

# **River Plan / North Reach**

## **Exhibit D: Findings Report**

City of Portland

Bureau of Planning and Sustainability

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## Introduction

The Recommended River Plan / North Reach is the product of efforts by residents, business people, property owners, city staff, and other interested stakeholders to update the City's 1987 Greenway Plan. The River Plan / North Reach will update the Portland *Comprehensive Plan* and Title 33, Planning and Zoning for the Willamette River greenway corridor north of the Broadway Bridge, and set in motion a set of programs and projects intended to guide and inspire public and private decision-making and investment in the industrial part of the Willamette River over the next 20 years. The findings in this document show how the Recommended River Plan / North Reach complies with the relevant State Land Use Planning Goals, the Metro Urban Growth Management Functional Plan, and the Portland *Comprehensive Plan*.

### Relationship to Statewide Land Use Planning

Comprehensive land use planning in Oregon was mandated by the 1973 Legislature with the adoption of Senate Bill 100 (ORS Chapter 197). Under this Act, the State Land Conservation and Development Commission (LCDC) was created and directed to adopt statewide planning Goals and Guidelines. These Goals and Guidelines were adopted by LCDC in December 1974 and became effective January 1, 1975. Under state law, comprehensive plans must comply with the statewide planning goals. Portland's *Comprehensive Plan* meets this requirement.

### How This Document is Structured

This document contains an introduction and section with findings on Statewide Planning Goals, Metro Urban Growth Management Functional Plan, and Portland *Comprehensive Plan*. Within each section, the findings generally consist of two parts: 1) a brief explanation of the criteria (goal, policy, objective, further statement, etc.) against which the River Plan / North Reach is judged for consistency; and 2) statements that support a conclusion of consistency. If a finding against a given measure (goal, title, policy, objective, further statement, etc) is not included in this document, it is because it has been determined to not be relevant to the Recommended River Plan / North Reach.

## General Findings

- I. The River Plan / North Reach (ordinance) amends the *Comprehensive Plan*, Comprehensive Plan map, zoning map, City Code 33 (chapters 33.10, 33.248, 33.258, 33.272, 33.430, 33.440, 33.475, 33.510, 33.583, 33.585, 33.700, 33.810, 33.815, 33.840, 33.860, 33.865, 33.910, 33.930), and City Code 24.50.060. The amendments do not change other land use regulations. The following Statewide Planning, Metro Urban Growth Management Functional Plan, and Portland Comprehensive Plan goals, policies and objectives apply to the amendments, and the amendments satisfy applicable goals, policies and objectives for the reasons stated below.
- II. During the course of public hearings, the Bureau of Planning and Sustainability, and the Planning Commission provided interested parties opportunities to identify, either orally or in writing, any other Comprehensive Plan goal, policy or objective that might apply to the amendments. No additional provisions were identified.

## Findings on Statewide Planning Goals

1. State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with the state land use goals. Because of the limited scope of the amendments in this ordinance, only the state goals addressed below apply.

### GOAL 1, CITIZEN INVOLVEMENT

2. **Goal 1, Citizen Involvement**, requires provision of opportunities for citizens to be involved in all phases of the planning process. The preparation of these amendments has provided numerous opportunities for public involvement. Portland Comprehensive Plan findings on Goal 9, Citizen Involvement, also demonstrate that the amendments are consistent with this goal. The River Plan / North Reach planning process included an extensive public outreach program beginning in August 2005 and continuing through the Planning Commission public hearings in June 2009. The process involved several levels of stakeholder and community involvement. The amendments are consistent with Goal 1 in the following ways:
  - a) River Plan / North Reach builds upon past planning efforts and adopted reports. River Renaissance was launched in the fall of 2000, with a series of interactive workshops that resulted in a community vision for a revitalized Willamette River. The Portland City Council endorsed the River Renaissance Vision in March 2001. To advance the vision, a collaborative team of City bureaus and community partners produced the River Renaissance Strategy, which established policy guidance, progress measures, and a set of actions to implement the vision. The River Renaissance Strategy was adopted by the City Council in December 2004. In April 2006 City Council endorsed the River Concept, a guiding document for the River Plan that synthesizes river-related planning over the last decade;

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- b) The River Plan Committee, a voluntary citizen advisory group chaired by a member of the Portland Planning Commission, was convened in the fall of 2005. A pool of potential River Plan Committee members were identified through a series of discussions with neighborhood and business leaders, community groups actively involved in river issues, staff from city council offices, bureau directors, and planning commissioners. Candidates were interviewed and committee members were selected based on their broad civic interest and perspective. The committee met throughout the development of the River Plan / North Reach to review progress, provide guidance, and serve as a sounding board for the River Plan project team. The committee meetings also served as a public forum for discussing issues and proposals during the planning process. The committee met approximately 19 times from September 2005 to June 2008;
- c) North Reach residents and other interested parties were encouraged to participate and stay informed throughout the planning process. Approximately once a month River Plan staff sent out an electronic newsletter providing notice of advisory group meetings and other information of potential interest to North Reach stakeholders. In June 2007 and August 2007 staff mailed informational postcards to all North Reach property owners and businesses and other interested parties to inform them about the project and upcoming events (~3,500 recipients). Throughout the planning process staff also presented progress reports at neighborhood and business association meetings and held open houses;
- d) The City hosted a site design workshop in the fall of 2006 to explore example development scenarios on private and publicly-owned industrial properties in the North Reach. Design and development experts, property owners and agency staff met to craft and critique concepts for the future expansion of industrial sites. The sites chosen for the workshop presented typical North Reach development challenges (e.g., industrial land development, reuse of contaminated sites, protection and restoration of natural resources, public access for trail and river use, riverbank design and permitting, and encroachment by competing land uses). Selected designs that emerged from the workshop are used in the River Plan / North Reach;
- e) Working Harbor Reinvestment Strategy. Interviews and focus groups were conducted in 2006 with 60 harbor area industry leaders to inquire about their expansion plans, industrial location advantages and constraints of the North Reach, and business priorities for public investments. The results contributed to a set of conclusions and a program of recommended investments released in 2008;
- f) In order to examine specific River Plan / North Reach issues, staff convened topical task groups comprised of stakeholders and subject matter experts. Task groups met intermittently over time to discuss specific issues and provide guidance to project staff. Meetings were open to the public and audience members were often invited to ask questions and make comments. The work of each task group generally culminated in the presentation of staff recommendations related to the topic to the

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River Plan Committee. Task groups are listed below with selected products and publications used to address issues and concerns that arose during the process:

- 1) Contaminated Sites (periodic meetings from 11/06 to 3/07)
  - Contaminated Sites Issue Paper
  - Contaminated Sites Staff Report and Recommendations
- 2) Greenway Trail Alignment (periodic meetings from 11/05 to 2/07)
  - Rails with Trails Safety Memo
  - Maritime Transportation Security Act Issue Paper
  - Trail Alignment Issue Paper
  - Willamette Greenway Trail Workbook
  - North Reach Greenway Trail & Viewpoints Staff Proposal
- 3) Riverbank Design and Interjurisdictional Permitting Task Group (periodic meetings from 11/06 to 3/07)
  - Top of Bank Issue Paper
- 4) Watershed Health Task Group (periodic meetings from 4/06 to 10/06)
  - Regulatory Improvement Issue Paper
  - Improving Watershed Function Through Potential Regulatory Improvements
  - Watershed Health Concepts to Consider
- 5) Water-based Recreation Task Group (periodic meetings from 5/06 to 6/06)
  - Water Recreation Report and Recommendations
- 6) Mitigation/Conservation Bank Task Group (periodic meetings from 3/07 to 6/07)
  - Mitigation and Conservation Banks Draft Report for River Plan Consideration
- 7) River Industrial Zoning Task Group (periodic meetings from 5/05 to 3/07)
  - River Industrial Zoning Background and Issues Report
- 8) Integration Task Group (periodic meetings from 7/07 to 5/08)
  - Restoration Site Map
- g) Willamette Technical Advisors - Technical advisors composed of City, regional, state and federal agency staff were convened in 2006 and met several times to provide input on projects related to the Willamette River, including the River Plan / North Reach. The TAC discussed regulatory issues and evaluated the technical aspects of the plan to determine the feasibility of plan proposals. The information and feedback provided by this group was important in shaping the plan and its implementation strategy;
- h) The River Plan / North Reach planning process was the focus of articles and news features in The Oregonian, The Portland Tribune, Portland Business Journal, Daily

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- Journal of Commerce, Portland Observer, Oregon Business Magazine, Portland Mercury, OPB News, NW Examiner, The Voice, and St. Johns Sentinel. This is not an exhaustive list of all the news sources in which the River Plan / North Reach was mentioned;
- i) The River Plan / North Reach Proposed Plan was made available to the public on the River Plan website on November 20, 2009, at the Bureau of Planning and Sustainability office, and at District Coalition offices in North and Northwest Portland;
  - j) The Planning Commission held three public hearings on December 9, 2008, January 13, 2009, and April 14, 2009. Over 130 comments were submitted through written and oral testimony;
  - k) Notice of the December 9, 2008 Planning Commission public hearing was sent more than 30 days prior to the event to North Reach property owners, the legislative list and persons on the project's interested persons list. In addition, a "Measure 56" notice was sent to all persons whose property was proposed to undergo a base zone change, receive environmental protection overlay zoning, and certain properties in the St. Johns Plan District where new use restrictions were proposed. Notice of the proposed plan amendments was also sent to the Oregon Department of Land Conservation and Development (DLCD) and Metro forty-five days prior to the first hearing;
  - l) Planning Commission held five work sessions on February 24, 2009, March 24, 2009, May 12, 2009, May 26, 2009, and June 23, 2009. At the last work session, Planning Commission voted to recommend that the River Plan / North Reach Proposed Draft be forwarded to City Council for final adoption;
  - m) The River Plan / North Reach Recommended Draft was published in November 2009 and made available to the public on the River Plan website, at the Bureau of Planning and Sustainability offices, and at District Coalition offices in North and Northwest Portland;
  - n) On December 16, 2009 Mayor Adams held a public forum/town hall meeting and invited the public to comment on the River Plan / North Reach. The public forum/town hall meeting was not a public hearing;
  - o) On December 11, 2009 a courtesy postcard was mailed to property owners, site addresses in the North Reach, and to the legislative list inviting attendance at the December 16, 2009 public forum/town hall. Eighty written and oral comments were received at the event.
  - p) On February 17, 2009 City Council held a public hearing on the River Plan / North Reach Recommended Draft and received public testimony.



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- q) Notice of the City Council public hearing was mailed on November 25, 2009 to all those who presented oral and written testimony at the Planning Commission public hearings.

### GOAL 2, LAND USE PLANNING

3. **Goal 2, Land Use Planning**, requires the development of a process and policy framework which 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 are consistent with this goal because:
- a) The Zoning Code contains procedures that were followed and criteria that have been satisfied for the development and adoption of the River Plan / North Reach and related implementing measures. The amendments are consistent with goal because the required legislative process as described in Portland City Code 33.740 was followed. In addition, the applicable approval criteria for legislative Comprehensive Plan Map Amendments, described in 33.810, for Goal, Policy, and Regulation Amendments, described in 33.835, for Zoning Map Amendments, described in 33.855, and have been evaluated and satisfied as described in the findings below;
- b) The amendments are also consistent with this goal because documents identifying existing conditions, community issues and desires, and documents analyzing economic and environmental issues affecting the plan area were prepared to assist in the creation of plan alternatives and a preferred alternative for the River Plan / North Reach. These documents were available for public review throughout the planning process. These documents include:
- 1) Portland's Willamette River Atlas (2001)
  - 2) Portland Harbor Industrial Lands Study –Parts One and Two (2003)
  - 3) Willamette River Conditions Report (2004)
  - 4) Industrial District Atlas (2004)
  - 5) Water Recreation Proposal (2006)
  - 6) River Industrial Zoning Background and Issues Report (2007)
  - 7) Draft Contaminated Sites Report & Recommendations (2007)
  - 8) Balanced Cut and Fill Draft Recommendations (2007)
  - 9) North Reach Greenway Trail & Viewpoints: Revised Staff Proposal (2007)
  - 10) Developing the River Plan/North Reach: A summary of Willamette Greenway Plan implementation issues & potential solutions (2007)
  - 11) Working Harbor Reinvestment Strategy Final Report – Discussion Draft (2007)
  - 12) Mitigation & Conservation Banks Draft Report for River Plan Consideration (2007)
  - 13) Willamette River Natural Resources Inventory: Riparian Corridors and Wildlife Habitat (2008)
  - 14) Economic, Social, Environmental and Energy Analysis and Recommendations for Riparian Corridors and Wildlife Habitat (2008);

Portland Comprehensive Plan findings on Goal 1, Metropolitan Coordination, also demonstrate that the amendments are consistent with this goal.

### **GOAL 3, AGRICULTURAL LANDS and GOAL 4, FOREST LANDS**

4. **Goal 3, Agricultural Lands, and Goal 4, Forest Lands**, requires the preservation and maintenance of the State's agricultural and forest lands, generally located outside of urban areas. These goals do not apply because there is no agricultural or forest land within the boundaries of the River Plan / North Reach. Nevertheless, the River Plan / North Reach supports the provision of additional employment, industrial and recreational opportunities within an urbanized area, thereby reducing the pressure to expand the urban growth boundary into agricultural and forest lands.

### **GOAL 5, OPEN SPACE, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES**

5. **Goal 5, Open Space, Scenic and Historic Areas, and Natural Resources**, requires the conservation of open space and the protection of natural and scenic resources. According to OAR 660-023-0240(2) Goal 15 supersedes the requirements of Goal 5 for natural resources also subject to and regulated under Goal 15. Therefore, the following findings for Goal 5 only apply to those resources within the River Plan / North Reach boundary that are not subject to Goal 15. The amendments are consistent with this goal in the following ways:
  - a) The plan preserves the existing scenic resource zone which protects significant scenic resources identified in the adopted Scenic Resources Protection Plan;
  - b) The plan includes an updated inventory of natural resources in the North Reach, which was developed based on the procedures and requirements for complying with Goal 5. The inventory includes information about the location, quantity and quality of identified natural resources for the North Reach as a whole, and for specified inventory sites. The inventory also includes a determination of significance for identified resources;
  - c) The plan includes an economic, social, environmental and energy analysis (ESEE) for the natural resources that are not subject to Goal 15. 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;
  - d) Environmental Conservation and Environmental protection overlay zoning has been retained, updated or applied to significant natural resources not subject to Goal 15 according to the ESEE decision. The environmental zoning regulations will limit or strictly limit development within the significant resource areas, encourage environmentally sensitive development that has fewer impacts on natural resource function than traditional development, and require mitigation for unavoidable impacts.

Finding under Portland Comprehensive Plan Goal 8, Environment, also demonstrate that the amendments are consistent with this goal.

### **GOAL 6, AIR, WATER AND LAND RESOURCE QUALITY**

6. **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 retaining, updating, or newly applying environmental overlay zoning for identified natural resource areas in the North Reach, 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) Improve the quality of existing natural resources by establishing a development standard that will ensure that native vegetation is enhanced in the North Reach. The standard can be met through a combination of maintaining existing native vegetation and enhancing with additional plantings, and includes incentives for preserving and enhancing vegetation on and near the banks of the Willamette River. The River Plan / North Reach also contains tree replacement requirements, and recommends additional rules be adopted to protect native oak and madrone trees. Increasing the amount of trees and vegetation in the North Reach will improve natural resource function;
  - c) Increase the quantity and quality of natural resource function in the North Reach by recommending that key sites be restored and maintained in perpetuity. The funding for restoration projects will come from a variety of public and private sources;
  - d) Improve air quality through identifying a public trail alignment for the North Reach 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 North Reach to other part of the city with a route that is safe and convenient, encourage energy efficiency through the use of bicycles and walking as a transportation mode. Increasing the number of trips conducted by bike or walking will reduce vehicle miles traveled and reduce air pollution;
  - e) 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 North Reach 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.

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Findings under Portland Comprehensive Plan Goal 8, Environment, also demonstrate that the amendments are consistent with this goal.

### **GOAL 7, AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS**

7. **Goal 7, Areas Subject to Natural Disasters and Hazards**, requires the protection of life and property from natural disasters and hazards. The amendments are consistent with this goal because they:
- a) Retain or establish environmental zoning on significant natural resource areas including areas subject to natural hazards such as steep slopes and portions of the floodplain. The environmental zoning will guide development away from these areas, thereby protecting public health and safety and property from natural disasters and hazards;
  - b) Require development that is not river-dependent or river-related to setback 50 feet from the top of bank of the Willamette River in the River General and River Recreational overlay zones. The setback will limit development within areas that are often subject to flooding thereby protecting people and property.

Findings under Comprehensive Plan Goal 8, Environment, also demonstrate that the amendments are consistent with this goal.

### **GOAL 8, RECREATIONAL NEEDS**

8. **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) Retaining existing open space zoning in the North Reach;
  - b) Retaining the River Recreational overlay zone, which preserves land for river-dependent or river-related recreational uses;
  - c) Amending the comprehensive plan map designation and zoning map designation on the property known as the McCormick and Baxter site. The amendments support the expansion of the University of Portland campus onto the property. The University of Portland has expressed interest in acquiring the property for campus open space and recreational use;
  - d) Identifying and facilitating the development of the Willamette River Greenway trail. The greenway trail will increase public access to and along the Willamette River, and provide opportunities for active and passive recreation. The trail will also connect citizens and visitors to park and recreation opportunities in the North Reach;
  - e) Increasing the greenway setback in the River General and River Recreational overlay zones. The greenway 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. The

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greenway setback is intended to preserve the greenway area for public uses including the greenway trail and scenic viewpoints.

### GOAL 9, ECONOMIC DEVELOPMENT

9. **Goal 9, Economic Development**, requires provision of adequate opportunities for a variety of economic activities vital to public health, welfare, and prosperity. Portland's comprehensive plan was adopted in 1980, updated in 1987, and is currently in compliance with Goal 9. The economic development section of the City's comprehensive plan was updated in 1994. Portland is just beginning a periodic review process to update the comprehensive plan. DLCDC approved Portland's periodic review work plan in September 2009 commencing a three-year planning process. In the meantime, the River Plan / North Reach planning process is being completed as a post-acknowledgement plan amendment.

On the whole, the River Plan / North Reach amendments are consistent with Goal 9 because they retain and strengthen the City's industrial sanctuary policies in the North Reach, designate adequate industrial and employment land to meet existing and proposed policies, and identify investments and actions to encourage development and redevelopment in the Portland Harbor. The amendments support a thriving working harbor that provides family-wage jobs and supports the economy of the City and region. Specifically, the amendments:

- a) Designate Prime Industrial Land in the North Reach and strictly limit comprehensive plan map amendments that would change the industrial sanctuary designation of Prime Industrial Land to a non-industrial designation;
- b) Reinforce the existing River Industrial overlay zone which preserves river front parcels in the zone for river-dependent and river-related industrial uses;
- c) Identify and prioritize a broad and coordinated program of public investment in infrastructure improvements to support existing and future industrial development;
- d) Recommend implementation of the HarborReDI project which will support redevelopment of 18 identified brownfield sites in the North Reach;
- e) Reduce regulations where possible to encourage development and redevelopment;
- f) Reduce the number of discretionary land use reviews required for development by implementing clear and objective development standard where possible;
- g) Clarify regulations that have been identified as vague or ineffective;
- h) Implement several fee-in-lieu options for meeting development standards as a way to meet plan objectives and maximize on-site development potential;
- i) Identify and facilitate development of the Willamette River Greenway trail which will connect the neighborhoods and work centers in the North Reach with other parts of the City and increase commuting options for employees.

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The amendments update and clarify the development regulations that apply in the North Reach. The existing regulations are more than 20 years old. The existing regulations are vague, ineffective, and inadequate to address current circumstances in the North Reach. In addition, the existing regulations do not address adopted City policy regarding improvement and maintenance of watershed health objectives or the recovery of salmonids listed as threatened under the Endangered Species Act. The existing regulations may not adequately address Metro requirements under Title 13. In order to address these deficiencies the River Plan / North Reach amendments retain, update, and in some cases, apply environmental overlay zoning to significant natural resource areas identified within industrial and employment areas (i.e. land zoned industrial or employment and the University of Portland institutional campus). The environmental overlay zones will apply to 423 acres of industrial and employment areas in the North Reach.

The environmental overlay zones do not amend or affect the uses allowed in a base zone. Industrial, employment and institutional uses will continue to be allowed within the environmental overlay zones. The overlay zones establish development regulations that limit detrimental impacts from development as much as practicable, and require mitigation for unavoidable impacts. The regulations anticipate development while at the same time ensure that the consequences of development and redevelopment in the North Reach do not include continued loss of natural resources function. This balancing of development and conservation was specifically chosen for the North Reach because achieving the City's policy objectives for resource conservation and economic development are equally important in the North Reach.

Goal 9 requires the City to provide an adequate supply of sites for industrial and commercial uses, but does not require adequacy over a specific planning period as does the Goal 9 rule. Application of the proposed environmental overlay zones will not decrease the City's currently adequate short-term supply of industrial and commercial sites in the North Reach consistent with Goal 9. While industrial and employment uses will continue to be allowed within the environmental overlay zones in the North Reach, meeting the regulations associated with the zoning will in some instances increase the cost of development. According to a draft Economic Opportunities Analysis (draft EOA) recently prepared for use in City's periodic review and comprehensive plan update process, the potential increased cost and increased timeline of development associated with the environmental overlay zone regulations will affect the available land supply over the next 25 years by reducing the amount of environmentally zoned land absorbed into the market over that time period. The River Plan / North Reach environmental overlay zoning amendments were inventoried in the draft EOA analysis. The mid-range demand scenario of the draft EOA estimates that only 40 percent of the environmentally zoned land in the harbor and airport industrial districts on average will be available for development by 2035, while the implications of the overlays will vary widely by site. However, the draft EOA also concludes the City has an adequate short-term supply of unconstrained vacant land to meet forecast demand for industrial and employment land over the next five years. The draft EOA estimates that by 2035 the expected demand for industrial land in the harbor and airport districts will exceed the available supply by approximately 600 acres.

The City will address this predicted shortfall through the periodic review process, which is currently underway, and will identify and adopt citywide policies and programs to respond to the identified need. The periodic review process will undertake the regulatory analysis required by the Goal 9 rule on a city-wide basis and is expected to be completed within five years. Options for addressing the industrial and employment land supply shortfall are explored in the draft EOA. Examples include setting specific job growth targets (or a regional capture rate target), refining industrial retention policies, provision of land for regionally significant freight terminal demand (e.g., annexation of West Hayden Island for marine terminal development), an enhanced Airport City concept, gap funding to resolve brownfield issues, encouraging full site utilization, further investigation of market opportunities (e.g., manufacturing recovery, sustainable design, increased FAR), setting use priorities through incentives (e.g., high wages, traded sectors, sustainability edge), and transportation and utility improvements for site development. The draft EOA will be adopted as part of the periodic review process.

The River Plan / North Reach environmental overlay zone amendments are consistent with Goal 9 because, as these findings demonstrate, the amendments will not impact the short-term supply of available industrial and employment land, and the long-term need identified in the City's draft EOA will be addressed before any shortfall is realized.

#### **Consistency with OAR 660-09-0010(4)**

In general, post-acknowledgement comprehensive plan amendments are not required to comply with the Goal 9 rule outside of the periodic review process. However, post-acknowledgement plan amendments that change the plan designation of land in excess of two acres must comply with the Goal 9 rule. The River Plan / North Reach amendments change the comprehensive plan map designation of a 42-acre parcel known as the McCormick and Baxter site from Industrial Sanctuary to Mixed Employment. This amendment exceeds the two acre threshold thus triggering the analysis required by section 660-09-0010(4).

The McCormick and Baxter site is a brownfield site. The property is located on the Willamette River south of the railroad bridge, and was used as a wood treatment facility from 1941 to 1991. The site has been vacant since 1991. EPA placed the site on the National Priorities List as a Superfund site due to high levels of contamination left over from the wood treatment process. In contrast to nearly all of the industrial land in the North Reach, the McCormick & Baxter site lacks nearby truck route access, is not part of a larger industrial district, and was not designated by Metro as a Regionally Significant Industrial Area. In 2000 and 2001 USEPA contracted with the Bureau of Planning to explore the potential future uses for the property so that they could design the contamination remediation accordingly. That study concluded that the site's economic constraints (e.g., property liens and infrastructure needs) and access constraints (e.g., narrow winding road down a steep bluff, lack of nearby truck route) make industrial uses likely infeasible. The study also concluded that retail and office uses would generate excessive traffic on local neighborhood streets. Park, athletic field and open space uses were found to be the most suitable uses, along with some limited employment uses. The results of the study were used by the Oregon Department of Environmental Quality to design the cleanup remedy for the site. The final

remedy includes an impermeable cap that renders most of the site highly constrained for development. The sediment cap design also diminishes the potential for future marine industrial use at the site.

OAR Section 660-09-0010(4) states:

*For a post-acknowledgement plan amendment under OAR chapter 660, division 18, that changes the plan designation of land in excess of two acres within an existing urban growth boundary from an industrial use designation to a non-industrial use designation, or another employment use designation to any other use designation, a city or county must address all applicable planning requirements, and:*

- (a) Demonstrate that the proposed amendment is consistent with its most recent economic opportunities analysis and the parts of its acknowledged comprehensive plan which address the requirements of this division; or*
- (b) Amend its comprehensive plan to incorporate the proposed amendment, consistent with the requirements of this division; or*
- (c) Adopt a combination of the above, consistent with the requirements of this division.*

The comprehensive plan designation amendment for the McCormick and Baxter site complies with 660-09-0010(4) because it complies with subsection (a): demonstrate that the amendments are consistent with the City's most recent economic opportunities analysis and the parts of the comprehensive plan that address the division.

As mentioned above, the City's most recent economic opportunities analysis was prepared in July 2009, and will be reviewed and adopted as part of the periodic review process and update of the Comprehensive Plan. The draft EOA indicates that over the next five years the City has an adequate supply of unconstrained vacant land to meet forecast industrial and employment demand. Therefore, in the short-term, the amendment to the comprehensive plan designation for the McCormick and Baxter site is consistent with the City's most recent EOA.

However, the draft EOA further indicates that over the following twenty years the City could face a shortfall of industrial and employment lands. The predicted shortfall is based partially on the impact of cost constraints on land absorption including constraints associated with brownfield clean up and development. The conclusions of the draft EOA are based partly on an estimation that only 30 percent of brownfield sites will be available for redevelopment in the next 25 years. The River Plan /North Reach includes an amendment that will encourage redevelopment of brownfield sites in the North Reach thereby reducing the potential industrial land supply shortfall. The amendments recommends implementation of the HarborReDI project which will result in an action plan to redevelop 18 identified brownfield



sites along the Portland Harbor. Few of these brownfield sites are expected to be available as current short-term land supply, but the HarborReDI project aims to facilitate both short-term redevelopment opportunities as specific sites (Linnton Plywood, Time Oil and Simplot), and over the long-term, full redevelopment of all of the identified sites. In addition, the City's intends to address the predicted long-term industrial land supply shortfall through citywide policies and programs adopted through the periodic review process.

The draft EOA also concludes that the City is facing a potential shortfall of campus institutional land between 2015 and 2035. The amendment for the McCormick and Baxter site is intended to facilitate the expansion of the University of Portland which will help reduce the predicted shortfall.

The Goal 9 rule requires the City to demonstrate that the amendment to the McCormick & Baxter site is consistent with the City's "most recent economic opportunities analysis". The City's most recent adopted EOA is in the form of industrial and commercial land inventories adopted as background documentation for the City's Comprehensive Plan Goal 5, Economic Development. According to a 1987 vacant land analysis cited in the City's adopted report responding to its first periodic review order, the City has "a sufficient inventory of vacant buildable commercial and industrial land" (pg. 135, City of Portland, Oregon Comprehensive Plan Periodic Review: Proposed Local Review Order, March 1989; Resolution No. 34523). The 1987 report identifies that the City has 2,290.56 acres of vacant buildable industrial land available and deems that figure sufficient. The report also identifies another 3,441.36 acres of industrial land within a hazard area or the floodplain and states that much of the vacant industrial land within the floodplain can be developed. LDCD acknowledged the determination that the City has sufficient commercial and industrial land in the City's first periodic review.

Given that in 1987 the City had a sufficient supply of vacant buildable industrial land and had a substantial surplus beyond that which was deemed sufficient, the change to the comprehensive plan map designation for the 42 acres McCormick and Baxter site is not significant because it is offset by the portion of the 3,441 acres of partially buildable industrial land that can be developed. Therefore, the amendment of the comprehensive plan map designation from Industrial Sanctuary to Mixed Employment for the 42 acres McCormick and Baxter site is consistent with the City's most recent adopted economic opportunities analysis. Furthermore, the amendment of the comprehensive plan map designation for the McCormick and Baxter site is consistent with the City's draft economic opportunities analysis to the extent that the draft shows an adequate supply of industrial and employment land for the next five years.

The amendment is also consistent with the parts of the comprehensive plan that address the requirements of Goal 9 because the amendment is consistent with Comprehensive Plan Goal 5, Economic Development and Comprehensive Plan Goal 2.14, Industrial Sanctuaries. These two comprehensive plan goals addressed the requirements of Goal 9. The findings for these two comprehensive plan goals also address why the River Plan / North Reach is consistent with the requirement of Statewide Planning Goal 9 and are incorporated here.

### GOAL 10, HOUSING

10. **Goal 10, Housing**, requires provision for the housing needs of citizens of the state. The amendments are consistent with this goal because they will:

- a) Protect residents in neighborhoods near industrial operations from loud noise by requiring housing construction methods that include sound insulation;
- b) Require a noise disclosure statement and additional construction and site design measures to reduce the potential for conflicts between industrial uses and nearby residents located in a portion of the St. Johns Plan District.

Portland Comprehensive Plan findings on Goal 4, Housing, also demonstrate that the amendments are consistent with this goal.

### GOAL 11, PUBLIC FACILITIES AND SERVICES

11. **Goal 11, Public Facilities and Services**, requires planning and development of timely, orderly and efficient public service facilities that serve as a framework for urban and rural development. The amendments are consistent with this goal because they:

- a) Identify and prioritize actions needed to improve provisions of public services necessary to support the Industrial Sanctuary in the North Reach including sanitary, sewer, stormwater, water, and utility improvements;
- c) Contain recommendations and actions to acquire, construct and maintain trails, parks, and natural resource restoration areas in the North Reach;
- d) Establish public investment priorities for transportation, parks, trail, infrastructure and jobs in the North Reach.

Portland Comprehensive Plan findings on Goals 11, Public Facilities also demonstrate that the amendments are consistent with this goal.

### GOAL 12, TRANSPORTATION

12. **Goal 12, Transportation**, requires provision of a safe, convenient and economic transportation system. The amendments are consistent with this policy by:

- a) Reducing reliance on the automobile, reducing per capita vehicle miles traveled, and reducing air pollution and traffic by identifying and facilitating development of the greenway trail. The trail will connect the neighborhoods and work centers in the North Reach to other parts of the city with a route that is safe and relatively direct, thereby encouraging the use of bicycles and walking as a transportation mode;
- b) Identifying and prioritizing public investments in a coordinated program of transportation capital projects that are critical to the movement of freight and people in and through the North Reach. Public investment in the North Reach transportation

system will help ensure that industrial and employment uses have access to a reliable, robust, and efficient transportation system, and that residents and employees have opportunities to safely commute by bike or walking. The recommended transportation capital projects will facilitate the development of a transportation system in the North Reach that has the capacity to meet projected growth;

- c) Retaining existing River Industrial overlay zoning. The River Industrial overlay zone requires that primary uses on riverfront sites be river-dependent or river-related. Described generally, river-dependent and river-related uses primarily rely upon access to the river or rail for transportation purposes. Moving freight by waterborne and rail transportation modes is significantly more energy efficient than moving freight by truck, and it reduces air pollution and traffic.

Pursuant to the Transportation Planning Rule (“TPR”), OAR 660-012-0060, where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of the rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility.

Under OAR 660-012-0060(1), 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) As measured at the end of the planning period identified in the adopted transportation system plan:
  - (A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
  - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
  - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Where a local government determines that there would be a significant effect, compliance with section (1) shall be accomplished through one or a combination of the following:

- (a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility;

- (b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period;
- (c) Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes;
- (d) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility;
- (e) Providing other measures as a condition of development or through a development agreement or similar funding method, including transportation system management measures, demand management or minor transportation improvements. Local governments shall as part of the amendment specify when measures or improvements provided pursuant to this subsection will be provided.

The Court of Appeals recently interpreted these provisions of the TPR in *Willamette Oaks, LLC v. City of Eugene, CA A142351* (11-18-2009). There the Court of Appeals found that local governments are required to make a determination regarding whether the zone change would significantly affect transportation facilities before approving the amendment. In other words, compliance with the TPR cannot be deferred to a later condition of approval.

The City's findings below demonstrate compliance with the TPR prior to approving the zone change and do not defer compliance findings to a later date.

The River Plan / North Reach proposes to change the zoning of property in two areas. One proposed rezoning involves 2.18 acres along NW St. Helens Road in the Linnton community. The other rezoning applies to a property with a street address at 6900 N. Edgewater known as the McCormick & Baxter site (M&B site).

A December 2009 transportation memo provided by Kittelson and Associates evaluates the impacts on transportation facilities created by the proposed zone change from IH to EG2 for the McCormick and Baxter site.

The Kittelson memo states that access to the M&B site is provided via Willamette Boulevard and Portsmouth Avenue. The modal classification of the two facilities is summarized in Table 1 (as designated in the City of Portland's Transportation System Plan).

Recommended River Plan / North Reach  
Exhibit D: Findings Report

**Table 1: Modal Classifications**

	Traffic	Transit	Bicycle	Pedestrian	Freight	Emergency Response	Street Design
Willamette Boulevard	Neighborhood Collector	Transit Access Street	City Bikeway	City Walkway	Unclassified	Major Emergency Response	Community Corridor
Portsmouth Avenue (north of Willamette)	Neighborhood Collector	Transit Access Street	City Bikeway	City Walkway	Unclassified	Major Emergency Response	Local Street

The modal classifications of Willamette Boulevard and Portsmouth Avenue (north of Willamette) are consistent with the adjacent neighborhoods and the University of Portland. In addition, the modal classifications are also consistent with the levels of pedestrian, bicycle, transit and vehicular demand that they facilitate as well as the design of the street space. Portsmouth Avenue to the south of Willamette Boulevard and the other facilities in the vicinity of the site are classified as local streets, which is also consistent with the functions and land uses they serve.

Table 2 of the Kittelson memo compares the number of trips that could be generated under the worse case scenarios for the existing and proposed zoning and concludes that if there were no land use restrictions imposed on the McCormick and Baxter property, the rezone to EG2 could result in an additional 4,960 daily trips and 470 weekday p.m. peak hour trips than would be generated by the site than under its current IH designation.

As part of the trip generation analysis prepared for the neighboring Triangle Park property zone change, Kittelson conducted an analysis of year 2025 conditions at the Willamette Boulevard/Portsmouth intersection (Kittelson & Associates, Inc., July 18, 2006 memorandum to Jamie Jeffrey et al). This analysis revealed that the intersection will function acceptably under the existing industrial zoning scenario and well below capacity. With the additional traffic associated with the existing zoning on the M&B site, the Kittelson memo concludes that the intersection will still meet the City's level of service requirements and operate below capacity.

The 2006 analysis demonstrated that with the development of the Triangle Park property under the EG2 reasonable worst case scenario, the intersection would operate in excess of capacity but still meet level-of-service "D" conditions. With the addition of the traffic associated with the proposed zoning on the M&B site, the intersection would exceed City standards. In addition, like with the Triangle Park property, the proposed zoning could result in a significant increase in daily and p.m. peak hour trips on Portsmouth to the south of Willamette Boulevard at levels that are potentially in conflict with the existing local modal designations. The capacity and classification conflicts would constitute a significant effect on the transportation system, as defined by the Transportation Planning Rule.

For these reasons, a trip cap is proposed on the McCormick and Baxter property that would limit the land uses to a level that is consistent with modal classifications and within the capacity of Willamette Boulevard and Portsmouth Avenue as well as their intersection. This limitation would equate to a daily trip generation of 2,350 trips and 395 pm peak hour trips consistent with the current IH designation. Further, future retail and office uses on-site will be limited to 12,000 square feet consistent with the existing IH zoning.

With these limitations, the weekday p.m. peak hour trip generation is consistent with that allowed under the existing zoning. With a trip-cap on allowable land uses of 2,350 daily trips and 395 weekday pm peak hour trips and a retail and office limitation of 12,000 square feet, there are no significant effects associated with the zone change and comprehensive plan amendment as defined under the Transportation Planning Rule (OAR 660-012-060).

660-012-0060(2) permits the City to impose restrictions on land use as a condition of development in order to ensure consistency with functional classification and system capacity. Because the City is imposing the trip cap of 2,350 daily trips and 395 weekday pm peak hour trips and a retail and office limitation of 12,000 square feet before it is approving the zone change amendment, the City's decision is consistent with *Willamette Oaks, LLC v. City of Eugene, CA A142351 (11-18-2009)*. The zone change is therefore consistent with the modal classifications of the 2 streets that serve the M&B site.

The River Plan also proposes to rezone 15 tax lots in the Linnton community by amending their zoning map designation from General Commercial (CG) to Commercial Storefront (CS). The tax lots are on the east side of NW St. Helens Road between NW 107<sup>th</sup> and NW 112<sup>th</sup> avenues.

The CG zone allows a variety of commercial uses and accommodates development that is oriented for the automobile. The CS zone allows a variety of commercial services, as well, and is applied in areas where a main street storefront appearance and pedestrian orientation is desired. The CS zone achieves a main street development pattern and pedestrian orientation through development standards that encourage high building coverage, shallow building setbacks, and uses with active ground floors. The CS zone also prohibits gas stations and drive-through facilities.

Although the CS zone allows for more intense development because of higher allowed building coverage and no required on-site parking, the CG zone allows uses that generate a high number of trips, such as gas stations and uses with drive-through facilities. An analysis of trip generation conducted by River Plan / North Reach staff indicates that CS zoning will not result in additional trips. Therefore the City finds that the River Plan / North Reach proposed rezoning in Linnton will not significantly affect NW St. Helens Road or other nearby transportation facilities.

### **GOAL 13, ENERGY CONSERVATION**

- 13. Goal 13, Energy Conservation**, requires development of a land use pattern that maximizes the conservation of energy based on sound economic principles. The amendments are consistent with this goal because:

- a) The River Plan / North Reach retains existing River Industrial overlay zoning which requires that primary uses on riverfront sites be river-dependent or river-related. River-dependent and river-related uses rely primarily on the river or rail infrastructure for transportation purposes. Moving freight by waterborne and rail transportation modes is significantly more energy efficient than moving freight by truck;
- b) The River Plan / North Reach facilitates development of the Willamette Greenway Trail in the North Reach through identifying a public trail alignment 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 North Reach to other parts of the city with a route that is safe and convenient, encourage energy efficiency through the use of bicycles and walking as a transportation mode, and reduce vehicle miles traveled;
- c) The Zoning Code will be amended to require that new and substantially reconstructed residential structures in a portion of the St. Johns Plan District be built to meet particular noise insulation design standards. Meeting the standard may involve installing more insulation in walls and ceilings or using double-paned windows. These types of measures can increase the energy efficiency of new and substantially reconstructed residential structures.

Portland Comprehensive Plan findings on Goal 7, Energy, and its related policies and objectives also demonstrate that the amendments are consistent with this goal.

#### **GOAL 14, URBANIZATION**

14. **Goal 14, Urbanization**, requires provision of an orderly and efficient transition of rural lands to urban use. The amendments are consistent with this goal because the River Plan /North Reach fosters employment and industrial development opportunities within the plan area thereby reducing long-term pressure to expand the UGB. The River Plan / North Reach supports maintenance of the North Reach as a thriving industrial and employment area that provides family-wage jobs. The plan supports a thriving industrial area by:

- a) Retaining the industrial and employment zoning in the North Reach thereby preserving job opportunities in the working harbor;
- b) Limiting quasi-judicial comprehensive plan map amendments on prime industrial land which will protect the industrial sanctuary and the jobs created by the uses in the area;
- c) Identifying and prioritizing public investment in a coordinated program of capital projects that will improve the infrastructure systems in the North Reach based on projected growth.

Findings for Portland Comprehensive Plan Goal 2, Urban Development, also demonstrate that the amendments are consistent with this goal.

### GOAL 15, WILLAMETTE RIVER GREENWAY

15. **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 River Plan / North Reach is a further update of the Willamette Greenway Plan for the area within the North Reach boundary. The amendments are consistent with this goal because:

- a) **Boundaries.** The boundaries of the Willamette River Greenway in the North Reach are shown on the City's zoning maps. The boundary of the Greenway in the North Reach is the extent of the River Industrial overlay zone, the River General overlay zone, the River Recreational overlay zone, and the River Environmental overlay zone. The zoning ordinance also refers to the boundaries of the Willamette River Greenway. The boundary includes lands along the Willamette River in the North Reach which are necessary to carry out the purpose and intent of the Willamette River Greenway Plan. The Greenway boundary in the North Reach includes all lands within 150 feet of the ordinary low water line on each side of the channel of the river in the North Reach, and the total area within the boundary does not exceed, on average, 320 acres per river mile.

That said, the amendments relocate the greenway boundary within the North Reach making them inconsistent with the approved and LCDC acknowledged Oregon Department of Transportation Willamette River Greenway Plan boundary. Oregon Revised Statutes 660-020-0065 spell out procedures for amending segments of the State's Willamette River Greenway Plan. The procedures require that City Council submit a request in writing to the Oregon Parks and Recreation Department requesting submission of the amendment to LCDC for adoption of an administrative rule amending the Greenway Plan. Once the request has been submitted to LCDC, LCDC will provide public notice of the proposed plan amendment and schedule a hearing. The procedures also state that "the local jurisdiction shall adopt the Willamette Greenway Plan amendment by ordinance. Such ordinance shall not have an effective date which is prior to LCDC's adoption of the plan amendment." Concurrently with the Council's consideration of the River Plan, the City is submitting the proposed greenway boundary changes to Oregon Parks and will obtain LCDC approval of the boundary modification prior to the effective date of the change;

- b) **Uses.** Uses within the Willamette River Greenway in the North Reach are managed as follows:



- There are no agricultural lands within the Greenway in the North Reach, therefore there is no exclusive farm zoning.
- Areas subject to flooding are included within the River Environmental overlay zone, and/or the areas are subject to the City's balanced cut and fill requirements. The River Environmental overlay zone will limit impacts from development on floodplain functions, and will require mitigation for unavoidable impacts;
- Open space areas continue to have open space zoning. The amendments do not affect any existing open space zoning in the North Reach.
- Recreational needs have been identified, and zoning provisions that require river-dependent recreational uses in certain locations have been maintained in the North Reach.
- Public access opportunities will be provided through development of the greenway trail and greenway viewpoints in the North Reach. The amendments identify and facilitate development of the trail and viewpoints which will provide public access to and along the Willamette River.
- Significant fish and wildlife habitats have been identified in the *Willamette River Natural Resource Inventory*. The inventory is an update of the existing natural resources inventory for the North Reach. In order to protect and preserve significant fish and wildlife habitat, environmental zoning has been retained or established on the significant habitats. The environmental zoning regulations will limit impacts from development, and will require mitigation for unavoidable impacts.
- Scenic viewpoints have been identified in the North Reach, and the amendments call for the acquisition and development of the identified scenic viewpoints.
- Public safety is protected through greenway trail requirements that focus on safety (e.g. separation, minimizing vehicle crossings, visibility, paving, width). The location of the greenway trail alignment is based in part on a principles focused on protecting public safety by avoiding heavy industrial marine terminals and providing adequate space between the trail and railroad corridors. The greenway setback and the River Environmental overlay zone will protect public and private property from flooding and erosion.
- The vegetative fringe along the Willamette River in the North Reach will be protected and enhanced in the following ways: 1) Environmental zoning will be retained or established on identified significant riparian areas. The environmental zoning regulations will, to the extent practicable, limit impacts from development, and require mitigation for unavoidable impacts; 2) A minimum amount of vegetation will be required to be planted on all sites in the North Reach. The standard includes incentives for planting the vegetation directly on or adjacent to

the river bank. The purpose of the minimum vegetation standard is to enhance the natural qualities of lands along the Willamette River in the North Reach and will result in an increase in the quality and quantity of vegetation; 3) 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 river bank; 4) The greenway setback development standard will be retained in the River General and River Recreational overlay zones, and the setback distance will be increased to 50 feet from top of bank. The setback standard ensures that, where practicable, space along the greenway is reserved for the conservation and enhancement of natural vegetation and for public access, where appropriate.

- There are no timber resources within the Greenway in the North Reach.
  - There are no known aggregate deposits within the Greenway in the North Reach.
  - Development in the North Reach will be directed away from the river to the greatest degree practicable as follows: 1) Environmental zoning will be retained or established on the Willamette River and on identified, significant riparian areas adjacent to the river. The environmental zoning regulations require that the applicant explore all practicable alternatives to developing in the resource area, and choose the alternative that has the fewest detrimental impacts to the resource area; 2) The greenway setback development standard will be retained in the River General and River Recreational overlay zones, and the setback distance will be increased to 50 feet from top of bank. The setback standard requires that all development that is not water-dependent or water-related setback from the top of bank of the Willamette River. Both sets of regulations mentioned above allow land committed to urban uses (such as port and industrial uses) to continue as urban uses.
  - The greenway setback standard will require that non water-dependent and non water-related development in the River General and River Recreational overlay zones set back 50 feet from the top of bank of the Willamette River. The purpose of the greenway setback is to reserve space for the conservation and enhancement of natural vegetation and to provide the opportunity for public access where appropriate. The setback will not apply in the River Industrial overlay zone because that zone requires that primary uses be water-dependent or water-related, and Goal 15 specifically states that the setback line shall 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);
- c) Greenway Compatibility Review: Intensifications and changes of use or development will be reviewed to ensure their compatibility with the Willamette River Greenway. All intensifications and changes of use or development within the Greenway boundary in the North Reach will trigger compliance with greenway and public trail

development standards through an administrative review procedure. In some cases, intensifications and changes of use or development will trigger compliance with approval criteria through a discretionary land use review procedure. As stated previously, the Greenway boundary in the North Reach is not less than 150 feet from the ordinary low water mark at any point.

The development standards associated with the administrative review procedure in the North Reach have been written to provide the maximum possible landscaped area, open space, or vegetation between the activity and the river, and to provide necessary public access to and along the river. The standards are also compatible with the Greenway statutes. The North Reach is primarily in an industrial or employment urban use, and the majority of the river front is preserved for water-dependent and water-related uses. The administrative development standards include:

- Greenway setback. The greenway setback standard requires that non water-dependent and non water-related development in the River General and River Recreational overlay zones set back 50 feet from the top of bank of the Willamette River. The purpose of the greenway setback is to reserve space for the conservation and enhancement of natural vegetation and to provide an opportunity for public access where appropriate. The setback will not apply in the River Industrial overlay zone because that zone requires that primary uses be water-dependent or water-related, and Goal 15 specifically states that the setback line shall not apply to water-related or water-dependent uses;
- Minimum vegetated area. The planting or maintaining of native vegetation will be required on all sites in the North Reach. The standard requires that up to 1 percent of total project value be spent on enhancing native vegetation within the Willamette River Greenway boundary. The standard includes incentives for planting the vegetation directly on or adjacent to the river bank. The standard is flexible and accommodates the continued urban uses in the North Reach by allowing an equal amount of vegetation to be planted off-site. The purpose of the vegetation standard is to enhance the natural qualities of lands along the Willamette River in the North Reach, and application of the standard will result in an increase in the quality and quantity of vegetation within the greenway;
- River Environmental overlay zone development standards. The River Environmental overlay zone will apply to significant natural resources in the North Reach. The overlay zone will apply to the Willamette River and to areas along the river bank 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 Greenway by encouraging sensitive development, providing clear limitations on disturbance, and maintaining existing vegetation. The standards limit the total amount of disturbance allowed in the overlay zone, limit the number of trees that can be removed, and require mitigation in form of replanting within or adjacent to the overlay zone;

- 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;
- Greenway trail. The public trail standards require that the greenway trail be dedicated and developed when development occurs and when dedication and development are proportional to the impacts of the proposed development. The requirement of proportionality is consistent with the United States Supreme Court ruling in *Dolan v. City of Tigard*.

As mentioned above, when intensifications and changes of use or development can not 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 possible 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.

The Oregon Department of Land Conservation and Development was notified of the River Plan / North Reach and the plan has been the subject of more than one public hearing. Based on the findings in this subparagraph (15.c Greenway Compatibility Review), the amendments are consistent with OAR 660-015-005.F.3.a-f.

## **Findings on Metro Urban Growth Management Functional Plan**

Metro has adopted an Urban Growth Management Functional plan (UGMFP) that requires local jurisdictions to adopt and amend comprehensive plans and land use regulations that are consistent with its provisions.

### **TITLE 1, REQUIREMENTS FOR HOUSING AND EMPLOYMENT ACCOMMODATION**

16. **Title 1, Requirements for Housing and Employment Accommodation**, requires that each jurisdiction contribute its fair share to increasing the development capacity of land within the Urban Growth Boundary. This requirement is to be generally implemented through city-wide analysis based on calculated capacities from land use designations. The amendments are not inconsistent with this title because:

- a) They are not changing the amount of housing allowed in the North Reach and will therefore have no effect on housing capacity;
- b) The comprehensive plan map amendment from Industrial Sanctuary to Mixed Employment and the corresponding zone change from Heavy Industrial (IH) to General Employment 2 (EG2) on the property formerly know as the McCormick and Baxter site could generate a net increase in employment opportunities in the North Reach because the employment zones allow uses that have significantly greater employment density than the industrial zones;
- c) The comprehensive plan map amendment from General Commercial to Urban Commercial and the corresponding zoning map amendment from General Commercial (CG) to Commercial Storefront (CS) on 2.18 acres along NW St. Helens Rd. in the Linnton Community will have no effect on employment opportunities in the North Reach.

### **TITLE 3, WATER QUALITY AND FLOOD MANAGEMENT CONSERVATION**

17. **Title 3, Water Quality and Flood Management Conservation**, 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 provisions in Title 24 Building Regulations, and the Willamette Greenway Water Quality Zone, or “q” overlay zone. The River Plan / North Reach amendments 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. River Plan / North

Reach amendments, including proposed environmental overlay zones inside and outside the Willamette Greenway, vegetation enhancement requirements in the greenway, and tree replacement requirements will support goals for flood management and erosion control;

- b) The amendments retain a 50 foot setback from top of bank on North Reach properties in the former Willamette Greenway “q” overlay zone. Only river dependant uses may encroach into the setback without a Review to ensure that adverse impacts on greenway and river functions, including water quality, are minimized or mitigated;
- c) The amendments also replace the former “q” zoning with River Environmental overlay zoning for areas that contain natural resources identified in the North Reach natural resource inventory. The River Environmental overlay zone supports Title 3 goals to protect water quality. The River Environmental overlay zone is designed to prevent adverse impacts on the values and functions of riparian corridors and wildlife habitat, including protection of water quality. The River Environmental zone applies both to flatter areas where the former “q” zone setback was 50 feet from top of bank, and to areas where slopes exceed 25 percent and the “q” zone setback was 200 feet. The River Environmental overlay zone establishes 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.

#### **TITLE 4, RETAIL IN EMPLOYMENT AND INDUSTRIAL AREAS**

18. **Title 4, Retail in Employment and Industrial Areas**, calls for retail development in Employment and Industrial areas that are consistent with these areas and does not serve a larger market area.

The amendments change the zoning designation of a 42 acre parcel known as the McCormick and Baxter site (M&B site) from Heavy Industrial (IH) to General Employment 2 (EG2). The McCormick and Baxter site is designated Industrial on the Metro Employment and Industrial Areas Map. It is not designated as a Regionally Significant Industrial Area. Title 4 was amended in April of 2007. Pursuant to that amendment, Section 3.07.450.H provides that a city is permitted to amend industrial zoning in a Metro designated Industrial Area on the Employment and Industrial Areas Map for properties greater than 20 acres in size if the proposed amendment meets the approval criteria of Subsection (H). Based on conversations with Metro, it is Metro’s position that it will review the City of Portland’s decision to amend the M&B zoning applying the criteria of Subsection (H). The City therefore need not make Subsection (H) findings in its decision. Nonetheless, the findings below demonstrate that the City’s decision to rezone M&B from IH to EG2 complies with all of the following Subsection (H) approval criteria:

*1. Would not reduce the jobs capacity of the city or county below the number shown on Table 3.07-1 of Title 1 of the Urban Growth Management Functional Plan;*

Table 3.07-1 of Title 1 has a jobs capacity for Portland of 209,215. Because the EG2 designation will continue to permit industrial uses, and conditions of approval will limit retail sales and service as well as office uses consistent with the current IH designation, the zone change will not negatively impact the jobs capacity of the City under Title 1.

As mentioned, the amendments rezone the M&B site from IH to EG2. Uses permitted in the EG2 zone are listed at Table 140-1 of the Portland Zoning Code. Industrial uses continue to be permitted in the EG2 zone including manufacturing and production, warehouse and freight movement, wholesale sales and industrial service. While retail sales and office uses are permitted in the EG2 zone they are permitted subject to square footage limitations. In the EG2 zone, retail sales and service uses are permitted up to a maximum of 60,000 square feet. Office uses are allowed up to a maximum FAR of 1:1. Comparatively, in the IH zone, the limitation on retail sales and service uses as well as office uses is 12,000 square feet.

The M&B zone change to EG2 is proposed with a condition of approval that will limit retail sales and office uses to the same square footage limitation found in the current IH zone (12,000 square feet). As a result, the zone change has no adverse impact on the City's jobs capacity.

*2. Would not allow uses that would reduce off-peak performance on Major Roadway Routes and Roadway Connectors shown on Metro's 2004 Regional Freight System Map below standards in the Regional Transportation Plan ("RTP"), or exceed volume-to-capacity ratios on Table 7 of the 1999 Oregon Highway Plan ("OHP") for state highways, unless mitigating action is taken that will restore performance to RTP and OHP standards within two years after approval of uses;*

There are only three routes that access the M&B site. These include N. Willamette Blvd., N. Portsmouth Avenue and N. Van Houten Street. None of these streets are designated Major Roadway Routes and Roadway Connectors on Metro's Regional Freight System Map. Even if any of these roads were so designated, the rezone of the property from IH to EG2 will not allow uses that would reduce off-peak performance. With the condition of approval limiting retail and office uses to 12,000 square feet, the EG2 designation continues to allow industrial uses and limit retail sales and service and office uses in the same manner as those uses are allowed or limited under the IH designation.

Further, the IH designation permits the development of the property with parks and open areas. The EG2 designation also allows parks and open areas. Accordingly, if the property is developed with parks and open areas and used either by the neighboring University of Portland or members of the public, the zone change itself will not allow any new uses not already allowed on the site that would reduce off peak performance of the Roadway Routes or Roadway Connectors.

Because none of the access roads to the site are state highways, the remainder of this approval criterion is not applicable.

*3. Would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in their market areas;*

The zone change is proposed with a condition of approval that limits retail sales and office uses on the site to the same amount that would be permitted under the current IH designation. As a result, the zone change cannot diminish the intended function of the Central City of Portland or any other retail center as a principal center for such activities. Further, to the extent the site is developed with parks and open areas, these uses are also permitted outright under the current IH zone. Lastly, the site is isolated from the Central City or other Town Center between the University of Portland campus and the Willamette River. It does not compete geographically or functionally with any local center. The proposal therefore satisfies this criterion.

*4. Would not reduce the integrity or viability of a traded sector cluster of industries;*

The M&B site is currently vacant and has been vacant since 1991 when M&B ceased operations. In 1990, DEQ assumed responsibility for completing investigation and cleanup of the site. DEQ then initiated removal and remedial actions that continued through the early 1990s. In June of 1994, the EPA added the property to the Superfund National Priority List. DEQ and EPA then jointly issued a Record of Decision in March of 1996. The ROD was then amended in 1998. In August of 2002, EPA and DEQ selected the final remedy. To date the site has undergone extensive remediation including removal, a containment wall and soil cap. The significant environmental constraints on the site along with poor truck access preclude beneficial reuse as an industrial site. Because the site is environmentally constrained and no industry is currently operating on the site, the rezone to EG2 will not reduce the integrity or viability of a traded sector cluster of industries. The EG2 zone continues to permit a wide variety of industrial and employment uses and therefore does not alter the opportunities for future industries.

*5. Would not create or worsen a significant imbalance between jobs and housing in a regional market area; and*

The zone change from IH to EG2 will not create or worsen a significant imbalance between jobs and housing. First, the City of Portland is not currently experiencing a significant imbalance between jobs and housing in this regional market area. Secondly, the EG2 zone permits development of the same kind of industrial uses as would be permitted under the IH designation and is no more severe in its limits on retail sales and service and offices uses than the IH designation. Because the same or similar uses are permitted in the IH zone as the EG2 zone, the zone change itself cannot create or worsen a significant imbalance between jobs and housing in the regional market area. To the contrary, it is likely the case that development or use of the property by the University of Portland will have far greater potential to create jobs than any other use that could be made consistent with the EPA remediation order.



*6. If the subject property is designated Regionally Significant Industrial Area, would not remove from that designation land that is especially suitable for industrial use due to the availability of specialized services, such as redundant electrical power or industrial gases, or due to proximity to freight transport facilities, such as trans-shipment facilities.*

The subject property is not designated as a Regionally Significant Industrial Area. Therefore this criterion does not apply.

In addition to these Subsection (H) criteria, Title 4 contains a limitation on retail uses for areas designated Industrial. Title 4 allows a maximum of 20,000 square feet per site of retail and office uses in an industrial area. The corresponding zone change to EG2 allows retail uses up to a 1:1 FAR or 60,000 square feet, whichever is less, and office uses are limited to a 1:1 FAR. To ensure conformance with Title 4, the City has imposed a condition of approval that will limit retail and office uses to a maximum of 12,000 square feet, less than what would otherwise be allowed through Title 4. This amendment therefore complies with the Title 4 limitation on retail and office uses in Industrial Areas.

Upon approval of the zone change by the City Council, staff will submit the final decision approving the zone change to Metro for final approval under Metro Code Section 3.07.450.H.

### **TITLE 13, NATURE IN NEIGHBORHOODS**

19. **Title 13, Nature in Neighborhoods**, is intended 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 River 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 North Reach. As such, the amendments will:

- a) Recognize and address the unique and interrelated ecological, economic, social, and recreational characteristics of the North 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 North Reach to address specific inventory sites and to incorporate more current, detailed data and refined analytical criteria. The North Reach inventory better reflects the level of ecological function and relative quality of resources, such as the impacts associated with extensive riverbank hardening and vegetation removal in the Portland Harbor;
- c) Update the Title 13 Economic, Social, Environmental, and Energy (ESEE) Analysis to address the consequences of conflicting uses for specific inventory sites in the North Reach. From this work emanates recommendations intended to optimize economic, ecological, and social values in the Portland Harbor, watershed health, and neighborhood livability in the North Reach;
- d) Update City environmental protection and environmental conservation zones within the plan area, and establish environmental overlay zoning on high and medium ranked resources in the Willamette River Greenway. These overlay zones will apply to 372 acres (70 percent) of Title 13 Habitat Conservation Areas (HCAs) in the North Reach (note: the numbers do not reflect acres within the Willamette River itself. The Willamette River is designated HCA, and all of the Willamette River will have environmental overlay zoning applied). In addition, the amendments apply environmental overlay zoning to 447 acres of significant natural resource areas outside of the HCAs. 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) Propose specific deviations between proposed overlay zones and Title 13 HCAs that reflect the updated natural resource inventory information and ESEE analysis for the North Reach. For example the City proposes to apply overlay zones to significant resources located on marine terminal sites that Metro exempted from Title 13 requirements. The City is proposing regulatory exemptions based on specific development or operational activities instead of for specific uses or sites. The City is proposing not to apply overlay zones to those Title 13 HCAs comprised of hardened, non-vegetated riverbank because to do so would add incremental costs to development in high-value economic areas without substantial benefit to natural resources. Title 13's district plan approach was designed to allow precisely this kind of alternative approach to habitat preservation, and this approach will result in substantially comparable, if not better, habitat protection within the North Reach district ;
- f) Encourage habitat-friendly development, as required by Title 13, by establishing a development standard that will require that up to 1 percent of project value be spent on enhancing native vegetation within the Willamette River Greenway area. The standard can be met through a combination of maintaining existing native vegetation

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- and enhancing with additional plantings. The plan also contains tree replacement requirements and recommends additional rules be adopted to protect native oak and madrone trees. Increasing the amount of trees and vegetation in the North Reach will improve natural resource function. The City's existing Stormwater management Plan and Stormwater Management Manual focuses on low-impact development practices designed to improve stormwater quality;
- g) Establish a river restoration program that will acquire, restore and maintain in perpetuity key natural resource sites for long-term public benefits such as fish and wildlife habitat, water quality and flood storage. Program funding will come from numerous public and private sources;
  - h) Recommend that the Portland Bureau of Transportation help fund improvements that establish a whistle-free zone along the railroad tracks near the Cathedral Park area in St. Johns, and that PBOT explore the potential for a whistle-free zone along the railroad tracks in Linnton. Establishing a whistle-free zone will reduce disturbance of fish and wildlife in these areas;
  - i) 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.

## Findings on Portland's Comprehensive Plan Goals

20. The City's Comprehensive Plan was adopted by the Portland City Council on October 16, 1980, and was acknowledged as being in conformance with the statewide planning goals by the Land Conservation and Development Commission on May 1, 1981. On May 26, 1995 and again on January 25, 2000, the LCDC completed its review of the City's final local periodic review order and periodic review work program, and reaffirmed the plan's compliance with the statewide planning goals.

### GOAL 1, METROPOLITAN COORDINATION

21. **Goal 1, Metropolitan Coordination**, calls for the Comprehensive Plan to be coordinated with federal and state law and to support regional goals, objectives and plans. Coordination with state and regional planning efforts has been undertaken with the development of the proposed amendments. The amendments are consistent with this goal because the River Plan / North Reach planning process included the participation of representatives from City, state and federal agencies. In addition, the plan is intended to support and incorporate the basics of Metro Title 13, Nature in Neighborhoods, and has been designed to serve as a Title 13 district plan for the North Reach. These actions help ensure that the River Plan / North Reach is consistent with applicable local, regional and state plans.
22. **Policy 1.4, Intergovernmental Coordination**, calls for continuous participation in intergovernmental affairs with public agencies to coordinate metropolitan planning and project development and maximize the efficient use of public funds. The amendments are consistent with this policy because the River Plan / North Reach planning process included the participation of representatives from City, state, regional and federal agencies. The plan identifies and prioritizes public investment in a coordinated program of capital projects that will improve the infrastructure systems in the North Reach based on projected growth. The list of capital projects was developed in coordination with local, state, regional and federal agencies in order to ensure the efficient use of public funds.
23. **Policy 1.5, Compliance with Future Metro Planning Efforts**, calls for the review and update of Portland's Comprehensive Plan to comply with the Regional Framework Plan adopted by Metro. The amendments are consistent with this policy because they are intended to support and incorporate the basics of Metro Title 13, Nature in Neighborhoods, and have been designed to serve as a Title 13 district plan for the North Reach.

### GOAL 2, URBAN DEVELOPMENT

24. **Goal 2, Urban Development**, calls for maintenance of Portland's role as the major regional employment and population center by expanding opportunities for housing and jobs, while retaining the character of established residential neighborhoods and business centers. The amendments are consistent with this goal because they support the maintenance of the North Reach as a thriving industrial and employment area that provides family-wage jobs. The plan supports a thriving industrial area by:

- a) Retaining the industrial and employment zoning in the North Reach thereby preserving job opportunities in the working harbor;
- b) Limiting quasi-judicial comprehensive plan map amendments on prime industrial land which will protect the industrial sanctuary and the jobs created by the uses in the area;
- c) Identifying and prioritizing public investments in a coordinated program of capital projects that will improve the infrastructure systems in the North Reach so that they will be adequate to support projected growth.

25. **Policy 2.2, Urban Diversity**, calls for promotion of a range of living environments and employment opportunities for Portland residents. The amendments are consistent with this policy because they support the maintenance of the North Reach as a thriving industrial and employment area that provides family-wage jobs. The amendments also include changes that will improve the Linnton and St. Johns neighborhoods. For example, the amendments require a higher level of noise insulation in new and substantially rebuilt dwellings in an area of St. Johns that is impacted by noise from nearby industrial operations. The amendments also recommend the implementation of a whistle-free zone in St. Johns and Linnton.

26. **Policy 2.6, Open Space**, calls for provision of opportunities for recreation and visual relief by preserving existing open space, establishing a loop trail that encircles the city and promoting recreational use of the city's rivers, creek, lakes, and sloughs. The amendments are consistent with this policy by:

- a) Retaining the existing open space zones in the North Reach;
- b) Retaining the River Recreational overlay zone, which preserves land specifically for river-dependent and river-related recreational use;
- c) Identifying and facilitating development of the Willamette River Greenway trail. The trail will connect the neighborhoods, work centers and recreation destinations in the North Reach to other parts of the city with a route that is safe and convenient, increase recreational opportunities in the North Reach, and encourage bicycling and walking;
- d) Identifying greenway viewpoints;
- e) Expanding the greenway river setback in the River General and River Recreational overlay zones. The greenway river setback is intended to preserve the recreational qualities of land along the Willamette River;
- f) Amending the comprehensive plan map designation and zoning map designation on the property known as the McCormick and Baxter site at 6900 N. Edgewater. The amendments support the expansion of the University of Portland campus onto the property. The University of Portland has expressed interest in acquiring the property for campus open space and recreational use.

27. **Policy 2.7, Willamette River Greenway Plan**, calls for implementation of the Willamette River Greenway Plan which preserves a strong working river while promoting recreation, commercial and residential waterfront development along the Willamette south of the Broadway Bridge. The City's Willamette River Greenway Plan was first adopted in 1979 and then amended in 1987. The River Plan / North Reach is an update of the 1987 Willamette River Greenway Plan for the area known as the North Reach. The plan is being updated to reflect current conditions and City objectives regarding development in the North Reach. The goals of the Willamette River Greenway Plan in the North Reach continue to be preservation of a strong working river while promoting recreation, environmental conservation, and enhancement where possible. Findings under Statewide Planning Goal 15 also demonstrate that the amendments are consistent with this policy.
28. **Policy 2.14, Industrial Sanctuaries**, calls for encouraging the growth of industrial activities by preserving industrial land primarily for manufacturing purposes. The amendments are consistent with this policy because they maintain the North Reach as a thriving industrial and employment area that provides family-wage jobs. The plan supports the North Reach as a thriving industrial area by:
- a) Preserving the industrial and employment zoning in the North Reach;
  - b) Limiting quasi-judicial comprehensive plan map amendments on prime industrial land, which will protect the industrial sanctuary and the jobs created by the industrial and employment uses in the area;
  - c) Preserving the River Industrial overlay zone, which preserves land specifically for river-dependent and river-related uses. This requirement ensures that the North Reach will continue to be a working industrial harbor.
  - d) Identifying and prioritizing public investments in a coordinated program of capital projects that will improve the infrastructure systems in the North Reach based on projected growth.
29. **Policy 2.20, Utilization of Vacant Land**, calls for providing for full utilization of existing vacant land except in those areas designated as Open Space. The amendments are consistent with this policy by:
- a) Eliminating the greenway setback in the River Industrial overlay zone, which will increase the amount of land available for development purposes thereby encouraging utilization of vacant land;
  - b) Identifying and prioritizing public investment in a coordinated program of capital projects that will improve the infrastructure systems in the North Reach so that they will be adequate to support projected growth. Improving infrastructure systems in the North Reach will encourage utilization of vacant land;
  - c) Amending the comprehensive plan map designation and zoning map designation on the property known as the McCormick and Baxter site at 6900 N. Edgewater. The

amendments support the expansion of the University of Portland campus onto the property;

- d) Clarifying the City's substantive requirements for the removal and remediation of hazardous substances, which will improve the process of clean up and help return contaminated sites to productive use.

30. **Policy 2.23, Buffering**, calls for mitigating the impacts from non-residential uses on residential areas through the use of buffering and access limitations, in particular when residentially-zoned lands are changed to commercial, employment or industrial zones. The amendments are consistent with this policy by:

- a) Applying noise insulation design standards to the construction of new and substantially reconstructed residential structures in an area of the St. Johns Plan District that is affected by loud noise from adjacent industrial operations. The increased insulation will help protect residents from the impacts of loud noises. Loud noises are often a part of industrial operations but without proper sound protection, the noise can become a health hazard for people living near the source;
- b) Clarifying existing conditional use approval criteria for residential uses in the EG1, EG2, IG1, IG2 and IH zones so that residents in those zones are better protected from noise and light impacts generated by nearby industrial uses;
- c) Protecting existing wooded areas adjacent to industrial operations in an area of the St. Johns neighborhood known as the Baltimore Woods by applying environmental zoning. The amendments also recommend that the Baltimore Woods area be protected through acquisition and restoration. Wooded areas can provide a buffer between residential areas and commercial, employment or industrial zones.

### GOAL 3, NEIGHBORHOODS

31. **Goal 3, Neighborhoods**, calls for preservation and reinforcement of the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses and insure the City's residential quality and economic vitality. The amendments support neighborhood stability along the river by strictly limiting the conversion of prime industrial land in the working harbor. The amendments also support neighborhood stability by protecting residents living near industrial operations from loud noise. The zoning code will be amended to require housing construction methods that include a higher level of sound insulation. Additional sound insulation will reduce the potential for conflicts between industrial uses and nearby residents.

32. **Policy 3.1, Physical Conditions**, calls for providing and coordinating programs to prevent the deterioration of existing structures and public facilities. The amendments are consistent with this policy by identifying and prioritizing public investment in a coordinated program of capital projects that will improve the infrastructure systems in the North Reach, applying a development standard aimed at enhancing the amount of native vegetation in the North

Reach, and identifying and facilitating development of the Willamette River Greenway trail to connect neighborhoods and work centers in the North Reach to other part of the city.

33. **Policy 3.5, Neighborhood Involvement**, provides for the active involvement of neighborhood residents and businesses in decisions affecting their neighborhood. The amendments are consistent with this policy because neighborhood associations, business associations, and the community at large were involved in developing elements of the plan. Approximately once a month River Plan staff sent out an electronic newsletter providing notice of advisory group meetings and other information of potential interest to North Reach stakeholders. In June and August 2007 staff mailed informational postcards to all North Reach property owners and businesses and other interested parties to inform them about the project and upcoming events (~3,500 recipients). Throughout the planning process staff also presented progress reports at neighborhood and business association meetings and held open houses. Findings for Statewide Planning Goal 1, Citizen Involvement, also demonstrate that the amendments are consistent with this policy.
34. **Policy 3.6, Neighborhood Plan**, calls for maintaining and enforcing neighborhood plans that are consistent with the Comprehensive Plan and that have been adopted by City Council. Staff reviewed the goals, policies and objectives of the following neighborhood plans and finds that the River Plan / North Reach does not conflict with or undermine any of the goals, policies or objectives, and therefore, the River Plan / North Reach is consistent with the relevant adopted neighborhood plans: St. Johns/Lombard Plan, Guilds Lake Industrial Sanctuary Plan, Eliot Neighborhood Plan, Boise Neighborhood Plan, North Interstate Area Plan, Albina Community Plan, Central City Community Plan, and Smith and Bybee Lakes Natural Resource Management Plan.

#### GOAL 4, HOUSING

35. **Goal 4, Housing**, calls for enhancing Portland's vitality as a community at the center of the region's housing market by providing housing of different types, tenures, density, sizes, costs and locations that accommodates the needs, preferences, and financial capabilities of current and future households. The amendments are consistent with this goal because they contain regulations and recommendations that will protect residents from the impacts of noise associated with industrial operations near the St. Johns and Cathedral Park neighborhoods, thereby reducing the potential for conflict between industry and residents.
36. **Policy 4.1, Housing Availability**, calls for ensuring that an adequate supply of housing is available to meet the needs, preferences, and financial capabilities of Portland's households now and in the future. The amendments are consistent with this policy because they protect residents from the impacts of noise associated with industrial operations near the St. Johns and Cathedral Park neighborhoods, thereby reducing the potential for conflict between industry and residents.
37. **Objective C**, calls for considering the cumulative impact of regulations on the ability of housing developers to meet current and future housing demand. This ordinance includes a zoning code amendment that requires new and substantially reconstructed residential



structures be built to particular noise insulation design standards. The amendment will apply to a portion of the St. Johns Plan District that has been experiencing housing growth and is affected by loud noise from adjacent industrial operations. Loud noises are often a part of industrial operations and without proper sound protection the noise can become a health hazard for people living near the source. Assuming that residential structures are not currently built to the required design standard, then the cost of the added insulation could increase the cost of providing housing. However, the additional measure taken to meet the standard (e.g. additional insulation in walls and ceilings, double-paned windows) may increase the energy efficiency of the structure and result in reduced energy use and cost over time. The amendment has been drafted in consultation with the City's Noise Officer, and is similar in nature to the sound insulation requirement that applies to residential structures near the Portland Airport. The amendment is consistent with this objective because the impact from the regulation on the ability of housing developers to meet current and future housing demand has been considered, and the benefits of protecting residents from the impacts of high levels of noise offsets the potentially that the regulation will increase the cost of housing.

38. **Objective J**, calls for limiting residential development in areas designated as industrial sanctuaries. The amendments are consistent with this objective because they reduce the potential that land designated as industrial sanctuary on the Comprehensive Plan Map will be re-designated and rezoned to allow residential use.
39. **Policy 4.3, Sustainable Housing**, calls for encouraging housing that supports sustainable development patterns by promoting the efficient use of land, conservation of natural resources, easy access to public transit and other efficient modes of transportation, easy access to services and parks, resource efficient design and construction, and the use of renewable energy resources. The amendments are consistent with this policy because they:
  - a) Encourage resource efficient housing by requiring that new and substantially reconstructed residential structures built in a portion of the St. Johns Plan District be constructed in a way that achieves particular noise insulation design standards. Depending on the measures taken (e.g. additional insulation, double-paned windows) meeting the noise insulation design standard can improve the energy efficiency of housing;
  - b) Retain or establish environmental zoning on significant natural resources. The environmental zoning regulations will encourage the efficient use of land by requiring that natural resources be conserved to the extent practicable when housing is built;
  - c) Establish a public trail alignment that connects the neighborhoods and work centers in the North Reach to other parts of the city along a route that is safe and convenient. The trail will encourage the use of bicycles and walking as a transportation mode and reduce vehicle trips.
40. **Objective D**, calls for fostering flexibility in the division of land and the siting of buildings, and other improvements to reduce new development's impacts on

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environmentally sensitive areas. The amendments are consistent with this objective because they retain or establish environmental zoning on significant natural resources and environmentally sensitive area in the North Reach. The environmental zoning regulations for dividing and siting buildings and improvements on lands within the zones are flexible, and encourage environmentally sensitive development that reduces impacts on natural resource functions.

41. **Policy 4.4 Housing Safety**, calls for ensuring a safe and healthy built environment and assist in the preservation of sound existing housing and the improvement of neighborhoods. The amendments are consistent with this objective because they will protect residents from the impacts of high levels of noise, and reduce the potential for conflicts between industrial uses and residents in the St. Johns and Cathedral Park neighborhoods.
42. **Policy 4.6 Housing Quality**, encourages the development of housing that exceeds minimum construction standards. This ordinance includes a zoning code amendment that requires new and substantially reconstructed residential structures be built to particular noise insulation design standards. The amendment will apply to a portion of the St. Johns Plan District that has been experiencing housing growth and is affect by loud noise from adjacent industrial operations. Loud noises are often a part of industrial operations but without proper sound protection, the noise can become a health hazard for people living near the source. The amendment is consistent with this objective because it will protect residents from the impacts of high levels of noise, and requires that housing be built that exceeds minimum construction standards for noise insulation.
43. **Objective A**, calls for the promotion of housing that provides air quality, access to sunlight, and is protected from noise and weather. The proposed amendments are consistent with this objective because they include a zoning code amendment that requires new and substantially reconstructed residential structures built in an area of the St. Johns Plan District to meet noise insulation design standards. The insulation will protect residents from the impacts of high levels of noise. The area where the requirement will apply has been experiencing housing growth and is affected by loud noise from adjacent industrial operations. Loud noises are often a part of industrial operations but without proper sound protection the noise can become a health hazard for people living near the source.
44. **Objective C**, calls for the protection of housing from excessive off-site impacts including pollution, noise, vibration, odors, and glare. The proposed amendments are consistent with this objective because they include a zoning code amendment that requires new and substantially reconstructed residential structures built in an area of the St. Johns Plan District to meet noise insulation design standards. The insulation will protect residents from the impacts of high levels of noise. The area where the requirement will apply has been experiencing housing growth and is affected by loud noise from adjacent industrial operations. Loud noises are often a part of industrial operations but without proper sound protection the noise can become a health hazard for people living near the source.

45. **Objective D**, calls for limiting conflicts between existing business areas and housing caused by traffic and parking, noise, and signage. The amendments are consistent with this objective because they
- a) Include a zoning code amendment that requires new and substantially reconstructed residential structures built in an area of the St. Johns Plan District to meet noise insulation design standards. The insulation will protect residents from the impacts of high levels of noise and will reduce the potential for conflicts between uses in the industrial sanctuary and nearby residents. The area where the requirement will apply has been experiencing housing growth and is affected by loud noise from adjacent industrial operations. Loud noises are often a part of industrial operations but without proper sound protection, the noise can become a health hazard for people living near the source;
  - b) Require that residents of new residential units in the Baltimore Woods subdistrict of the St. Johns Plan District sign a statement that acknowledges that their home is near an industrial area and that they will likely experience impacts from industrial noises. The statement is intended to educate residents about the potential for increased levels of noise from the adjacent industrial operations, thereby reducing the likelihood that conflicts will arise between the operators of industrial facilities and residents who expect more typical noise levels.
46. **Policy 4.15, Regulatory Costs and Fees**, calls for considering the impact of regulations and fees in the balance between housing affordability and other objectives such as environmental quality, urban design, maintenance of neighborhood character, and protection of public health, safety, and welfare. The River Plan / North Reach ordinance includes a zoning code amendment that requires new and substantially reconstructed residential structures be built to particular noise insulation design standards. The amendment will apply to a portion of the St. Johns Plan District that has been experiencing housing growth and is affected by loud noise from adjacent industrial operations. Loud noises are often a part of industrial operations and without proper sound protection, the noise can become a health hazard for people living near the source. Assuming that residential structures are not currently built to the required design standard, then the cost of the added insulation could increase the cost of housing. However, the additional measures taken to meet the standard (e.g. additional insulation in walls and ceilings, double-paned windows) may increase the energy efficiency of the structure and reduce energy use and cost over time. The amendment was drafted in consultation with the City's Noise Officer, and is similar in nature to the sound insulation requirement that applies to residential structures near the Portland Airport. The amendment is consistent with this policy because the impact from the regulation on the cost of housing has been considered, and the benefits of protecting residents from the impacts of high levels of noise offsets the potential that the regulation will increase the cost of housing.

The ordinance implementing the River Plan / North Reach will also apply environmental conservation and environmental protection overlay zones to significant natural resource areas located within the North Reach boundary but outside of the Willamette River Greenway. Meeting the regulations associated with the environmental zoning can increase the cost of

development. The environmental regulations have been designed to limit the cost increase to the extent possible by allowing some levels of development in the zones to be permitted without requiring a more costly land use review. In addition, the City subsidizes the cost of reviewing permits against the environmental development standards and the environmental approval criteria.

### GOAL 5, ECONOMIC DEVELOPMENT

47. **Goal 5, Economic Development**, calls for promotion of a strong and diverse economy which provides a full range of employment and economic choices for individuals and families in all parts of the city. The amendments are consistent with this goal because they retain and strengthen the City's industrial sanctuary policy in the North Reach thereby supporting a thriving working harbor that provides family-wage jobs and help support the economy of the City and region. The amendments:

- a) Strictly limit quasi-judicial comprehensive plan map amendments on prime industrial lands in the North Reach;
- b) Retain the River Industrial overlay zone which preserves river front parcels in the zone for river-dependent and river-related industrial uses;
- c) Identify and prioritize a coordinated program of public investment in infrastructure improvements to support existing and future industrial development;
- d) Reduce regulations where possible to encourage development and redevelopment of vacant and underutilized sites;
- e) Reduce the number of discretionary land use reviews required for development by implementing clear and objective development standard where possible;
- f) Clarify regulations that have been identified as vague or ineffective;
- g) Implement several fee-in-lieu options for meeting development standards as a way to meet plan objectives and maximize on-site development potential;
- h) Identify and facilitate development of the Willamette River Greenway trail which will connect the neighborhoods and work centers in the North Reach with other parts of the City, and increase commuting options for employees.

48. **Policy 5.1, Urban Development and Revitalization**, calls for encouraging investment in the development, redevelopment, rehabilitation and adaptive reuse of urban land and buildings for employment and housing opportunities. The amendments are consistent with this policy because they:

- a) Identify and prioritize a coordinated program of public investment in infrastructure improvements to support existing and future industrial development in the North Reach;

- b) Reduce regulations where possible to encourage development and redevelopment of vacant underutilized sites;
  - c) Reduce the number of discretionary land use reviews required for development by implementing clear and objective development standards where possible;
  - d) Clarify regulations that have been identified as vague or ineffective;
  - e) Implement several fee-in-lieu options for meeting development standards as a way to meet overall plan objectives while maximizing on-site development potential.
49. **Objective A**, calls for ensuring that there are sufficient inventories of commercially and industrially-zoned, buildable land supplied with adequate levels of public and transportation services. The amendments are consistent with this objective because they:
- a) Retain industrial and employment zoning in the North Reach;
  - b) Strictly limit the potential for industrial and employment zoned land to be rezoned;
  - c) Identify and prioritize capital projects to improve infrastructure systems to accommodate existing and future development;
  - d) Revise and clarify vague and ineffective regulations.
- Findings under Statewide Planning Goal 9, Economic Development, also demonstrate that the amendments are consistent with this objective.
50. **Objective C**, calls for retaining industrial sanctuary zones and maximizing use of infrastructure and intermodal transportation linkages with and within these areas. The amendments are consistent with this objective because they:
- a) Retain the industrial sanctuary zone designation in the North Reach;
  - b) Strictly limit the potential for properties that are zoned industrial or employment to be rezoned;
  - c) Identify and prioritize capital projects to improve infrastructure systems to accommodate existing and future development.
51. **Objective E**, calls for defining and developing Portland's cultural, historic, recreational, educational and environmental assets as important marketing and image-building tools of the city's business districts and neighborhoods. The amendments are consistent with this objective because they:
- a) Retain open space and River Recreational overlay zones in the North Reach to foster river-related recreational opportunities;

- b) Increase the greenway setback in areas where river-dependent and river-related development is not located in order to maximize the cultural, historic, scenic, recreational, educational and environmental qualities of the Willamette River Greenway;
- c) Identify and facilitate development of the Willamette River Greenway trail which will offer active and passive recreation opportunities that do not conflict with industrial uses;
- d) Recommend acquisition and enhancement of key site natural resource sites in the North Reach.

52. **Objective F**, calls for recognizing and supporting environmental conservation and enhancement activities for their contribution to the local economy and quality of life for residents, workers and wildlife in the city. The amendments are consistent with this objective because they:

- a) Retain, update or apply environmental zoning to significant natural resources in the North Reach. The environmental zoning regulations will limit or strictly limit development within the significant resource areas, will encourage environmentally-sensitive development that has fewer impacts on natural resource function than traditional development, and will require mitigation for unavoidable impacts;
- b) Increase the greenway setback in areas outside of the River Industrial overlay zone in order to preserve the scenic and natural qualities of the Willamette River;
- c) Establish a development standard that requires improving the quantity and quality of vegetation in the North Reach in order to improve wildlife habitat connectivity;
- d) Identify key sites for natural resource enhancement and recommend that the City establish a program to acquire, restore and maintain the sites.

53. **Policy 5.2, Business Development**, calls for sustaining and supporting business development activities to retain, expand, and recruit businesses. The amendments are consistent with this policy because they retain and strengthen the City's industrial sanctuary policy in the North Reach thereby supporting a thriving working harbor that provides family-wage jobs and help support the economy of the City and region. The amendments accomplish this through the following measures:

- a) Identify and prioritize a coordinate program of public investment in infrastructure improvements to support existing and future industrial development;
- b) Reduce regulations where possible to encourage development and redevelopment;
- c) Reduce the number of discretionary land use reviews required for development by implementing clear and objective development standard where possible;

- d) Clarify regulations that have been identified as vague or ineffective;
  - e) Implement several fee-in-lieu options for meeting development standards as a way to meet overall plan objectives while maximizing on-site development potential.
54. **Objective B**, calls for incorporating economic considerations in long-range planning activities undertaken by the Bureau of Planning. The amendments are consistent with this objective because the North Reach planning process included consideration of economic issues and the amendments include actions to protect and improve economic opportunities in the North Reach.
55. **Policy 5.3, Community-Based Economic Development**, calls for supporting community-based economic development initiatives consistent with the Comprehensive Plan and compatible with neighborhood livability. The amendments are consistent with this policy because they retain and strengthen the City's industrial sanctuary policy for the North Reach, support continued development and redevelopment of industrial and employment land; and address identified neighborhood livability issues that occur as a result of industrial operations taking place near residential neighborhoods.
56. **Policy 5.4, Transportation System**, calls for promotion of a multi-modal regional transportation system that encourages economic development. The amendments are consistent with this policy because they identify and prioritize public investment in a coordinated program of transportation capital projects that are critical to the movement of freight and people in and through the North Reach. Public investment in the North Reach transportation system will help ensure that industrial and employment uses have access to a reliable, robust, and efficient transportation system, and that residents and employees have opportunities to safely commute by bike or walking. The recommended transportation capital projects will facilitate the development of a transportation system in the North Reach that has the capacity to meet projected growth.
57. **Objective A**, calls for supporting regional transportation improvements to facilitate the efficient movement of goods and services in and out of Portland's major industrial and commercial areas, and ensuring access to intermodal terminals and related distribution facilities. The amendments are consistent with this objective because they identify and prioritize capital projects to improve the movement of goods and services in and out of the North Reach. In addition, the amendments ensure the efficient movement of goods and services by retaining zoning that requires river-dependent or river-related uses on riverfront sites. River-dependent and river-related uses rely primarily on the river or rail infrastructure for transportation purposes. Moving freight by waterborne and rail transportation modes is significantly more efficient than moving freight by truck.
58. **Objective B**, calls for supporting the maintenance and efficient use of the transportation infrastructure for local, national, and international distribution of goods and services. The amendments are consistent with this objective because they protect the working harbor by preserving the industrial and employment zoning in the North Reach, and recommend

infrastructure improvements to maintain the areas prominence as a multi-modal freight distribution hub serving local, national and international markets.

59. **Objective E**, calls for promoting safe and pleasant bicycle and pedestrian access to and circulation within commercial areas, and providing convenient, secure bicycle parking for employees and shoppers. The amendments are consistent with this objective because they identify and facilitate development of the Willamette River Greenway trail which will connect the neighborhoods and work centers in the North Reach with other parts of the city and offer a safe and convenient route for walking and bicycling.
60. **Objective G**, calls for pursuing special opportunities for alternative modes of transportation to serve as attractors themselves. Such projects include water taxis, streetcars and bicycle/pedestrian facilities and amenities. The amendments are consistent with this objective because they identify and facilitate development of the Willamette River Greenway trail which will connect the neighborhoods and work centers in the North Reach with other parts of the city and offer a safe and convenient route for walking and bicycling.
61. **Policy 5.8, Diversity and Identity in Industrial Areas**, calls for promotion of a variety of efficient, safe and attractive industrial sanctuary and mixed employment areas in Portland. The amendments are consistent with this objective because they protect the North Reach industrial sanctuary by preserving industrial and employment zoning, and recommending infrastructure improvements to accommodate existing and future industrial and mixed employment development.
62. **Objective A**, calls for recognizing and promoting the variety of industrial areas in Portland through development regulations which reflect the varied physical characteristics of the city's industrial areas, and distinguishing between older developed areas and newer, less developed ones. The amendments are consistent with this objective because they include development regulations that are tailored to the unique characteristics and circumstances present in the North Reach industrial area. The North Reach is the City's working harbor and as such river-dependent and river-related industrial uses are paramount. The amendments retain the River Industrial overlay zone which requires that primary uses on river front parcels be river-dependent and river-related. This will ensure that marine industrial uses are viable into the future. The amendments also strictly limit instances when comprehensive plan map amendment can be approved thereby further protecting the industrial nature of the North Reach. The amendments clarify or revise development regulations that have been identified as ineffective or a deterrent to development. The greenway setback has been relaxed in the River Industrial overlay zone because the uses in that zone must have access to the river, and several standards include fee-in-lieu compliance options as a way to meet plan objective and maximize on-site development potential.
63. **Objective D**, calls for, within industrial districts, allowing some lands designated for commercial or mixed employment, and providing for this while maintaining the overall industrial orientation of the districts. The amendments are consistent with this objective because they maintain the existing mixed employment zones in the North Reach. The



amendments also include a comprehensive plan map amendment and zoning map amendment for the property known as the McCormick and Baxter site on N. Edgewater St. The comprehensive plan map designation on the site will change from Industrial Sanctuary to Mixed Employment and the zoning designation will change from Heavy Industrial (IH) to General Employment 2 (EG2). The University of Portland has expressed interest in acquiring the property for campus open space and recreational use and the amendments are intended to accommodate that action. The overall industrial orientation of the North Reach will not be altered as a result of the amendments. The McCormick and Baxter site has not been used for industrial purposes since 1991, and can not be used for industrial purposes in the future. Actual use of the site is severely limited by its historic environmental contamination and the constraints of the environmental clean up remedy.

64. **Objective E**, calls for creating mixed employment areas which encourage a broad range of employment opportunities by permitting a mix of industrial and commercial activities. Prevent land use conflicts within the mixed employment areas through the use of development standards and by limiting conflicting types of development. The amendments are consistent with this objective because they maintain the existing mixed employment zones in the North Reach. The amendments also include a comprehensive plan map amendment and zoning map amendment for the property known as the McCormick and Baxter site on N. Edgewater St. The comprehensive plan map designation on the site will change from Industrial Sanctuary to Mixed Employment and the zoning designation will change from Heavy Industrial (IH) to General Employment 2 (EG2). The University of Portland has expressed interest in acquiring the property for campus open space and recreational use and the amendments are intended to accommodate that action.
65. **Policy 5.9, Protection of Non-Industrial Lands**, calls for protection of non-industrial lands from the potential adverse impacts of industrial activities and development. The amendments are consistent with this policy because they:
- a) Require that new and substantially reconstructed residential structures located in the St. Johns neighborhood near industrial operations be built to meet noise insulation design standards. The insulation will protect residents from the impacts of high levels of noise. The area where the requirement will apply has been experiencing housing growth and is affected by loud noise from adjacent industrial operations. Loud noises are often a part of industrial operations but without proper sound protection the noise can become a health hazard for people living near the source;
  - b) Recommend acquisition and restoration of the wooded bluff known as the Baltimore Woods in the St. Johns neighborhood. The wooded bluff provides a natural buffer between residential and industrial uses, and acquisition and restoration of the area will allow the bluff to continue to serve this buffer purpose.
  - c) Recommend that the City work to establish a whistle-free zone along the railroad tracks in the Cathedral Park neighborhood and the Linnton neighborhood. A whistle-free zone will reduce impacts from noise.

66. **Objective A**, calls for where possible, using major natural or man-made features as boundaries and buffer's for industrial areas. The amendments are consistent with this objective because they recommend acquisition and restoration of the wooded bluff known as the Baltimore Woods in the St. Johns neighborhood. The wooded bluff provides a natural buffer between residential and industrial uses, and acquisition and restoration of the area will allow the bluff to continue to serve this buffer purpose.
67. **Objective C**, calls for using off-site impact standards to ensure that industrial activities will not cause nuisance effects on lands whose zoning permits residences. The amendments are consistent with this objective because they require that new and substantially reconstructed residential structures located in a portion of the St. Johns Plan District to be built to a particular noise insulation design standards. The insulation will protect residents from the impacts of high levels of noise. The area where the requirement will apply has been experiencing housing growth and is affected by loud noise from adjacent industrial operations. Loud noises are often a part of industrial operations but without proper sound protection the noise can become a health hazard for people living near the source.
68. **Policy 5.12, Guild's Lake Industrial Sanctuary Plan**, encourages the economic stability of the Guild's Lake Industrial Sanctuary, maintains its major public and private investments in multimodal infrastructure, protects its industrial lands and job base, and enhances it capacity to accommodate future industrial growth. The amendments are consistent with this policy because they retain and strengthen the City's industrial sanctuary policy in the North Reach thereby supporting a thriving working harbor that provides family-wage jobs and the economy of the City and region. The amendments also identify and prioritize a broad coordinated program of public investment in infrastructure improvements to support existing and future industrial development.

### GOAL 6, TRANSPORTATION

69. **Goal 6, Transportation**, calls for protection of the public interest and investment in the public right-of-way and transportation system by encouraging development of a balanced, affordable and efficient transportation system consistent with the Arterial Streets Classifications and Policies by:
- Providing adequate accessibility to all planned land uses;
  - Providing safe and efficient movement of people and goods while preserving, enhancing, or reclaiming neighborhood livability;
  - Minimizing the impact of inter-regional trips on City neighborhoods, commercial areas, and the City street system by maximizing the use of regional trafficways and transitways for such trips;
  - Reducing reliance on the automobile and per capita vehicle miles traveled;
  - Guiding the use of the city street system to control air pollution, traffic, and livability problems; and
  - Maintaining the infrastructure in good condition.

The amendments are consistent with this goal because they:

- a) Reduce reliance on the automobile which will reduce per capita vehicle miles travelled and reduce air pollution and traffic. The amendments accomplish this by identifying and facilitating development of the greenway trail. The trail will encourage the use of bicycles and walking as a transportation mode because it will connect the neighborhoods and work centers in the North Reach to other parts of the city with a route that is safe convenient;
- b) Identify and prioritize public investment in a coordinated program of transportation capital projects that are critical to the movement of freight and people in and through the North Reach. Public investment in the North Reach transportation system will help ensure that industrial and employment uses have access to a reliable, robust, and efficient transportation system, and that residents and employees have opportunities to safely commute by bike or walking. The recommended transportation capital projects will facilitate the development of a transportation system in the North Reach that has the capacity to meet projected growth;
- c) Retain existing River Industrial overlay zoning which requires that primary uses on riverfront sites be river-dependent or river-related. River-dependent and river-related uses rely primarily on the river or rail infrastructure for transportation purposes. Moving freight by waterborne and rail transportation modes is significantly more efficient than moving freight by truck;
- d) The comprehensive plan map amendments and zoning map amendments recommended for 2.18 acres along NW St. Helens Road in the Linnton community and for the property known as the McCormick and Baxter property on N. Edgewater will have no significant affect on transportation facilities in the North Reach.

Finding under Statewide Planning Goal 12, Transportation, also demonstrate that the proposed amendments are consistent with this goal.

70. **Policy 6.1, Intergovernmental Coordination**, calls for coordinating transportation facilities and improvements with development activities and with regional transportation and land use plans. The amendments are consistent with this policy because the infrastructure improvements called for in the plan will support a transportation system that meets City and regional transportation system plans and land use patterns. In addition, the recommended public greenway trail alignment is consistent with City and regional trail plans.

71. **Policy 6.2, Regional and City Travel Patterns**, calls for traffic to use streets in a manner consistent with the Arterial Streets Classifications of those streets. The amendments are consistent with this policy. The River Plan / North Reach recommends that the comprehensive plan map designation and zoning map designation be changed on a 42 acre site located at 6900 N. Edgewater St. The site is known at the McCormick and Baxter (M&B) site. The comprehensive plan map designation will change from Industrial Sanctuary to Mixed Employment and the zoning map designation will change from Heavy Industrial (IH) to General Employment 2 (EG2). The streets that directly access the M&B site are N. Edgewater Street and N. Van Houten Place, both of which are local service streets (i.e. not

arterials). N. Edgewater Street connects to N. Willamette Blvd and N. Van Houten Place connects to N. Willamette Blvd and N. Portsmouth Street via N. Van Houten Avenue and N. McCosh Street. N. Willamette Blvd is designated as a neighborhood collector and N. Portsmouth Street, north of N. Willamette Blvd, is also designated as a neighborhood collector. A trip generation analysis conducted by Kittleson and Associates finds that the change in zoning could result in an additional 4,960 daily trips and 470 weekday p.m. peak hour trips than would be generated under the current zoning. The Kittleson memo concludes that the additional trips are potentially in conflict with the modal classifications of the streets in the vicinity of the M&B site including the arterial streets. In order to alleviate this conflict, there will be a trip cap placed on the property, and the total allowed square footage of retail sales and service and office uses will be limited. The trip cap and the retail/office limitation will result in limiting the potential trip generation of the site to the level that would be allowed under the existing zoning, and therefore, with the trip cap and retail/office limitation, there are no significant effects associated with the M&B zone change on arterial streets.

The River Plan / North Reach also recommend amending the comprehensive plan map designation and zoning map designation for 2.18 acres along NW St. Helens Road in the Linnton community. In this case, the comprehensive plan map designation will change from General Commercial to Urban Commercial, and the zoning map designation will change from CG to CS. NW St. Helens Road is an arterial street with the designated of regional/major city traffic street. A trip generation analysis conducted by River Plan staff finds that the zone change will result in 180 fewer PM trips that would be generated under existing zoning. Therefore, the zone change will not conflict with the modal classification of NW St. Helens Road. Finding under Statewide Planning Goal 12, Transportation, also demonstrate that the proposed amendments are consistent with this goal.

72. **Policy 6.4, Coordinate Land Use and Transportation Planning**, calls for coordinating land use planning with transportation planning and requires that the Transportation Element be a guide in land use planning and in the transportation project development process. The amendments are consistent with this policy because the River Plan / North Reach was developed with significant input from the Portland Bureau of Transportation and the plan is consistent with the Transportation System Plan for streets in the plan area. In addition, the comprehensive plan map amendments and zoning map amendments recommended for 2.18 acres along NW St. Helens Road in the Linnton community and for a 42 acre property known as the McCormick and Baxter property on N. Edgewater St. will have no significant effect on transportation facilities and are therefore consistent with the City's Transportation System Plan.
73. **Policy 6.5, Neighborhood Collector and Local Service Street Traffic Management**, calls for managing traffic on Neighborhood Collectors and Local Service streets according to the hierarchy established in the Transportation Element, and the land uses they serve. The amendments are consistent with this policy because the comprehensive plan map amendments and zoning map amendments recommended for 2.18 acres along NW St. Helens Road in the Linnton community and for a 42 acre property know as the McCormick and Baxter site on N. Edgewater will have no significant affect on transportation facilities and are therefore consistent with the Transportation Element.

74. **Policy 6.11, Pedestrian Transportation**, calls for planning for, and completion of, a pedestrian network that increases the opportunities for walking to shopping and services, institutional and recreational destinations, employment, and transit. The amendments are consistent with this policy because they identify and facilitate improvement of the greenway trail. The trail will connect the neighborhoods and work centers in the North Reach to local neighborhood destinations and to other parts of the city with a route that is safe and convenient, thereby encouraging the use of bicycles and walking as a transportation mode.
75. **Policy 6.12, Bicycle Transportation**, calls for making the bicycle an integral part of daily life in Portland, by implementing a bikeway network, providing end-of-trip facilities, improving bicycle/transit integration, encouraging bicycle use, and making bicycling safer. The amendments are consistent with this policy because they identify and facilitate improvement of the greenway trail. The trail will connect the neighborhoods and work centers in the North Reach to local neighborhood destinations and to other parts of the city with a route that is safe and convenient, thereby encouraging the use of bicycles and walking as a transportation mode.
76. **Objective A**, calls for completing a network of bikeways that serves bicyclists' needs, especially for travel to employment centers, commercial districts, transit stations, institutions, and recreational destinations. The amendments are consistent with this objective because the greenway trail alignment has been located specifically to connect destinations in the North Reach such as employment centers, neighborhood districts, institutions, and recreational opportunities.
77. **Objective B**, calls for providing bikeway facilities that are appropriate to the street classifications, traffic volume and speed on all rights-of-way. The amendments are consistent with this objective because the greenway trail alignment was identified in conjunction with the Portland Bureau of Transportation and is appropriate to the street classifications, traffic volumes and speeds on rights-of-way.
78. **Objective C**, calls for maintaining and improving the quality, operation, and integrity of bikeway network facilities. The amendments are consistent with this objective because they identify a greenway trail alignment, and facilitate development of the greenway trail. The trail will connect the neighborhoods and work centers in the North Reach to local neighborhood destinations and to other parts of the city with a route that is safe and convenient, thereby encouraging the use of bicycles and walking as a transportation mode.
79. **Policy 6.18, Clean Air and Energy Efficiency**, calls for encouraging the use of all modes of travel that contribute to clean air and energy efficiency. The amendments are consistent with this objective because they identify a greenway trail alignment, and facilitate development of the greenway trail. The trail will connect the neighborhoods and work centers in the North Reach to local neighborhood destinations and to other parts of the city with a route that is safe and convenient, thereby encouraging the use of bicycles and walking as a transportation mode. Bicycling and walking for transportation purposes reduces air pollution, and is more energy efficient than traveling by vehicle.

80. **Policy 6.21, Freight Intermodal Facilities and Freight Activity Areas**, calls for development and maintenance of a multimodal transportation system for the safe and efficient movement of goods within the city. The amendments are consistent with this policy because they:
- a) Identify and prioritize public investment in a coordinated program of transportation capital projects that are critical to the movement of freight and people in and through the North Reach. Public investment in the North Reach transportation system will help ensure that industrial and employment uses have access to a safe, reliable, robust, and efficient transportation system, and that residents and employees have opportunities to commute by bike or walking. The recommended transportation capital projects will facilitate the development of a transportation system in the North Reach that has the capacity to meet projected growth;
  - b) Retain existing River Industrial overlay zoning which requires that primary uses on riverfront sites be river-dependent or river-related. River-dependent and river-related uses rely primarily on the river or rail infrastructure for transportation purposes. Moving freight by waterborne and rail transportation modes is more efficient than moving freight by truck.
81. **Objective A**, calls for coordinating the planning and development of marine-related land use and aviation facilities with the Port of Portland as well as other affected agencies, groups, and individuals. The amendments are consistent with this objective because River Plan / North Reach was developed with significant input from representatives of the Port of Portland and other marine-related business representative including the Working Waterfront Coalition.
82. **Objective B**, calls for preserving the public and private investment in the freight network. The amendments are consistent with this objective because they identify and prioritize public investment in a coordinated program of transportation capital projects that are critical to the movement of freight in and through the North Reach. Public investment in the North Reach transportation system will help ensure that industrial and employment uses have access to a safe, reliable, robust, and efficient transportation system, and will fuel private investment in harbor infrastructure and land development.
83. **Policy 6.22, Right-of-Way Opportunities**, calls for preservation of existing and abandoned rail rights-of-way and examination of their potential for future rail freight, passenger service, or recreational trail uses. The amendments are consistent with this policy because the greenway trail alignment takes advantage of an abandoned rail right-of-way within NW Nicolai St. between NW Yeon and NW 29<sup>th</sup>.
84. **Policy 6.27, Adequacy of Transportation Facilities**, calls for ensuring that amendments to the Comprehensive Plan, or to land use regulations, that change allowed land uses and significantly affect a transportation facility are consistent with the identified function, capacity and level of service of the facility. The amendments are consistent with this policy because the comprehensive plan map amendments and zoning map amendments recommended for 2.18 acres along NW St. Helens Road in the Linnton community, and a 42

Recommended River Plan / North Reach  
Exhibit D: Findings Report

acre property known as the McCormick and Baxter site on N. Edgewater, will have no significant effect on transportation facilities.

85. **Policy 6.28, Public Involvement**, calls for carrying out a public involvement process that is consistent with Metro guidelines and provides information about transportation issues and processes to citizens, especially to those traditionally under-served by transportation services. The amendments are consistent with this policy because the public involvement process used to develop the plan exceeds Metro guidelines. Findings under Statewide Planning Goal 1, Citizen Involvement, and Portland Comprehensive Plan Goal 9, Citizen Involvement also demonstrate that the proposed amendments are consistent with this policy.

### GOAL 7, ENERGY

86. **Goal 7, Energy**, calls for promotion of a sustainable energy future by increasing energy efficiency in all sectors of the city by ten percent by the year 2000. The amendments are consistent with this goal because:
- a) The River Plan / North Reach retains existing River Industrial overlay zoning which requires that primary uses on riverfront sites be river-dependent or river-related. River-dependent and river-related uses rely primarily on the river or rail infrastructure for transportation purposes. Moving freight by waterborne and rail transportation modes is more energy efficient than moving freight by truck;
  - b) The River Plan / North Reach facilitates development of the Willamette Greenway Trail in the North Reach through identifying a public trail alignment 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 North Reach to other part of the city with a route that is safe and convenient, encourage energy efficiency through the use of bicycles and walking as a transportation mode, and reduce vehicle miles traveled;
  - c) The Zoning Code will be amended to require that new and substantially reconstructed residential structures in a portion of the St. Johns Plan District be built to meet particular noise insulation design standards and meeting the insulation design standards may increase the energy efficiency of new and substantially reconstructed residential structures.
87. **Policy 7.4, Energy Efficiency Through Land Use Regulations**, calls for promoting residential, commercial, industrial, and transportation energy efficiency and the use of renewable resources. The amendments are consistent with this policy by:
- a) Retaining existing River Industrial overlay zoning which requires that primary uses on riverfront sites be river-dependent or river-related. River-dependent and river-related uses rely primarily on the river or rail infrastructure for transportation purposes. Moving freight by waterborne and rail transportation modes is more energy efficient than moving freight by truck;

- b) Facilitating development of the Willamette Greenway Trail in the North Reach through identifying a public trail alignment 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 North Reach to other part of the city with a route that is safe and convenient, encourage energy efficiency through the use of bicycles and walking as a transportation mode, and reduce vehicle miles traveled;
  - c) Amending the zoning code to require that new and substantially reconstructed residential structures in a portion of the St. Johns Plan District be built to meet particular noise insulation design standards and meeting the insulation design standards may increase the energy efficiency of new and substantially reconstructed residential structures.
88. **Policy 7.6, Energy Efficient Transportation**, calls for providing opportunities for non-auto transportation and for reducing gasoline and diesel use by increasing fuel efficiency. The amendments are consistent with this policy by facilitating development of the Willamette Greenway Trail through identifying a public trail alignment on the zoning maps, clarifying the Zoning Code regulations requiring development of the public trail, and identifying and prioritizing capital improvement projects including trail development projects. The public trail alignment will connect the neighborhoods and work centers in the North Reach to other part of the city with a route that is safe and convenient, encourage energy efficiency through the use of bicycles and walking as a transportation mode, and reduce vehicle miles traveled.
89. **Objective D**, calls for promoting shared recreational use of school facilities and city parks, close-in recreation opportunities, and improved scheduling of events to reduce recreation-related transportation needs. The amendments are consistent with this objective because they encourage close-in recreation opportunities in the North Reach by:
- a) Retaining the open space zoning in the North Reach;
  - b) Retaining the River Recreational overlay zone in the North Reach. The River Recreational overlay zone preserves land for uses that are river-dependent or river-recreational uses;
  - c) Amending the comprehensive plan map designation and zoning map designation on the property known as the McCormick and Baxter site. The amendments facilitate the expansion of the University of Portland campus onto the property. The University of Portland has expressed interest in acquiring the property for campus open space and recreational use;
  - d) Facilitating development of the Willamette Greenway Trail through identifying a public trail alignment 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



Willamette Greenway Trail will provide active and passive recreation opportunities for residents and visitors in the North Reach, and will connect North Reach neighborhoods and work centers with other close-in recreation opportunities.

90. **Objective H**, calls for promoting walking and bicycle commuting by developing bikeways and walkways, encouraging spot hazard improvements on city streets, providing bicycle lockers at transit centers and park-and-ride lots, implementing bicycle commuter services such as long-term bicycle parking, showers, and changing facilities, and promoting covered walkways/sidewalks. The amendments are consistent with this objective because:
- a) The River Plan facilitates development of the Willamette Greenway Trail through identifying a public trail alignment 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;
  - b) The public trail alignment will connect the neighborhoods and work centers in the North Reach to other part of the city with a route that is safe and convenient, encourage energy efficiency through the use of bicycles and walking as a transportation mode, and reduce vehicle miles traveled.

#### **GOAL 8, ENVIRONMENT**

91. **Goal 8, Environment**, calls for maintenance and improvement of the quality of Portland's air, water, and land resources, as well as protection of neighborhoods and business centers from noise pollution. The amendments are consistent with this goal because they:
- a) Maintain existing natural resource function by establishing environmental zoning on existing natural resource areas in the North Reach, 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, encourage environmentally sensitive development, and require mitigation when development has a detrimental impact on a resource area. The mitigation requirement will ensure that overall there is no net loss of natural resource function in the North Reach;
  - b) Improve the quality of existing natural resources by establishing a development standard that will ensure that native vegetation is enhanced within the Willamette River Greenway. The standard can be met through a combination of maintaining existing native vegetation and enhancing with additional plantings. Increasing the amount of native vegetation in the North Reach will improve natural resource function;
  - c) Increase the greenway setback in the River General and River Recreational overlay zones. The greenway 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. The greenway setback is intended to preserve the greenway area for enhancement of natural qualities and for public uses such as a greenway trail and scenic viewpoints;

- d) Increase the quantity and quality of natural resource function in the North Reach by recommending that the City acquire, restore and maintain in perpetuity key natural resource sites;
- e) Protect an area of the St. Johns neighborhood from noise pollution by establishing a regulation that will require a higher level of sound insulation in new residential structures. The regulation will apply to an area that is impacted by a high level of daytime and nighttime noise associate with industrial operations at the Toyota facility on the Port of Portland's Terminal 4 and other industrial operations;
- f) Recommend that the Portland Bureau of Transportation help fund improvements that establish a whistle-free zone along the railroad tracks near the Cathedral Park area in St. Johns, and that PBOT explore the potential for a whistle-free zone along the railroad tracks in Linnton. A whistle-free zone will reduce noise pollution;
- g) Improve air quality by establishing a public trail alignment that connects the neighborhoods and work centers in the North Reach to other part of the city with a route that is safe and convenient. The updated public trail alignment will encourage the use of bicycles and walking as a transportation mode and reduce vehicle trips;
- h) Clarify the City's regulations for the removal and remediation of hazardous substances. The clarifications ensure that the clean up of hazardous substances occurs in a way that meets City goals and objectives including goals related to the conservation of existing natural resources and the use of natural bank treatments in the design of clean up actions.

Findings under Statewide Goal 5, Open Space, Scenic and Historic Areas, and Natural Resources, also demonstrate that the amendments are consistent with this goal.

- 92. **Policy 8.4, Ride Sharing, Bicycling, Walking, and Transit**, calls for promoting the use of alternative modes of transportation such as ridesharing, bicycling, walking, and transit throughout the metropolitan area. The amendments are consistent with this policy by establishing a public trail alignment that connects the neighborhoods and work centers in the North Reach to other part of the city with a route that is safe and convenient, thereby encouraging the use of bicycles and walking as a transportation mode and reducing vehicle trips.
- 93. **Policy 8.5, Interagency Cooperation - Water Quality**, calls for continuing cooperation with federal, state and regional agencies involved with the management and quality of Portland's water resources. The amendments are consistent with this policy because staff from the Oregon State Department of Environmental Quality, the United States Environmental Protection Agency, the United States Army Corps of Engineers, National

Marine Fisheries Service, and United States Fish and Wildlife Agency reviewed and provided comments on portions of the River Plan / North Reach and these amendments. In addition, the amendments:

- a) Respond to Titles 3 and 13 of Metro's Urban Growth Management Functional Plan both of which address the maintenance and improvement of the regions water quality and water resources;
- b) Support compliance with state and federal laws and statutes regarding water quality, water temperature, the remediation of hazardous waste and hazardous materials, the *Endangered Species Act*, and the *Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)*.

94. **Policy 8.7, Land Use and Capital Improvements Coordination**, calls for coordinating land use planning and capital improvement to insure the most efficient use of the city's sanitary and stormwater run-off facilities. The amendments are consistent with this policy because the River Plan includes recommendations for capital investments in upgrading infrastructure systems in the North Reach, including sanitary and stormwater systems. The recommendations are based on an analysis completed by the City Bureaus of Transportation, Environmental Services and Water of the existing infrastructure conditions and future growth expectations based on zoning designations.

95. **Policy 8.8, Groundwater Protection**, calls for protection of domestic groundwater and surface water resources from potential pollution through a variety of regulatory measures relating to land use, transportation, and hazardous substances. The amendments are consistent with this policy because they establish environmental zoning to protect and conserve natural resource functions in and around surface water resources such as streams, wetlands and the Willamette River. The regulations for the environmental zones will limit impervious surfaces, encourage environmentally sensitive development that has fewer impacts on resource functions, and encourage the retention of existing vegetation. These conservation techniques can help to maintain the water quality functions performed by riparian areas such as groundwater recharge, pollution control, and contaminant filtering. The amendments also establish a vegetation enhancement development standard that includes incentives for enhancing or establishing native vegetation adjacent to surface water resources.

96. **Policy 8.10, Drainageways**, calls for regulation of development within identified drainageways for multiple objectives. The amendments are consistent with this policy because they establish environmental zoning on drainageways and riparian areas adjacent to drainageways. The regulations within the environmental zones will limit the impacts from development on drainageways and require mitigation for unavoidable impacts.

97. **Objective A: Stormwater runoff**, calls for conserving and enhancing drainageways for the purpose of containing and regulating stormwater runoff. The amendments are consistent with this objective because they establish environmental zoning on significant drainageways in the North Reach. The environmental zoning will limit development in and near drainageways and require mitigation for unavoidable impacts from development.

The amendments will also result in improvement of the stormwater management capabilities of drainageways by providing incentives for maintaining or establishing native vegetating on land directly adjacent to drainageways in the North Reach.

98. **Objective B:** Water quality and quantity, calls for protecting, enhancing, and extending vegetation along drainageways to maintain and improve the quality and quantity of water. The amendments are consistent with this objective because they establish environmental zoning on drainageways and the riparian areas adjacent to drainageways. The regulations for the environmental zones will limit impervious surfaces, encourage environmentally sensitive development that has fewer impacts on resource functions, and protect existing vegetation. The amendments also establish a vegetation enhancement development standard that includes incentives for enhancing or establishing native vegetation adjacent to drainageways.
99. **Objective C:** Wildlife, calls for conserving and enhancing the use of drainageways where appropriate as wildlife corridors which allow the passage of wildlife between natural areas and throughout the city, as well as providing wildlife habitat characteristics including food, water, cover, breeding, nesting, resting, or wintering areas. The amendments are consistent with this objective because they establish environmental zoning on drainageways in order to protect their function as wildlife corridors. The environmental zoning will limit development in and near drainageways and require mitigation for unavoidable impacts from development. The amendments will also result in enhancement of drainageways and the wildlife corridor function they provide by providing an incentive for preserving existing native vegetation or planting additional native vegetation along drainageways. Vegetation in riparian areas provides food, cover, breeding, nesting, resting and wintering areas for wildlife.
100. **Policy 8.11, Special Areas**, calls for recognition of the unique land qualities and adoption of specific planning objectives for special areas. The amendments are consistent with this policy because they include specific policies, objectives, action items and regulations that recognize the unique land qualities present in the North Reach along the Willamette River.
101. **Objective H:** Willamette River Greenway, calls for protecting and preserving the natural and economic qualities of lands along the Willamette River through implementation of the city's Willamette River Greenway Plan. The amendments are consistent with this objective because they update the existing Willamette River Greenway Plan and its policies, objectives and associated regulations. Findings under Statewide Planning Goal 15, Willamette River Greenway, also demonstrate that the amendments are consistent with this objective.

The amendments protect and preserve the economic qualities of land along the Willamette River in the North Reach by:

- a) Clarifying and strengthening policies and regulations that support industrial development and river-dependent/river-related industrial development;

- b) Identifying and recommending public investments in capital projects that will ensure that the infrastructure systems in the North Reach have the capacity to meet projected growth;
- c) Implementing development regulations that are clear, objective and flexible thereby limiting the instances when a discretionary land use review is required;
- d) Broaden the definition of river-related to allow, under certain circumstances, uses and development that are primarily dependent on rail rather than the river for transportation purposes;
- e) Establishing a development standard that requires a higher level of noise insulation in new residential structures in an area of the St. Johns neighborhood that is directly impacted by loud noises from the Port's Terminal 4 operations. The standard will reduce the potential for conflicts between the industrial operation and the neighborhood;
- f) Recommending that the Portland Bureau of Transportation help fund improvements that establish a whistle-free zone along the railroad tracks near the Cathedral Park neighborhood;
- g) Changing the Comprehensive Plan designation and zoning designation on the property known as the McCormick and Baxter site from IH to EG2. The change will facilitate the University of Portland's acquisition and development of the site as part of their university campus. The current zoning of IH severely limits the economic potential of the site because the site is virtually inaccessible for trucks, and the actions taken to remediate hazardous substance on the site have strictly limited the potential for industrial development.

The amendments protect and preserve the natural qualities of land along the Willamette River in the North Reach by:

- a) Applying environmental zoning to riparian and wildlife habitat resources and functional values and special habitat areas. The environmental zoning will limit development in natural areas, encourage environmentally sensitive development that has fewer impacts on resource functions, and will require mitigation for impacts that can not be avoided. The mitigation requirement will ensure that overall there is no net loss of natural resource function;
- b) Establishing a vegetation enhancement development standard that can be met by preserving existing native vegetation or planting additional native vegetation. The vegetation enhancement standard will improve the natural qualities of the Willamette River Greenway;
- c) Recommending that the City fund a program to acquire, restore and maintain in perpetuity key natural resource sites within the Willamette River Greenway.

102. **Policy 8.12, National Flood Insurance Program**, calls for retention of qualification in the National Flood Insurance Program through implementation of a full range of floodplain management measures. The amendments are consistent with this policy because they establish environmental zoning on significant natural resource areas including the undeveloped floodplain. The environmental zoning will limit development within the undeveloped floodplain, and require mitigation for impacts to floodplain function when development occurs. The plan also includes an expansion of the greenway setback in the River General and River Industrial overlay zones. The greenway setback preserves the natural qualities of lands along the Willamette River and protects the floodplain. Findings under Statewide Planning Goal 7, Areas Subject to Natural Disasters and Hazards, also demonstrate that the amendments are consistent with this policy.
  
103. **Policy 8.13, Natural Hazards**, calls for controlling the density of development in areas of natural hazards consistent with the provisions of the City's Building Code, Chapter 70, the Floodplain Ordinance and the Subdivision Code. The amendments are consistent with this policy because they establish environmental zoning on significant natural resource areas including areas subject to natural hazards such as steep slopes and floodplain. The environmental zoning will limit development in these areas. The plan also includes an expansion of the greenway setback in the River General and River Industrial overlay zones. The greenway setback preserves the natural qualities of lands along the Willamette River and protects the floodplain. Findings under Statewide Planning Goal 7, Areas Subject to Natural Disasters and Hazards, also demonstrate that the amendments are consistent with this policy.
  
104. **Policy 8.14, Natural Resources**, calls for conservation of significant natural and scenic resource sites and values through a combination of programs which involve zoning and other land use controls, purchase, preservation, intergovernmental coordination, conservation, and mitigation. The policy also calls for balancing the conservation of significant natural resources with the need for other urban uses and activities through the evaluation of economic, social, environmental, and energy consequences of such actions. The amendments conserve significant scenic and natural resources in the North Reach in the following ways:
  - a) Zoning. The amendments preserve the existing scenic resource zone in the North Reach, and establish environmental zoning on identified, significant natural resources;
  
  - b) Purchase. The amendments recommend the establishment of a restoration program that will acquire, restore and maintain in perpetuity several key natural resource sites in the North Reach. The amendments also recommend that the City acquire and develop identified scenic viewpoints;
  
  - c) Intergovernmental Coordination. The amendments recommend establishment of a mitigation bank to facilitate off-site mitigation in the North Reach. The mitigation bank will also serve to coordinate mitigation requirements and restoration goals among City, state and federal permitting agencies;

- d) Preservation and Mitigation. The scenic resource zone regulates development and vegetation within identified view and scenic corridors to protect the values of those scenic resources, and enhance the appearance of Portland. The environmental zoning regulations limit development within significant natural resource areas, minimize impacts from development, and require mitigation for unavoidable impacts.

Conservation and urban uses and activities have been balanced in the following ways:

- a) Environmental zoning has been applied generally to high and medium ranked resources in the North Reach. The environmental zoning regulations will limit or strictly limit development within the resource areas, will encourage environmentally-sensitive development that has fewer impacts on natural resource function than traditional development, and will require that unavoidable impacts be mitigated. The environmental zoning regulations do not change the allowed uses on a site or prohibit development;
- b) The River Environmental overlay zone has not been applied to low ranked resources, hardened and non-vegetated river banks, or grassy floodplains within the Willamette River Greenway. The economic consequences of limiting development within these areas outweigh the environmental benefits of additional regulation. The areas include seawalls and other active dock facilities and the developed floodplain. Existing development and heavy industrial activities have significantly reduced the natural resource functionality within these areas. Additional environmental zoning regulations would provide little value because the regulations focus on avoiding impacts to resource functions and require mitigation for unavoidable impacts. Therefore, proactive natural resource restoration activities that improve resource functionality will have a greater effect than conservation of areas in a degraded condition. The grassy floodplain will continue to be regulated by the City's balanced cut and fill requirements, which protects the stream flow and water storage function that the grassy floodplain provides;
- c) The Environmental Conservation and Environmental Protection overlay zones have not been applied to low ranked resources outside of the Willamette River Greenway because the environmental benefits of additional regulation do not outweigh the economic consequences of additional regulation on these relatively small and isolated patches;
- d) The regulations of the River Environmental overlay zone do not change the allowed use on a site or prohibit development, but rather limit the impacts from development on natural resources functions as much as possible without rendering development infeasible or impracticable. The regulations include development standards that, if met, eliminate the need for a discretionary land use review. The regulations will accommodate off-site mitigation in some circumstances. If mitigation occurs off-site, then more land is available on-site for development and expansion. The amendments also recommend the establishment of a mitigation bank to provide off-site mitigation opportunities in the North Reach;

- e) The greenway setback has been eliminated within the River Industrial overlay zone. Land that has previously been off-limits to development (e.g. buildings, structures, exterior improvements) that is not river-dependent or river-related will be available for all types of development. This will increase site design flexibility for many sites in the North Reach. The River Industrial overlay zone will continue to require that the primary use on a site in the zone be river-dependent or river-related.
105. **Objective A:** Acquisition Program for Significant Resources, calls for preparing and maintaining a long-range list of properties, in order of priority, desirable for public acquisition in order to insure long term natural resource conservation, and actively soliciting donations of property or easements to protect and enhance identified resources. The amendments are consistent with this objective because the plan identifies key sites for natural resource restoration in the North Reach and recommends that the City implement a program to acquire, restore and maintain the sites over the long-term.
106. **Objective B:** Intergovernmental Coordination, calls for notifying and coordinating programs with affected local, state, and federal regulatory agencies of development proposals within natural resource areas. The amendments are consistent with this objective because they recommend that the City develop an intergovernmental coordination process for reviewing development proposals that require permits from the City, state and federal regulatory agencies. The amendments also recommend establishing a mitigation bank in the North Reach. The bank will serve to coordinate mitigation requirements and restoration goals among City, state and federal permitting agencies.
107. **Objective C:** Impact Avoidance, calls for, where practical, avoiding adverse impacts to significant natural and scenic resources. The amendments are consistent with this objective because the environmental zoning regulations that will apply to significant natural resources in the North Reach will require that development avoid impacts to natural resources to the extent practicable, and will require mitigation for unavoidable impacts.
108. **Objective D:** Mitigation, calls for, where adverse impacts cannot be practicably avoided, requiring mitigation or other means of preservation of important natural resource values. The following order of locational and resource preference applies to mitigation: 1) On the site of the resource subject to impact, with the same kind of resource; 2) Off-site, with the same kind of resource; 3) On-site, with a different kind of resource; 4) Off-site, with a different kind of resource. The amendments are consistent with this objective because they apply environmental zoning to conserve significant natural resources areas. The environmental zoning will require that development avoid impacts to natural resources to the extent practicable, and will require mitigation for unavoidable impacts. The mitigation regulations require that impacted resources are fully replaced in-kind, and the regulations identify on-site mitigation as the first priority when on-site mitigation is practicable, ecologically beneficial, and will not conflict with current or future development plans.



109. **Objective E: Soil Erosion Control**, calls for protecting natural resources where appropriate from sediment and other forms of pollution through the use of vegetation, erosion control measures during construction, settling ponds, and other structural and non-structural means. The amendments are consistent with this objective because they apply environmental zoning to conserve significant natural resources including vegetation. The amendments also encourage, and provide incentives for, the use of biotechnical techniques (such as soil bioengineering) when banks are significantly altered as part of remediation for hazardous substances.
110. **Objective H: Bike and Pedestrian Routes**, calls for enhancing the value and beauty of Portland's bicycle and pedestrian routes by locating them to take advantage of significant viewpoints, scenic sites, and scenic corridors. The amendments are consistent with this objective because they update the Willamette River Greenway trail alignment in the North Reach. The updated trail alignment is located where bicyclists and pedestrians can take advantage of the natural and scenic qualities of the Willamette River without being in conflict with existing and future heavy industrial marine operations.
111. **Objective J: Consideration of Scenic Resources in Planning Process**, calls for ensuring that master plans and other planning efforts include preservation and enhancement of significant scenic resources. The amendments are consistent with this objective because they identify scenic viewpoints and recommend that the City acquire easements and develop the viewpoints. The amendments also identify an updated Willamette River Greenway trail alignment that will connect scenic viewpoints in the North Reach.
112. **Policy 8.15, Wetlands/Riparian/Water Bodies Protection**, calls for conservation of wetlands, riparian areas, and water bodies which have significant functions and values related to flood protection, sediment and erosion control, water quality, groundwater recharge and discharge, education, vegetation, and fish and wildlife habitat. The policy also calls for regulation of development within significant water bodies, riparian areas, and wetlands to retain their important functions and values. The amendments are consistent with this policy because they establish environmental zoning on significant wetland, riparian areas, and water bodies in the North Reach. The plan includes an inventory that identifies the significant functions and values that wetlands, riparian areas and water bodies provide including flood storage and protection, sediment, erosion and pollution control, water quality, stream flow and moderation, and fish and wildlife habitat. The environmental zoning regulations will limit impacts from development on wetland, riparian areas, and water bodies, and will require mitigation and the replacement of the identified functions when impacts occur.
113. **Objective A: Wetland/water body Buffer**, calls for conserving significant riparian, wetland, and water body natural resources through the designation and protection of transition areas between the resource and other urban development and activities, and restricting non-water dependent or non-water related development within the riparian area. On balance, The amendments are consistent with this objective because they:
- a) Identify significant wetlands, riparian areas, and water bodies;

- b) Establish environmental zoning on the significant wetlands, riparian areas, and water bodies within the North Reach. The environmental zoning regulations will limit development within resource areas by requiring that all practicable alternative locations for the development be explored before development within the resource area is allowed. This will ensure that non-water dependent and non-water related development locate outside the riparian area when practicable;
  - c) Establish environmental conservation overlay zoning on a 25 foot transition area around significant wetlands, riparian areas, and water bodies outside of the Willamette River Greenway;
  - d) Establish a vegetation enhancement standard within the Willamette River Greenway that includes an incentive for planting vegetation adjacent to natural resource areas which will help establish a buffer.
114. **Objective C: Stormwater and Flood Control**, calls for conserving stormwater conveyance and flood control functions and values of significant riparian areas within identified floodplains, water bodies, and wetlands. The amendments are consistent with this objective because they establish environmental zoning on significant riparian areas adjacent to floodplains, water bodies and wetlands. The environmental zoning regulations will limit development within the riparian resource areas, encourage environmentally-sensitive development that has fewer impacts on the resource area than traditional development, and require mitigation for unavoidable impacts.
115. **Policy 8.16, Uplands Protection**, calls for conservation of significant upland areas and values related to wildlife, aesthetics and visual appearance, views and sites, slope protection, and groundwater recharge. The policy also calls for encouraging increased vegetation, additional wildlife habitat areas, and expansion and enhancement of undeveloped spaces in a manner beneficial to the city and compatible with the character of surrounding urban development. The amendments are consistent with this policy because they:
- a) Identify significant upland areas and the natural resource functions and values they provide;
  - b) Establish environmental zoning on significant upland resources. The environmental zoning regulations will limit development within the significant resource areas, encourage environmentally sensitive development that has fewer impacts on the resource area than traditional development, and require mitigation for unavoidable impacts;
  - c) Establish a vegetation enhancement standard that includes an incentive for planting vegetation adjacent to natural resource areas. Increasing vegetation will increase wildlife habitat and wildlife habitat connectivity in the North Reach. The enhancement standard can be met by preserving existing vegetation or planting additional vegetation on-site or off-site;

- d) Recommend that the City implement a program to acquire, restore and maintain in perpetuity several key natural resource sites in the North Reach. The plan identifies sites where the City should focus restoration and enhancement activities. Restoration activities will include enhancement of wildlife habitat and wildlife habitat connectivity.
116. **Objective A: Wetland/Water Body Buffer**, calls for providing protection to significant wetland and water body natural resources through designation of significant upland areas as a buffer between the resource and other urban development and activities. The amendments are consistent with this objective because they:
- a) Identify significant upland areas and the natural resource functions and values they provide;
  - b) Establish environmental zoning on significant upland resources. The environmental zoning regulations will limit development within the upland resource area, encourage environmentally sensitive development that has fewer impacts on the resource area than traditional development, and require mitigation for unavoidable impacts.
117. **Objective B: Slope Protection and Drainage**, calls for protecting slopes from erosion and landslides through the retention and use of vegetation, building code regulations, erosion control measures during construction, and other means. The amendments are consistent with this objective because they establish environmental zoning on steep slopes and other areas prone to erosion and landslides. The environmental zoning will guide development away from steep slopes that can be susceptible to erosion and landslides, thereby protecting public health and safety.
118. **Objective C: Wildlife Corridors**, calls for conserving and enhancing drainageways and linear parkways which have value as wildlife corridors connecting parks, open spaces, and other large wildlife habitat areas, and to increase the variety and quantity of desirable wildlife throughout urban areas. The amendments are consistent with this objective because they:
- a) Identify drainageways, vegetated areas, and special habitat areas that provide a wildlife corridor function;
  - b) Establish environmental zoning on significant natural resources that provide a wildlife corridors function. The environmental zoning will limit development in the resource area, encourage environmentally-sensitive development that has fewer impacts than traditional development, and require mitigation for unavoidable impacts. Mitigation will ensure that existing wildlife corridor functions are maintained over time;
  - c) Establish a vegetation enhancement standard that includes an incentive for planting vegetation adjacent to existing natural resource areas and wildlife corridors. Increasing vegetation will increase wildlife habitat and wildlife habitat connectivity in

the North Reach. The enhancement standard can be met by preserving existing vegetation or planting additional vegetation on-site or off-site;

- d) Recommend that the City implement a program to acquire, restore and maintain in perpetuity key natural resources sites in the North Reach. The plan includes a list of key sites that if restored will increase natural resource function including sites that are important wildlife corridors.

119. **Policy 8.17, Wildlife**, calls for conservation of significant areas and encouragement of the creation of new areas that increase the variety and quantity of fish and wildlife throughout the urban area in a manner compatible with other urban development and activities. The amendments are consistent with this policy because they:

- a) Identify significant fish and wildlife resources and functional values and special habitat areas;
- b) Establish environmental zoning on significant fish and wildlife resource areas and special habitat areas. The environmental zoning will limit the detrimental impacts to natural resources from urban development and activities, encourage environmentally-sensitive urban development, and require mitigation for unavoidable impacts. The environmental zoning regulations include clear and objective standards that, if met, will eliminate the need for a discretionary land use review, and the regulations allow for mitigation to be conducted off-site through a mitigation bank. These allowances have been included specifically to increase flexibility for development in the North Reach and to balance the need for development with the need to conserve and protect significant natural resources;
- c) Establish a vegetation enhancement standard that includes an incentive for planting native vegetation adjacent to significant fish and wildlife resource areas. Vegetation planted within these areas will increase fish and wildlife habitat connectivity in the North Reach. The vegetation enhancement standard also allows a payment in lieu of meeting the standard on-site. This allowance has been included specifically to balance the development needs of the heavy industrial uses in the working harbor with the need to increase the variety and quantity of significant natural resources in the North Reach;
- d) Recommend that the City implement a program to acquire, restore and manage key natural resources sites in the North Reach. The plan includes a list of key sites that if restored will increase natural resource function including sites that are important wildlife corridors. The payment in lieu of planting native vegetation on-site will be directed to this program.

120. **Objective A: Natural resource areas**, calls for regulating activities in natural resource areas which are deemed to be detrimental to the provision of food, water, and cover for fish and wildlife. The amendments are consistent with this objective because they establish environmental zoning on identified significant natural resource areas. The

environmental zoning will limit the detrimental impacts to natural resources from urban development and activities, encourage environmentally-sensitive urban development, and require mitigation for unavoidable impacts..

121. **Objective C: City Parks**, calls for protecting existing habitat and, where appropriate, incorporate new fish and wildlife habitat elements into park plans and landscaping. The amendments are consistent with this objective because they establish environmental zoning on significant natural resources, including fish and wildlife habitat, in City parks in the North Reach. The amendments also recommend the establishment of a river restoration program aimed at restoring and maintaining key fish and wildlife habitat sites in the North Reach and Cathedral Park and Kelly Point Park are identified as sites where restoration should occur.
122. **Policy 8.19, Noise Abatement Construction Requirements**, calls for reducing and preventing excessive noise and vibration in attached residential dwellings through construction requirements. The amendments are consistent with this policy because they will reduce the impacts from excessive noise in an area of the St. Johns neighborhood by implementing a regulation that will require a higher level of sound insulation in new residential structures, including attached residential dwellings. The regulation will apply to an area that is impacted by a high level of daytime and nighttime noise associate with industrial operations at the Toyota facility on the Port of Portland's Terminal 4 and other nearby industrial operations.

### GOAL 9, CITIZEN INVOLVEMENT

123. **Goal 9, Citizen Involvement**, calls for improved methods and ongoing opportunities for citizen involvement in the land use decision-making process. The amendments are consistent with this goal because the planning process included extensive opportunities for citizen involvement. Findings for Statewide Planning Goal 1, Citizen Involvement, also demonstrate that the amendments are consistent with this goal.
124. **Policy 9.1, Citizen Involvement Coordination**, calls for encouraging citizen involvement in land use planning projects through coordination with community organizations, availability of planning reports and notice of public hearings. The amendments are consistent with this policy because the planning process included the encouragement of citizen involvement, the notification of public hearings, and the availability of planning documents. Findings for Statewide Planning Goal 1, Citizen Involvement also demonstrate that the amendments are consistent with this policy.
125. **Policy 9.3, Comprehensive Plan Amendment**, calls for allowing for the review and amendment of the adopted Comprehensive Plan which ensures citizen involvement opportunities for the city's residents, businesses and organizations. The amendments are consistent with this policy because the River Plan / North Reach process was conducted with input and feedback from local neighborhood and business associations and other groups and individuals. Findings for Statewide Planning Goal 1, Citizen Involvement, also demonstrate that the amendments are consistent with this policy.

### GOAL 10, PLAN REVIEW AND ADMINISTRATION

126. **Goal 10, Plan Review and Administration**, requires that Portland's *Comprehensive Plan* undergo a periodic review. The amendments are consistent with this policy because the River Plan / North Reach is an update of the Willamette Greenway Plan which is a part of the *Comprehensive Plan*. The proposed amendments have been sent to the Department of Land Conservation and Development for review.
127. **Policy 10.5, Corresponding Zones and Less Intense Zones**, requires that base zones either correspond to the *Comprehensive Plan* Map designation or be a zone less intense than the corresponding zone. The plan amends the comprehensive plan map designations and zoning map designations on two properties:
- a) The comprehensive plan map designation and the zoning map designation of 2.18 acres along NW St. Helens Rd. in the Linnton community will be amended from General Commercial to Urban Commercial and from General Commercial (CG) to Commercial Storefront (CS) respectively;
  - b) The comprehensive plan map designation and the zoning map designation of a property known as the "McCormick & Baxter property," with a street address at 6900 N. Edgewater, will be amended from Industrial Sanctuary to Mixed Employment and from Heavy Industrial (IH) to General Employment 2 (EG2) respectively.

In both cases, the comprehensive plan designation and the zoning map designations correspond.

128. **Policy 10.6, Amendments to the Comprehensive Plan Goals, Policies, and Implementing Measures**, requires that all proposed amendments to implementing ordinances be reviewed by the Planning Commission prior to action by the City Council. The amendments are consistent with this policy because the Planning Commission reviewed the proposed amendments and took public testimony at public hearing on December 9, 2008, January 13, 2009, and April 14, 2009. The Planning Commission finalized its' recommendation to Portland City Council on June 23, 2009. The recommendation was forwarded to City Council for a public hearing to be held on February 17, 2010.
129. **Policy 10.7, Amendments to the Comprehensive Plan Map**, requires that amendments be consistent with the overall Comprehensive Plan and Map, be consistent with the Statewide Planning Goals, and be consistent with any adopted applicable area plans. When the amendment is from a residential, or urban commercial, to another non-residential designation the policy requires that there be no net loss of housing units. As finding in this report show, the amendments are consistent with this policy because they are consistent with the *Comprehensive Plan*, Comprehensive Plan Map, Statewide Planning Goals, adopted area plans, and there will be no net loss of housing as a result of adoption.

130. **Policy 10.8, Zone Changes**, requires that base zone changes within a Comprehensive Plan Map designation be to the corresponding zone stated in the designation. The policy also requires that such zone changes be granted when it is found that public services are sufficient. The amendments are consistent with this policy. The plan amends the comprehensive plan map designations and zoning map designations to two properties:
- a) The comprehensive plan map designation and the zoning map designation of 2.18 acres along NW St. Helens Rd. in the Linnton community will be amended from General Commercial to Urban Commercial and from General Commercial (CG) to Commercial Storefront (CS) respectively;
  - b) The comprehensive plan map designation and the zoning map designation of a property known as the “McCormick & Baxter property,” with a street address at 6900 N. Edgewater, will be amended from Industrial Sanctuary to Mixed Employment and from Heavy Industrial (IH) to General Employment 2 (EG2) respectively.

In both cases, the comprehensive plan designation and the zoning map designations correspond, and public services are sufficient to support the zone changes.

131. **Policy 10.10, Amendments to the Zoning and Subdivision Regulations**, requires amendments to the zoning and subdivision regulations to be clear, concise, and applicable to the broad range of development situations faced by a growing, urban city. The amendments are consistent with this policy because they clarify and streamline regulations and review approval criteria that have been identified as inefficient, and in some cases ineffective for meeting the goals of the Willamette River Greenway plan, and ineffective for promoting development and redevelopment in the North Reach. Circumstances have changed in the North Reach since the Willamette River Greenway Plan was adopted in 1987. The amendments in the River Plan / North Reach have been written specifically to address the ways in which the existing regulations can undermine development and redevelopment.
132. **Objective A**, calls for promoting good planning by: effectively and efficiently implementing the Comprehensive Plan; addressing present and future land use problems; balancing the benefits of regulations against the costs of implementation and compliance; and assuring that Portland remains competitive with other jurisdictions as a location in which to live, invest, and do business. The amendments are consistent with this objective because:
- a) Present and future land use issues and problems in the North Reach were identified during the planning process and the amendments were written to address as many of the problems as possible; and
  - b) The benefits of regulation and the cost of implementation and compliance were discussed extensively during the planning process. The amendments clarify regulations that are unclear or ineffective, apply regulations where necessary to achieve the identified goals and objectives for the North Reach including continued

development and redevelopment of the working harbor and improvement of watershed health functionality. And, where possible, the amendments reduce regulation in order to further support development and redevelopment.

133. **Objective B**, calls for assuring good administration of land use regulations by: keeping regulations simple; using clear and objective standards where ever possible; maintaining consistent procedures and limiting their number; establishing specific approval criteria for all land use reviews; emphasizing administrative procedures for land use reviews; and avoiding overlapping reviews. The amendments are consistent with this objective because they:
- a) Were written specifically to be as simple and clear as possible;
  - b) Apply clear and objective standards to more development situations in the North Reach than the current greenway code does;
  - c) Reduce the number of discretionary land use reviews required for development in the North Reach;
  - d) Establish specific approval criteria intended for land use reviews;
  - e) Utilize administrative procedures when ever possible; and
  - f) Encourage coordination and communication between applicants for development and the City, state and federal agencies reviewing development proposals in and along the river.
134. **Objective C**, calls for striving to improve the code document by: using clear language; maintaining a clear, logical organization; using a format and page layout that eases use of the document by lay-people as well as professionals; and using tables and drawings to add clarity and to shorten the document. The amendments are consistent with this objective because the code uses clear language; the code is consistent with the traditional zoning code organization, formatting and page layout; and tables and drawings have been used to add clarity.
135. **Policy 10.12, Long Range Parks Plan**, calls for the Bureau of Planning and the Parks Bureau to develop a long range parks plan for the City. The amendments are consistent with this policy because the Bureau of Planning and Sustainability worked with the Portland Parks and Recreation to identify the Willamette Greenway Trail alignment and viewpoint locations.

#### GOAL 11, PUBLIC FACILITIES

136. **Goal 11 A, Public Facilities, General**, calls for provision of a timely, orderly and efficient arrangement of public facilities and services that support existing and planned land use patterns and densities. The amendments are consistent with this goal because they:



Recommended River Plan / North Reach  
Exhibit D: Findings Report

- a) Identify and prioritize public investment in a coordinated program of capital projects that will improve the infrastructure systems in the North Reach to support existing and future development;
  - b) Retain open space zoning and the River Recreational overlay zone in order to ensure that the North Reach continues to have river-related recreational opportunities including public boat launches;
  - c) Identify and facilitate development of the Willamette River Greenway trail. The trail will connect the neighborhoods, work centers and recreational destinations in the North Reach to other parts of the city with a route that is safe and convenient. The trail will also offer public access to and along the Willamette River;
  - d) Identify public viewpoints so that people can see and experience the Willamette River and the working harbor.
137. **Policy 11.2, Orderly Land Development**, calls for urban development to occur only where urban public facilities and services exist or can be reasonably made available. The amendments are consistent with this policy because they support the continued development and redevelopment of the City's working harbor as a thriving industrial and employment area. The amendments ensure that the urban public facilities and services in the North Reach will continue to be adequate to accommodate industrial and employment development and redevelopment, and the development of Willamette River Greenway infrastructure such as the greenway trail, greenway viewpoints, and river recreational opportunities where appropriate.
138. **Policy 11.3, Orderly Service Extension**, calls for improvement and expansion of urban public facilities or services to not stimulate development that significantly precedes the ability to provide all other necessary urban public facilities and services at uniform levels. The amendments are consistent with this policy because they anticipate that the provision of urban services will occur concurrently with development to avoid development preceding service delivery.
139. **Policy 11.4, Capital Efficiency**, calls for supporting maximum use of existing public facilities and services by encouraging higher density development and development of vacant land within already developed areas. The amendments are consistent with this policy because they include code provisions and incentives that will encourage the development of unconstrained vacant land within already developed river-dependent and river-related areas.
140. **Policy 11.5, Cost Equitability**, calls for the costs of improvement, extension and construction of public facilities, where possible, to be borne by those whose land development and redevelopment actions made the improvement necessary. The amendments are consistent with this policy because they identify and prioritize public investment in public facilities that will ultimately leverage private investment in the development and redevelopment of the working harbor. This will ensure that the North

Reach remains a thriving industrial and employment area providing family-wage jobs and helping to maintain the economy of the City and the region.

141. **Goal 11 B, Public Rights-of-Way**, calls for preservation of the quality of Portland's land transportation system, protection of the City's capital investment in public rights-of-way, and implementation of street improvements in accordance with identified needs and balanced resource allocation. The amendments are consistent with this goal because they include identification and prioritization of capital projects to maintain, improve and protect the City's investment in the public right-of-way system, and address existing and future needs for development and redevelopment in the North Reach. The plan calls for a balanced transportation system that encourages efficient use of resources to ensure that the North Reach remains a viable industrial and employment area, and includes a safe and efficient bicycle and pedestrian route.
142. **Policy 11.10, Street Improvements**, calls for allowing improvements to public rights-of-way only if consistent with the street classifications in the Arterial Streets Classifications and Policies. The amendments are consistent with this policy because they were developed with input from the Portland Bureau of Transportation to ensure that all street improvements are consistent with their classifications in the Arterial and Streets Classifications and Policies.
143. **Policy 11.13, Bicycle Improvements**, calls for providing bikeway facilities appropriate to the street classifications, traffic volume, and speed in the design and construction of all new or reconstructed streets. The amendments are consistent with this objective because the greenway trail alignment was identified in conjunction with the Portland Bureau of Transportation and is appropriate to the street classifications, traffic volumes and speeds on rights-of-way.
144. **Policy 11.15, Pedestrian Improvements on Arterials**, calls for providing for safe pedestrian movement along all new or reconstructed streets classified as Neighborhood Collectors or above and developing additional pedestrian walkways where needed. The amendments are consistent with this policy because they identify and prioritize capital projects to improve pedestrian safety on streets classified as Neighborhood Collectors or above in the North Reach. The plan calls for a pedestrian crossing across North Columbia Blvd. to connect the greenway trail between Chimney Park and the Smith and Bybee Lakes Natural Area, and a pedestrian crossing across North Lombard Street to connect the greenway trail from the Baltimore Woods area to Pier Park.
145. **Goal 11 C, Sanitary and Stormwater Facilities**, calls for an efficient, adequate, and self-supporting wastewater collection treatment and disposal system which will meet the needs of the public and comply with federal, state and local clean water requirements. The amendments are consistent with this goal because they identify and prioritize capital projects to improve the efficiency of the sanitary and stormwater systems in the North Reach.

146. **Policy 11.27, Impervious surfaces**, calls for limiting the increase of Portland's impervious surfaces without unduly limiting development in accordance with the Comprehensive Plan, when necessary. The amendments are consistent with this policy because they support the continued development and redevelopment of a viable industrial and employment area along the Willamette River in the North Reach while also limiting impervious surfaces in natural areas as much as practicable. The amendments facilitate industrial development in accordance with the Comprehensive Plan and require revegetation in a manner that will not conflict with industrial, river-dependent and river-related development.
147. **Goal 11 E, Water Service**, calls for an efficient, adequate, and self-sustaining water supply and delivery system which will meet the future needs of the community. The amendments are consistent with this goal because they identify and prioritize capital projects to improve the efficiency of the water supply system in the North Reach.
148. **Goal 11 F, Parks and Recreation**, calls for maximizing the quality, safety and usability of parklands and facilities through the efficient maintenance and operation of park improvements, preservation of parks and open space, and equitable allocation of active and passive recreation opportunities for the citizens of Portland. The amendments are consistent with this goal because they:
- a) Retain open space zoning and the River Recreational overlay zone in order to preserve parks and river-related recreational opportunities in the North Reach;
  - b) Support the Cathedral Park master plan;
  - c) Identify and facilitate development of the Willamette River Greenway trail which will provide both active and passive recreational opportunities in the North Reach;
  - d) Identify greenway viewpoints which will provide passive recreation opportunities in the North Reach.
149. **Policy 11.43, Master Development Plans**, calls for maintaining master development plans for city parks. The amendments are consistent with this policy because they call for implementation of the Cathedral Park master plan.

## GOAL 12, URBAN DESIGN

150. **Goal 12, Urban Design**, calls for the enhancement of Portland as a livable city, attractive in its setting and dynamic in its urban character by preserving its history and building a substantial legacy of quality private developments and public improvements for future generations. The amendments are consistent with this goal because they enhance Portland as a livable city by supporting a thriving industrial and employment area that provides family wage jobs and helps maintain the economy of the City and the region. The amendments also maintain, protect and enhance the natural and scenic qualities of the North Reach and address urban design features such as the Willamette River Greenway trail and the greenway setback. The plan identifies and prioritizes a coordinated program of public investment in capital projects to improve the public infrastructure systems in the

North Reach to accommodate future development in the area, and the plan ensure that the natural systems in the North Reach will be preserved and improved.

151. **Policy 12.1, Portland's Character**, calls for enhancing and extending Portland's attractive identity by building on design elements, features and themes identified within the city. The amendments are consistent with this policy because they build upon the existing character of the North Reach as the City's working harbor and support the continued development and redevelopment of industrial and employment uses. The amendments also incorporate design features that are associated with the Willamette River greenway such as a greenway setback and greenway trail in a manner that does not conflict with marine industrial development. The plan also incorporates the natural features associated with the Willamette River by protecting and enhancing natural resource areas and functions.
152. **Objective B**, calls for preserving and enhancing the character of Portland's neighborhoods, and encouraging the development of attractive and unique characteristics which aid each neighborhood in developing its individual identity. The amendments are consistent with this objective because they enhance the unique characteristics of the working harbor by protecting the industrial sanctuary in the North Reach and supporting the continued development of redevelopment of river-dependent and river-related uses.
153. **Objective C**, calls for enhancing the sense Portlanders have that they are living close to nature; improving access to the City's rivers, lakes, creeks and sloughs; establishing a system of trails that connect Portland's urbanized areas with nearby woods, forests, meadows, wetlands and riparian areas; increasing the degree to which natural areas and public open spaces penetrate the City; extending forest and water corridors and join them to provide a network of fish and wildlife habitat areas that mesh with the City's parks, open spaces and circulation system for pedestrians; and designing new development to enhance the natural environment that is so much a part of Portland's character. The amendments are consistent with this objective because they:
  - a) Provide protection for significant natural resource areas including the river, creeks, wetland, sloughs, wooded areas, meadows, and riparian areas;
  - b) Require that development within significant natural resource areas minimize impacts to the natural environment and mitigate for any impacts that can not be avoided;
  - c) Identify and facilitate development of a greenway trail system that will connect park and recreation areas with the neighborhood and work centers in the North Reach;
  - d) Recommend acquisition and enhancement of identified restoration areas to improve fish and wildlife habitat and improve habitat connectivity in the North Reach.
  - e) Establish a vegetation enhancement standard that will ensure that native vegetation is preserved and enhanced as development occurs in the North Reach.
154. **Objective E**, calls for integrating into private and public development projects appropriate thematic design elements that reinforce Portland's desired identity.

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Examples of design themes include “The City of Roses,” the spirit of Portlandia, the Great Blue Heron, ornamental street lighting standards, basalt street pavers, bridges and bridge crossings, gateways, fountains and water features, which identify or enhance Portland’s character as an attractive and unique place. The amendments are consistent with this objective because they incorporate the greenway setback in areas where the riverbank is not being used for river access. The greenway setback preserves the natural and scenic qualities along the edge of the Willamette River and allows for public access and enjoyment of the river. The Willamette River is a unique place in Portland.

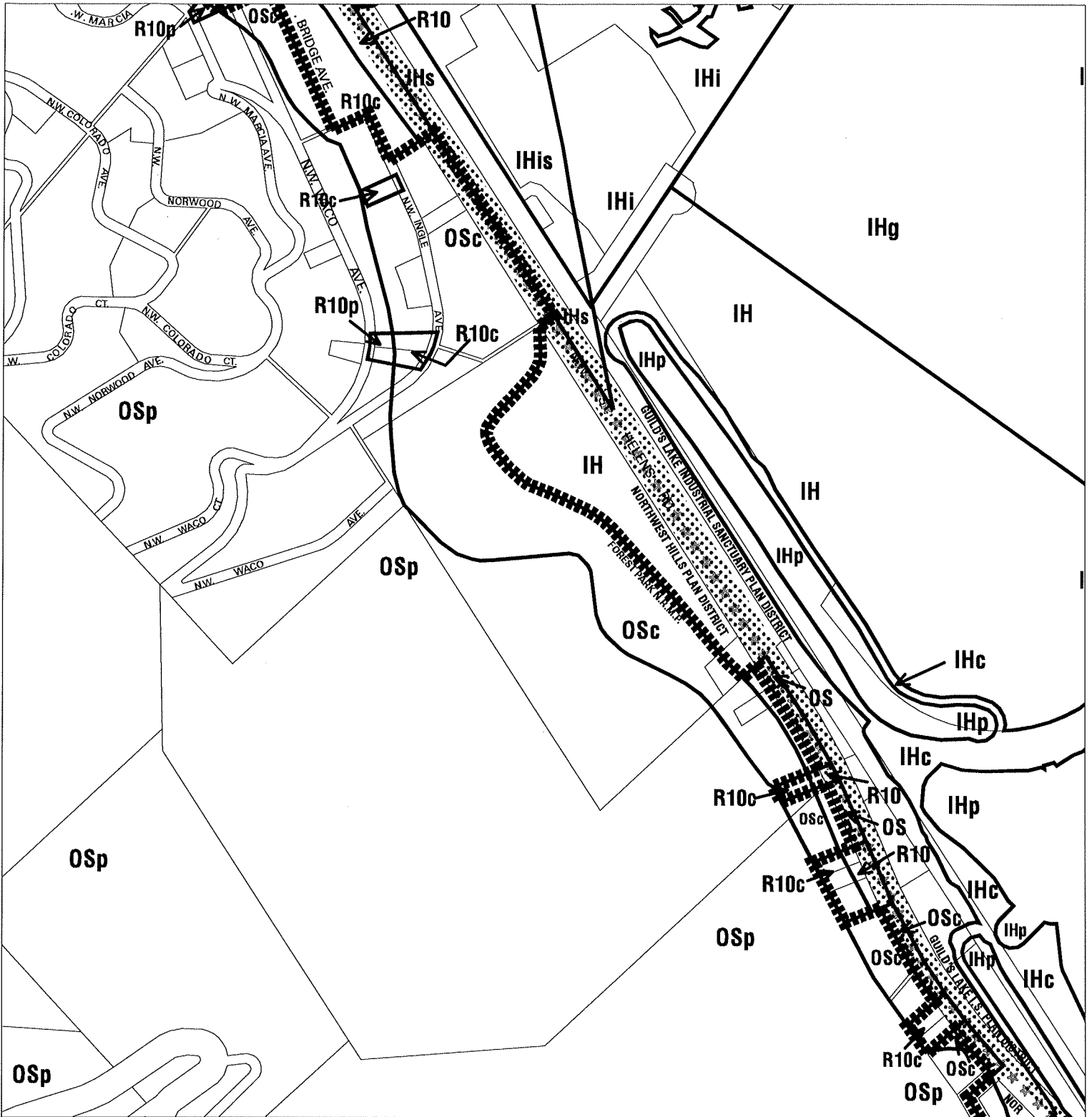
155. **Objective G**, calls for extending urban linear features such as linear parks, park blocks and transit malls; celebrating and enhancing naturally occurring linear features such as rivers, creeks, sloughs and ridge-lines; tying public attractions, destinations and open spaces together by locating them in proximity to these linear features; and integrating the growing system of linear features into the City’s transportation system, including routes and facilities for pedestrians, bicyclists and boaters. The amendments are consistent with this objective because they identify and facilitate development of the Willamette River Greenway trail which will allow people to access the river in a manner that is safe and does not conflict with river-dependent and river-related marine industrial development. The amendments also retain open space zoning and the River Recreational overlay zone on park sites that include river recreational uses such as boat launch areas and public docks.
156. **Objective H**, calls for preserving and enhancing existing public viewpoints, scenic sites and scenic corridors, and as new development occurs, taking advantage of opportunities to create new views of Portland’s rivers, bridges, the surrounding mountains and hills, and the Central City skyline. The amendments are consistent with this objective because they identify and recommend development of a series of public viewpoints in the North Reach. The viewpoints will facilitate views of the working harbor, the Willamette River, the St. John’s bridge, and the surrounding landscapes.
157. **Policy 12.2, Enhancing Variety**, calls for promoting the development of areas of special identity and urban character. The amendments are consistent with this policy because they promote the special character of the North Reach as the City’s working harbor and support the continued development and redevelopment of industrial and employment uses. The amendments also incorporate design features that are associated with the Willamette River greenway such as a greenway setback and greenway trail in a manner that does not conflict with marine industrial development. The plan also acknowledges the special natural features associated with the Willamette River by protecting and enhancing natural resource areas and functions.
158. **Policy 12.4, Provide for Pedestrians**, calls for providing a pleasant, rich and diverse experience for pedestrians which includes comfortable, safe and attractive pathways. The amendments are consistent with this policy because they identify and facilitate development of the Willamette River Greenway trail through the North Reach. The trail will connect the neighborhoods and work centers in the North Reach to other parts of the city with a route that is safe and convenient. The trail will also offer pedestrians with a walking route along

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the Willamette River and views of the City's working harbor. The amendments also identify and prioritize capital projects that will improve the safety of street crossings along the trail route.

159. **Objective E**, calls for completing the 40-Mile Loop and Willamette Greenway trails and establishing links between these trails and Portland's residential neighborhoods and parks. The amendments are consistent with this policy because they identify and facilitate development of the Willamette River Greenway trail through the North Reach. The North Reach greenway trail is a segment of the 40-mile Loop Trail. The trail will connect the neighborhoods and work centers in the North Reach to other parts of the city with a route that is safe and convenient.
160. **Objective F**, calls for linking Portland's trails and parks to the system of greenspaces being created for the metropolitan region. The amendments are consistent with this objective because the Willamette River Greenway trail alignment link several public parks and regional greenspace areas to the neighborhoods and work centers in the North Reach.
161. **Policy 12.7, Design Quality**, calls for enhancing Portland's appearance and character through development of public and private projects that are models of innovation and leadership in the design of the built environment. The amendments are consistent with this policy by encouraging environmentally-friendly site design techniques that limit impacts to significant natural resource areas.



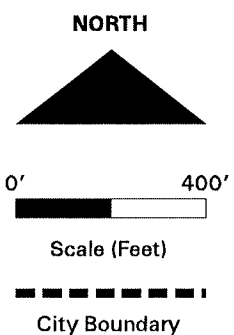


## River Plan/North Reach Proposed Zoning

Bureau of Planning - City of Portland, Oregon

- i = River Industrial Zone
- g\* = River General Zone
- r\* = River Recreational Zone
- e = River Environmental Zone

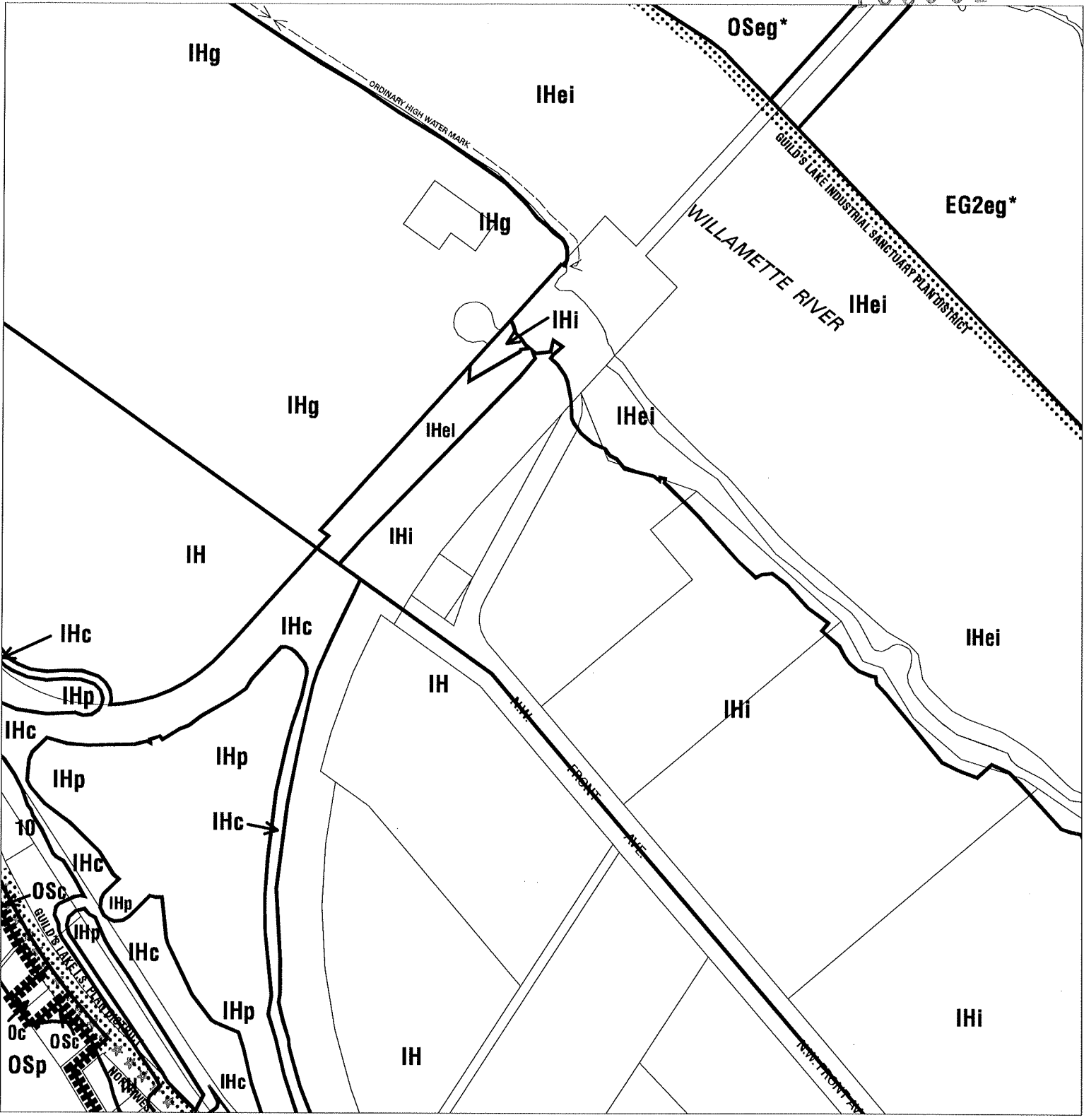
- c = Environmental Conservation Overlay
- p = Environmental Protection Overlay
- ☆☆☆ Public Trail
- ← → Ordinary High Water Mark (O.H.W.M.)  
= area between arrows



February, 2010

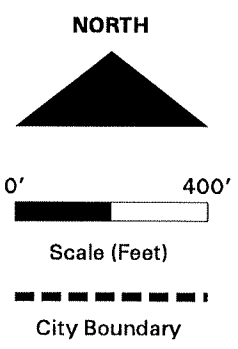
Map 1/4 Section 2321





## River Plan/North Reach Proposed Zoning

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Map 1/4 Section 2322