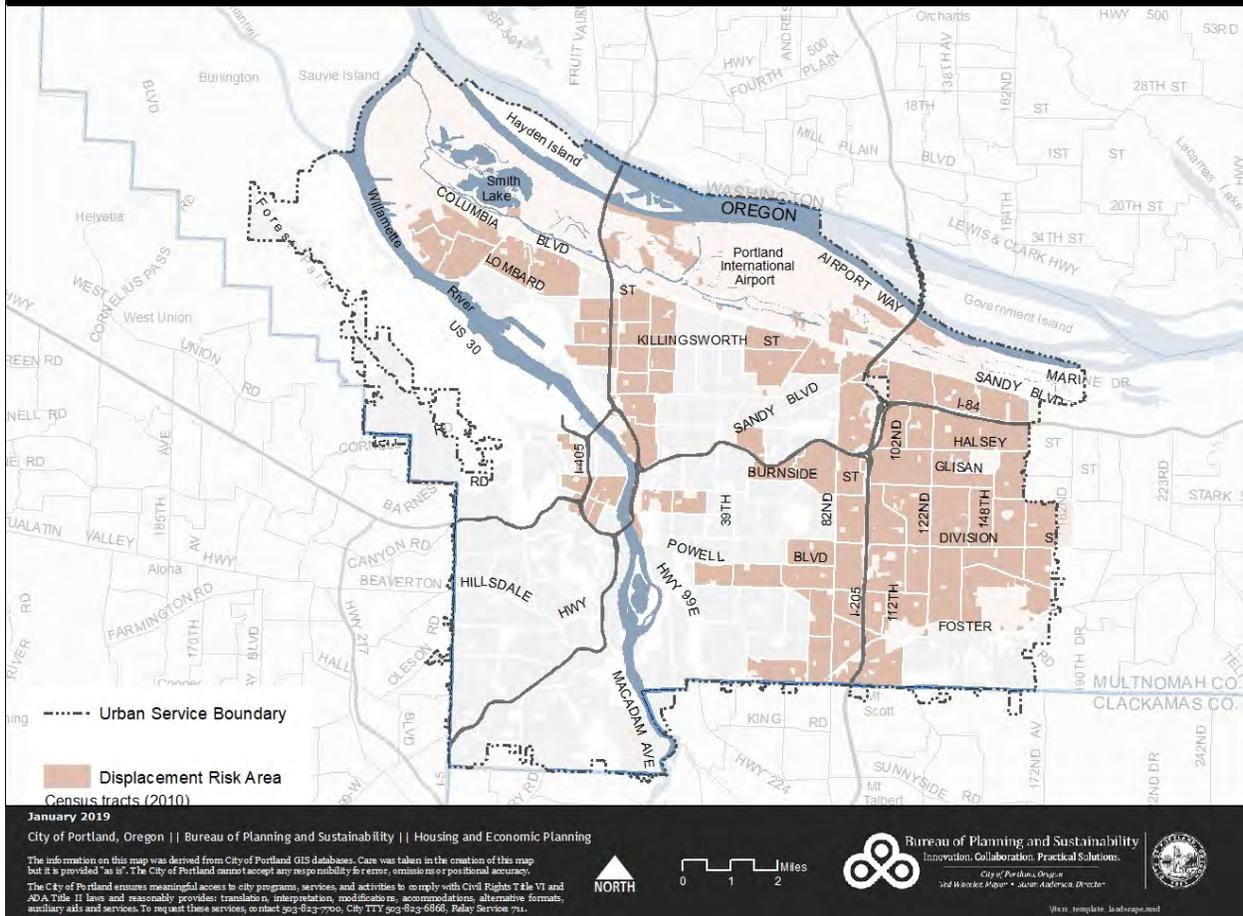
This displacement risk analysis evaluates households most at risk of indirect displacement as the result of the proposals across Portland, with a focus on parts of Portland that have been identified as being at risk of gentrification and displacement by the 2018 Gentrification and Displacement Risk Assessment.<sup>3</sup> The gentrification typologies used in this analysis were developed by Dr. Lisa Bates in the 2013 Gentrification and Displacement Neighborhood Typology Assessment.<sup>4</sup> This method considers whether a neighborhood has a vulnerable population, has experienced demographic change, and has housing market conditions that are undergoing price increases. More information on different neighborhood typologies and how they have changed over time is available in the 2012 and 2018 reports. The Displacement Risk Areas used throughout the remainder of this analysis are identified in Map 1 below.

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<sup>3</sup> 2018 *Gentrification and Displacement Neighborhood Typology Assessment*, Bureau of Planning and Sustainability (2018), <https://www.portlandoregon.gov/bps/article/700970>.

<sup>4</sup> Lisa Bates, "Gentrification and Displacement Study: implementing an equitable inclusive development strategy in the context of gentrification," Bureau of Planning and Sustainability (May 18, 2013), <https://www.portlandoregon.gov/bps/article/454027>.

Map 1. Displacement Risk Areas from the 2018 Gentrification and Displacement Assessment.



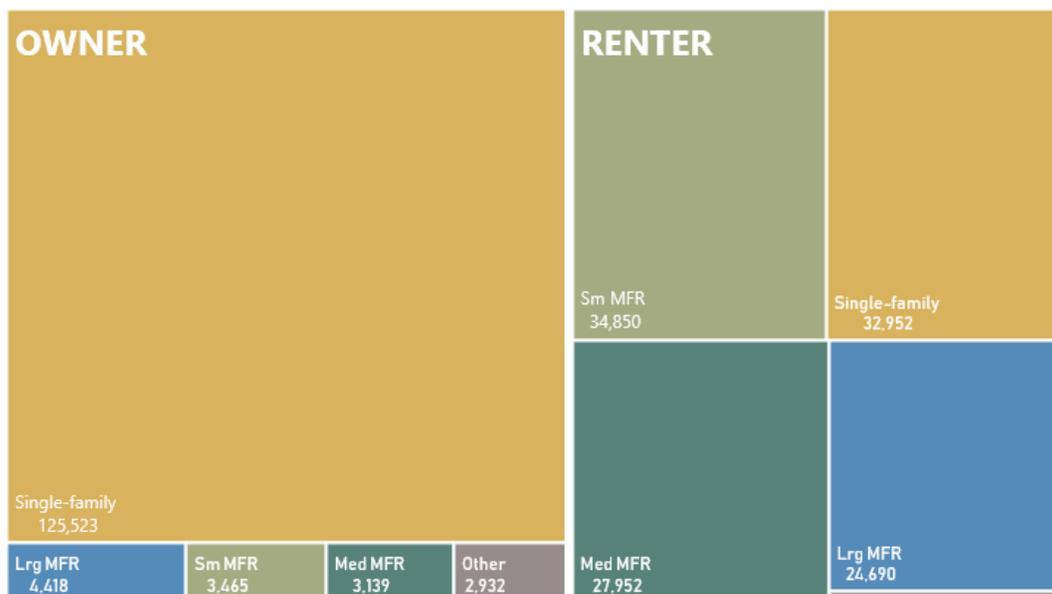
## Severity: How Many Households Are Vulnerable to Displacement?

**Economic vulnerability is measured across four socioeconomic variables** that indicate a reduced ability to withstand housing price increases caused by gentrification. As outlined in the 2018 Gentrification and Displacement Neighborhood Typology Assessment, areas of economic vulnerability are defined as those that have, when compared to the citywide average, the following characteristics:

- A larger share of households that are **renters**
- A larger share of the population that are **communities of color**
- A larger share of adults (25 or older) **without a four-year degree**
- A larger share of households that are **low-income** (below 80% median family income)

Single-family houses comprise 61 percent of Portland's housing stock—about 158,000 homes (Figure 2). About 85 percent of these houses are located in a zone affected by the Residential Infill Project (R2.5, R5, and R7—henceforth referred to as "RIP zones").

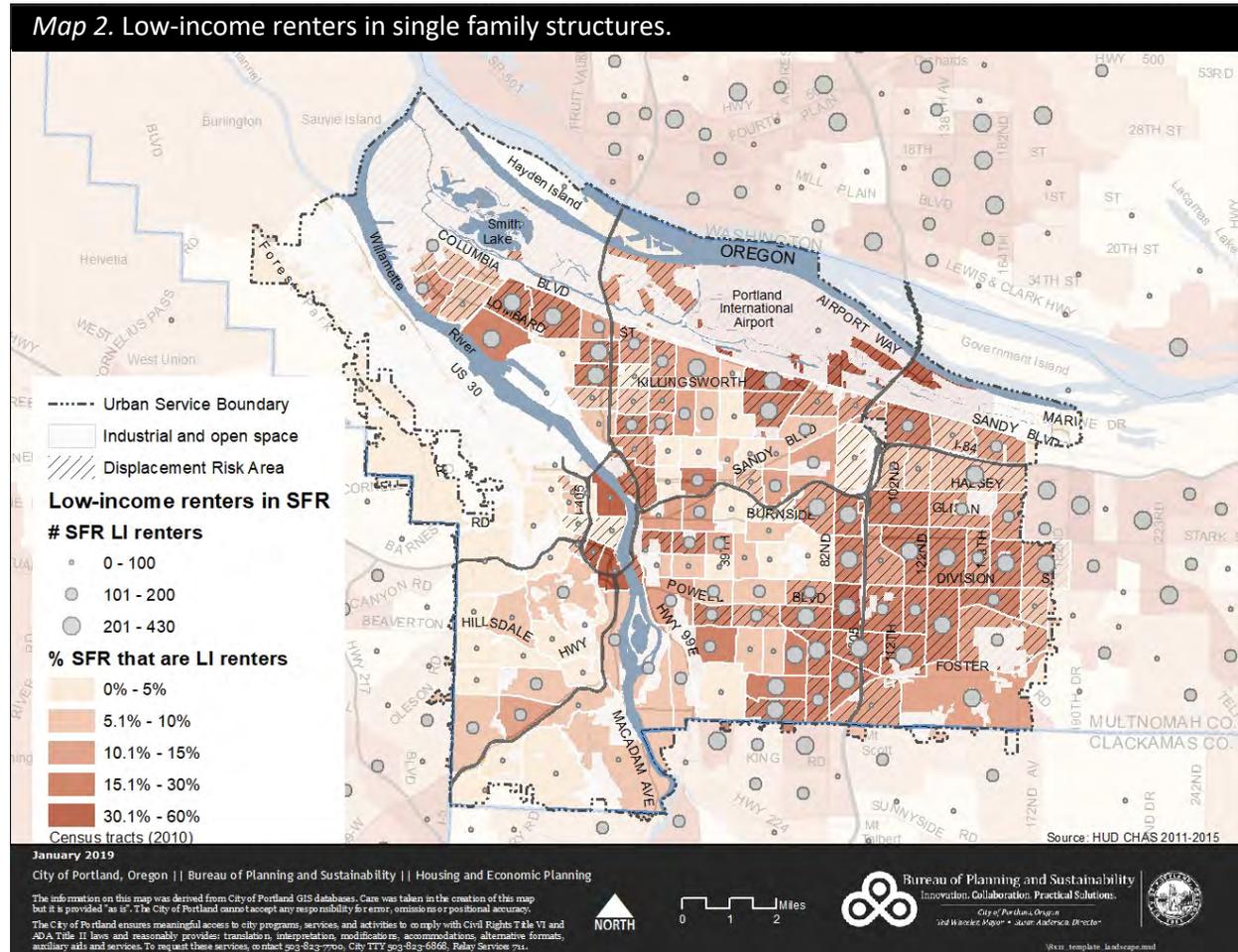
Figure 2. Portland's housing stock, 2017.



Large MFR = 50+ units. Medium MFR = 10 to 49 units. Small MFR = 2 to 9 units.  
Other = mobile homes, RVs, boats, tents, etc.

The baseline scenario, or what is allowed under current conditions, assumes redevelopment of smaller houses into larger single houses with higher achievable floor area than what is proposed in the Residential Infill Project. The project proposal scenario assumes redevelopment into buildings with a higher number of units allowed, coupled with lower achievable floor area allowed by the proposed code changes. In both scenarios, the analysis estimates how often property owners may find it more advantageous to redevelop their property than continue to rent to their tenant.

Therefore, this analysis focuses on the comparison of risk between the baseline scenario and the proposal scenario to the 14,000 low-income households who rent single-family homes in RIP zones (Map 2). These households are most vulnerable when considering the impacts of the proposal because they have the least control over their housing (they are subject to eviction) and the degree of choice in housing (based on affordability).



While the most vulnerable households that are at risk in this analysis are low-income renters in single-family structures, homeownership is not a guarantee to withstand displacement pressures. Given the history of predatory lending practices, exclusionary zoning, and racial disparities in accessing bank financing to support homeownership, it is important to consider the potential impacts these proposals may have on vulnerable homeowners as well. Low-income homeowners may be targeted by predatory buyers who do not offer a fair price for purchasing their home. Such homeowners may also be more apt to sell if they are in stressed financial situations. Map 3 shows the distribution of low-income homeowners across the City, while Table 1 summarizes the distribution of low-income households by tenure for homes in RIP zones.

Map 3. Low-income owners in single family structures.

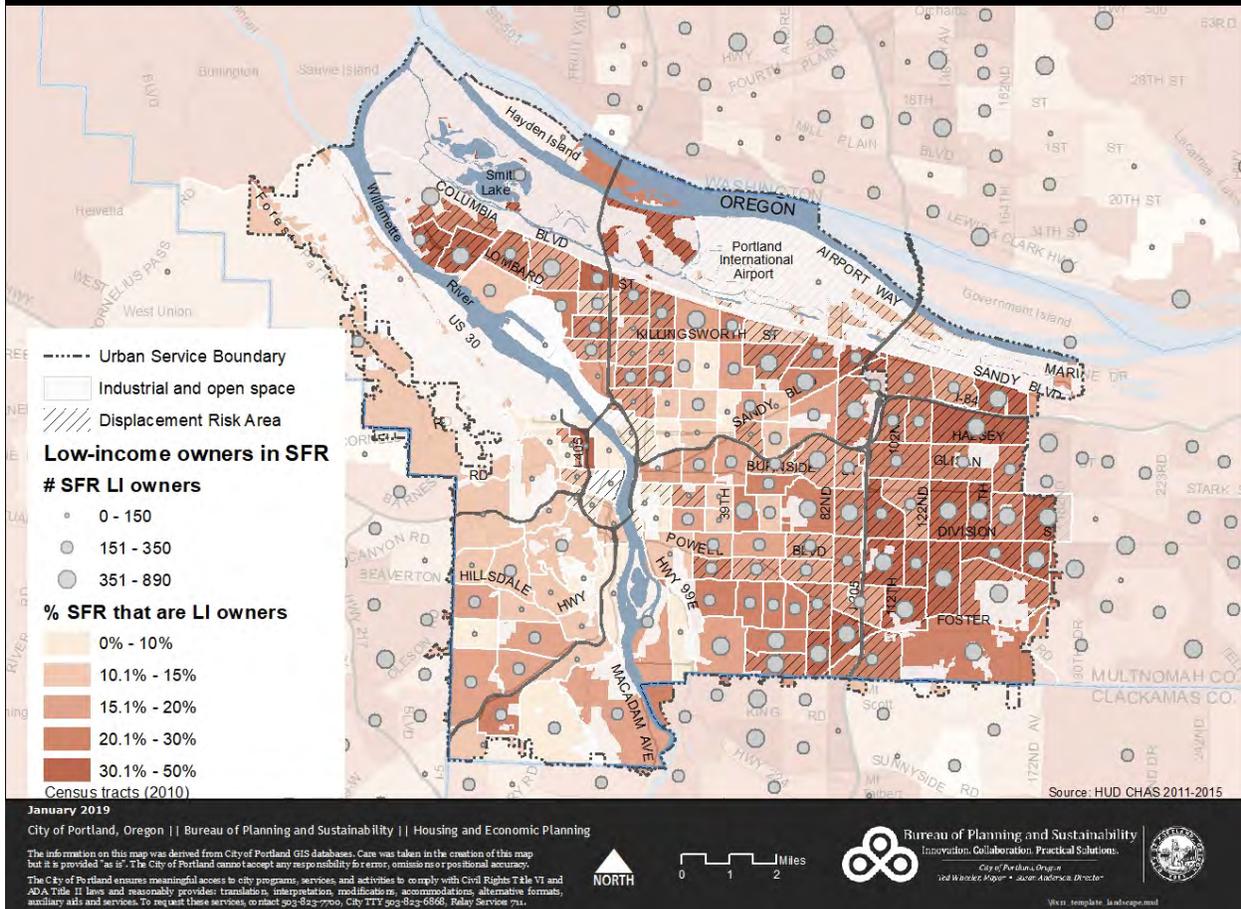


Table 1. Low-income households in single-unit structures in RIP zones by tenure, 2015.

	Displacement Risk Areas RIP Zones	Citywide RIP Zones
Households <80% MFI	24,708	40,078
Renters	8,773	13,582
Owners	15,935	26,496
With mortgage	10,447	16,150
Free and clear	5,488	10,346

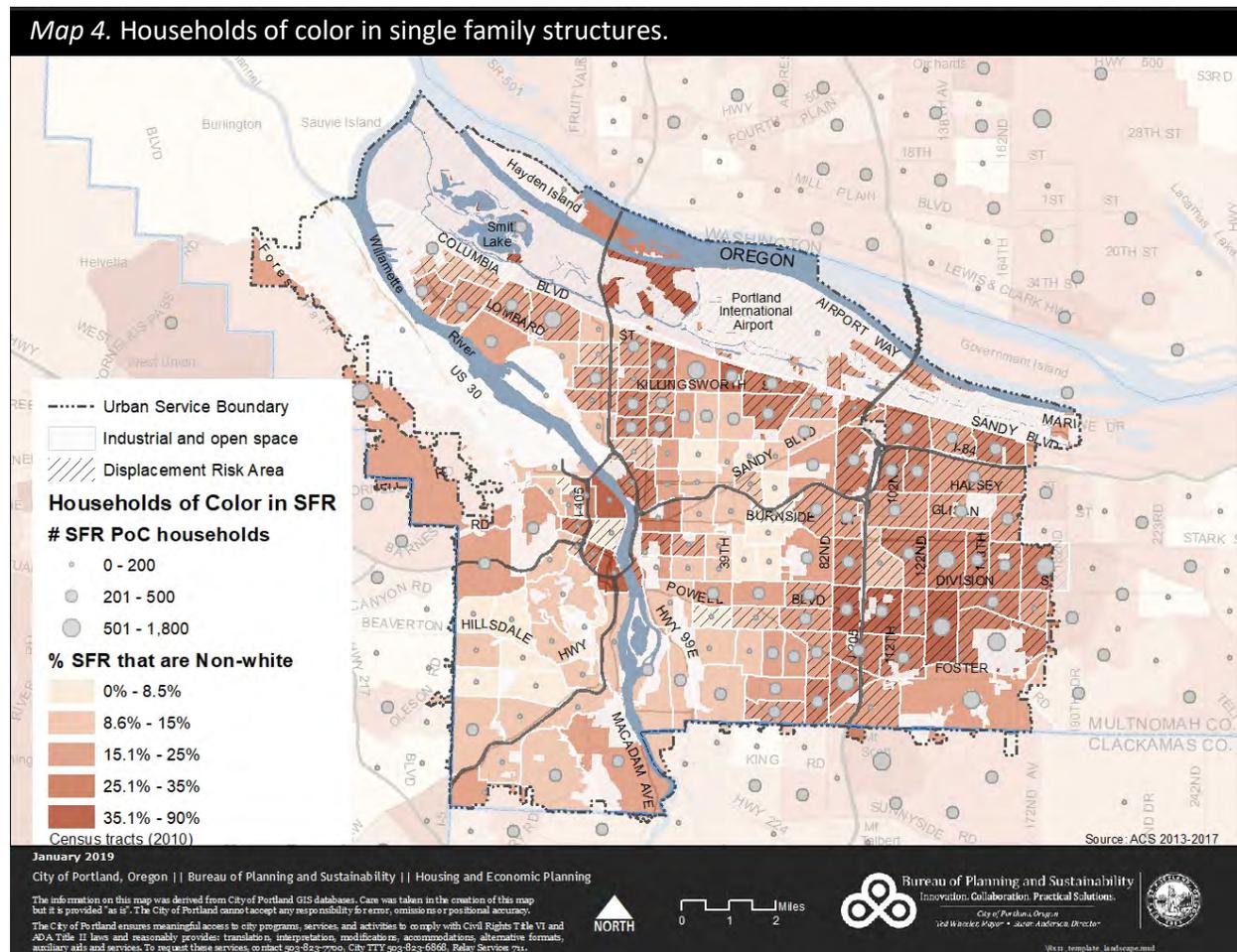
Because of historical disparities in access to homeownership, it is important to assess the potential impact on homeowners of color. Homeownership is a critical aspect of intergenerational wealth generation within a family. When a homeowner sells their home for less than market value, they forgo the opportunity to maximize their wealth-generation potential.

Although approximately 30 percent of Portland residents are a person of color, only 18 percent of single-family homeowners are a person of color. Beyond the racial gap in homeownership rates, national

research suggests homeowners of color are more vulnerable to predatory buyers, foreclosures, loan denials, and higher interest rates even compared to similar creditworthy white peers.<sup>5</sup>

Citywide, there are about 18,000 single-family homeowners of color in RIP zones. About 37 percent are low-income households, compared to 29 percent of low-income white households in single-family units.

With regard to where households of color (renters and owners) reside, the highest numbers and concentrations are in East Portland, Cully, and North Portland (Map 4).



<sup>5</sup> <https://files.stlouisfed.org/files/htdocs/publications/review/2017-02-15/the-homeownership-experience-of-minorities-during-the-great-recession.pdf>

## Probability: Where is Redevelopment Most Likely?

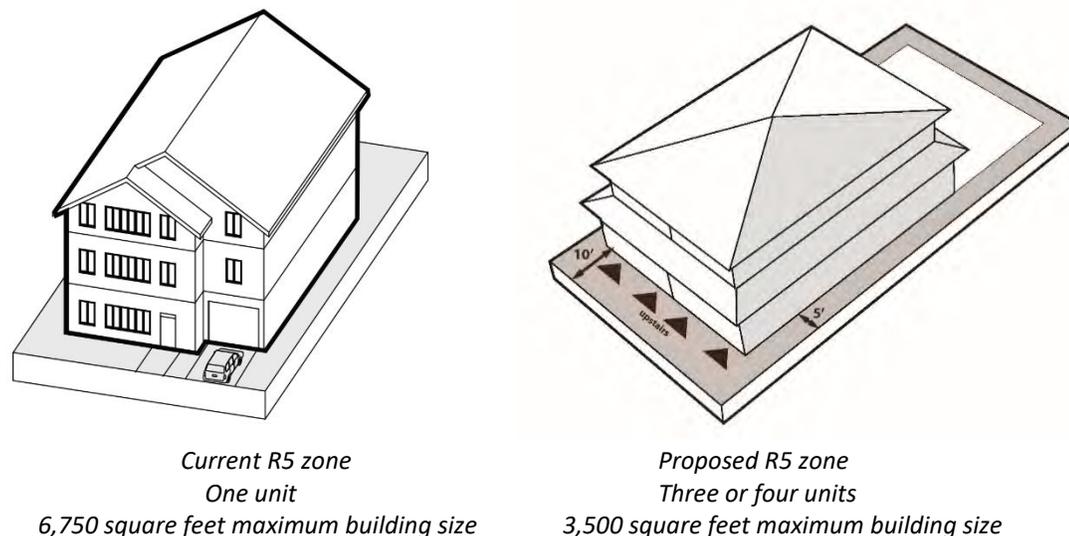
This section describes the citywide outcomes of redevelopment (defined as a home that is demolished and replaced with one or more new units) as a result of the proposal's development standards.

Redevelopment occurs because a new-construction building with one or more units allowed under the proposal might be of higher value than an existing single-unit house. In this situation, redevelopment could occur when a landowner or developer chooses to demolish the existing house to build a new structure with multiple units.

There are two significant factors in the proposed development standards that impact development capacity, redevelopment activity, and the allocation of new housing units in this analysis.

First, the change in Floor Area Ratio (FAR) allowances in RIP zones is the most significant factor that impacts development capacity between the baseline and proposal scenarios. For example, on a 5,000-square-foot-lot, maximum current development allowances in the R5 zone would allow up to a 6,750-square-foot structure, while the R5 zone under the proposal would only allow between 2,500 and 3,500 square feet, depending on the number of units (Figure 3). This reduction in square footage allowance shifts redevelopment activity away from higher-value neighborhoods and towards areas of Portland with more moderate land values that can support the achievable sale prices and rents of market-rate new construction.

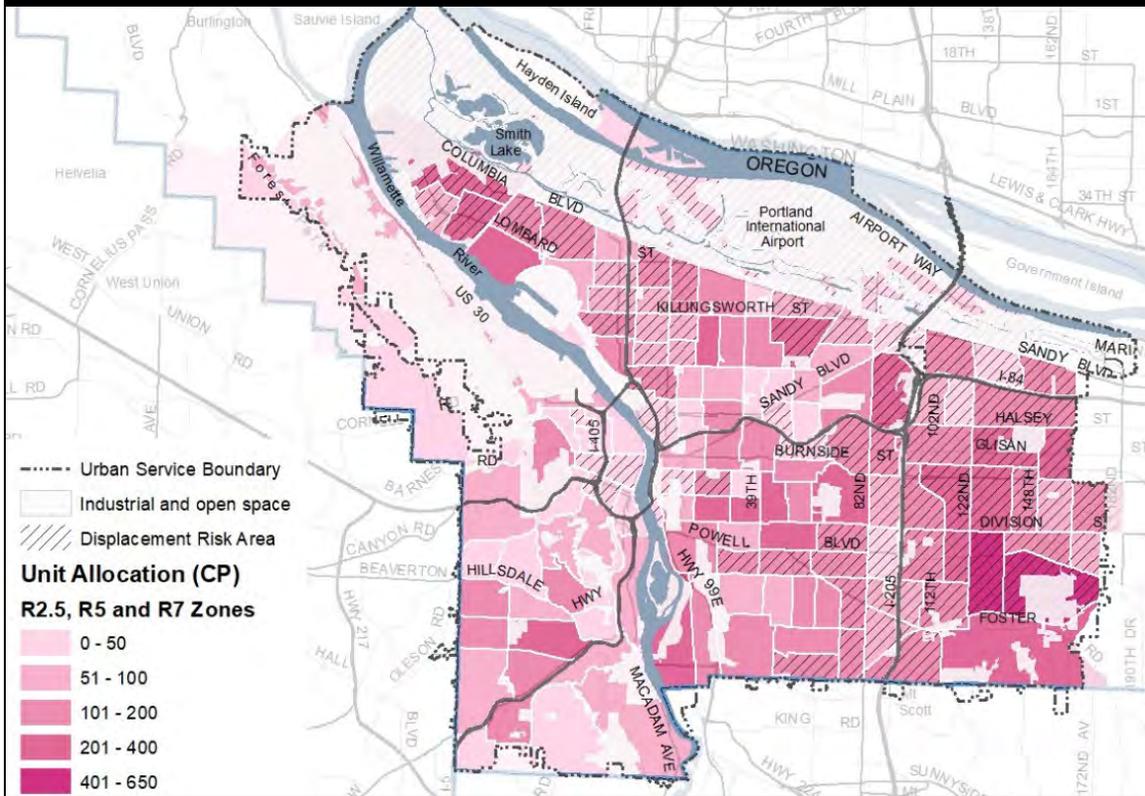
Figure 3. Maximum building size under current and proposed R5 development standards.



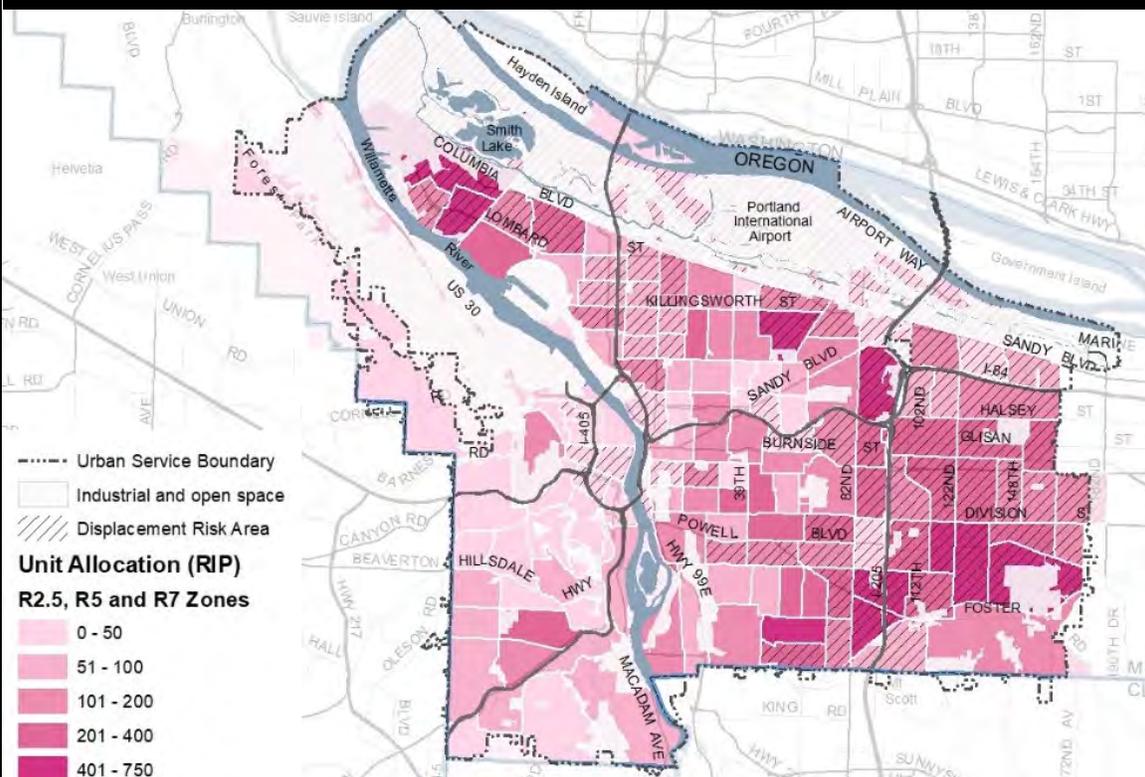
Second, the allowance for duplexes, triplexes, and fourplexes also impacts the distribution of redevelopment activity, though to a lesser extent than building size. These housing types are likely to develop in areas of Portland with land values high enough to support sales prices and rent levels of these housing types.

This analysis considers the probability of redevelopment given current market conditions. According to regional forecasts, Portland is projected to gain approximately 123,000 new households between 2010 and 2035. The Buildable Lands Inventory (BLI) model helps us begin to understand where this new growth might occur in Portland. The BLI estimates development capacity, which is defined as the number of new dwelling units that could be accommodated in the city under existing regulations and recent development trends. Staff used the BLI model to evaluate two development scenarios: one for current housing allowances and development standards from the baseline Comprehensive Plan scenario (Map 5) and one for the proposed housing allowances and development standards (Map 6). The output of the BLI model is a map that allocates new housing development—in this case new housing in R2.5, R5, and R7 zones—to show the expected distribution of housing in Portland in 2035.

**Map 5. 2035 Comprehensive Plan - housing unit allocation in R2.5, R5, and R7 zones.**

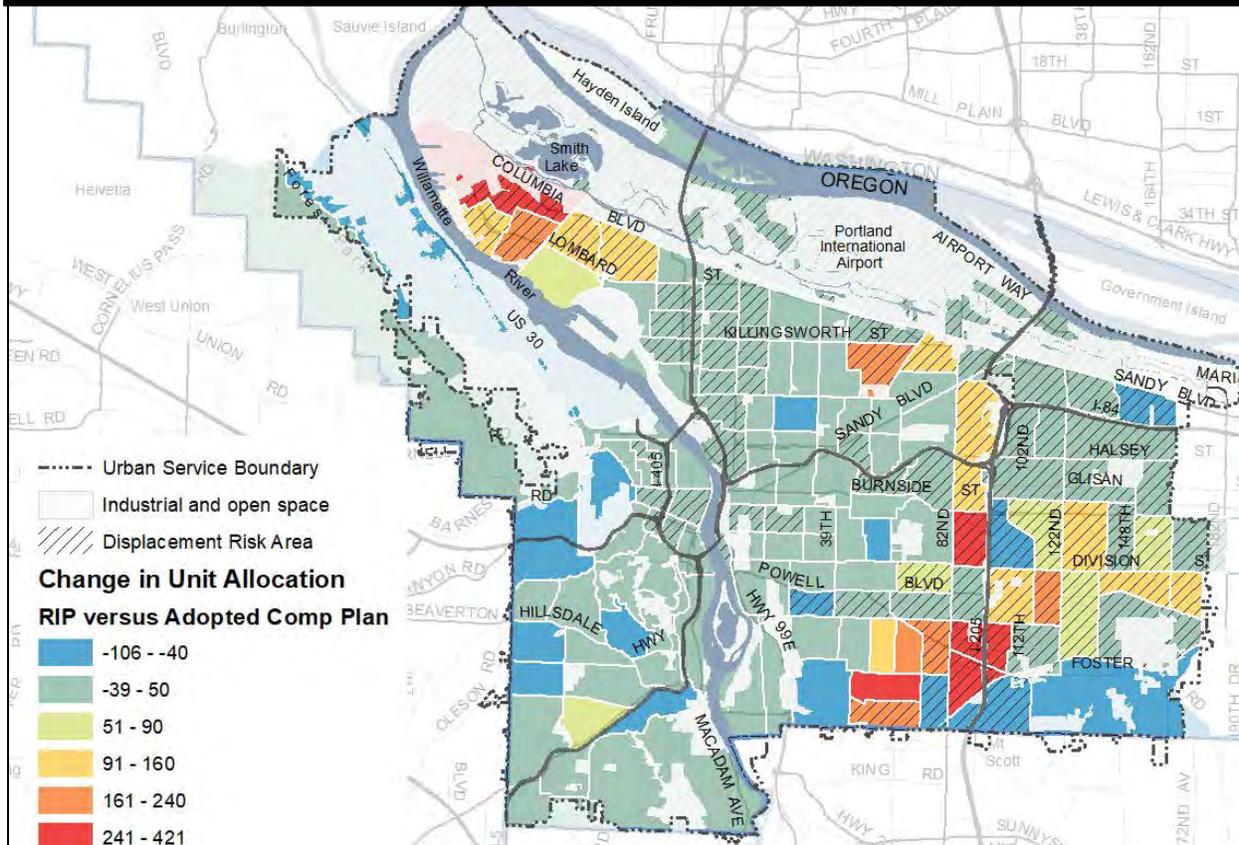


**Map 6. Residential Infill proposal - housing unit allocation in R2.5, R5, and R7 zones.**



Overall, compared to the baseline Comprehensive Plan zoning scenario, the proposal is expected to **create more housing units but decrease overall redevelopment (demolitions)**. Map 7 shows the net change in allocation of dwelling units in 2035.

**Map 7. Comparison between 2035 Comprehensive Plan and Residential Infill proposal**  
 – areas with increased or decreased household allocation under the proposal scenario.



Map 7 shows that through 2035, with the proposed amendments, some areas of Portland see net increases in redevelopment and new housing units, and some areas see net reductions in redevelopment. The reduction in redevelopment alongside increases in new unit production is the result of allowing multiple units within one structure, which absorbs unit demand that otherwise would have occurred in one-for-one redevelopment situations in the baseline Comprehensive Plan scenario. In other words, current regulations result in more houses being demolished and replaced with a single house, while the proposed regulations result in fewer houses being demolished because more units can be produced on the same site.

With the proposed changes, **inner Portland neighborhoods** like Buckman, Richmond, Eliot, Humboldt, and Northwest see **minimal change in redevelopment rates** and **moderate increases in new housing units**. New housing units will likely be distributed broadly across inner neighborhoods.

**Middle ring neighborhoods**, including St. Johns, Portsmouth, Concordia, Cully, Montavilla, Brentwood-Darlington, and Lents, see **more significant increases in new unit production**. However, these areas also see a **smaller rate of overall redevelopment**. Under the baseline scenario, these middle ring neighborhoods are expected to see a higher-than-average amount of one-for-one demolition/redevelopment. The proposal scenario indicates **more units will be built on fewer parcels**.

Neighborhoods in East Portland see a broader range of redevelopment and new housing unit impacts. **Most East Portland neighborhoods see moderate increases in new housing units** including Centennial, Powellhurst-Gilbert, Mill Park, and eastern portions of Lents. **Other East Portland neighborhoods** such as Parkrose, Argay, Hazelwood, and Glenfair will likely see **minimal change in the number of new units**.

**West Portland neighborhoods** see **minimal change in new housing units** compared to the baseline existing zoning regulations. There are small increases in new housing units in some areas along Barbur Boulevard and a moderate increase in new units in Multnomah.

Conversely, this analysis finds that **some areas of Portland see decreases in redevelopment and new units**. These areas include neighborhoods such as Pleasant Valley, Eastmoreland, Southwest Hills, Sylvan-Highlands, Hayhurst, Maplewood, and Wilkes. These decreases in redevelopment are mostly due to a combination of market factors and proposed development standards that make development less likely to occur in these neighborhoods. In most cases, redevelopment is less likely to occur in these neighborhoods than in other parts of Portland because of high home values.

This analysis indicates that there is an unequal distribution of redevelopment. Higher-income and higher-value neighborhoods will likely see less redevelopment compared to other areas across Portland. Many of these neighborhoods have historically had restrictive and exclusionary land use classifications, covenants, and lending practices.

The lower rates of redevelopment for higher-value neighborhoods is driven by existing home values that cannot support new development with proposed FAR limitations and density allowances. In other words, **in many cases the cost to purchase existing houses in higher-value neighborhoods exceeds the land price threshold needed to support new development**. Under the proposal, new development in higher-value neighborhoods is expected to be limited to sites with lower-value houses compared to the

**Inner Neighborhoods** – These neighborhoods fall roughly within a 3-mile distance from the Central City and are bounded Killingsworth Street, NE 7<sup>th</sup> Avenue, Cesar Chavez Boulevard, and Powell Boulevard and include South Portland and Northwest District.

**Middle Ring Neighborhoods** – These neighborhoods extend to St. Johns, Sellwood, and I-205 and also include neighborhoods in Southwest Portland along Barbur Boulevard such as Hillsdale, Multnomah, South Burlingame, and Markham.

**East Portland Neighborhoods** – These neighborhoods are located east of I-205 and extend along NE Sandy Boulevard and SE Powell Boulevard to the Portland city limits.

**West Portland Neighborhoods** – These neighborhoods extend to City of Portland in Southwest and are generally further than 3 miles from the Central City.

surrounding neighborhood. **The claim that these proposals will increase the rate of redevelopment in some higher-value and higher-income neighborhoods in Portland is not supported by this analysis.**

#### Risk Assessment: Which Parts of Portland Have High Severity and Probability?

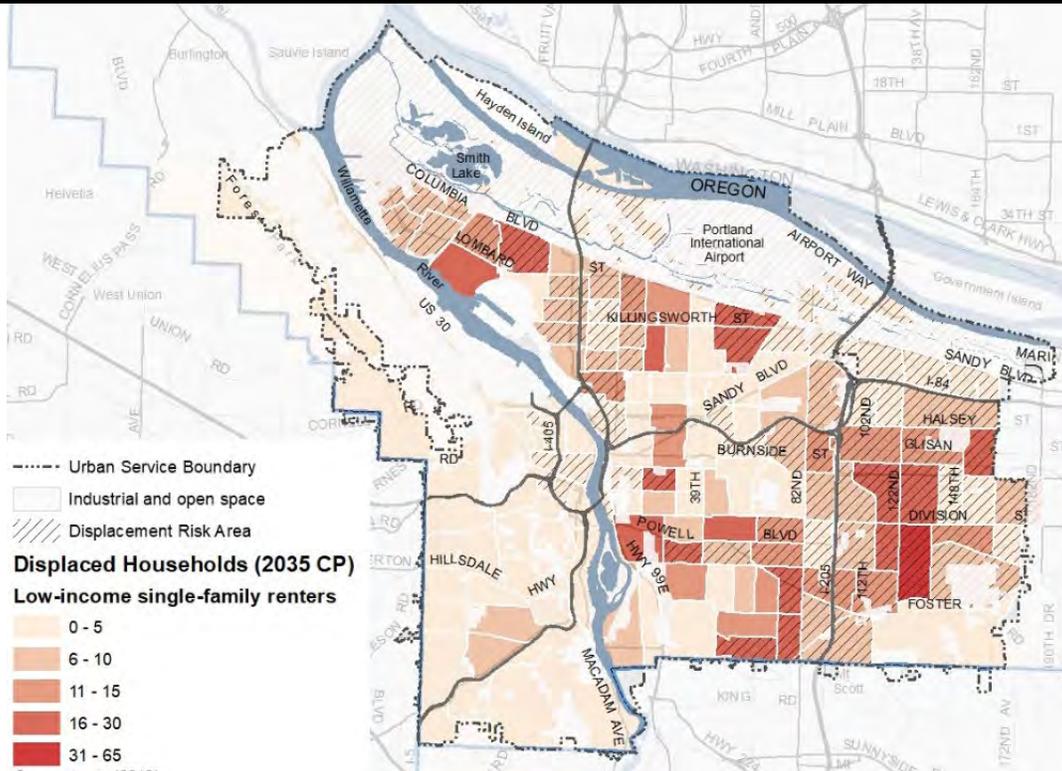
In RIP zones, **low-income renters in single-family structures** are the households most vulnerable to displacement.

This analysis of the Residential Infill Project is conducted at three levels: citywide, in Displacement Risk Areas, and in a select group of Displacement Risk Areas that show the most redevelopment activity.

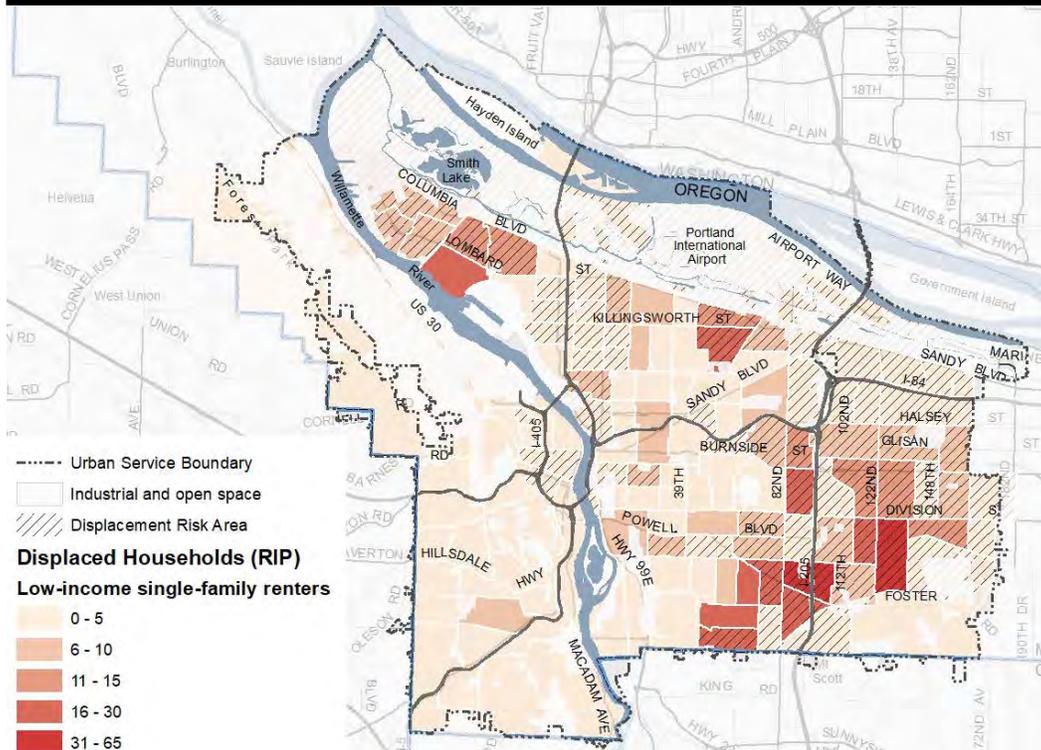
In summary, this analysis finds that **there is a net reduction in displacement pressures across Portland as the result of the proposals.** Under the proposal scenario, this analysis identified around **680 low-income renter households in single-family structures** that are at risk of indirect displacement through 2035 as the result of redevelopment. Under the 2035 Comprehensive Plan single-dwelling development standards, this analysis identified around **940 low-income renter households in single-family structures** that are at risk of indirect displacement as the result of redevelopment through 2035.

Maps 8 and 9 compare areas of increased displacement burden under the baseline scenario and proposal scenarios, respectively. More areas see higher rates of displacement risk under the baseline.

**Map 8. Comprehensive Plan - areas with displacement burden**

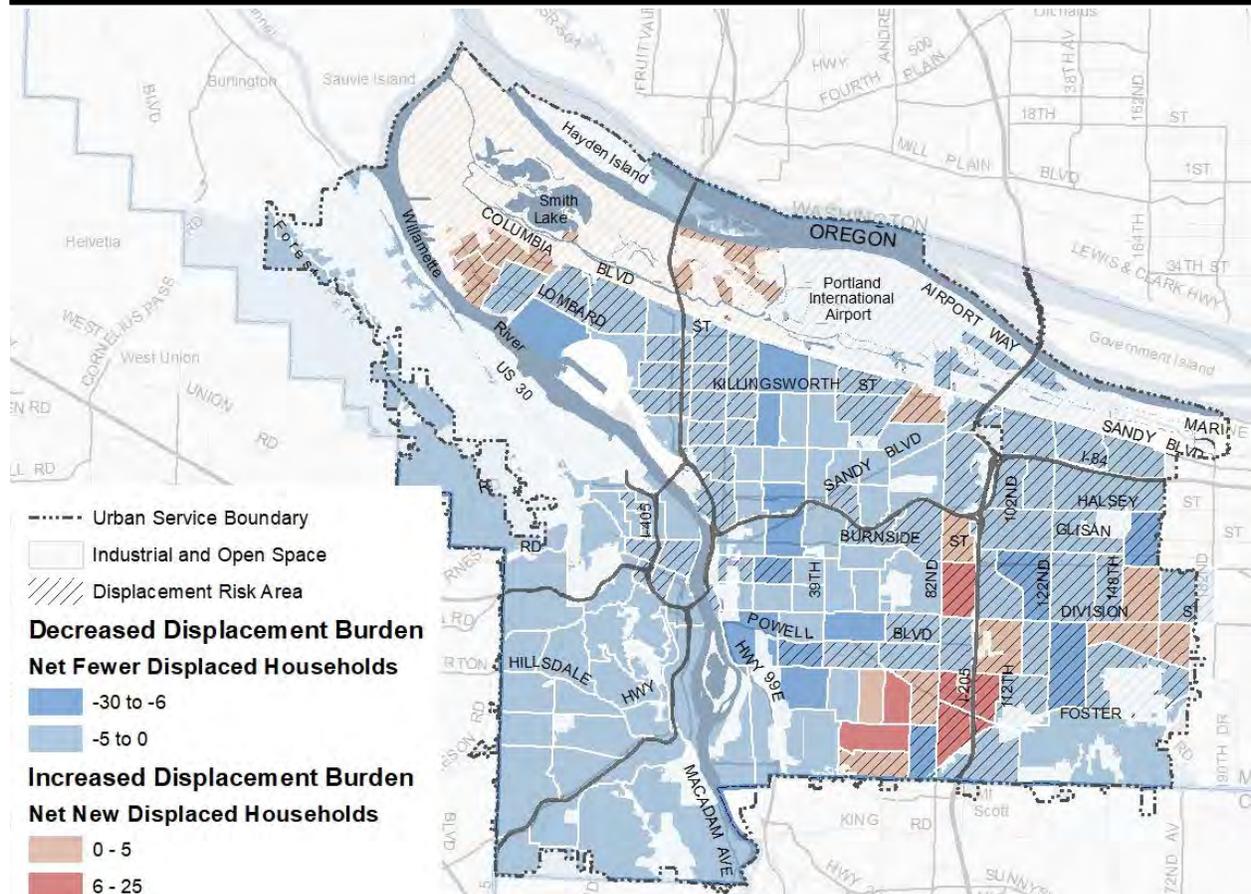


**Map 9. Residential Infill proposal - areas with displacement burden**



Map 10 shows that the **proposal scenario reduces the displacement risk in most neighborhoods across Portland**. The largest reductions in displacement risk occur in University Park, Concordia, Vernon, Kerns, Creston-Kenilworth, Mill Park, and portions of Powellhurst-Gilbert.

**Map 10. Comparison between 2035 Comprehensive Plan and Residential Infill proposal – areas with increased or decreased displacement burden under the proposal scenario.**



### Applying the Risk Assessment to the Displacement Risk Areas

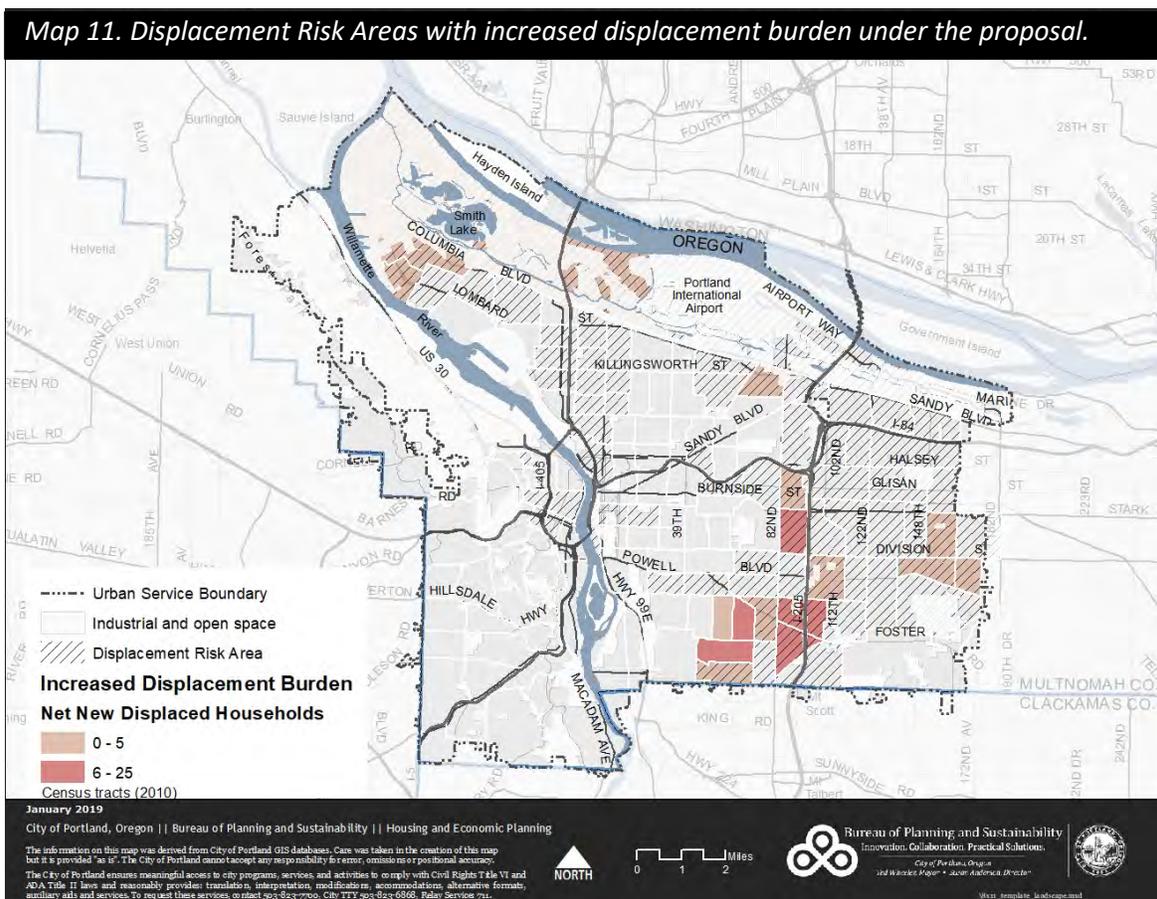
Neighborhood-specific changes vary depending on development feasibility of the proposed development types (detached single-family, duplexes, triplexes, and fourplexes).

Under the proposal scenario, this analysis identified around **480 low-income renter households in single-family structures** that are **at risk of indirect displacement through 2035** as the result of redevelopment in these higher risk areas (shown in Map 10). Under the 2035 Comprehensive Plan single-dwelling development standards, this analysis identified around **610** low-income renter

households in single-family structures that are at risk of indirect displacement as the result of redevelopment in these high-risk areas. Similar to the citywide analysis, **there is a net reduction in displacement pressures in Displacement Risk Areas as the result of the proposed changes.**

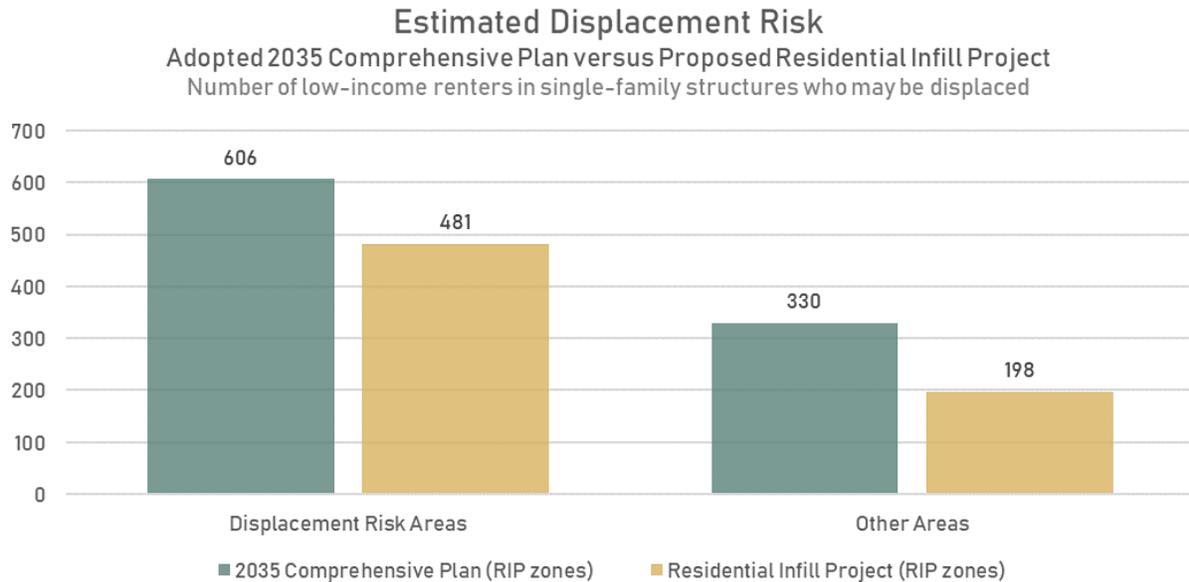
Some areas are expected to see significant increases in redevelopment in the proposal scenario due to market conditions combined with the proposal’s increased density allowances and reduction in scale. The Displacement Risk Areas with more displacement burden under the proposal are identified in Map 11. These areas fall into two categories: 1) less than five households at risk of displacement through 2035, and 2) between six and 25 households at risk of displacement through 2035.

The areas with less severe displacement risk include portions of St. Johns, East Columbia, Cully, and Centennial neighborhoods. Areas with more significant displacement risk include portions of Montavilla, Brentwood-Darlington, and Lents. In addition, there is more significant displacement risk for low-income renters in single-family structures in parts of Brentwood-Darlington that are not identified as a Displacement Risk Area.



Further examination of the Displacement Risk Areas in Figure 4 indicates **aggregate net reductions across all Displacement Risk Area typologies**. Additionally, **areas of Portland not identified as Displacement Risk Areas saw large decreases in potential displacement of low-income renters** in the proposal scenario.

Figure 4. Estimated displacement risk by gentrification typology area.



## TECHNICAL METHODOLOGY

This analysis of displacement for the Residential Infill Project relies on the following sources of data and methods:

1. **Severity:** This section relied on demographic data from the American Community Survey (ACS) from the Census Bureau and the Comprehensive Housing Affordability Strategy (CHAS) data from HUD. Some data are published in standard tables from these two sources, while other data required custom analysis using the Public Use Microdata Samples (PUMS), which are person- and household-level ACS data.
2. **Probability:** Finding the likelihood of redevelopment required modifying and running the Buildable Lands Inventory (BLI) capacity and allocation models. The capacity model identifies parcels that are more likely to redevelop given their current value and the proposed development allowances under the project. The allocation model estimates which parts of the city will see new development based on the capacity and recent development trends. This analysis compared the BLI models of the proposal to that of the Adopted 2035 Comprehensive Plan. More details are described below.
3. **Risk Assessment:** The bulk of this analysis focuses on the assessment of severity and probability to estimate displacement risk.

## Moving from Unit Allocation to Parcel Redevelopment Count

The BLI allocation model estimates the number of new units an area will see between 2010 and 2035. Within the model, 123,000 units must be placed somewhere in the city, and the model uses a combination of capacity (zoning allowances and development constraints) and market trends to make a best guess as to which parts of the city will see more or less development.

The number of new units is reported in two scenarios: the zoning rules and assumptions under the adopted 2035 Comprehensive Plan and those under the proposed RIP. However, the model does not report the number of parcels that will develop or redevelop—only the number of units. Since displacement risk measures the number of low-income renters in single-family homes (i.e., one-unit parcels) who may be displaced due to redevelopment, this analysis created a way to turn the BLI unit allocation into an estimate of parcels redeveloped.

Under the proposal, new-construction detached single-family homes are less likely to be built than duplexes, triplexes, and fourplexes. The 2035 Comprehensive Plan baseline analysis assumed 1.5 units per parcel that is redeveloped based on recent development trends. That is, one lot yields on average one and a half single-family homes, with accessory dwelling units accounted for separately. Under the proposal scenario, the assumption is that three units will be produced for every parcel that is redeveloped—one lot yields a triplex or three townhomes in R2.5, R5, and R7 zones. Although duplexes and fourplexes are allowed, this analysis uses a most likely average new development scenario of three units per parcel to account for a variation of densities between one and four units per parcel.

For example, if an area zoned R2.5, R5, or R7 was expected to see 47 new units (allocation), then the number of corresponding parcels would be  $47 / 3 = 15.66 = 16$  parcels redeveloped. The unit-to-parcel adjustment factor is applied after the unit allocation is aggregated to census tracts.

## Accounting for Vacant Parcels

Known vacant capacity must also be accounted for. Recent development trends show that vacant lot development varies by geography but comprises a smaller share of total redevelopment. Staff applied an adjustment factor to account for vacant development versus redevelopment involving demolition. This adjustment factor considered development trends between 2013 and 2018 to estimate the share of anticipated development that would involve demolition of existing structures. This figure was applied at the census tract level and averaged about 80 percent across Portland, meaning 20 percent of development scenarios were estimated to occur on vacant parcels.

## Accounting for Accessory Dwelling Units

The analysis did not examine potential accessory dwelling unit (ADU) development for two reasons. First, for the purposes of evaluating displacement impacts, the addition of an ADU to an existing property is unlikely to result in indirect displacement for a renter of the existing primary structure. Second, ADUs created by homeowners are largely built using home equity and are sensitive to other factors that the model cannot readily predict. Therefore, the production of ADUs would occur in addition to the units included in this analysis. Current ADU projections, based on 2010 to 2016 trends, assume 5,000 more ADUs between 2017 and 2035, or about 280 per year.

## Part II: POTENTIAL MITIGATION STRATEGIES

This Part includes a variety of potential displacement mitigation strategies, including programs and funding mechanisms, for both renters and homeowners. Because the Residential Infill Project affects single-dwelling neighborhoods, these strategies specifically address the needs of low-income renters and homeowners that live in single-family houses. They build on previous work, especially the SW Corridor Equitable Housing Strategy and Dr. Lisa Bates' 2013 Gentrification and Displacement Study.<sup>6</sup> New ideas for reducing the risk of displacement also came from nonprofit housing providers, anti-displacement organizations, and housing advocates.

These strategies face three main challenges—funding resources, organizational capacity, and scattered sites. First, the demand for housing assistance programs already exceeds available resources. Successful implementation of these programs will require additional resources. In addition to resources, there is a need to build organizational capacity, especially in Montavilla, Brentwood-Darlington, and Lents. These neighborhoods are expected to see increased displacement burden under the Residential Infill Project proposals, even as the rest of the city sees a reduction in displacement risk. Fortunately, community organizations like Impact Northwest and Rose Community Development Corporation can provide an organizational structure for these types of programs. Finally, single-family dwellings and other middle housing types are located on scattered sites that are time- and resource-intensive to administer and maintain. Some groups, like Portland Community Reinvestment Initiatives, Proud Ground, and Habitat for Humanity, have been successful with these types of programs. It will be important to learn from their experience to create an effective program.

### Next Steps

Although the changes proposed in the Residential Infill Project reduce the risk of displacement citywide, there are still households at risk of displacement, particularly in the three neighborhoods mentioned above. These potential strategies provide a starting point for a community conversation between BPS, other city bureaus, community organizations, and community members to determine which strategies will be most effective in mitigating potential displacement impacts.

The next steps are to engage service providers, community organizations, and low-income renters and homeowners to understand the scope of the challenge, the most effective strategies, and the funding and organizational capacity needed to support these programs. As part of this engagement, BPS will work with the Portland Housing Bureau to analyze the effectiveness and cost of different strategies and how they fit into the City's overall housing affordability efforts.

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<sup>6</sup> *SW Corridor Equitable Housing Strategy*, City of Portland and City of Tigard (2018), [www.portlandoregon.gov/bps/article/675321](http://www.portlandoregon.gov/bps/article/675321).

## OVERVIEW

In general, these strategies apply to two types of clients (renters and homeowners) and include four types of programs (education, technical assistance, financial assistance, and regulatory incentives).

Renters	Education – tenant rights, financial literacy Financial assistance – stabilization Incentives to property owners Expanding supply – land trusts, co-housing, cooperative housing
Homeowners	Education – combating predation of vulnerable homeowners Technical assistance – understanding development opportunities Financial assistance – increasing access to capital for development

The anti-displacement strategies below are detailed in the following pages.

Strategies	Renters	Homeowners
<b>Education</b>		
Tenant rights and legal services	X	
Financial literacy	X	X
Anti-predation/fraud	X	X
Foreclosure prevention		X
<b>Financial Assistance</b>		
Short-term rent assistance (STRA)	X	
Stabilization incentives		X
Home repair loans and grants	X	X
SDC waivers and tax abatements		X
ADU construction	X	X
Community land trusts and co-housing	X	X
<b>Technical Assistance</b>		
ADU construction		X
Pre-approved plans		X
Access to home equity loans		X

## STRATEGIES FOR VULNERABLE RENTERS

### Renter Education

Providing anti-displacement and prevention services is the most immediate step that can be taken to retain community members in neighborhoods undergoing change. These relatively quick-to-implement services are critical. Other measures to prevent displacement can take years to fund and implement, during which time large turnover of community residents can occur. Anti-displacement services can span a broad range, from legal support to education and outreach. Outreach and education efforts could build on Portland's network of existing community-based organizations that provide education, tenant services, and homeowner assistance. Education programs for low-income renters regarding tenants' rights, understanding lease agreements, financial literacy, and relocation assistance could help them stabilize their housing situation. Funding to support and extend those efforts could focus on people and/or neighborhoods at the highest risk of displacement.

As an example, while doing engagement with renters in the St. Johns neighborhood, the Community Alliance of Tenants (CAT) met a group of renters facing harassment, eviction, and steep rent increases. BPS funded CAT and the St. Johns Center for Opportunity to support these renters so they could learn more about their rights to get repairs completed and advocate to remain in their homes. CAT provides renter's rights education and information and direct tenant support through trained volunteer tenant rights specialists. CAT also provides a renter's rights hotline that focuses on tenant education. CAT does not provide legal advice; rather, they provide support for tenant rights up to the point at which a participant needs legal aid. At this time, CAT can make a referral to Portland Defender, a private law firm, and Legal Aid Services of Oregon. In 2017 the Portland Housing Bureau, through its tenant protection program, provided CAT with an additional \$270,000 for outreach and engagement, renter services, and renter legal advocacy.

### Financial Assistance

Financial assistance programs provide an array of monetary support, either with assistance in emergency situations or to access housing. Home Forward's Short-Term Rent Assistance (STRA) program pools funding from the their organization along with the City and County Joint Office of Homeless Services, Multnomah County Department of County Human Services, United Way, and the City of Gresham. Home Forward contracts with providers to deliver the STRA program to households who are experiencing homelessness or are at risk of homelessness in Multnomah County. Eligible expenses for STRA include financial assistance with rent, rent arrears, mortgages, motel vouchers, application fees, deposits and move-in expenses, housing debt, and limited "non-leasing" expenses needed to reduce or eliminate barriers to housing.

### Incentives for Property Owners to Stabilize Renters

Providing incentives to property owners to rent to existing or new low-income tenants could help stabilize vulnerable groups.

The City could build on existing assistance efforts to homeowners for weatherization and home repairs by subsidizing weatherization or home repairs for property owners renting to low-income tenants.

Further, the City could incentivize property owners to rent new dwelling units to low-income tenants. Multnomah County's A Place for You pilot program built accessory dwelling units (ADUs) as transitional housing for homeless families and could be extended for other housing types allowed by the Residential Infill Project.<sup>7</sup> In Austin, Texas, the Alley Flat Initiative supports the creation of affordable rental units if the homeowners offer the units at a rent affordable to people making 80% of the median family income or below (with rent not exceeding 28% of the tenant's income) for five years. Assistance includes reduced fees; expedited services; a design catalogue with a step-by-step guide to development and City-approved building plans for ADUs; and advocacy in resolving issues with City departments.<sup>8</sup>

The City of Portland offers System Development Charge (SDC) waivers for ADUs that will not be used for short-term rentals for 10 years. The City could extend SDC waivers to other types of housing units allowed through the Residential Infill Project if the property owner signs a covenant agreeing to rent to a household at a specified income level (60% to 80% median family income) for 10 years.

#### Expanding Homeownership Opportunities

Programs can help low- and moderate-income tenants purchase their homes. Limited equity cooperative homeownership models or other forms of cooperative or co-housing models of ownership can make homeownership more affordable. Cooperatives allow members to share the risk and responsibility involved in owning and maintaining a home. Peninsula Park Commons in North Portland, established in 2004, provides an example of co-housing with nine units. When available, units can be rented or purchased. Another project underway in the Interstate Urban Renewal and North/Northeast Housing Strategy Plan area will be developed by Proud Ground with 41 of the 50 condominium units to be permanently affordable, family-sized units serving households at a range of 35% to 100% of median family income.

Community land trusts are organizations that own land and provide long-term ground leases to low-income households to purchase homes on the land with agreement on purchase prices, resale prices, equity capture, and other terms. This model allows low-income residents to become homeowners and capture some limited equity as the home appreciates but ensures the home remains affordable for future homebuyers. Community land trusts may also lease land to affordable housing developers for the development or management of rental housing.

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<sup>7</sup> "A Place for You August 2018 Briefing," Multnomah County Idea Lab (August 2018), <https://multco.us/file/77423/download>.

<sup>8</sup> *The Alley Flat Initiative* (2019), [http://thealleyflatinitiative.org/?page\\_id=41](http://thealleyflatinitiative.org/?page_id=41).

## STRATEGIES FOR VULNERABLE HOMEOWNERS

### Combating Predation of Vulnerable Homeowners

The complexity of information about regulations, financing, and the development process has allowed for predation of vulnerable homeowners in the past. Much can be learned from the causes of and responses to the 2008 foreclosure crisis, which uncovered racially discriminatory real estate practices that resulted in a disproportionate number of homeowners of color losing their homes. The City could consult with nonprofits currently offering services to at-risk homeowners in order to learn more about the dynamics of vulnerability and predation (for example, targeting a vulnerable homeowner by reporting nuisance violations to coerce a quicker sale or reduced sales price) and collaborate on a variety of anti-predation education efforts.

One form of predation comes in predatory speculation, leading to “voluntary” displacement of homeowners (i.e., homeowners who sell their home after being given misleading information). The City could support educational and public awareness campaigns aimed to help low-income homeowners resist predatory real estate practices.

### Homeowner Stabilization

The Portland Housing Bureau currently provides assistance to at-risk homeowners through home repair loans as well as foreclosure prevention assistance.<sup>9</sup> These programs could be marketed in areas anticipated to see increased displacement risk.

### Development Assistance and Financing

The complexity of information about regulations, financing tools, and the development process also creates a knowledge gap between well-resourced homeowners and low-income homeowners. Programs offer technical assistance to help low-income homeowners add ADUs and other housing types on their property. For example, Verde leads a community-based affordable ADU collaborative, with programs focused on creating benefits for both modest-income host families and lower-income rental housing occupants in displacement-impacted neighborhoods throughout Portland.

Pre-approved plans for ADUs or other housing types could help low- and/or moderate-income homeowners overcome barriers in the permitting process. The City could host a design competition to solicit plans and partner those with a lineup of potential funding partners for interested homeowners. City precedents for such a program include the Courtyard Housing Design Competition, which called for infill housing designs that promote more affordable family housing, and the Living Smart competition, which sought aesthetically pleasing designs for narrow houses and resulted in two permit-ready plan

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<sup>9</sup> “Homeowners,” Portland Housing Bureau (2019), [www.portlandoregon.gov/phb/72624](http://www.portlandoregon.gov/phb/72624).

sets.<sup>10,11</sup> The Living Smart program and its resultant permit-ready plan sets were cancelled due to lack of interest by developers, perhaps because of the plans' costly design, so any design competition or pre-approved plans created now should include strict cost constraints to remain relevant to both affordable housing developers and homeowners with moderate budgets.

Low-income homeowners also face barriers accessing capital to further develop their property, whereas access to capital is less of a barrier for developers and high-income homeowners. The City could help lower these barriers by partnering with local banks to offer home equity lines of credit and/or low-cost loans. The Federal Deposit Insurance Corporation (FDIC) promotes partnerships between banks and Community Development Financial Institutions (CDFIs). CDFIs fill a niche by specializing in providing credit to borrowers and communities that may be difficult for traditional banks to serve. Many borrowers may be creditworthy but often lack credit history, have a poor past experience with alternative or predatory credit providers, or have a minimal amount of personal savings. CDFIs offer products with more flexible underwriting standards, combine a range of below-market financing with their own resources, and provide technical assistance with their lending activities to help ensure that borrowers use credit and capital effectively.<sup>12</sup>

Efforts to combat disparities in both information and financing could include collaboration with existing efforts, such as the Portland State University's Small Backyard Homes Initiative, which is working with CDFIs and other financial institutions on loan products to make ADU development more affordable.<sup>13</sup>

As an example of a program supporting ADU development from another city, the West Denver Single Family Plus initiative will address involuntary displacement of homeowners through resources addressing general refinancing options, home equity, basics of ADU development, and high-risk mortgages, as well as an ADU handbook.<sup>14</sup>

A pilot "developer hub" in East Portland or other areas of the city with low-income homeowners and/or residents vulnerable to displacement could convene financing opportunities and education for low-income homeowners looking to develop additional units. Private developers could provide technical assistance to community development corporations looking to develop affordable housing or low-income homeowners looking to develop additional units.

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<sup>10</sup> "About the Project," *Portland Courtyard Housing Design Competition* (Bureau of Planning and Sustainability), [www.courtyardhousing.org/about.html](http://www.courtyardhousing.org/about.html).

<sup>11</sup> *Living Smart: Designs of Excellence*, City of Portland (2004), [www.portlandonline.com/bds/Living\\_Smart\\_Design\\_Excellence\\_Monograph.pdf](http://www.portlandonline.com/bds/Living_Smart_Design_Excellence_Monograph.pdf).

<sup>12</sup> "Community Affairs Program – Strategies for Community Banks to Develop Partnerships with Community Development Financial Institutions," Federal Deposit Insurance Corporation (2014), [www.fdic.gov/consumers/community/cdfi/index.html](http://www.fdic.gov/consumers/community/cdfi/index.html).

<sup>13</sup> "Small Backyard Homes Initiative" (Portland State University, 2019), <https://www.pdx.edu/sustainability/small-backyard-homes-accessory-dwelling-units-adus>.

<sup>14</sup> "Housing (the WDSF+ Initiative)," West Denver Renaissance Collaborative (2019), <http://www.mywdrc.org/wdsf.html>.

The Fair Housing Council of Oregon’s guide to examining local land use with a fair housing lens notes that certain groups of people have historically been excluded from amenity-rich housing areas. A 2015 rule from the U.S. Department of Housing and Urban Development requires jurisdictions receiving federal money to affirmatively further fair housing and identifies increasing integration and overcoming historic segregation patterns; and narrowing disparities in access to transit, education, and employment as key actions. In addition to increasing access to affordable development in high-displacement-risk areas, the City could use its housing opportunity lens to identify more exclusive neighborhoods and partner with community-based organizations to increase affordable housing options in those neighborhoods, consistent with Policy 5.22 of the 2035 Comprehensive Plan.

## FUNDING MECHANISMS

Delivery of these programs will require additional resource commitment from the City of Portland, which could result in new programs for other bureaus and agencies (e.g., the Portland Housing Bureau) and partnerships with nonprofit organizations that serve low-income communities. Potential funding mechanisms are outlined below.

### Housing Investment Fund

Funding for these strategies could come from the Housing Investment Fund, created to develop or preserve affordable housing in Portland or help low- and moderate-income individuals access affordable housing. Revenue sources for this fund include the short-term rental lodging tax, loan interest income, fee payments, cash transfers, and local shared revenues.

### Affordable Housing Construction Excise Tax

The City’s Affordable Housing Construction Excise Tax (CET), effective August 1, 2016, provides another potential funding source. It levies a tax of 1 percent on all permits valued at \$100,000 or more to help fund affordable housing programs. All single-dwelling development over this value threshold is subject to this tax. Revenue from single-dwelling development after the proposed zoning changes go into effect could be earmarked for affordable housing development in single-dwelling zones or anti-displacement programming. The Residential Infill Project’s November 2018 economic analysis predicts \$6.1 billion in construction investment in the single-dwelling zones over 20 years, which would work out to \$61 million in Affordable Housing CET revenue. Assuming a construction cost of \$300,000 per affordable unit in the single-dwelling zones, for example, this revenue could fund 10 affordable units per year for 20 years, help bridge the gap between existing subsidies and financial need, or fund a variety of anti-displacement programs.

### Charge an Anti-Displacement Fee

Similar to an SDC, requiring a fee for anti-displacement programming or affordable housing development would result in some public benefit in exchange for the increase in property value, sales price, and/or rental revenue that property owners could receive due to increased zoning allowances.

The fee could be structured as an additional construction excise tax that could be dedicated to development assistance for low-income homeowners and/or the creation of affordable units. This could be applied to development in single-dwelling zones. This fee would need authorization from the Oregon Legislature.

### Leverage City and Regional Funds

Sources of City funding can be leveraged with grant funds and philanthropic program-related investments. Measure 102, passed by voters in November 2018, changed the Oregon constitution to remove the requirement that local governments retain ownership of housing projects funded with bond money, potentially opening new opportunities to fund and collaborate with nonprofit organizations and private-sector developers for affordable housing.

Voters have recently passed bonds for affordable housing in the City of Portland and Metro, part of which could be spent on affordable housing development in single-dwelling zones.

## OTHER STRATEGIES

A number of policy toolkits can help inform the creation of a mitigation strategy:

- Partnership for Working Families: Policy and Tools [www.forworkingfamilies.org/resources/tools](http://www.forworkingfamilies.org/resources/tools)
- HousingPolicy.org: Toolbox [www.community-wealth.org/resourcetype/Toolbox](http://www.community-wealth.org/resourcetype/Toolbox)
- PolicyLink: Equitable Development Toolkit [www.policylink.org/resources-tools/affordable-housing](http://www.policylink.org/resources-tools/affordable-housing)
- All-In Cities: Policy Toolkit [www.allincities.org/toolkit](http://www.allincities.org/toolkit)
- Association for Neighborhood and Housing Development: Policy Tools [www.antidisplacementtoolkit.org/](http://www.antidisplacementtoolkit.org/)
- Grounded Solutions Network: Policy Toolkit [www.groundedsolutions.org/sites/default/files/2018-11/17%20What%20About%20Housing%20-%20A%20Policy%20Toolkit%20for%20Inclusive%20Growth.pdf](http://www.groundedsolutions.org/sites/default/files/2018-11/17%20What%20About%20Housing%20-%20A%20Policy%20Toolkit%20for%20Inclusive%20Growth.pdf)



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## MEMO

**DATE:** February 22, 2019

**TO:** Planning and Sustainability Commission

**FROM:** Morgan Tracy, Residential Infill Project Manager  
Tyler Bump, Senior Economic Planner

**CC:** Joe Zehnder, Director  
Sandra Wood, Principal Planner

**SUBJECT:** Residential Infill Project Additional Displacement Risk Analysis

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At the February 12, 2019 Planning and Sustainability Commission (PSC) worksession, staff presented Appendix H, Displacement Risk and Mitigation. The Commission requested additional information to address questions raised about the demographic composition of certain neighborhoods where the risk analysis showed a net increase in displaced households. The Commission also wanted to determine whether the reallocation of displacement, while an overall net reduction, had a potential disparate effect on any particular community of color. The following summarizes the additional analysis and provides key findings.

### Limitations on Data

The data used in the analysis is drawn from the American Community Survey (ACS), Comprehensive Housing Affordability Strategy (CHAS) and Public Use Microdata Samples (PUMS). With each further grain of detail, the margin of error is increased. When the margin of error approaches the sample size, the data can no longer be assumed to be statistically valid.

The determinants of vulnerability are based on a composite score of four factors: tenure, race, income, and education attainment. We used “low income renters residing in single dwelling structures” as the indication of vulnerable households in the original Displacement Risk Analysis. Data is not available or is not statistically reliable to determine “low income renters of color residing in single dwelling structures.” Therefore, to build on the prior analysis, staff identified areas at the census tract level that had higher shares of populations of color (when compared against the citywide average), as an indication of the likelihood of



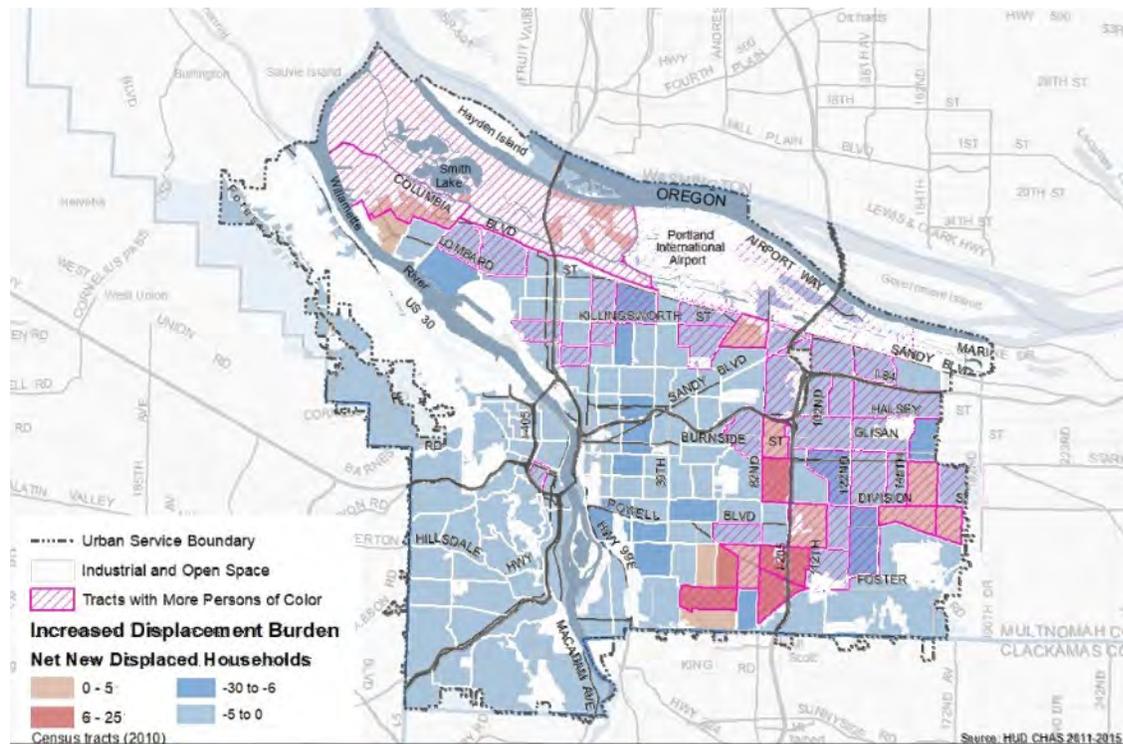
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when displacement is more likely to impact a low-income renter of color. Staff also examined average rent profiles in areas with net increased displacement risk.

### Focus on Communities of Color

The map below shows the census tracts with higher shares of people of color (indicated by the pink cross-hatching). It also shows all census tracts where there is a net decrease from the baseline in displaced households (shown in light and dark blue), as well as all census tracts where there is a net increase in displaced households (shown in light and dark red). The table below the map tallies the net displaced households from only those census tracts with higher shares of communities of color.



	Number of tracts with higher shares of persons of color	Number of households affected	Citywide households affected
Medium displacement decrease (-30 to -6)	26	-157	
Low displacement decrease (-5 to 0)	3		
Low displacement increase (0-5)	11	73	
Medium displacement increase (6-25)	4		
<b>TOTAL</b>	<b>42</b>	<b>-84</b>	<b>-257</b>

This table indicates that the proposals decrease displacement for approximately 157 households in areas with more people of color but increases potential risk displacement risk



for approximately 73 households in other areas with more people of color. In total there are approximately 84 fewer low-income renters in single family structures at risk under the proposal compared to the 2035 Comprehensive Plan, or about a 16 percent reduction.

Staff also evaluated the racial and ethnic composition for the specific areas identified as having increased displacement risk under the RIP Proposals. In general, these neighborhoods have a higher share of Latinx and Asian households compared to both the city as a whole and compared to identified displacement risk areas.

Population	Neighborhoods with net increase in displacement risk				
	Citywide	Displacement Risk Areas	Brentwood-Darlington	Lents/ Mt. Scott-Arleta	Montavilla
White	630,331	335,863	13,192	37,589	15,870
Black	447,488	206,780	8,931	21,880	10,518
Latino	35,091	27,720	383	1,405	677
Asian	61,214	46,077	2,065	5,888	1,336
Native American	48,815	32,699	870	6,002	2,056
Hawaiian/Pacific	3,513	2,520	123	366	266
Another race	3,787	3,470	193	217	138
Multi-racial	1,941	1,129	33	113	33

Population share	Neighborhoods with net increase in displacement risk				
	Citywide	Displacement Risk Areas	Brentwood-Darlington	Lents/ Mt. Scott-Arleta	Montavilla
White	71%	62%	68%	58%	66%
Black	6%	8%	3%	4%	4%
Latino	10%	14%	16%	16%	8%
Asian	8%	10%	7%	16%	13%
Native American	1%	1%	1%	1%	2%
Hawaiian/Pacific	1%	1%	1%	1%	1%
Another race	0%	0%	0%	0%	0%
Multi-racial	5%	5%	5%	5%	5%

### Rent Analysis

Current average rents for single family homes in areas identified as having more potential risk for displacement under the RIP proposals are currently around 80% MFI rent levels for two and three bedroom units. Using 2018 HUD rent limits published by the Portland Housing Bureau, 80% to 120% MFI for a two bedroom unit in Portland is between \$1,466 and \$2,197 per month. The economic analysis conducted by Jerry Johnson indicates that new units in triplex and fourplex development types would



likely be priced at 80%-120% MFI, at or close to current rents for detached single dwelling units in these neighborhoods today.

Zillow Rent Index (ZRI) for Single-family Residential by Neighborhood (Q3 2018).

Neighborhood	SFR ZRI
Brentwood-Darlington	\$1,630
Lents	\$1,560
Montavilla	\$1,680
Mount Scott-Arleta	\$1,630

**Key findings:**

- Communities of color overall are as likely or less likely to be displaced compared to the baseline scenario as a result of the proposals.
- In general, the three neighborhoods with a net increase in potential displacement risk have a higher share of people of color, especially Latinx and Asian households, compared to both the city as a whole and compared to identified displacement risk areas.
- Average rents in the three neighborhoods are around 90% MFI, which is at or near the average rents predicted for triplex and fourplex units under the economic feasibility analysis.



# Floor Area Ratio (FAR) in Single Family Zoning

The following is a report on the use of floor area ratios (FARs) in single family zones, prepared by Dyett & Bhatia, Urban and Regional Planners, June 2016.



## City of Portland Residential Infill Project



## Use of Floor Area Ratios (FARs) in Single Family Zoning



Prepared by  
**DYETT & BHATIA**  
Urban and Regional Planners

June 2016

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# I Introduction

As part of Dyett & Bhatia's work on Portland's Residential Infill Project, City staff requested a written report of research analyzing different cities' codification of square footage limits through floor area ratios (FARs) in single-family zoning districts. FARs have been used in Portland's downtown and in commercial and mixed-use zones in the City, and they may be an appropriate tool to control bulk and mass in the single-family neighborhoods. However, in SAC meetings, some questions have been raised about how they would be implemented and whether they might not be too complicated. City staff noted that FARs are well understood when they apply to box-shaped buildings on flat sites, but shifting to an FAR approach in the single dwelling zones raises some implementation concerns because of the wide variety of house forms and lot topography.

Of particular interest to the Bureau of Planning & Sustainability are the specific zoning code provisions and implementation approaches as they relate to describing the measurement of FAR in single dwelling house proposals. Topics that were called out as warranted specific attention included:

- Area within roof forms when or if they are counted (attics, under gables, dormers);
- Basements (especially daylight basements or basements on sloping lots);
- Garages (when or if they are counted, tuck-under garages vs. at grade vs. detached);
- Porches, balconies, and decks (how are they defined or distinguished from other floor area);
- Double height rooms (foyers, cathedral ceilings);
- Bay windows; and
- Stairwells.

Nine cities were selected for the FAR analysis, with a pre-condition being that they had set an FAR for single-family homes. We sought a range of planning climates, geographies and perspectives on regulations. We also wanted to include some cities that have recently fine-tuned their FAR regulations or are in the process of doing so. Key characteristics of the case study cities and their 2015 population follow:

- **Atlanta (pop. 464,000):** This southern city has a strong planning tradition in a community committed to preserving the City neighborhoods' identity by preserving the unique character of established neighborhoods and supporting revitalization efforts that will increase housing opportunities and neighborhood stability. The City also is committed to preserving single-family residential neighborhoods and ensuring infill development that preserves neighborhood character. Atlanta has a diverse population,

which is aging in place, supportive state planning, and strong environmental protection policies. Its approach to single family FAR controls is fairly traditional, cleanly drafted, and effective. Its controls are straight-forward and easily administered, with no discretionary review and a well-conceived set of exemptions – items excluded from FAR calculations.

- **Beverly Hills (pop. 35,000):** The City has dealt with mansionization at a different scale, in that the “target” house size is now 10,000 square feet for a family to feel they have “arrived” and can be recognized in Beverly Hills society. The City Council, being fairly conservative, has not wanted to reduce its FARs to control house size, but instead adopted standards for architectural modulation, setbacks, and upper-story setbacks to reduce visible mass. Basement space and light wells also have been big planning issues and are addressed in the zoning controls. Their regulations are instructive in showing how a community deals with bulk and mass at the high end of the price scale.
- **Boston (pop. 667,000):** Under the aegis of the Boston Redevelopment Authority, planning in Boston is very neighborhood oriented; the City deals with gentrification in its older single family neighborhoods with a “light touch”, and been fairly conservative in its zoning. Their FAR controls are another example of a clean, straightforward approach to controlling single family home size without discretionary review or design standards.
- **Burbank (pop. 105,000):** Home to the entertainment and high tech industries, Burbank was a fairly sleepy community until it began to face pushback from neighborhoods dealing with teardowns and large homes in established neighborhoods as “new money” moved in. An Interim Development Control Ordinance was adopted to reduce FARs and set some other limits on new houses while permanent zoning is being put in place. How this interim zoning was structured and what some of the changes in FAR controls are may provide some lessons for Portland.
- **Chicago (pop. 2.7 million):** Mayor Dailey initiated a comprehensive zoning reform program about 15 years ago, which included a complete overhaul of the residential regulations and resulted in adoption of FAR controls for single family homes. This ordinance represents “best practices” in doing zoning for a large and diverse city with a strong tradition of residential architecture and limited support for design review and discretionary development controls on new homes. It also represents a “light touch” that has been quite effective.
- **Los Angeles (pop. 3.9 million):** The City Council adopted a Base Mansionization Ordinance in 2008, which was followed by a Base Hillside Ordinance shortly thereafter. Technical guidance materials also were prepared that may be instructive for Portland’s coding efforts. These ordinances were effective in dealing with bulk and mass through FAR controls and other standards, but loopholes and some generous exceptions prompted the City Council to initiate a set of amendments to the FAR controls that are now under public review.
- **Mill Valley (pop. 14,400):** A smaller Bay Area community with limited land, beautiful hillsides, and a tradition of craftsmen architecture. Their zoning has long regulated single family houses with FARs and recent Code amendments initiated because of community concerns about big houses in the hills may offer some insights, particularly in dealing

with defining “covered” floor area, basements and garages, cathedral ceilings, and grading.

- **Minneapolis (pop. 411,000):** A city with a history of strong neighborhood planning and innovative zoning; older single family housing stock, and a well-developed process for design review. Minneapolis also has a long tradition of small area planning, stemming from the work in the 1960s on interconnected urban villages. The planning initiatives in recent years have focused on infill and transit-oriented development, urban gardens, live work/shared space, urban design, and zoning. The FAR controls for single-family homes are clean and straight-forward, involving minimal discretion. They are effective in doing the job they were designed to do.
- **New York City (pop. 8.6 million):** The Mayor’s recently adopted affordable housing program included an extensive set of far-reaching Code amendments (1,000+ pages), including minor adjustment to FAR controls for single-family homes. New York City is known for its fine-grained zoning that deals with social issues as well as economic and environmental considerations. How the new zoning has responded to the pressures in the diverse neighborhoods facing gentrification seemed worthy of study.

Our findings are presented in three sections:

- Defining floor are and measuring FAR
- Base FARs and FAR Bonuses
- Special situations (hillsides and large lots)

The appendix to this report includes relevant code language from the zoning regulations adopted for each on these cities. In a couple of instances, we also found summary materials and guidelines, but in most of the cities surveyed, such guidance was not readily available. We also interviewed planning staff in some of the cities to explore how the regulations have worked and refinements under consideration. Their observations helped us draft our findings and suggestions for Portland to consider as it moves forward with this project.

## 2 Defining Floor Area & Measuring FAR

### DEFINING FLOOR AREA

Based on our review of zoning codes in the selected jurisdictions, the “best practice” is to have an inclusive definition of floor area based on total visible building mass. Do not use the definition to make policy about what to include or exclude in calculating the floor area ratio (FAR), as these clarifications then are buried in the ordinance. Having a separate set of rules for measurement, as Portland does, is preferable. The simplest definition is just to say:

**Floor Area.** The total horizontal enclosed area of all the floors below the roof and within the outer surface of the walls of a building or other enclosed structure.

Chicago among others is more inclusive in defining floor area and specifically lists what is included, as follows:

- Floor area of any floor located below *grade* or partially below *grade* when more than one-half the floor-to-ceiling height of the below-*grade* (or partially-below-*grade*) floor is above *grade* level, provided that below-*grade* or partially below-*grade* floors with a clear height of less than 6 feet 9 inches are not counted as floor area;
- Elevator shafts and stairwells on each floor;
- Floor area used for mechanical equipment, except equipment located on the roof and mechanical equipment within the building that occupies a commonly owned contiguous area of 5,000 square feet or more;
- Those portions of an *attic* having clear height (head-room) of 6 feet 9 inches or more;
- Mezzanines;
- Enclosed porches;
- Floor area devoted to *non-accessory parking*;
- Parking provided in excess of the maximum *accessory parking* limits, provided that each such parking space will be counted as 350 square feet of floor area; and
- Floor area within a *principal building* that is occupied by *accessory uses*.

Delving more deeply into the codes in each of the jurisdictions reveals some specific differences in approach, such as how to deal with attic space, basements, covered porches, and high ceilings. Some of these are highlighted below with our recommendations; details are in the appendix.

## Area within roof forms when or if they are counted

Most jurisdictions include floor area in attics, under peak roofs, whether or not it is habitable, meaning does the attic have the minimum floor to ceiling clearance set by the Uniform Building Code (UBC) for a habitable room. The Senior Planner in Los Angeles pointed out that dormers are easily added, and they do not want to track whether this would put a house over an FAR limit. So they ignore ceiling height.

- Chicago sets a minimum height of 6 feet 9 inches to be counted, but no minimum area. This is less than the current UBC standard of 7 feet, down from a previous 7.5 foot standard.
- Mill Valley is more specific: if attic space has 7 foot headroom with minimum horizontal dimensions of 6 feet by 8 feet, then it is counted toward FAR.
- Minneapolis refers to headroom clearance as set by the building code in determining whether to count attic space, but does not include a specific number in the zoning regulations.
- New York City is more nuanced, counting some attics with only 5 feet of headroom (in R2A and R2X zoning districts, among others) and others with 8 feet of headroom (R1 and R2 zoning districts).

Mill Valley's approach might be worth a closer look, as it recognizes the value of attic space and sets out specific parameters on when to count it; they have gone a bit further than Chicago.

## Basements

Most jurisdictions exclude basements from FAR calculations based on a Building Code definition or something similar. Usually this translates to a rule that the basement has to be below a finished first floor that is no more than 2.5 or 3 feet above grade for at least 50 percent of its perimeter (or for the whole perimeter, as in Beverly Hills, Burbank and Mill Valley, among others).

- Burbank and New York City includes basement space within the definition of floor area because it is used. However, in hillsides, you get the "walk-in" basement problem, and are really giving away space that contributes to overall building mass.
- New York City has a separate definition for cellar space and allows that space to be excluded unless it's used for dwelling purposes.
- The Burbank Assistant Director cautioned against using the term "habitable space" for basements as it invites arguments about whether a below grade interior space, such as an unfinished room below a garage slab, should be excluded or included.
- The Mill Valley Senior Planner said that when they had the basement exclusion and only required a portion of the perimeter to be completely underground, "it was a real nightmare". Since changing the rule, Mill Valley is much happier with the results as building bulk in the hillsides has been reduced.
- Mill Valley also allows "raw space" as found under a garage or carport in a hillside home to be converted to habitable space with the following rule: "*During the improvement of an*

*existing single-family dwelling, any enclosed but undeveloped volumes may be converted to habitable space and shall not be restricted to the maximum adjusted floor area as determined by Section 20.16.040(A)(2); provided that the conversion of the existing space does not change the existing height, bulk, mass or footprint of the structure and only if minimal excavation or modification of the existing grade is required.”*

- Los Angeles specifically addresses the issue of daylight access to basements and allows the basement exclusion from floor area even with 2 light wells, provided they are not visible from a public right-of-way, they do not project more than 3 feet from the exterior walls of the basement, and they are not wider than 6 feet. This is similar to rules adopted in upper-income communities on the San Francisco Peninsula where tight FAR controls may the option of a family room that is below grade a viable alternative.
- Los Angeles also excludes basement space only if the upper surface of the floor or roof above does not exceed 2 feet in height above natural or finished grade, whichever is lower.

Burbank’s approach – count everything, but deal with garage space separately – may make sense as a starting point because such space does contribute to overall mass, even is partially below-grade.

### **Garages**

Most jurisdictions exclude garage space for required parking; some do this with a general rule, while others state a specific amount of floor area that is excluded (300 square feet in New York City, 400 square feet in Beverly Hills, Burbank and Los Angeles, and 500 square feet in Mill Valley and in New York City if two spaces are provided).

- Boston exempts all garage space, whether at grade or underground.
- Chicago counts garage space if it’s for parking more than the minimum number of required spaces. This was intended in part to be a disincentive for the three-and four-car garages being built.
- Minneapolis counts garage space if attached to single family and two-family homes.
- Beverly Hills has the most developed concepts for garage entrance locations (see Section 10-3-114) and, notably, does not allow sloped garage entries to tuck-under or partially below-grade or subterranean garages in the front yard setback area. The idea being to move the entry to a below-grade garage back into the lot. Limits on garage width also are set (40 percent of the lot width or 24 feet, whichever is less).

On balance, we think some for of exemption for garage space may make sense, with additional attention to underground and tuck-under garages. Burbank is currently considering not only a garage proscenium width, but also restrictions on apron width and curbcuts for drives, along with a rule that a garage door for a third space be offset at least two feet from the front of a two-garage garage entrance.

## **Porches, balconies, and decks**

If porches, balconies, and decks are generally open, they are typically excluded, but if they are enclosed on two or three sides, then the floor area is counted in a FAR calculation.

- Burbank counts all covered porches as floor area.
- Chicago counts enclosed porches.
- Los Angeles exempts porches and breezeways with an open lattice roof, and gives a partial exemption (250 square feet) for porches, patios and breezeways with a solid roof if they are open on two sides.
- New York City excludes floor space in open or roofed porches and breezeways provided not more than 50 percent of the space is enclosed.

Of the cities surveyed, Los Angeles may be the best model, with its partial exemption.

## **Double height rooms**

The issue of cathedral ceilings for family rooms and foyers has been approached in several ways:

- **Allow an Unlimited Exemption.** Beverly Hills does not limit interior space with high floor to ceiling heights.
- **Allow a Limited Exemption.** Los Angeles has allowed an exemption for only a certain amount of space (100 square feet) to have floor-to-ceiling heights over 14 feet.
- **Requiring Double-Counting.** Burbank requires interior space greater than 12 feet to count as a second story, meaning the floor area is double-counted. Los Angeles is considering a similar rule in its amendments to the Base Mansionization Ordinance, but they would set an allowable ceiling height of 14 feet.
- **Assign a 50% Premium to Foyer or Cathedral Ceiling Space.** Mill Valley uses this option, meaning the floor area in rooms where the interior space exceeds 14 feet is multiplied by 1.5. Mill Valley also has some specific rules for top floor space related to roof pitch.

Mill Valley offers a good model, with its 50 percent premium, but if there is SAC support, you could require double-counting as this is more-effective in controlling overall building bulk.

## **Bay windows**

In general, floor area created by a bay window only is counted if it is a floor-to-ceiling bay, but not if it is a traditional bay window with a shelf or bench for seating. The best way to do this is to set a minimum vertical distance for the bay window to be above the floor, such as 30 inches. However, many of the zoning ordinances reviewed did not address this topic explicitly.

## **Stairwells**

Stairwells usually are counted once, not twice, but some jurisdictions do count this space at each level.

## **ESTABLISHING AN “ADJUSTED” FLOOR AREA FOR FAR CALCULATIONS**

Several jurisdictions establish specific rules for determining floor area as the basis for determining compliance with FAR standards. This is done by stating, first, that the floor area of a building is the sum of the gross horizontal areas of all floors of a home and other enclosed structures, measured from the outside perimeter of the exterior walls and/or the centerline of interior walls, and then listing what is included and excluded in these calculations.

Interestingly, Mill Valley allows exclusion for enclosed but undeveloped volumes, which could be utilized in the future as floor area if they have minimum horizontal dimensions of 8 feet by 10 feet and 7 foot headroom. The Burbank Assistant Planning Director cautions against this approach, preferring to count all interior floor area, whether or not it is habitable and be a bit more generous with the FAR (Mill Valley sets a 0.35 base FAR, while Burbank’s is 0.40, which can go up to 0.45 if certain features are included in the home design (e.g. wider side yards, upper-story setbacks, so the second floor is smaller than the ground floor).

## **DETERMINING THE FLOOR AREA RATIO**

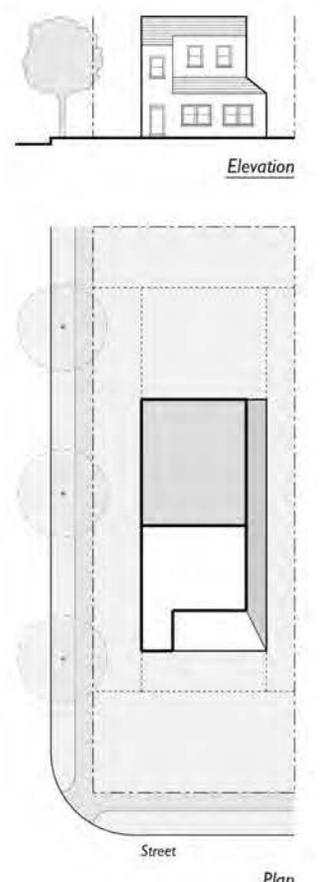
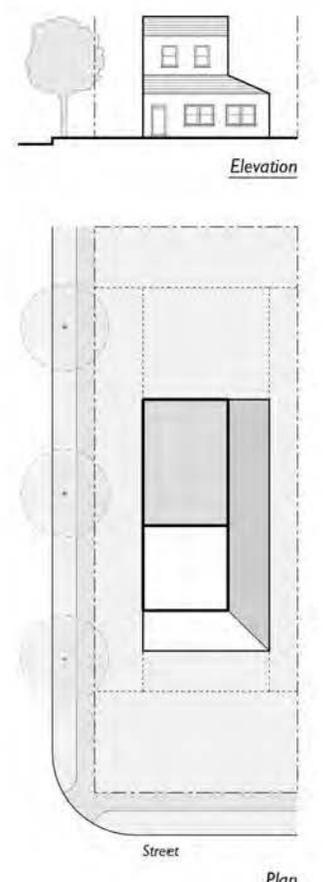
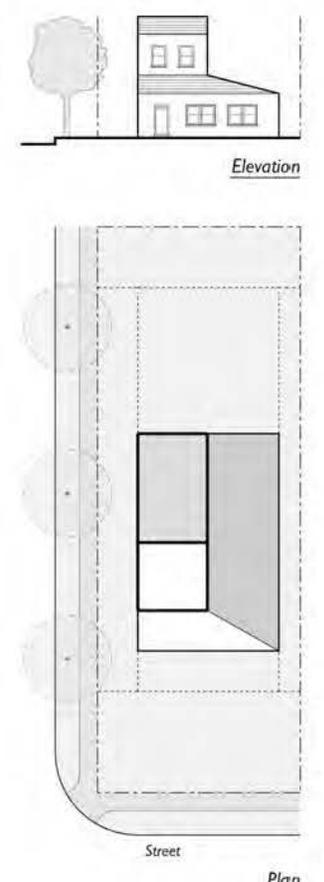
The floor area ratio (FAR) is the ratio of the floor area, excluding areas specifically noted, of all principal and accessory buildings on a site to the site area. To calculate the FAR, floor area is divided by site area, and typically expressed as a decimal. For example, if the floor area of all buildings on a site totals 20,000 square feet, and the site area is 10,000 square feet, the FAR is expressed as 2.0.

The diagram on the following page shows how Burbank illustrates different FARs in combination with standards intended to reduce visible bulk.

## **VERIFICATION OF EXISTING CONDITIONS**

Los Angeles has a counter handout on procedures they follow for verification of existing residential floor area, including when “as-built” plans are required (any project involving more than 1,000 square feet of construction or demolition of more than 50 percent of perimeter walls).

**Comparison of FAR on a Typical Burbank Lot (50' x 150')**

 <p style="text-align: center;"><i>Elevation</i></p> <p style="text-align: center;"><i>Plan</i></p>	 <p style="text-align: center;"><i>Elevation</i></p> <p style="text-align: center;"><i>Plan</i></p>	 <p style="text-align: center;"><i>Elevation</i></p> <p style="text-align: center;"><i>Plan</i></p>
<p>FAR = 0.45</p>	<p>FAR = 0.40</p>	<p>FAR = 0.35</p>
<p>Total Floor Area = 3,375 sf</p>	<p>Total Floor Area = 3,000 sf</p>	<p>Total Floor Area = 2,625 sf</p>
<p>2<sup>nd</sup> Story Floor Area = 75% of 1<sup>st</sup> Story Floor Area</p>	<p>2<sup>nd</sup> Story Floor Area = 56% of 1<sup>st</sup> Story Floor Area</p>	<p>2<sup>nd</sup> Story Floor Area = 56% of 1<sup>st</sup> Story Floor Area</p>
<p>Conforms to section 10-1-803 of the current Zoning Code with the eight feature listed to achieve a 0.45 FAR.</p>	<p>Reduces 2<sup>nd</sup> story floor plate by 375 square feet.</p>	<p>Further reduces the 1<sup>st</sup> and 2<sup>nd</sup> story floor plate to yield an FAR of 0.35.</p>

### 3 Base FARs and FAR Bonuses

#### BASE FARs IN SURVEYED CITIES

The table below summarizes the base FAR in the cities studied, with notes on the right-hand column about typical lots size and some other notable provisions. These FARs are substantially less than the typical FARs calculated for the SAC discussions by DECA.

<i>City</i>	<i>Base FAR in Single Family Zones</i>	<i>Comments</i>
Atlanta	R-4A: 0.50 R-4B: 0.75	R-4A zone has 7,500 sq. ft. lots R-4B zone has 2,800 sq. ft. lots
Beverly Hills	Central Area: 1,500 sq. ft. plus 0.40	Additional floor area allowed with a Central Area Permit
Boston	R-5: 0.50 S-3: 0.30	R-5 zone has 5,000 sq. ft. lots S-3 zone has 9,000 sq. ft. lots
Burbank	R-1: 0.40	Typical lot: 7,500 sq. ft. Bonus of 0.05 for lots over 10,000 sq. ft. for certain features
Los Angeles	R-1: 0.50 R-S: 0.45	R-1 zone has 5,000 sq. ft. lots R-S zones has 7,500 sq. ft. lots
Mill Valley	RS: 0.35 if under 8,000 sq.ft.	If lot is 8-12,000 sq.ft.: house size is 2,000 sq. ft. plus 0.10; over 12,000 sq.ft. 3,000 sq.ft. plus 0.5 up to maximum of 7,000 sq.ft. gross floor area. One-time allowance of 100 sq. ft. for existing homes.
Minneapolis	R-1: 0.5	May be increased to match FARs of 50% of the homes within 100 feet of the lot; one time allowance of 500 sq. ft. for existing homes
New York City	R1: 0.50	Minimum lot area: 5,700 to 9,500 sq. ft.

Interestingly, in Atlanta, the R-4B zoning district is intended specifically as an alternative single-family zone for affordable housing that is centrally located and accessible to public transit, jobs and social services. Areas with this zoning were formally zoned for multi-family residential uses and the City's objective is to transit these areas to single-family development pattern meeting the affordability goals specified.

## FAR BONUSES

Nonresidential FAR bonuses are often granted for affordable housing, community benefits, dedication of right-of-way or other off-site improvements, urban gardens and green roofs, but for single family home, there are fewer bonuses that make sense. Bonuses that have been offered in the cities studied include:

- **Single story homes.** Los Angeles gives a 20 percent floor area bonus for home that stay within an 18-foot height “envelope”. As an alternative, in Studio City, Los Angeles gives an FAR bonus if the maximum height is reduced by 20 percent under a “menu” approach to FAR options.
- **Reduced second story size and setbacks.** Burbank allows up 0.05 additional FAR with a second story setback 10 feet at the front elevation for 75 percent of the width and 5 feet on at least one side elevation. The second story floor area cannot exceed 75 percent of the floor area of the first floor.
- **Front façade setbacks.** Los Angeles allows a 20 percent floor area bonus for an upper-story front setback that is at least 20 percent of the building depth.
- **Increased side yards.** Los Angeles allows a 20 percent floor area bonus when the combined width of the side yards is 25 percent of the lot width, provided no single yard is less than 10 percent of the lot width.
- **Minimal grading.** Los Angeles offer a 20 percent floor area bonus if the grading does not exceed 10 percent of the lot area, expressed in cubic yards, or 1,0000 cubic yards, whichever is less. By contrast, Mill Valley just sets a 300 cubic yard standard.
- **Green building.** Los Angeles offers a 20 percent floor area bonus (30 percent if the lot is less than 5,000 square feet), for a home that substantially complies with the “certified” level or higher, as set by the U.S. Green Building Council LEED program. The City Council has proposed eliminating this bonus, as they would prefer to see green building requirements established for all homes.
- **General Articulation Option.** For Studio City, Los Angeles offers a floor area bonus if all sides of a building façade are relieved by one or more variations that, in total, are no less than 20 percent of the façade and have a minimum average depth of 9 inches. These may include façade details, such as recessed windows, insets, pop-outs, or window trim. For existing homes and additions, only new exterior walls and existing walls that are altered are required to have the articulation. The precise FAR bonus is determined by a “menu” approach, with different FAR bonus increments for specific zoning districts.

The Burbank FAR bonus for larger lots is being reconsidered by the City Council because of concerns about house size.

# 4 Special Situations

## HILLSIDES

Hillsides present a special situation for FAR controls because of bulk and mass is more visible. Larger homes on upslope lots also can loom over downslope lots and intrude into a neighbor's privacy. Increasing side setbacks and decreasing front setbacks also can help, as can height limits that distinguish an upslope from a downslope condition. The easiest way to regulate bulk though may be to establish a rule for reduced FAR as a function of slope.

- In Los Angeles, for example, the maximum FAR in the RS zoning district (0.45) drop to 0.4 in the 15-30 percent slope band, 0.35 in the 30-45 percent slope band, 0.30 in the 45-60 percent slope band, and 0.25 percent for lots with a slope band of 60+ percent.
- Burbank is considering a similar rule in its Neighborhood Compatibility Project.

## LARGE LOTS

Two jurisdictions have “bent line” rules to address FAR on larger lots. The concept is straightforward: the amount of floor area that can be added on larger lots is proportionally less than on a standard-size lot. This rule also does not reward lot mergers, the purchase of an adjacent lot with a “teardown”, for example, with twice the floor area of the standard lot.

In Burbank, the bent line rule is presented in a table format:

<b>Maximum Residential Floor Area Based on Lot Size and Allowable Floor Area Ratio (FAR)</b>		
<i>Lot Size (Sq. Ft.)</i>	<i>Maximum FAR</i>	<i>Maximum Residential Floor Area (Sq. Ft.)</i>
7,500 or less	0.4	3,000
7,501 – 15,000	0.4 for lot area up to 7,500; 0.3 for lot area over 7,500	3,000 to 4,350
Over 15,000	0.4 for lot area up to 7,500; 0.3 for lot area over 7,500 but less than 15,000; and 0.2 for lot area over 15,000	Over 4,350, as determined by the applicable maximum FARs

In Mill Valley, the maximum floor area is determined as follows:

- Lots with less than 8,000 square feet of effective lot area: 35% of the effective lot area.
- Lots with 8,000 to 20,000 square feet of effective lot area: 10% of the effective lot area plus 2,000 square feet.
- Lots with more than 20,000 square feet of effective lot area: five percent of the effective lot area plus 3,000 square feet, to a maximum of 7,000 square feet.

# “Visitability” Best Practices

To inform how best to develop new code that advances universal design principles and provide better housing opportunity for people of all ages and abilities, City staff consulted with Residential Infill Project Stakeholder Advisory Committee member Alan DeLaTorre, Ph.D, Research Associate with the Institute of Aging at Portland State University (PSU). City staff sought a broader base of knowledge beyond Alan’s contributions and information gained from prior Phase I outreach to the Portland Commission on Disability and at the 2016 Age-Friendly Housing workshop.

Alan recommended collaborating on a strategy for advancing “visitability,” an increasingly-used term used to describe a base level of housing accessibility. There are three main principles of visitability – at least one zero-step entrance, wide doorways and hallways for clear passage, and at least one bathroom on the main floor of a house that can be used, without accommodation from others, by a person in a wheelchair or using another type of mobility device. The collaborative effort aimed to identify how best to create incentives or requirements for some or all of these features.

The team assembled a two-part focus group to inform its analysis. One focus group represented consumers and users, the other group consisted of designers and builders. Notes taken during these discussions are included in this Appendix. Focus group participants are shown below.

**Visibility Focus Group Facilitator:** Alan DeLaTorre, Ph.D. – Portland State University, Institute on Aging

## **Visitability Focus Group #1**

Robert Freeman – Robert Freeman Architecture  
 Brenda Jose – Portland Commission on Disability, Unlimited Choices  
 Thalia Martinez-Parker – REACH Community Development, Inc.  
 Julia Metz – Portland Community Reinvestment Initiative, Inc.  
 Michael Mitchoff – Portland Houseworks  
 Garlynn Woodsong – Woodsong Property Renovation Partners, LLC

## **Visitability Focus Group #2**

Nikole Cheron – City of Portland, Office of Equity and Human Rights  
 Larry Cross – Portland Commission on Disability  
 Marie Cushman – Portland resident  
 Susan Cushman – United Cerebral Palsy of Oregon and SW Washington  
 Myra Sicilia – Portland Commission on Disability, Sakura Counseling  
 Joe Wykowski – Community Vision

Alan also collaborated with a team of undergraduate students from his age-friendly design class, who assisted in the focus groups and developed a nationwide inventory of visitability best practices.

## **Visitability Research**

Alan DeLaTorre, Ph.D. – Portland State University, Institute on Aging  
 Alex Freeman – Portland State University  
 Matthew Wadleigh – Portland State University

## Visitability Best Practices<sup>i</sup>

September, 2017

By Alan DeLaTorre, PhD. – Portland State University, Institute on Aging  
Alex Freeman and Matthew Wadleigh, Portland State University



***Visitability...refers to single-family or owner-occupied housing designed in such a way that it can be lived in or visited by people who have trouble with steps or who use wheelchairs or walkers.*** – Visitability.org

### Introduction

The City of Portland's growth is projected to include nearly 123,000 new households by 2035 and approximately 240,000 of those households are expected to be housed in the City's single-dwelling zones.<sup>ii</sup> According to Metro's population projections, from 2010-2035, the greater Portland region is expected to grow by 27.5%; however, the population aged 65+ is expected to grow by 98.1%, which is markedly higher than all other age cohorts.<sup>iii</sup>

To accommodate increases to both the overall number and proportion of older adults, it is critically important that the City of Portland increases the supply of housing that allows older adults – as well as people with disability, parents with strollers, cyclists, etc. – housing that meets their day-to-day needs, as well as the long-term opportunity to age in their home and community.

### Visitability

"Visitability" is a growing national trend in home design. Some variations exist in the ways in which visitability is described such as VisitAble Housing Canada which details "enhanced Visitability" that goes beyond basic features and addresses accessible bathrooms and kitchens, parking, adaptability, etc.<sup>iv</sup> Visitability.org provides the most commonly used definition:<sup>v</sup>

Single-family or owner-occupied housing designed in such a way that it can be lived in or visited by people who have trouble with steps or who use wheelchairs or walkers. A house is visitable when it meets these three basic requirements:

1. One zero-step entrance.
2. Doors with 32 inches of clear passage space.
3. One bathroom on the main floor you can get into in a wheelchair.

Note: in addition to "visitability" terms such as "accessibility," "usability," "age-friendly housing," "universal design," and other terms are used to describe housing that meets the needs of a person with a disability, mobility impairment, or other functional need. For the purpose of this report, we focus on visitability and closely related items.

## Method

As part of this Capstone project, two students working under the direction of the course instructor reviewed existing literature pertaining to visitability and efforts in the United States and Canada that incorporated visitable features and approaches into local policies and programs. To begin, a document from the IDeA Center at the University of Buffalo and AARP's Public Policy Institute that detailed 59 U.S. local visitability initiatives and policies was reviewed.<sup>vi</sup> To supplement those initiatives and policies an Internet search was conducted to identify additional efforts that were underway before determining 10 initiatives that were considered best practices – considerations were made for a range of regulatory, incentive-based, and voluntary programs, as well as policies that were incorporated into local zoning and/or building code and those that were implementable.

## Best practices

The review of the literature and existing efforts in the U.S. led to identifying six municipalities that addressed visitability through regulatory approaches, including (note: [Details, including links to policy documents can be found in a developed spreadsheet<sup>vii</sup>](#)):

- Austin, TX
- Bolingbrook, IL
- Dublin City, CA
- Pima County, AZ
- Pine Lake, GA
- San Antonio, TX

In addition to those municipalities, four local governments were identified with incentive-based and voluntary approaches, including (note: [details of those programs can be found here](#)):

- Escabana, MI
- Irvine, CA
- Monroeville, PA
- Montgomery County, MA

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<sup>i</sup> This document was prepared for the Bureau of Planning and Sustainability, by Portland State University faculty (Dr. Alan DeLaTorre, Institute on Aging, College of Urban and Public Affairs) and students (Alex Freeman & Matthew Wadleigh) from the University Studies Capstone course titled *Creating Age-friendly Communities*.

<sup>ii</sup> City of Portland (2017). *Residential Infill Project*. Retrieved from: <https://www.portlandoregon.gov/bps/67728>. The Residential Infill Project in Portland has sought to address myriad concerns related to Portland's changing demographics and housing stock, including size of housing, demolitions, affordability, housing choice, and meeting the needs of the future populations.

<sup>iii</sup> Lycan, R. (2016). Population Forecasts for the Portland Metro Region: Disparities between Metro's MetroScope Model and the Demographers' Forecasts. Retrieved from:

[https://www.pdx.edu/ioa/sites/www.pdx.edu.ioa/files/MetroScope\\_Demographers\\_2.pptx](https://www.pdx.edu/ioa/sites/www.pdx.edu.ioa/files/MetroScope_Demographers_2.pptx)

<sup>iv</sup> VisitAble Housing Canada (n.d.). VisitAble Housing Canada – Winnipeg Task Force. Retrieved from:

<http://visitablehousingcanada.com/wp-content/uploads/2016/03/Winnipeg-TF-Accessibility-Continuum-Chart.pdf>.

<sup>v</sup> Visitability.org (2017). Visitability – what is it? Retrieved from: <http://www.visitability.org/>.

<sup>vi</sup> IDeA Center & AARP Public Policy Institute (2014). Local Visitability Initiative & Policies. Retrieved from:

<http://idea.ap.buffalo.edu/visitability/reports/existingcitylaws.htm>.

<sup>vii</sup> Visitability spreadsheet developed by PSU students/faculty as part of the course *Creating Age-friendly Communities*:

<https://docs.google.com/spreadsheets/d/1HnPLvD6vVxuRA256nit7KsytvWAN9Y2P4JPqLQQ9tHI/edit#gid=858828875>

## **Residential Infill Project — Visitability Focus Groups**

Thursday, May 25, 2017 - Portland State University, Room 410

Facilitated by Alan DeLaTorre, Ph.D. - Portland State University, Institute on Aging

“Visitability” refers to housing designed in such a way that it can be lived in or visited by people who have trouble with steps or who use wheelchairs or walkers. A house is visitable when it meets these three basic requirements: (1) has at least one zero-step entrance; (2) has doors with at least 32 inches of clear passage space; and (3) has at least one bathroom on the main floor that can be used, without accommodation from others, by a person in a wheelchair or other mobility device.

### **Focus Group #1 (11:00 am to Noon) - Questions for Designers/Builders:**

- 1. How common is it for new construction to have visitable features, as defined above? What about remodels and renovations?** Is there a market trend towards more visitability and/or accessibility for all users and abilities ('universal design')?
- 2. In addition to the three visitability features mentioned above, what other visitability features do you feel lead to more accessible, age-friendly housing?** For example, features such as door and cabinet hardware, electrical switches and plugs, kitchen and bath design, paths and routes, raised/accessible garden areas, etc.
- 3. What are the barriers to including more visitability and accessible features in new and remodeled houses?** For example: cost, consumer preference, floorplan constraints, difficulties in providing zero-step entrances etc.
- 4. What construction approaches or floorplan designs facilitate easier adaptability in response to a change in one's ability or function?** For example: having ground floor bedroom/bathroom, placement of plumbing for laundry facilities, minimum size of bathroom to adapt for later accessibility, blocking/backing for future grab bars, etc.
- 5. What visitability and adaptability features would be most effective if mandated or incentivized in the zoning and/or building code?** Which features are best mandated vs. incentivized?
- 6. With respect to visitability, how important is a reserved space for parking or passenger loading (on-street, off-street, covered, etc.)?** What standards should be required or incentivized to create usable, off-street parking for people with mobility challenges?
- 7. How important are outdoor spaces for improving visitability?** What features should be considered? (hard surface, covered or protected from weather, vegetation, etc.)
- 8. Would visitability standards need to be modified for steeply sloping sites?** If sloped lots limit the ability to reasonably provide zero-step entrances, what advice do you have for zoning agencies seeking to maximize visitability on steeply sloping sites? Are there other site constraints that impede providing a visitable unit?

Page 1 of 2

**Focus Group #2 (12:30 pm to 1:30 pm) - Questions for Consumers/Users:**

- 1. Please discuss the relevance of these three visitability features with respect to your own day-to-day experiences. Can these three features be prioritized?**
- 2. In addition to the three visitability features mentioned above, what other visitability features do you feel should be included in the zoning and/or building code?** For example, features such as door and cabinet hardware, electrical switches and plugs, kitchen and bath design, paths and routes, raised/accessible garden areas, etc.
- 3. What construction approaches or floorplan designs facilitate easier adaptability in response to a change in one's ability or function?** For example: having ground floor bedroom/bathroom, placement of plumbing for laundry facilities, minimum size of bathroom to adapt for later accessibility, blocking/backing for future grab bars, etc.
- 4. With respect to visitability, how important is a reserved space for parking or passenger loading (on-street, off-street, covered, etc.)?** What standards should be required or incentivized to create usable, off-street parking for people with mobility challenges?
- 5. How important are outdoor spaces for improving visitability?** What features should be considered? (hard surface, covered or protected from weather, vegetation, etc.)
- 6. What visitability and adaptability features would be most effective if mandated or incentivized in the zoning and/or building code?** Which features are best mandated vs. incentivized?
- 7. Would visitability standards need to be modified for steeply sloping sites?** If sloped lots limit the ability to reasonably provide zero-step entrances, what advice do you have for zoning agencies seeking to maximize visitability on steeply sloping sites? Have you experienced other site constraints that impede providing a visitable unit?

## **Residential Infill Project—Visitability Focus Groups**

**Focus Group #1: Consumer/User Group** (11:00 – noon)

**Focus Group #2: Designer/Builder Group** (12:30-1:30 pm)

Thursday, May 25, 2017 – Portland State University, Room 410

Facilitated by Alan DeLaTorre, PSU Institute on Aging

City of Portland, Bureau of Planning & Sustainability: Julia Gisler and Todd Borkowitz

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### **Why these focus groups?**

- City Council directed staff to explore requirements and bonus for age-friendly housing as we develop zoning standards for new development in single-dwelling zones as part of the Residential Infill Project. We are focusing on what we have control over – the Zoning Code but we can also facilitate discussions with other bureau – like BDS who have jurisdiction over Building Code implements and the Housing Bureau who administers housing programs.
- We can approach zoning regulations two ways 1) mandatory requirements. Example: in triplex require at least one unit to have a zero-step entrance and 2) Incentives- not a requirement but builder gets a bonus in units, extra height, etc.
- We need to keep in mind that zoning regulations can add cost and complexity to housing.
- We will be looking at trade-offs in design: 1) Tuck under garages reduce impact of the garage on front of house and many think they look better but elevates the finished floor and makes access more challenging, 2) Desire to separate living space from public realm for privacy and safety often results in finished floor above grade level. 3) paving increases ease of access but reduces pervious surface for vegetation and stormwater infiltration. 4) on-site parking disrupts the sidewalk, takes away an on-street parking space and creates more vehicle/pedestrian conflict points.

**Working Definition of Visitability:** Refers to housing designed in such a way that it can be lived in or visited by people who have trouble with steps or who use wheelchairs or walkers. A house is visitable when it meets the following three basic requirements ([visitability.org](http://visitability.org)).

- At least one zero-step entrance
- Doors with 32 inches of clear passage space
- One bathroom on the main floor you can get into in a wheelchair.

### **Focus Group #1: Consumers/Users**

Myra Sicilia (Counselor & Portland Commission on Disability), Marie Cushman (resident), Susan Cushman (United Cerebral Palsy), Larry Cross (Portland Commission on Disability), Nikole Cheron (City of Portland, OEHR), Joe Wykowski (Community Vision)

### **How important are visitability features with respect to your day-to-day experiences?**

#### ***Entrances:***

- These three features are very important and used every day if I want to get around. Of course, the zero step (with appropriate clearance) is the first criteria to getting into the home.
- It is stigmatizing to not be able to get into other's houses for visiting.

- I carry a portable ramp in my car but it has limited use. Portable ramps can be unsafe. They should never be used for access of more than 5 steps – 2 steps maximum is the most comfortable.

***Doors/Hallways:***

- 36" is really more comfortable and becoming more necessary as wider wheelchairs are being built to accommodate our increasing obese population.
- Pocket doors offer great opportunities. They are easy to open/close and take up less space.

***Bathrooms:***

- Provide reasonable space in bathrooms to accommodate personal assistants.
- Should have at least a 5-foot turning radius of a t-shaped floor design.
- Wheel chair baths with no threshold are preferred ("open" bathroom floor plan with "roll-in" showers and no-slip surfaces); minimal/no additional cost of roll-in showers; hold up much better than conventional shower/tubs.
- Two grab bars at either side of toilet are preferred.
- Cabinets beneath sink limit usability of both sink and cabinets; cabinets in bathrooms are still important.
- Single water mixers on shower are easier to control than one each for hot and cold water.
- Opinions on grab bars varied; some see blocking as a waste and that grab bars should always just be designed in to a bathroom; others saw horizontal (i.e. at 30 inches high) and vertical blocking at key locations to allow future adaptability as important. Grab bars come in a variety of designs and aid more than just people with disabilities. Don't mandate grab bars but at least allow for their ready installation later.
- Low toilets are bad; no preferences indicated for toilet bowl length.
- Towel racks could double as grab bars and should also have a strong backing.
- ADA guidelines for baths should be considered minimum for any visitable residential bathroom; NKBA offers a guidebook with great kitchen/bath guidelines.
- At least an accessible ½ bath (sink/toilet) on the ground floor.

***Other considerations:***

- Lower door handles might be useful [some disagreed].
- Integrate visitability features into design; they should not look like add-ons.
- All wheelchairs (like electric assist) are not meant to be lifted by others; design accordingly; also, others may not understand a person in a wheelchair's personal needs, so it's best to plan spaces for the independent wheelchair user without the assumption that they will be assisted by others.
- Open floor plans are popular and offer the most adaptability/flexibility over time; rooms separated by doors may be a matter of preference but door functionality will determine whether rooms will work; there is no benefit to a bedroom that is too small to be functional for a person with a disability.

- Public areas (kitchens, living rooms, etc.) should be located at the main ‘public’ entry to a house; private areas (bedrooms, etc.) should be away from it.
- Cabinet doors are often a hassle; best to have door-free cabinets.

### **Comments on visitability features in other areas:**

#### ***Kitchens:***

- Probably the main space for socialization with visitors.
- Range tops that pull out are good.
- “Reachable” cabinets are functional cabinets.
- 30-inch high countertops are ideal and most practical; “bar seating” is way too high.
- Open kitchen design is critical; avoid long aisle, dead-end kitchens.
- Side access to appliances is extremely difficult for many people with disabilities to use; head-on access is highly preferred.
- Back burners are difficult to reach. A row of burners is preferred to front/back burners.
- Appliances, drawers and cabinets should be easy to open.
- Microwaves are important for many people with disabilities and should be at a usable height. Never placed above the stove top.

#### ***Laundry rooms:***

- Should be on the main floor.
- Washer/dryer should be side-by-side.

#### ***Yards:***

- Because Portland has only 3-4 months of sunny weather each year; focus should be on visitable areas inside a house.
- Focus on creating a quality and usable route to/from the housing unit.
- Consider making the back entrance as the primary entrance if visitability to it is more practical.
- Use combinations of ramps and railings; even in flat areas, railings offer balance for people who have various challenges with walking; always include a railing for even one or two steps.
- Avoid wood ramps as they’re always slippery. Consider hard surfaces.
- Drainage of all surfaces is often overlooked. Use porous surfaces (like permeable concrete) to avoid water buildup.
- Accessible garden space can provide many benefits for people with disabilities.
- Gravel is terrible, even in parking strips; grass is generally easier for people with disabilities to maneuver.
- Small steps are often used for design purposes where a sloping path could be used and would be accessible.
- Designs should allow ramps to be built later when needed in the future.
- Steep slopes are difficult and terrifying; ramps are not too stigmatizing and can be well designed into the landscape; ensure that slopes have flat landing surfaces.

***Parking areas:***

- Dedicated parking is not a big concern. The bigger concern is how to people in wheelchairs get in and out of cars picking them up and dropping them off.
- Avoid gravel in passenger loading areas; grass is okay, pavers are preferred. Allow surface to drain!

**What visitability features are best mandated versus made as incentives?**

***Mandates:***

- Would expand products/materials markets, making them more affordable.
- Zero step entrances are priority- mandate some percentage of units.
- One- or zero-step entries, or at least the ability to easily install a safe ramp.
- “Basic” visitability, even for skinny houses.
- Minimum: 36-inch doors and corridors, and ½ bath on first floor.

***Incentives:***

- Additional FAR for housing units that are fully accessible on at least one level.
- Incentivize plexes (bottom level units visitable with other units above that allow opportunity for non-mobility impaired personal assistants to have their own personal space).

***Resources:***

- Model examples: Ed Roberts Center (Berkeley, CA) and Axis Living (Chicago, IL)
- The City of Atlanta codified visitability into its zoning code.
- LEED-like rating system for visitability would be helpful.

**Key Takeaways from Focus Group #1 (BPS Staff):**

1. Location of a house (near services, transit, etc.) is often a higher need than accessibility as people with disabilities eventually find solutions to best access a house.
2. There are very few accessible apartments. Accessible houses are continually being lost to new development
3. Mandating zero-step entries on first floors would have significant benefits for advancing visitability. (priority of the group)
4. A 36-inch wide entry standard is a “non-noticeable” requirement (appearance and cost) that offer significant benefit. (priority of group)
5. Open floor plan is the best.

**(Continued)**

6. Dedicated parking is not a significant priority. Barrier-free access on well-drained, stable surfaces is a bigger priority.
7. Integrating visitability design features will help make them more acceptable and common.
8. Design for all ages and abilities; not just people with disabilities. Messaging should identify that everyone will likely be limited by a disability at some point on their lives.
9. Design for independent living and visiting, but also keep in mind that many people with disabilities often rely on personal assistants whose work needs should also be considered.

**Focus Group #2: Designer/Builder**

Thalia Martinez-Parker (Reach Community Development), Brenda Jose (Unlimited Choices, Portland Commission on Disabilities), Garlynn Woodsong (Woodsong Partners), Michael Mitchoff (Portland Houseworks), Robert Freeman (architect), Julia Metz (Portland Community Reinvestment Initiative)

**How common in remodels/renovations are visitability features?**

- Visitability features are not “on the radar” of most contractors.
- When visitability features are included, they are usually “a product of need” (i.e. ramps, add-on grab bars, etc.) and done cheaply and expeditiously.
- Steps have positive meaning in our culture- slab on grade is less preferred and is considered cheap construction. Threshold keeps the rain out.
- There is not much difference in costs of construction materials.

**What is the market demand for visitability features?**

- There is demand for visitability/accessibility features in affordable housing projects.
- One estimate: In 50 percent of jobs, the clients themselves introduce issues of accessibility.
- There is interest in visitability features in single-family homes; a legal requirement in multifamily units.

**Comments on visitability features:**

***Entrances:***

- Steps are dominant in nearly all new construction.
- Stepped entrances provide a means to keep water out of a house.
- Development without steps often requires significant site grading, which can add cost.
- Slab-on-grade construction offers accessibility and lower cost, but is usually not preferred by buyers.

***Doorways/Hallways:***

- Open floor plans are preferred in nearly all housing units.

- Pocket doors are sometimes hard for users to operate and are not desirable in high-use areas; carpentry skills are often needed to install correctly, increasing their costs; most are poorly designed (they often come in two grades – the lower grades often lack important “smart” handles); many are too narrow (often 24 inches wide) for many people with disabilities to use.

***Bathrooms:***

- Roll-in showers are common; trench drains have become increasingly more affordable and are easy to maintain.

***Other considerations:***

- Cabinet hardware and maneuverability features are “low-hanging fruit” that can often be done for little/no additional cost.
- Carpets are problematic for visitability; glued-on carpet is a solution; low pile, no-pad carpet is important for visitability, especially on stairs.
- Cover all outdoor spaces to protect users from weather.
- Design for people with Alzheimer’s and Dementia by:
  - Illuminating surfaces;
  - Using large address numbers;
  - Covering deck areas;
  - Including seating at front doors;
  - Assuring in-unit communication through open floor plans and/or communication devices;
  - Installing remote access on doors;
  - Maximizing safety through street orientation;
  - Influencing decision making (reducing decision making and providing “wayfinding clues” is a common best practice when designing for people with Alzheimer’s); and
  - Install windows or eyeholes in doors to maximize security.

**Comments on visitability features in other areas:**

***Yards:***

- Low- or flat-sloped walks are preferable.
- While impermeable paving materials are often preferred for people with disabilities, this preference should be balanced with the ecological benefits (i.e. stormwater permeability) of porous surfaces. Pervious concrete may offer an effective balance.
- Access to attractive outdoor areas, especially for gardening, is often very important for people with disabilities.
- May be needed to accommodate ramps, especially if switchbacks are required; porch lifts could minimize these spatial needs (they can now plug into a 110 outlet and be leased).

***Parking areas:***

- On-site spaces are needed.
- Transit investments should be prioritized over parking requirements.

- Modify parking requirements to allow for zero-step entries.

### **What are primary barriers to designing for visitability?**

- Code requirements for accessible units (1 for every 4 units) limits overall housing that might otherwise be built; solution: residential elevators.
  - Cost around \$40,000 installed in a 3- to 4-story building (additional \$2,000 per floor) – including \$30,000 to purchase and \$10,000 to install (by comparison, commercial elevators are about \$135,000 to purchase/install and about \$200/month to maintain).
  - Create an incentive that provides a net benefit by covering the cost of elevator purchase/installation.
- Availability of land is a barrier to visitability in new construction. Most remaining lots are narrow/skinny, which are difficult to make visitable.
  - Visitability incentives (i.e. extra units, etc.) could rectify this.
  - While lots in East Portland are often larger, they often have poor transportation access.
- On-site stormwater mitigation requirements (drywell) limit available space for visitability features.
  - Create incentive to have stormwater requirement waived if house is lowered to allow for visitability, if mitigating through a rain garden, or if using stormwater in a graywater system.
  - Allow water to discharge into sewer if at least 1 unit has 1 or less steps to access.

### **How can housing be adaptable to provide visitability later?**

- Promote open floor plans.
- Block out for elevators.
  - Requires a 6-foot by 8-foot shaft, 12-inch vertical space at bottom and 18-inch clear at the top (for mechanical equipment).
  - Create building code exceptions for 5 or fewer units (buildings with over 2 units now must meet commercial elevator code).

### **What visitability features are best mandated versus made as incentives?**

#### ***Mandates:***

- Zero- or no-step entrance (not all agreed, one person indicating that steps are actually healthy for anyone who does not have a mobility impairment; another indicated the prevalence of steeply sloping lots in Portland); could be either front or back door.
- Any mandate could “kill a project” and reduce the amount of housing units that would otherwise get built.
- Steep slopes make mandates problematic.

#### ***Incentives:***

- Consider incentivizing different levels of visitability.
- Bonuses should be offered as a package (FAR, height, AND setback).

- Creative solutions to meeting on-site stormwater requirements, while presumably a challenge to codify, could provide key space available on-site to meet visitability needs.

**Key Takeaways from Focus Group #2 (BPS Staff):**

1. The increasing affordability and practicality of residential elevators present an interesting opportunity to achieve some visitability goals.
2. Modifying on-site parking requirements could minimize barriers to visitability.
3. Mandates for “low hanging fruit” like “visitability-friendly” door handles, cabinet hardware and rails could provide some not-overly prescriptive mandates for little/no additional cost.
4. Zero- or 1-step entries, while possibly the most impactful feature, could also be the most challenging to achieve given costs and market preferences. Changing this paradigm may require strong and meaningful incentives and viable development options for steep sloping lots.

# Identification of U.S. States with Standards for Visitability

The following U.S. states have standards that aim to achieve some levels of visitability: California, Maryland, Oregon, Pennsylvania and Texas.

## Inventory of Local Regulatory Mandates for Visitability

### **Austin, TX** *Date of Adoption: 2014*

**Weblink to Policy Description:** [www.austintexas.gov/edims/document.cfm?id=205386](http://www.austintexas.gov/edims/document.cfm?id=205386) / [www.austintexas.gov/sites/default/files/files/Planning/Residential/Visitability\\_Presentation.pdf](http://www.austintexas.gov/sites/default/files/files/Planning/Residential/Visitability_Presentation.pdf) / [www.austintexas.gov/edims/document.cfm?id=202500](http://www.austintexas.gov/edims/document.cfm?id=202500)

**Key Features to Implementation:** "A dwelling must be accessible by at least one no-step entrance with a beveled threshold of 1/2 inch or less and a door with a clear width of at least 32 inches. The entrance may be located at the front, rear, or side, or in the garage or carport, of the dwelling". Ramps leading to entrance must not exceed 1:50 grade slope.

**External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.):** Only direct mention of parking/garages in the policy document is R320.7, which requires an approved entrance to have a no more than 1:50 sloped ramp from a garage, driveway, public street, or sidewalk to reach the no-step entrance.

**Internal Design Highlights (site, yard, paths, patios, parking, etc.):** Bathrooms: Minimum 30 inches clear opening, lateral 2x6 blocking installed flush with studs in bathroom walls 34 inches from and parallel to the floor except behind the lavatory. Route to bathroom must remain 32 inches wide from entrance to bathroom entrance. Electrical Switches/controls no higher than 48 inches from floor, outlets no higher than 15 inches except outlets designed into the floor.

**Exemptions or exceptions:** Does not apply to remodels or additions; waiver of exterior visitable route provision for: 1) lots with 10 percent or greater slope prior to development; or 2) properties for which compliance cannot be achieved without the use of switchbacks.

### **Bolingbrook, IL** *Date of Adoption: 2003*

**Weblink to Policy Description:** [www.bolingbrook.com/vertical/sites/%7B55EB27CA-CA9F-40A5-A0EF-1E4EEF52F39E%7D/uploads/MunicipalCodeChpt25.pdf](http://www.bolingbrook.com/vertical/sites/%7B55EB27CA-CA9F-40A5-A0EF-1E4EEF52F39E%7D/uploads/MunicipalCodeChpt25.pdf)

**Key Features to Implementation:** Zero step entrance, ramps to not exceed 1:12. "All exterior and interior doors shall not be less than 3 feet in width and 6 feet, 8 inches in height, and shall provide a minimum clear opening of 32 inches. All required exit doors shall be side hinged. The minimum width of a hallway or exit access shall not be less than 42 inches."

**External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.):** "This step free entrance shall be approached by a slope no greater than 1 in 12 (less steep is desirable). This entrance can be approached by a sidewalk, a driveway, a garage floor, or other useable route. The step free entrance may be located at any entrance to the home. If the step free entrance is located in the garage, a door bell button shall be located outside the overhead garage door. In a case where a lot is so steep that it cannot be graded to a maximum slope of 1:12, the driveway may have to exceed a 1:12 slope. In this case, upon approval by the Building Commissioner, the builder may construct a 1:12 (or less) route leading from the driveway to the

no-step entrance. If the grade of a lot is so steep that providing a step free entrance would be unfeasible or dangerous, the Building Commissioner may waive this requirement."

**Internal Design Highlights (site, yard, paths, patios, parking, etc.):** One zero-step entrance into the home. One bathroom on the same level as the zero-step entrance. Bathroom wall reinforced for grab bars. Minimum 42-inch wide hallways and 36-inch passageways. Electrical wall outlets/ receptacles shall be 15 inches above the finished floor. Wall switches controlling light fixtures and fans shall be a maximum 48 inches above the finished floor. All exterior and interior doors shall be 32 inches in width.

**Exemptions or exceptions:** Multiple exceptions per item in code. No direct mention to specific garage code.

### **Dublin City, CA** *Date of Adoption:* 2007

**Weblink to Policy Description:** [www.codepublishing.com/CA/Dublin/Dublin07/Dublin0790.html](http://www.codepublishing.com/CA/Dublin/Dublin07/Dublin0790.html)

**Key Features to Implementation:** The accessible primary entrance that is consistent with the requirements of CBC Chapter 11A. The floor or landing at and on the exterior and interior side of the accessible entrance door that is either of the following: consistent with the requirements of CBC Chapter 11A; or the width of the level area on the side to which the accessible entrance door swings shall extend 24 inches past the strike edge of the door.

**External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.):** At least one doorbell is provided for accessible entry door. An exterior accessible route must not be less than 40 inches wide and not have a slope greater than 1:20. Exterior accessible door that has a 34-inch net clear opening. If on the primary entry level, miscellaneous areas or facilities (such as a patio or yard, laundry room, or storage area) for the dwelling must have an accessible route to and from the accessible entrance, either through the dwelling unit or around the dwelling unit.

**Internal Design Highlights (site, yard, paths, patios, parking, etc.):** At least one accessible route through the hallway consistent with the requirements of CBC chapter 11A from the entrance of the dwelling unit to the primary entry level restroom/bathroom, a common use room, and the kitchen if located on the primary level. No sunken or raised area in the bathroom. Handrails may be installed along the accessible route. This route must have a minimum width of 42 inches. Restroom/ bathroom must have grab bar reinforcement for the shower or tub. Clear space in the restroom/ bathroom outside the swing of the door or a 48-inch circle. Sink controls not requiring tight grasping, pinching or twisting of the wrist are required in the bathroom and kitchen.

**Exemptions or exceptions:** A 34-inch clear doorway width may be requested from a hallway with a 39-inch width, and a 36-inch clear doorway width may be requested from a hallway with a 36-inch width.

### **Pima County, AZ** *Date of Adoption:* 2003

**Weblink to Policy Description:** [www.accessiblesociety.org/topics/housing/pimacoruling.html](http://www.accessiblesociety.org/topics/housing/pimacoruling.html) / <http://idea.ap.buffalo.edu//visitability/reports/existingcitylaws.htm>

**Key Features to Implementation:** Zero step entrance; lever door handles.

**External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.):** No explicit mention of external features.

**Internal Design Highlights (site, yard, paths, patios, parking, etc.):** Reinforced walls in bathrooms for grab bars, switches no higher than 48 inches. Hallways must be at least 36 inches wide throughout main floor. Electrical outlets and light switches that are reachable by someone in a wheelchair.

### **Pine Lake, GA Date of Adoption: 2007**

**Weblink to Policy Description:**

[www.municode.com/library/ga/pine\\_lake/codes/code\\_of\\_ordinances?nodeId=PTIICOR\\_CH54PLDE\\_ARTIIR E\\_S54-33VICO](http://www.municode.com/library/ga/pine_lake/codes/code_of_ordinances?nodeId=PTIICOR_CH54PLDE_ARTIIR E_S54-33VICO) / [www.pinelakega.com/wp-content/uploads/2012/08/City-of-Pine-Lake-Zoning-Ordinance.pdf](http://www.pinelakega.com/wp-content/uploads/2012/08/City-of-Pine-Lake-Zoning-Ordinance.pdf)

**Key Features to Implementation:** Zero step entry. This zero-step entrance can be at any entrance to the home with the slope approaching this entrance no greater than 1:12. Threshold on the entrance no more than a 1/2 in height. 32-inch minimum clearing for interior doors and 30-inch minimum width of hallways. All required exit doors shall be side hinged. Hallways shall not be less than 42 inches in width and all passageways, other than doorways to be no less than 36 inches in width.

**External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.):** Step-free entrance shall be approached by a slope no greater than 1:12 (less steep is desirable). In a case where a lot is so steep that it cannot be graded to a maximum slope of 1:12, the driveway may have to exceed a 1:12 slope. In this case, upon approval by the Building Commissioner, the builder may construct a 1:12 (or less) route leading from the driveway to the no-step entrance.

**Internal Design Highlights (site, yard, paths, patios, parking, etc.):** Grab bars required in restrooms/ bathrooms made of wood blocking within wall framing. This reinforced wall must be located between 33 inches and 36 inches above the finished floor and must be in all walls adjacent to a toilet, shower stall or bathtub. At least one bathroom/restroom containing at least one toilet and one sink on the dwelling floor.

**Exemptions or exceptions:** Multiple exceptions laid out per item in code.

### **San Antonio, TX Date of Adoption: 2002**

**Weblink to Policy Description:** [www.sanantonio.gov/Portals/0/Files/DAO/UD-Ordinance95641.pdf](http://www.sanantonio.gov/Portals/0/Files/DAO/UD-Ordinance95641.pdf)

**Key Features to Implementation:** Flat entrance with a beveled threshold of 1/2 inch or less, all interior doors no less than 32 inches wide except doors leading to closet of less than 15 square feet. Each hallway at least 36 inches wide and level, with ramped or beveled changes at each door threshold.

**External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.):** At least one entrance shall have a 36-inch no step door and be on an accessible route. An accessible route is a continuous, unobstructed path at least 36 inches wide connecting all interior and exterior elements and spaces of a house and site, including corridors, parking, curb ramps, crosswalks and sidewalks. No explicit mention of parking or garages in code.

**Internal Design Highlights (site, yard, paths, patios, parking, etc.):** Bathrooms to have studs in wall around toilet to facilitate future grab bar installation. Bathtub/Shower to either have studs for grab bars or room for pre-approved ADA compliant alteration. All doorknobs to be lever handles. Light switches, electrical panels, and thermostat to be no less than 48 inches from the floor. All electrical plug or receptacles at least 15 inches from floor.

# Inventory of Local Incentives for Visitability

## **Escanaba, MI** *Date of Adoption:* 2002

***Weblink to Policy Description:*** [www.escanaba.org/images/11/file/visabord.pdf](http://www.escanaba.org/images/11/file/visabord.pdf)

***Key Features to Implementation:*** Must comply with State of Michigan code standard for accessible route, doorway must be 36 inches wide minimum.

***External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.):*** Sidewalks and ramps that are part of the visitable route shall have a maximum slope and length as follows: Sidewalks: 1/20 N/L, Type 1 Ramp. 1/8 5-foot (max 7.5-inch rise), Type 2 Ramp. 1/10 12-foot (max. 14.5-inch rise), Type 3 Ramp. 1/12 30-foot (Between Landings), Width: The route shall have a minimum clear width of 36 inches. Landings: Landings in a visitable route shall be not less than 36 inches by 36 inches clear or shall meet the Michigan Accessibility Code whichever is greater. Surfaces: Surfaces shall be non-slip. Drainage: Cross-slope shall be no greater than 1/50. Only direct mention comes from section 6.39(2), "The entrance may be at the front, side, or back of a dwelling if it is served by an accessible route such as a garage or sidewalk."

***Internal Design Highlights (site, yard, paths, patios, parking, etc.):*** Wide doorways and a half bath on the first floor, the code addresses hallways, bathroom design and the height of wall switches and receptacles.

## **Irvine, CA** *Date of Adoption:* 1999

***Weblink to Policy Description:*** [www.cityofirvine.org/community-development/accessibility-universal-design#Design Features](http://www.cityofirvine.org/community-development/accessibility-universal-design#Design%20Features)

***Key Features to Implementation:*** N/A

***External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.):*** Accessible path of travel to dwelling, Maximum ½-inch vertical change in level at thresholds, 32-inch wide interior doors, Lever door hardware, doorbell no higher than 48 inches. "No specific mention to parking or Garage requirements."

***Internal Design Highlights (site, yard, paths, patios, parking, etc.):*** Visual fire alarms and visual doorbells Switches, outlets and thermostats at 15 inches to 48 inches above the floor Rocker light switches Closet rods and shelves adjustable from 3 feet to 5 feet-6 inches high Residential elevator or lift; Bathrooms: Grab bar backing in walls, Grab bars, 5-foot diameter turning circle, 36 inches by 36 inches or 30 inches by 48 inches of clear space, Lavatory with lever faucet controls, Open-front lavatory with knee space and protection panel, Contrasting color edge border at countertops, Anti-scald devices on all plumbing fixtures, 17 inches to 19 inches high water closet seat, Roll-in shower in lieu of standard tub or shower, Shower stall with 4-inch lip in lieu of standard tub, Hand-held adjustable shower head. Kitchen: 30 inches by 48 inches clear space at appliances or 60-inch diameter clear space for U-shaped kitchen, Removable base cabinets at sink, Countertop height repositioning to 28 inches high, Lever controls at kitchen sink faucet, Base cabinets with pull-out shelves, Base cabinets with Lazy Susans, Contrasting color edge border at countertops, Microwave oven at countertop height Under cabinet task lighting.

## **Monroeville, PA** *Date of Adoption: 2006*

***Weblink to Policy Description:*** [www.monroeville.pa.us/ordinances/ORD2419.pdf](http://www.monroeville.pa.us/ordinances/ORD2419.pdf)

***Key Features to Implementation:*** No step entry, and having a threshold no greater than three fourths inch. In addition, a place where pedestrians may enter from a public right of way. This includes sidewalks, driveway, streets, alleys and paths. No-step entrances must have a clear open width of at least 32 inches.

***External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.):*** The no step entry could be through an entrance through the visitable level of the dwelling through an integral garage.

***Internal Design Highlights (site, yard, paths, patios, parking, etc.):*** Interior paths on visitable level must have a clear open width of at least 32 inches and be equipped with lever opening hardware. Interior hallways must be 36 inches in width throughout the length. One powder room or one full bathroom is required on the visitable level. Bathroom must be a minimum of 30 inches by 48 inches of clear floor space. Plumbing fixtures and entry doors must be equipped with lever style hardware. All powder rooms and full bathrooms throughout the house shall have a reinforcement of at least two inches by eight inches of blocking in the wall to allow for installation of grab bars. The reinforcement must be capable to resist pulling and benign forces of at least 250 pounds.

***Exemptions or exceptions:*** Lights switches can't be higher than 48 inches above the floor.

## **Montgomery County, MA** *Date of Adoption: 2009*

***Weblink to Policy Description:*** [www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/DFLM/DFLMGuidelinesVoluntaryCertificationProgram09.pdf](http://www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/DFLM/DFLMGuidelinesVoluntaryCertificationProgram09.pdf)

***Key Features to Implementation:*** No step entry at front door, back door or side door. Walking surfaces must have a slope no steeper than 1:20. Floor or ground surfaces shall be stable and slip resistant. Building entrance must have width of 32 inches when the door is open 90 degrees.

***External Design Highlights (entry, halls/doors, bathrooms, kitchen, electrical, etc.):*** Accessible routes shall consist of one or more of the following components: Walking surfaces with a slope not steeper than 1:20. Doorways, ramps, curb ramps, elevators, and wheelchair (platform) lifts. Floor or ground surfaces shall be stable, firm, and slip resistant.

***Internal Design Highlights (site, yard, paths, patios, parking, etc.):*** Hallways must be 36 inches in width. The powder room/bathroom shall be large enough to accommodate a clear space of 2 foot-6 inches by 4 feet-zero inches.

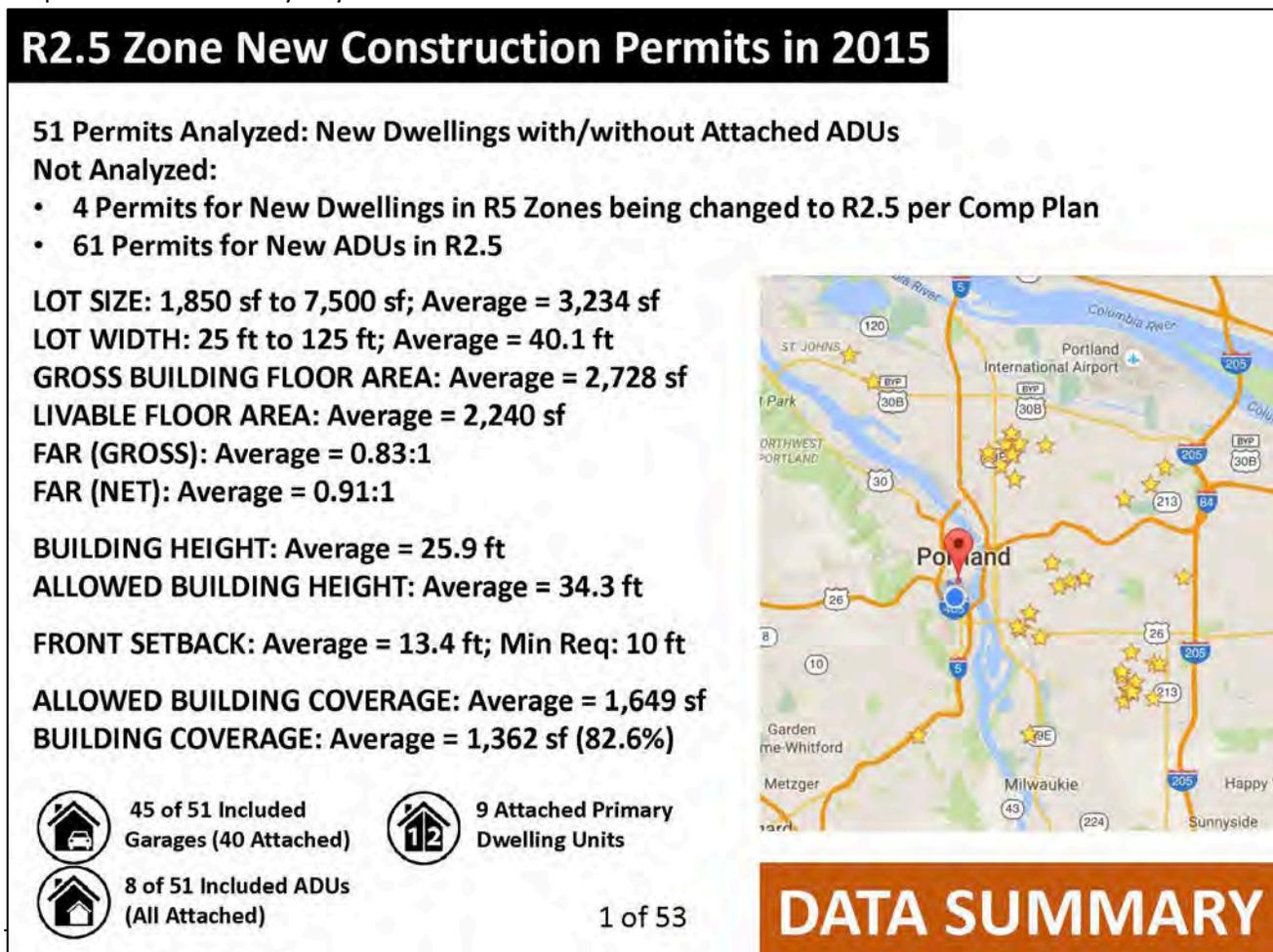
***Exemptions or exceptions:*** New homes and renovated homes can apply for the permit, can either be level 1 which focuses on visitability or level 2 which includes livability.

# Catalog of 2015 New Single-Family House Permits in the R2.5 Zone

City staff analyzed City of Portland data for all new one and two family residential construction permitted in the R2.5 zone in 2015. Omitted from this analysis was data for construction on lots that had been proposed in the 2035 Comprehensive Plan for new zoning designation from R5 to R2.5 (four permits) and all permits that applied only to the construction of an accessory dwelling unit (ADU) in the R2.5 zone (sixty-one permits).

Data was obtained from Plan Review Sheets developed for each permit by the Bureau of Development Services (BDS) and the Portland Zoning Code. Floor area information was obtained using Multnomah County Assessor data available at portlandmaps.com. As calculating or documenting floor area ratio (FAR) is not currently required by Zoning Code in Portland's residential zones (single- or multi-dwelling), FAR was estimated by dividing the combined segment type square footage for all floors including basements, attics and attached garages (defined in the analysis as "livable floor area") by the lot size. "Gross building floor area," which includes the livable floor area and square footage for all other segment types, such as detached garages, concrete, covered porches and covered patios. City staff compared segment type information with architectural plans submitted by permit applicants to identify any significant inconsistencies.

All photos were taken by City staff.

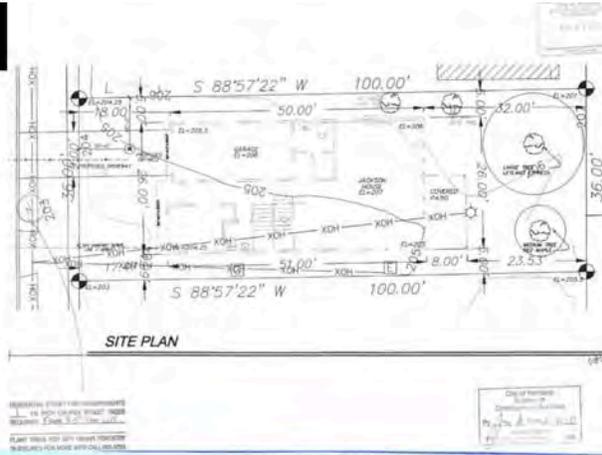




## 4626 N Rodney Ave. King

### R2.5a

Lot Size/Width	3,600 sf / 36 ft
Gross Floor Area	4,632 sf
Height	21 ft
Front/Rear Setback	15.5 ft / 23.5 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,696 sf (1,725 sf)
Front Facade	507 sf



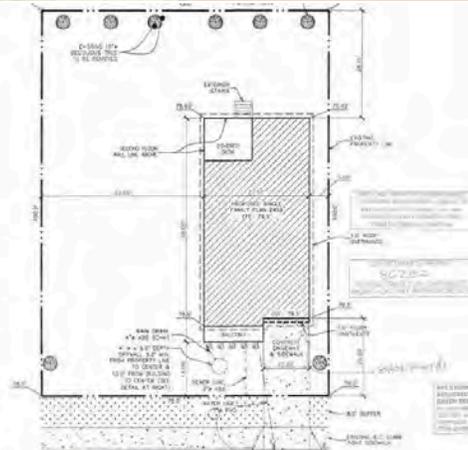
4 of 53

**1.29:1** F.A.R.

## 8226 SE 19th Ave. Sellwood-Moreland

### R2.5ad

Lot Size/Width	3,250 sf / 37.5
Gross Floor Area	2,727 sf
Height (Max)	29 ft (30 ft)
Front/Rear Setback	14 ft / 28 ft
Side Setbacks	42.5 ft / 5 ft
Lot Coverage (Max)	1,535 sf (2,625 sf)
Front Facade	627 sf



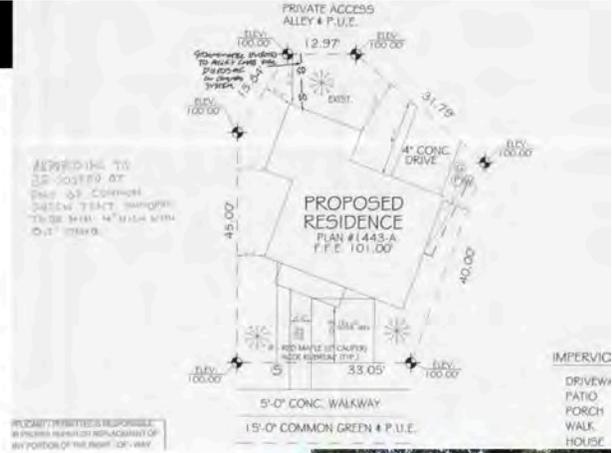
5 of 53

**0.84:1** F.A.R.

## 9114 N Macrum Ave. St. John's

**R2.5**

Lot Size/Width	2,141 sf / 33 ft
Gross Floor Area	2,013 sf
Height	21 ft
Front/Rear Setback	10 ft / 10.5 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	811 sf (1,070.5 sf)
Front Facade	706 sf



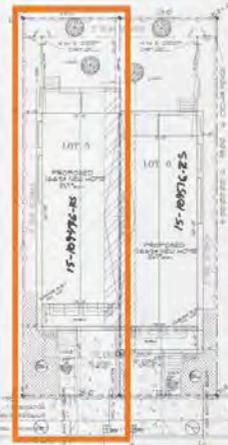
6 of 53

**0.94:1** F.A.R.

## 3625 NE 14<sup>th</sup> Ave. Sabin

**R2.5**

Lot Size/Width	2,475 sf / 25 ft
Gross Floor Area	3,113 sf
Height	26 ft
Front/Rear Setback	18 ft / 18 ft
Side Setbacks	5 ft / 0 ft
Lot Coverage (Max)	1,006 sf (1,238 sf)
Front Facade	400 sf



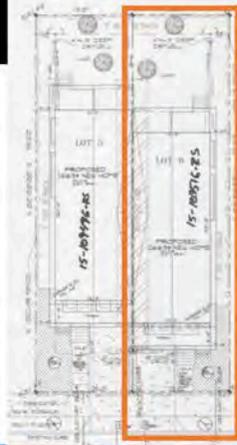
7 of 53

**1.26:1** F.A.R.

## 3631 NE 14<sup>th</sup> Ave. Sabin

R2.5

Lot Size/Width	2,475 sf / 25 ft
Gross Floor Area	3,097 sf
Height	26 ft
Front/Rear Setback	12 ft / 24.5 ft
Side Setbacks	0 ft / 5 ft
Lot Coverage (Max)	1,006 sf (1,238 sf)
Front Facade	400 sf



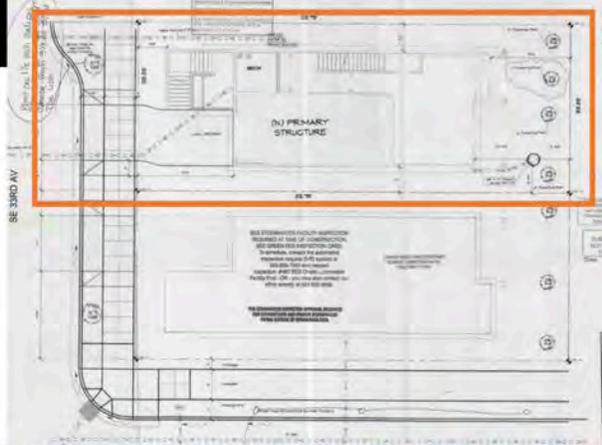
8 of 53

1.25:1 F.A.R.

## 1356 SE 33<sup>rd</sup> Ave. Sunnyside

R2.5

Lot Size/Width	2,791 sf / 33.33 ft
Gross Floor Area	3,257 sf
Height	34.5 ft
Front/Rear Setback	10 ft / 15 ft
Side Setbacks	5.3 ft / 5 ft
Lot Coverage (Max)	1,320 sf (1,395 sf)
Front Facade	780 sf



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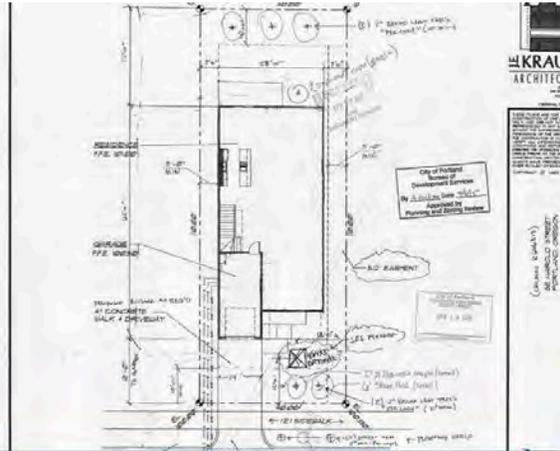
1.17:1 F.A.R.



## 6115 SE Harold St. Mt. Scott-Arleta

**R2.5a**

Lot Size/Width	4,400 sf / 40 ft
Gross Floor Area	3,172 sf
Height	27.5 ft
Front/Rear Setback	18 ft / 27 ft
Side Setbacks	5 ft / 6 ft
Lot Coverage (Max)	1,708 sf (2,025 sf)
Front Facade	682



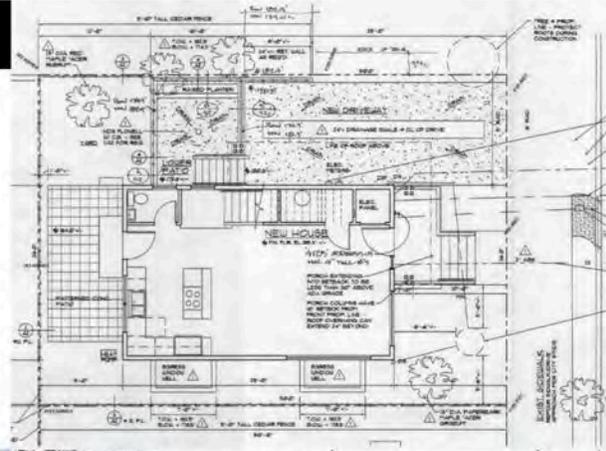
10 of 53

**0.72:1** F.A.R.

## 4125 NE 7<sup>th</sup> Ave. A/B King

**R2.5a**

Lot Size/Width	1,850 sf / 36 ft
Gross Floor Area	1,762 sf
Height	27 ft
Front/Rear Setback	10 ft / 6 ft
Side Setbacks	5 ft / 8 ft
Lot Coverage (Max)	558 sf (900 sf)
Front Facade	530 sf



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**0.95:1** F.A.R.

**3722 SE 26<sup>th</sup> Ave. Creston-Kenilworth**

**R2.5**

Lot Size/Width	2,500 sf / 25 ft
Gross Floor Area	2,283 sf
Height	22 ft
Front/Rear Setback	16 ft / 15 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,206 sf (1,250 sf)
Front Facade	255 sf



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**0.91:1** F.A.R.

**2080 SE Ivon St. Hosford-Abernethy**

**R2.5**

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	2,916 sf
Height	32.5 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	15 ft / 65 ft
Lot Coverage (Max)	1,046 sf (2,250 sf)
Front Facade	960 sf/920 sf (side)



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**1.17:1** F.A.R.

**6565 SE 76<sup>th</sup> Ave. Brentwood-Darlington**

<b>R2.5a</b>	
Lot Size/Width	2,534 sf / 25 ft
Gross Floor Area	1,875 sf
Height	23.3 ft
Front/Rear Setback	14 ft / 19 ft
Side Setbacks	5 ft / 6 ft
Lot Coverage (Max)	1,035 sf (1,267 sf)
Front Facade	280 sf



**5032 N Vanderbilt St. Portsmouth**

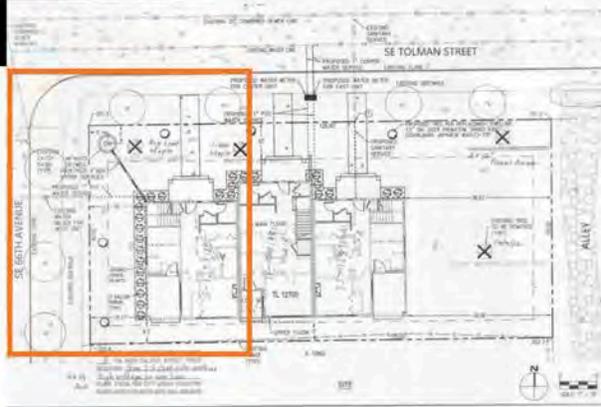
<b>R2.5</b>	
Lot Size/Width	3,666 sf / 33.34 ft
Gross Floor Area	2,477 sf
Height	23.5 ft
Front/Rear Setback	15 ft / 7 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,477 sf (1,750 sf)
Front Facade	403 sf



## 6624 SE Tolman St. Mt. Scott-Arleta

R2.5a

Gross Lot Size/Width	7,500 sf / 125 ft
Gross Floor Area	1,635 sf
Height	27 ft
Front/Rear Setback	14 ft / 6.5 ft
Side Setbacks	39 ft / 0 ft
Lot Coverage (Max)	2,622 sf (2,625 sf)
Front Facade	1,480 sf



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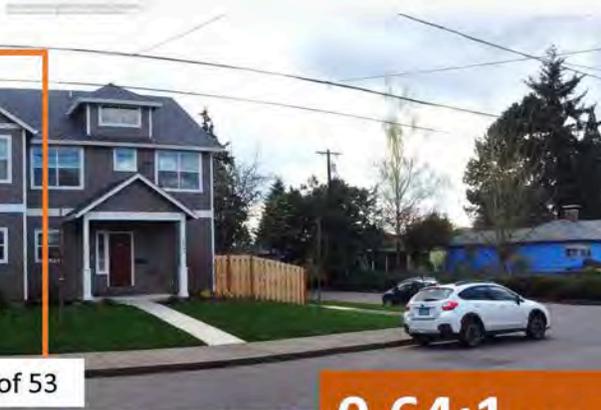
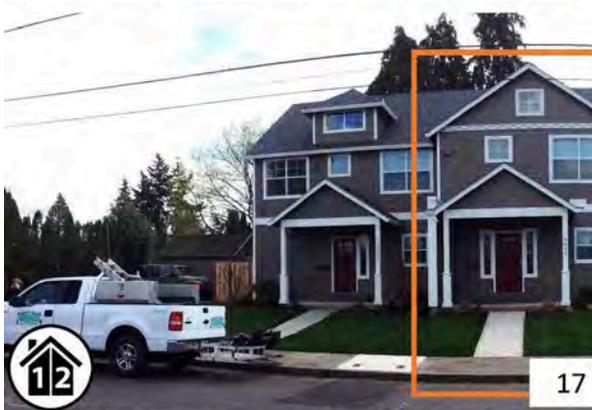
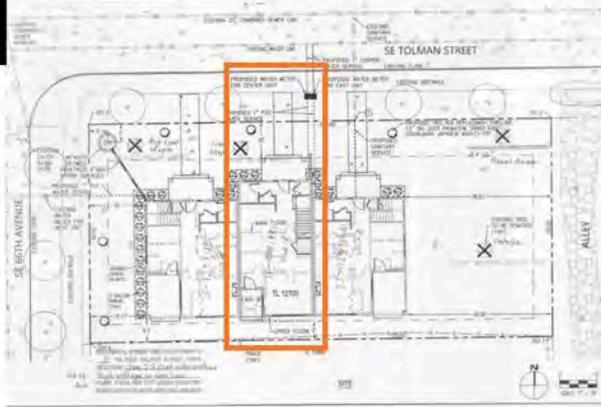
Note: Lot size, coverage, facade and FAR calculations apply to entire site.

**0.64:1** F.A.R.

## 6616 SE Tolman St. Mt. Scott-Arleta

R2.5a

Gross Lot Size/Width	7,500 sf / 125 ft
Gross Floor Area	1,547 sf
Height	27 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	0 ft / 0 ft
Lot Coverage (Max)	2,622 sf (2,625 sf)
Front Facade	1,480 sf



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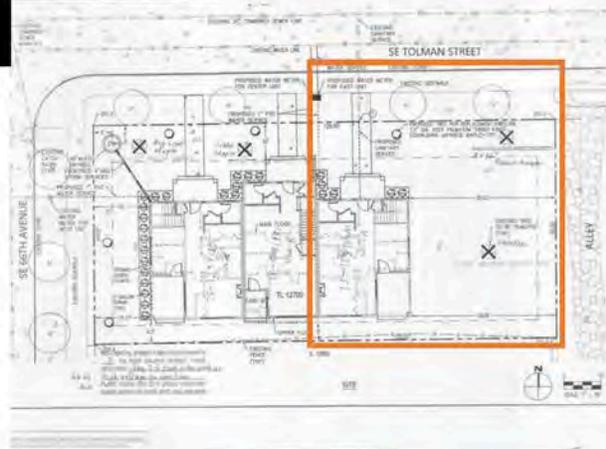
Note: Lot size, coverage, facade and FAR calculations apply to entire site.

**0.64:1** F.A.R.

## 6606 SE Tolman St. Mt. Scott-Arleta

**R2.5a**

Gross Lot Size/Width	7,500 sf / 125 ft
Gross Floor Area	1,635 sf
Height	27 ft
Front/Rear Setback	14 ft / 6.5 ft
Side Setbacks	0 ft / 15 ft
Lot Coverage (Max)	2,622 sf (2,625 sf)
Front Facade	1,480 sf/ 933 sf (side)



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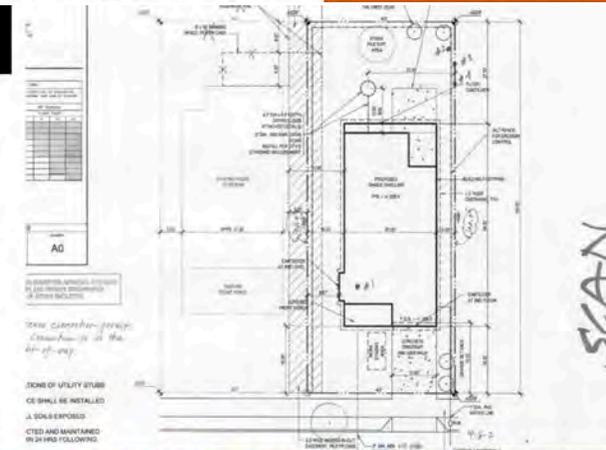
Note: Lot size, coverage, facade and FAR calculations apply to entire site.

**0.64:1** F.A.R.

## 4924 SE 76<sup>th</sup> Ave. Foster-Powell

**R2.5a**

Lot Size/Width	4,000 sf / 40 ft
Gross Floor Area	2,581 sf
Height	26.3 ft
Front/Rear Setback	18 ft / 27 ft
Side Setbacks	8.7 ft / 5 ft
Lot Coverage (Max)	1,363 sf (1,875 sf)
Front Facade	493 sf



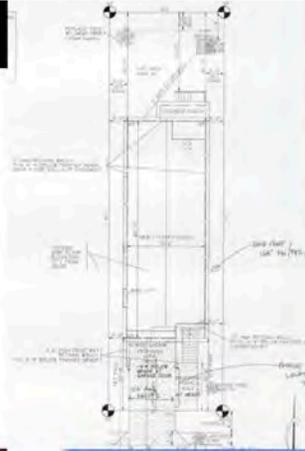
19 of 53

**0.66:1** F.A.R.

## 3722 SE Taylor St. Sunnyside

**R2.5**

Lot Size/Width	3,465 sf / 31.5 ft
Gross Floor Area	3,752 sf
Height	31.5 ft
Front/Rear Setback	20 ft / 21 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,360 sf (1,674 sf)
Front Facade	660 sf



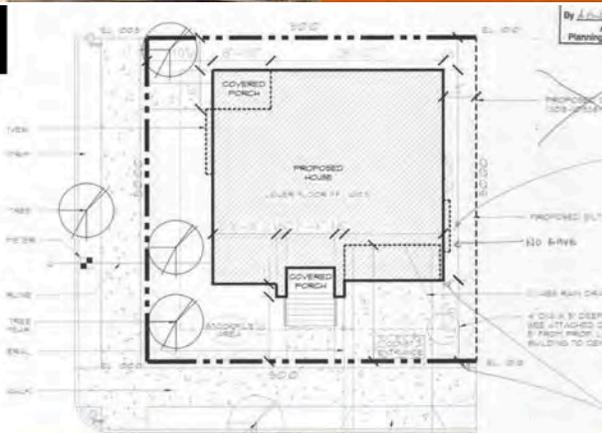
20 of 53

**1.08:1** F.A.R.

## 5232 NE 9th Ave. A/B King

**R2.5ah**

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	3,443 sf
Height	32 ft
Front/Rear Setback	10 ft / 6 ft
Side Setbacks	9 ft / 5 ft
Lot Coverage (Max)	1,194 sf (1,250 sf)
Front Facade	966 sf / 813 sf (side)



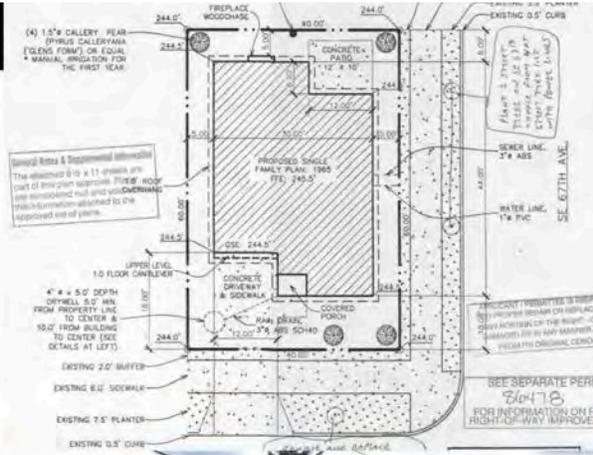
21 of 53

**1.38:1** F.A.R.

## 6706 SE Ramona St. Mt. Scott-Arleta

**R2.5a**

Lot Size/Width	2,400 sf / 40 ft
Gross Floor Area	2,239 sf
Height	27.5 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,169 sf (1,200 sf)
Front Facade	633 sf/847 sf (side)



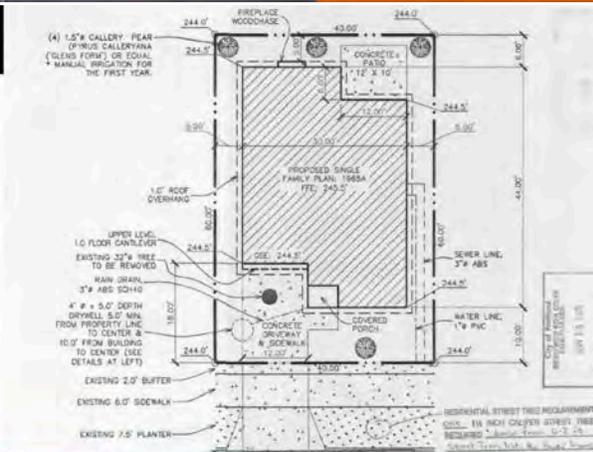
22 of 53

**0.93:1** F.A.R.

## 6712 SE Ramona St. Mt. Scott-Arleta

**R2.5a**

Lot Size/Width	2,400 sf / 40 ft
Gross Floor Area	2,310 sf
Height	27.5 ft
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,169 sf (1,200 sf)
Front Facade	633 sf



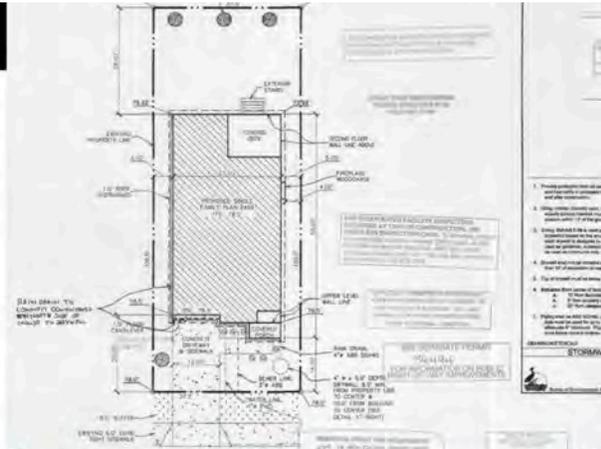
23 of 53

**0.96:1** F.A.R.

## 8218 SE 19<sup>th</sup> Ave. Sellwood-Moreland

### R2.5ad

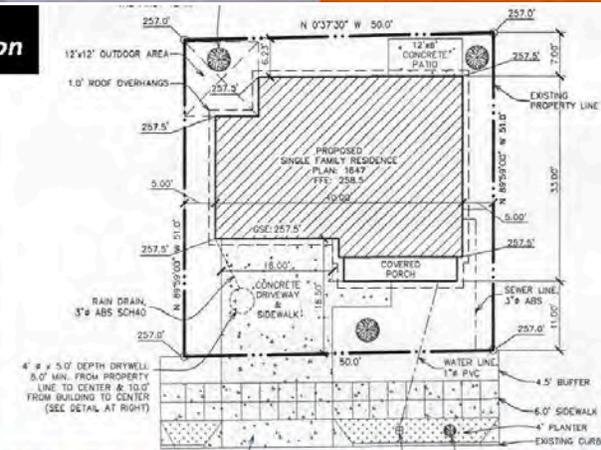
Lot Size/Width	3,750 sf / 37.5 ft
Gross Floor Area	2,980 sf
Height	29 ft
Front/Rear Setback	14 ft / 28 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,505 sf (1,781 sf)
Front Facade	633 sf



## 6525 SE 62<sup>nd</sup> Ave. Brentwood-Darlington

### R2.5a

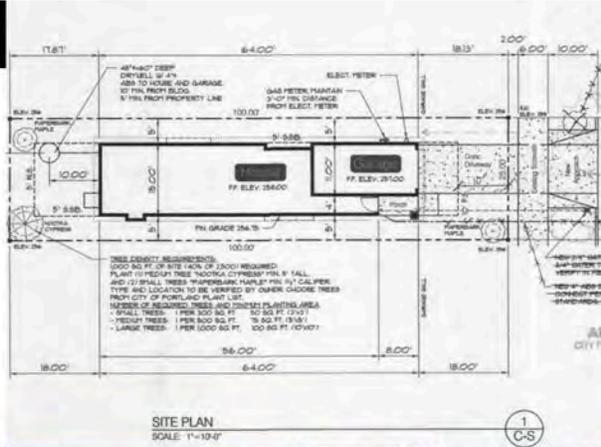
Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	2,116 sf
Height	21.5 ft
Front/Rear Setback	11 ft / 6.3 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,056 sf (1,275 sf)
Front Facade	746 sf



## 3403 NE 74<sup>th</sup> Ave. Roseway

**R2.5h**

Lot Size/Width	2,500 sf / 25 ft
Gross Floor Area	1,922 sf
Height	21.8 ft
Front/Rear Setback	10 ft / 17.9 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	972 sf (1,250 sf)
Front Facade	366 sf



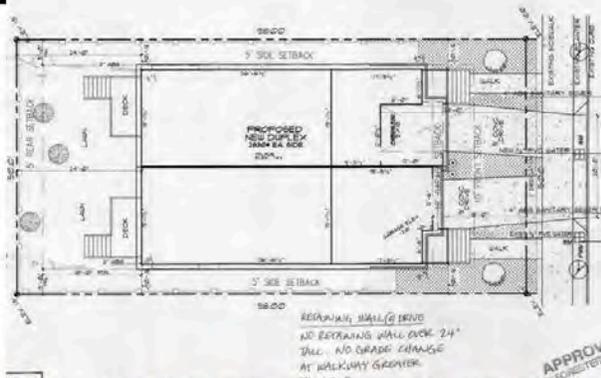
26 of 53

**0.77:1** F.A.R.

## 5241/5247 NE 15<sup>th</sup> Ave. Vernon

**R2.5h**

Lot Size/Width	5,000 sf / 50 ft
Gross Floor Area	6,440 sf
Height	31 ft
Front/Rear Setback	15 ft / 24 ft
Side Setbacks	10.9 ft / 10.9 ft
Lot Coverage (Max)	2,249 sf (2,250 sf)
Front Facade	1,026 sf



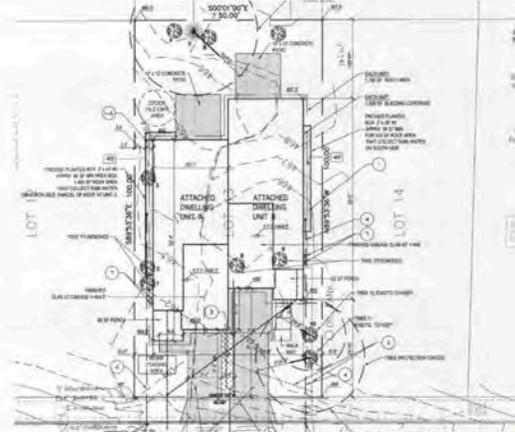
27 of 53

**1.29:1** F.A.R.

## 8558/8566 SW 20<sup>th</sup> Ave. Markham

### R2.5

Lot Size/Width	5,000 sf / 50 ft
Gross Floor Area	3,988 sf
Height	25.5 ft
Front/Rear Setback	15 ft / 21 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	2,054 sf (2,250 sf)
Front Facade	860 sf



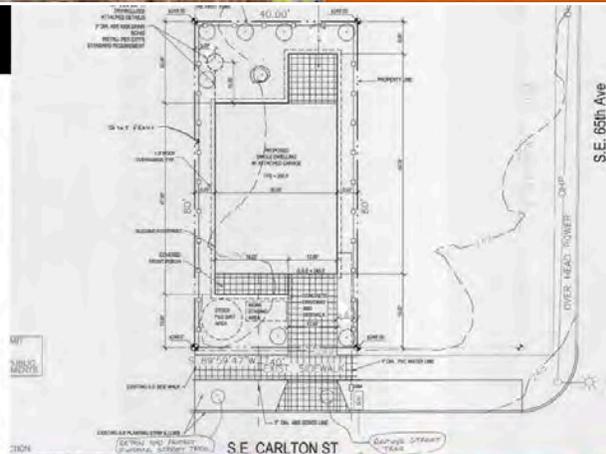
28 of 53

**0.80:1** F.A.R.

## 6423 SE Carlton St. Mt. Scott-Arleta

### R2.5a

Lot Size/Width	3,200 sf / 40 ft
Gross Floor Area	2,623 sf
Height	22.1 ft
Front/Rear Setback	13 ft / 7 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,494 sf (1,575 sf)
Front Facade	526 sf



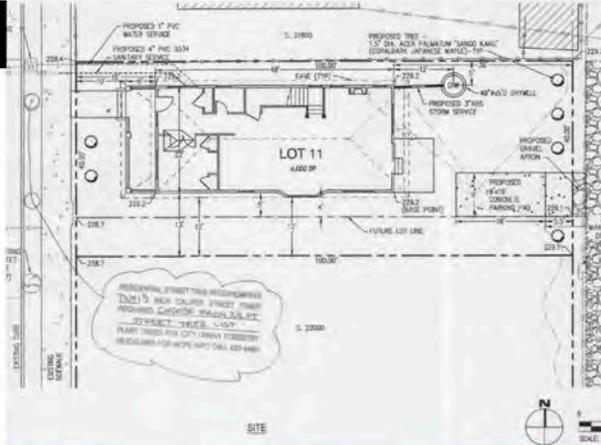
29 of 53

**0.82:1** F.A.R.

## 4400 SE 65<sup>th</sup> Ave. Foster-Powell

**R2.5a**

Lot Size/Width	4,000 sf / 40 ft
Gross Floor Area	2,625 sf
Height (Max)	25.3 ft (26 ft)
Front/Rear Setback	16 ft / 36 ft
Side Setbacks	5 ft / 13 ft
Lot Coverage (Max)	1,110 sf (1,575 sf)
Front Facade	533 sf



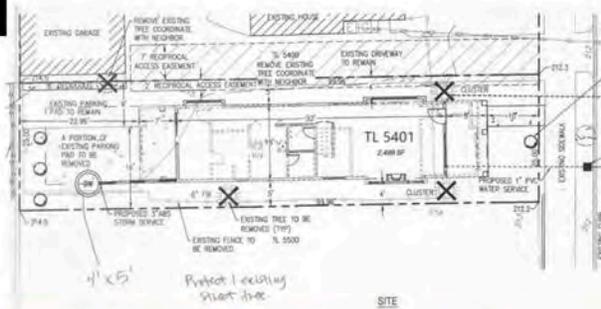
30 of 53

**0.66:1** F.A.R.

## 4835 NE Rodney Ave. Humboldt

**R2.5a**

Lot Size/Width	2,500 sf / 25 ft
Gross Floor Area	1,959 sf
Height	22.5
Front/Rear Setback	18 ft / 30 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	990 sf (1,250 sf)
Front Facade	340 sf



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**0.78:1** F.A.R.



## 6316 SE Carlton St. Mt. Scott-Arleta

### R2.5a

Lot Size/Width	4,800 sf / 40 ft
Gross Floor Area	2,779 sf
Height	31 ft
Front/Rear Setback	15 ft / 10 ft
Side Setbacks	7.5 ft / 7.5 ft
Lot Coverage (Max)	1,614 sf (2,175 sf)
Front Facade	500 sf



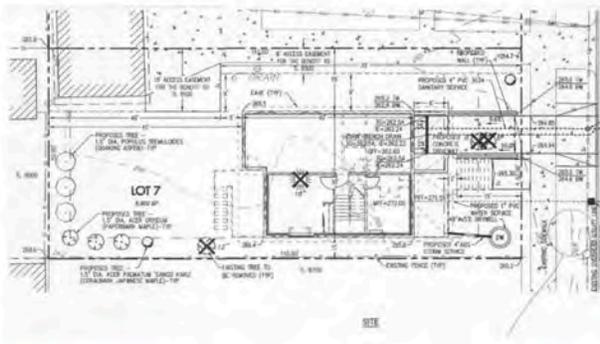
34 of 53

**0.58:1** F.A.R.

## 2725 NE 62<sup>nd</sup> Ave. Rose City Park

### R2.5h

Lot Size/Width	5,500 sf / 50 ft
Gross Floor Area	4,401 sf
Height	32 ft
Front/Rear Setback	15 ft / 45 ft
Side Setbacks	5 ft / 15 ft
Lot Coverage (Max)	1,459 sf (2,325 sf)
Front Facade	893 sf



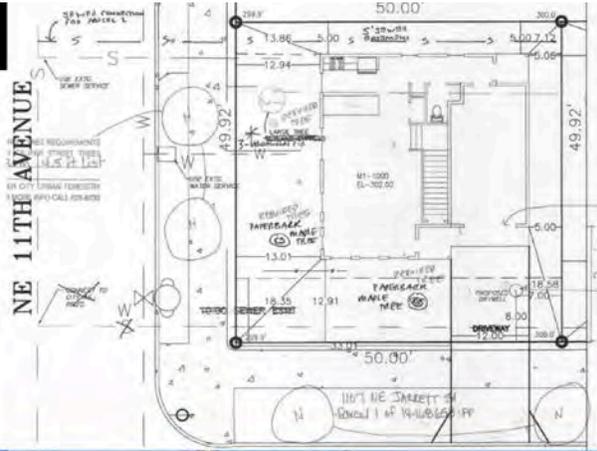
35 of 53

**0.80:1** F.A.R.



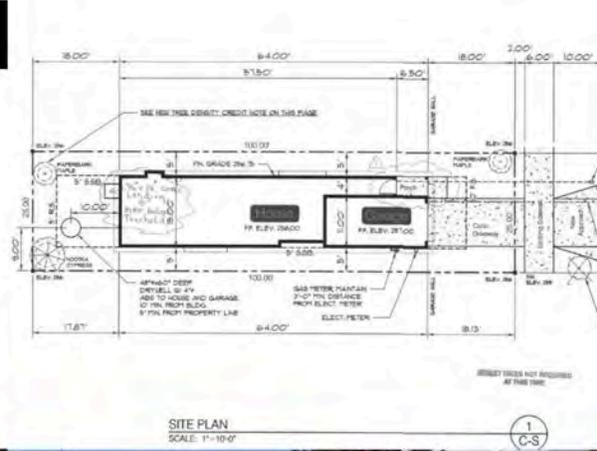
# 1107 NE Jarrett St. *Vernon*

<b>R2.5ah</b>	
Lot Size/Width	2,496 sf / 50 ft
Gross Floor Area	1,898 sf
Height	22 ft
Front/Rear Setback	13 ft / 5 ft
Side Setbacks	5 ft / 12.9 ft
Lot Coverage (Max)	1,150 sf (1,248 sf)
Front Facade	606 sf/606 sf (side)



# 3393 NE 74<sup>th</sup> Ave. *Roseway*

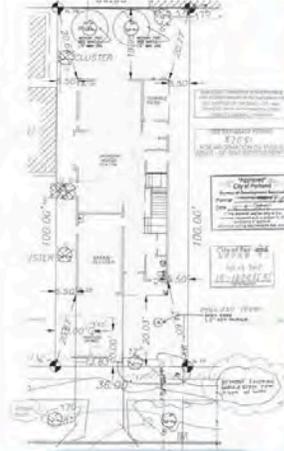
<b>R2.5h</b>	
Lot Size/Width	2,500 sf / 25 ft
Gross Floor Area	1,926 sf
Height	21.7 ft
Front/Rear Setback	18 ft / 18 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	974 sf (1,250 sf)
Front Facade	300 sf



## 4231 SE Yamhill St. Sunnyside

**R2.5**

Lot Size/Width	3,600 sf / 36 ft
Gross Floor Area	2,882 sf
Height	21.5 ft
Front/Rear Setback	20 ft / 20 ft
Side Setbacks	5.5 ft / 5.5 ft
Lot Coverage (Max)	1,500 sf (1,725 sf)
Front Facade	486 sf



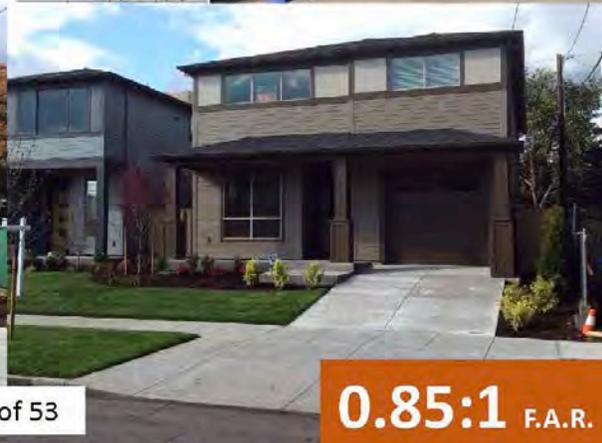
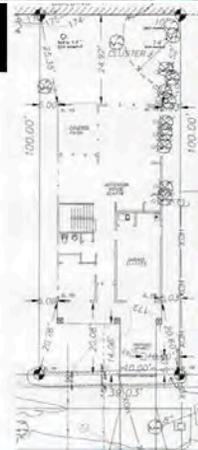
38 of 53

**0.80:1** F.A.R.

## 4235 SE Yamhill St. Sunnyside

**R2.5**

Lot Size/Width	3,300 sf / 39 ft
Gross Floor Area	3,903 sf
Height	22 ft
Front/Rear Setback	14.1 ft / 24.9 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,769 sf (1,838 sf)
Front Facade	466 sf



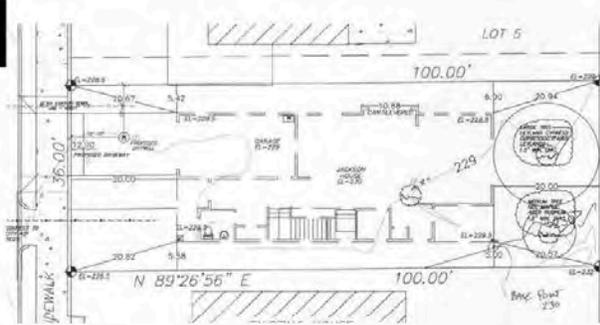
39 of 53

**0.85:1** F.A.R.

## 4816 NE 12<sup>th</sup> Ave. King

### R2.5ah

Lot Size/Width	3,600 sf / 36 ft
Gross Floor Area	2,882 sf
Height	21.8 ft
Front/Rear Setback	20 ft / 20 ft
Side Setbacks	5.4 ft / 5.6 ft
Lot Coverage (Max)	1,500 sf (1,725 sf)
Front Facade	446 sf



SITE PLAN



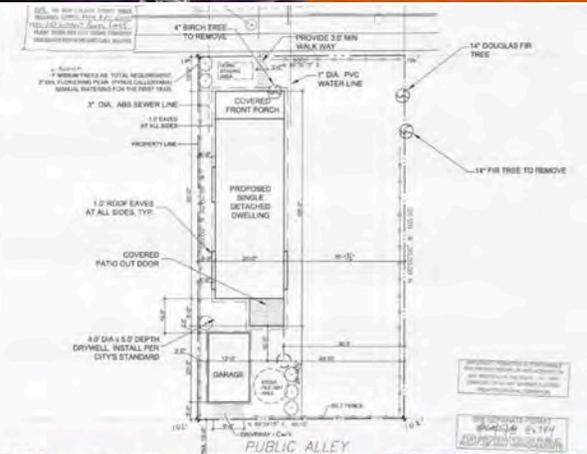
40 of 53

**0.80:1** F.A.R.

## 6108 SE Steele St. Mt. Scott-Arleta

### R2.5a

Lot Size/Width	3,155 sf / 30 ft
Gross Floor Area	2,593 sf
Height	22.5 ft
Front/Rear Setback	10 ft / 27 ft
Side Setbacks	35.1 ft / 5 ft
Lot Coverage (Max)	1,534 sf (2,445 sf)
Front Facade	386 sf



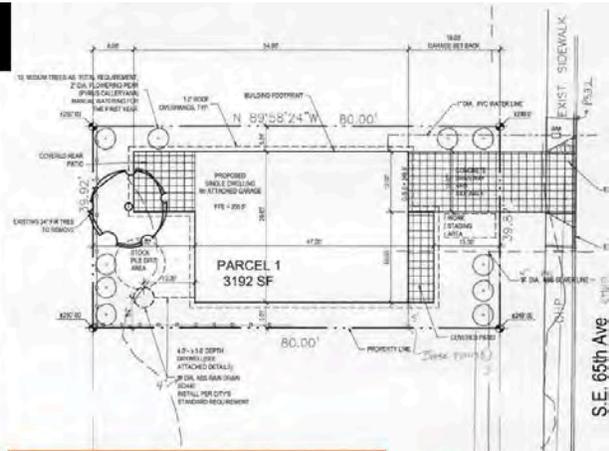
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**0.82:1** F.A.R.



## 6161 SE 65<sup>th</sup> Ave. Mt. Scott-Arleta

<b>R2.5a</b>	
Lot Size/Width	3,192 sf / 40 ft
Gross Floor Area	2,603 sf
Height	22.1 ft
Front/Rear Setback	13 ft / 20 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,194 sf (1,572 sf)
Front Facade	506 sf

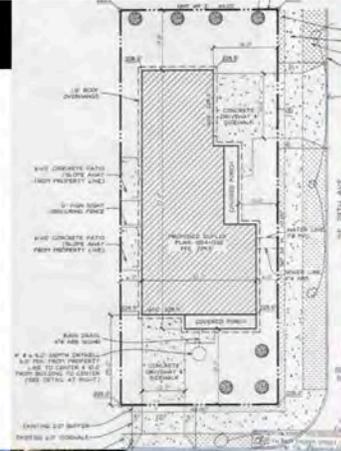


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**0.82:1** F.A.R.

## 7879 SE Raymond St. Foster-Powell

<b>R2.5a</b>	
Lot Size/Width	4,840 sf / 44 ft
Gross Floor Area	3,455 sf
Height	21.7 ft
Front/Rear Setback	21 ft / 17 ft
Side Setbacks	6 ft / 6 ft
Lot Coverage (Max)	1,894 sf (2,190 sf)
Front Facade	520 sf/1,346 sf (side)



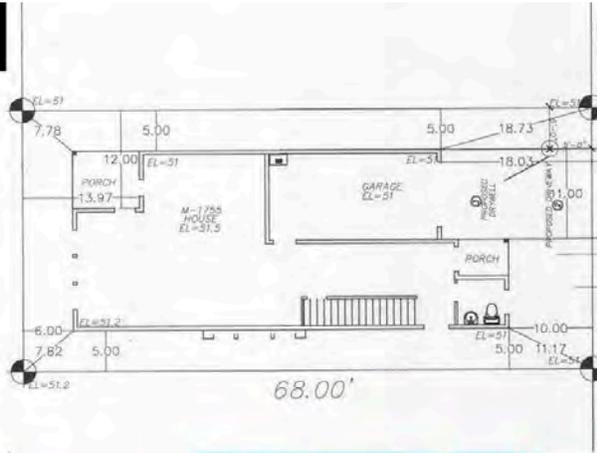
45 of 53

**0.71:1** F.A.R.

## 3361 SE 16<sup>th</sup> Ave. Brooklyn

**R2.5**

Lot Size/Width	2,176 sf / 32 ft
Gross Floor Area	2,174 sf
Height (Max)	21.6 ft (33 ft)
Front/Rear Setback	10 ft / 6 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,068 sf (1,088 sf)
Front Facade	426 sf



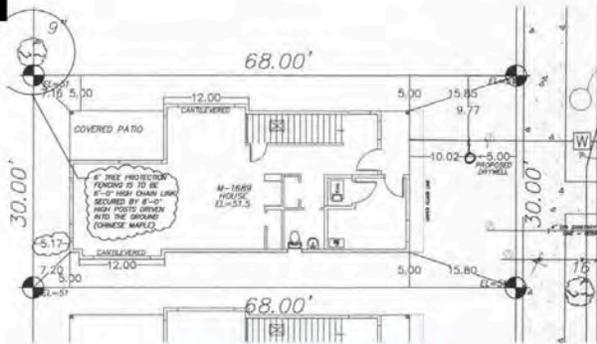
46 of 53

**1.00:1** F.A.R.

## 3357 SE 16<sup>th</sup> Ave. Brooklyn

**R2.5**

Lot Size/Width	2,040 sf / 30 ft
Gross Floor Area	1,923 sf
Height (Max)	21 ft (30 ft)
Front/Rear Setback	10 ft / 5 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,024 sf (1,024 sf)
Front Facade	373 sf



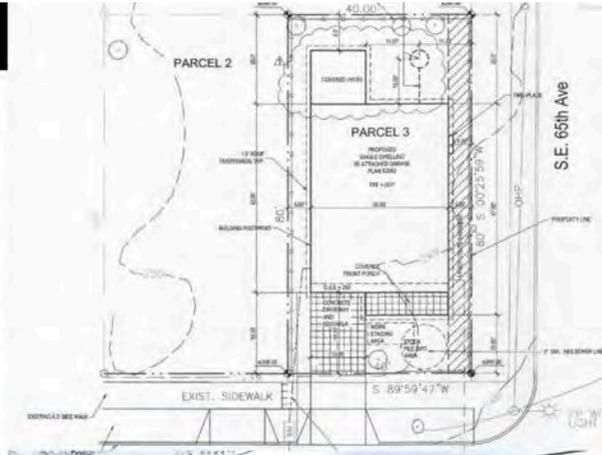
47 of 53

**0.94:1** F.A.R.

## 6445 SE Carlton St. Mt. Scott-Arleta

**R2.5a**

Lot Size/Width	3,200 sf / 40 ft
Gross Floor Area	2,623 sf
Height	25 ft
Front/Rear Setback	13 ft / 8 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	1,494 sf (1,575 sf)
Front Facade	580 sf/793 sf (side)



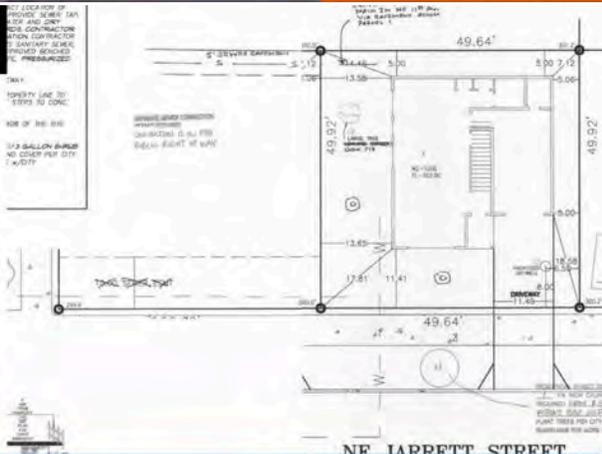
48 of 53

**0.82:1** F.A.R.

## 1115 NE Jarrett St. Vernon

**R2.5ah**

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	1,934 sf
Height	22.5 ft
Front/Rear Setback	11.5 ft / 5 ft
Side Setbacks	13.5 ft / 5 ft
Lot Coverage (Max)	931 sf (1,250 sf)
Front Facade	586 sf



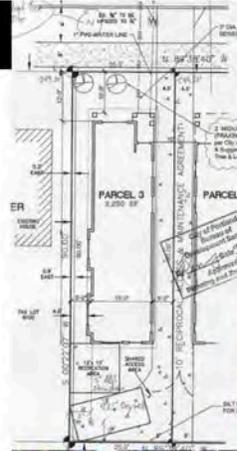
49 of 53

**0.77:1** F.A.R.

## 9020 SE Yamhill St. Montavilla

### R2.5a

Lot Size/Width	2,250 sf / 25 ft
Gross Floor Area	1,687 sf
Height (Max)	20.8 ft (22.5 ft)
Front/Rear Setback	10 ft / 24 ft
Side Setbacks	5 ft / 5 ft
Lot Coverage (Max)	860 sf (1,125 sf)
Front Facade	293 sf



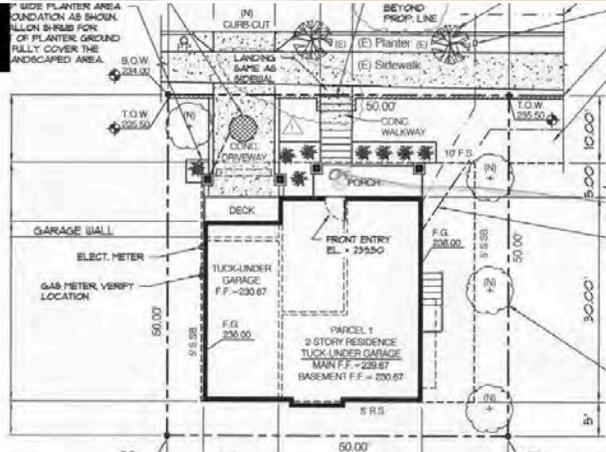
50 of 53

**0.75:1** F.A.R.

## 1260 NE Wygant St. King

### R2.5ah

Lot Size/Width	2,500 sf / 50 ft
Gross Floor Area	2,487 sf
Height	29 ft
Front/Rear Setback	10 ft / 6 ft
Side Setbacks	10 ft / 5 ft
Lot Coverage (Max)	1,114 sf (1,250 sf)
Front Facade	813 sf

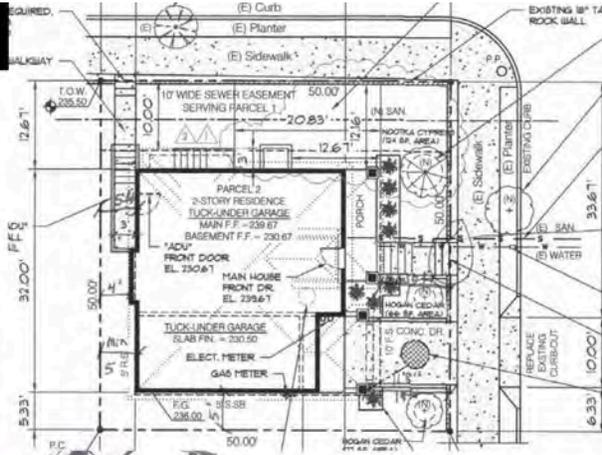


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**0.99:1** F.A.R.

# 4729 NE 13<sup>th</sup> Ave. A/B King

<b>R2.5ah</b>	
<b>Lot Size/Width</b>	<b>2,504 sf / 50 ft</b>
<b>Gross Floor Area</b>	<b>2,406 sf</b>
<b>Height</b>	<b>28.6 ft</b>
<b>Front/Rear Setback</b>	<b>10 ft / 5 ft</b>
<b>Side Setbacks</b>	<b>5 ft / 12 ft</b>
<b>Lot Coverage (Max)</b>	<b>1,114 sf (1,252 sf)</b>
<b>Front Facade</b>	<b>793 sf</b>



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**0.96:1 F.A.R.**

## R2.5 Zone New Construction Permits in 2015

Pg	Address	Type	FAR	Hgt	Lot SF	Lot W	Lot SF	Fr/Sb	Parking	Pg	Address	Type	FAR	Hgt	Lot SF	Lot W	Lot SF	Fr/Sb	Parking
2	5217 NE 28th Av	Detached	0.69	28.0	4000	40.0	4000	11.5	Tuck Under	27	5241/5247 NE 15th Av	Attached	1.29	31.0	5000	50.0	5000	15.0	Main Floor
3	4214 NE 81st Av	Detached	1.18	22.0	2500	25.0	2500	15.0	Main Floor	28	8558/8566 SW 20th Av	Attached	0.80	25.5	5000	50.0	5000	15.0	Main Floor
4	4626 NE Rodney Av	Detached	1.29	21.0	3600	36.0	3600	15.5	Main Floor	29	6423 SE Carlton Av	Detached	0.82	22.1	3200	40.0	3200	13.0	Main Floor
5	8226 SE 19th Av	Detached	0.84	29.0	3250	37.5	3250	14.0	Main Floor	30	4400 SE 65th Av	Detached	0.66	25.3	4000	40.0	4000	16.0	Detached
6	9414 N Macrum Av	Detached	0.94	21.0	2141	33.0	2141	10.0	Main Floor	31	4835 NE Rodney Av	Detached	0.78	22.5	2500	25.0	2500	18.0	Parking Pad
7	3625 NE 14th Av	Attached	1.26	26.0	2475	25.0	2475	18.0	Tuck Under	32	2088 SE Ivon St/A/B	Detached	1.38	31.9	2500	50.0	2500	10.0	Main Floor
8	3631 NE 14th Av	Attached	1.25	26.0	2475	25.0	2475	12.0	Tuck Under	33	6336 SE Carlton St	Detached	0.58	31.0	4800	40.0	4800	15.0	Detached
9	1356 SE 33rd Av	Detached	1.17	34.5	2791	33.3	2791	10.0	Main Floor	34	6316 SE Carlton St	Detached	0.58	32.0	4800	40.0	4800	15.0	Tuck Under
10	6115 SE Harold St	Detached	0.72	27.5	4400	40.0	4400	18.0	Main Floor	35	2725 NE 62nd Av	Detached	0.80	32.0	5500	50.0	5500	15.0	Main Floor
11	4125 NE 7th Av A/B	Detached	0.95	27.0	1850	36.0	1850	10.0	Parking Pad	36	1107 NE Jarrett St	Detached	0.76	22.0	2496	50.0	2496	13.0	Detached
12	3722 SE 26th Av	Detached	0.91	22.0	2500	25.0	2500	16.0	Main Floor	37	3393 NE 74th Av	Detached	0.77	21.7	2500	25.0	2500	18.0	Main Floor
13	2080 SE Ivon St	Detached	1.17	32.5	2500	50.0	2500	10.0	Main Floor	38	4231 SE Yamhill St	Detached	0.80	21.5	3600	36.0	3600	20.0	Main Floor
14	6565 SE 76th Av	Detached	0.74	23.3	2534	25.0	2534	14.0	Main Floor	39	4235 SE Yamhill St	Detached	0.85	22.0	3903	39.0	3903	14.1	Main Floor
15	5032 N Vanderbilt St	Detached	0.68	23.5	3666	33.3	3666	15.0	Detached	40	4816 NE 12th Av	Detached	0.80	21.8	3600	36.0	3600	20.0	Main Floor
16	6624 SE Tolman St	Attached		27.0				14.0	Parking Pad	41	6108 SE Steele St	Detached	0.82	22.5	3155	30.0	3155	10.0	Detached
17	6616 SE Tolman St	Attached		27.0				10.0	Parking Pad	42	1414 SE Franklin St/A/B	Detached	1.31	32.0	2500	50.0	2500	10.0	Main Floor
18	6606 SE Tolman St	Attached		27.0				14.0	Parking Pad	43	235 SE 30th Pl	Detached	1.15	33.0	2500	50.0	2500	10.0	Main Floor
	SE Tolman St		0.64		7500	125.0	7500			44	6161 SE 65th Av	Detached	0.82	22.1	3192	40.0	3192	13.0	Main Floor
19	4924 SE 76th Av	Detached	0.65	26.3	4000	40.0	4000	18.0	Main Floor	45	7879 SE Raymond St	Detached	0.71	21.7	4840	44.0	4840	21.0	Main Floor
20	3722 SE Taylor St	Detached	1.08	31.5	3465	31.5	3465	20.0	Main Floor	46	3361 SE 16th Av	Detached	1.00	21.6	2176	32.0	2176	10.0	Main Floor
21	5232 NE 9th Av A/B	Detached	1.38	32.0	2500	50.0	2500	10.0	Main Floor	47	3357 SE 16th Av	Detached	0.94	21.1	2040	30.0	2040	10.0	None
22	6706 SE Ramona St	Detached	0.93	27.5	2400	40.0	2400	10.0	Main Floor	48	6445 SE Carlton St	Detached	0.82	25.0	3200	40.0	3200	13.0	Main Floor
23	6712 SE Ramona St	Detached	0.96	27.5	2400	40.0	2400	10.0	Main Floor	49	1115 NE Jarrett St	Detached	0.77	22.5	2500	50.0	2500	11.5	Main Floor
24	8218 SE 19th Av	Detached	0.79	29.0	3750	37.5	3750	14.0	Main Floor	50	9020 SE Yamhill St	Detached	0.75	20.8	2250	25.0	2250	10.0	Parking Pad
25	6525 SE 62nd Av	Detached	0.85	21.5	2500	50.0	2500	11.0	Main Floor	51	1260 NE Wygant St	Detached	0.99	29.0	2500	50.0	2500	10.0	Tuck Under
26	3403 NE 74th Av	Detached	0.77	21.8	2500	25.0	2500	10.0	Tuck Under	52	4729 NE 13th Av A/B	Detached	0.96	28.6	2504	50.0	2504	10.0	Tuck Under

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**DATA SUMMARY**

## R2.5 Zone Changes by District

***The R2.5 comprehensive plan map changes and zone changes can be seen in more detail in the Ordinance, Exhibit C and Exhibit E, respectively.***

This appendix provides information on the methodology used for the R5 to R2.5 proposed zone changes on historically narrow lots. Historically narrow lots have underlying platting that creates lots that are smaller than typical for the current zoning. Most of these lots are in R5 zones and typically are 25 feet wide by 100 feet deep (2,500 square feet). This appendix is organized by districts (North, Northeast, Southeast, East and West). Citywide there are 30 maps that include areas of R5 to R2.5 zone changes.

### Methodology

The following criteria was considered when developing the proposed for a zone change from R5 to R2.5. The zone changes are proposed on roughly half of the inventoried concentrations of historically narrow lots with the most convenient access to services where physical barriers and site constraints are not present. (See *Volume 1: Staff Report and Map Amendments*, Section 5, B. Rezoning Historically Narrow Lots for more information.)

In some cases, the Comprehensive Plan Map land use designations are also being changed to R2.5 to ensure that the designation corresponds to or allows the proposed R2.5 rezoning, in conformance with Policy 10.2 of the Comprehensive Plan. For example, parcels zoned R5 with a land use designation of R5 would become zoned R2.5 with a designation of R2.5. Where the current land use designation doesn't correspond but allows R2.5 zoning, no comprehensive map change is proposed. For example, parcels zoned R5 with a land use designation of "Mixed Use – Dispersed" would become zoned R2.5 but the comprehensive plan designation would remain MU – D. See the map on Page 2.

**Historically Narrow Lots.** Staff reviewed plats citywide to identify areas with historically narrow lots. There tends to be a higher concentration of these historically narrow lot plats in North and Northeast Portland, less in Southeast Portland and almost none in the east and west areas of the city. These concentrations of lots created the inventory of lots to further analyze. Single historically narrow lots or very small areas of historically narrow lots may not have been captured.

**Proximity to Centers, Corridors and Neighborhood Amenities.** The proposed re-zones build on the existing zoning pattern of R2.5 zones applied in areas to create a transition from higher intensity uses to surrounding single-dwelling zones. Because of this, the rezoning proposals are limited to a two- to three-block proximity to:

- Gateway Regional Center, Town Centers and Neighborhood Centers
- Frequent bus lines, MAX light rail stations and streetcar stops
- Neighborhood amenities such as parks, community centers and schools
- Smaller nodes of commercial zoning or neighborhood serving retail uses

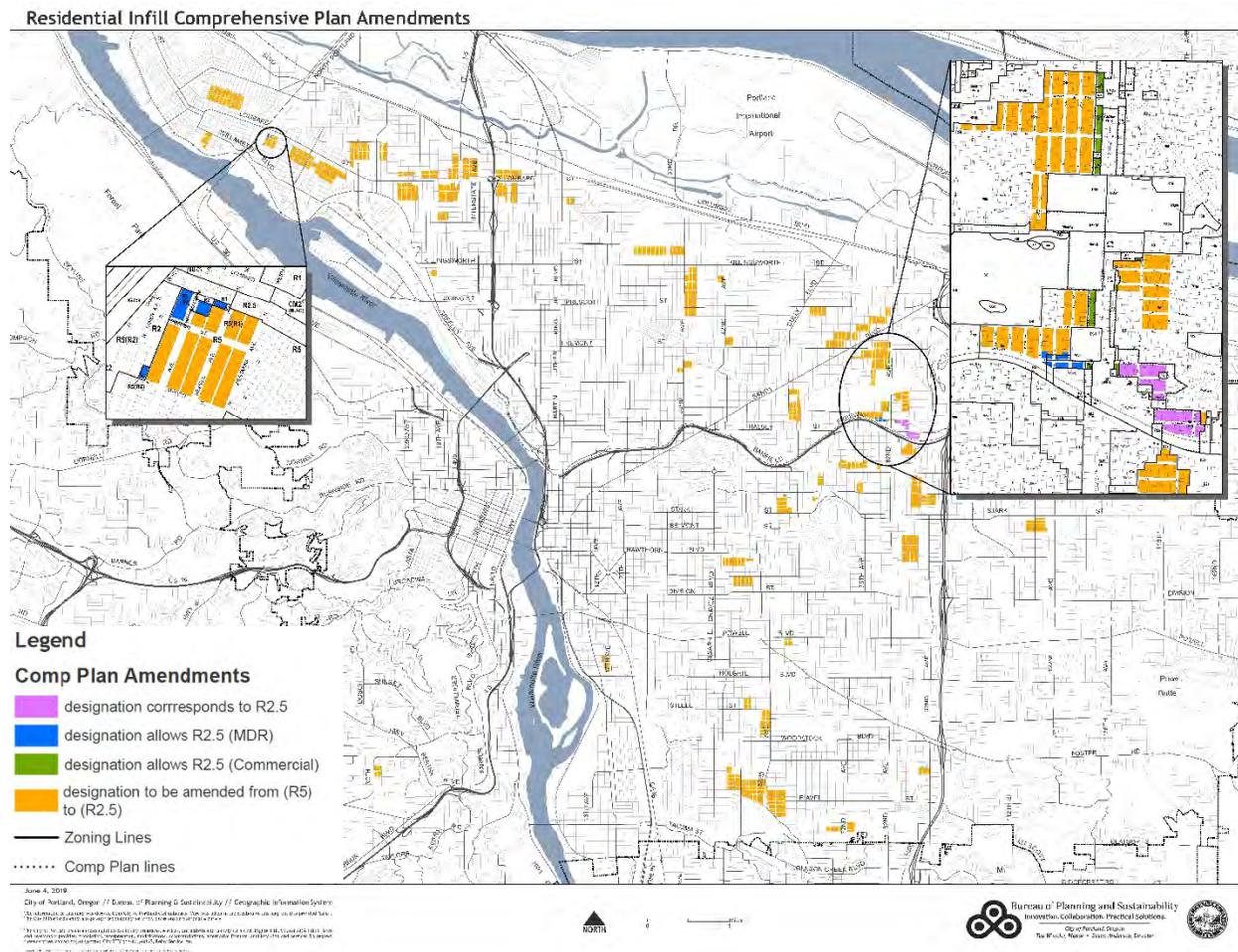
**Physical Factors.** In addition, the presence of the following factors weighed *favorably* towards rezoning:

- **Alley access.** Alley access provides greater flexibility and better design of houses on narrow lots.
- **Consistent zoning pattern.** Where adjacent areas were zoned R2.5 or a higher-intensity zoning designation, the R2.5 zone provides for a logical transition to lower-intensity zones.
- **Existing development patterns.** Areas where historically narrow lots have already been developed with narrow houses.

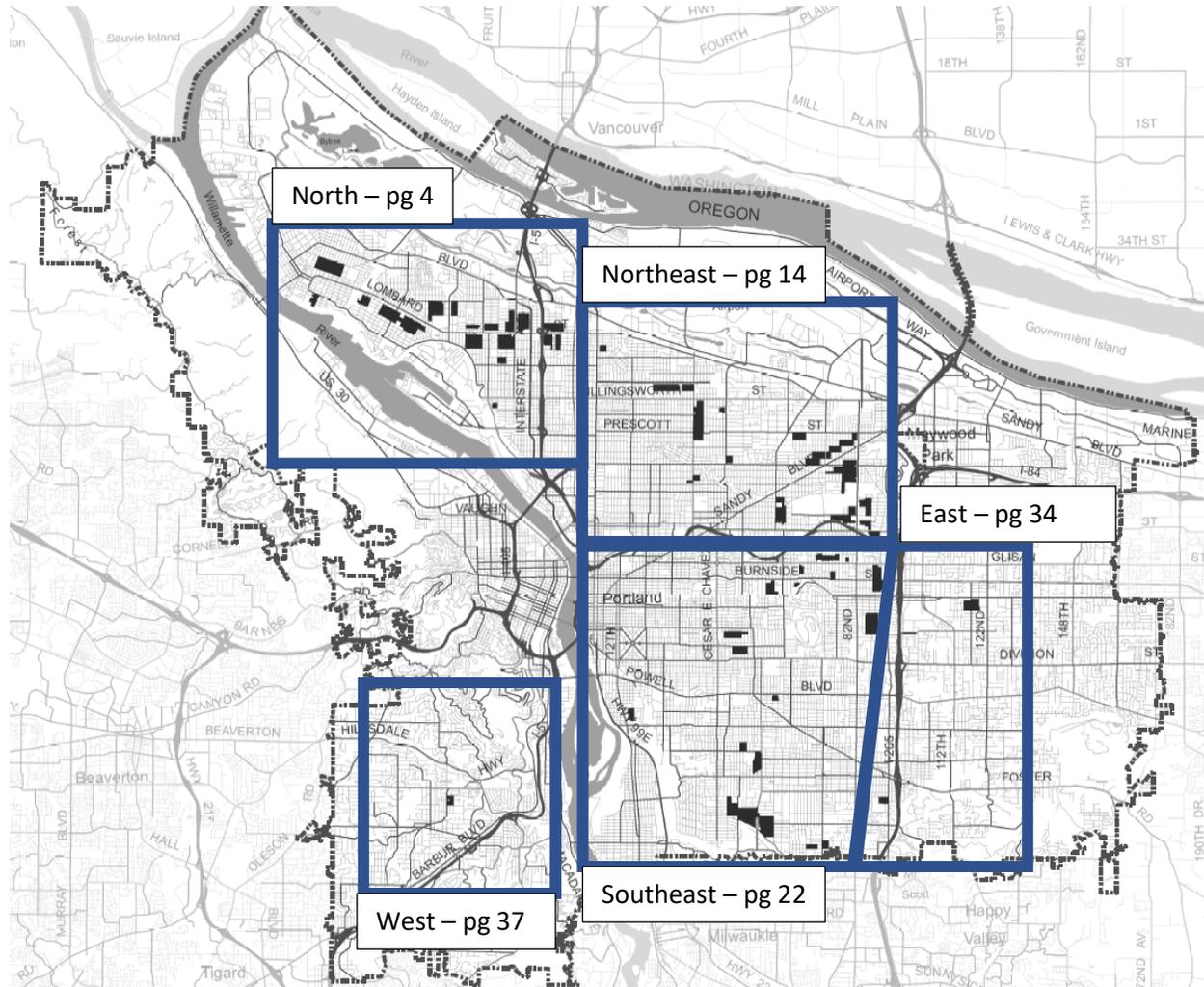
The following physical factors weighed *unfavorably* towards rezoning:

- **Discontinuous and unclear zoning patterns.** Creating inconsistent zoning patterns (for example, R2.5 leapfrogging across other zones or creating islands of isolated R2.5 zones) was avoided.
- **Public land.** Publicly-owned properties that are in public use.
- **Site constraints.** Areas with a high number of unimproved streets, poor connectivity or stormwater or topography issues.

**Equity Lens.** The equity analysis described in *Volume 1: Staff Report and Map Amendments*, Section 5, B. Rezoning Historically Narrow Lots was applied to the rezoning proposals but did not change the outcome.

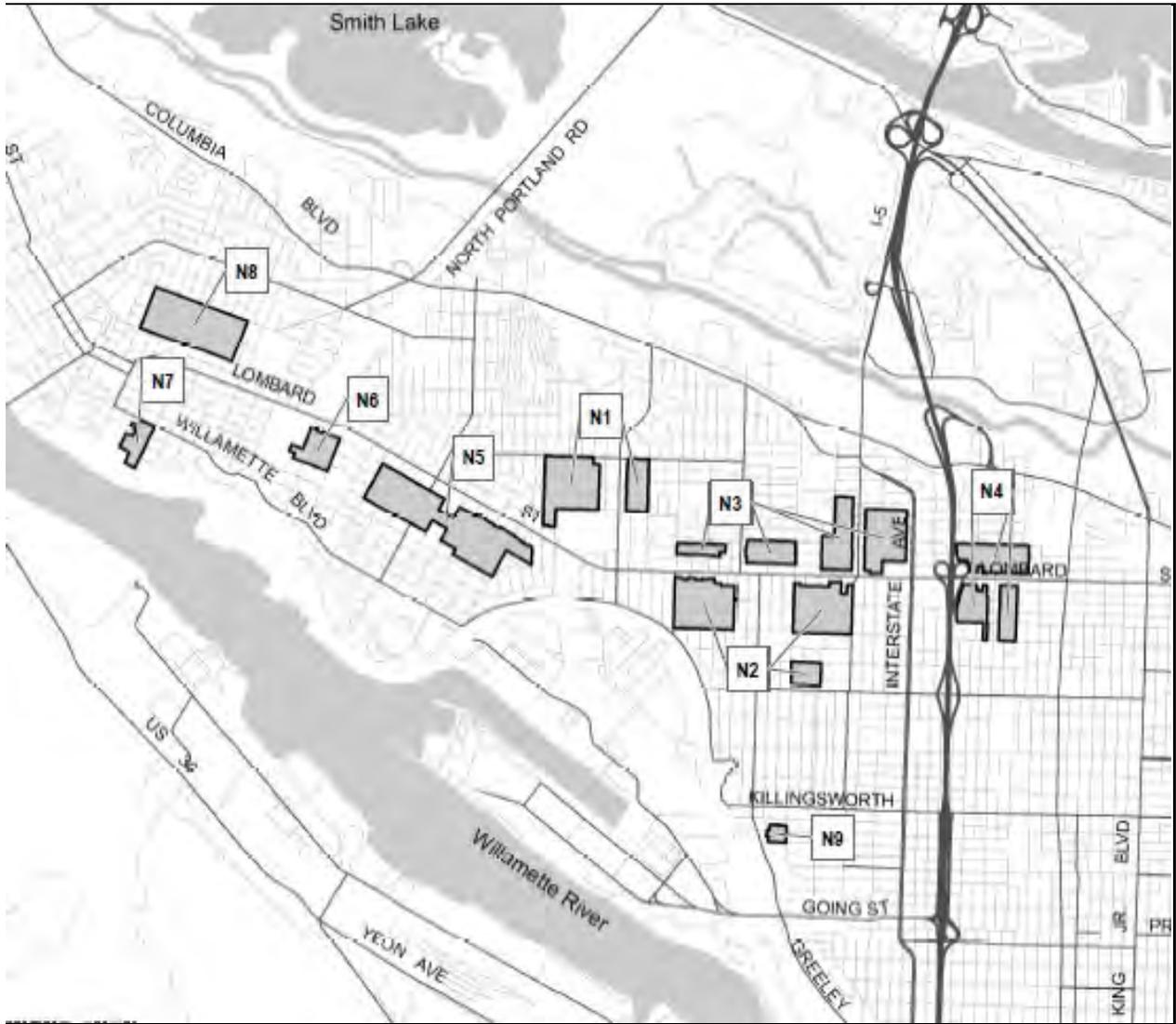


## Key to district area maps



## R2.5 Zone Change Proposals by District – North

There are nine maps that cover the areas of historically narrow lots proposed for zone changes from R5 to R2.5 in the North district.



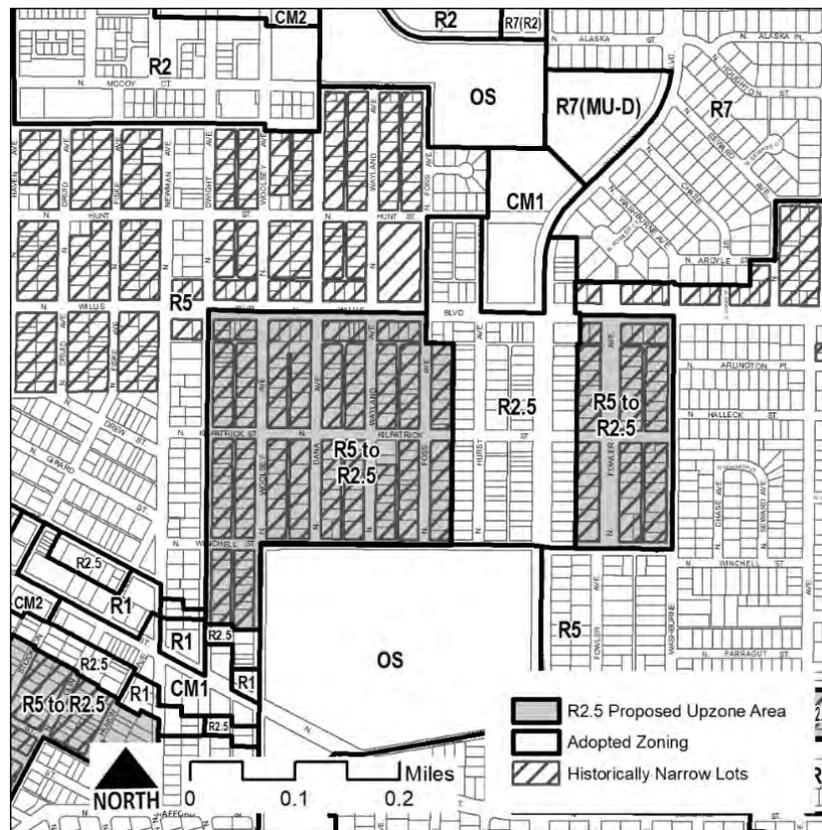
## North – 1

**Description:** R2.5 proposals are located in the area south of N Willis Boulevard and north of Columbia Park between N Dwight Avenue and N Washburne Avenue.

**Existing Zoning Pattern:** There is existing R2.5 zoning between the two sections of proposed R2.5 zoning and north of N Lombard Street.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The proposed rezoned properties are within two blocks of Columbia Park and transit services on Willis and Chautauqua. Some of the properties are within three blocks of commercial and transit services on Lombard. The properties are in between New Seasons Market on Lombard and Village Market in New Columbia.

**Physical Factors:** All the proposed rezoned properties have mid-block alleys. A number of lots in these areas have already taken advantage of historically narrow lots to create R2.5-density development.







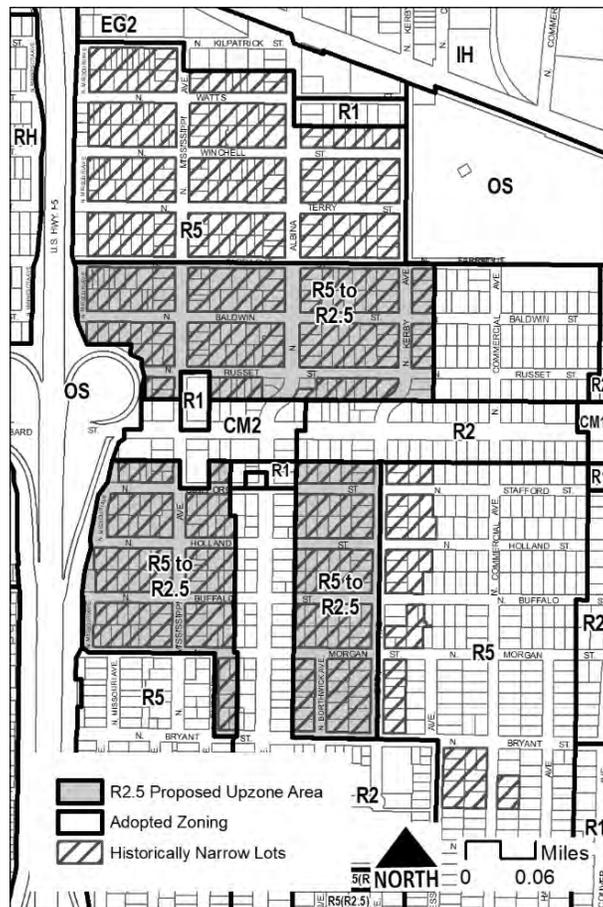
**North – 4**

**Description:** R2.5 proposals are located in the area north of N Bryant Street and south of N Farragut Street from I-5 east to N Congress Avenue.

**Existing Zoning Pattern:** The proposed R2.5 zoning provides a transition to the R2, R1 and mixed-use zoning along N Lombard Street and the R2 zoning along N Albina Avenue.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The proposed rezoned properties are within three blocks of commercial and transit services along Lombard. The MAX Yellow Line Lombard station is directly across I-5. The area is served by two parks – to the north is Farragut Park and to the south is Peninsula Park and Community Center. There are two nearby schools: Holy Redeemer Catholic High School and De La Salle North Catholic High School. For automobile users, the I-5 freeway is in close proximity.

**Physical Factors:** A number of lots have already taken advantage of historically narrow lots to create R2.5-density development in this area.





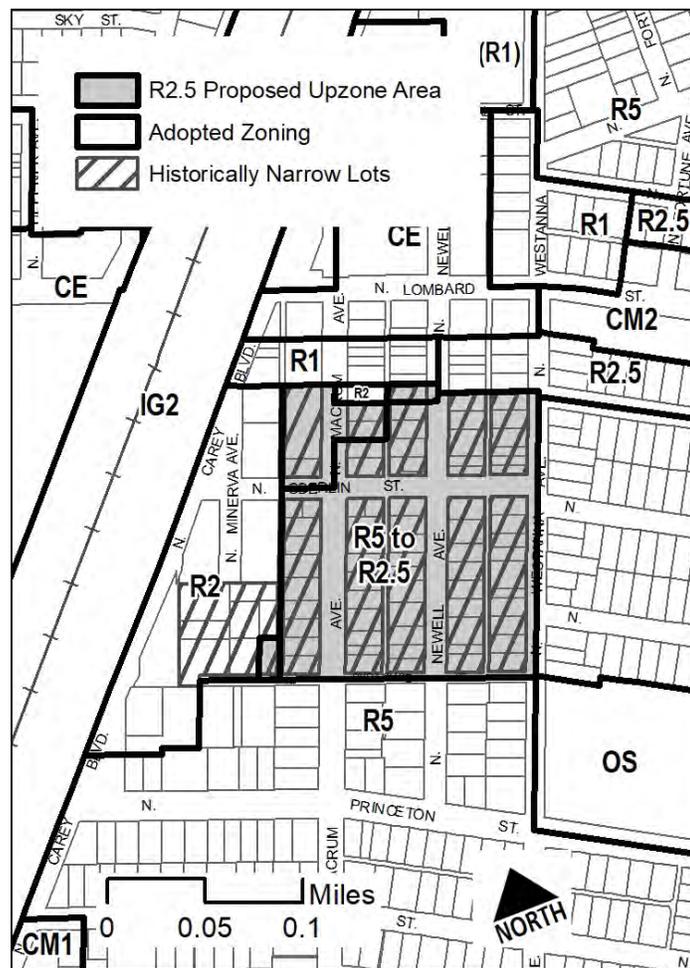
## North – 6

**Description:** R2.5 proposals are located in the area south of N Lombard Street and north of N Syracuse Street from N Carey Boulevard east to N Westanna Ave.

**Existing Zoning Pattern:** The proposed R2.5 zoning provides a transition to the R2 to the east and R1 and R2.5 south of Lombard.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The proposed rezoned properties are within three blocks of commercial and transit services along Lombard. This area is served by two parks – McKenna Park directly southeast of the proposed rezone area and Farragut Park further east. Southeast of the proposed rezoned area are Astor Elementary and the University of Portland. New Seasons Market is within one to six blocks.

**Physical Factors:** Most of the proposed rezoned properties have mid-block alleys. A number of lots have already taken advantage of historically narrow lots to create R2.5-density development in this area.



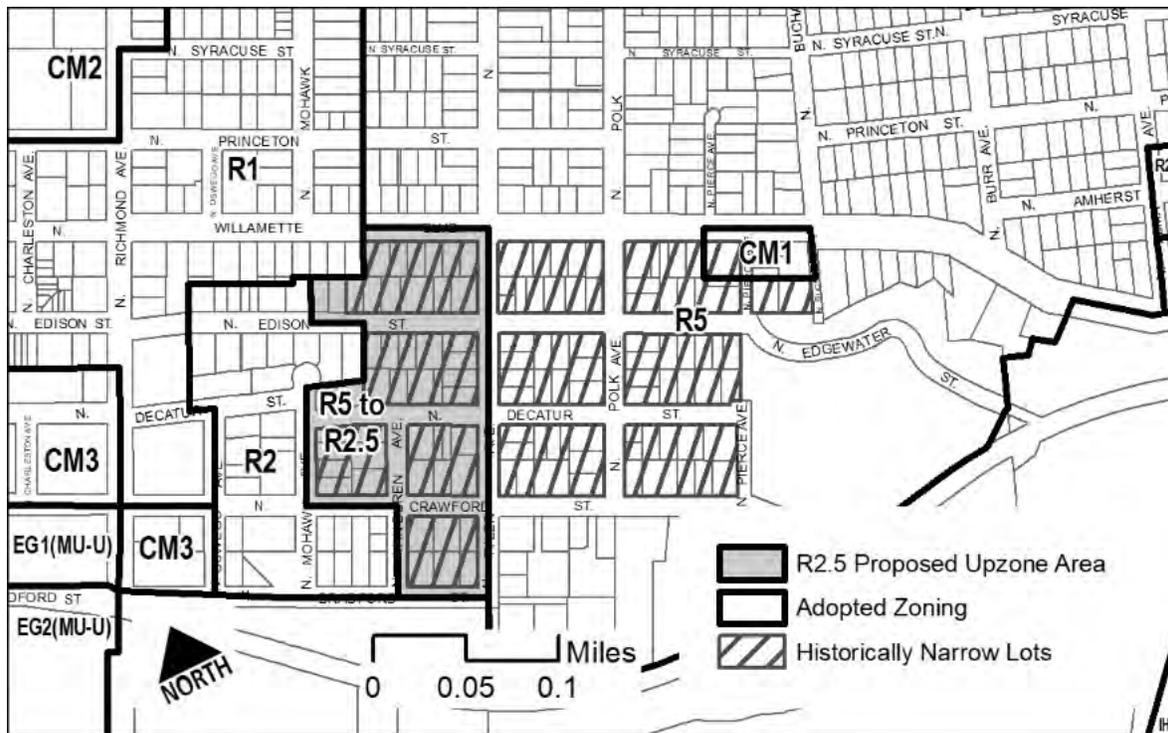
## North – 7

**Description:** R2.5 proposals are located in the area from N Willamette Boulevard south to the bluff and from N Mohawk Avenue east to N Tyler Avenue.

**Existing Zoning Pattern:** The proposed R2.5 zoning provides a transition between R5 and multi-dwelling zones nearby.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The proposed rezoned properties are within three blocks of a transit line on Willamette. Cathedral Park and the Willamette River are directly to the west. Grocery Outlet and other assorted retail services are within easy reach on N Lombard Street, with additional services on N Ivanhoe Street. The Willamette River is accessible and the striking St. Johns Bridge is also within easy view to the west.

**Physical Factors:** Most of the proposed rezoned properties have mid-block alleys. A number of lots have already taken advantage of historically narrow lots to create R2.5-density development in this area.



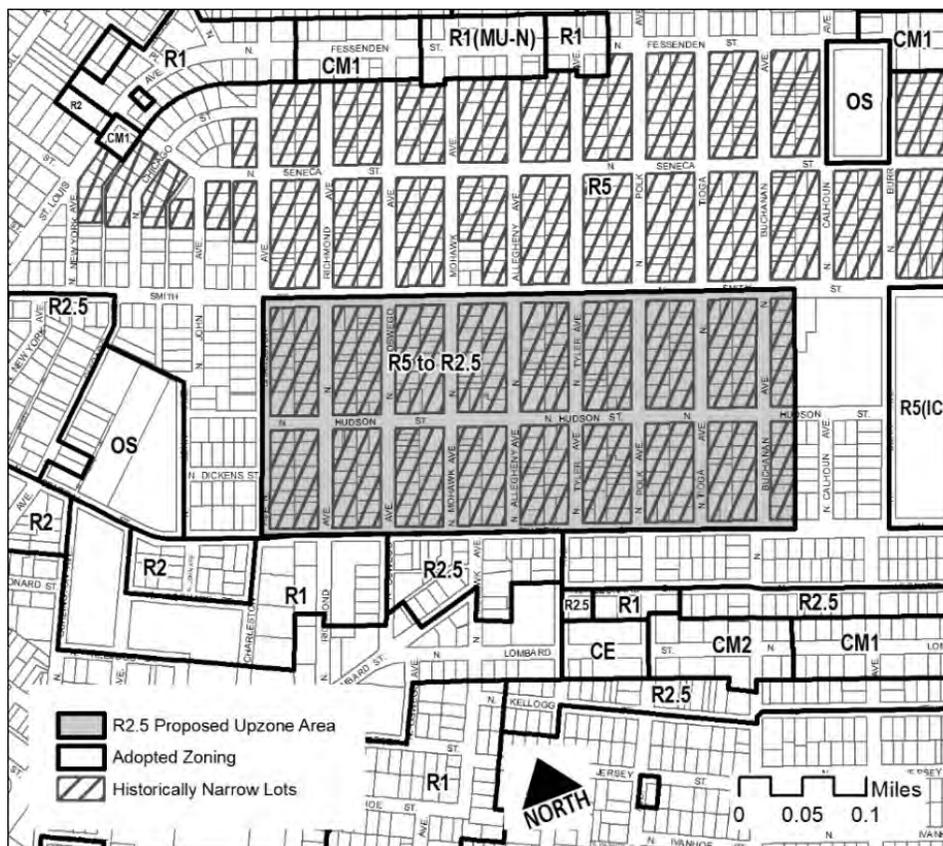
## North – 8

**Description:** The R2.5 proposal is located between N Fessenden Street to the north and N Lombard Street to the south from N Charleston Avenue east to N Buchanan Avenue.

**Existing Zoning Pattern:** The proposed R2.5 zoning provides a transition between multi-dwelling zoning to the south and R5 zoning to the north.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The proposed rezoned properties are within two to three blocks of commercial and transit services along Fessenden and Lombard. The area is served by two parks – George Park to the east and St. Johns City Park and Community Center to the west. The Regional Pier Park is also to the northwest. James John Elementary School, George Middle School and Roosevelt High School are nearby. This area is close to both the Willamette and Columbia Rivers.

**Physical Factors:** A number of lots in this area have already taken advantage of historically narrow lots to create R2.5-density development.



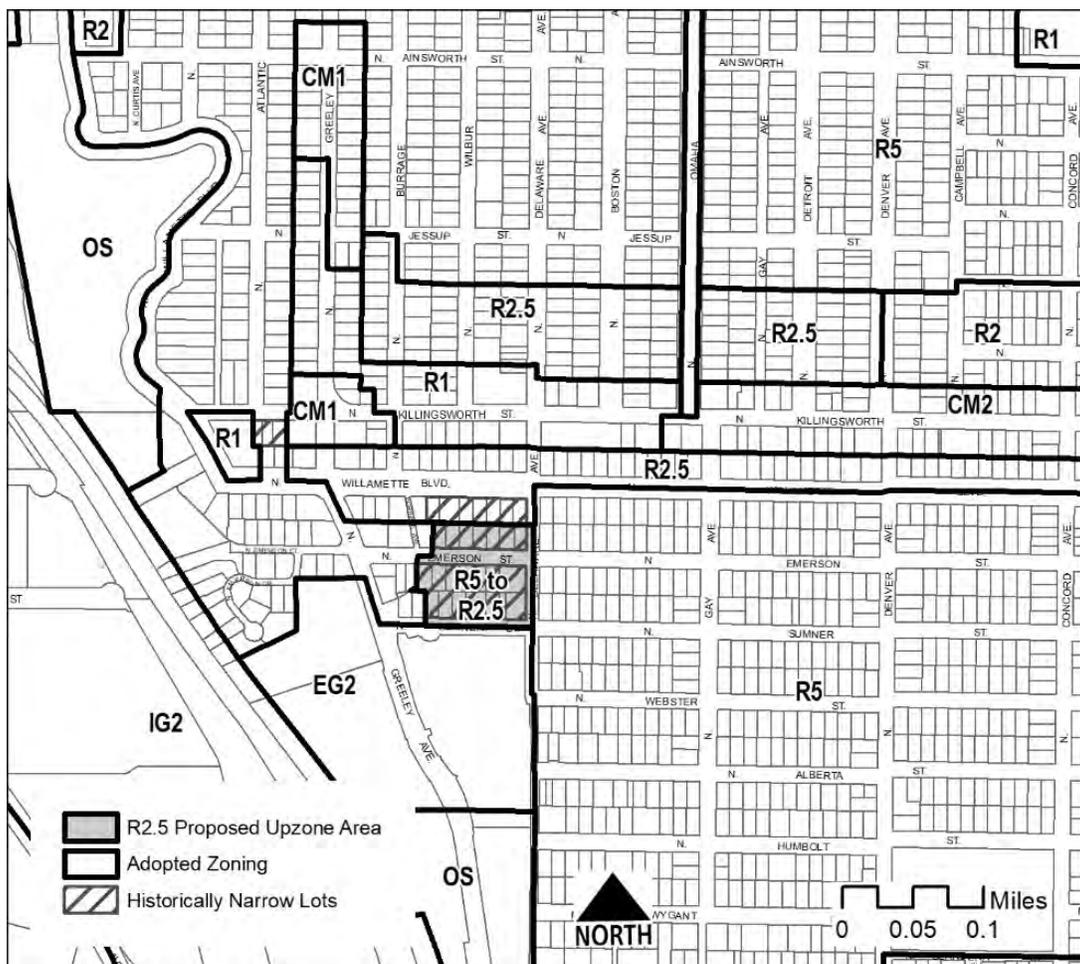
## North – 9

**Description:** R2.5 proposals are located in the area south of N Willamette Boulevard and north of N Sumner Street from N Greeley Avenue to N Delaware Avenue.

**Existing Zoning Pattern:** The proposed R2.5 zoning extends the existing R2.5 zoning along Willamette and provides a transition to EG2 zoning to the south.

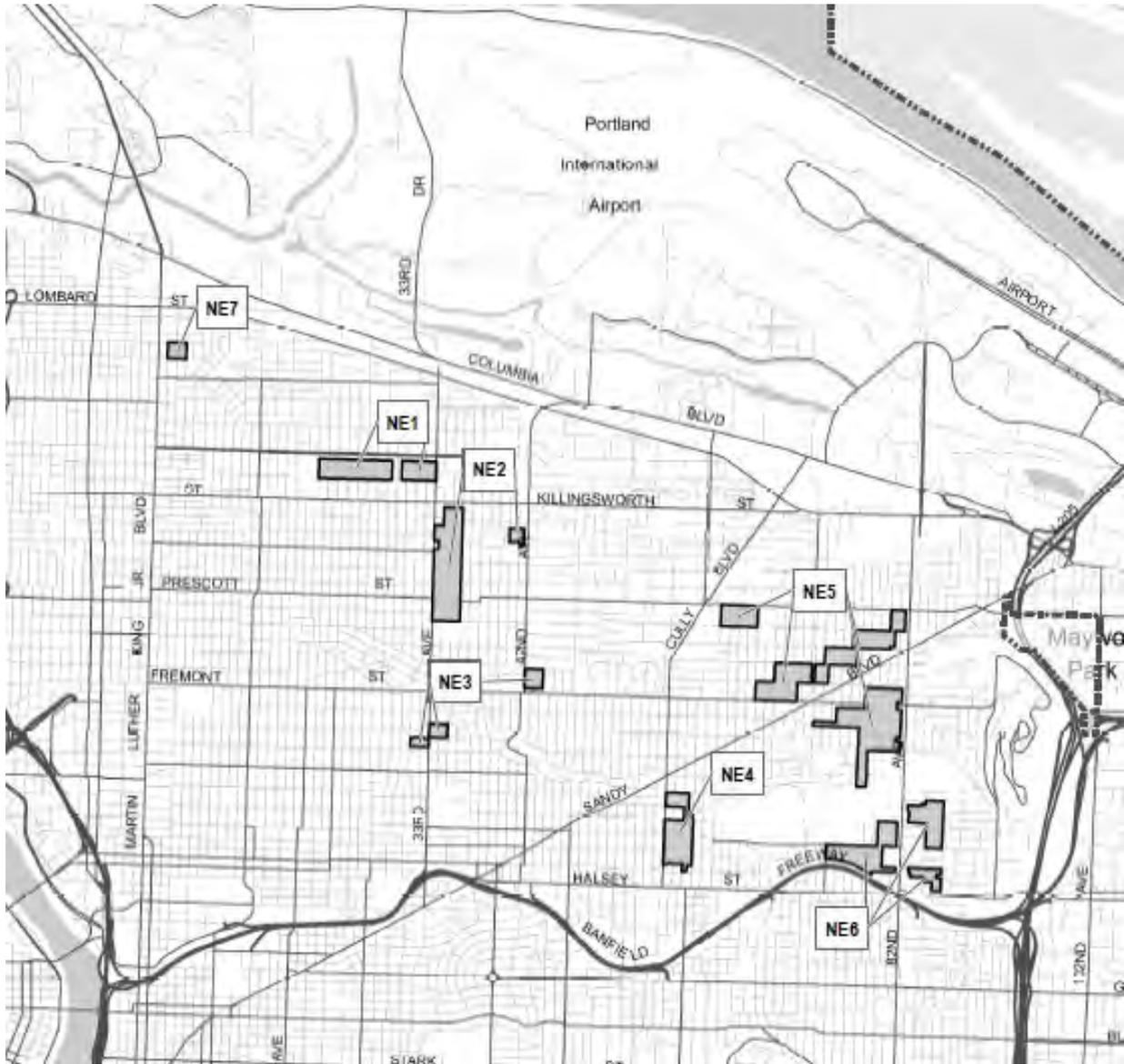
**Proximity to Centers, Corridors and Neighborhood Amenities:** The proposed rezoned properties have transit service along Greeley and Killingsworth. The MAX Yellow Line Killingsworth station is four blocks directly east of the area. Madonna Park is directly south and Beach Elementary School is five blocks southeast of the area.

**Physical Factors:** A number of lots in the area have already taken advantage of historically narrow lots to create R2.5-density development.



## R2.5 Zone Change Proposals by District – Northeast

There are seven maps that cover the areas of historically narrow lots proposed for zone changes from R5 to R2.5 in the Northeast district.



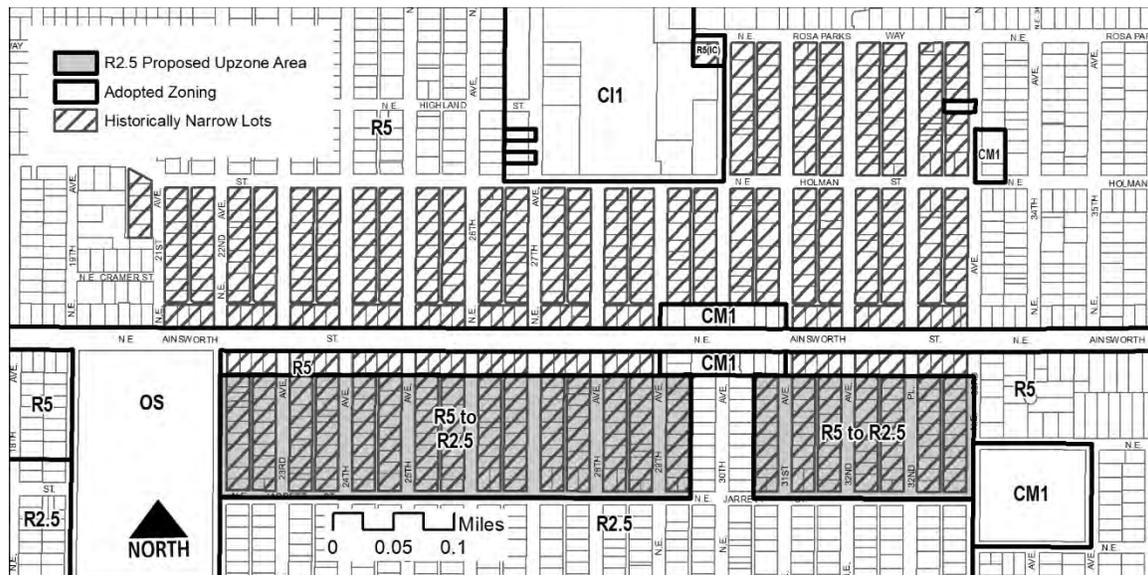
## Northeast – 1

**Description:** R2.5 proposals are located in the area south of NE Ainsworth Street and north of NE Jarrett Street from NE 22<sup>nd</sup> Avenue to NE 33<sup>rd</sup> Avenue.

**Existing Zoning Pattern:** The proposed R2.5 zoning extends the area of existing R2.5 zoning south to NE Killingsworth Street. The proposed R2.5 zoning does not include the lots fronting Ainsworth to maintain consistent R5 zoning along the park blocks on this section of Ainsworth.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The proposed rezoned properties have access to transit service along Killingsworth, NE 27<sup>th</sup> Avenue and 33<sup>rd</sup>. Scattered neighborhood commercial services on 33<sup>rd</sup> include New Seasons Market and Walgreens, and a small commercial node exists at NE 30<sup>th</sup> Avenue and Killingsworth. Alberta Park is directly east of the proposed rezoned area. Vestal Elementary is one block to the south, Faubion Elementary School is three blocks to the north and Concordia University is one block to the north.

**Physical Factors:** All the proposed rezoned properties have mid-block alleys. A number of lots in the area have already taken advantage of historically narrow lots to create R2.5-density development.



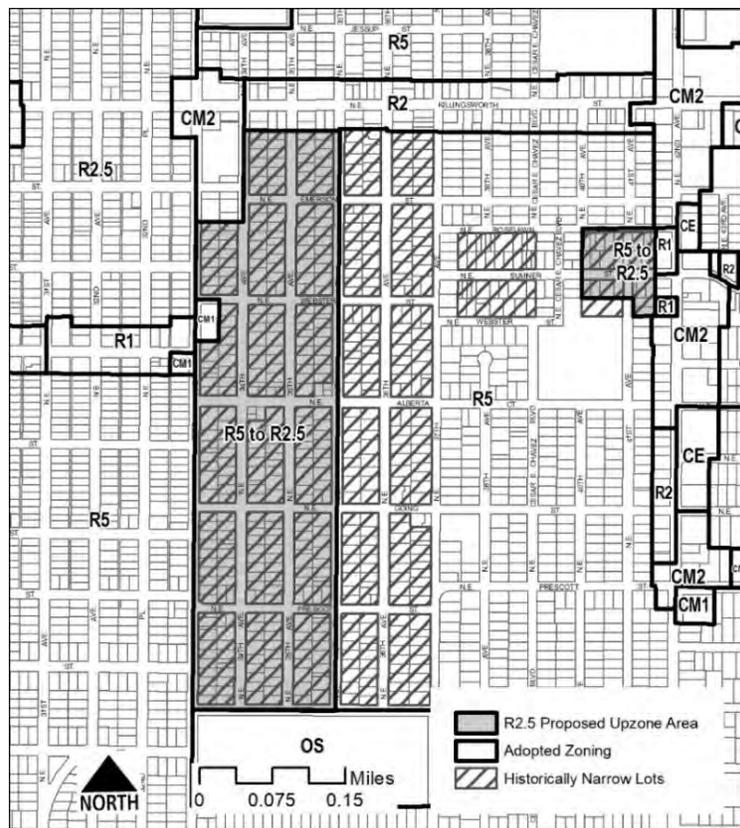
## Northeast – 2

**Description:** Most of the proposed R2.5 properties are located south of NE Killingsworth Street and north of NE Skidmore Street from NE 33<sup>rd</sup> Avenue to NE 37<sup>th</sup> Avenue. To the east, a smaller area of R2.5 is proposed south of NE Roselawn Street and north of NE Webster Street just to the west of NE 42<sup>nd</sup> Avenue.

**Existing Zoning Pattern:** The proposed R2.5 zoning extends the pattern of existing R2.5 zoning south of Killingsworth to the west and extends R2.5 zoning down the east side of 33<sup>rd</sup>, a commercial street served by transit.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The proposed rezoned properties are within three blocks of commercial and transit services along 33<sup>rd</sup>, Killingsworth, 42<sup>nd</sup> and NE Alberta Street. New Seasons Market is in the proposed rezone area at NE Emerson Street and 33<sup>rd</sup>. Wilshire Park is directly south of the area along 33<sup>rd</sup>, and Fernhill Park is to the north across Killingsworth. There are neighborhood commercial uses along NE 42<sup>nd</sup> Avenue, and the Portland Community College Workforce Training Center is on Killingsworth.

**Physical Factors:** Several lots in the area for proposed rezoning have already taken advantage of historically narrow lots to create R2.5-density development.



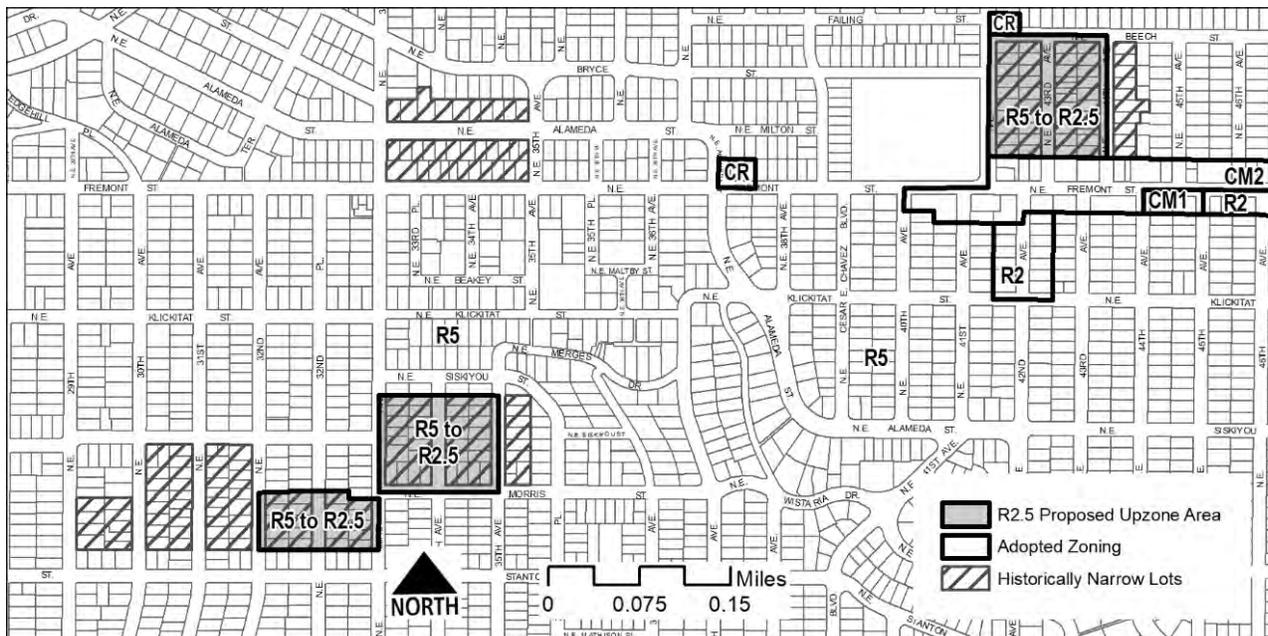
### Northeast – 3

**Description:** This map shows three areas of proposed R2.5 rezoning near NE Fremont Street. The area north of Fremont is located between Fremont and NE Beech Street from NE 42<sup>nd</sup> Avenue to NE 44<sup>th</sup> Avenue. One area south of Fremont is bound by NE 33<sup>rd</sup> Avenue, NE 35<sup>th</sup> Avenue, NE Siskiyou Street and NE Morris Street, and another is bound by 33<sup>rd</sup>, NE 32<sup>nd</sup> Avenue and NE Stanton Street near NE Morris Street.

**Existing Zoning Pattern:** The northern area provides a transition to the CM2 zoning along the north side of Fremont and the surrounding R5-zoned areas to the north and west.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The northern area is within one block of commercial and transit services along Fremont as well as transit service along 42<sup>nd</sup>. Rose City Cemetery is three blocks to the east, Wilshire Park is six blocks to the northwest and Beaumont Middle School is across 42<sup>nd</sup> to the west. The southern areas have transit access along 33<sup>rd</sup> and are two blocks north of Grant Park and Grant High School.

**Physical Factors:** In all areas, a number of lots have already taken advantage of historically narrow lots to create R2.5-density development.



## Northeast – 4

**Description:** R2.5 proposals are south of NE Braze Street and north of NE Broadway from NE 57<sup>th</sup> Avenue to NE 60<sup>th</sup> Avenue.

**Existing Zoning Pattern:** The proposed R2.5 zoning adjacent to R1 zoning to the northwest, with R5 zoning surrounding the rest of the area.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The proposed rezoned properties have access to transit service along NE Halsey Street and 57<sup>th</sup>. Neighborhood commercial services exist to the north on NE Sandy Boulevard and at the 57<sup>th</sup>/Halsey node. Rose City Park and Normandale Park, Rose City Park Elementary and Frazer School are nearby.

**Physical Features:** Several lots in the area have already taken advantage of historically narrow lots to create R2.5-density development.



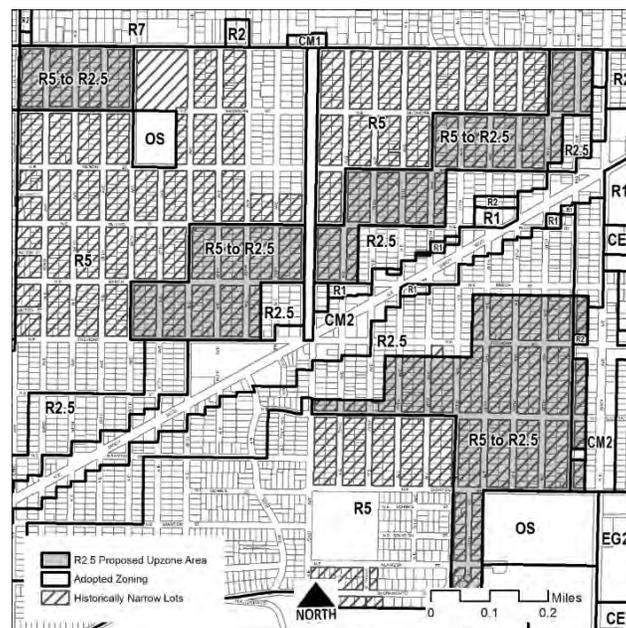
## Northeast – 5

**Description:** R2.5 proposals are located in three areas: north of NE Sandy Boulevard between NE 66<sup>th</sup> Avenue and NE 82<sup>nd</sup> Avenue, south of NE Prescott Street between NE 62<sup>nd</sup> Avenue and 66<sup>th</sup>, and an area that includes NE Beech Street to NE Siskiyou Street between NE 78<sup>th</sup> Avenue and NE 81<sup>st</sup> Avenue as well as properties along NE 77<sup>th</sup> Avenue between Siskiyou and NE Sacramento Street.

**Existing Zoning Pattern:** The proposed R2.5 zoning extends the area of existing R2.5 zoning. On the north side of Sandy, the proposed R2.5 area extends the R2.5 zone one block north of the current R2.5 zone that is adjacent to mixed use zoning along Sandy. South of Sandy, the proposed R2.5 area extends the R2.5 zone adjacent to mixed use zoning along Sandy by one to three blocks.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The proposed areas for rezoning have access to frequent transit service along the major corridors of NE 82<sup>nd</sup> Avenue and Sandy. Neighborhood commercial services exist on both streets, with the Comprehensive Plan-designated Neighborhood Center extending from NE 72<sup>nd</sup> Avenue to 82<sup>nd</sup>. This area includes Madison High School, Glenhaven Park, Roseway Heights Elementary School and Rose City Golf Course all within three to six blocks. The five-block area between 62<sup>nd</sup> and 66<sup>th</sup> south of Prescott is in close proximity to Harvey Scott School, Wellington Park and the commercial area at NE Cully Boulevard and Prescott. Transit is available on Prescott connecting to Cully and 82<sup>nd</sup>.

**Physical Factors:** A number of lots in these areas for proposed rezoning have already taken advantage of historically narrow lots to create R2.5-density development.



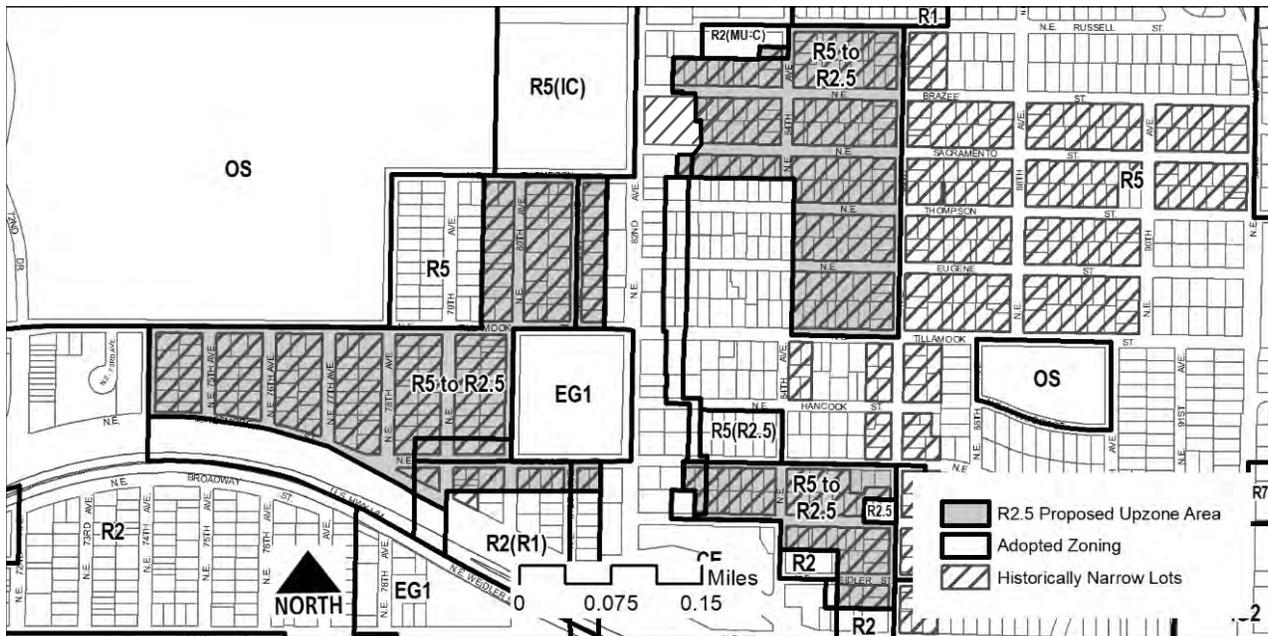
## Northeast – 6

**Description:** R2.5 proposals are located in three areas: east of NE 82<sup>nd</sup> Avenue to NE 86<sup>th</sup> Avenue between NE Russell Street and NE Tillamook Street, NE Schuyler Street to I-84, and west of 82<sup>nd</sup> between Rose City Golf Course and I-84.

**Existing Zoning Pattern:** The proposed R2.5 zoning extends the existing R2.5 zone by one block east of 82<sup>nd</sup> and by two to six blocks west of 82<sup>nd</sup>, where it is adjacent to the golf course.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The proposed rezoned areas have access to frequent transit service along 82<sup>nd</sup> and the MAX Light Rail 82<sup>nd</sup> Avenue station. Scattered neighborhood commercial services exist on 82<sup>nd</sup>. This area includes Madison High School, Glenhaven Park and the Rose City Golf Course. East of 82<sup>nd</sup>, Hancock Park is nearby at NE 87<sup>th</sup> Avenue and Tillamook.

**Physical Factors:** A number of lots in the area for proposed rezoning have already taken advantage of historically narrow lots to create R2.5-density development.



## Northeast – 7

**Description:** R2.5 proposals are located from NE Morgan Street south to NE Bryant Street from NE Grand Avenue east to NE 7<sup>th</sup> Avenue.

**Existing Zoning Pattern:** The proposed R2.5 zoning extends the area of existing R2.5 zoning north one block. This one-by-two-block proposal abuts medium-density residential (R1) zoning to the west.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The proposed rezoned properties have access to transit service along Grand and NE Martin Luther King, Jr. Boulevard (MLK) and NE Dekum Street. Neighborhood commercial services exist on Dekum and MLK. Woodlawn Park is east of the proposed rezoned area, with Woodlawn Elementary School and various childcare facilities nearby.

**Physical Factors:** Several lots in the area have already taken advantage of historically narrow lots to create R2.5-density development.

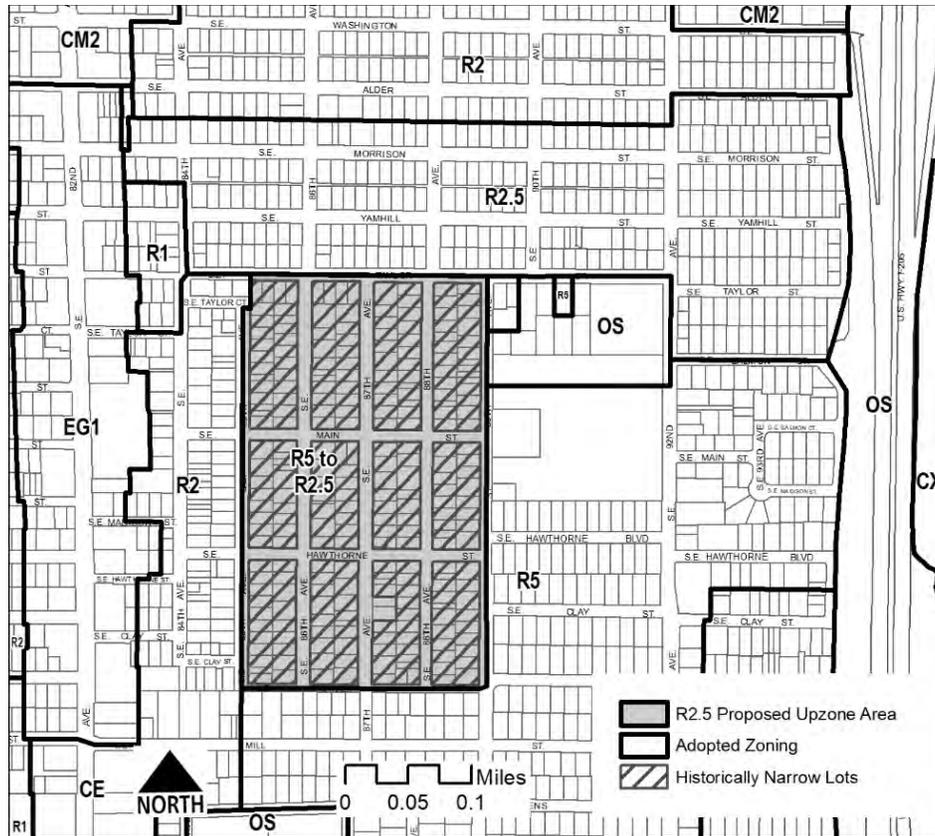


## R2.5 Zone Change Proposals by District – Southeast

There are 11 maps that cover the areas of historically narrow lots proposed for zone changes from R5 to R2.5 in the Southeast district.







## Southeast – 2

**Description:** R2.5 proposals are located in the area from NE Glisan Street south to SE Pine Street from 87<sup>th</sup> Avenue to SE 93<sup>rd</sup> Avenue.

**Existing Zoning Pattern:** This area is surrounded to the east and south with R2.5 zoning.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The proposed rezoned properties are within five blocks of commercial and transit services along 82<sup>nd</sup> Avenue. Transit service to the north along Glisan connects to the Gateway Transit Center and to the south along SE Washington Street and SE Alder Street. The area is directly west and south of Columbia Christian School. Montavilla Park and Multnomah University are two blocks north of this area.

**Physical Factors:** A number of lots in the area have already taken advantage of historically narrow lots to create R2.5-density development. Properties north of NE Couch Street have mid-block alleys.

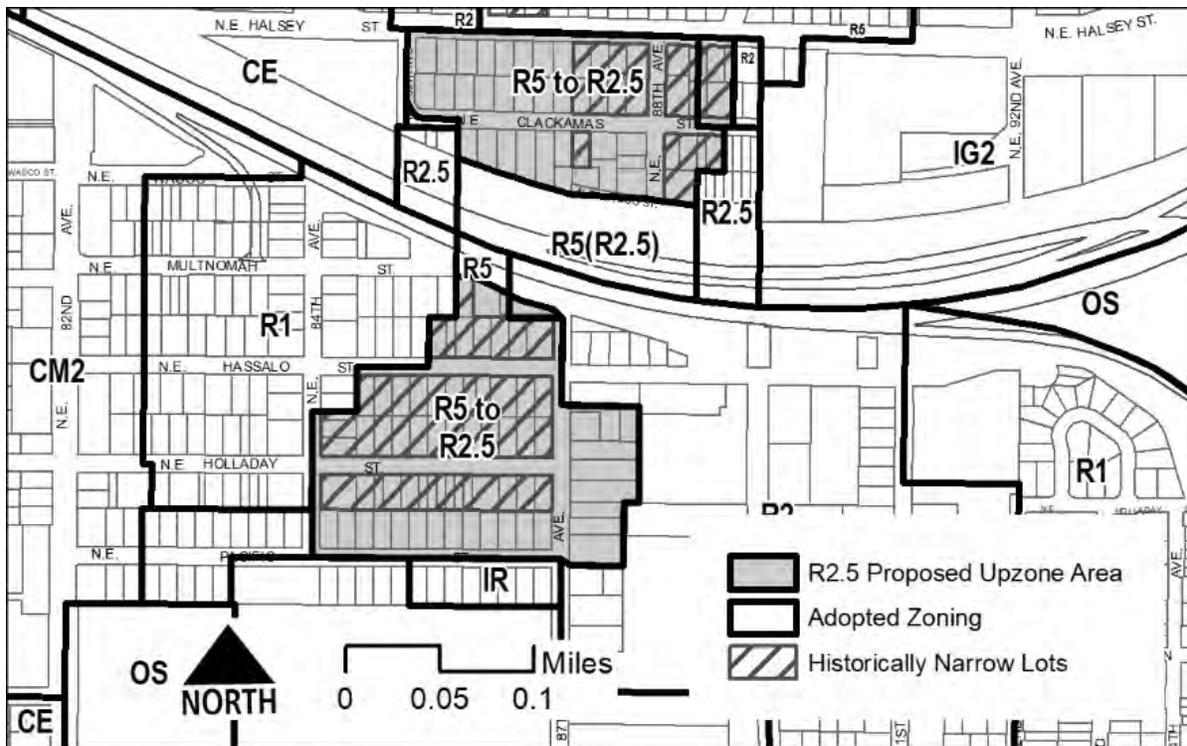
### Southeast – 3

**Description:** R2.5 proposals straddle I-84 south of NE Halsey Street and north of NE Pacific Street from NE 84<sup>th</sup> Avenue to NE 90<sup>th</sup> Avenue.

**Existing Zoning Pattern:** North of I-84, this area is east of CE zoning and west of IG2 zoning. South of I-84, this area is east of R1 zoning and west of R2 zoning.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The proposed rezoned properties are within one to two blocks of commercial and transit services along NE 82<sup>nd</sup> Avenue that connects to the MAX Light Rail 82nd Avenue station. The area is directly north of Montavilla Park and Multnomah University.

**Physical Factors:** A number of lots in the area along NE Clackamas Street and NE Holladay Street have already taken advantage of historically narrow lots to create R2.5-density development.



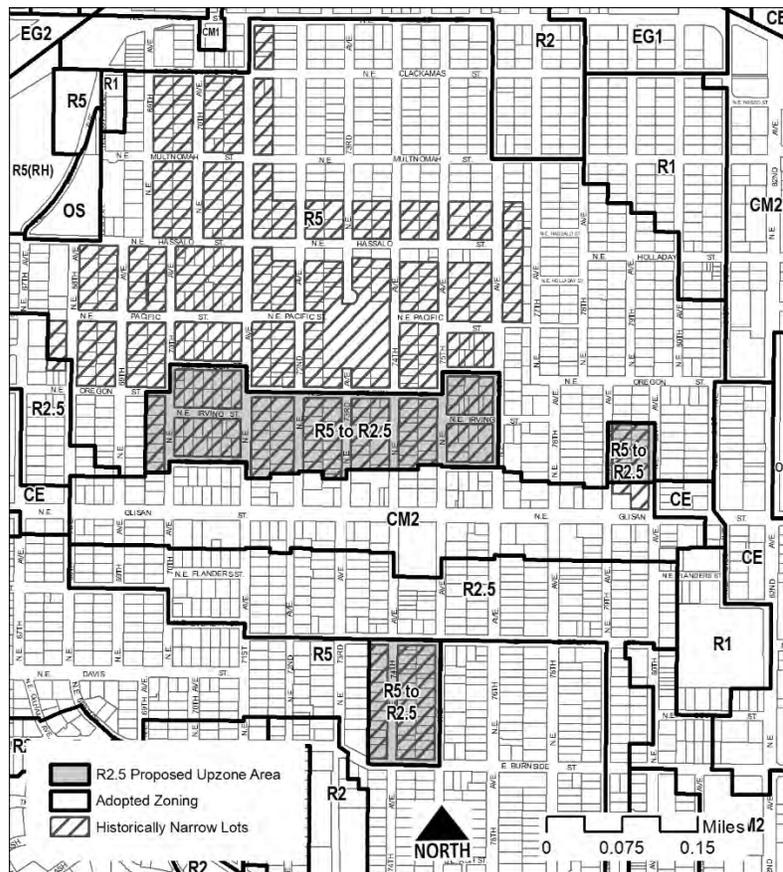
## Southeast – 4

**Description:** Most of the properties proposed for R2.5 zoning are located in the area north of NE Glisan Street and south of NE Oregon Street from NE 68<sup>th</sup> Avenue to NE 80<sup>th</sup> Avenue. To the south, a smaller area of R2.5 is proposed between NE Burnside Street and NE Everett Street between NE 73<sup>rd</sup> Avenue and NE 75<sup>th</sup> Avenue.

**Existing Zoning Pattern:** The proposed R2.5 zoning provides a transition to the CM2 north of Glisan. It also reflects the existing R2.5 zoning pattern on the south side of Glisan. To the south, the proposed R2.5 expands R2.5 zoning along the proposed Seventies Neighborhood Greenway alignment.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The northern properties are within three blocks of commercial services including a grocery store and transit service along Glisan, and they are five blocks west of Montavilla Park. The southern properties are directly north of transit service on Burnside. East of the proposed rezoned area is Vestal Elementary School. The Seventies Neighborhood Greenway alignment is proposed along 75<sup>th</sup> Avenue.

**Physical Factors:** A number of lots in the southern area have already taken advantage of historically narrow lots to create R2.5-density development.



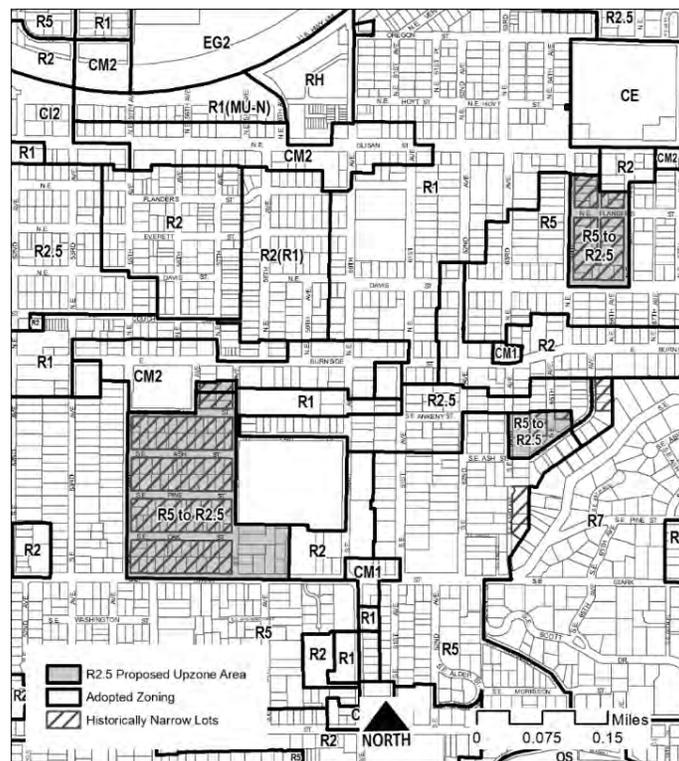
## Southeast – 5

**Description:** Most of the properties proposed for R2.5 zoning are located in the area from East Burnside Street south to SE Stark Street between SE 55<sup>th</sup> Avenue and SE 66<sup>th</sup> Avenue. To the north a smaller area of R2.5 is proposed between NE Glisan Street and NE Davis Street from NE 65<sup>th</sup> Avenue to 66<sup>th</sup>.

**Existing Zoning Pattern:** The proposed R2.5 zoning reflects existing application of the R2.5 zoning in the area. The two areas of proposed R2.5 to the south of Burnside are connected by existing R2.5 zoning.

**Proximity to Centers, Corridors and Neighborhood Amenities:** Most of the proposed properties south of Burnside are within three blocks of commercial services, including a QFC grocery store, and transit service along Burnside. All proposed rezoned areas have good access to MAX Light Rail service along Burnside. The northern properties are within three blocks of commercial and transit services along Glisan. Schools in the area include Mt. Tabor Middle School and Glencoe Elementary School.

**Physical Factors:** A number of lots have already taken advantage of historically narrow lots to create R2.5-density development.



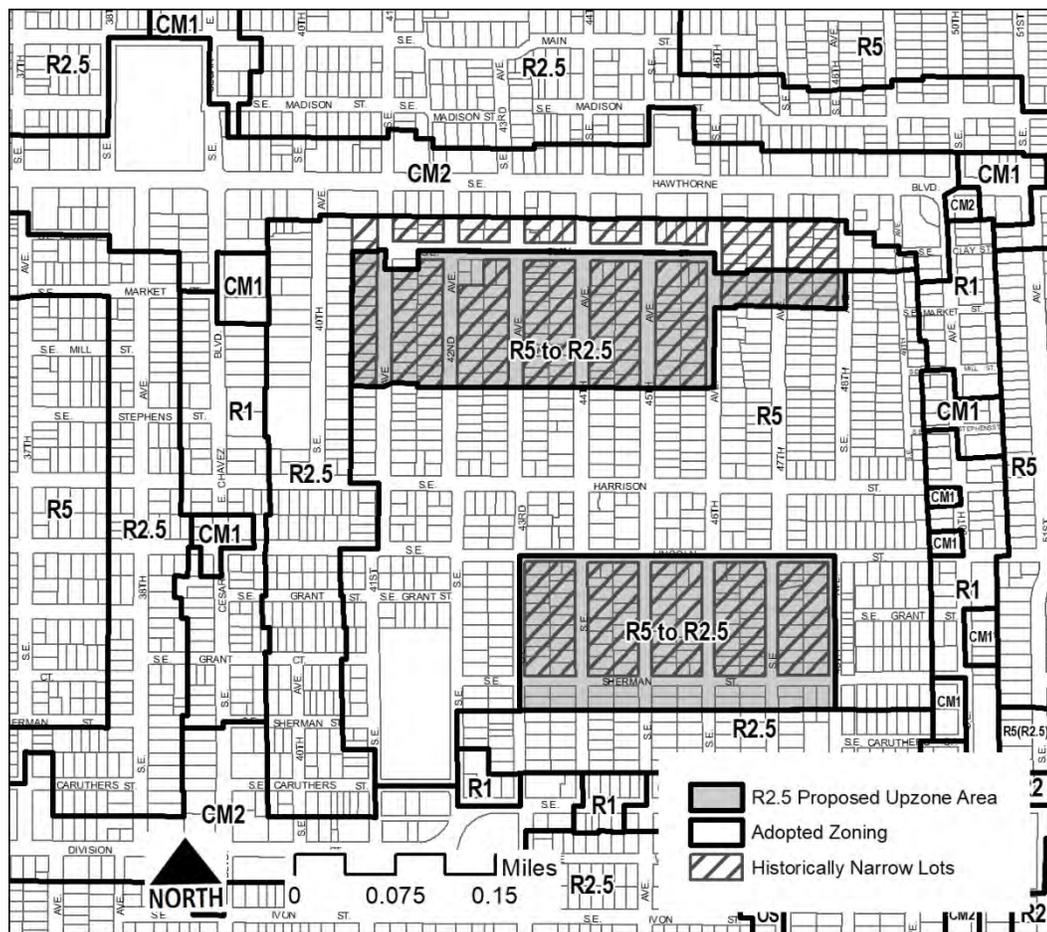
**Southeast – 6**

**Description:** The northern properties proposed for R2.5 zoning are located from SE Clay Street south one half-block from SE 40<sup>th</sup> Avenue to SE 48<sup>th</sup> Avenue. The southern properties are located from SE Division Street north to SE Lincoln Street from SE 43<sup>rd</sup> Avenue to 48<sup>th</sup>.

**Existing Zoning Pattern:** In both areas, the proposed R2.5 zoning extends the existing pattern of R2.5 zoning along SE Hawthorne Boulevard, Division and SE Cesar E. Chavez Boulevard.

**Proximity to Centers, Corridors and Neighborhood Amenities:** All the proposed properties are within three blocks of commercial and transit services along Hawthorne and Division. The area is bound by frequent bus service on Hawthorne, Division, Cesar E. Chavez and SE 50<sup>th</sup> Avenue. Richmond Elementary School is located within five blocks of the R2.5 proposals.

**Physical Factors:** A number of lots have taken advantage of historically narrow lots to create R2.5-density development.



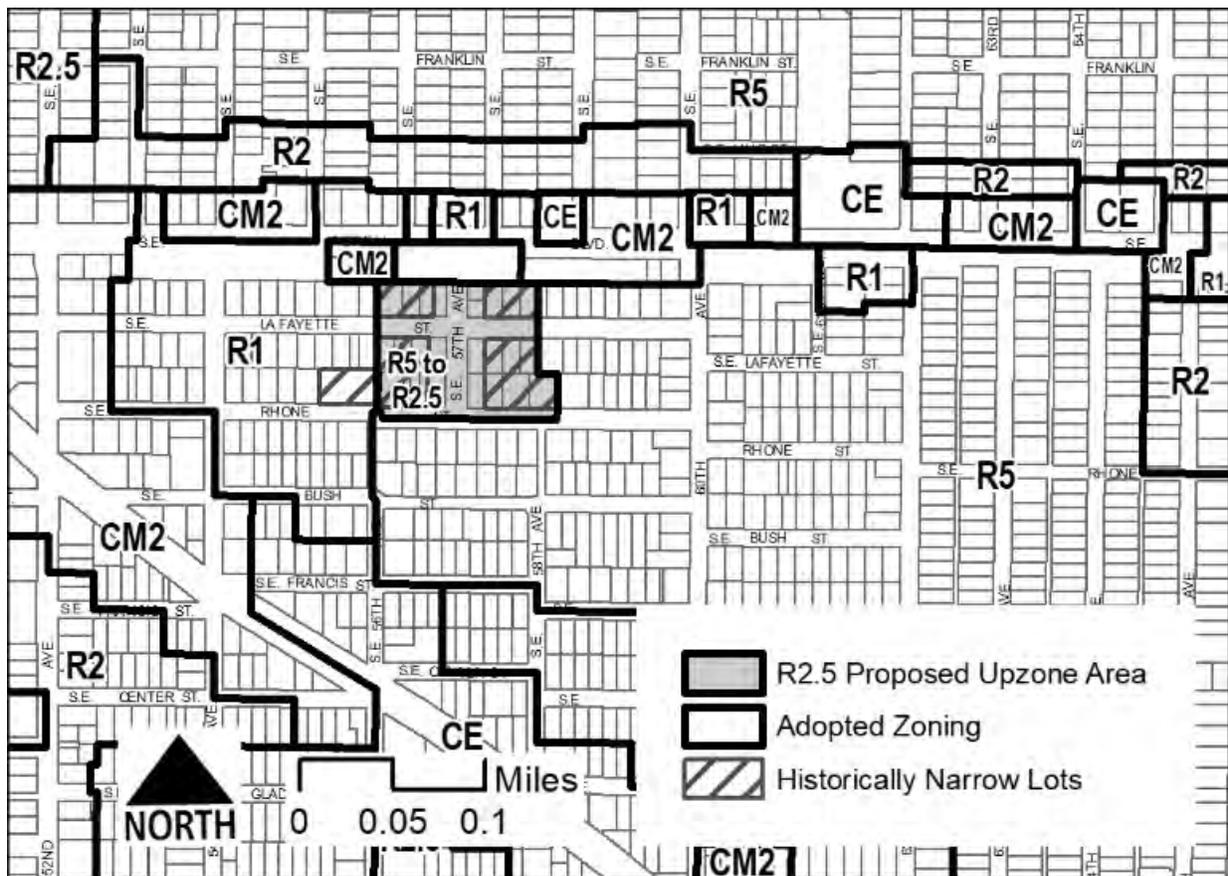
## Southeast – 7

**Description:** The R2.5 proposals are several lots deep east and west of SE 57<sup>th</sup> Avenue south of SE Powell Boulevard and north of SE Rhone Street.

**Existing Zoning Pattern:** The proposed R2.5 zoning provides a transition to the CM2 and row of off-street parking south of Powell, as well as between the R1 zoning east of SE 52<sup>nd</sup> Avenue and the surrounding R5 zoning. R2.5 zoning of similar depth exists along SE Foster Road.

**Proximity to Centers, Corridors and Neighborhood Amenities:** All the proposed rezoned properties are within three blocks of commercial and transit services along Powell. The area is four blocks north of commercial and transit services on Foster. Creston Park and Creston Elementary School are located four blocks to the west. Franklin High School is located four blocks to the north.

**Physical Factors:** A number of lots have already taken advantage of historically narrow lots to create R2.5-density development.



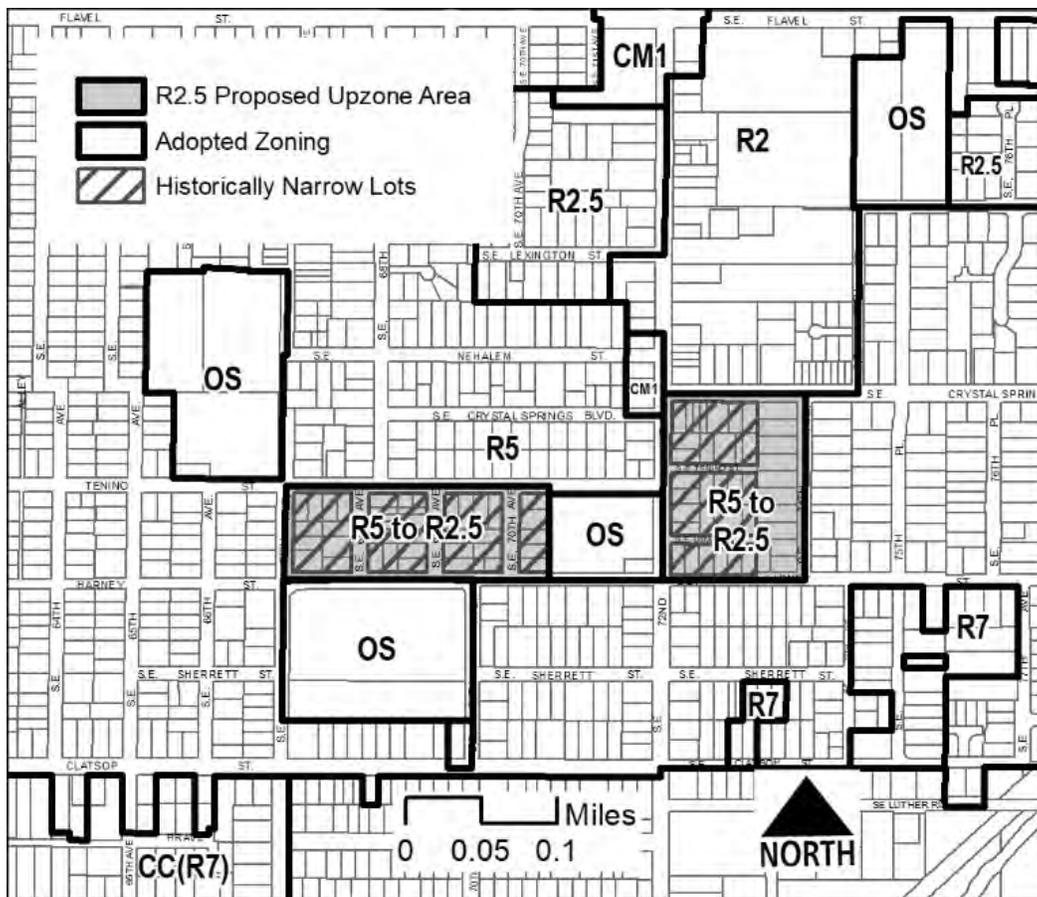
## Southeast – 8

**Description:** The R2.5 proposals are in the area from SE Harney Street north to SE Crystal Springs Boulevard between SE 67<sup>th</sup> Avenue and SE 74<sup>th</sup> Avenue.

**Existing Zoning Pattern:** The proposed R2.5 zoning provides a transition between the R2 zoning north of Crystal Springs and the OS zoning on the nearby parks and cemetery. R2.5 zoning currently exists north of the proposals.

**Proximity to Centers, Corridors and Neighborhood Amenities:** Most of the proposed rezoned properties are within three blocks of transit service along SE 72<sup>nd</sup> Avenue. The area is surrounded by open spaces including Harvey Park to the south, Mount Hood Little League and a cemetery. Whitman Elementary School is located to the north.

**Physical Factors:** A number of lots have already taken advantage of historically narrow lots to create R2.5-density development.





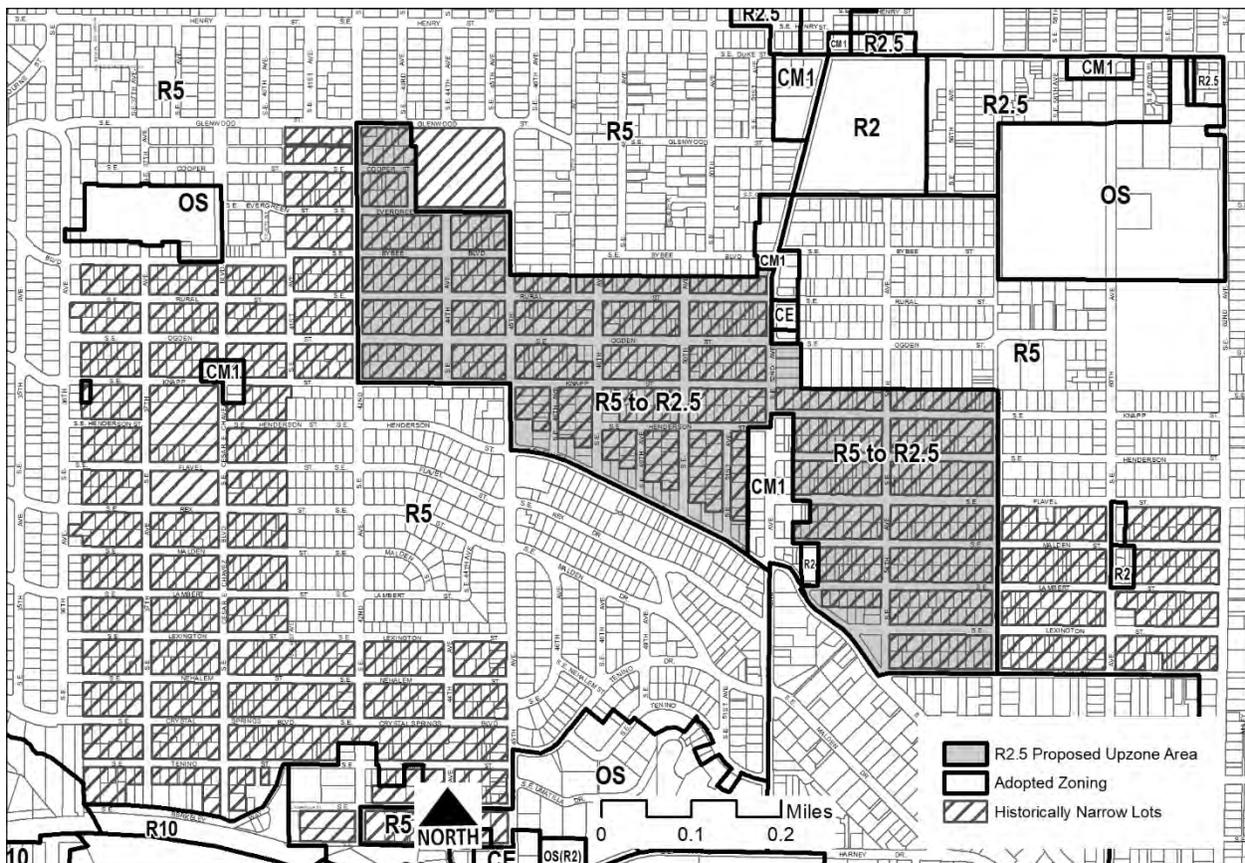
## Southeast – 10

**Description:** The R2.5 proposals generally follow SE Flavel Drive and extend 6.5 to 3.5 blocks to the north between SE 42<sup>nd</sup> Avenue and SE 57<sup>th</sup> Avenue.

**Existing Zoning Pattern:** R2.5 zoning exists to the north along Duke and Woodstock.

**Proximity to Centers, Corridors and Neighborhood Amenities:** Most of the properties proposed for R2.5 zoning are within three blocks of commercial and transit services along SE 52<sup>nd</sup> Avenue. There is also transit service on SE 45<sup>th</sup> Avenue and Flavel. There are three nearby parks: Brentwood Park to the east, Errol Heights Park to the south and Berkeley Park to the west. The northwest portion of the area is adjacent to Lewis Elementary School, and Lane Middle School is one block to the east.

**Physical Factors:** A number of lots have already taken advantage of historically narrow lots to create R2.5-density development.



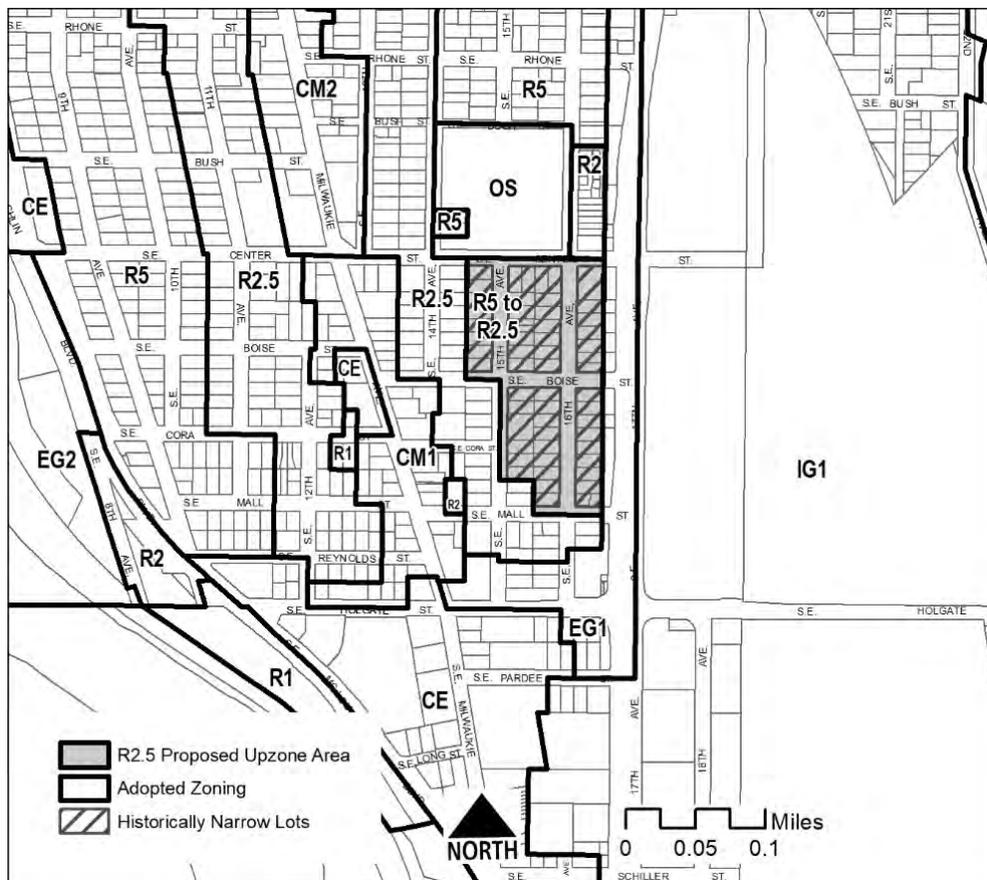
## Southeast – 11

**Description:** The R2.5 proposals are located from SE Center Street south to SE Mall Street between SE 15<sup>th</sup> Avenue and SE 17<sup>th</sup> Avenue.

**Existing Zoning Pattern:** The proposed R2.5 zoning extends the existing R2.5 zoning located behind the CM and EG zoning along SE Milwaukie Avenue to the entire area south of Center and west of 17<sup>th</sup>.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The proposed properties are within three blocks of commercial and transit services along Milwaukie. The area is adjacent to the MAX Orange Line station at 17<sup>th</sup> and SE Holgate Boulevard. Directly north are Brooklyn School Park and Winterhaven Elementary School.

**Physical Factors:** A number of lots have already taken advantage of historically narrow lots to create R2.5-density development.



## R2.5 Zone Change Proposals by District – East

There are two maps that cover the areas of historically narrow lots proposed for zone changes from R5 to R2.5 in the East district.



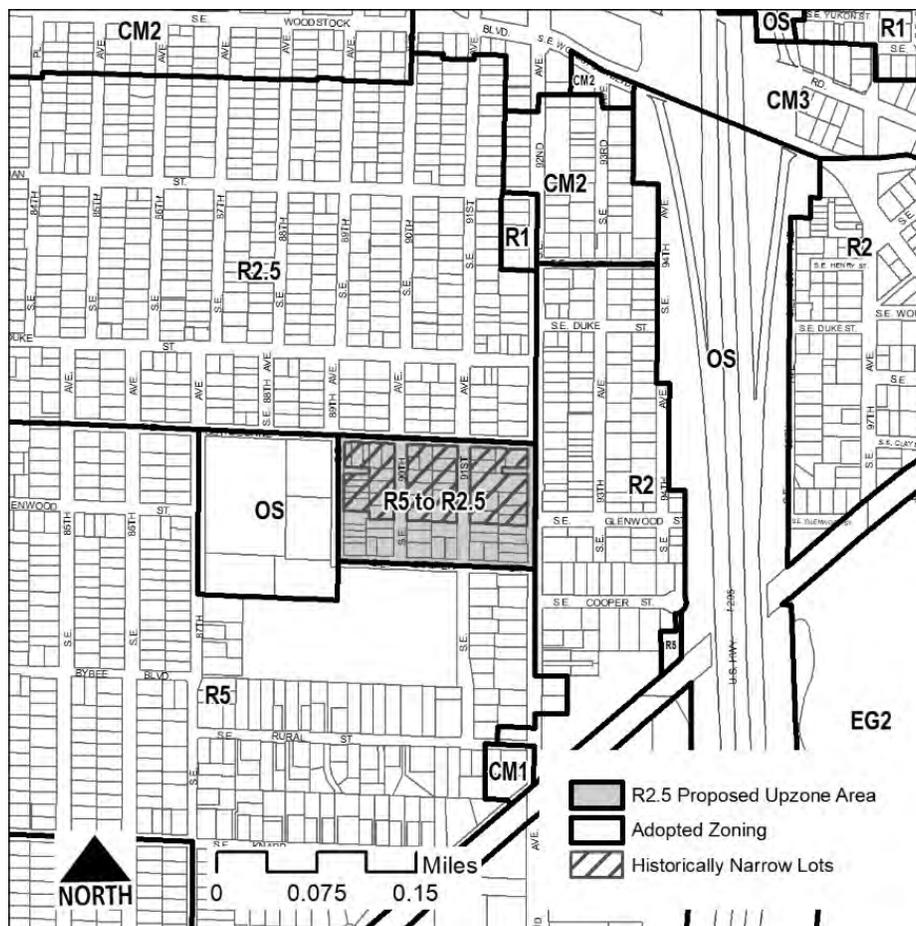
## East – 1

**Description:** The R2.5 proposals are located from SE Claybourne Street south to SE Cooper Street between SE 89<sup>th</sup> Avenue and SE 91<sup>st</sup> Avenue.

**Existing Zoning Pattern:** The proposed R2.5 zoning extends the existing R2.5 zoning north, with R2 zoning directly to the east and R5 zoning directly to the south.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The proposed properties are near commercial and transit services on SE 82<sup>nd</sup> Avenue, MAX Light Rail along the I-205 freeway and the Springwater Corridor Trail. The area is adjacent to Kelly Center Headstart, Kelly Street Elementary and Glenwood City Park.

**Physical Factors:** A number of lots have already taken advantage of historically narrow lots to create R2.5-density development.





## R2.5 Zone Change Proposals by District – West

There is one map that covers the areas of historically narrow lots proposed for zone changes from R5 to R2.5 in the West district.



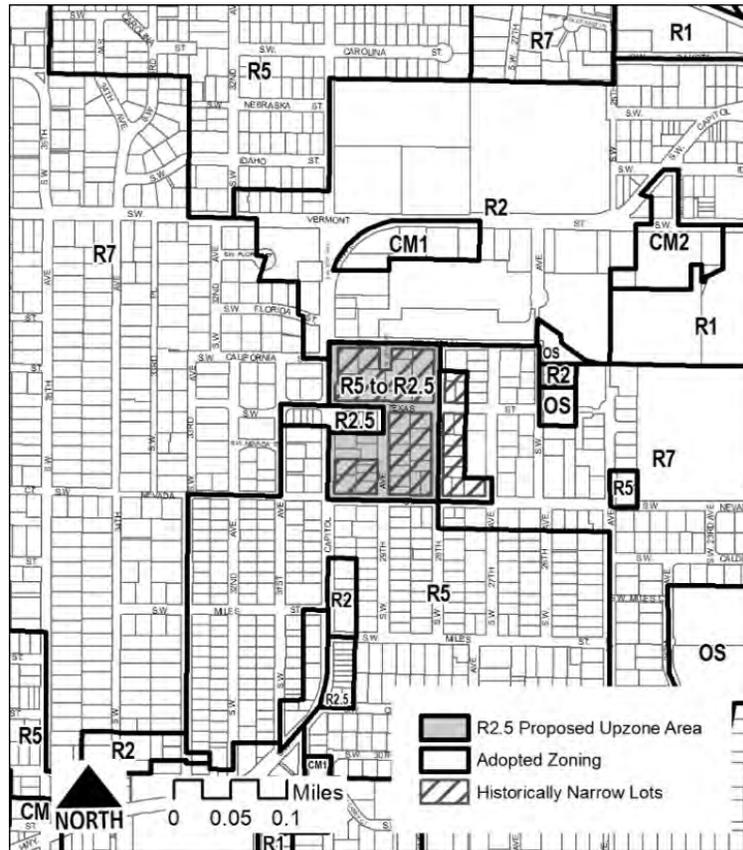
**West – 1**

**Description:** The proposed area for R2.5 rezoning covers roughly two blocks bound by SW California Street, SW Nevada Street, SW Capitol Highway and SW 28<sup>th</sup> Avenue.

**Existing Zoning Pattern:** The proposed R2.5 zoning extends the existing R2.5 zoning located on SW Texas Street between SW 30<sup>th</sup> Avenue and SW 29<sup>th</sup> Avenue roughly one additional block to the north, south and east. The proposed R2.5 zoning provides a transition between the commercial and R2 zoning to the north and the surrounding lower-density R5- and R7-zoned areas.

**Proximity to Centers, Corridors and Neighborhood Amenities:** The proposed R2.5 properties are two to four blocks from commercial and transit services both to the north and south along SW Capitol Highway.

**Physical Factors:** While some of these blocks slope downward to the east from SW Capitol Highway, there are no features that would preclude R2.5-zoning development. Streets in this proposed four-block R2.5 area are developed to City standards and most, except SW Nevada Street, have curbs and sidewalks on at least one side.



# Portland's Historically Narrow Lots

## What are Historically Narrow Lots?

Some older parts of Portland neighborhoods that are zoned R5 today have a pattern of lots smaller than the predominant 50-foot-wide by 100-foot-deep lots. While most parts of inner Portland were platted with 50-foot wide by 100-foot deep lots, surveyors in the late 1800s and early 1900s sometimes platted lots that measured 25 feet or 33 feet wide by 100 feet deep. These “historically narrow lots” could be sold individually, or in bundles depending on the buyer’s preference.

Additionally, prior to 1979, the City did not have a formal property line adjustment or land division process. This allowed portions of lots to be conveyed through property deed exchanges. In other words, a property owner could sell off a part of his or her lot by recording a deed describing the property exchange with the County. In some cases, this created properties that were less than the zoning code required for developing.

In the R5 zone, current zoning and land division rules allow 1 lot per 5,000 square feet of site area. Each lot must be at least 3,000 square feet and 36 feet wide<sup>1</sup>. Historically narrow lots are considered sub-standard because they don’t meet these dimensional requirements. However, because they were legally created prior to the current zoning requirements, they must be recognized by the City<sup>2</sup>.

People who own multiple historically narrow lots (whose underlying lot lines are denoted by dashed lines on the county tax assessor’s maps, (see figure 2) can re-establish these previously created lots through a process called a “Lot Confirmation.” A Lot Confirmation can be used to separate ownership of legally established lots that have been combined into one ownership. A Lot Confirmation takes six to ten weeks and costs about \$1,000. In contrast, a two-lot land division can take between six months to a year and cost close to \$10,000.

<sup>1</sup> There are exceptions to lot dimension standards, for instance a Planned Development allows lot sizes and widths to be modified to suit unique site conditions. Alternatively, there are compatibility criteria in land divisions that allow lots to be less than 36 feet wide in the R5 zone.

<sup>2</sup> **92.017 When lawfully created lot or parcel remains discrete lot or parcel.** A lot or parcel lawfully created shall remain a discrete lot or parcel, unless the lot or parcel lines are vacated or the lot or parcel is further divided, as provided by law.

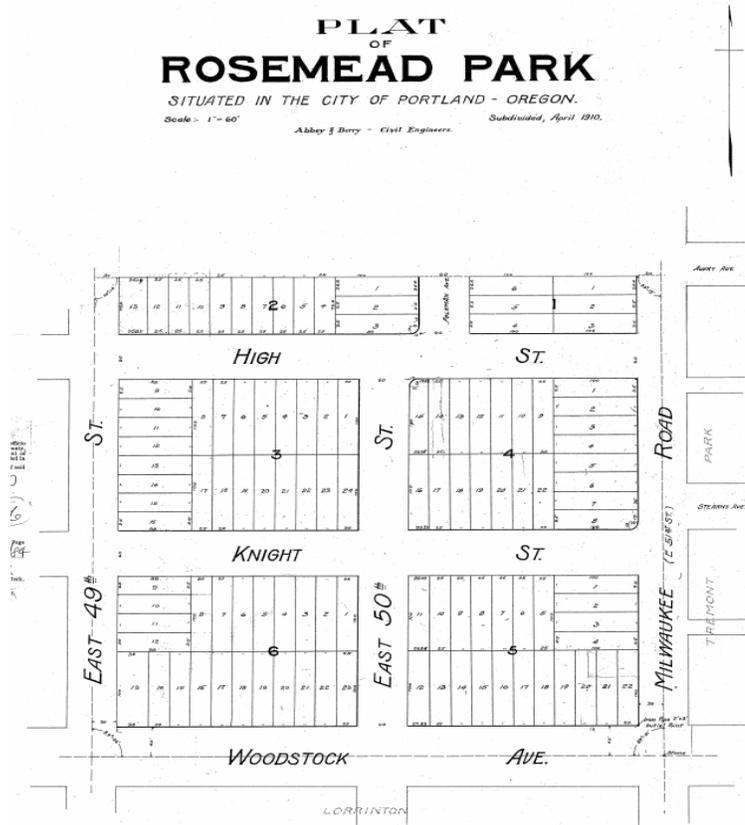


Figure 1: Plat for Rosemead Park, filed 1910. The lots in this plat are 25 feet wide, with varying depths.

The current lot confirmation process involves a staff review of an application and supporting deed information to ensure:

- The lot was legally established;
- The lot meets dimensional requirements and conditions (in R5 this is either 3,000 square feet and 36 feet wide or, for a vacant lot, 2,400 square feet and 25 feet wide);
- Structures are not built over the underlying lot line; and
- Required parking and utilities are not being separated from the lot with the dwelling they are serving.

Other requirements that are reviewed with a land division (e.g. density, street improvements, tree preservation) are not considered because historically narrow lots were technically already “divided” for purposes of separate ownership.

After the City approves the Lot Confirmation, the County then assigns new tax lot numbers to the confirmed lots. The lots are then sellable to other owners and can be built on.

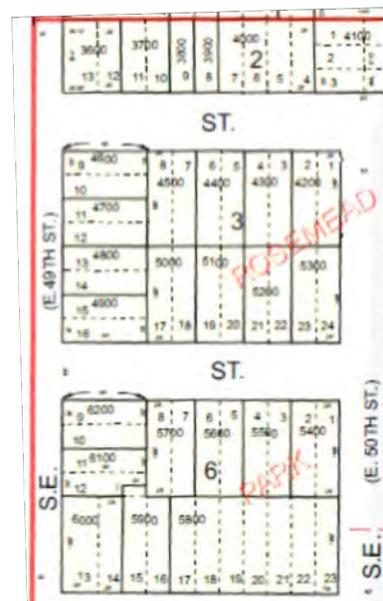


Figure 2: Tax map for lots in Rosemead Park. Tax lot numbers are 4-digits, lot numbers are 2-digits. Dashed lines show where multiple platted lots are under a single ownership.

## Distribution of Historically Narrow Lots

Of the plats across the city, there are almost 16,000 tax lots containing historically narrow lots. Most these – about 94 percent – are in the R5 zone, while less than 1,000, are in the R2.5 zone.

These historically narrow lots are randomly distributed throughout the city due to platting decisions made by developers in the early 1900s. Figure 3 below shows areas of the city with concentrations of historically narrow lots. Significant numbers of historically narrow lots exist in North and Northeast Portland. Smaller concentrations exist in Southeast Portland, mostly in the Brentwood-Darlington and Woodstock neighborhoods. There are three small pockets of narrow lots in West Portland around Linnton, between Hillsdale and Multnomah Village and a large concentration in West Portland Park. Both Linnton and West Portland Park plats have had additional zoning restrictions that require larger lot sizes (i.e. 5,000 square feet in R5 zone) due to infrastructure, natural hazards and emergency access concerns.

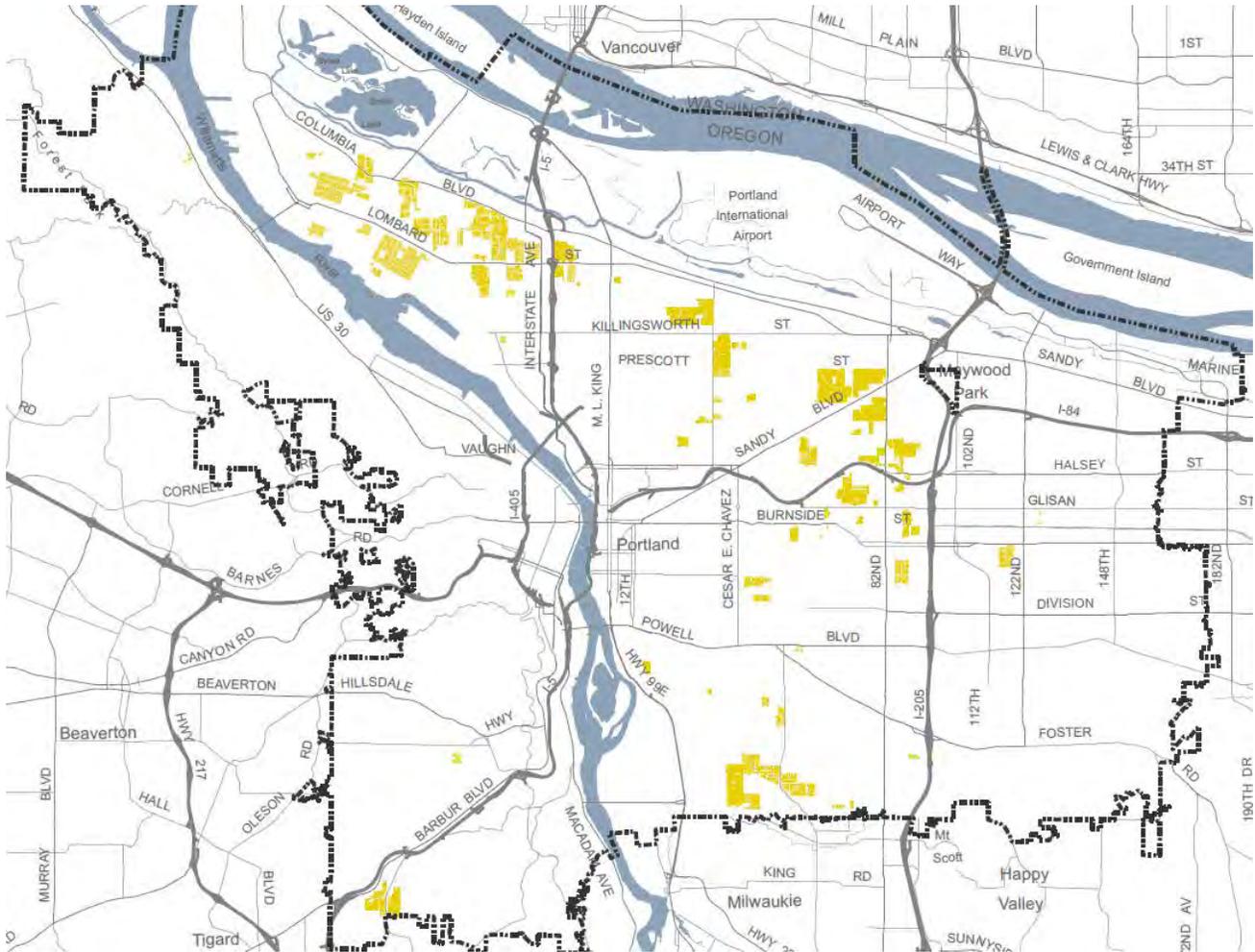


Figure 3: Map showing locations of plats with historically narrow lots in Portland.

## Narrow Lot Regulations

The City of Portland’s regulations for development on historically narrow lots have undergone several changes throughout the years. A short summary is provided below.

### Early 20<sup>th</sup> century

In the early 1900s, pockets of land now in the City of Portland were platted as 25-foot-wide by 100-foot-deep lots. Until 1959, building houses on 25-foot-wide lots was allowed; however, most houses were built on parcels consisting of two or three platted lots.

### 1959 Zoning Code

In 1959, the City adopted a new zoning code establishing minimum lot sizes for residential areas. In the R5 zone, on a lot within a subdivision recorded prior to July 1, 1959, no building could be permitted on a lot with dimensions less than 4,000 sq. ft. in area, 40 ft. in width and 80 ft. in depth unless a variance was approved.

## 1983 Zoning Code

Minor revisions were made to the lot dimension standards so that in the R5 zone on a lot within a subdivision recorded prior to July 1, 1959, no building could be permitted on a lot with dimensions less than 3,750 sq. ft. in area, 35 ft. in width and 80 ft. in depth, unless a variance was approved.

## 1985 Oregon State Law

In 1985, the Oregon State Law ([ORS 92.017](#)) was changed to require cities and counties to recognize lawfully created lots as discrete pieces of property. In effect, in addition to lots that the city has approved through land divisions, the City must recognize lots created prior to July 26, 1979 as lawfully created lots, allowing them to be bought and sold. This is still the case today.

However, as was the case in 1985, the City still retains the zoning authority to determine when houses may be built on a lot. For example, while a piece of property may have existed on a separate deed record or was part of a historic plat, the City requires that the property meet certain minimum lot dimensions before a house is permitted to be built.

## 1991 Zoning Code

A major update to the Zoning Code was completed in 1991. R5-zoned lots that did not meet minimum lot dimension requirements (5,000 sq. ft. in area, 50 ft. in width and 80 ft. in depth) were considered “substandard lots.” An amendment was made that eliminated the minimum lot dimension standards for lots created prior to July 26, 1979. Therefore, a house could be built on any sized property in the R5 zone.

As development intensified in the 1990s, some houses were demolished and replaced with two houses on historically narrow lots. The houses were taller and narrower than existing houses. More importantly, they were built at twice the density allowed in the R5 zone. Neighbors grew concerned about demolitions and the architectural compatibility of these narrow houses.

## 2003 Changes to Historically Narrow Lot Rules

In August 2003, the Planning Commission recommended establishing a minimum lot size of 3,000 square feet for development on existing lots in R5. However, City Council rejected the amendment package, so development of houses on existing 25-foot-wide lots in R5 zone was still allowed.

The Council’s decision was appealed to the Land Use Board of Appeals (LUBA). Rather than await a decision from LUBA, Council voluntarily remanded their decision so they could develop a compromise proposal.

In November 2003, the Council adopted regulations to deter demolition of houses on historically narrow lots by establishing minimum lot sizes for development on existing lots, including a 3,000-square-foot minimum in the R5 zone.

In December 2003, City Council adopted a “vacant lot provision” that allowed for development on existing lots that were vacant but did not meet the recently-adopted 3,000-square-foot minimum. This meant that lots in the R5 zone that were less than 36 feet wide and 3,000 square feet could be developed if they had been vacant for 5 years. This was intended to discourage demolition while not stifling development on already-vacant sites by requiring a five-year period between when a house was demolished and the subsequent redevelopment of the underlying historically narrow lots.

Development standards applicable to narrow lot development in the 2003 code included:

- Limitations on garage width to 12 feet and requirement for living space above it,
- Requirements for materials and trims,
- Provisions for eaves, and

- Requirements for a porch and 15 percent window coverage on the front façade to orient the unit toward the street.

## 2004 to Present

After these changes, there have been several refinements of code language to address the architectural compatibility of narrow lot development.

Between June and December 2004, the City of Portland sponsored a design competition to facilitate the construction of architecturally compatible infill housing on narrow lots. Living Smart: Big Ideas for Small Lots received 426 entries from 22 countries and resulted in two publications that catalogued designs and site plans.

In 2005, the City selected two designs from the “People’s Choice” category and worked with the architects to develop ready-to-build plan sets for use in a new program in which developers could build these “permit-ready houses” through an expedited approval process.

In March 2006, City Council approved the two permit-ready house designs as well as amendments to the Zoning Code that would allow them to be built. These permit-ready houses could only be built on lots less than 36 feet wide outside historic and conservation districts.



*Permit Ready Houses: Higgins Design*



*Vargas Design*

The permit-ready housing program ended in 2009 due in part to decreased City resources caused by the economic downturn. Only eleven houses were built through the program between 2006 and 2009.

Today, houses built on historically narrow lots is subject to the following current development standards:

- There must be a main entrance within 4 feet of grade (this applies to all houses).
- Garages up to 12 feet wide garage are allowed (but not required).
- Building coverage is limited to 40 percent of site area.
- Height is limited to 1.5x width of house in R5 (and R2.5).
- Exceptions to development standards require design review (not adjustments).

## Current Development Scenarios for Historically Narrow Lots in the R5 Zone

Figure 4 illustrates the intent of the 2003 vacant lot provision. This recognized that there were opportunities for infill development and increasing housing supply, and attempted to limit home demolitions by requiring that these narrow lots be vacant for at least 5 years. However, sometimes a house would be demolished, with a narrow house built on one side of the lot, and another built 5 years later (Figure 5).

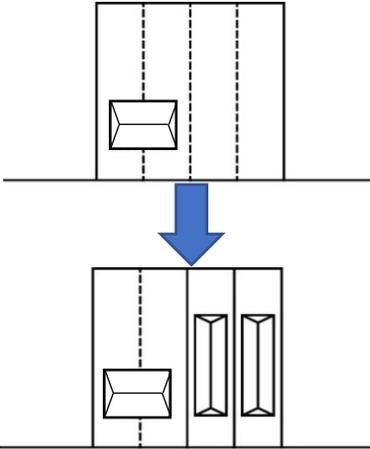


Figure 4 – Already vacant lots can develop with skinny houses.

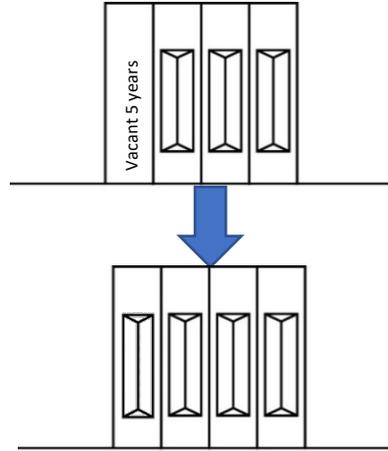


Figure 5 – Houses may be demolished and one lot can be built today, and the other 5 years later.

Figure 6 shows that when there are at least three narrow lots, a property line can be adjusted concurrently to make each property at least 36 feet wide and 3,000 square feet. When those conditions are met, the vacant lot provision does not apply because the lots are no longer “substandard.” In 2010, an exception was added to the code to allow a property line adjustment on corner lots to reduce lot sizes to 1,600 s.f. and determine the vacancy of the lot on the reconfigured lot to encourage retention of existing houses (Figure 7).

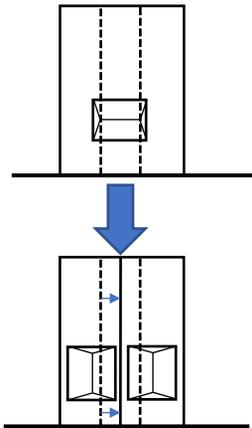


Figure 6 – By using a property line adjustment, historically narrow lots are no longer “substandard” and are not required to be vacant for 5 years.

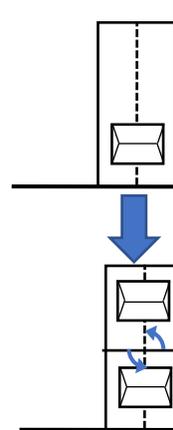


Figure 7 – Property line adjustment can also be used to rotate the lot line on a corner lot. The vacant lot provision applies to the reconfigured lot.

## A Closer Look at Historically Narrow Lot Neighborhoods

Staff examined three neighborhoods with concentrations of historically narrow lots – St. Johns, Kenton, and Montavilla. These areas were studied in more detail to understand the development potential on these lots if no demolitions were to occur. The table below shows that not many vacant historically narrow lots exist – six percent in the St. Johns area (72 out of 1,279), five percent in the Kenton area (57 out of 1,193), and five percent in the Montavilla area (44 out of 966).

Proposal #12 of the Residential Infill Project Discussion Draft includes allowing property line adjustments to create flag lots when an existing house is being retained (Figure 8). This would permit an owner to create a small flag lot for a new house, as opposed to demolishing their house to create two side-by-side houses. This option provided between 8 and 10 percent of added infill opportunities.

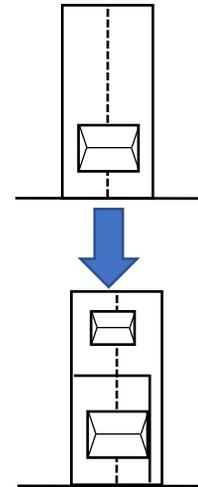


Figure 8 – Concept for allowing property line adjustments to form flag lots when retaining an existing house.

	St. Johns	Kenton	Montavilla
Number of tax lots	682	614	495
Number of underlying lots ( <i>i.e. historically narrow lots</i> )	1,279	1,193	966
Number of existing houses	667	597	488
Vacant historically narrow lots	72	57	44
Percentage of vacant historically narrow lots ( <i>Vacant narrow lots / Total narrow lots</i> )	6%	5%	5%
Potential flag lots	123	100	94
Percentage of historically narrow lots with flag lot potential ( <i>Potential flag lots / Total narrow lots</i> )	10%	8%	10%
<b>Combined infill potential of vacant lot/flag lot</b> ( <i>vacant lots + potential flag lots</i> )	<b>195</b>	<b>157</b>	<b>138</b>

## Conclusion

While historically narrow lots in Portland are a product of history that were platted over a century ago, City regulations have evolved throughout the years to balance the benefits and drawbacks of developing these lots. Benefits include additional housing opportunities, including fee-simple and potentially lower cost homeownership options, and drawbacks include neighborhood concerns about architectural compatibility with existing patterns and unexpected degrees of density based on the zone.

## Glossary

**Buildable.** A plot of land that was lawfully created and meets the applicable lot dimension to allow the construction of a primary structure (e.g. a house).

**Deed.** A legal document that is signed and recorded with the county recorder, especially one regarding the ownership of property or legal rights.

**Historically Narrow Lot** – this term is used by the Residential Infill Project to describe lots that were created prior to the City adopting formal land division rules and that are less than 36 feet wide.

*Note: this term is not used in the zoning code. These lots are described as “Lots and Lots of Record Created Before July 26, 1979 that don’t meet the minimum width requirements of Table 110-6”*

**Lot.** A lot is a legally defined piece of land other than a tract that is the result of a land division. This definition includes the State definition of both lot, (result of subdividing), and parcel, (result of partitioning). See also, Ownership and Site.

**Plat.** Diagrams, drawings and other writing containing all the descriptions, locations, dedications, provisions, and information concerning a land division. This term includes the State law definitions of “partition plat” and “subdivision plat”.

**Tax Lot.** A “tax lot” is a geographically mapped tax account and does not necessarily indicate the boundary of the lot or lot of record. The presence of a tax lot does not indicate whether that property is “buildable”.