

**ATTACHMENT 4****Detailed Description *Comprehensive Plan* Supporting Documents Adopted during the City's First Periodic Review**

The 1980 version of Portland's *Comprehensive Plan* contained two update policies. One called for an annual report on the *Comprehensive Plan* and the other an annual hearing on the *Comprehensive Plan*. It was during annual hearing between 1981 and 1987 that *Comprehensive Plan* supporting documents were updated. This annual update process was eliminated in 1988 by Ordinance No. 161336 as part of the "Work Reduction and Revenue" proposal. Period review became the replacement mechanism to update *Comprehensive Plan* supporting documents.

On August 28, 1987 the City of Portland received a notice from the Oregon Department of Land Conservation and Development requiring the City to conduct a "periodic review" update of its *Comprehensive Plan*. Periodic review updates are conducted in two parts, a self evaluation leading to an identification of needed work, and the carrying out of a state-approved work program.

Ordinance No. 160853 was adopted by the Portland City Council on June 2, 1988 and directed the Portland Bureau of Planning to update economic development element of Portland's *Comprehensive Plan*. Ordinance No. 160853 also adopted an April 1988 report from the Economic Development Advisory Committee containing a summary economic opportunities, an assessment of economic conditions and an analysis of the supply of vacant industrial land categorized as either committed, constrained, or unconstrained.

On June 29, 1988 City Council adopted Ordinance No. 161000 which, as required by Ordinance No. 161000, amended the economic development element of the *Comprehensive Plan* as recommended by both the Economic Development Advisory Committee and the City Planning Commission. Ordinance No. 161000 replaced the Economic Development support document adopted by Ordinance No. 150580 on October 16, 1980.

On March 1, 1989 the City Council responded to the August 28, 1987 Periodic Review Notice by adopting Resolution No. 34523. This resolution adopted a proposed local review order and relying on facts and reasons contained, in part, within the following supporting documents:

- 1984 Historic Resources Inventory
- 1986 Wetlands and Wildlife Habitat Inventory
- 1987 Inventory of Parks and Open Space
- 1987 Vacant Lands Inventory, Methodology and Report
- 1988 Mineral and Aggregate Resources Inventory
- 1988 Scenic Views, Sites, and Drives Inventory

Together, these documents superseded the inventories within the Environment supporting document adopted by Ordinance No. 150580 on October 16, 1980.

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On April 5, 1989 the City Council adopted Ordinance No. 161770 which amended Ordinance No. 150580 to add a third part to the *Comprehensive Plan*. Ordinance No. 161770 added Exhibit C of Ordinance No. 150580 which contained a List of Significant Public Works Projects necessary to support the preferred future development pattern depicted on the *Comprehensive Plan Map*. Ordinance No. 161770 also amended Ordinance No. 150580 by replacing the 1980 Public Facilities support document with a Public Facilities Plan.

The 1989 Public Facilities Plan contained the following service elements:

- Water
- Sewage Treatment
- Stormwater Drainage
- Sanitary Sewer
- Combined Stormwater and Sanitary Sewer
- Transportation.

In 1989 the City began adoption of series of ordinances that incrementally and partially replaced the 1986 Wetlands and Wildlife Habitat Inventories adopted by Resolution No. 34523. Ordinances that adopted natural resource inventories include:

- Ordinance No. 161895, May 4, 1989, Columbia Corridor.
- Ordinance No. 163610, November 8, 1990, Smith and Bybee Lakes. Ordinance 163610 also began an incremental replacement of the inventory for the Columbia Corridor adopted by Ordinance No. 161895
- Ordinance No. 163770, January 9, 1991, Balch Creek Watershed.
- Ordinance No. 164472, July 17, 1991, Johnson Creek Basin.
- Ordinance No. 164517, July 31, 1991, Northwest Hills
- Ordinance No. 165002, January 23, 1992, Southwest Hills
- Ordinance No. 166430, April 7, 1993, Fanno Creek Watershed
- Ordinance No. 166572, May 26, 1993, East Buttes, Terraces and Wetlands
- Ordinance No. 167127, November 17, 1993, Columbia South Shore. Ordinance 167127 also completed the replacement of the Columbia Corridor inventory adopted by Ordinance No. 161895
- Ordinance No 167293, January 19, 1994, replaced the inventory adopted by Ordinance 166430 for the Fanno Creek Watershed. Ordinance No 167293 also and improved the City's methods for determining the location, quantity, and quality of significant natural resources.
- Ordinance No. 168164, September 21, 1994, Skyline West. The adoption of the Skyline West Conservation Plan by Ordinance No. 168164 completed the incremental replcaement of the 1986 Wetlands and Wildlife Habitat Inventory adopted by Resolution No. 34523
- Ordinance No. 171740 November 5, 1997, adopted a revised natural resource inventory supplement for the Boring Lava Domes within the Johnson Creek Watershed. This was the last of the natural resource inventories conducted during the Portland's first periodic review.

Resolution 34653 was adopted by City Council on December 20, 1989. This resolution adopted a final local review order relying on the same supporting documents as Resolution No. 34523, except that the 1988 Mineral and Aggregate Resources Inventory was supplemented with an addendum.

On March 13 1991 City Council adopted Ordinance No. 163957, which contained a new city-wide inventory for the Scenic Views, Sites and Drives.

Oregon Laws 1993, Chapter 435 was enacted on July 27, 1993 (Senate Bill 97). This law required the City to perform all work described, but not completed by December 31, 1993, on its final local review order, and to complete the remaining tasks on a Periodic Review Work Program adopted in accord with ORS 640 (3) 1989 Edition.

On December 22, 1993 City Council responded to Oregon Laws 1993, Chapter 435 by adopting Resolution No. 35226. This resolution described work on the final local review order adopted by Resolution No. 34653 that would not be completed by December 31, 1993.

Following adoption of Ordinance 167293 on January 19, 1994 the City forwarded the locally-adopted natural resource inventories for Smith and Bybee Lakes, Balch Creek, Fanno Creek, Johnson Creek, Northwest Hills, Southwest Hills, East Buttes Terraces and Wetlands, and Columbia south Shore plans and inventories to the Oregon Land Conservation and Development Commission as completed periodic review task. The Skyline West Conservation Plan was submitted as a separate completed periodic review task.

The Oregon Department of Land Conservation and Development acknowledged the Skyline West Conservation plan and inventory as periodic review Task 1.1 on November 13, 1995 by Order No. 00522.

The Oregon Land Conservation and Development Commission adopted Periodic Review Work Program for City of Portland on January 20, 1995. This Work Program responded to Resolution No. 35226 and categorized remaining work as Task 1, Natural Resources, Task 2, Historic Resources, Task 3, Cultural Resources, and Task 4, Air Quality. This Work Program was revised on May 26, 1995, August 14, 1995 (correction only), March 29, 1996, and November 22, 1996.

On July 25, 1995 the Oregon Land Conservation Development Commission issued Order No. 95-PR/00447 approving the City's locally-adopted plans and natural resource inventories for Smith and Bybee Lakes, Balch Creek, Fanno Creek, Johnson Creek, Northwest Hills, Southwest Hills, the East Buttes Terraces and Wetlands, and the Columbia South Shore. The commission also issued Order no. 95-00448 approving an amended Periodic Review Work Program for Portland.

On April 3, 1996 City Council enacted Ordinance No. 169953 which adopted a new cultural resource inventory for the Columbia South Shore. This was Work Task #3 on the periodic Review Work Program and was approved by Department of Land Conservation and Development Order No. 00606 on May 8, 1996.

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On April 10, 1996 City Council enacted Ordinance No. 169987 that amended the zoning code regulations for historic resources. This work was informed, in part, by 1993 updates to the 1984 Historic Resources Inventory, but since these updates were not adopted by City Council; they are not comprehensive plan supporting documents. The Oregon Department Land Conservation and Development approved the zoning code amendments on July 23, 1996 by Order No. 00643.

On December 24, 1996 the Oregon Court of Appeals sustained the Land Conservation and Development Commission Orders 95-PR/00447 and 95-PR/00448 in *Home Builders Association of Metropolitan v. Land Conservation and Development Commission and City of Portland* (CA 90112). The Court found that City's natural resource inventories were properly adopted by the City and approved by the Commission. The Homebuilders appealed the Court of Appeals decision, but the Oregon Supreme Court denied review of *Home Builders Association of Metropolitan v. Land Conservation and Development Commission and City of Portland* (S44035), leaving the Court of Appeals decision in place. An appeal of the commission's order approving the Skyline West inventory was withdrawn before briefing. The Court of Appeals did sustain an error in a consolidated appeal, *Elizabeth Callison v. Land Conservation and Development Commission and City of Portland*, but since the commission's order contained a severability clause, and since the sustained error concerned a single City land use regulation concerning utilities in environmental protection zones, the City's inventories were not affected. As a result of a final consolidated opinion in *Callison* and *Homebuilders*, the City's plans and natural resource inventories for Smith and Bybee Lakes, Balch Creek, Fanno Creek, Johnson Creek, Northwest Hills, Southwest Hills, East Buttes Terraces and Wetlands, and Columbia South Shore were deemed valid, effective and acknowledged to comply with Statewide Planning Goal 5. The city was directed to correct the remanded land use regulation by a revised Task 1.3 in a Periodic Review Work Program amended by Department of Land Conservation and Development Order No. 95-00448.

Ordinance No. 171740, which adopted a plan and revised natural resource inventory supplement for the Boring Lava Domes within the Johnson Creek Watershed, was the last of the natural resource inventories conducted during the City's first periodic review. The hearing record for this ordinance included a December 31, 1996 report to the Oregon Land Conservation and Development Commission containing a city-wide examination of how the conservation or protection on land determined to contain significant natural resources might affect the total supply of vacant land otherwise available for housing. This examination was based on the 1987 Vacant Buildable Lands Inventory, but did not revise or replace that inventory. The report indicated a potential reduction 61 units from the 32,618 units estimated in 1987, much less than a one percent reduction. The reason for the low number is that most of the land identified as environmentally significant had already been excluded from the 1987 inventory because of potential slope or flood hazards, or because the land was publicly owned. The December 31, 1996 report was approved by the Oregon Department of Land Conservation and Development (Order No. 00823) as Task 1.2 of the City's periodic Review work Program.

On January 5, 1998 the Oregon Department of Land Conservation and Development issued Order No. 00867 approving Portland's Periodic Work Task 4, Air Quality. This approval was based on changes the City Council made to *Comprehensive Plan* Policy 8.1 by Ordinance No. 169535. The change was made by the same ordinance that adopted the Central City Transportation Management Plan. Ordinance No. 169535 did not adopt, amend, or repeal any *Comprehensive Plan* supporting documents.

On February 11, 1998, the Oregon Department of Land Conservation and Development issued Order No. 00883 approving the remaining Historic Resources work tasks. The 1995 Oregon Legislature had amended Oregon Revised Statutes Chapter 197, Section 722 (Senate Bill 588). Before this 1995 amendment historic properties were conserved by land use regulations, as required by Statewide Planning Goal 5. SB 588 required the consent of the property owner to conserve a historic resource. The Land Conservation and Development Commission responded to the statutory change by amending its administrative rules. Under the amended rules historic properties need not be inventoried and were not to be protected under the general procedures for Statewide Planning Goal 5 resources. Special rules for historic resources provided that all properties listed in the National Register of Historic Places were "historic resources of statewide significance." These resources were to be "designated" through application of land use regulations that limited demolition, removal or major exterior alteration. On December 4, 1997 the Portland Bureau of Planning informed the Oregon Department of Land Conservation and Development, the State Historic Preservation Officer and other interested persons that the statutory and rule changes made impossible the completion of the remainder of the Task 2, Historic Resources Work Program. The Department responded by approving tasks 2.1, 2.32, 2.33, 2.34, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 2.10 and 2.11. Order No. 00883 recognized that the authority underlying the requirement to complete Task 2 had been repealed, and that this work could no longer be required as part of a periodic review work program.

On January 25, 2000 the Oregon Department of Land Conservation and Development issued Order No. 001132 approving the last remaining work task (Task 1.3, land use regulations for utility outfalls in environmental zones) and the completion of periodic review as a whole. By completing periodic review the City demonstrated that its *Comprehensive Plan*, plan supporting documents and plan implementing measures continued to met all requirements of the Statewide Planning Goals and Oregon planning law, and were thus acknowledged within the meaning of Oregon Revised Statutes 197.0150(1).

## ATTACHMENT 5

### Details on the Appointment of the Community Involvement Committee

Statewide Planning Goal 1 requires a committee for citizen involvement, and provides a range of options:

- The city council may appoint itself as the committee for citizen involvement,
- The city council may appoint its planning commission as its committee for citizen involvement , or
- The city may council may appoint a committee separate from its planning commission to serve as its committee for citizen involvement.

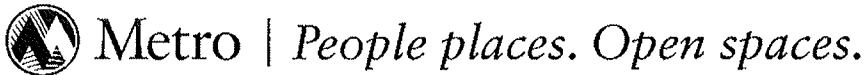
During the 1970's when Portland's Comprehensive Pan was first being developed, the City Council appointed a committee separate from the City Council to serve as the committee for citizen involvement. When the CPC transmitted its recommended version of the *Comprehensive Plan* to the City Council, the separate committee ceased to exist, and the CPC became the committee for citizen involvement in 1980.

When Portland entered its second periodic review in 2007, the City had to reconsider the status quo in light of the proposed undertaking, with a range of scopes that included a possible complete replacement of Portland's existing *Comprehensive Plan*. Two options considered in detail were allowing the CPC to continue as the committee for citizen involvement or appointing a separate committee similar to one that helped fostered the development of the 1980 *Comprehensive Plan*.

The City Council decided on a hybrid approach in which a few of the City planning commissioners would be appointed to a new Committee for Community Involvement, but the bulk of the committee members would not be planning commissioners. When the City Planning Commission was merged with the City's part of the Portland / Multnomah County Sustainability Commission the City council adopted bylaws specifying that no more than three appointments to the Community Involvement Committee could be made from the new Planning and Sustainability Commission (PSC). The non-commission appointments are made from the community at large, are nominated by the Mayor, and confirmed by the City Council. Confirmed appointments are tenured under the Portland City Charter, and members so appointed can only be removed for cause.

The appointment of the Citizen Involvement Committee was approved by DLCD Order 001792 on August 5, 2010.

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ATTACHMENT 6

December 9, 2010

Tom Armstrong  
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City of Portland  
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**Subject: Metro Comments on City of Portland Buildable Land Methodology and Analysis**

Dear Tom:

Thank you for the opportunity to review and comment on the City of Portland's draft buildable land analysis. The buildable land inventory (BLI) is the basis for estimating capacity. As the regional government responsible for regional coordination of population and employment forecast, Metro considers having a consistent approach to BLI as critical. Metro staff appreciates having the opportunity to review and also comment on the city's BLI during its development.

Based on our review of the materials you have provided, Metro staff believes that the BLI is consistent with the regional approach and support adoption of it as the basis for the development of the Portland Plan. In addition to using it to assess capacity, staff understands that your Natural Resource Inventory, prepared as part of the BLI, will be used as the basis for seeking compliance with Nature in Neighborhood Title 13 in Metro's Urban Growth Management Functional Plan. Metro staff supports the use of the Natural Resource Inventory as the basis for Title 13 compliance and will continue to work closely with city staff as they complete a phased Title 13 compliance strategy.

Metro comments below on your BLI methodology are based specifically on the information you presented at the October 28, 2010 Periodic Review Assistance Team Partners meeting and the hand-outs (Eric Engstrom's memo to the Planning Commission on the Portland Plan Factual Basis and Buildable Lands Analysis dated July 8, 2010; Inventory maps information presented to the Planning Commission on March 9, 2010; and City of Portland Development Capacity Analysis GIS Model report dated May 18, 2010).

Following are Metro staff observations on the city's BLI methodology and comments to consider as your draft buildable land analysis is refined and moved forward.

**Land base:** The explanation of the land the city considered indicates that the city's BLI is more detailed than Metro's BLI. City staff demonstrated expert knowledge of the city, considered all lands and incorporated same into the BLI data. The city breaks its land into three capacity categories - full, diminished, or no capacity - while Metro applies a regional vacant land inventory methodology that considers fully and partially vacant sites and then deducts land for specific constraints. One example of field knowledge is how your staff looked over the public lands data layer for errors and omissions and were able to field verify the GIS data. This is an example of how your city BLI is more detailed than Metro's.

Constraints / Suitability of the Land: The city breaks constraints into five categories: 1) No constraints; 2) Low constraints; 3) Constrained; 4) Highly constrained; and 5) Fully constrained. Metro does not explicitly handle its data in this way. For slope, public ownership and utility land-related constraints, we deduct the full area from the inventory as not buildable. For environmental constraints we add back some capacity where limited development is likely to happen. Metro staff believes that your conclusions are within a reasonable range and consistent with Metro's approach.

Capacity: The city's capacity estimate for both residential and non-residential capacity is not materially different from Metro's capacity estimates in its 2009 Urban Growth Report (UGR) study. Both capacity estimates begin with Metro's vacant land inventory. From this point, the slightly different interpretation of environmental constraints and development constraint assumptions that were applied by Metro and the city, the two capacity estimates arrive at slightly different inventory amounts. The city editing of its capacity estimates, particularly its vacant buildable inventory of industrial land, and its better understanding of current marketability of its industrial land inventory provides an opportunity to adjust and further refine its capacity estimates. This last adjustment can be materially different in the case of industrial capacity; however, the refinement is likely to improve the near term accuracy of the city's industrial inventory. In sum, Metro and the city's estimate of buildable vacant land inventory are similar and any differences can be explained by the city's more detailed knowledge of its vacant land inventory.

Where the capacity estimates between the city and Metro's UGR differ is in the treatment of redevelopment (and infill). The city methodology for estimating redevelopment capacity (a supply factor) is theoretically appealing and differs from conventional improvement to land valuation methods. The city's use of extensive GIS data offers a different approach which compares current development densities with maximum theoretical zoning densities to evaluate whether additional redevelopment capacity can be generated in the future. The city's approach skirts the problem of poor valuation data that normally is used in the traditional redevelopment estimation approach. Since redevelopment is subject to the whims of the marketplace, the city considers a range of redevelopment potential by seeking to identify environmental and market/development constraints that may impair the future likelihood of additional redevelopment (see suitability of land). At this point, it is unclear that without substantial historical precedence to determine if the city's new redevelopment estimation approach is more accurate. However, we wish to emphasize that the city's new method is theoretically quite appealing and look forward to additional testing of its accuracy.

To be clear, Metro does not explicitly estimate redevelopment capacity/supply in its treatment of development capacity for the UGR. Instead, we treat redevelopment as a "demand-side" calculation through our "refill rate" studies. The refill rate measures the proportion of marginal demand that is/was accommodated through redevelopment or infill. The refill rate is essentially a deduction of future demand that is expected to be accommodated by redevelopment or infill. The UGR does not expressly measure redevelopment inventory because of the refill rate that we apply in estimating residential and non-residential need. The city's estimate of redevelopment capacity appears to closely resemble the amount of refill projected in Metro's model (MetroScope) and included in the UGR despite the differences in methods.

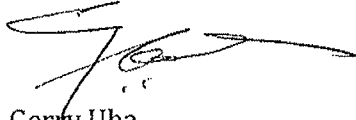


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We are looking forward to working with the City of Portland to improve Metro's data on an on-going basis and in particular projects, while ensuring that we fully understand the city's underlying GIS methodologies/assumptions/definitions to avoid inconsistencies among our conclusions.

Please send us copies of the final reports submitted to the Oregon Department of Land Conservation and Development. Thank you.

Sincerely,



Gerry Uba  
Principal Regional Planner  
Planning and Development Department

c: Robin McArthur, Planning and Development Director  
Mike Hogle, Research Center Director  
Chris Deffebach, Long Range Planning Manager, Planning and Development  
Dennis Yee, Chief Economist, Research Center

**ATTACHMENT 7****Details on the Past Forecasting and Allocation Decisions of the Metropolitan Service District**

In 1997 Metro Ordinance No. 97-715B established a Year 1994 to Year 2017 “calculated capacity” growth targets for Portland of 70,704 Dwelling Units and 158,503 Jobs, with 26,960 of these dwellings and 100,087 of these jobs in designated “mixed-use areas.” These allocations were made in Table 3.07-1, “Target Capacity for Housing and Employment Units - Year 1994 to 2017,” Section 3.07.120(A)(1)(b) of the *Urban Growth Management Functional Plan*. Metro Ordinance No. 97-715B is an acknowledged land use decision.

In 2002 Metro Ordinance No. 02-969B amended Ordinance No. 97-715B by replacing a calculated “target capacity” with “zoned capacity,” and assigning Portland a zoned capacity Year 2017 growth targets of 72,136 Dwelling Units and 209,215 Jobs. The sub-allocation to mixed-use areas was eliminating, and the plan horizon year of 2017 was not advanced. These allocations were made in Table 3.07-1, “Zoned Capacity for Housing and Employment Units - Year 1994 to 2017,” Section 3.07.120(A)(1)(b) of the *Urban Growth Management Functional Plan*. Metro Ordinance No. 02-969B is an acknowledged land use decision.

In 2010 Metro Ordinance No. 10-1241B adopted an amended Regional Transportation Plan. This plan employed Traffic Analysis Zone allocations, but these allocations relied on a forecast that differed from the 50-year range forecast that supported Ordinance No. 10-1238A and the 20-year range forecast that supported Ordinance 10-1244B. Metro Ordinance No. 10-1241B also did not assume expansion into urban reserves established Metro Ordinance No. 10-1238A and utilized by Metro Ordinance No. 11-1264B and assumed a different urban growth rates than those employed by Metro Ordinance No. 10-1244B. Ordinance No. 10-1241B did not amend Table 3.07-1, “Zoned Capacity for Housing and Employment Units - Year 1994 to 2017,” Section 3.07.120(A)(1)(b) of the *Urban Growth Management Functional Plan*. Metro Ordinance No. 10-1241B is an acknowledged land use decision.

In 2010 Metro Ordinance No. 10-1238A adopted Urban Reserves, and was supported by a 50-year range forecast that was coordinated with the 20-year range forecast that supported Ordinance 10-1244B. Ordinance No. 10-1238A did not, however set a 20-point forecast, and the range forecast was not allocated to individual jurisdictions. Metro Ordinance No. 10-1238A has been favorably reviewed by the Oregon Land Conservation and Development Commission, but is not an acknowledged land use decision because the commission has not yet issued its final order.

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In 2010 Metro Ordinance No. 10-1244B amended Ordinance 97-715B, as amended by Ordinance No. 02-969B, by repealing Table 3.07-1, which contained the housing and employment allocations. Ordinance No. 10-1244B was supported by a 20-year range forecast that was coordinated with the 50-year range forecast that supported Ordinance No. 10-1238A. Ordinance No. 10-1244B did not, however set a 20-point forecast, and the forecast that supported the ordinance was not allocated to individual jurisdictions. Ordinance No. 10-1244B recognized that an increased proportion of regional growth would be accommodated by more efficient utilization of existing urban land. Metro Ordinance No. 10-1244B also repealed the allocations enacted by Metro Ordinance No. 02-969B and amended Ordinance No. 97-715B without providing any replacement allocations. Metro Ordinance No. 10-1244B has been favorably reviewed by the Oregon Land Conservation and Development Commission, but is not an acknowledged land use decision because the commission has not yet issued its final order.

In 2011 Metro Ordinance No. 11-1264B expanded the regional urban growth boundary, formally adopted the *20 and 50 Year Regional Population and Employment Range Forecasts* that supported Ordinance No. 10-1238A and Ordinance No. 10-1244B; and narrowed the 20-year range forecast to “the lower end of the middle third” of the range for an estimate of “625,183 new people and 300,000 new jobs.” Ordinance No. 11-1264B did not state a needed housing number for the next 20-years, but the adopted population number indicates a need for approximately 254,100 new housing units. Ordinance No. 11-1264B did not allocate housing and employment needs to individual jurisdictions. Ordinance No. 11-1264B has been favorably reviewed by the Oregon Land Conservation and Development Commission, but is not an acknowledged land use decision because the commission has not yet issued its final order.