

## EXHIBIT A

### Further Findings of Fact

#### Glossary of Terms and Acronyms

Unless the context clearly dictates otherwise, the following terms have the following meanings in these findings of fact:

“BLI” means buildable lands inventory. This inventory consists of 51 maps adopted by Ordinance No. 185657 (October 3, 2012). These maps are summarized by two additional maps, one for employment land and another map for housing land adopted as Exhibits C and D of this ordinance. These summary maps are accompanied by reported estimates of how many new housing units and how many new jobs can accommodate by the year 2035.

“BPS” means the director of the Bureau of Planning and Sustainability, or City officials acting under the director’s instruction.

“CIC” means the Community Involvement Committee as appointed by the mayor and confirmed in their appointments by the City council

“City” means, depending on context, either the City of Portland, Oregon as a place, or officials acting under direction of the City Council.

“City Council” means the elected mayor and commissioners acting as the governing body of the City.

“DLCD” means the Director of the Oregon Department of Land Conservation and Development, or state officials acting under the director’s instruction.

“EOA” means the *Economic Opportunity Analysis* adopted by the City Council as Exhibit F of this Ordinance.

“Goal” means a Statewide Planning Goal adopted by the LCDC.

“HNA” means the *Housing Needs Analysis* adopted by Ordinance No. 185657 (October 3, 2012)

“LCDC” means the Oregon Land Conservation and Development Commission.

“Metro” means the Metro Council, the elected governing body of the Metropolitan Service District, a service district formed pursuant to ORS Chapter 268. All urban and urbanizable land with the City of Portland are within the service district boundaries.

“NRI” means the natural resource inventory and maps adopted by Ordinance No. 185657 (October 3, 2012). These depict the locations of various natural resources, describe their quantity and quality, and determine their significance.

EXHIBIT A Further Findings of Fact

“OHP” means the *Oregon Highway Plan* adopted by Oregon Transportation Commission.

“PSC” means the members of the City’s Planning and Sustainability Commission who are appointed by the Mayor and confirmed by the City Council.

“RTP” means the *Regional Transportation Plan* adopted by Metro.

“Rule” means an administrative rule adopted by the LCDC.

“TPR” means a particular rule, the *Transportation Planning Rule*, adopted by LCDC.

“UGMFP” means the *Urban Growth Management Functional Plan* adopted by Metro.

## **Expanded Summary of Periodic Review Progress to Date**

Portland's *Comprehensive Plan* is being updated within the structure of a two-phased, state-mandated process called "periodic review."

The first phase in periodic review is the preparation of a work program. The City undertook a self-evaluation and determined updates were warranted for all three parts of the *Comprehensive Plan*, the policies, the map and the list of significant projects. The City Council adopted Resolution No. 36626 on August 6, 2008 which forwarded a proposed periodic review work program to the DLCD. The department approved the City's work program with minor modifications on September 30, 2009.

The second phase in periodic review is the completion of the state-approved work program. Portland's work program is organized into the following five tasks.

- Task I, Community Involvement
- Task II, Inventory and Analysis
- Task III, Consideration of Alternatives
- Task IV, Policy Choices
- Task V, Implementation

### Task I of Periodic Review Obligations

Task I required appointment of a dedicated CIC for periodic review. Members were nominated by the Mayor and confirmed by the City Council (Task I, Subtask A). The appointment of the CIC was approved by DLCD Order No. 001792 on August 5, 2010. City Council Ordinance No. 184047 adopted a Community Involvement Program (Task I, subtask B) that was approved by DLCD Order 001798 on January 5, 2011. Under Task I the CIC has a continuing obligation to help, "ensure, meaningful, timely, and sufficient community participation in all phases on plan update." The CIC is charged with submitting a report to the City Council as each periodic review task is proposed for adoption.

The CIC was established as a temporary committee charged with ensuring citizen participation during the *Comprehensive Plan* update. The CIC has completed its obligation by completing reports covering all five periodic review tasks (Task 1, Subtask C) and by recommending beneficial changes to the *Comprehensive Plan* and Title 33 of the City Code (Task 1, Subtask D). Appointments to the CIC expire on December 31, 2015, by which time all duties of the CIC will have been completed. During the time the Task V implementing measures are subject to public hearing the PSC will, on an interim basis, serve as the City's designated committee for citizen involvement within the meaning of Goal 1.

Immediately after the effective date of the new *Comprehensive Plan* and its implementing measures a new CIC will be established as a permanent standing committee with oversight for the community involvement components of all programs of the BPS. The PSC should retain

oversight of all other of the program components of the Bureau of Planning and Sustainability.

Task II of Periodic Review Obligations

Task II of the City’s periodic review work program required the City to adopt “at least the following” work products by ordinance and submit them to LCDC:

- Inventory Map of Buildable Residential Lands
- Inventory Map of Buildable Employment Lands
- Inventory Map of Significant Natural Resources
- Inventory Map of Hazards
- Housing Needs Analysis
- Economic Opportunities Analysis
- Estimate of Remaining Housing Capacity
- Estimate of Remaining Employment Capacity

The City Council fulfilled all these Task II obligations on October 3, 2012, by adopting Ordinance No. 185657 that adopted the following reports and maps as official supporting documents for the *Comprehensive Plan*:

**Economic Opportunity Analysis (EOA)** in five documents:

*Economic Opportunities Analysis, Summary* – as recommended by the PSC on June 12, 2012 as amended by Council

*Economic Opportunities Analysis Task 1: Trends, Opportunities and Market Factors* – updated version as recommended by the PSC on June 12, 2012 as amended by Council

*Economic Opportunities Analysis Task I, Appendix C, Harbor Lands Report* – updated version as recommended by the PSC on June 12, 2012 as amended by Council

*Economic Opportunities Analysis Task 2/3: Supply and Demand* – updated version as recommended by the PSC on June 12, 2012 as amended by Council

*Economic Opportunities Analysis Task 4: Alternative Choices* – updated version as recommended by the PSC on June 12, 2012 as amended by Council

**Housing Needs Analysis (HNA)** in five documents:

*Housing and Transportation Cost Study* – version as recommended by the PSC in December 2010

*Updates on Key Housing Supply and Affordability Trends* – version as recommended by the PSC on July 12, 2011

*Housing Supply* – version as recommended by the PSC on July 12, 2011

*Housing Affordability* – version as recommended by the PSC on July 12, 2011

*Housing Demand and Supply Projections* – version as recommended by the PSC on July 12, 2011

**Infrastructure Condition and Capacity Analysis** in one document:

*Infrastructure Condition and Capacity* – version as recommended by the PSC on July 10, 2012

**Natural Resource Inventory (NRI) Report** in two documents:

*Natural Resource Inventory* – version as recommended by the PSC on July 10, 2012

*Natural Resource Inventory Update* – version as recommended by the PSC on July 10, 2012

**Buildable Lands Inventory (BLI) Report** in four documents:

*Buildable Lands Inventory Report – Summary of Future Development Capacity* – as recommended by the PSC on June 12, 2012 as amended by Council

*Buildable Lands Inventory Report, Appendix A, City of Portland Development Capacity Analysis, Development Capacity GIS model*, – updated version as recommended by the PSC on June 12, 2012

*Buildable Lands Inventory Report, Appendix B, Central City Development Capacity Study*, – updated version as recommended by the PSC on June 12, 2012

*Buildable Lands Inventory Report, Appendix C, Constraint Maps and Model Assumptions*, – updated version as recommended by the PSC on June 12, 2012

### **BLI Maps**

Fifty-one (51) maps divided into the categories of “Constraints,” “Hazards,” “Natural Resources” and “Infrastructure” – versions as recommended by the PSC on July 10, 2012.

After the City submitted Task II for state approval, but before the LCDC made a final decision, there were two significant changes in circumstances. The Port of Portland withdrew its application to annex West Hayden Island to the City of Portland, a portion of which the Port proposed to develop with a new marine industrial terminal. The Port’s action required the City to reevaluate both the industrial land need and supply described in the EOA that the Council had just recently adopted. Additionally, Metro adopted an employment forecast and jobs allocation lower than the draft Metro allocation and forecast the City relied upon to prepare its EOA. (Ordinance No. 12-1292A, November 29, 2012) This final forecast allocated to Portland the responsibility for creating 120,982 new housing units and 134,140 new jobs.

City Task II Work Withdrawn from Consideration

After the City submitted Task II for state approval, but before the LCDC made a final decision, there were two significant changes in circumstances. The Port of Portland withdrew its application to annex land to the City of Portland for a West Hayden Island marine terminal, and Metro adopted, as a final land use decision, by Ordinance No. 12-1292A on November 29, 2012, an employment forecast and jobs allocation lower than the draft Metro allocation and forecast the City relied upon to prepare its Economic Opportunities Analysis. This final forecast was 120,982 housing units and 134,140 jobs.

Because of these changes in circumstances, the City withdrew the following documents from state consideration:

*Economic Opportunities Analysis, Summary* – as recommended by the PSC on June 12, 2012 as amended by Council

*Economic Opportunities Analysis Task 1: Trends, Opportunities and Market Factors* – updated version as recommended by the PSC on June 12, 2012 as amended by Council

*Economic Opportunities Analysis Task I, Appendix C, Harbor Lands Report* – updated version as recommended by the PSC on June 12, 2012 as amended by Council

*Economic Opportunities Analysis Task 2/3: Supply and Demand* – updated version as recommended by the PSC on June 12, 2012 as amended by Council

*Economic Opportunities Analysis Task 4: Alternative Choices* – updated version as recommended by the PSC on June 12, 2012 as amended by Council

City Work Acknowledged as Meeting Task II

The LCDC approved all of the City’s Task II submittal, except for the five withdrawn documents, on May 23, 2014 by Order 001850. The approved maps, reports, and documents, through operation of OAR 660-025-0160(8), became acknowledged supporting documents for Portland’s *Comprehensive Plan*. LCDC Order 001850 also transferred the EOA requirement from Periodic Review Work Program, Task II, Subtask D, to Task III, Subtask D, and required the City to recognize the forecast and allocation adopted by the Metro Council on November 29, 2012.

Compliance Status Summary of Portland’s Periodic Review Work Program

- Task I, Subtask A: Community Involvement Committee, approved by LCDC Order 001792 on August 5, 2010
- Task I, Subtask B: Community Involvement Program, approved by LCDC Order 001789 on January 5, 2011
- Task II, Subtask A: Characterization of Existing Land Supply, approved by LCDC Order 001850 on May 23, 2014

EXHIBIT A Further Findings of Fact

- Task II, Subtask B Estimate of Remaining Housing Potential, approved by LCDC Order 001850 on May 23, 2014
- Task II, Subtask C Coordination of Housing Forecast with Metro, approved by LCDC Order 001850 on May 23, 2014
- Task II, Subtask E Identification of Housing Needs, approved by LCDC Order 001850 on May 23, 2014

Periodic Review Products Adopted by this Ordinance

- Task I, Subtask C: Report from the CIC evaluating the involvement leading up to the adoption of periodic review products
- Task II, Subtask D Revised Residential BLI Summary Map and Revised Estimate of Remaining Housing Potential.
- Task III, Subtask A Evaluation Criteria for Alternatives Analysis
- Task III, Subtask B Thematic Alternatives Analysis
- Task III, Subtask C Detailed Alternatives Analysis
- Task III, Subtask D Revised EOA, Revised Employment BLI Summary Map, and Revised Estimate of Remaining Employment potential.
- Task IV, Subtask D. Part 1. Citywide Systems Plan (except for transportation)

## **Findings of Fact**

### Statewide Planning Goals that Apply to Portland

The Statewide Planning Goals that apply to Portland are:

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

### Statewide Planning Goals that no longer Apply to Portland

There are approximately 560 acres of land both within Portland's municipal boundaries and beyond the regional urban growth boundary that can be classified as rural land. In 1991, as part of Ordinance No. 164517, the City Council took an exception to Goal 3 and 4, the agriculture and forestry goals, in the manner described and authorized by state law and Goal 2. As a result of the acknowledged exception, the following goals do not apply:

- Goal 3 Agricultural Lands
- Goal 4 Forest Lands

### Statewide Planning Goals that do not apply to Portland

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

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



Goal 19 Ocean Resources

Statewide Planning Goal 1 Findings

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

Goal 1 applies to all legislative land use decisions. Goal 1 requires the City to:

- Designate a citizen involvement committee;
- Adopt and publicize a program for citizen involvement that is appropriate to the scale of Portland's *Comprehensive Plan* update; and
- Implement the citizen involvement program as the plan supporting documents, plan components, and plan implementing measures are developed and proposed for adoption.

Goal 1 allows the City Council three choices: it may appoint itself as the committee for citizen involvement, it may appoint the PSC as the committee, or it may appoint a committee separate from the Council or Commission. The City Council, exercising the third option, appointed a CIC. The appointment of the CIC is Periodic Review Task I, Subtask A, and was approved by DLCDC Order 001792 on August 5, 2010.

The City Council, on the recommendation of the CIC and the PSC, adopted Ordinance 184047, which adopted a Community Involvement Program for Portland's periodic review. This program is Periodic Review Task, 1 Subtask B, and was approved by DLCDC Order 001798 on January 5, 2011.

Under Task I, Subtask C, of Portland's periodic review work program, the CIC has a continuing obligation to monitor and evaluate how the Community Involvement Program in being carried out. The program also provides the CIC opportunities to report its findings to City Council before a periodic review task is adopted by ordinance and submitted for state approval. The Task II report from the CIC was approved by LCDC Order 001850 on May 23, 2014. This ordinance submits a Community Involvement Report for Periodic Review Tasks III and IV (Exhibit B), which describes completed community involvement activities in detail, and demonstrates that the requirements of Goal 1 and Periodic Review Task I, Subtask C, have been met.

During the entire process of developing the recommended plan, community involvement activities have been overseen by the CIC, which meets quarterly. It reviews upcoming activities and involvement plans, and evaluates the results of recent events and activities. During this process the CIC has produced, with staff, several community involvement reports that outline what was done, what we heard, and how effective the different involvement methods were.

The report describes how staff employed a wide variety of different methods, including:

- Hosted presentations at community organizations
- Advisory committees for policy development
- Public notices mailed to every impacted property owner (over 40,000 people)

## EXHIBIT A Further Findings of Fact

- Social media, website information, online informational videos
- Targeted outreach to youth, low-income populations, and communities of color
- Translated materials, and Spanish language events
- Advertising in community newspapers
- Open houses, community office hours
- An online app that works on mobile phones
- A helpline call center with language translation

Over an eight-year period from 2007-2015, tens of thousands of Portlanders were involved in development of the recommended Comprehensive Plan. Appendix A of the CIC report describes and measures how the principles of the Community Involvement Program were carried out by various outreach activities. Appendix C contains a 38-page list of outreach activities. Appendix D contains a two-page list of PSC hearings, briefings and work sessions, and Appendix E contains a three-page list of meetings of the various advisory committees. This activity culminated with the series of PSC hearings in late 2014. The PSC received over 4,000 individual comments, including many comments about the CSP and associated capital projects on the List of Significant Projects.

In addition to the activities described in the CIC report, the City also provided notices of public hearings before the PSC and City Council pursuant to the legislative procedures contained in Chapter 33.740 of the City Code. Chapter 33.740 includes provisions governing public notices, issuance of reports, commission review, and hearings.

City Council held a hearing to consider these supporting documents on November 19, 2015. Public notice of that hearing had been mailed on October 13, 2015. The following other actions occurred, consistent with Chapter 33.730:

- Comprehensive Plan, CSP, List of Significant Projects: In July 2014 a Proposed Draft of the Comprehensive Plan, including the CSP and List of Significant Projects was published. Public notices, including Measure 56 property owner notices, were mailed on August 18, 2014. The PSC held public hearings on September 23, October 14, October 28, and November 4, 2014. An additional hearing on transportation policy and projects occurred on February 24, 2015. On July 14, 2015, the PSC voted to accept the staff-proposed plan with a variety of amendments.
- EOA Report: On March 23, 2015, a revised EOA Report and corresponding employment inventory and capacity estimates were published. Public notices were also mailed that day. On April 28, 2015, the PSC held a public hearing on the EOA Report and updated employment inventory and capacity estimates. On July 14, 2015, the PSC voted to accept the staff-proposed report with minor changes.
- Growth Scenario Report: On May 18, 2015, a Growth Scenario Report and corresponding residential land inventory and capacity estimate were published. Public notices were also mailed that day. On June 23, 2015, the PSC held a public hearing on the Growth Scenario Report and residential land inventory and capacity estimate, and voted to accept the staff-proposed report.

- CIC Report: On July 28, 2015, the CIC presented a report to the PSC describing community outreach that occurred during development of the proposed comprehensive plan, and the related supporting documents. The PSC accepted that report.

Because the City appointed a CIC, adopted and implemented a program for citizen involvement, supported the CIC to completion of the program, and provided sufficient public notices, the City has complied with requirements of Goal 1.

### Statewide Planning Goal 2 Findings

Goal 2 has three parts: planning, exceptions and guidelines. Since the City is not taking a Part II exception to any Statewide Planning Goal, and since the Oregon Legislature has nullified the Part III requirement to demonstrate how the planning guidelines were used to achieve the goals [see: ORS 197.015(9), *Churchill v. Tillamook County*, 29 Or LUBA 68 (1995) and *People for Responsible Prosperity v. City of Warrenton*, 52 Or LUBA 181 (2006)], only Part I of Goal 2 applies to this ordinance.

Part I of Goal 2 requires Portland's Comprehensive Plan be coordinated with the plans of other governments and “. . . include identification of issues and problems, inventories and other factual information for each applicable statewide planning goal, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs.”

The bulk of the City's factual base for the Comprehensive Plan update was adopted by Ordinance No. 185657 and approved by LCDC Order No. 001850. This ordinance adopts all remaining factual base documents. These are an *EOA* (Exhibit F), an *Inventory Map of Buildable Employment Lands* with estimate of remaining employment capacity (exhibit D), and a *CSP* (Exhibit G). The reasons why the *EOA*, *Inventory Map of Buildable Employment Lands* and estimate of remaining employment capacity comprise an adequate factual base for plan policy and implementing measures are explained in the findings for Goal 9 below, which are incorporated here. The reasons why the *CSP* comprises an adequate factual base for plan policy and implementing measures are explained in the findings for Goal 11 below, which are incorporated here.

The City is also resubmitting an updated *Inventory Map of Buildable Residential Lands* with a revised estimate of remaining housing capacity (Exhibit C) to replace and supersede the versions adopted by Ordinance No. 185657 and approved by approved by LCDC Order No. 001850. The reasons why the an updated *Inventory Map of Buildable Residential Lands* with a revised estimate of remaining housing capacity comprises an adequate factual base for plan policy and implementing measures are explained in the findings for Goal 10 below, which are incorporated here.

The City's factual base and, in particular, the City's estimates of remaining jobs and housing capacity are coordinated within the meaning of Goal 2 and ORS 197.015(5) because they meet or exceed the minimum capacities allocated to Portland by Metro's UGMFP as required by Metro

Council Ordinance No. 12-1292A. Since all city and county plans within the metropolitan must be in accord with the distribution charts adopted by this ordinance, Portland's forecast and housing and employment needs are coordinated region-wide through operation of ORS 195.036, which provides: "Metro, in coordination with local governments within its boundary, shall issue a population forecast for the entire area within its boundary to be applied by Metro and local governments within the boundary of Metro as a basis for changes to comprehensive plans and land use regulations." The City gave notice to State Agencies, Metro, Tri-Met, the Port of Portland and local governments on October 16, 2015, more than 35 days before the November 19, 2015 City Council hearing date. The City received PSC hearings comments from the Port of Portland concerning the EOA and industrial land supply. The City adequately responds to these comments in the Goal 9 finding in this ordinance below.

[Reserve for response to comments provided at City Council hearing.]

For the reasons stated above this ordinance is "coordinated" within the meaning of Goal 2.

Goal 2, Part 1 also requires the City to consider and evaluate alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs. The City met these requirements in the *Growth Scenarios Report*, which is adopted by this ordinance (Exhibit E). The City considered four alternative spatial development patterns, called "scenarios," for forecasted household and employment growth. The scenarios are:

- Default based on existing development patterns and development trends. This scenario distributes future growth in the same places Portland has seen growth over the past 15 years.
- Centers focuses more growth in areas like Lents, Hillsdale and Gateway and less growth along the length of commercial and mixed-use streets.
- Corridors focuses more development along streets like SE Powell, SE Foster, SW Barbur and N Lombard and less growth in centers.
- Central City concentrates nearly all new growth in the Central City and the inner neighborhoods near the Central City, both east and west of the Willamette River.

Based on the considered effects of the four alternative growth scenarios, the City selected a preferred alternative, the new Comprehensive Plan Map. This map combines components of the Centers, Corridors and Central City scenarios. With respect to the Default scenario, the new Comprehensive Plan Map focuses more growth in Centers, along Corridors and in the Central City and within "inner" neighborhoods that surround the Central City. The new Comprehensive Plan Map reduces densities further from identified Centers and Corridors, particularly in outer East Portland.

The four scenarios and the new Comprehensive Plan Map were compared against twelve "performance measures," which together comprise an examination of social, economic, energy and environmental needs. The twelve measures, along with their most closely associated Goal 2 need categories and highest performing scenarios, are described below:

EXHIBIT A Further Findings of Fact

<b>City Performance Measure</b>	<b>Equivalent State Goal 2 ESEE Consequence</b>	<b>Best Performing Scenario</b>
Access to Family Wage Jobs	Economic and Social	The Central City and New Comprehensive Plan Map perform equally well.
Housing Choice	Economic and Social	No scenario meets identified affordability needs; all scenarios can produce the types and amounts of housing needed for market-rate purchasers; however, the mix of housing types produced by the New Comprehensive Plan Map is more affordable than produced by the Central City Scenario.
Gentrification Risk	Social	The New Comprehensive Plan Map performs the best.
Complete Neighborhoods	Energy and Social	The New Comprehensive Plan Map performs the best.
Frequent Transit Access	Energy and Social	The New Comprehensive Plan Map performs the best.
Low Stress Bike Network Access	Energy and Social	The New Comprehensive Plan Map performs the best.
Transportation: Vehicle Miles Traveled and Mode Share	Energy and Environment	The New Comprehensive Plan Map performs the best.
Greenhouse Gas Emissions	Environment	No scenario meets long range goal, for transportation emission reductions the New Comprehensive Plan Map performs the best.
Parks Access	Social	The New Comprehensive Plan Map performs the best.
Watershed Health	Environment	The Central City scenario performs the best.
Tree Canopy	Environment	All scenarios perform the same.
Natural Area Access	Environment and Social	The New Comprehensive Plan Map performs the best.

The better performing alternatives were the Central City scenario and the New Comprehensive Plan Map. The Central City alternative performed best on environmental measures by concentrating almost all new development in a small part of the total city. This concentration, however, produced a mix of housing types that was less affordable than the New Comprehensive Plan Map. The New Comprehensive Plan map also performed best on social, economic, and energy measures.

## EXHIBIT A Further Findings of Fact

Because this ordinance is supported by an adequate factual base (documents and maps already adopted and approved by Order 001850 plus Exhibits C, D, E, F and G adopted by this ordinance), is coordinated with the plans of other governments, and has benefited from the alternatives analysis contained within the Growth Scenarios Report (Exhibit E), all applicable requirements of Goal 2 have been met.

### Statewide Planning Goal 3 Findings

In 1991, as part of Ordinance No. 164517, the City Council took an exception to the agriculture and forestry goals in the manner described and authorized by state law and Goal 2. Since this ordinance does not change any of facts or analyses upon which the assumption is based, the exception is still valid and Goal 3 does not apply.

### Statewide Planning Goal 4 Findings

In 1991, as part of Ordinance No. 164517, the City Council took an exception to the agriculture and forestry goals in the manner described and authorized by state law and Goal 2. Since this ordinance does not change any of facts or analyses upon which the assumption is based, the exception is still valid and Goal 4 does not apply.

### Statewide Planning Goal 5 Findings

This ordinance does not advance the City's Goal 5 program. The City adopted a New Natural Resources Inventory (NRI) by Substitute Ordinance No. 185657, which was approved by LCDC Order No. 001850. This inventory identified the location, quantity and quality of various natural resources, and determined their significance in compliance with the initial steps of the Goal 5 process. The next steps in the Goal 5 process are to identify conflicting uses, examine the consequences of limiting conflicting uses verses conserving natural resources, make decisions to allow, limit or prohibit conflicting uses, and adopt a program to carry out any such decision. While there is an alternative analysis contained in the Growth Scenarios Report (Exhibit E), this is a Goal 2 analysis, not a Goal 5 analysis. This ordinance does not amend or repeal any exiting Goal 5 program or any environmental overlay zone. Goal 5 does not apply to this ordinance because no new Goal 5 program is advanced by this ordinance and no existing Goal 5 program is changed by this ordinance.

### Statewide Planning Goal 6 Findings

Goal 6 prohibits regulated discharges from existing development from violating state or federal environmental quality standards. The goal also prohibits projected cumulative discharges from existing and expected development from "threatening" to violate environmental quality standards.

The CSP (Exhibit G) "Regulatory Compliance" section describes city facility projects and operations that are regulated by state or federal permit. In summary all facilities comply with regulations or are on a permitted path to comply.

Appendix A of the CSP (Exhibit G) contains the investments strategies adopted to meet present

EXHIBIT A Further Findings of Fact

and future service demands. The following summary of Portland’s water investment strategy is provided as an example.

<b>Water System Program</b>	<b>FY 2013-2018</b>	<b>FY 2018-2033</b>
Supply	\$14,291,000	\$88,500,000
Transmission and Terminal Storage	\$191,170,000	\$242,000,000
Distribution	\$244,197,288	\$461,650,000
Treatment	\$2,500,000	\$150,000,000
Regulatory Compliance	\$25,504,000	\$30,000,000
Customer Service	\$3,057,000	\$53,700,000
Support	\$10,000,000	\$50,500,000
<b>TOTAL</b>	<b>\$490,719,288</b>	<b>\$1,076,350,000</b>

This level of system investment is designed to achieve 100% compliance with state and federal water quality regulations.

For the reasons stated above, and for other facts and reasons included and stated within the Citywide Systems Plan (Exhibit G), this ordinance meets all applicable requirements of Goal 6.

Statewide Planning Goal 7 Findings

Goal 7 requires the City to maintain a current inventory of natural hazards, to avoid development in areas where hazards cannot be mitigated, and to prohibit essential facilities, hazardous facilities, and major structures in areas where hazards cannot be mitigated.

The LCDC approved on May 23, 2014 by Order No. 001850, as part of City’s Task II Periodic Review submittal, a complete and current inventory of natural hazards. The Goal 7 hazard inventory requirement has been satisfied. This ordinance takes the next step by adopting a CSP (Exhibit G) that identifies essential facilities.

The CSP (Exhibit G) identifies natural hazards, assesses the related threat and vulnerability to the city’s facilities, and recommends mitigation strategies to address high risk assets. The CSP (Exhibit G) also identifies the following types of infrastructure as important to hazard preparedness, response, and recovery:

- **Essential facilities** are necessary for continuation of operations and include police and fire stations, City Hall, the 1900 Building, the City’s Emergency Coordination Center, the 911 Call Center, and the Justice Center.
- **Critical facilities** and infrastructure include “systems and assets necessary to ensure continuity of security, safety, health and sanitation services, support the area's economy and/or maintain public confidence. Incapacitation or destruction of any of these systems or assets would have a debilitating impact on the area either directly, through interdependencies and/or through cascading effects.” Critical infrastructure includes public services that have a direct impact on quality of life such as communication technology (phone lines or Internet access); vital services such as public water supply, sewage treatment; and transportation facilities, such as airports, heliports, highways, bridges, tunnels, roadbeds, overpasses, railways, bridges, rail yards, depots and waterways, harbors, and dry docks.

## EXHIBIT A Further Findings of Fact

- **Lifelines** include utility systems (potable water, wastewater, oil, natural gas, electric power facilities, and communication systems) and transportation systems (airways, bridges, roads, tunnels, and waterways). Communications facilities are also important lifelines.
- **High Potential Loss Facilities** include facilities that would have a high loss (environmental, economic, or human life and safety) associated with their failure, such as nuclear power plants, levees, dams, and military installations. In Portland, City-owned high potential loss facilities include Portland Water Bureau reservoirs, such as those at Mount Tabor and Washington Park.

The CSP (Exhibit G) identifies investments that would improve the resiliency of the City’s infrastructure to natural and other hazards. These include projects to reduce risks to essential and critical infrastructure; improve and restore the city’s green infrastructure; enhance the seismic resilience of facilities; and provide redundant infrastructure for assets like water and sewage pump stations.

Because this ordinance does not adopt plan policy or land use regulations, it cannot address the “avoid” and “prohibit” requirements of Goal 7; these will be addressed in Tasks IV and V of the City’s Periodic Review Work Program.

For the reasons stated above, and for other facts and reasons included and stated within the CSP (Exhibit G), this ordinance meets all applicable requirements of Goal 7.

### Statewide Planning Goal 8 Findings

Goal 8 has two parts. The first part requires the City to plan for recreational facilities in such quantity, quality and locations as is consistent with the availability of the resources to meet such requirements.

The City chose to exceed the requirements of Goal 11 by treating parks and other recreational facilities as a “system” within the CSP (Exhibit G). Portland’s Parks and Recreational System is composed of the following assets with an estimated replacement value of \$984,300,000:

11,546 acres of parkland and natural areas	155 miles of regional trails
5 golf courses	129 playgrounds
8 botanical / public gardens	232 sports fields
1 motorsports raceway	48 community gardens
4 stadiums	124 tennis courts
13 pools	5 skate parks
14 community and arts centers	33 dog off leash areas

In addition to maintaining these assets, the CSP (Exhibit G) contains “as resources become available” goals of providing a developed park or natural area within a half mile from every household, and providing a full-service community center within three miles of every household

The CSP (Exhibit G) does not yet include a detailed 20-year project list for new parks and recreation facilities. A comprehensive system plan that reflects asset management needs and community priorities and includes a list of needed investments, costs, and funding sources, is not



required for parks and recreational facilities by either Goal 8 or Goal 11. Nevertheless, the City intends to develop these components over the next few years.

The second part of Goal 8 allows a comprehensive plan to identify a destination resort site on rural land, provided certain standards are met. A destination resort would, under Portland's use classification regulations, be considered a retail service with commercial outdoor recreation. Portland has 560 acres of rural land, but neither the existing nor the new Comprehensive Plan would allow either of these uses (retail service or commercial outdoor recreation) on rural land. As a result, this destination resort part of Goal 8 does not apply.

For the reasons stated above, and for other facts and reasons included and stated within the Citywide Systems Plan (Exhibit G), this ordinance meets all applicable requirements of Goal 8.

### Statewide Planning Goal 9 Findings

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

As required by Task III of the City's periodic review work program this ordinance adopts a revised *Economic Opportunities Analysis* containing the following components required by Statewide Planning Goal 9, Economic Development:

- Review of National, State, Regional, County and Local Trends
- Identification of Required Site Types
- Inventory of Industrial and Other Employment Lands
- Assessment of Community Economic Development Potential

In addition, Statewide Planning Goal 9 strongly encourages cities to assess community economic development potential through a visioning process. The City's EOA was preceded and effectively influenced by the *visionPDX* and *Portland Plan* programs that identified prosperity as a key community value, and more jobs – particularly jobs that reduce economic disparities and jobs that produce traded sector goods and services- as desired outcomes.

In its 2014 order, LCDC also asked the City to give special attention to the different characteristics of Harbor Access Lands, and the probability of brownfield redevelopment given the superfund designations.

City identification of employment needs is conducted within the context of Metro's authority under ORS 195.025 and 195.036 to forecast and distribute employment needs to metropolitan area local governments. On November 29, 2012 the Metro Council adopted Ordinance No. 1292A that allocated 134,140 total new jobs to Portland's municipal boundary of incorporation for the forecast period 2010 to 2035. This distribution identifies the number of new jobs Metro expects Portland to accommodate as it's contribute to the regional economy during this 25-year period. That same ordinance distributed jobs to the urban unincorporated areas of three counties: 10,409 to Clackamas County, 2,078 Multnomah County, and 29,096 to Washington County.

Accounting for number of these jobs in unincorporated areas within Portland's Urban Services Boundary the City has a responsibility to plan for 141,643 jobs for the Metro's employment forecast period 2010 to 2035. For the purposes of simplification, and because an exact number implies more precision than a 25-year forecast is intended to impart, the City describes its Year 2035 job need as 142,000.

Metro does not identify employment site types required to meet allocated job growth in its regional forecast and distribution. This work is left to local governments when they revise their EOAs and BLIs. In other words there is no regional EOA to which Portland's EOA must conform.

The EOA has four parts:

- Part one fulfills the requirement to review national, state, regional, county and local trends.
- Part two describes the forecast employment demand through 2035, and translates that demand to acreage needs in different employment geographies with different site types.
- Part three described land supply of the current Comprehensive Plan, and calculates the resulting surplus or deficit.
- Part 4 outlines strategies to resolve the expected deficits, and documents how those deficits were resolved in the recommended new plan.

In its EOA the City established ten "Employment Geographies" to fulfil the Goal 9 requirement to identify "site types." They are:

- Central City Commercial
- Central City Industrial
- Columbia East
- Harbor and Airport Districts
- Dispersed Employment
- Harbor Access Lands
- Institutional
- Gateway Regional Center
- Town Centers
- Neighborhood Centers and Corridors

Each geography has a different mix of employment sector and building types, as described beginning on page 9 of Volume 2/3 of the EOA (Exhibit F). Some types of jobs are closely associated with a particular geography, while other jobs can be accommodated within several geographies. A map of these Employment Geographies is Figure 8 on page 12 of the EOA Volume 2/3 (Exhibit F).

The regional forecast growth rates of employment sectors were applied to the existing mix of sectors in each local employment geography to estimate job growth by geography. Forecast job growth by geography was then translated to building area and developable land needs through the following steps. The mix of job types within each employment geography was used to calculate a related mix of six building types. An average square-foot-per-employee figure was estimated for each of the six building types in order to calculate forecast building area in each of the ten employment geographies. The average intensity of development in floor area ratios were

EXHIBIT A Further Findings of Fact

then applied to forecast building areas to calculate land needs in acres. Land needs for marine terminals, rail yards, and airports were estimated separately from transportation throughput forecasts rather than employment forecasts. The Employment BLI provides an available supply suitable for each employment geography, also expressed in acres.

The City has an expected Year 2035 aggregated (all geographies) employment land need of 2,910 acres. With the current Comprehensive Plan, there is a land supply of 3,240 acres. With the recommended Comprehensive Plan, there is an expected land supply of 4,195 acres. The following table, taken from Figure 27 of Volume 2/3 (page 36) and Figure 2 of Volume 4 (page 5) of the EOA, summarizes need and supply by geography and aggregate geography. As noted in the table, there is a land supply shortfall with the current Comp Plan in several geographies.

Employment Geography	2035 Land Need in Acres	Existing Comprehensive Plan		Recommended Comprehensive Plan	
		2035 Land Supply in Acres	Surplus or Deficit in Acres	2035 Land Supply in Acres	Surplus or Deficit in Acres
Central City Commercial	60	201	141	201	141
Central City Industrial	90	65	-25	188	98
Harbor & Airport Districts	1,013	774	-239	1,065	52
Harbor Access Lands	207	113	-94	169	-38
Columbia East	350	356	6	416	66
Dispersed Employment	130	121	-9	141	11
Gateway Regional Center	50	137	87	164	114
Town Centers	130	304	174	381	251
Neighborhood Centers and Corridors	510	863	353	947	437
Institutions	370	306	-64	522	152
<b>Total</b>	<b>2,910</b>	<b>3,240</b>		<b>4,195</b>	
<b>Aggregate Geography</b>					
Central City	150	266	116	390	240
Industrial	1,700	1365	-335	1,792	92
Neighborhood Commercial	690	1303	613	1,492	802
Institutions	370	306	-64	522	152
<b>Total</b>	<b>2,910</b>	<b>3,240</b>		<b>4,195</b>	

As noted in the above table, the EOA found that existing Comprehensive Plan has a deficit of land supply relative to forecast need, in five of the employment geographies: Central City Industrial, Harbor & Airport Districts, Harbor Access Lands, Dispersed Employment, and Institutions. It should be noted that the Harbor Access Lands geography was added in the revised EOA, in order to respond to direction from LCDC to separately examine that geography.

## EXHIBIT A Further Findings of Fact

The recommended Comprehensive Plan resolves all but one of these deficits. The strategies used will be described later in this finding.

While employment forecasts traditionally form the basis of employment land supply analysis, employment is not a very good indicator of the long-term land needs of the freight and distribution sectors of the economy. Accordingly, the City chose to use transportation throughput forecasts rather than building employment densities for three facilities: marine terminals, rail yards, and airports. The employment densities of these facilities do not correlate with typical industrial building employment densities; and relying on building employment densities alone would ignore considerable economic activities taking place outside of buildings. This case is best illustrated by marine terminals. Despite a decline in industrial Portland Harbor employment between 2002 and 2008, marine cargo tonnage increased, and an average of 18 acres of land was needed for each of each year of the measured period to handle the cargo.

The City considered three forecasts (high, medium and low) for six cargo types: automobiles, containers, breakbulk, grain, dry bulk and liquid bulk. This analysis is found in a report entitled Portland Harbor: Industrial Land Supply Analysis, prepared by EcoNorthwest, May 2012. This report is cited and summarized in the EOA on page 23 of Volume 2/3. The report describes low, medium, and high cargo forecasts that identify anywhere from 200,000 tons to 6 million tons to 17 million tons of unmet cargo demand; for autos, grain and dry bulk commodity types. The report concludes that existing marine terminals that handle other commodity types have adequate capacity to handle expected growth through 2035, for the reasons explained in the cited report.

Expressed in land need, the low commodity forecast results in a land need for commodity movement of 150 acres, the medium forecast results in 470 acres and the high forecast results in 977 acres. These needs are adjusted downward slightly to account for the fact that the commodity forecasts extend to the year 2040 rather than 2035, and to account of the fact that a small portion of these needs overlap with the employment based land need. That adjustment is described in the EOA Volume 2/3 on page 24. For example, the adjusted land need resulting from the low forecast is 125 acres.

Several variables were incorporated into the calculation of land need for commodity movement, which is described in more detail in the ECONorthwest report cited above:

- Trade forecasts for the Lower Columbia River
- Data on Portland's historical share of Lower Columbia River commodity trade
- Data on the capacity of existing marine terminals
- Case studies showing the typical land footprint of different kinds of marine terminal, by commodity type.
- The footprint of several types of rail service was also considered.

The PSC and City Council chose to base commodity-related land need on the low commodity forecast, because recent historic commodity volume trends show flat or relatively modest growth in the cargo volumes in question. There is also recent evidence of capacity gains from re-investment in existing marine terminals, beyond what was estimated in the ECONorthwest report.

Volume 4 of the EOA describes the strategies that will be used to resolve the identified land

deficits:

- Central City Industrial Geography: Land use changes and a recommended expansion of the Employment Opportunity Subdistrict (EOS) will enable increased employment density, as described in Section 4 of the EOA, starting on page 11.
- Dispersed Employment Geography: Land use changes are recommended to increase the constrained effective capacity of this geography by 9 acres. This is described in Section 4 of the EOA, on page 24.
- Harbor & Airport Districts: Land use and policy changes and investments are recommended to increase the constrained effective capacity of this geography by 123 acres. This includes changes to enable conversion of several golf courses to employment land in the future, if the property owners choose. The City Council is persuaded by an examination of national market trends that Portland has an oversupply of golf courses given current and projected demand. Demographic trends indicate a future Portland population ever less inclined to select golf as a recreational activity. This is described in Section 4 of the EOA, starting on page 22.
- Institutions: Land use and policy changes are recommended to create a new zoning district for 15 of the largest colleges and hospitals in Portland. The result of this new approach increases the constrained effective capacity of this geography by 216 acres. This strategy is described in Section 4 of the EOA, starting on page 35.

In addition, several other strategies are recommended that would create more unconstrained capacity in the Harbor and Airport, Harbor Access, Columbia East and Dispersed Employment Geographies. The estimated impact of these strategies are summarized in Volume 4 of the EOA, in Figure 4, page 16.

- Brownfield cleanup rates: The plan recommends taking action to increase the percent of brownfields that are cleaned up by 2035, from 40% to 60%. This adds an estimated 124 acres to the land supply, across several geographies. The City Council is persuaded that this target is realistic, based on the estimated effects of employing recommended “best practice” incentives and tools described and analyzed in the *Portland Brownfield Redevelopment Assessment, Final Report*, December 18, 2012, and the three appendices to this report: A – *Inventory and Existing Conditions Analysis*, B- *Financial Analysis Report*, and C – *Public Benefit Report*, which are made part of this finding by this reference.
- Intensification: The plan recommends freight transportation investment and regulatory policy to facilitate more intensive use of employment land on existing developed sites (job growth on existing developed sites). This strategy is described in Section 4 of the EOA, starting on page 20.
- Land Retention: The EOA also assumes a limited amount of employment land will be converted to other uses, as described in Volume 4 of the EOA, in Figure 4, page 16. This includes anticipation of additional protection of environmentally sensitive lands identified in the City’s acknowledged Natural resources Inventory, for example. To ensure loss of

industrial employment land is minimal, additional policy is recommended to strengthen the City's Industrial Sanctuary policies. This strategy is described in Section 4 of the EOA, starting on page 20.

The above-described strategies resolve all of the land supply deficits identified, except in the Harbor Access Lands. The City has documented that many of the jobs within the Harbor Access Lands geography are not dependent on access to Portland Harbor. Portland has industries in the harbor that are not "water dependent" within the meaning of Goal 15 because they were established before state planning law required water-dependency as a requirement for harbor front location. Similarly many administrative and support jobs for water-dependent industries do not require a harbor front location. The City Council is persuaded significant numbers of non-water dependent industries and jobs can, by the Year 2035, migrate into other abutting employment geographies with land supply surpluses. It is also a reasonable assumption that the rate of migration will be sufficient to erase the 38 acre deficit. This can occur because many of the existing non-water dependent jobs located in the Harbor Access lands have site needs that can be met in the other more general employment geographies.

In summary, the Year 2035 Harbor Lands deficit will range from zero to 38 acres and the aggregate industrial lands surplus will range from 54 to 92 acres. Even if none of the expected shift occurs, 38 acres is only two percent of Year 2035 land need identified for all industrial land. In addition a 38 acre shortfall is not an observable fact, only a reasonable prediction drawn from highly technical calculations. The City's supply assumptions meet Goal 9 because for nine of the ten employment geographies, and all of the aggregate geographies have reasonably forecasted land surpluses. In one employment geography the forecasted deficit is minor and technical in nature, and thus approvable under Goal 9 under the standard of review described by ORS 197.633(3)(c) and ORS 197.747.

To the degree that any of the above-cited strategies have uncertainty the recommended plan includes a policy to update the Economic Opportunities Analysis and short-term land supply strategies every 5 to 7 years (Policy 6.19 Evaluate land needs).

For the reasons stated above, the reasons stated in the City's EOA (Exhibit F) and the reasons stated in the above referenced studies, the City has satisfactorily identified employment land needs and has adopted a strategy to meet the identified needs.

### Statewide Planning Goal 10 Findings

#### Background

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

Goal 10 contains the following five specific requirements:

- Identify future housing needs by amount, type, tenure and affordability.
- Maintain a Residential Buildable Lands Inventory (BLI) with sufficient land to meet identified needs

- Meet minimum density and housing mix requirements.
- Adopt plan policies to accommodate needed housing
- Adopt clear and objective standards for needed housing.

The City satisfactorily completed the first two requirements of Goal 10 with its adopted Task II Periodic Review submittal (Ordinance No. 185657), which CDC approved by Order No. 001850. This ordinance adopts new more up-to-date information that modifies and adds to the previous conclusions for periodic review Task II, Subtasks A-E. This ordinance also takes the previous analysis a step further to fulfill the alternatives analysis requirements in the City's periodic review work plan (Task III).

#### Amount of Needed Housing

In Ordinance No. 185657, the City employed the latest and best available forecast (at that time) of 132,000 new housing units needed in Portland between the Years 2010 and 2035. Shortly thereafter the Metro Council adopted Ordinance No. 12-1292A that allocated 120,982 new housing units to Portland's boundaries of municipal incorporation. That same ordinance also distributed housing needs to the unincorporated urban parts of three counties: 10,409 units to Clackamas County, 2,078 to Multnomah County and 29,096 to Washington County. Accounting for those unincorporated units within Portland's Urban Service Boundary the City has an obligation to plan for a total of 122,276 new housing units by the Year 2035. For sake of simplicity, and rounding up, the City describes its 2010-2035 housing need as 123,000 units.

Ordinance No. 185657 also adopted a housing needs analysis, which provided more specific estimate of the types of households (by size and income) likely to be in Portland by 2035 (Exhibits B.2 – B.5 of Ordinance No. 185657). These reports provide additional facts supporting housing need by type, tenure and affordability.

#### Housing Capacity

With Ordinance No. 185657 the City adopted an inventory of vacant and underutilized land (Exhibit A.6 – A.9 of Ordinance No. 185657), and found that the City's existing Comprehensive Plan could accommodate well over 132,000 new housing units by the Year 2035. LCDC acknowledged that inventory methodology and capacity finding in Order 001850. The acknowledged methodology was described in a report entitled *Buildable Lands Inventory – Summary of Future Development Capacity*, dated October 2012. Appendix A of that report, entitled *City of Portland Development Capacity Analysis development capacity analysis GIS model* contained more detailed description of the technical methods used.

The 2012 inventory calculated housing capacity by considering the degree of constraint present on each vacant or underutilized parcel. Five levels of constraint were considered: none, mild, medium, severe, and complete. The calculations assumed full residential capacity for land with no constraints, discounted capacity for land with mild and medium constraints, and assumed there was no residential capacity on land with severe and complete constraints. Appendix C, entitled *Buildable Lands Inventory: Constraint Maps and Model Assumptions*, contained maps of each of the land constraints factored into the land inventory and capacity estimates.

With the present ordinance, Council is adopting a revised BLI, accurate up to July 2015 (Exhibit C). This new inventory refreshes the former inventory by accounting for new development that

## EXHIBIT A Further Findings of Fact

has occurred from 2010 to July 2015 (which removed some land from the vacant and underutilized inventory), and accounting for demolitions that created newly-vacant or newly underutilized parcels. The new inventory also relies on an updated constraint map for landslide hazards (superseding Map BLIM HAZ 03 Potential Landslide Hazard Areas adopted with Ordinance No. 185657).

In January of 2010 Portland (including unincorporated areas within its USB) had approximately 270,000 housing units. The inventory adopted by Ordinance 185657 concluded that Portland had capacity for an additional 233,000 housing units, well beyond the estimated need of 132,000 units. Accounting for demolition and changes in vacancy rates, the City estimates there are now 282,000 housing units in Portland (including unincorporated areas within its USB), as of July 2015. With the updated need of 123,000 new units, Portland would therefore need to have approximately 392,000 housing units in 2035, to accommodate expected growth. Accounting for recent (2010 - mid 2015) construction, the city is left with a remaining need of approximately 110,000 additional units.

Using the revised inventory of land described above, and the same GIS methods acknowledged with Order 001850 and summarized above, the City now estimates that the existing Comprehensive Plan map has capacity for 210,000 additional units, as of mid-2015.

The narrowest possible interpretation of the LCDC Metro Housing Rule, which involves giving little meaning to the word “generally” in OAR 660-007-0005 (3), would require residential capacity calculations to exclude land with any degree of constraint, rather than simply discounting capacity by the degree of constraint. The acknowledged capacity calculation method includes an assumption that land with mild and medium constraints is “suitable and available” for residential use at a diminished capacity, and land with severe and complete constraints has no capacity. The narrowest possible interpretation assumes that land with even a mild constraint has no residential capacity.

In an abundance of caution the City has also re-calculated the residential capacity of the recommended Comprehensive Plan Map, with zero capacity assigned to the following categories of constrained land:

- Publically-Owned Land, except for land owned by the Portland Development Commission and Housing Authority of Portland/Home Forward.
- All Comprehensive Plan Map Designations for, Open Space, Institutional Campus, Employment, and Industrial
- Privately-Owned Common Space
- Submerged and Submersible Land
- Floodways and Floodplains
- The Willamette River Greenway (sum of the greenway overlay zones)
- Slopes over 25%
- All regulated natural resource areas
- All identified Significant Natural Resources
- Rural Land
- All land within the “f” Future Urban overlay zone (rural land and other land that cannot be provided urban level services).



EXHIBIT A Further Findings of Fact

- National Historic Districts (all properties, not just contributing resources)
- Local Conservation Districts (all properties, not just contributing resources)
- Historical and Cultural Resources
- Significant Scenic Resources
- Flood, Slope, and Slide Hazards
- Wildfire Hazard
- Brownfields
- Soil Infiltration Limited Areas

The revised BLI is found in Exhibit C of this ordinance, including a map of the unconstrained land available for housing. This map includes a City supply of residential land sufficient to meet the housing needs within the meaning of ORS 197.307(3), Goal 10 and OAR Chapter 660, Division 7.

Because supply greatly exceeds need, even when calculated by the narrower lower yielding method, City and LCDC findings of fact and conclusions of law for the previously acknowledged periodic review subtasks are still valid (Task II, Subtasks A-E).

Housing Type, Tenure and Affordability

In addition to total housing needs, state planning law requires Portland to identify housing by type, tenure and affordability. Goal 10 and the LCDC’s Metropolitan Housing Rule, OAR 660-007-0030(1), also require that at least 50% of the City’s remaining residential capacity be available for multi-family units.

To provide framework for this analysis the City calculated the potential supply of twelve different housing types, and compared that with the needs of the eight household types identified in the acknowledged housing needs analysis (Exhibits B.2 – B.5 of Ordinance No. 185657). The following table describes the eight household types used in this analysis (taken from Table 14 on page 49 of the *Growth Scenario Report*, Exhibit E; based on data from Exhibit B.5 of Ordinance No. 185657).

<b>Household Income</b>	<b>Group Number</b>	<b>Expected New Households by 2035</b>
Less than \$15,000	1	24,540
\$15,000 to \$24,999	2	23,400
\$25,000 to -\$34,999	3	22,095
\$35,000 to \$44,999	4	15,896
\$45,000 to \$59,999	5	8,391
\$60,000 to \$74,999	6	6,030
\$75,000 to \$99,999	7	12,227
More than \$100,000	8	9,697
<b>Total New Households</b>	All	<b>122,276</b>

The comparison of households and housing types is provided in the *Growth Scenarios Report* (Exhibit E, pages 46 – 53). At its simplest level, the analysis provides an understanding of the

EXHIBIT A Further Findings of Fact

share of Portland’s capacity that is available for multi-dwelling development. The table below provides a summary of these conclusions. The table includes results from the the 2012 BLI (based on the existing Comprehensive Plan), and the updated 2015 inventory. The 2015 inventory provided data for both the existing and recommended Comprehensive Plan. The final column shows the capacity if the narrower methodology described above, which assumes that land with even a mild constraint has no residential capacity.

Housing Capacity	Existing Comp. Plan (2012 BLI adopted w. Ord. No. 185657)	Existing Comp Plan (2015 BLI)
Single-dwelling	35,000 (15%)	29,000
Multi-dwelling	198,000 (85%)	181,000
Total	233,000	210,000

The table above shows that Portland’s existing Comprehensive Plan easily complies with Metropolitan Housing Rule, OAR 660-007-0030(1) because far more than 50% of the City’s remaining housing capacity is available for multi-dwelling development. The revised BLI is adequate to enable a similar evaluation of the recommended Comprehensive Plan with periodic review Task V.

Because Portland has far more capacity for residential development than the forecast growth, the City developed a computer model to estimate where the needed 123,000 units would most likely be built, and what form they might take. This was done in order to better understand if expected housing production would meet identified needs (type, tenure, affordability), and also to evaluate the city’s performance on other metrics (transportation modelling, environmental impacts, etc).

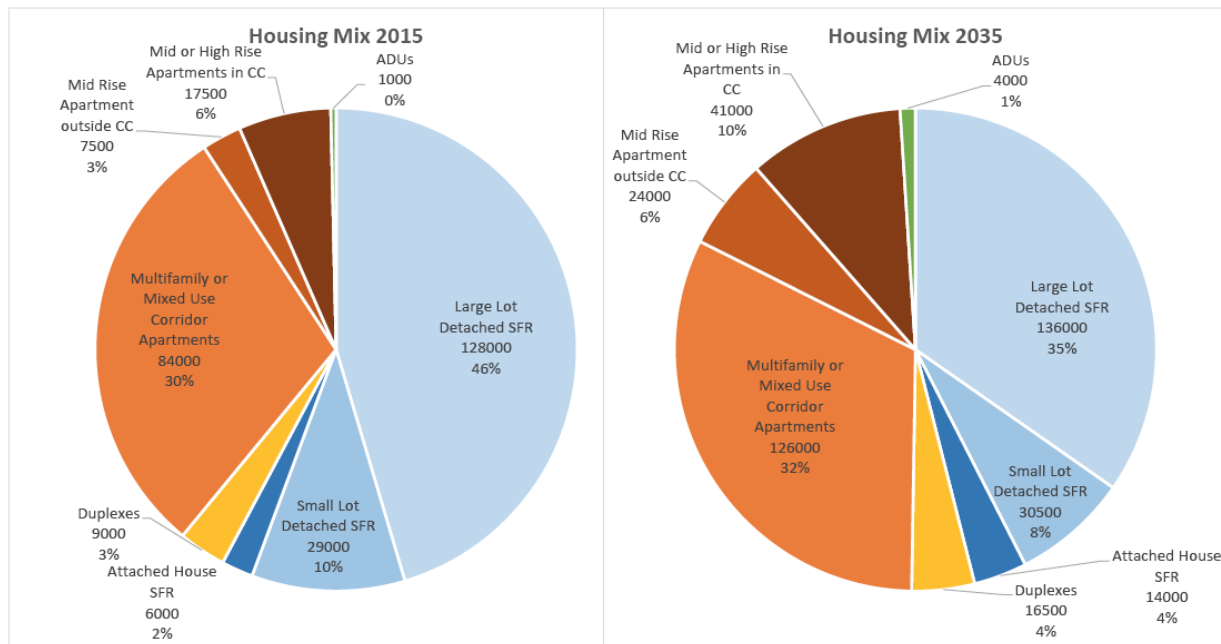
This “Housing Allocation” analysis was based on the inventory of vacant and underutilized land described above. This model creates a simulated housing allocation based on the type and density of housing allowed in each land use designation, past building permit trends, and several economic factors. The model identifies four types of single-dwelling units, seven types of multi-dwelling units, and accessory dwelling units. These types are listed in the table below and also described in the *Growth Scenario Report* (taken from Table 12 on page 47, Exhibit E). Comprehensive Plan reports use the term “Allocation” to reference this model output, distinct from the term “Capacity.” The “Allocation” refers to the number of units that may be built in a particular area by 2035, while the “Capacity” refers to the full build out of vacant and underutilized land within the area.

Housing Types	Type Code	New Housing Unit Allocation (2010-2035)	
		Existing Plan	Rec. Plan
<b>Single Dwelling</b>	<b>SFR</b>	<b>25,000</b>	<b>26,000</b>
Detached Single Family House	A	14,000	14,000
Small-Lot Detached Single Family House	B	3,000	3,000
Medium Density Building with Attached Single	C	5,000	5,000

EXHIBIT A Further Findings of Fact

Family Units			
High Density Building with Attached Single Family Units	D	3,000	4,000
<b>Multi Dwelling</b>	<b>MFR</b>	<b>95,000</b>	<b>94,000</b>
Duplex to Six-Unit Building	E	8,000	7,000
Four Story Corridor Apartment Building all Residential	F	16,000	14,000
Single Room Occupancy and Studio Apartment Building	G	9,000	13,000
Neighborhood Four Story, Mixed Use Building with Retail on Ground Floor	H	21,000	16,000
Mid-Rise, Small Unit, Apartment Building	I	19,000	18,000
Mid-Rise, Large Unit, Apartment Building	J	3,000	4,000
High-Rise Apartment Building	K	19,000	22,000
<b>Accessory Dwelling Unit</b>	<b>ADU</b>	<b>3,000</b>	<b>3,000</b>

The charts below illustrate how the housing mix is expected to change over the next 20 years, given the growth allocation described above. In 2015 about 40% of Portland housing units are multi-dwelling units. By 2035 that share is expected to increase, to about 53%. About 80% of new construction over the next 20 years is expected to be multi-dwelling units. This represents a continuation of established trends over the past 10 years. During the period between 2005 and 2014, only about 23% of new units in Portland were single dwelling units. As a result of these trends, and Portland’s land use plan, the 2035 housing mix is expected to be more diverse than it is today.



Housing Types A through K, and ADUs, are allowed without restriction on type of tenure and

without regard to government ownership, assistance or subsidy. Manufactured homes are recognized as components of Housing Types A and B (Detached Single Family House, and Small-Lot Detached Single Family House). Manufactured homes are allowed in all residential zones. Other housing types, such as floating homes, are also allowed in the City, but since these types have not been identified as “needed,” the City has no obligation under state land use law to maintain or increase a supply of sites for these types. In 1991, as part of Ordinance No. 164517, the City Council took an exception to the agriculture and forestry goals in the manner described and authorized by state law and Goal 2. As a result of the acknowledged exception, Portland does not have an obligation to identify farmworker housing as a particular category of need. Nevertheless, housing for farmworkers and their families is allowed in all single family and multi-family units.

The City evaluated affordability by identifying typical minimum costs for each defined housing type, and by comparing that minimum housing cost to the income levels that define a cost-burdened household. That evaluation is summarized in the Growth Scenarios Report (Table 16, page 52). Using this method, the City Concludes that all housing types (A-K and ADUs) are currently affordable for Household Group 8, while only Housing Type G (single room occupancies and small studio apartments) is potentially affordable for Household Group 1. While the City has an ample supply of land available and suitable for the amounts needed for all housing types, including Type G, the cost of land, materials and labor means that the market alone cannot provide the housing needed by very low income households.

State planning law requires that housing needs be analyzed and identified by affordability, and requires that land be made available in sufficient supply to accommodate the amount of affordable housing needed. Allowing for a robust supply of inherently more affordable housing types (small studio apartments, ADUs, small-lot single family, etc.) does not mean that these housing units will actually be affordable in practice. In a market economy, housing is allocated to the highest bidder. If supply is limited, the price of even the more affordable housing types can be bid up. In addition, new housing is typically more expensive than older housing. Not all new households will occupy new housing units. Higher income households will often occupy new housing units, leaving older units to lower income households. If housing supply is tight, the price of older housing units can also be bid up. In light of these market dynamics, the primary impact of a Comprehensive Plan on affordability will be the extent to which it allows for an adequate overall supply, and allows for a diverse mix of housing. The facts described above show that Portland’s Recommended Comprehensive Plan does this.

Oregon state laws prohibit rent control, inclusionary zoning and real estate transfer fees. These are tools that cities in other states have used, with varying degrees of effectiveness, to create and maintain more permanent/protected (regulated) supplies of affordable housing. Affordability tools available to Portland are generally limited to zoning adequate supply, appropriating funds derived from tax revenue, deferring tax revenue, allocating state and federal grants, and awarding height or floor area ratio bonuses for buildings that otherwise would not include affordable units. This ordinance takes the first steps toward identifying housing needs, but doesn’t propose specific solutions to overcoming the market dynamics that impact actual affordability. Potential policies and tools to create more regulated affordable housing will be addressed in subsequent work tasks (comp plan policies, maps, and zoning).

Consideration of Alternatives

The *Growth Scenarios Report* was prepared as a mechanism to examine the performance of several different growth patterns, on a variety of measures. This is designed to fulfill the City's periodic review Task III obligations. One of the evaluation measures was housing supply and affordability (Exhibit E, pages 45 to 53). Several potential growth patterns were evaluated, including a default scenario that represented continuation of the existing plan and development trends, a corridor-based scenario, a nodal/centers-oriented scenario, and a Central-City based scenario. Each of these scenarios produced slightly different mixes of housing by 2035. The differences were moderated by the fact that new growth is only a portion of the 2035 housing supply (about 70% of the 2035 housing supply is already built). Considerations noted in that analysis included:

- On many of the performance measures, the Central City-focused growth pattern performed best (mode split, greenhouse gas emissions, etc.). That scenario, however, shifted the housing mix toward a larger number of high rise apartments, and away from less expensive low or mid-rise construction. That shift could have impacts on affordability.
- Households living in close-in locations have lower transportation costs, especially those households that can live with fewer cars, or no cars. Considering the combined cost of housing and transportation, increasing close-in housing opportunity can have a positive impact on overall affordability.
- Maintaining allowances for innovative housing types such as cohousing, micro-apartments and accessory dwelling units may have an affordability impact.
- Maintaining a diverse supply of housing creates diverse communities with the opportunity for households to remain in their neighborhood as their lifestyles and housing needs change, especially in allowing older adults to age within their community.
- Single family supply is tight relative to demand. This could have an impact on affordability. Because Portland is an urbanized city at the center of a larger region, there is limited opportunity to create more single family supply. The primary opportunity is to continue providing land use designations that allow small-lot detached or denser attached single family housing, or duplexes (this kind of housing has been referred to often in testimony as "Middle Housing").

Considering these different housing-related trade-offs, the recommended Comprehensive Plan represents a highbred approach. It maintains a strong Central City emphasis, but also maintains significant potential for growth of mixed use development and "Middle Housing" in other centers and corridors, especially those close-in locations where market demand has been high.

Conclusions

For the facts and reasons stated above, particularly revised estimates of housing need and remaining capacity, as summarized in the revised land inventory (Exhibit C), the City has complied with the Goal 10 requirements to identify future housing needs by amount, type, tenure, and affordability; and to maintain a Residential BLI with sufficient land to meet

identified needs. The City also complies with the single family to multi-family capacity ratio requirement of Goal 10. The *Growth Scenario Report* provides adequate facts and information to base later decisions on because it has information about the different kinds of housing produced by different land use approaches.

All Goal 10 requirements for Periodic Review Tasks II and III have been met by this ordinance.

Task IV of Periodic Review will address the Goal 10 requirements to meet a minimum density of ten units per net residential acre and adopt plan policies for addressing housing need, particularly the affordability gap described above. Task V will address clear and objective standards for needed housing.

### Statewide Planning Goal 11 Findings

Statewide Planning Goal 11, Public Facilities, requires cities to adopt and update public facilities plans. Public facilities plans ensure that urban development is guided and supported by types and levels of water, sewer and transportation facilities appropriate for the needs and requirements of the urban areas to be serviced, and that those facilities and services are provided in a timely, orderly and efficient arrangement.

The term “public facilities” has a narrow meaning under Goal 11. The term is narrowed in two ways. First, only transportation, water, sewer and drainage facilities are considered “public facilities” under the Goal 9 administrative rule. Second, only facilities that increase capacity (usually wider roads or bigger pipes) in ways needed to support future planned development are considered “public facilities” under the Goal 9 administrative rule. Maintenance to preserve capacity of existing facilities, and facilities needed to meet environmental mandates are not public facilities within this narrow meaning.

Goal 11 requires several components for a public facilities plan. The City has already adopted and the LCDC has already approved one component, an “inventory and general assessment of the condition of existing public facility systems needed to support at least the existing land uses designated in the acknowledged comprehensive plan.”

Remaining components of public facilities plan include:

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

The City Council chose to adopt a *City Wide Systems Plan* (Exhibit G) to serve as the City’s

public facilities plan for water, sewage and drainage facilities. The City's Water Bureau is the designated water provider, and the City's Bureau of Environmental is the City's sanitary sewer and storm water management provider. Pages 227 through 288 of the *CSP* contain table lists of projects identified as necessary to support the Comprehensive Plan. These tables include a project description, location, cost estimates by needed time periods, and the potential and feasible funding mechanisms for these public facility projects. Page 56 contains a summary of the City's investment strategies for these projects.

For the facts and reasons above all Goal 11 requirements have been met for water, sewer and drainage projects, but only the "inventory and general assessment of conditions" has been completed for the transportation system. This ordinance does not adopt a public facilities plan for transportation. It should be noted, however, that the Goal 2 analysis performed for the Growth Scenarios Report (Exhibit E) provides performance measurements for frequent transit access, low stress bicycle network access, vehicle miles traveled, and mode shares. The City is requesting a modification of its Periodic Review Work Program to allow the completion of the remaining Goal 11 requirements for transportation as part of the City's TSP.

### Statewide Planning Goal 12 Findings

#### Background

Statewide Planning Goal 12, Transportation, requires Portland to adopt a *Transportation System Plan* (TSP) that supports safe, convenient and economical movement of people and goods, and supports a pattern of travel that will avoid air pollution, traffic and livability problems. All cities are required to provide safe and convenient motor vehicle, pedestrian and bicycle travel on a well-connected network of streets. Larger cities are required to provide for transit service and to promote more efficient performance of existing transportation facilities through transportation system management and demand management measures.

A key objective of Goal 12 is reduced reliance on single occupancy automobile use, particularly during the morning and afternoon commutes. To accomplish this, the Goal requires street connectivity and land use patterns, "that make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs." The Goal allows the recognition that some parts of the City, such as downtown, pedestrian districts, transit-oriented developments and other mixed-use, pedestrian-friendly centers, are highly convenient for a variety of modes, including walking, bicycling and transit, while others parts of the City are be more auto-oriented. Nevertheless, the objective for the City as a whole, is to "avoid principal reliance upon any one mode of transportation."

The City's TSP must be based on an inventory of local, regional and state transportation needs; consider all modes of transportation including mass transit, air, water, pipeline, rail, highway, bicycle and pedestrian; and consider the different consequences that would result from utilizing differing combinations of transportation modes. The City's TSP must also contain measures to minimize adverse the adverse impacts of transportation, conserve energy, and meet the needs of individuals who have difficulty in obtaining transportation because of their age, income, physical or mental disability. Goal 12 requires the City's TSP to be coordinated with the *Oregon Highway Plan* and Metro's *Regional Transportation Plan*. Parts, but not all of the City's TSP, have to be adopted as part of the *Comprehensive Plan*.

Modelling and Consideration of Alternatives

Goal 12 only applies to this ordinance only indirectly, because this ordinance does not adopt any public facility plan components related to transportation. The Goal 2 analysis performed for the *Growth Scenarios Report* (Exhibit E), however, provides performance measurements for frequent transit access, low stress bicycle network access, vehicle miles traveled, and mode shares. All of these will be of value in preparing the *City's Transportation System Plan*.

With the *Growth Scenarios Report*, the City evaluated the existing Comprehensive Plan, the recommended Comprehensive Plan, and several other alternative growth patterns. A number of evaluation criteria were used, consistent with the requirements of the periodic review work plan (Task III). Among these evaluation criteria were several transportation-related measures:

- Access to frequent transit
- Access to low-stress bikeways
- Vehicle miles traveled (VMT)
- Commute mode share (drive alone, carpool, transit, bike, walk, etc.)
- Greenhouse gas/carbon emissions

Vehicle volume to capacity ratios were also calculated to evaluate compliance with the ODOT Highway Plan.

To perform this analysis, the City coordinated with Metro to run the Regional Transportation Model. The City is using the adopted 2035 Financially Constrained RTP project list (adopted 2010, based on the City's 2007 TSP), the adopted 2012 Metro Urban Growth Report jobs and housing allocation for 2035, and the City's existing adopted Comprehensive Plan Map as a baseline for this modelling exercise. The performance of other subsequent model results was compared with this baseline outcome. The model was run three times, with the following parameters.

The first run measured the impact of staff-proposed land use changes, while holding transportation system constant. The parameters of this model run where:

- Land use per the proposed Comprehensive Plan
- Transportation Network based on existing adopted (2010) RTP (same as baseline).
- City of Portland preferred jobs and housing allocation for 2035 from BPS, based on Portland's emerging Proposed Draft CP map and goals, tied to Citywide 2012 Metro control totals.

The second run added the staff-proposed TSP project list, to measure the impact of project list changes. The parameters of this model run where:

- Land use per the proposed Comprehensive Plan
- New proposed (constrained) TSP Project List from PBOT
- Several City-requested transit route/frequency changes in East Portland
- City of Portland preferred jobs and housing allocation for 2035 from BPS, based on Portland's emerging proposed Comprehensive Plan map and goals, tied to Citywide 2012 Metro control totals.



The third run had the same parameters as the second, but using the updated land use and project recommendations from the Planning and Sustainability Commission. The parameters of this model run were:

- Land use per the recommended Comprehensive Plan
- New recommended (constrained) TSP Project List
- Several City-requested transit route/frequency changes in East Portland
- City of Portland preferred jobs and housing allocation for 2035 from BPS, based on Portland's recommended land use map and goals, tied to Citywide 2012 Metro control totals.

The City coordinated this modelling exercise with Metro, ODOT, and TriMet, through a series of quarterly work sessions, from late 2013 through 2015. The conclusions of this analysis is summarized below.

**Access to frequent transit:** The City estimated the percentage of households that will be within ¼ mile of frequent transit routes in 2035 (generally those with 20 minute headways or better). The existing Comprehensive Plan and transit system will increase this percentage by 6%, from 47% to 53%. Several other land use scenarios resulted in increases from 6% to 8%. The recommended Comprehensive Plan increases this percentage by 14%, to 62%. The proposed addition of north/south frequent transit on 122nd Avenue contributed the most to increasing access to frequent transit by filling in transit gap areas in East Portland. This analysis is found on pages 58 and 59 of the *Growth Scenario Report* (Exhibit E).

**Access to low-stress bikeways:** The City estimated the percentage of households that will be within ¼ mile of "low-stress" bikeways in 2035 (generally those bikeways with low vehicle traffic or more protected bike facilities). The existing Comprehensive Plan and transit system will increase this percentage by 6%, from 56% to 62%. Several other land use scenarios resulted in increases from 5% to 7%. The recommended Comprehensive Plan increases this percentage by 16%, to 72%. The bike projects in the recommended TSP project list provides a 16 percent increase over the 2010 benchmark. While, low-stress bike projects in the TSP are located across Portland, the biggest increase in performance is from the emphasis on expanding the network in East Portland, along with St. Johns and parts of Northeast Portland. This analysis is found on pages 60 and 61 of the *Growth Scenario Report* (Exhibit E).

**Vehicle miles traveled (VMT):** VMT is reported as a total number of miles per weekday. With the current Comprehensive Plan, model results suggested that by 2035 total daily VMT increases by 25 to 30 percent, but not as fast as the household or employment growth rates (33 and 43 percent, respectively). The result is a 2% reduction in VMT per capita by 2035. The City's Climate Action Plan set a target of reducing 2030 per capita daily vehicle miles traveled by 30 percent from 2008 levels. Other land use scenarios studied did not have significantly different results. The recommended Comprehensive Plan performs significantly better and shows a 3% reduction in total VMT from 2010 to 2035. This translates to a 27% reduction in per capita VMT. Several factors contribute to this performance gain:

- Additional transit improvements in East Portland, connecting that population to jobs in the Columbia Corridor.

## EXHIBIT A Further Findings of Fact

- Extensive investment in bike and pedestrian safety improvements in outer East Portland.
- Land use plans that shift more growth in the Central City and nearby corridors than was the case in the existing Comprehensive Plan.
- Additional policy emphasis on parking management and Transportation Demand Management (TDM) requirements – particularly with campus institutions, large employers, and new residential development. The second and third model runs included additional post-modelling technical analysis to quantify the impact of this policy, which is not fully factored into the regional model.
- A more balanced household to employment ratio in Portland that generates shorter trip distances.
- A post-recession shift of development from the suburbs to more compact urban areas in Portland. The 2014 and 2015 modelling uses more up-to-date data on actual 2010-2014 population changes, rather than using earlier plan projections. As a result, there are fewer trips from suburban locations than anticipated in the baseline.

Commute mode share: In 2010 about 80% of all trips were taken in an automobile (including both single occupancy and carpooling). With the current Comprehensive Plan, model results suggested that by 2035 this percentage could drop to 77%. Other land use scenarios resulted in shifts of 1% to 5% from the 2010 percentage. The recommended Comprehensive Plan performs significantly better and reduces the percentage of all trips were taken in an automobile to 64%. This change is driven by the same factors that contribute to VMT reduction described above. Single occupancy vehicle mode share declines 26%, while bicycle mode share increases by 10% and walking by 5%. This analysis is found on page 63 and 64 of the *Growth Scenario Report* (Exhibit E).

The Portland Plan set an aggressive objective that 70% of commuters use transit or active transportation (biking, walking), carpool, or work from home. This modelling analysis includes all types of trips, so it is not directly comparable to the model result. The modelling, however, suggests that the recommended plan is moving this metric in the right direction.

Greenhouse gas/carbon emissions: Portland and Multnomah County have achieved considerable success in limiting the growth of greenhouse gas or carbon emissions. Land use and transportation policies have resulted in almost no increase in emissions from transportation since 1990, despite a population increase of more than 25 percent. Overall, the Climate Action Plan (CAP) set the goal of an 80 percent reduction of all types of carbon emissions from 1990 levels by 2050. While the CAP identified strategies to reduce emissions from a wide range of sectors, the growth scenarios influence the carbon emissions related to transportation and residential buildings. The transportation portion of this reduction is directly related to the VMT measure describe above.

In 2010, transportation-related carbon emissions amounted to 2,231,000 metric tons/year. Improvements in vehicle fuel efficiency standards across all vehicle classes, a reduction of the carbon content of fuels, and regional land use plans result in a projected reduction in transportation-related carbon emissions to 1,149,000 metric tons/year, even with the existing Comprehensive Plan. Given the VMT measures described above, the recommended plan would further reduce emissions to 934,000 metric tons/year. This analysis is found on page 65 of the *Growth Scenario Report* (Exhibit E).

Coordination with ODOT, Metro, and TriMet

Statewide Planning Goal 2 requires Portland's Comprehensive be coordinated with the Oregon Highway Plan and the Regional Transportation Plan. The Transportation Planning Rule requires the City to prepare the TSP in coordination with Metro and the Oregon Department of Transportation. The City developed the new Comprehensive Plan Map in cooperation with these two agencies, and TriMet. In particular, the City employed Metro's regional travel model to assess transportation impacts of different spatial distributions of future jobs and housing resulting from continued utilization of the existing plan map and the new map (details described above).

Remaining Periodic Review Tasks

To date the City has completed the following elements of the TSP and Transportation Element of the Comprehensive Plan:

- Infrastructure conditions assessment
- Analysis of alternatives

Several additional elements are nearly complete and will be completed with Task IV.

- Transportation Goals and Policies
- Updated financial plan
- List of significant projects

Several elements have not yet been completed. These are listed below. The City is requesting clarifications to the periodic review work plan to specify that these will be completed as part of Task V.

- Updates to master street plans
- Street classification policies and maps
- Additional mode-specific objectives
- More detailed performance measures and specific mode split targets. This may include consideration of changes to V/C and LOS, and potential adoption of new multimodal measures, such as system completeness
- Enhanced Transportation Demand Management (TDM) program details

Conclusions

For the reasons stated above the City has met the relevant requirements of Goal 12 and the TPR, as necessary to evaluate land use alternatives, and to lay groundwork for the complete TSP update. The TSP will be completed as part of Task IV and V of the City's Periodic Review Work Program.

Statewide Planning Goal 13 Findings

Goal 13 requires that any spatial changes to future patterns of allowed land uses must conserve energy.

As an already urbanized city, Portland's existing development pattern defines many of the City's challenges. The forecasted growth represents roughly one-third of the total households and employment that will make up Portland in 2035, which means that two-thirds of the future built

environment is already in place. This legacy development pattern will have a significant impact and moderating influence on how much energy can be conserved over next 20 years. Any large improvements in energy conservation derived from land use changes will occur over longer periods of time.

That said, the Goal 2 analysis performed for the *Growth Scenarios Report* (Exhibit E) provides substantial evidence that the spatial development pattern allowed by the new Comprehensive Plan Map provides as much or more opportunities for energy conservation than other practicable alternatives. The preferred pattern is comprised of mixed-use centers and corridors that generates more transit, pedestrian and bicycle trips, and fewer automobile trips. This lowers the amount of energy used for transportation. The preferred pattern also provides for more attached housing, which is more energy efficient than detached housing.

For the facts and reasons stated above, this ordinance meets the requirements of Goal 13.

#### Statewide Planning Goal 14 Findings

Statewide Planning Goal 14, Urbanization, has several purposes; these include:

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

Goal 14 and its administrative rule assign most of these functions to Metro rather than the City. The City's role is limited to accepting the share of regional household and employment growth allocated by Metro, and demonstrating that this growth can be accommodated in an orderly and efficient manner that preserves and enhances livability. The template for this desired development pattern is the "Region 2040 Growth Concept," which is carried out by Metro's *Urban Growth Management Functional Plan*. The growth concept emphasizes development within designated centers and corridors.

As explained in the findings for Statewide Planning Goals 9 and 10 above, this ordinance accepts and accommodates a Year 2035 Metro distribution to Portland of 123,000 new housing units and 142,000 new jobs.

The Goal 2 analysis performed for the *Growth Scenarios Report* (Exhibit E) provides substantial evidence that the spatial development pattern of urban jobs and housing allowed by the new Comprehensive Plan Map is compatible with the Region 2040 Growth Concept, ensures efficient use of urban land through infill and redevelopment opportunities, and will provide for more complete and livable communities through a spatial pattern of mixed-use centers and corridors. This pattern provides opportunities for housing, recreation and employment in close proximity, which in turn saves travel time and cost.

For the facts and reasons stated above, this ordinance meets the requirements of Goal 14.

#### Statewide Planning Goal 15 Findings

This ordinance does not change the Willamette River Greenway boundary, nor adopt an inventory of greenway resources or uses, nor adopt land used regulations that allow intensification of uses within the greenway. For these reasons, Goal 15 does not apply to this ordinance.

#### Statewide Planning Goal 16, 17, 18, and 19 Findings

Because Portland is not within Oregon's coastal zone, Goals 16, 17, 18 and 19 do not apply to this ordinance.

#### Statutory Findings

In addition to the requirements of the Statewide Planning Goals and the LCDC's administrative rules state law imposes additional planning requirements.

*Oregon Revised Statutes* (ORS) 197.303 to 197.307 defines "needed housing" and prohibits local governments from adopting plans and regulations that limit housing choices. These statutory requirements are met for the reasons stated in the findings for Goal 10 above.

ORS 197.712 requires cities to adopt comprehensive plans that:

- Include an analysis of the community's economic patterns, potentialities, strengths and deficiencies as they relate to state and national trends.
- Provide for at least an adequate supply of sites of suitable sizes, types, locations and service levels for industrial and commercial uses consistent with plan policies.

These requirements have been met for the facts and reasons stated in the findings for Goal 9 above.

ORS 197.712 also requires cities to adopt comprehensive plans that:

- Contain policies concerning the economic development opportunities in the community.
- Provide for compatible uses on or near sites zoned for specific industrial and commercial uses.

These requirements will be addressed in the City's Periodic Review Task IV and V submittals.

ORS 197.712 requires cities to adopt comprehensive plans that:

- Are supported by a public facility plan that contains rough cost estimates for needed sewer, water and transportation projects.

This has been accomplished for water, sewer and drainage projects, but not yet for transportation projects, for the facts and reasons stated in the findings for Goal 11 above.

#### Metro Coordination Findings

Within the Portland Metropolitan area, Metro has the authority and obligation under ORS 195.025 and ORS 195.036 to coordinate the comprehensive plans of the City, 25 other incorporated municipalities, and the unincorporated urban portions of three counties with one another. Metro accomplishes this in three ways:

- Adopting a 20- year population forecast for the entire metropolitan region
- Allocating 20-year housing and job need numbers to each of the 29 jurisdictions

- Requiring each city and county comprehensive plan to meet the allocated 20-year housing and job need numbers.

When all 29 governments change their comprehensive plans to meet their Metro allocations, the 29 plans will be sufficiently coordinated with one another within the meaning of ORS 195.036 and Statewide Planning Goal 2.

The Metro Council adopted a new regional forecast by Ordinance No. 12-1292A on November 29, 2012, and by this ordinance the City acknowledges, accepts, and explains how the City will accommodate this forecast and distribution of jobs and housing through the Year 2035. For this reason, and for the facts and reasons included in the findings for Goals 2, 9, 10 and 14 above this ordinance is in full accord with Metro’s authorities and obligations under ORS 195.025 and ORS 195.036.

#### Metro Urban Growth Management Functional Plan Findings

Under ORS 268.380 and its Charter Metro has the authority to adopt a regional plan and require city and county comprehensive plans to comply with its regional plan. Metro adopted its *Urban Growth Management Functional Plan* under this authority.

In its June 2011 update to its 2010 compliance report Metro found, “The City of Portland is in compliance with all *Urban Growth Management Functional Plan* requirements in effect on December 15, 2010, except for Title 13, Nature in Neighborhoods. On January 16, 2013 the City received a letter from Metro stated that Portland had achieved compliance with Title 13.

This ordinance does not adopt comprehensive plan map or zone map changes, plan policies, or land use regulations. As a result, this ordinance does not constitute the City’s full compliance with the UGMFP.

Because this ordinance adopts only comprehensive plan supporting documents, only Title 8 of the UGMFP applies to this ordinance. Title 8, “Compliance Procedures”, requires the City to notify Metro of pending land use decisions by providing Metro a copy of the 35-Day notice required by the DLCDD for proposed completion of a periodic review task. The City gave this notice to Metro on October 16, 2015, more than 35 days before the November 19, 2015 City Council hearing date.

This ordinance meets all *UGMFP* requirements applicable to Task III of Portland’s periodic review work program.

#### Metro Regional Transportation Plan Findings

Metro has adopted a RTP that acts as template TSP for the metropolitan region. Because the City has yet to adopt a TSP, the RTP does not apply to this ordinance.

#### Portland *Comprehensive Plan* Findings

## EXHIBIT A Further Findings of Fact

Goal 1 of Portland's *Comprehensive Plan*, Metropolitan Coordination, contains policies requiring the city to participate in intergovernmental, coordinated planning within the metropolitan region and update Portland's *Comprehensive Plan* to comply with Metro's *UGMFP*.

This ordinance meets the requirements of Portland *Comprehensive Plan* Goal 1 for the reasons stated in the findings above for Statewide Planning Goal 2, for Metro's ORS 195.036 coordination authority, and for compliance with the *UGMFP*.

Goal 9 of the *Comprehensive Plan*, Citizen Involvement, contains policies that require citizen involvement and intergovernmental cooperation in the review and update of Portland's *Comprehensive Plan*.

This ordinance meets the requirements of *Comprehensive Plan*, Goal 9 for the reasons stated in the findings above for the Statewide Planning Goals 1 and 2 and for ORS 195.036.

Goal 10 of Portland's *Comprehensive Plan*, "Plan Review and Administration," requires that Portland's *Comprehensive Plan* be periodically reviewed and updated as required by state law. This ordinance meets *Comprehensive Plan*, Goal 10 by implementing the City's state-approved periodic review work program.

### Portland City Code

Under Chapter 33.740 of the City code, the update of the *Comprehensive Plan*'s factual base is a legislative project assigned to the PSC for a public hearing and recommendation and to the City Council for a public hearing and decision. These city code requirements have been met as demonstrated by the public meeting notices, agendas, testimony and minutes. While these materials are not attached to this ordinance, they were filed with the Council Clerk and became part of the record before the City Council when this ordinance was adopted. Appendix D of Exhibit B CIC report contains a two-page list of all PSC hearings, briefings and work sessions from April 12, 2012 to July 14, 2015. The requirement of the City Code most applicable to this ordinance is, that before the City Council considers a recommendation of the PSC, individuals and organizations identified by the code must be mailed 14 days advanced notice of the City Council hearing. The hearing date for this ordinance was November 19, 2015. To test the timely receipt of these notices the City mails a notice to itself. That test notice was received on October 13, 2015. The 14-day code requirement has been met.

### **Conclusion of Law**

For the reasons stated in the findings above this ordinance fulfills, with the noted exceptions for the TSP, all requirements of City's state-mandated periodic review order for Tasks I, II, and II, and the public facilities plan requirement of Task IV.