



Memorandum

To: Art Graves, Senior Planner, City of Portland
From: Li Alligood, AICP
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Copies: File
Date: October 22, 2019
Subject: Findings of Conformance for Statewide Planning Goals
Project No.: 18177

Statewide Planning Goals

Findings for conformance with the Statewide Planning Goals are required until the Central City 2035 Plan has been acknowledged by the Oregon Land Conservation and Development Commission (LCDC). Findings for the Statewide Planning are provided below. Note that findings for Statewide Planning Goals 10, 11, and 12 have been provided by the applicant's land use attorney and are incorporated into this memo for consistency.

Goal 1: Citizen Involvement

Goal 1 requires that citizens have an opportunity to be involved in all phases of the planning process. Cities and counties must have a citizen involvement program that allows for widespread public involvement throughout the duration of a planning process. Technical information must be easy to understand, feedback mechanisms must be available, and public involvement efforts must be adequately funded. Local governments are also required to have a committee for citizen involvement (CCI) to monitor public participation.

Response: The City of Portland has a citizen involvement program that complies with Goal 1 and is used extensively during the design review process. For this project, citizen involvement efforts included the following:

- The design team voluntarily attended two meetings of the Pearl District Neighborhood Association Land Use and Transportation Committee prior to land use submittal.
- Public notice of the land use review application to seek public comment on the proposal, consistent with requirements in Chapter 33.730 of the Portland Zoning Code. Notice was mailed to all property owners and tenants within 400 feet of the site, and recognized organizations within 1,000 feet of the site.
- The site was posted with a notice sign that described the proposal and announced the public hearing date and time. Posting of the sign occurred at least 20 days prior to the hearing, consistent with Chapter 33.730 requirements.
- Opportunity to testify at the public hearing before the Design Commission.

All public notice requirements for this proposal have been met. Nothing about this proposal will impact the City's continued compliance with Goal 1. Therefore, this proposal is consistent with this goal.

Goal 2: Land Use Planning

Goal 2 requires local governments to maintain, regularly update, and implement a comprehensive land use plan that is consistent with the statewide planning goals and is acknowledged by the Oregon Land Conservation and Development Commission (LCDC). Once a plan is acknowledged, it replaces the statewide planning goals for the purposes of local land use decision-making. Land use decisions must be consistent with the comprehensive plan and must be based on facts. Local plans should be coordinated with other jurisdictions and agencies. Goal 2 also outlines the process for taking a goal exception when a particular statewide goal cannot (or should not) apply.

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Response: Goal 2 is met through the City's comprehensive plan and land use regulations. Specific to this proposal, consistency with Goal 2 is achieved because the decision is supported by findings of fact that demonstrate how the proposal complies with applicable standards and criteria, which are the Central City Design Guidelines and the River District Design Guidelines. Compliance with these applicable criteria is demonstrated in the application narrative. Because the Central City 2035 Plan has not yet been acknowledged by LCDC, these responses to statewide planning goals are provided to support the proposal and ensure substantial evidence in the record to defend the decision. Based on this, the proposal is consistent with Goal 2.

Goal 3: Agricultural Lands

Goal 3 outlines how agricultural lands in Oregon are defined, inventoried, designated and protected through exclusive farm use (EFU) zoning.

Goal 4: Forest Lands

Similar to Goal 3, Goal 4 defines forest lands in Oregon and requires that counties inventory, designate and protect forest lands for forest uses.

Response: This proposal does not impact land that is designated or protected for agricultural or forest uses. The City of Portland took an exception to Goals 3 and 4 in 1991 (Ordinance No. 164517), pursuant to applicable state law and Goal 2. This proposal does not change the factual base for that exception. Therefore, Goals 3 and 4 do not apply.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

Goal 5 was established to plan for and protect more than a dozen resources in Oregon through the use of inventories and zoning regulations. Some Goal 5 resources are inventoried at the state or federal level and three resources that are inventoried by local governments. The method for protection of Goal 5 resources varies for each specific resource and may be implemented at the federal, state or local level.

Response: The City of Portland complies with Goal 5 by maintaining an inventory of natural and scenic resources and protecting them through environmental protection overlay zones. Development in the environmental overlay zones can be restricted in order to protect identified resources. Historic resources are identified and protected separately through historic designations (landmark, district, etc.) that are identified on the Portland zoning maps. The subject site is not within an environmental or scenic overlay zone, nor is it part of a designated historic district. Therefore, this goal does not apply.

Goal 6: Air, Water and Land Resources Quality

Goal 6 requires local governments to consider protection of air, water and land resources when developing comprehensive plans. Policies within Goal 6 correspond with the federal Clean Air Act and Clean Water Act; Goal 6 also responds to policies and regulations established by the state Department of Environmental Quality (DEQ).

Response: The city complies with Goal 6 by implementing development regulations and requiring consideration and review of project impacts to these resources. For this proposal, the Bureau of Environmental Services reviewed the application for compliance with applicable sewer and stormwater requirements and expressed no concerns about the ability of the project to comply. The city also maintains continued compliance with state DEQ requirements for cities through a variety of programs, regulations and management tools. Therefore, the proposal is consistent with Goal 6.

Goal 7: Areas Subject to Natural Disasters and Hazards

Goal 7 requires local that governments adopt a natural hazard inventory along with implementing plans, policies and regulations to reduce risks to people and property. Natural hazards may include flood areas, tsunami zones, wildfire-prone areas and steep slopes (landslide hazards).

Response: The City of Portland maintains a map of natural hazard areas, including floodplains and landslide areas, and implements additional requirements or restrictions for development in those areas. Natural hazard requirements are established at multiple levels of development, including in special plan districts, land division regulations or building code provisions. The subject site is not located within an identified natural hazard area; therefore, Goal 7 does not apply.

Goal 8: Recreation Needs

Goal 8 requires that local governments plan for the recreation needs of their communities and prioritize recreation areas that serve high-density populations with limited transportation and financial resources. Goal 8 also establishes guidelines for creating destination resorts.

Response: Portland's comprehensive planning process includes long-range planning for parks, trails and recreation opportunities. The city maintains a series of parks master plans that inventory parks conditions, anticipate demands and identify improvement projects. Development projects in the city are required to pay system development fees to support city-wide parks and recreation projects. This proposal will not result in impacts to any existing parks or recreations areas, nor will it preclude the city from implementing planned parks and recreation projects. Parks systems development charges (SDCs) for this project will be assessed at the time of building permits. Therefore, this proposal is consistent with Goal 8.

Goal 9: Economy of the State

Goal 9 establishes policies to support a diverse economy and ensure cities and counties have adequate land available to achieve economic growth and allow development opportunities. To comply with Goal 9, local governments should maintain and update an inventory of economic growth opportunity areas and plan for major industrial and commercial developments. An appropriate supply of land, adequate public infrastructure and suitable zoning should be available to support those opportunities.

Response: Portland has identified land needs for industrial and commercial uses in the adopted Economic Opportunities Analysis (Ordinance 187831). In response to the analysis, the city has adopted policies and regulations that are intended to preserve a supply of sites that have the appropriate combination of zoning, size, location and public services to facilitate employment growth. This proposal does not change the supply of industrial or commercial land in the city, nor does it preclude the city from implementing its economic growth policies. Therefore, this proposal is consistent with Goal 9.

Goal 10: Housing

To provide for the housing needs of citizens of the state.

Goal 10 specifies that each city must plan for and accommodate needed housing types and 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. Goal 10 and the administrative rules that implement the goal require the following:

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

The findings below explain how the City satisfied several of the requirements through acknowledged ordinances and explain how the Design Commissions approval of the requested design review complies with Goal 10 and the implementing regulations.

1. The City completed the first two requirements of Goal 10 through acknowledged ordinances that were adopted as part of the City periodic review process that culminated in the adoption of the 2035 Comprehensive Plan and the implementing code amendments. As part of periodic review Task II the City adopted Ordinance 185657 and then updated and revised the needs analysis and BLI through Ordinance 187831 which was acknowledged on April 25, 2017. The findings of those two ordinances are incorporated herein by reference.
2. The City Council identified the documents, reports and maps adopted by City Council through acknowledged Ordinance 187831, including the inventory of residential lands as official 2035 Comprehensive Plan supporting documents and found that those acknowledged documents, reports and maps constitute an adequate factual base for all components of the 2035 Comprehensive Plan.
3. Accounting for construction between 2010 and mid-2015, the BLI finds that the City needs approximately 110,000 additional housing units by 2035. The housing needs analysis adopted by the two ordinances identified above provides a specific estimate of the types of households likely to be in Portland by 2035, and provide additional facts describing the housing needs by type, tenure, and affordability.
4. The BLI also identifies the supply of land available to satisfy the needed housing. The City adopted a revised inventory of vacant and underutilized land through acknowledged Ordinance 187831 (Exhibits F and G). The subject Property in this decision was identified as a Vacant "Underutilized" Lot on the All Residential Land Map.
5. The BLI found that the zoning in the Central City could provide capacity to meet the housing projections for the year 2035. Analysis demonstrated that the zoning and proposed amendments would be sufficient to allow approximately 39,500 units to be developed in the Central City through 2035. The subject Building includes 110 dwelling units. Therefore, the project contributes to the identified needed housing within the central city and complies with the element of Goal 10 which calls for the provision of needed housing.
6. The Metropolitan Housing Rule (OAR 660-007-0035) states that cities "must provide for an overall density of ten or more dwelling units per buildable acre." This rule applies to all land within the City's urban growth boundary. 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, such as the subject Property. This is particularly true within the Central City Plan District where the subject Property is located. The Metropolitan Housing Rule also allows consideration of mixed-use areas as "residentially designated." 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 past 25 years. The Metropolitan Housing Rule applies to new construction on vacant and re-developable land, including the subject Property. The subject Building includes 110 residential units which are allowed within the mixed use Central Employment zoning designation.
7. ORS 197.307(4) requires local jurisdictions to apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable lands. However, the requirement does not apply to Portland's Central City.

Goal 10 Conclusion: For the reasons stated above, the Design Commission's approval of the requested design review complies with Goal 10 and the implementing regulations. The 110 dwelling units provided through the subject Building contribute to the City's housing supply to help satisfy the City-wide housing need identified in the acknowledged BLI, contribute to the Central City housing supply and help meet the identified housing need within the Central City, and contribute to the City's compliance with the Metropolitan Housing Rule by greatly exceeding the minimum residential density. The provided housing also contributes to the city-wide diversity of housing options.

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.

Goal 11 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.

A public facilities plan must include the following components:

- A list of the significant public facility projects which are to support the land use designated in the acknowledged comprehensive plan including public facility project descriptions or specifications of these projects as necessary;
- Rough cost estimates of each public facility project;
- A map or written description of each public facility project's general location or service area;
- Policy statement(s) or urban growth management agreement identifying the provider of each public facility system;
- An estimate of when each facility project will be needed; and
- A discussion of the provider's existing funding mechanisms and the ability of these and possible new mechanisms to fund the development of each public facility project or system.

The findings below explain how the City satisfied the requirements Goal 11 through acknowledged ordinances and explain how the Design Commissions approval of the requested design review complies with Goal 10 and the implementing regulations.

1. The City Council elected to satisfy Goal 11 through the adoption of a Citywide Systems Plan (CSP) to serve as the City's public facilities plan for water, sewage and drainage facilities. The City Council adopted the CSP, with the exception of Chapters 9 and 10 and Appendices A, B, and C, as a Comprehensive Plan supporting document through Ordinance 187831. Ordinance 187831 was acknowledged on April 25, 2017.
2. The City Council identified the documents, reports and maps adopted by City Council through acknowledged Ordinance 187831, including the CSP as official 2035 Comprehensive Plan supporting documents and found that those acknowledged documents, reports and maps constitute an adequate factual base for all components of the 2035 Comprehensive Plan.
3. As an acknowledged support document for the 2035 Comprehensive Plan, the CSP guide infrastructure investments by the City to meet the needs of current and future Portlanders. The CSP is a 20-year coordinated municipal infrastructure plan for all areas with the City of Portland's urban service boundary, including the Central City. Portland's municipal infrastructure assets are physical systems that provide services and are maintained by the City.
4. The State of Oregon's Growth Management Act requires cities and counties to develop and implement public facilities plans. At a minimum, the public facilities plan must describe transportation, water, and sewer facilities needed to support the land uses designated in the acknowledged Comprehensive Plan. Portions of the CSP serve as the City's State-mandated public facilities plan in compliance with the state statute.
5. The CSP includes inventory, condition and future project information for City transportation, water, sanitary sewer, and stormwater systems, as required by Goal 11. The CSP accounts for expected growth in the City, including the Central City area, over the 20-year planning period.

Goal 11 Conclusion: For the reasons stated above, the Design Commission's approval of the requested design review complies with Goal 11 and the implementing regulations. The City has satisfied its Goal 11 public facilities and service planning obligations through the adoption of the acknowledged CSP. The CSP includes the Central City area in its planning jurisdiction and anticipates future growth and development within the Central City and other City centers.

Goal 12: Transportation

To provide and encourage a safe, convenient and economic transportation system.

Statewide Planning Goal 12 requires the local government to adopt a Transportation System Plan (TSP) that supports a safe, convenient and economical movement of people and goods, and supports a pattern of travel that will reduce air pollution, traffic and livability problems.

All cities are required to provide safe and convenient motor vehicle, pedestrian and bicycle travel on a well-connected network of streets. Larger cities, including Portland, 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.

A key objective of Goal 12 and the TSP is to reduce reliance on single occupancy automobile use. To accomplish this, Goal 12 requires investment in multimodal infrastructure, street connectivity and land use patterns that make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs.

Goal 12 allows the recognition that some parts of the City, including the Central City, pedestrian districts, and transit-oriented developments are highly convenient for a variety of modes, including walking, bicycling and transit, while other parts of the City may be more auto-oriented.

The Goal 12 implementing regulations in OAR Chapter 660, Division 12 require local governments to prepare a Transportation System Plan (TSP). Pursuant to the Goal 12 implementing regulations, a TSP must generally include the following elements:

- A determination of the transportation needs;
- A road plan for a system of arterials and collectors and standards for the layout of streets;
- A public transportation plan;
- A bicycle and pedestrian plan;
- A plan for transportation system management and demand management;
- A parking plan;
- Transportation project development; and
- A transportation financing program.

The findings below explain how the City satisfied the requirements of Goal 12 through the adoption of its TSP and related land use regulations and explain how the Design Commission's approval of the requested design review complies with Goal 12 and the implementing regulations.

Background

1. The TSP is the 20-year guide to transportation investments in Portland. The plan must be regularly updated and the updates must be based upon strong policy and technical analysis.
2. The Transportation Element of Portland's Comprehensive Plan was first adopted by Ordinance No. 165851 on September 23, 1992 and later expanded with the adoption of the TSP by Ordinance 177028 on October 30, 2002. It was amended by Ordinance 180871 on May 5, 2007, amended by Ordinance 183270 on August 19, 2009, and amended by Ordinance 185208 on March 14, 2012.
3. Further updates to the TSP were carried out as part of the Portland periodic review process that culminated in the adoption of the 2035 Comprehensive Plan and the implementing land use regulations that are effective within the Central City Plan District and citywide. The update was carried out in three stages:
 - As part of the 2035 Comprehensive Plan Periodic Review, Stage 1 of the TSP update amended the Goals and Policies, Projects & Program Lists, & Financial Plan. It was adopted by ordinance No. 187832 on June 15, 2016. The adopting ordinance is not yet acknowledged, but the Stage 1 TSP amendments are incorporated herein by reference and elements that could be deemed to apply to the Design Commission's decision are addressed further in the findings below.

- As part of the 2035 Comprehensive Plan Periodic Review, Stage 2 of the TSP update amended the Objectives, Street Classifications, and Performance Measures. It was adopted by Ordinance 188177 on December 21, 2016. The adopting ordinance is not yet acknowledged, but the Stage 2 TSP amendments are incorporated herein by reference and elements that could be deemed to apply to the Design Commission's decision are addressed further in the findings below.
 - Stage 3 of the TSP update was not part of the 2035 Comprehensive Plan Periodic Review. It was adopted by ordinance 188957 on May 24, 2018. Stage 3 amendments provided a technical update that amended the TSP objectives and policies to be consistent with policies adopted by the 2035 Comprehensive Plan. The ordinance also amended TSP Street Classifications, Descriptions and Maps, Emergency Response Classifications, Descriptions and Maps, and Transit Classifications, Descriptions and Maps in compliance with the Regional Transportation Plan. Finally, the ordinance amended Performance Measures and amended Portland City Code Title 17. The Stage 3 amendments are incorporated herein by reference and elements that could be deemed to apply to the Design Commission's decision are addressed further in the findings below.
4. The City adopted further TSP amendments as part of the Central City 2035 Plan and related amendments to Portland City Code Title 33 through Ordinance 189000 on June 6, 2018. The City adopted Volume 2B, Transportation System Plan Amendments which included amendments to policies, project and studies lists, and street classifications 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 and a letter dated June 15, 2016 from the Oregon Department of Transportation providing written concurrence with the designation of the Central City as a Multi-Modal Mixed-Use Area (MMA). The adopting ordinance is not yet acknowledged, but the Volume 2B Transportation System Plan Amendments are incorporated herein by reference and elements that could be deemed to apply to the Design Commission's decision are addressed further in the findings below.
 5. As part of Task II of the City's Periodic Review, the City adopted an Infrastructure Condition and Capacity Report as Exhibit B.6 to Ordinance 185657, which was approved by LCDC on June 11, 2014 (Order No. 001850) and acknowledged. The report discusses the condition and capacity of Portland's infrastructure systems, including the transportation systems. This acknowledged infrastructure inventory report, along with the other documents and reports approved through LCDC Order 001850, was determined by the City Council to provide an adequate factual base for all three components of the Portland Comprehensive Plan.

Identification of Needs Analysis and Coordination

6. Pursuant to Goal 12 and the implementing regulations, the City's TSP must be based on an inventory of local, regional and state transportation needs, consider all modes of transportation, and consider the different consequences that would result from utilizing differing combinations of transportation modes (an alternatives analysis). The TSP must also contain measures to minimize the adverse impacts of transportation, conserve energy, and meet the needs of individuals who have difficulty in obtaining transportation because of their age, income, physical or mental disability.
7. For the reasons stated below the City met the relevant requirements of Goal 12 and the TPR, necessary to adopt new land use map and policies, including the Central City 2035 Plan amendments, and laid the groundwork for the complete updated TSP. The reasons include:
 - Recognition, acceptance and accommodation of the population and employment forecast and distribution issued by Metro under ORS 195.036. Pursuant to Portland's periodic review work order, this includes approximately 123,000 new households and 142,000 new jobs from 2010 to 2035 (Metro Council ordinance No. 12-1292A, November 29, 2012).
 - Adoption of a new 2035 Comprehensive Plan Map carrying out and enhancing the spatial development pattern established by the Region 2040 Growth Concept, and furthering land use patterns that make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs within the meaning of Goal 12 and the TPR.

- Adoption of 2035 Comprehensive Plan and Central City 2035 Plan policies sufficient to guide the TSP amendments described above.
 - Through the amended TSP, the City adopted an adequate list of transportation projects and programs as required by the Goal 12 implementing regulations.
8. Goal 12 implementing regulations (OAR 660-012-0015 and -0016) require the City's TSP to be coordinated and consistent with the Oregon Transportation Plan, state modal plans such as the Oregon Highway Plan, and Metro's Regional Transportation Plan and Regional Transportation Functional Plan. The City adopted the following findings to demonstrate that the amended TSP is consistent with those plans:
- Metro Regional Transportation Model: The City employed Metro's regional travel model to assess transportation impacts of different spatial distributions of future jobs and housing resulting from continued utilization of the existing plan map and the new 2035 Comprehensive Plan Map.
 - TriMet Service Enhancement Plans: The City participated in TriMet's work to update its long-term service plans. The TriMet planning process occurred contemporaneously with Portland's periodic review work plan. The City also signed a joint letter of Intent with TriMet on September 1, 2015 that outlined future transit service-related work plans. The letter outlines the intent to develop future agreements or MOUs that tie bus service future improvements to land use benchmarks and City progress on supportive facilities.
 - RTP Project List: The City and Metro coordinated to ensure general consistency of the local TSP project list with the most recent adopted Regional Transportation Plan (RTP).
 - Oregon Highway Plan Policy 1.F Mobility Targets: The City worked closely with the Oregon Department of Transportation (ODOT) to evaluate the adequacy of the TSP and the impacts of the 2035 Comprehensive Plan and Central City 2035 Plan changes on the state highway system. ODOT participated as a technical advisor during the modeling process and during development of the transportation policies and project lists. Work sessions were held to identify locations of concern based upon the modeling results.
 - Central City MMA: ODOT and City staff developed the MMA agreement referenced above to implement a MMA designation within the Central City, consistent with the provisions of the Goal 12 implementing regulations.

Elements of Transportation System Plans (OAR 660-012-0020)

The Goal 12 implementing regulations require a local TSP to establish a coordinated network of transportation facilities and services adequate to serve state, regional, and local transportation needs and as noted above, identify the required elements of a TSP.

9. The adopted TSP satisfies each required element as follows:
- *A determination of transportation needs and an evaluation of alternatives:* See findings provided above on identified needs.
 - *A road plan for a system of arterials and collectors and standards for the layout of local streets and other important non-collector street connections:* The City adopted and amended the TSP Streets Classifications, Descriptions and Maps in compliance with the Metro RTP. Amended street classification for the Central City were also adopted through the Central City 2035 Plan. The streets directly adjacent to the Property were assigned the following classifications:
 - Traffic Classifications: NW 12th Avenue & NW Flanders Street – Local Service Traffic Streets
 - Transit Classifications: NW 12th Avenue & NW Flanders Street – Local Service Transit Streets
 - Emergency Response Classifications: NW 12th Avenue & NW Flanders Street – Minor Emergency Response Routes
 - Freight Classifications: NW 12th Avenue & NW Flanders Street – Local Service Truck Street
 - Bicycle Classifications: NW 12th Avenue – City Bikeway
 - NW Flanders Street – Major City Bikeway
 - Pedestrian Classifications: NW 12th Avenue & NW Flanders Street – City Walkways within the Central City Pedestrian District
 - Design Classifications: NW 12th Avenue & NW Flanders Street – District/Neighborhood

- *A transit, bicycle and pedestrian plan:* The City has existing adopted modal plans. Additionally, the TSP project list includes incorporating projects developed with the Bicycle Plan for 2030. The TSP project list is also consistent with the regional High Capacity Transit Plan and contains projects to support TriMet's transit system plan. As noted above, a letter of intent outlines steps for future joint planning.
- *An air, rail, water and pipeline transportation plan which identifies airports, railroads, ports, and major regional pipelines and terminals:* The City has an existing Freight Master Plan and PDX Airport Futures Plan and has adopted policies aimed at protecting harbor access lands.
- *A plan for transportation system management and demand management:* The City adopted Transportation and Parking Demand Management of the Portland City Code through amendments to Title 17.
- *A parking plan:* The parking plan requirements are satisfied by the City-adopted Transportation and Parking Demand Management of the Portland City Code. The City also adopted parking management provisions for the Central City through the Central City 2035 Plan.
- *Policies and land use regulations for implementing the TSP:* The 2035 Comprehensive Plan and Central City 2035 Plan incorporate new transportation and public facilities policies.
- *A transportation financing program:* The City provided financial projections and planning related to the TSP Project List and adopted a financial plan that corresponded to the TSP Project List. A district-specific TSP project list and financial projections were also adopted for the Central City Plan District through the Central City 2035 Plan. The Property will directly benefit from two projects included on the Central City 2035 Project List:
 - 20097 – Design and implement a neighborhood greenway from the Steel Bridge to NW 24th Avenue. The identified greenway corridor is NW Flanders Street.
 - 20155 – Design and implement a bikeway, with traffic calming, signals, and improved crossings as needed along NW 12th Avenue between Burnside Street and Pettygrove Street.

Determination of Transportation Needs (OAR 660-012-0030)

This Goal 12 implementing rule requires TSPs to be based, in part, on an assessment of state, regional and local transportation needs; needs of the transportation disadvantaged; and needs for movement of goods and services to support industrial and commercial development planned for pursuant to Goal 8.

10. The City conducted an analysis of motor vehicle mobility (volume to capacity ratios) in collaboration with Metro and ODOT. Based on this analysis, several segments of state highways were identified that do not need to meet OHP mobility standards, even with planned projects in place. In those instances, the City worked with ODOT to develop both response projects, studies, and refinement plans, including Central City Loop Refinement Plan, as permitted by the OHP. Those responses were incorporated into the TSP.
11. In addition, the City has adopted a number of plans, reports and studies that together compromise the City's transportation needs assessment. In relevant part, these include:
 - Portland Bicycle Plan for 2030 (2010)
 - Infrastructure Condition and Capacity Report (2009)
 - Central Portland Transportation Plan Assessment (2009)
 - Portland Streetcar System Concept Plan (2009)
 - Portland Freight Master Plan (2006)
 - Portland Pedestrian Master Plan (1998)
 - Portland Traffic Safety Report (2016)
 - High Crash Corridor Map (2008-2012)
 - Regional Trails and Greenway Map (2014)
 - Multimodal System Completeness, A Strategy for Measuring and Building Portland's Transportation System (2015)
 - Alternative Mobility Standards and Performance Measures (2012)
 - Citywide Systems Plan (2015)
 - Growth Scenarios Report (2015)

12. To comply with the regional travel demand analysis, the City coordinated with Metro to run the Regional Travel Demand Model. As a baseline for the modeling, the City used the adopted 2035 Financially Constrained RTP project list (adopted 2010, based on the City's 2007 TSP), the adopted 2012 Metro Urban Growth Report jobs and housing forecast for 2035, and the subsequent RTP allocation of households and jobs to Metro Traffic Analysis Zones. The performance of other subsequent model results was compared with this baseline outcome.

The Regional Travel Demand Model was run five times, with additional supplemental City analysis. In each case, the analysis compared expected performance of the planned transportation system in 2035.

- The first model run measured the impact of staff-proposed land use changes, while holding planned transportation improvements constant per the previously adopted TSP.
- The second run added the staff proposed revised TSP project list to measure the impact of proposed project list changes in isolation.
- The third model used the updated land use and project recommendations from the Planning and Sustainability Commission. The results were reported in findings for Task IV (Ordinance 187832).
- The fourth model run use the land use and projects from the adopted Comprehensive Plan Map.
- The fifth model run was the same as the fourth, except the Zoning Map was used to generate land use assumptions, rather than the Comprehensive Plan Map.

Evaluation and Selection of Transportation System Alternatives (OAR 660-012-0035)

The rule requires the TSP to be based upon the City's evaluation of potential impacts of system alternatives. This includes improvements, system management measures, demand management, and land use alternatives. TSPs must also be designed to achieve adopted standards for increasing transportation choices and reducing reliance on the automobile.

13. To fulfill the requirement to consider alternatives, the City evaluated transportation impacts of the previous Comprehensive Plan and TSP, the 2035 Comprehensive Plan and TSP, and several other hypothetical alternative growth management strategies. The information was published and presented to the City decision makers in the Growth Scenarios Report. The City adopted the Growth Scenarios Report as an official Comprehensive Plan supporting document through acknowledged Ordinance 187831.

14. A number of evaluation criteria were used, consistent with the requirements of periodic review work plan Task III. Among the evaluation criteria were several transportation-related measures:

- Access to frequent transit
- Access to low-stress bikeways
- Vehicle miles traveled
- Commute mode share
- Greenhouse gas/carbon emissions

Vehicle volume to capacity ratios were also calculated, based on the modeling described above, to evaluate compliance with the Oregon Highway Plan and Regional Transportation Functional Plan.

15. The adopted and acknowledged Growth Scenario Report describes the City's evaluation of each of the identified alternative development scenarios for each of the evaluation criteria. The City concluded that the 2035 Comprehensive Plan and TSP will improve access to frequent transit and low-stress bikeways, relative to the previous Comprehensive Plan and other alternatives. The model results also suggested that the 2035 Comprehensive Plan also enables a per capita reduction in VMT, and a reduction in the percentage of trips made by automobile.

16. The 2035 Comprehensive Plan and TSP includes policies promoting a regional congestion management approach, including a market-based system, to price or charge for auto trips and parking. Policies also encourage the use of emerging vehicle and parking technology to improve real-time management of the transportation network. Overall a system management approach was emphasized over the construction of new roadway capacity. The 2035 Comprehensive Plan and TSP supports the expanded emphasis on transportation demand management approach through both policy and program development.

17. The 2035 Comprehensive Plan, The Central City 2035 Plan and the TSP are consistent with OAR 660-012-0035 because the City evaluated the potential impacts of alternatives, including transportation improvements,

transportation programs, system management measures, demand management, and land use alternatives; and because the programs, policies and TSP project list are designed to increase transportation choices and reduce reliance on the automobile. To the limited extent the rule applies to the Design Commission's decision on the subject Project, the unacknowledged elements of the plans and implementing development code standards result in a building without on-site parking. The lack of parking in combination with the close proximity of alternative transportation options is consistent with the City's objective of reducing reliance on the automobile and increasing use of alternative transportation modes. Therefore, the subject Project is both in compliance with, and a product of, the system management focused alternative selected by the City.

Implementation of the TSP (OAR 660-012-0045)

18. The City implemented the TSP through a variety of tools consistent with this regulation, including the adoption of Comprehensive Plan policies, zoning decisions, and the adoptions of new development standards and regulations. The following provides examples after a description of the requirements of each subsection of the rule that relate to the subject Property and Project:

- *Protect transportation facilities, corridors and sites for their identified functions:* special setbacks were applied along several major traffic streets to enable a more comfortable sidewalk zone on wide streets. However, the City maintained a zero minimum setback standard on other streets, including the majority of streets in the Central City, including NW Flanders Street and NW 12th Avenue.
- *Ensure safe and convenient pedestrian and bicycle access:* bike parking requirements adopted by the City continue to apply and within the Central City and elsewhere. The City adopted new major city bikeways, including NW Flanders Street.
- *Support transit:* The City maintained and updated a system of regional transitways and major transit priority streets, including NW 11th Avenue and NW 10th Avenue that are in close proximity to the subject Property. The density allowed within the Central City encourages people to live, work and stay within close proximity to the transit opportunities both existing and planned.
- *Reduce reliance on the automobile:* The City removed the requirements for off-street parking for residential development close to frequent transit, which applies within the Central City. The City also adopted parking code changes to allow use of shared parking and greater allowances related to commercial paid parking.
- *Improvements to bicycle and pedestrian trips to meet local travel needs in developed areas:* new bicycle classifications were incorporated into the TSP, implementing the adopted Bicycle Plan for 2030.

19. As noted above, the subject Project is a high-density mixed-use project located in close proximity to a variety of transit options in compliance with the Goal 12 and TPR objective of reducing reliance on automobiles. The Project is located less than 600 feet from a transit stop for the B Loop and NS Portland Street Car routes (Stop ID 10754 at NW 11th Avenue and NW Glisan Street) and less than 800 feet from a transit stop for the A Loop and NS routes (Stop ID 10772 at NW 10th Avenue and NW Glisan Street). The building is also located just one block from a bus stop for route 77 located on NW 12th Avenue and NW Glisan Street.

20. The subject Project is also ideally located to take advantage of a designated future bikeway along NW Flanders Street and nearby city walkways along NW 10th and NW 11th Avenues. It is also located two blocks from a Biketown bike share station located at NW 14th Avenue and NW Flanders Street.

Plan and Land Use Regulations Amendments (660-012-0060)

Section 660-012-0060 requires "amendment to a functional plan, an acknowledged comprehensive plan, or land use regulation that would significantly affect an existing or planned transportation facility," to ensure that allowed land uses are consistent with the identification function, capacity and performance standards of the affected facility. The 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."

21. The Design Commission's decision does not approve an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation. Therefore, a site-specific evaluation under the regulations at

OAR 660-012-0060 related to plan and land use regulation amendments is not required for compliance with the Goal 12 implementing regulations.

22. Adoption of the 2035 Comprehensive Plan and the Central City 2035 Plan, as well as corresponding changes to the Central City Plan District development standards and regulations, were part of the City's required periodic review process that required a replacement of the Comprehensive Plan and a major update of the TSP. Therefore, OAR 660-012-0060 was not applicable to the series of ordinances through which the City adopted the 2035 Comprehensive Plan, the Central City 2035 Plan, the supporting documents, reports and studies for those plans, the development code amendments that implement the plans, and the TSP.
23. As noted above, the City adopted an MMA that applies to the Central City, including the subject Property, through Ordinance 189000. While the MMA is not yet acknowledged the MMA area was identified in earlier planning documents. Additionally, the following findings demonstrate how the designation of the MMA, and thus the application of the MMA, complies with OAR 660-012-0060 as a Goal 12 implementing regulation.
24. (1)(c). Significant transportation demand management, as defined in the 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 to be built in the Central City. These changes eliminate the significant effect of the amendment by reducing auto trips below the number of trips in the "base case," which is the model run for the 2016 adopted Comprehensive Plan. The subject Project does not include on-site parking and is therefore consistent with City's policies and will generate less trips than a similar project with parking provided on-site. The absence of on-site parking encourages residents and hotel guests to use other modes of transportation to meet their daily needs.
25. (8)(a)(8). MMAs are required to be designated as a "regional city, regional 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 rule as a "mixed use, pedestrian-friendly center or neighborhood.
26. (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 was met. Once again, on the project level, the proposed Project is an example of a mixed-use development that is consistent with the types of uses contemplated in the rule.
27. (8)(b)(C). To qualify as an MMA, the Central City Plan district should allow for "a commercial core area with multi-story buildings." Most of the Central City is, or has major corridors, designated as Central Commercial (CX) or 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 was met by the City. The subject Project is a multi-story building within the commercial core of the City, and therefore is generally consistent with the requirement.
28. (10)(a)(A). The MMA rule 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 specific ODOT classifications regarding intersections and interchanges. The Central City qualifies as a Multimodal Mixed-use Area under the identified section, and meets the definition stated in (10)(b)(A)-(E) as provided below:
 - (10)(a)(A) A map of the MMA boundary is provided on page 35 of the Central City 2035 Volume 2B Transportation System Plan Amendments (Ordinance 189000, Exhibit E)
 - (10)(a)(B) The study area is consistent with the definition of an MMA
 - (10)(b)(A) The MMA boundary is provided in Volume 2B.
 - (10)(b)(B) The MMA is located within the regional UGB.
 - (10)(b)(D) Within an MMA buildings and building entrances are required to be oriented to the streets. The development standards of the Central City Plan District requires that building be oriented towards the

street, and maintain main entrances and active ground floor uses that support a pedestrian and transit oriented public realm.

- (10)(b)(E)(i) There are several interchanges within one-quarter mile, including I-5, Highway 26, Highway 30, I-205, and I-84.
- (10)(b)(E)(iii) The MMA is within one-quarter mile of facilities owned by ODOT and the City has a letter of concurrency from ODOT for the Central City to be designated as an MMA that is provided on page 37 of Volume 2B.

29. (10)(c). The MMA rule requires consideration of various safety factors. In response to this for the Central City, there are several mainline facilities owned by ODOT within and near the study area, based upon the definitions provided in the rule. The City worked with ODOT to designate the Central City as an MMA. Therefore, the require analysis was conducted and the City and ODOT addressed the identified effects through an agreement provided in Volume 2B (pages 32-35) to manage interchanges in the future. Volume 2B also includes TSP projects and studies (Figures 1 and 2, pages 13-28) pages that identified to improve safety for interchanges surrounding the Central City.
30. (10)(d) and (e). The Central City 2035 Plan as well as the City's Comprehensive Plan include language designating the Central City as an MMA.
31. (10) Demand management is defined as "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-reduction ordinances, shifting to off-peak periods, and reduced or paid parking." Through Central City 2035, the City adopted multiple policies, actions in the form of TSP projects and studies and regulations to provide demand management. The identified methods also 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.

Goal 12 Conclusion: For the reasons stated above, the Design Commission's approval of the requested design review complies with Goal 12 and the implementing regulations. The City has satisfied its Goal 12 requirements through coordination with regional and state transportation entities and plans and the adoption of a TSP, transportation related policies in the 2035 Comprehensive Plan and Central City 2035 Plan, and implementing development code standards. Those decisions are supported by the findings above and the referenced and incorporated planning documents.

Goal 13: Energy Conservation

Goal 13 requires that local governments consider the impacts of planning decisions on energy consumption. Land uses and development should be managed and regulated to maximize energy conservation in all its forms; these efforts should be balanced with the use of sound economic practices. Goal 13 also directs cities and counties to have systems and incentives in place for recycling programs.

Response: In support of Goal 13 objectives, the city's Transportation System Plan (TSP) contains policies intended to create more efficient transportation networks, reduce reliance on vehicles and promote walking, biking and other forms of non-automobile travel. Further, the city has established standards and regulations to increase energy efficiency in site and building design. For this proposal, consistency with the city's TSP (as discussed in the Goal 12 discussion in Exhibit A) has been demonstrated. In addition, the project has been registered with Green Globes and the city will require the project to adhere to energy efficiency requirements during the building permit process. Therefore, the project is consistent with Goal 13.

Goal 14: Urbanization

This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. As part of the process, cities must complete buildable lands and housing needs assessments. Goal 14 requires each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable

land from rural land.” It specifies seven factors that must be considered in determining UGB size and location. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses. Goal 14 also establishes policy for amending a UGB.

Response: Metro, the regional government for the Portland metropolitan area, is primarily responsible for regulating and administering Goal 14 functions. Metro’s 2040 Growth Concept establishes the long-range land use plan for the region and is implemented by the Urban Growth Management Functional Plan. All Metro cities, including Portland, must ensure that their land use policies and zoning regulations are consistent with the Functional Plan. This proposal does not change the Metro UGB and does not affect the Portland Zoning Code’s compliance with Metro’s Urban Growth Management Functional Plan. Therefore, Goal 14 is not applicable.

Goal 15: Willamette Greenway

Goal 15 establishes procedures for regulating the 300 miles of greenway that protects the Willamette River.

Response: The City of Portland complies with Goal 15 by applying Greenway overlay zones which impose special requirements on development activities near the Willamette River. The subject site for this review is not within a Greenway overlay zone near the Willamette River; therefore, Goal 15 does not apply.

Goal 16: Estuarine Resources

This goal requires local governments to classify Oregon’s 22 major estuaries in four categories: natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those “management units.”

Goal 17: Coastal Shorelands

This goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for “water-dependent” or “water-related” uses.

Goal 18: Beaches and Dunes

Goal 18 sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes.

Goal 19: Ocean Resources

Goal 19 aims “to conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf.” It deals with matters such as dumping of dredge spoils and discharging of waste products into the open sea. Goal 19’s main requirements are for state agencies rather than cities and counties.

Response: The City of Portland is not located within Oregon’s coastal zone. Therefore, Goals 16-19 do not apply.