

EXHIBIT A

Further Findings of Fact – Supporting Documents Ordinance

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), with several maps updated, replaced and supplemented by this Ordinance (Exhibits C through J). The resulting 54 summary maps are accompanied by estimates of how many new housing units and how many new jobs can be accommodated on these lands given the land use designations on the existing Comprehensive Plan Map and the 2035 Comprehensive Plan Map.

“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 L.

“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.

“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 state-mandated process called "periodic review."

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.

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 periodic review. The CIC has completed its obligation by completing reports covering each of the 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). With this ordinance, the City Council accepts the required report from the committee, which is a combined report for periodic review Tasks III and IV (Exhibit B). The report for Tasks III (Consideration of Alternatives) and IV (Policy Choices) were consolidated because they overlapped in time, and shared many outreach events and activities in common. This outreach strategy was designed to make the plan more digestible to a general audience.

Immediately after the effective date of the new 2035 *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 (BPS).

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 of 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 Section 1: Trends, Opportunities and Market Factors – updated version as recommended by the PSC on June 12, 2012 as amended by Council

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

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

Economic Opportunities Analysis Section 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 prompted the City to reevaluate both the harbor-related industrial land need and supply described in the EOA. Additionally, Metro subsequently adopted an employment forecast and jobs allocation lower than the draft Metro allocation and forecast the City relied upon to prepare its original EOA. This

final forecast allocated to Portland the responsibility for creating approximately 123,000 new housing units and 142,000 new jobs¹.

City Task II Work Withdrawn from Consideration

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

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

Economic Opportunities Analysis Section 1, Appendix C, Harbor Lands Report – updated version as recommended by the PSC on June 12, 2012 as amended by Council

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

Economic Opportunities Analysis Section 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 *2035 Comprehensive Plan*. LCDC Order 001850 also transferred the EOA requirement from periodic review, 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 |
| 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 |

¹ Metro Council Ordinance No. 12-1292A, November 29, 2012. These totals include Portland’s growth allocation, and the allocation to the unincorporated portions of Multnomah, Washington, and Clackamas Counties that are within Portland’s Urban Services Boundary (the planning area for the *2035 Comprehensive Plan*). The forecast was rounded up to the nearest thousand to facilitate clearer communication and analysis.

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: *Community Involvement Report* evaluating the involvement leading up to the adoption of periodic review products (Tasks III and IV) – Exhibit B.
- Task II, Subtask A Revised BLI supporting documents (maps) – Exhibits C, D, E, H and I
- Task II, Subtask D Revised Residential BLI Summary Map and Revised Estimate of Remaining Housing Potential – Exhibits F, G, J.
- Task III, Subtask A Evaluation Criteria for Alternatives Analysis – *Growth Scenario Report* – Exhibit K.
- Task III, Subtask B Thematic Alternatives Analysis – *Growth Scenario Report* – Exhibit K.
- Task III, Subtask C Detailed Alternatives Analysis – *Growth Scenario Report* – Exhibit K.
- Task III, Subtask D Revised EOA, Revised Employment BLI Summary Map, and Revised Estimate of Remaining Employment potential – Exhibits C, L, J.
- Task IV, Subtask D. Part 1. *Citywide Systems Plan* (except for transportation) – Exhibit M

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. 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. Administrative rules under Goal 1 further require cities to:

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

These requirements apply to both the development of the plan, and to the ongoing involvement program that will be adopted by the plan.

Community Involvement Committee and Program

Goal 1 allows the City Council three choices: it may appoint itself as the committee for citizen involvement, it may appoint the Planning and Sustainability Commission (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, was approved by DLCD Order 001792 on August 5, 2010, and has been completed.

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 I, Subtask B, was approved by DLCD Order 001798 on January 5, 2011, and has been completed.

Public engagement throughout the planning process was overseen by an appointed Community Involvement Committee (CIC). The CIC has met quarterly from 2009 to the present. During that time they produced or reviewed ten different progress/evaluation reports, with detailed meeting and activity logs. Those reports were referenced with the impact statement filed with the present ordinance. They cataloged extensive outreach beyond the traditional mechanisms

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 is 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. 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 (Tasks III and IV). The PSC accepted that report.

This ordinance accepts that *Community Involvement Report* for periodic review Tasks III and IV (CIC Report - 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.

Summary of Community Involvement

Over a nine-year period from 2007-2016, tens of thousands of Portlanders were involved in development of the *2035 Comprehensive Plan*. The process provided for widespread citizen involvement with an opportunity for citizens to be involved in all phases of the planning process. 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.

In addition to the activities described below, and 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 requires public notices, issuance of reports, commission review, and hearings.

Community involvement activities included:

- Over 8,000 individual comments, both oral and written, have been received by the PSC and City Council throughout the public hearing process.
- The City 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. That chapter requires mailed and published public notices in advance of hearings, issuance of reports, commission review, and hearings. A help line (call center) with language translation was staffed during the notification period to answer questions. Open houses and staff office hours were scheduled at several stages of the plan development, prior to the PSC hearings. Additional information was also mailed to every Portland household via the City's Curbsider newsletter. Hearings were advertised in community newspapers.
- In late 2015 and early 2016 City Council held 7 hearings on the *2035 Comprehensive Plan*. Public notice of the Council hearings was mailed on October 13, 2015. On that same day the

City also mailed 28,000 notices as required by ORS 227.186 (known as Measure 56 notices) to potentially affected property owners. Three hearings occurred in late 2015 (November 19, December 3, and December 10). In response to several requests for more time, Council scheduled an additional hearing (January 13), and continued accepting written comments until January 15, 2016. In February and March 2016 Council discussed the testimony they heard, in several work sessions, which were open to the public. On March 18, 2016 a compilation of possible Council amendments was published for public feedback. Additional property owner notices were also mailed at that time, to those impacted by the amendments being considered. Council held additional hearings to receive feedback on potential amendments on April 14, 20 and 27. Written comments were accepted until April 28, 2016. Council received over 4,000 comments on the PSC recommendation, and the subsequent Council amendments.

- The Planning and Sustainability Commission (PSC) held five public hearings on the plan in 2014/15, plus two additional hearings to consider the *Economic Opportunities Analysis (EOA)* and *Growth Scenario Report*. They debated amendments to the staff proposal over a 6 month period, in 13 different work sessions each 3-4 hours long. The work sessions were advertised and open to the public. The PSC extended the public comment period three months, at the request of neighborhood associations. In total the PSC accepted comments over a 9 month period.
 - In July 2014 a Proposed Draft of the *2035 Comprehensive Plan*, including the *Citywide Systems Plan (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. The PSC received over 4,000 individual comments, including many comments about the *CSP* and associated capital projects on the *List of Significant Projects*. On July 14, 2015, the PSC voted to accept the staff-proposed plan with a variety of amendments.
 - On March 23, 2015, a revised *EOA* 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* and updated employment inventory and capacity estimates. On July 14, 2015, the PSC voted to accept the staff-proposed report with minor changes.
 - 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. This report included summaries of data used to examine the different land use choices considered. This report was designed to document choices made, and provide a

means to make data understandable to a general audience. More detailed data was provided to groups and individuals at various points along the process².

- Prior to the PSC, draft policies were written in collaboration with community volunteers – in eight advisory committees called Policy Expert Groups (PEGS). Over 150 people participated in these committees, which met for about 12 months in 2012/13. These committees also helped staff identify data sources that they may not otherwise have been aware of (for example, data about economic and social inequities).
- The background reports and technical assessments were developed in collaboration with community volunteers as part of the *Portland Plan*, which was guided by a 65-person advisory group in 2010/11. Summaries were prepared to make these reports more accessible to the general public.
- The overall policy direction for the plan was also influenced by the *Portland Plan*: in particular the extensive involvement of agency partners, like Portland Public Schools, Trimet, Portland Community College, and Multnomah County Health Department.
- Over 13,000 adults and youth completed surveys about what was important to them, which gave policy direction to the plan – establishing the focus on equity, education, health, and prosperity.
- Over 400 people participated in workshops held at 35 community fairs in 2011.
- BPS staff provided information and answered questions at over 1,350 meetings hosted by a wide variety of civic organizations and interest groups. Meetings occurred during the data collection phase, while background reports were being written to satisfy periodic review Task II (2009-11), and during policy development, alternatives analysis and mapping phases to satisfy periodic review Task III and IV (2009-15). This included “hosted presentations”, staffing tables at community events, and other community work sessions. Those events involved direct interaction with over 20,000 people. Over half of these meetings were with neighborhood association boards of land use committees. The meetings are logged in the *Community Involvement Report*, and in reports filed with previously adopted ordinances that document completion of earlier periodic review work tasks.
- Over the course of the entire process, there was an emphasis on outreach to under-represented communities, and the organizations that represent them. This includes organizations like IRCO, Latino Network, Community Alliance of Tenants, Age Friendly City Advisory Council, Urban League, the East Portland Action Plan organization, etc. This direct outreach involved direct interaction with over 1,000 people. Many of these meetings focused on capacity building – educating and training citizens about the land use process.

² On several occasions during the analysis process individuals requested growth forecast and transportation modelling datasets that did not yet exist, or requested datasets when an update of that data was pending. While Goal 1 encourages data sharing, and involvement of the public in data collection and analysis, the goal does not require sharing of data that does not yet exist, or publication of incomplete or undocumented data while modeling or quality control review is still underway. Once both of these steps are completed, the City made the data available.

Youth engagement also occurred through various schools during the development of the background reports.

- At each stage of the process basic materials were translated into multiple languages, and distributed to appropriate organizations. On several occasions BPS hosted Spanish language work sessions.
- The online Map App was designed to expand participation and involve groups that are not typically active in land use decisions. In particular, the App was designed to work on a mobile phone platform. In 2015, mobile phones are more widely available than televisions, computers or newspapers – especially among youth and immigrant communities. A teen of color is far more likely to use a mobile phone than attend a neighborhood association meeting. The online Map App and email testimony systems were set up to acknowledge receipt of comments and provide information about next steps. Project updates were also provided via social media, website, and online informational videos.

Response to Specific Goal 1 Testimony

Both the PSC and Council had numerous work sessions to discuss testimony and proposed amendments. Staff reports prepared for these sessions acknowledged the source of many amendments, and provided brief summaries of the rationale behind various choices. Staff also prepared “what we heard” reports and memos that summarized testimony at various stages of the process. Due to the volume of testimony received, most participants did not receive individualized response letters from staff or decision-makers. Decisions were often made in bundles, with the PSC and Council recommending a broad direction. In tandem, staff prepared specific lists of impacted properties or policies related to each direction. Decision-makers took this approach in the interest of hearing from a wider range of voices

Some participants were frustrated by this approach, and expressed that in testimony. Some long-term neighborhood activists felt they did not receive the kind of individualized attention that they may have had in the past when the conversation was smaller (i.e., involved a legislative change with fewer issues and/or that affected a discrete geographic area, rather than the City as a whole). Despite this frustration, the approach the PSC and Council used was successful and consistent with Goal 1’s purpose to promote broad citizen involvement, as evidenced by the more than 8,000 comments received.

Some testimony expressed concern about the timing relationship between Task IV and the pending Task V work. Proposals for zoning code and map changes (Task V) were being evaluated by the PSC while City Council was considering the recommended policy (Task IV). Throughout the process there have been several different perspectives on the relationship between policy and zoning code. In some instances neighborhoods have asked the City to accelerate zoning code development so that it could be presented in tandem with policy. In other instances neighborhoods asked the City to delay code development until policy was adopted. Decision-makers choose to follow a middle ground, with some overlap of the Tasks. This approach acknowledged that many people do want to see the preliminary code details before accepting policy (the Devil is in the details). On the other hand, in a traditional planning process, policy is developed first, and implementing code should respond to policy.

Goal 1 Conclusions

Because the City appointed a CIC, adopted and implemented a far reaching 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. To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

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 *2035 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 *2035 Comprehensive Plan* 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 L), an *Inventory Map of Sufficient Buildable Employment Lands* with estimate of remaining employment capacity (Exhibit C), and a *CSP* (Exhibit M). 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 Sufficient Buildable Residential Lands* with a revised estimate of remaining housing capacity (Exhibit G) to replace and supersede the versions adopted by Ordinance No. 185657 and approved by approved by LCDC Order No. 001850. The reasons why the 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.

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 K).

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, which became the basis of 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 and in some environmentally constrained areas of SW Portland.

The four scenarios and the preferred scenario 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:

Goal 2 – Table 1. Performance Measures

City Performance Measure	Equivalent State Goal 2 ESEE Consequence	Best Performing Scenario
Access to Family Wage Jobs	Economic and Social	The Central City Scenario and Preferred Scenario 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 Preferred Scenario is more affordable than produced by the Central City Scenario.
Gentrification Risk	Social	This measure was not used to determine good or bad performance, but was information used to identify where anti-displacement programs may be needed.
Complete Neighborhoods	Energy and Social	The Preferred Scenario performs the best.
Frequent Transit Access	Energy and Social	The Preferred Scenario performs the best.
Low Stress Bike Network Access	Energy and Social	The Preferred Scenario performs the best.
Transportation: Vehicle Miles Traveled and Mode Share	Energy and Environment	The Preferred Scenario performs the best.
Greenhouse Gas Emissions	Environment	No scenario meets long range goal, for transportation emission reductions the Central City Scenario performs the best.
Parks Access	Social	The Preferred Scenario 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 Preferred Scenario performs the best.

The better performing alternatives were the Central City scenario and the Preferred Scenario. The Central City Scenario performed best on energy and environmental measures by concentrating almost all new development in a small already-urbanized part of the city. This concentration, however, produced a mix of housing types that was less affordable than the

Preferred Scenario. The Preferred Scenario also performed best on social, economic, and energy measures.

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, G, H, I, J, K, L and M 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 K), all applicable requirements of Goal 2 have been met.

Statewide Planning Goal 3 Findings

Goal 3. To preserve and maintain agricultural lands.

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

Goal 4. To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

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

Goal 5. To protect natural resources and conserve scenic and historic areas and open spaces.

This ordinance does not affect the City's Goal 5 program. The City adopted a new *Natural Resources Inventory (NRI)* by 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.

This ordinance does not amend or repeal any existing 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. To maintain and improve the quality of the air, water and land resources of the state.

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 “Regulatory Compliance” section of the *CSP* (Exhibit M) 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 M) contains the investments strategies adopted to meet present and future service demands. The following summary of Portland’s water investment strategy is provided as an example.

Goal 6 – Table 1. Investment Strategy

Water System Program	FY 2013-2018	FY 2018-2033
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
TOTAL	\$490,719,288	\$1,076,350,000

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 *CSP* (Exhibit M), this ordinance meets all applicable requirements of Goal 6.

Statewide Planning Goal 7 Findings

Goal 7. To protect people and property from natural hazards.

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 M) that identifies essential facilities.

The *CSP* (Exhibit M) 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 M) 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.
- 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 M) 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 implemented 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 M), this ordinance meets all applicable requirements of Goal 7.

Statewide Planning Goal 8 Findings

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

Goal 8 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 M). 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 M) 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 M) 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 *2035 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 *CSP* (Exhibit M), this ordinance meets all applicable requirements of Goal 8.

Statewide Planning Goal 9 Findings

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

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 (EOA)* 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.

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, reaching a total of about 511,000 jobs by 2035. This distribution identifies the number of new jobs Metro expects Portland to accommodate as its contribution 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 the number of these jobs in unincorporated areas within Portland's Urban Services Boundary, and accounting for actual

2010 job data, 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 expected Y2010-2035 job need as 142,000. This number forms the basis of subsequent land need analysis.

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 *Employment Opportunity Analysis* and *Buildable Land Inventories*. In other words there is no equivalent regional analysis to which Portland's *EOA* must conform.

The *EOA* (Exhibit L) has four parts:

1. Part one fulfills the requirement to review national, state, regional, county and local trends.
2. Part two describes the forecast employment demand through 2035, and translates that demand to acreage needs in different employment geographies with different site types.
3. Part three describes the land supply of the existing *Comprehensive Plan*, and calculates the resulting surplus or deficit.
4. 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 *Section 2/3* of the *EOA* (Exhibit L). 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 Section 2/3* (Exhibit L).

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.

1. The mix of job types within each employment geography was used to calculate a related mix of six building types.

2. 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.
3. The average intensity of development in floor area ratios were then applied to forecast building areas to calculate land needs in acres.
4. Lands 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 growth land need of 2,910 acres. With the current *Comprehensive Plan*, there is a land supply of 3,240 acres. With the recommended strategy described in Section 4 of the *EOA*, there is an expected land supply of 4,195 acres. The following table, taken from Figure 27 of Section 2/3 (page 36) and Figure 2 of Section 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 *Comprehensive Plan* in several geographies.

As this table shows, the *EOA* found that the 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. The Harbor Access Lands geography was added in the revised *EOA* to respond to direction from LCDC to separately examine that geography. The recommended strategy described in Section 4 of the *EOA* resolves all but one of these deficits. The strategies used to do so will be described later in this finding.

Goal 9 – Table 1. Employment Land Need and Supply by Geography

Employment Geography	2035 Land Need in Acres	Existing Comprehensive Plan		EOA Section 4 Strategy	
		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	1,067	54
Harbor Access Lands	192	113	-79	167	-25
Columbia East	350	356	6	416	66
Dispersed Employment	130	121	-9	146	16
Gateway Regional Center	50	137	87	164	114
Town Centers	130	304	174	381	251
Neighborhood Centers & Corridors	510	863	353	944	434
Institutions	370	306	-64	522	152
Total	2,895	3,240		4,197	
Aggregate Geography					
Central City	150	266	116	390	240
Industrial	1,685	1,365	-320	1,796	111
Neighborhood Commercial	690	1,303	613	1,489	799
Institutions	370	306	-64	522	152
Total	2,895	3,240		4,197	

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 or commodity/cargo 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 each year to handle the cargo.

For commodity-related land needs, 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 86 of Section 1. The medium forecast at 2% average annual growth estimates 150 acres of land needed for new auto and grain terminal development through 2035. The report describes low, medium, and high cargo forecasts that identify unmet cargo demand for autos and grain commodity types. The report concludes that existing marine terminals that handle other commodity types have adequate capacity to handle expected this growth through 2035. In Testimony, the Port of Portland documented several recent major investments to expand existing marine terminals, beyond what was estimated in the 2012 ECONorthwest report. These investments substantially expand the Portland Harbor's existing capacity, and reduce the amount of additional land need.

The PSC recommended that the City base the commodity-related land need on the low commodity forecast, because recent historic commodity volume trends show flat or relatively modest growth in cargo volumes. At the public hearings, City Council received a significant amount of testimony on whether or not to use the low or medium cargo forecast volumes. Much of that testimony cited the importance of the Port of Portland to the economy of the state, and expressed concerns that adoption of a low forecast would discourage economic investment. The City Council found this testimony to be compelling and adopted the medium commodity forecast. The revised medium cargo forecast and practical site-size assumptions, result in a 23-acre shortfall. As discussed below, this shortfall can be accommodated by surplus capacity in the adjacent Harbor and Airport Districts, where there are recent warehouse and freight developments that are located in close proximity to the marine terminals, but do not have direct access to the riverfront.

Section 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 25 acres. This is described in Section 4 of the *EOA*, on pages 16 and 24.
- Harbor & Airport Districts: Land use and policy changes and investments are recommended to increase the effective capacity of this geography by 123 acres. This includes Comprehensive Plan Map changes to designate several private golf courses as industrial that will enable future conversion when the property owners choose.
- 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 Section 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 that 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 Section 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.

These strategies resolve all of the land supply deficits, except in the Harbor Access Lands. The *EOA* also documents 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 waterfront location. The City Council is persuaded that 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 25 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. This is discussed, with examples, in Section 4 of the *EOA*.

The City Council received some testimony with concerns that the brownfield redevelopment rates exceed the historic rates, even with continued uncertainty over the cleanup plan for the Portland Harbor Superfund site. The City Council was not persuaded by this testimony because the State Legislature passed two significant pieces of legislation that will support the

redevelopment of brownfields. In 2016, the Legislature passed House Bill 4084, which authorizes local governments to provide property tax abatements to property owners who address environmental conditions on brownfield sites. In 2015, the Legislature passed House Bill 2734, which authorizes local governments to create land bank authorities to acquire, rehabilitate, redevelop or re- utilize brownfield properties. The legislature's action is evidence that there will be more resources to support increased brownfield cleanup rates within this planning period. The Council also found that the *Portland Brownfield Redevelopment Assessment* report provides several reasonable strategies to increase the rate of brownfield cleanup³. The report also provides economic analysis showing a positive return on public investments in brownfield cleanup.

The City Council also received a substantial amount of testimony regarding the potential conversion of private golf courses to industrial use. Representatives of the Riverside Country Club objected to the proposed industrial designation of the club's property on the grounds that they have no intention of converting and an industrial designation would harm their ability to attract members. The City Council did not find this testimony to be persuasive because of the national market trends that indicate Portland has an oversupply of golf courses given current and projected demand (Section 4 of the *EOA*, starting on page 22); the Year 2035 planning horizon is a long way off and the industrial designation provides long-term flexibility for the owners, rather than a hindrance. The City Council also received testimony from the owners of the Broadmoor Golf Course requesting a conversion of a portion of their site from an open space designation to industrial. In this case, the City Council decided not to change the designation because of the significant natural resources on the site associated with the Columbia Slough and Catkin Marsh.

The City Council also received a substantial amount of testimony on retail sales leakage and the demand for large format grocery stores from Mark Whitlow and Eric Hovee on behalf of the Retail Task Force and the International Council of Shopping Centers. Whitlow and Hovee requested changes to the *EOA* to update retail sales and leakage data from 2008 to 2015; to incorporate the findings of a 2011 PDC/Leland Consulting Group study of grocery sites in Portland; and to identify unmet neighborhood retail and service needs. The City Council did not find this evidence persuasive enough to change the *EOA*. With respect to the retail sales leakage analysis, BPS found discrepancies in the scale of the leakage depending on the data source and that most (89 percent) of the leakage for grocery stores to be in West Portland where there are many options available in the adjacent cities of Beaverton, Tigard and Lake Oswego. The 2011 PDC/Leland study was not consistent with the *EOA* development capacity analysis because it only considered vacant buildings and sites that were currently on the market and offered for sale or lease. The study did not consider underutilized or underdeveloped sites that are likely to redevelop by the Year 2035. Finally, retail sales leakage is only one factor to be considered in the identification of needed sites. In the end, the issues raised by Whitlow and Hovee do not materially change the outcome of the *EOA* that demonstrates that the Neighborhood Commercial geography has an adequate supply of development capacity that has a variety of site sizes (including sites suitable for large-format grocery stores) and is well distributed across Portland.

³ Section 6 of this report suggests a variety of strategies including regulatory changes, tax incentives, land banking, and more direct financing.

In summary, the *EOA* demonstrates Portland will have an adequate land supply to meet the forecasted needs for nine of the ten employment geographies. The recommended strategy in Section 4 of the *EOA* results in an aggregate industrial lands surplus of 111 acres. The Year 2035 Harbor Access Lands deficit of 25 acres represents less than two percent of the Year 2035 citywide industrial land need. Also, the 54 acres of surplus capacity in the adjacent Harbor and Airport Districts, will be available to satisfy the non-water dependent employment forecasted for the Harbor Access Lands. Finally, this shortfall in one employment geography 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, a Comprehensive Plan policy could be adopted that calls for updating the *Economic Opportunities Analysis* and short-term land supply strategies every 5 to 7 years (this would be a periodic review Task IV action).

For the reasons stated above, the reasons stated in the City's *EOA* (Exhibit L) 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

Goal 10. To provide for the housing needs of citizens of the state.

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 and its implementing administrative rules contain the following specific requirements (:

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

Housing Needs and Buildable Lands Inventory

The City satisfactorily completed the first two requirements of Goal 10 with its adopted Task II periodic review submittal (Ordinance No. 185657), which LCDC 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).

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.

The final requirement will apply to any implementing actions adopted in the future (periodic review Task V, or subsequent post acknowledgement amendments).

Housing Capacity

In 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 123,000 new housing units by the Year 2035. LCDC acknowledged that inventory methodology and capacity finding in Order No. 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.

In this ordinance, Council adopts a revised *BLI*, accurate up to July 2015 (Exhibits C through J). This new inventory replaces and refreshes the former inventory by accounting for new development that 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 123,000 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 LCDC Order No. 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.

The list below identifies land constraints that have some degree of impact on residential capacity (ranging from severe to mild). In an abundance of caution the City has also re-calculated residential capacity, with zero capacity assigned to these categories of constrained land:

- Publicly-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).
- 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

This narrower subset of the *BLI* identifies about 3,850 acres of vacant and re-developable land available for housing that is not within any of the above-listed constrained areas. This land can accommodate approximately 139,000 units of housing (assuming the current *Comprehensive Plan*).

The initial acknowledged *BLI* and the narrower alternative that excludes all land with the above-listed constraints includes a City supply of residential land sufficient to meet the City's identified housing needs within the meaning of ORS 197.307(3), Goal 10 and OAR Chapter 660, Division 7. Further evaluation will occur with adoption of periodic review Task IV to ensure the new 2035 Comprehensive Plan Map also accommodates forecast growth.

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 remain 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 Metropolitan Housing Rule also require that at least 50% of the City's remaining residential capacity be available for multi-family units or attached single family units.

“Jurisdictions other than small developed cities must either designate sufficient buildable land to provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing” OAR 660-007-0030(1)

To provide a 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*; based on data from Exhibit B.5 of Ordinance No. 185657).

Goal 10 – Table 1. Household Types

Household Income	Group Number	Expected New Households by 2035
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
Total New Households	All	122,276

The comparison of households and housing types is provided in the *Growth Scenarios Report* (Exhibit K, pages 46 – 53). At its simplest level, the analysis provides an understanding of the 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 2012 BLI (based on the existing Comprehensive Plan), and the updated 2015 inventory. The 2015 inventory provided data for both the existing *Comprehensive Plan* and *2035 Comprehensive Plan*.

Goal 10- Table 2. Multifamily Share

Housing Capacity	Existing Comp. Plan (2012 BLI adopted w. Ord. No. 185657)	Existing Comp Plan (2015 BLI)
Single-dwelling	35,000 (15%)	29,000 (14%)
Multi-dwelling	198,000 (85%)	181,000 (86%)
Total	233,000	210,000

The table above shows that Portland’s existing Comprehensive Plan easily complies with this aspect of the 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 2035 Comprehensive Plan similarly meets the requirement, based on both the 2012 and 2015 inventory. This goal requirement is met. Further evaluation will occur with adoption of periodic review Task IV to ensure the new 2035 Comprehensive Plan Map also meets this requirement.

Because Portland has far more capacity for residential development than the forecast growth (210,000 new units for 123,000 new households), the City developed a computer model to estimate where the needed 123,000 units would most likely be built, and what form they might take⁴. 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).

⁴ Buildable Lands Inventory and Growth Allocation GIS Model, Revised April 2016

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). Supporting documents use the term “allocation” to reference this model output, distinct from the term “capacity.” The “allocation” refers to the number of units that are forecast to be built in a particular area by 2035, while the “capacity” refers to the full build out of all vacant and underutilized land within the area.

Goal 10 – Table 3. Housing Types

Housing Types	Type Code	New Housing Type Allocation (2010-2035)
		(Existing Comp Plan)
Single Dwelling	SFR	25,000
Detached Single Family House	A	14,000
Small-Lot Detached Single Family House	B	3,000
Medium Density Building with Attached Single Family Units	C	5,000
High Density Building with Attached Single Family Units	D	3,000
Multi Dwelling	MFR	95,000
Duplex to Six-Unit Building	E	8,000
Four Story Corridor Apartment Building all Residential	F	16,000
Single Room Occupancy and Studio Apartment Building	G	9,000
Neighborhood Four Story, Mixed Use Building with Retail on Ground Floor	H	21,000
Mid-Rise, Small Unit, Apartment Building	I	19,000
Mid-Rise, Large Unit, Apartment Building	J	3,000
High-Rise Apartment Building	K	19,000
Accessory Dwelling Unit	ADU	3,000

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.

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 does not need 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.

Oregon state laws prohibit rent control, and real estate transfer fees. Recent changes in state law allow limited forms of inclusionary zoning. 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. Other affordability tools available to Portland include 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 considered with periodic review Task IV.

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 a positive 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 City Council selected a highbred land use approach - maintaining a strong Central City emphasis, but also allowing 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.

Metropolitan Housing Rule

The Metropolitan Housing Rule (OAR 660-007-0035) states that cities "***must provide for an overall density of ten or more dwelling units per net buildable acre***". This applies to land within

the Urban Growth Boundary⁵. Buildable is defined to include vacant and redevelopable land, excluding land constrained by natural hazards, steep slopes, or land subject to natural resource protection measures.

This ordinance does not adopt a land use map. This requirement will be evaluated with periodic review Task IV.

Goal 10 Conclusions

For the facts and reasons stated above, particularly the revised estimates of housing need and remaining capacity, as summarized in the revised land inventory (Exhibits C through J), the City complies 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

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

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

⁵ Because Portland was incorporated before the creation of the UGB, there is a small area (about 440 acres) of residentially-zoned land in Portland that is outside the UGB, which is zoned for rural farm and forest uses with a 20-acre minimum lot size. This land has been excluded from the analysis of this section.

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

The City Council chose to adopt a *CSP* (Exhibit M) 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 needed projects. A subset of these have been identified as necessary to support the *2035 Comprehensive Plan* (the *List of Significant Projects*), and will be adopted with the Comprehensive Plan in a companion ordinance. 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 K) provides performance measurements for frequent transit access, low stress bicycle network access, vehicle miles traveled, and mode shares.

Statewide Planning Goal 12 Findings

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

Goal 12, 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. Parts, but not all of the City's *TSP*, have to be adopted as part of the *Comprehensive Plan*.

All cities are required to provide safe and convenient motor vehicle, pedestrian and bicycle travel on a well-connected network of streets. Larger cities are required to provide for transit service and to promote more efficient performance of existing transportation facilities through transportation system management and demand management measures.

A key objective of Goal 12 (and associated administrative rules) is to reduce 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."

Applicability of Goal 12 to this Ordinance

The City's *TSP* must be based on an inventory of local, regional and state transportation needs, consider all modes of transportation, and consider the different consequences that would result from utilizing differing combinations of transportation modes (an alternatives analysis).

Goal 12 also requires the City's *TSP* to be coordinated and consistent with the *Oregon Transportation Plan*, state modal plans such as the *Oregon Highway Plan*, and Metro's *Regional Transportation Plan* and *Regional Transportation Functional Plan*. This ordinance adopts a *Growth Scenarios Report* to fulfill a requirement of the City's periodic review work program. This report identifies performance measures and includes an alternatives analysis that is relevant to compliance with the Transportation Planning Rule. The Transportation Planning Rule (OAR 660-0012) sets forth specific requirements for consistency with Statewide Planning Goal 12, and will be addressed below.

Transportation Planning Rule, OAR 660-012

The rules below implement Goal 12. Findings against these rules document further details of Goal 12 compliance.

OAR 660-012-0015 and 0016 - Preparation and Coordination of Transportation System Plans, and Coordination with Federally-Required Regional Transportation Plans in Metropolitan Areas

These rules require coordination with the state and regional transportation plans (such as the *Oregon Highway Plan* and the *Regional Transportation Plan*), and with other transportation providers. Statewide Planning Goal 2 also requires such coordination. This ordinance is consistent with this rule because the City carried out transportation-related alternatives analysis and development of evaluation criteria in cooperation Metro, the Oregon Department of Transportation, and Trimet.

Specific coordination included:

- Metro Regional Transportation Model: The City employed Metro's regional travel model to assess transportation impacts of different spatial distributions of future jobs and housing resulting from continued utilization of the existing plan map and the new map (details described above).
- Transportation Expert Group: Transportation Expert Group was convened in 2014-2016 to provide further oversight over development of TSP policies, and project selection. The TEG included representatives from ODOT, Trimet, Metro, and the Port of Portland. A subset of this group met regularly to more closely coordinate transportation modeling, issue identification, and proposed solutions – this included representatives from Metro, TriMet and the Oregon Department of Transportation. The group also provided feedback in the development of project ranking criteria (discussed below in response to OAR 660-012-0040).
- Oregon Highway Plan Policy 1.F Mobility Targets: The City has worked closely with ODOT to evaluate the adequacy of the *TSP* and the impacts of Comprehensive Plan changes on the state highway system. ODOT has participated as a technical advisor during the modelling process described above, and during the development of policies and project lists. Several staff work sessions occurred to identify locations of concern, based on transportation modelling results. Specific findings related to the Oregon Highway Plan are below.

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

This section of the rule requires that the *TSP* shall establish a coordinated network of transportation facilities and services adequate to serve state, regional, and local transportation needs, and identifies the required elements of a TSP. The table below summarizes the required elements, and identifies where they are addressed.

TPR – Table 1. TSP Elements

Element	Status
A determination of transportation needs and evaluation of alternatives.	See findings for 0AR 660-012-0030 and 0035. This ordinance adopts an alternatives analysis as part of the <i>Growth Scenarios Report</i> (Exhibit K).
A road plan for a system of arterials and collectors and standards for the layout of local streets and other important non-collector street connections.	Existing acknowledged street classification maps and policies, which are not being amended with this ordinance. Street classification amendments are proposed with Stage 2 of the <i>TSP</i> , which will be completed with periodic review Task V.
A transit, bicycle and pedestrian plan	Existing adopted modal plans, which are not being amended with this ordinance. The <i>TSP</i> project list will be adopted with Task IV.
An air, rail, water and pipeline transportation plan which identifies airports, railroads, ports, and major regional pipelines and terminals.	The existing adopted <i>Freight Master Plan</i> and <i>PDX Airport Futures Plans</i> . <i>TSP</i> project list will be adopted with Task IV.
A plan for transportation system management and demand management.	New TDM programs are proposed with Stage 2 of the <i>TSP</i> , which will be completed with periodic review Task V.
A parking plan.	New parking management programs are proposed with Stage 2 of the <i>TSP</i> , which will be completed with periodic review Task V.
Policies and land use regulations for implementing the TSP.	Policies will be adopted with Task IV, and amendments to land use regulations with Task V.
A transportation financing program.	<i>TSP</i> project list will be adopted with Task IV.

Required needs assessment and analysis of alternatives have been completed as described in findings responding to 0AR 660-012-030 and 035. This ordinance adopts a *Growth Scenarios*

Report (Exhibit K), which fulfills requirements of OAR 660-012-0030 and 0035 (see findings below).

OAR 660-012-0030 - Determination of Transportation Needs

This rule requires TSPs to be based, in part, on an assessment of state, regional, and local transportation needs; needs of the transportation disadvantaged; and needs for movement of goods and services to support industrial and commercial development planned for pursuant to Statewide Planning Goal 8 (Economic Development) Needs are defined in OAR 660-012-0005 as:

“Estimates of the movement of people and goods consistent with acknowledged comprehensive plan and the requirements of this rule. Needs are typically based on projections of future travel demand resulting from a continuation of current trends as modified by policy objectives, including those expressed in Goal 12 and this rule, especially those for avoiding principal reliance on any one mode of transportation.”

The conducted an analysis of motor vehicle mobility (volume to capacity ratios) in collaboration with Metro and ODOT. In addition, the City has adopted a variety of plans, reports and studies that together comprise the City’s transportation needs assessment. This includes:

- *Columbia Multimodal Corridor Study* (2012)
- *Portland Bicycle Plan for 2030* (2010)
- *Infrastructure Condition and Capacity Report* (2009)
- *Central Portland Transportation Plan Assessment* (2009)
- *Portland Streetcar System Concept Plan* (2009)
- *Portland Freight Master Plan* (2006)
- *Portland Pedestrian Master Plan* (1998)
- *Portland Traffic Safety Report* (2016)
- *High Crash Corridor Map, 2008 to 2012*
- *Regional Trails and Greenway Map* (2014)
- *Multimodal System Completeness, A strategy for Measuring and Building Portland’s Transportation System* (2015)
- *Alternative Mobility Standards and Performance Measures* (2012)
- *Citywide Systems Plan* (2015)
- *Growth Scenarios Report* (2015)

Regional Travel Demand Model and Analysis

To support this analysis, the City coordinated with Metro to run the Regional Travel Demand Model. As a baseline for this modelling exercise, the City used the adopted 2035 Financially Constrained RTP project list (adopted 2010, based on the City’s 2007 TSP), the adopted 2012 Metro Urban Growth Report jobs and housing forecast for 2035, and the subsequent *Regional*

Transportation Plan allocation of households and jobs to Metro Traffic Analysis Zones (TAZs)⁶. The performance of other subsequent model results was compared with this baseline outcome.

The Regional Travel Demand Model was run 3 three times, with additional supplemental City analysis⁷. In each case, this analysis compares expected performance of the planned transportation system in 2035.

- The first model run measured the impact of staff-proposed land use changes, while holding planned transportation improvements constant per the current adopted City *TSP*.
- The second run added the staff-proposed revised *TSP* project list⁸, to measure the impact of project list changes in isolation.
- The third model run had the same parameters as the second, but using the updated land use and project recommendations from the Planning and Sustainability Commission (this final run is primarily relevant to periodic review Task IV).

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

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

To fulfill the requirement to consider alternatives, the City evaluated the transportation impacts of the existing *Comprehensive Plan* and *TSP*, the *2035 Comprehensive Plan* and *TSP*, and several other hypothetical alternative growth management strategies. This information was published and presented to decision-makers in the *Growth Scenarios Report*. 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, based on modeling described above, to evaluate compliance with the *Oregon Highway Plan* and *Regional Transportation Functional*

⁶ This allocation was made using land use assumptions from the current adopted Comprehensive Plan.

⁷ A more detailed description of modelling methods is found in a memo to City Council dated April 18, 2016.

⁸ The “project list” is the list of improvements that define the planned modes, functions, capacities, and general locations of improvements to the transportation system. In RTFP terms, the project list is the list of “solutions” or strategies (defined in 3.08.220) to meet “needs” identified pursuant to RTFP 3.08. 110 through 160 and 3.08.210.

Plan (RTFP). The City must demonstrate that solutions (projects and programs) “will achieve progress towards those targets and standards.” (Metro Code, 3.08.230.A). A summary this analysis is 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 transportation system is expected to increase this percentage from 47% to 53% by 2035. Other land use scenarios examined resulted in 53% - 55% of households being within ¼ mile of frequent transit. This analysis is found on pages 58 and 59 of the *Growth Scenario Report*.

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 from 56% to 62%. Several other land use scenarios lead to similar results (61% to 63%). This analysis is found on pages 60 and 61 of the *Growth Scenario Report*.

Vehicle miles traveled (VMT): VMT is reported as a total number of miles per weekday. The City’s *Climate Action Plan* set a target of reducing 2030 per capita daily vehicle miles traveled by 30 percent from 2008 levels. 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. Other land use scenarios studied did not have significantly different results⁹.

Consultants have suggested the Regional Travel Demand Model may not be able to model some of the benefits that may come from more robust Transportation Demand Management (TDM) programs and small scale bike improvements. Post-modelling analysis suggests that as much as a 27% VMT reduction per capita may possible with the recommended bike improvements and TDM measures¹⁰.

Mode share: In 2010 about 81% 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 76%. Other land use scenarios examined by the City resulted in shifts of 1% to 5% relative to 2010¹¹.

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.

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

⁹ This analysis is found on page 62 of the *Growth Scenario Report*.

¹⁰ Fehr and Peers Memorandum, May 31, 2015

¹¹ This analysis is found on page 63 and 64 of the *Growth Scenario Report*.

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.

The modeling and analysis described above establish a basis for evaluating if the *2035 Comprehensive Plan* will advance key objectives of Goal 12, including supporting a pattern of travel that will avoid air pollution, reducing reliance on single occupancy automobile use, and making it more convenient for people to walk, bicycle, and use transit. This analysis is relevant to periodic review work program Task III, subtasks A, B and C. Findings describing how the *2035 Comprehensive Plan* performs relative to these metrics will be provided with adoption of Task IV.

Land Use Patterns and Transportation

As described in the *Growth Scenarios Report*, the City examined several different possible growth patterns, including consideration of a linear corridor-oriented pattern of growth, a distributed polycentric pattern, and a more Central City focused pattern. The recommended (preferred scenario) is a “centers and corridors” pattern, with a heavy emphasis on continued growth in and around the Central City. This would allow Portland to accommodate about 30,000 additional households within the Central City, and another 20,000 households in the other close-in centers, corridors and multifamily neighborhoods within walking distance of the Central City. With a strong central city and spatially distributed centers and corridors, the preferred land use pattern encourages shorter trips, makes it more convenient for people to walk, bicycle, use transit; and allows people to drive less to meet their daily needs.

OAR 660-012-0035 Conclusions

The adoption of an alternatives analysis with Task III of periodic review is consistent with OAR 660-012-0035 because the City evaluated the potential impacts of several possible land use alternatives; and because the selected evaluation criteria will enable an evaluation of how well the *2035 Comprehensive Plan* performs relative to several key Goal 12 objectives.

OAR 660-012-0040 - Transportation Financing Program

This rule requires TSPs to include a transportation financing program. This ordinance does not adopt this element of the TSP (it is part of Task IV), but alternatives analysis performed with Task III will provide a foundation for evaluation of potential projects.

To prepare for development of the project list, a variety of evaluation criteria have been

developed, including safety, neighborhood access, economic benefit, freight access, freight mobility, revitalization, health, equity, climate, cost effectiveness, and community support. Several of these evaluation criteria were linked to performance measures described in findings in response to 0035 above.¹²

OAR 660-012-0045 – Implementation of the Transportation System Plan

The City zoning code and other implementing regulations complies with this section, and nothing in the current ordinance changes those measures.

OAR 660-012-0060 - Plan and Land Use Regulation Amendments

OAR 660-012-0060 is not applicable to this ordinance because this ordinance does not adopt any new plans and land use regulations. This ordinance adopts only supporting documents to build a foundation for later (Task IV and V) adoption of the *2035 Comprehensive Plan* and *Transportation System Plan*.

When a comprehensive plan and its associated transportation system plan are acknowledged to comply with Goal 12, the land uses allowed by the plan and the planned supporting transportation facilities are deemed to be in sufficient “balance¹³.” When the land use side of that equation, i.e. the comprehensive plan or zoning designations, are changed, the city must demonstrate that this balance can be maintained, as required by OAR 660-012-0060. During each major revision of, such as periodic review, plans are rebalanced to assure that existing and future land uses can be supported by existing and future transportation facilities.

Between these major revisions, local governments may amend their plans and land use regulations and designations through post-acknowledgement procedures. It is possible that one of these amendments, or a series of amendments in aggregate, could upset the balance achieved in the last major plan revision. OAR 660-012-0060 preserves balance between major revisions by requiring an examination of potential “significant effects” that might arise from a proposed plan or zoning amendment. Because this ordinance does not adopt any new plans and land use regulations, OAR 660-012-0060 is not applicable.

Statewide Planning Goal 13 Findings

Goal 13. To conserve energy.

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

¹² TSP Major Projects Performance Report, March 2015

¹³ “Balance” is a paraphrase of OAR 660-012-0020(3)

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.

Nevertheless, the Goal 2 analysis performed for the *Growth Scenarios Report* (Exhibit K) provides substantial evidence that the spatial development pattern allowed by the preferred land use scenario provides 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. The preferred pattern also reduces trip length by locating a larger share of households within a short walk of commercial and other services. This lowers the amount of energy used for transportation.

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

Statewide Planning Goal 14 Findings

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

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

- Providing orderly and efficient transitions from rural to urban land uses.
- Accommodating urban population and urban employment inside urban growth boundaries.
- Ensuring efficient use of land.
- 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 2, 9, 10, and 12 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 K) provides substantial evidence that the preferred spatial development pattern of urban jobs and housing 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

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

This ordinance does not change the Willamette River Greenway boundary, or adopt an inventory of greenway resources or uses, or adopt land used regulations that allow intensification of uses within the greenway. For these reasons, Goal 15 does not apply.

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

Portland is not within Oregon's coastal zone and 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 projects¹⁴, for the facts and reasons sated 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 (UGMFP)* 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.

¹⁴ Transportation projects are identified a separate list being adopted with the *List of Significant Projects* in a companion ordinance.

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 DLCD 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 this ordinance does not adopt land use changes or a TSP, the RTP does not apply to this ordinance.

Portland Comprehensive Plan Findings

Ordinances that amend comprehensive plans have to comply with policies that are not being amended. Since this ordinance provides supporting documents for a new comprehensive plan, which repeals and replaces the existing comprehensive plan, no part of that plan applies to this ordinance.

Portland City Code Findings

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 the *Community Involvement Report* (Exhibit B) 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 notice 14 days in advance 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.