

EXHIBIT A

Further Findings of Fact – Comprehensive Plan 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 and supplemented by a companion ordinance adopted the same date as this ordinance. 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 with a companion ordinance adopted the same date as this ordinance.

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

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

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

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

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

“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 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 I, Subtask C) and by recommending beneficial changes to the *Comprehensive Plan* and Title 33 of the City Code (Task I, Subtask D). The City Council accepted a CIC report for periodic review Tasks III and IV with companion ordinance adopted the same day as this ordinance.

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 four 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 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

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.

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

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 Work Program, Task II, Subtask D, to Task III, Subtask D, and required the City to recognize the forecast and allocation adopted by the Metro Council on November 29, 2012.

Compliance Status Summary of Portland’s Periodic Review Work Program

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|--------------------|---|
| 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 |

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

Periodic Review Products Adopted with a Companion Ordinance Adopted the Same Day as 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).
- Task II, Subtask A Revised BLI supporting documents (maps).
- Task II, Subtask D Revised Residential BLI Summary Map and Revised Estimate of Remaining Housing Potential.
- Task III, Subtask A Evaluation Criteria for Alternatives Analysis.
- Task III, Subtask B Thematic Alternatives Analysis.
- Task III, Subtask C Detailed Alternatives Analysis.
- Task III, Subtask D Revised *EOA*, Revised Employment BLI Summary Map, and Revised Estimate of Remaining Employment potential.
- Task IV, Subtask D. Part 1. *Citywide Systems Plan* (except for transportation).

Periodic Review Products Adopted by This Ordinance

This Ordinance adopts the following periodic review products.

- Task IV, Subtask A *2035 Comprehensive Plan Map* – Exhibit C.
- Task IV, Subtask B Goals and policies comprising the economic element of the *2035 Comprehensive Plan* – Exhibit B, Chapter 6.
- Task IV, Subtask C Goals and policies comprising the housing element of *the 2035 Comprehensive Plan* – Exhibit B, Chapter 5.
- Task IV, Subtask D. Parts 2-5 List of water, sewer and drainage projects necessary to support the *2035 Comprehensive Plan* –Exhibit B, Chapter 8, and *List of Significant Projects*.

Policy addressing Portland International Airport expansion – Exhibit B, Chapter 9.

Policy addressing Portland Heliport – Exhibit B, Chapter 9.

Coordination with school facilities plans – Exhibit B, Chapter 8 and 10.

Task IV, Subtask E
Parts 1-3,

Goals and policies of the *Transportation System Plan* – Exhibit B, Chapters 3, 8 and 9.

Modal preferences or mode split targets, level of service standards, including possible alternatives – Exhibit B, Chapter 9.

List of transportation projects necessary to support the 2035 *Comprehensive Plan* and conform *City Transportation System Plan* to the *Regional Transportation System Plan* – Exhibits D and E.

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* process;
- 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. The PSC accepted that report.

The *Community Involvement Report* for periodic review Tasks III and IV (CIC Report) was accepted by City Council with the adoption of a companion ordinance that was considered and adopted on the same date as this ordinance.

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* 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.
- 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*, particularly by 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 CIC 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, 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. 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.

Impact of Community Involvement

The robust community involvement described above had an impact on the plan. The PSC and Council record documents numerous amendments that originated with community suggestions – many from the neighborhood associations.

- Anti-displacement policies. Testimony from a coalition of housing-related organizations led to significant changes in the housing policies (Chapter 5).
- Middle housing. Testimony from several neighborhood association and housing organizations caused Council to consider greater emphasis on smaller (or “middle”) scale infill development.

- Economic policy. Testimony from neighborhoods and environmental organizations caused the City to take a different path on land use designations for West Hayden Island (Chapter 6 and the land use map).
- Nonconforming uses. Testimony from many commercial property owners and neighbors informed how small businesses in residential zones were depicted on the plan map (Chapter 6 and the land use map).
- People and freight movement. Testimony from a variety of transportation stakeholders had a direct impact on the wording of transportation policies. (Chapter 9 – particularly Policies 9.6 and 9.7).
- Property-specific map changes. Hundreds of individual property owners and neighbors provided information about specific sites that helped decision-makers refine the land use map.
- Historic preservation. Testimony from historic preservation organizations and neighborhoods caused the City Council to consider stronger policy wording (Chapter 4).
- Transportation projects. Testimony from East Portland and Southwest Portland neighborhoods helped decision-makers refine the project list, adding more emphasis on sidewalk improvements and transit access. Some projects were also re-scoped based on local feedback.

Ongoing Community Involvement Program

Goal 1 also requires a local advisory committee to assist with the development of an ongoing program that promotes and enhances involvement in land-use planning, assist in the implementation of the involvement program, and assist in evaluating the process being used for involvement. Local programs should enhance involvement at all phases of a project, including at the data collection stage, project scoping, the plan adoption process, and during adoption of implementation measures. Programs should ensure people can communicate and give input to decision makers and provide a mechanism for people to find out what happened to their comments. Finally, programs should make technical information available in an understandable form

The recommended new Community Involvement program and policies are consistent with Goal 1, for the following reasons:

A policy directs the creation of an ongoing CIC.

Policy 2.19 Community Involvement Committee. The Community Involvement Committee (CIC), an independent advisory body, will evaluate and provide feedback to City staff on community involvement processes for individual planning and investment projects, before, during, and at the conclusion of these processes.

Policies enhance involvement in all phases of planning, including at the data collection stage, project scoping, the plan adoption process, and during adoption of implementation measures.

Policy 2.9 Community analysis. Collect and evaluate data, including community-validated population data and information, to understand the needs, priorities, and trends and historical context affecting different communities in Portland. Policy 2.10 Community participation in data collection. Provide meaningful opportunities for individuals and communities to be involved in inventories, mapping, data analysis, and the development of alternatives.

Policy 2.14 Community influence. At each stage of the process, identify which elements of a planning and investment process can be influenced or changed through community involvement. Clarify the extent to which those elements can be influenced or changed.

Policy 2.16 Community Involvement Program. Maintain a Community Involvement Program that supports community involvement as an integral and meaningful part of the planning and investment decision-making process.

Policy 2.25 Early involvement. Improve opportunities for interested and affected community members to participate early in planning and investment processes, including identifying and prioritizing issues, needs, and opportunities; participating in process design; and recommending and prioritizing projects and/or other types of implementation.

Policy 2.26 Verifying data. Use data, including community-validated population data, to guide planning and investment processes and priority setting and to shape community involvement and decision-making efforts.

Policy 2.37 Process evaluation. Evaluate each community involvement process for planning or investment projects from both the City staff and participants' perspectives, and consider feedback and lessons learned to enhance future involvement efforts.

Policies ensure people can communicate and give input to decision makers.

Policy 2.8 Channels of communication. Maintain two-way channels of communication among City Council, the Planning and Sustainability Commission (PSC), project advisory committees, City staff, and community members.

Policy 2.20 Review bodies. Maintain review bodies, such as the Planning and Sustainability Commission (PSC), Design Commission, Historic Landmarks Commission, and Adjustment Committee, to provide an opportunity for community involvement and provide leadership and expertise for specialized topic areas.

Policies provide a mechanism for people to find out what happened to their comments.

Policy 2.15 Documentation and feedback. Provide clear documentation for the rationale supporting decisions in planning and investment processes. Communicate to participants about the issues raised in the community involvement process, how public input affected outcomes, and the rationale used to make decisions.

Policies require that technical information will be available in an understandable form.

Policy 2.11 Open Data. Ensure planning and investment decisions are a collaboration among stakeholders, including those listed in Policy 2.1. Where appropriate, encourage publication, accessibility, and wide-spread sharing of data collected and generated by the City.

Policy 2.30 Culturally-appropriate processes. Consult with communities to design culturally-appropriate processes to meet the needs of those affected by a planning or investment project. Evaluate, use, and document creative and culturally-appropriate methods, tools, technologies, and spaces to inform and engage people from under-served and under-represented groups about planning or investment projects.

Policy 2.40 Tools for effective participation. Provide clear and easy access to information about administrative, quasi-judicial, and legislative land use decisions in multiple formats and through technological advancements and other ways.

Policies to ensure adequate resources will exist to support the community engagement.

Policy 2.23 Adequate funding and human resources. Provide a level of funding and human resources allocated to the Community Involvement Program sufficient to make community involvement an integral part of the planning, policy, investment and development process.

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 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.

Several neighborhood associations submitted testimony requesting a more formal acknowledgement of the role of Portland's neighborhood association system within the community engagement policies and programs. Some advocated that the neighborhood associations should be the primary community involvement mechanism of the new plan. There was also some testimony critical of the broader direct outreach policies in Chapter 2. Decision-makers responded to this testimony by adding language acknowledging the ongoing importance of the neighborhoods; at the same time, they felt that Goal 1 would be better served by expanding community outreach to include other channels. This approach builds on the success of Portland's neighborhood-based system, and it also acknowledges that neighborhood associations are not always the most effective avenue to reach groups who are not traditionally well represented in land use decisions – particularly communities of color, immigrant communities, youth, and renters. Accordingly, the plan continues to emphasize expanded engagement methods, such as direct engagement with underrepresented communities who may not be comfortable or accustomed to participating in neighborhood associations.

The PSC and Council also considered testimony related to the wording of the engagement policies. In particular, there was some testimony expressing concern that the word “community” was being used rather than “citizen.” This was an intentional word choice by decision-makers because the term “citizen” may discourage participation of some immigrant and refugee communities. Decision-makers chose to use the word “community” because they believed it conveys a more inclusive meaning, consistent with the intent of Goal 1.

There was some testimony suggesting that Council amendments violated Goal 1 because they were made late in the process with less time for participants to react. The Council disagreed with this argument for two reasons. First, a long-range legislative project like a periodic review is an iterative process that yields changes and refinements along the way. Ultimately, it is the inherent role of the elected City Council to make a final decision about what land use plans and policies they wish to adopt. Second, many of the Council's amendments were the result of responding to testimony (for example, the “middle housing” policies). Whether identified by individual or grouped in packages, the testimony received from citizens on the proposed goals, policies, map, and amendments received full consideration by the Council. As explained in these findings and shown in the record, citizens have had ample ability to participate throughout this periodic review process consistent with Goal 1.

Finally, Council received considerable testimony about the “middle housing” policy, both for and against. Many of the letters against the policy believed that the policy would have the effect

of re-zoning their property without further community process. Council disagreed with this argument, and expressed a clear intent that the policy would result in a future planning process to determine where zoning should be changed to implement this policy. It would be premature to consider adoption of this policy as a de facto rezone, because the Council has not yet determined what properties it will apply to, and what specific zoning rules will apply. This policy is one of many policies in the plan. Implementation of it must be done in the context of the entire plan.

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. The plan has been developed with the assistance of several committees and advisory committees that include government partners.

The first is a Periodic Review Assistance Team, which met at least once a year from 2010 through 2015, composed of representative of Metro, TriMet and the following Oregon agencies: Business Development Department, Department of Agriculture, Department of Aviation, Department of Environmental Quality, Department of Fish and Wildlife, Department of Forestry, Department of Geology and Mineral Industries, Department of Human Services, Department of Land Conservation and Development, Department of Parks and Recreation, Department of State Lands, Department of Transportation, Department of Water Resources, Housing and Community Services Department, and the State Historic Preservation Office.

The second was a series of Policy Expert Groups (PEGs) convened from 2012 to 2013, to help staff prepare the first working draft of the *2035 Comprehensive plan* policies. PEGs were convened for Community Involvement, Economic Development, Education and youth success, [Transportation] Networks, Watershed Health and Environment, Infrastructure Equity, Neighborhood Centers, Residential design and Compatibility. An Industrial Land and Watershed Working Group was also convened, which included members of both the Watershed Health and Environment and Economic Development PEGS. PEG Members are listed on the

Acknowledgements page of the 2035 Comprehensive Plan. Participating agencies included Metro, Trimet, ODOT, Port of Portland, US Fish and Wildlife, Yakima Nation, Portland State University, Home Forward, PDC, Multnomah County Office of Citizen Involvement, Multnomah County Health, Business Oregon Brownfield Program, Portland Public Schools, Parkrose Schools, and Multnomah County SUN Services.

The third, the Transportation Expert Group was convened in 2014-2016 to provide further oversight 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 City of Portland planning staff have also engaged in one-on-one discussions with their counterparts in adjoining cities about the location of Portland’s Urban Services Boundary on the *2035 Comprehensive Plan Map* and it’s alignment with the service boundaries of the adjoining cities. The list of consulted cities includes Beaverton, Gresham, Happy Valley, Lake Oswego, Milwaukie, and Tigard. The Portland City Attorney with assistance from Beaverton’s and Metro’s attorneys prepared a Model Interagency Agreement to recognize any future adjustments that might be needed to adjoining service boundaries.

In addition to the above the City provided timely notices adoption of the *2035 Comprehensive Plan*, *2035 Comprehensive Plan Map*, and *List of Significant Projects* to Clackamas, Multnomah and Washington Counties, the Cities of Beaverton, Gresham, Happy Valley, Lake Oswego, Maywood Park, Milwaukie, and Tigard, Metro, TriMet, the Port of Portland, and the Special Districts Association of Oregon. Comments received from these entities were considered in developing *2035 Comprehensive Plan*, *2035 Comprehensive Plan Map*, and *List of Significant Projects*.

Findings in response to Goals 9, 10, 12, and the Metro Function Plan also describe more specific coordination activities as required by associated rules.

For the reasons stated above the *2035 Comprehensive Plan*, *2035 Comprehensive Plan Map*, and *List of Significant Projects* are sufficiently coordinated, within the Meaning of Goal 2, with the plans and programs of other governments.

Part I of Goal 2 also requires Portland’s *2035 Comprehensive Plan* “. . . 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.” A sufficient factual base has been established and sufficient alternative courses of action have been considered in the adopted *Comprehensive Plan* support documents listed in the Task II and Task III parts of the “Expanded Summary of Periodic Review Progress to Date” above. In particular, there is a summary of the City’s alternatives analysis contained in the *Growth Scenarios Report* adopted with a companion ordinance on the same date as this ordinance.

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.

It should be noted, however, Chapter 7 of the *2035 Comprehensive Plan* contains Policies 7.19 through 7.26 that concern "Planning for Natural Resources" and 7.23 to 7.26 "Protecting Natural Resources." Since the policies will be applied in addition to, rather than instead of, similar requirements of Goal 5, and since none of these policies describe choices or decisions prohibited

by Goal 5, there are no conflicts between adopted 2035 *Comprehensive Plan* policy and future application of Goal 5.

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 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 *Citywide Systems Plan* (adopted with a companion ordinance on the same date as this ordinance) 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* 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. Summary of 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.

In addition, Policies 7.5 and 7.7 call for continued improvement in air and water quality. This ordinance meets all applicable requirements of Goal 6.

For the reasons stated above, and for other facts and reasons included and stated within the *CSP*, 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. Adoption of the *CSP* took the next step by identifying essential facilities.

The *CSP* 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* 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* 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.

This Ordinance goes a step further in meeting Goal 7 by adopting *2035 Comprehensive Plan* Policies 4.79 to 4.84 that address hazard resistant urban design and development, as well as planning for post-disaster recovery. This ordinance also adopts Policy 7.1 that calls for the prevention of “development-related degradation of natural systems and associated increases in landslide, wildfire, flooding, and earthquake risks.” The prohibitions called for by Goal 7 can only be implemented through land use regulations. Consideration and adoption of land use regulations will occur in Task V of the City’s periodic review work program.

This ordinance meets all requirements of Goal 7 applicable to Task IV of the City’s periodic review work program.

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. These requirements have been met for the reasons stated in the Goal 8 findings for a companion ordinance on the same date as this ordinance.

In addition the *2035 Comprehensive Plan* contains the following policies that address future park needs and provide the policy basis for considering and adopting implementing land use regulations in Task V of the City’s periodic review work program:

Policy 3.35 Public places. Provide parks or public squares within or near Town Centers to support their roles as places of focused business and social activity.

Policy 3.39 Public places. Provide small parks or plazas within or near Neighborhood Centers to support their roles as places of local activity and gathering.

Policy 8.92 Acquisition, development, and maintenance. Provide and maintain an adequate supply and variety of parkland and recreational facilities to serve the city’s current and future population based on identified level-of-service standards and community needs.

Policy 8.93 Service equity. Invest in acquisition and development of parks and recreation facilities in areas where service-level deficiencies exist.

Policy 8.94 Capital programming. Maintain a long-range park capital improvement program, with criteria that considers acquisition, development, and operations; provides opportunities for public input; and emphasizes creative and flexible financing strategies.

Policy 8.95 Park planning. Improve parks, recreational facilities, natural areas, and the urban forest in accordance with relevant master plans, management plans, or adopted strategies that reflect user group needs, development priorities, development and maintenance costs, program opportunities, financing strategies, and community input. Consider developing master or management plans for properties that lack guiding plans or strategies.

Policy 8.96 Recreational trails. Establish, improve, and maintain a complete and connected system of Major Public Trails that provide recreational opportunities and that can serve transportation functions consistent with policies 8.53 through 8.60 and other City trail policies and plans.

Policy 8.99 Recreational facilities. Provide a variety of recreational facilities and services that contribute to the health and well-being of Portlanders of all ages and abilities.

Policy 8.103 Public-private partnerships. Encourage public-private partnerships to develop and operate publicly-accessible recreational facilities that meet identified public needs.

For the reasons stated above 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, a companion ordinance adopted a revised *Economic Opportunities Analysis* containing the following components required by Statewide Planning Goal 9, Economic Development:

- Review of national, state, regional, county and local trends
- Identification of required site types
- Inventory of industrial and other employment lands
- Assessment of community economic development potential

As stated in the EOA adopted with a companion ordinance, the City has a responsibility to plan for 142,000 jobs for the Metro's employment forecast period 2010 to 2035.

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*. 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. 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 translated to building area and developable land needs. 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.

Based on the *EOA*, 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 *2035 Comprehensive Plan*, 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.

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

| Employment Geography | 2035 Land Need in Acres | Existing Comprehensive Plan | | 2035 Comprehensive Plan | |
|----------------------------------|-------------------------|-----------------------------|-----------------------------|---------------------------|-----------------------------|
| | | 2035 Land Supply in Acres | Surplus or Deficit in Acres | 2035 Land Supply in Acres | Surplus or Deficit in Acres |
| Central City Commercial | 60 | 201 | 141 | 201 | 141 |
| Central City Industrial | 90 | 65 | -25 | 188 | 98 |
| Harbor & Airport Districts | 1,013 | 774 | -239 | 1,067 | 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 | |

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 *2035 Comprehensive Plan* resolves all but one of these deficits. The strategies used to do so will be described later in this finding.

While employment forecasts traditionally form the basis of employment land supply analysis, employment is not a very good indicator of the long-term land needs of the freight and distribution sectors of the economy. Accordingly, the City chose to use transportation throughput 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 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 land use 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. Policies 6.40 and 6.45 supports this intention.
- **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). A variety of TSP projects support this strategy (Exhibit D).
- **Land Retention:** The *EOA* also assumes a limited amount of employment land will be converted to other uses. 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 was recommended to strengthen the City's Industrial Sanctuary policies (Policies 6.37 to 6.39).

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 testimony from the Northwest District Association (NWDA) with concerns regarding the transportation impacts of a number of land use changes in the Guild's Lake/Northwest Industrial District, specifically redesignating the ESCO site and surrounding properties from Industrial Sanctuary to Mixed Employment. The City Council does not find this testimony to be persuasive for two reasons. First, the City has done citywide transportation modeling, which factored in this map change and associated transportation projects, that demonstrates the transportation system can support the potential increased employment (and associated traffic) from these changes. These modeling results are supported by testimony from ESCO that shows there is no difference between the two map designations when comparing the amount of office development allowed as a corporate headquarters and the office development allowed under the Mixed Employment (EG zoning) designation. Second, the NWDA concerns are focused on the zoning map designation for this area, which City Council has not decided yet. As part of Task V, the City Council will consider the zoning map designation, which will again address the transportation capacity issues.

The City Council received testimony from the College Coalition regarding the mapping of the Campus Institution land use designation and the impact on the development capacity for future growth of campus institutions. This testimony included a request to add additional properties to the Campus Institution designation. The City Council does not find this testimony to be persuasive for two reasons. First, the new Campus Institution designation affords the opportunity to create a base zone that will provide a surplus capacity of 152 acres – 141 percent of the forecasted need. Second, the proposed map changes, specifically at Lewis and Clark University, are too small in size to significantly change the development capacity for Campus Institutions and raise a number of issues related to neighborhood compatibility and transportation impacts.

Goal 9 Conclusions

In summary, the findings above demonstrate Portland will have an adequate land supply to meet the forecasted needs for nine of the ten employment geographies. The 2035 Comprehensive Plan 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 the *2035 Comprehensive Plan* includes Policy 6.18 (Evaluate land needs) that calls for updating the *Economic Opportunities Analysis* and short-term land supply strategies every 5 to 7 years.

For the reasons stated above, the reasons stated in the City's *EOA*, 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.

The City satisfactorily completed two requirements of Goal 10 with its Task II periodic review submittal adopted by Ordinance No. 185657 and as updated and revised with a companion ordinance adopted the same date as this ordinance. The first two parts of Goal 10 have been met for the reasons stated there.

Ordinance No. 185657 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). With a companion ordinance adopted the same date as this ordinance, the City described its 2010-2035 housing need as 123,000 units. These reports provide additional facts supporting housing need by type, tenure and affordability.

This ordinance addresses the third and fourth of these requirements by adopting a land use map and housing policies.

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.

With a companion ordinance adopted the same date as this ordinance, Council adopted a revised BLI, accurate up to July 2015. Using this revised inventory of land, and the same GIS methods acknowledged with LCDC Order No. 001850, and summarized above, the City estimates that the existing *Comprehensive Plan Map* has capacity for 210,000 additional units as of mid-2015. Again using the same revised inventory of land, and the same methods already acknowledged by LCDC, the *2035 Comprehensive Plan Map* provides an estimated capacity of 247,000 additional

units², still well beyond the estimated need.

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 calculated the residential capacity of the *2035 Comprehensive Plan Map*, with zero capacity assigned to these categories of constrained land:

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

A map of the residential land that is not within any of the above-listed areas was included with the *BLI* adopted with a companion ordinance adopted the same date as this ordinance. The residential housing capacity of this completely unconstrained area, with the *2015 Comprehensive Plan Map*, is approximately 169,000 units. This is less than the capacity estimated by the discounting

² *Buildable Lands Inventory and Growth Allocation GIS Model*, Revised April 2016

method already acknowledged by LCDC, but still much more than the estimated need of 123,000 housing units. This map 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.

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 of that ordinance, 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. The final column shows the capacity if the narrower methodology described above, which assumes that land with even a mild constraint has no residential capacity.

Goal 10 – Table 2. Multifamily Housing Share

| Housing Capacity | Existing Comp. Plan (2012 BLI adopted w. Ord. No. 185657) | Existing Comp Plan (2015 BLI) | 2035 Comp Plan (2015 BLI) | 2035Comp Plan (2015 BLI excluding all constrained land) |
|-------------------------|--|--------------------------------------|----------------------------------|--|
| Single-dwelling | 35,000 (15%) | 29,000 | 29,000 (12%) | 17,000 (10%) |
| Multi-dwelling | 198,000 (85%) | 181,000 | 218,000 (88%) | 152,000 (90%) |
| Total | 233,000 | 210,000 | 247,000 | 169,000 |

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.

Because Portland has far more capacity for residential development than the forecast growth (247,000 new units for 123,000 new households), the City developed a computer model to estimate where the forecast 123,000 units would most likely be built, and what form they might take³. This was done in order to better understand if expected housing production would meet identified needs (type, tenure, affordability), and also to evaluate the city’s performance on other metrics (transportation modelling, environmental impacts, etc.)

This “Housing Allocation” analysis was based on the inventory of vacant and underutilized land described above. This model creates a simulated housing allocation based on the type and density of housing allowed in each land use designation, past building permit trends, and several economic factors. The model identifies four types of single-dwelling units, seven types of multi-dwelling units, and accessory dwelling units. These types are listed in the table below and also described in the *Growth Scenario Report* (taken from Table 12 on page 47). 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.

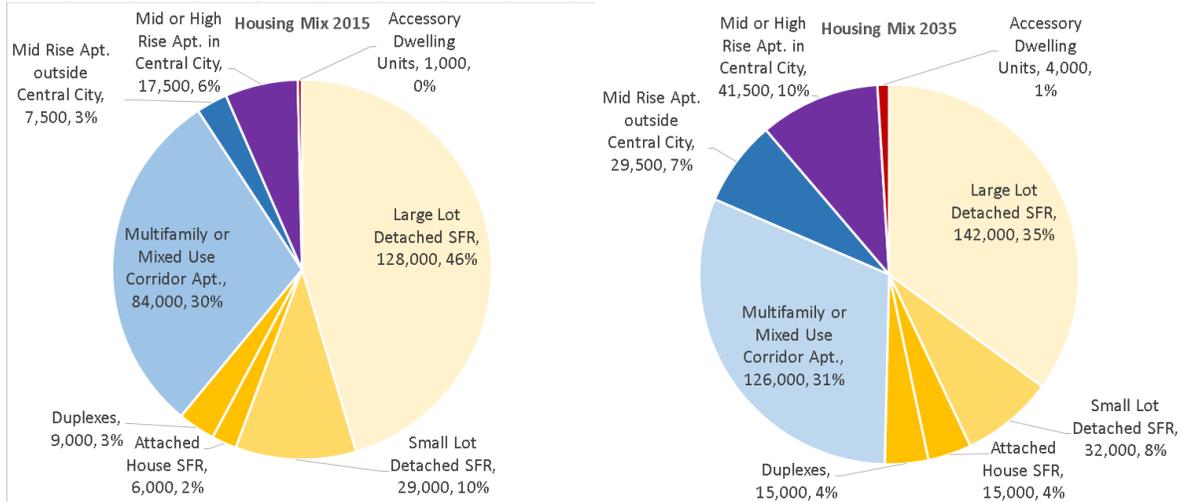
³ *Buildable Lands Inventory and Growth Allocation GIS Model*, Revised April 2016

Goal 10 – Table 3. Housing Types

| Housing Types | Type Code | New Housing Type Allocation (2010-2035) | |
|---|------------|---|---------------|
| | | Existing Plan | New Plan |
| Single Dwelling | SFR | 25,000 | 26,000 |
| Detached Single Family House | A | 14,000 | 14,000 |
| Small-Lot Detached Single Family House | B | 3,000 | 3,000 |
| Medium Density Building with Attached Single Family Units | C | 5,000 | 5,000 |
| High Density Building with Attached Single Family Units | D | 3,000 | 4,000 |
| Multi Dwelling | MFR | 95,000 | 94,000 |
| Duplex to Six-Unit Building | E | 8,000 | 6,000 |
| Four Story Corridor Apartment Building all Residential | F | 16,000 | 13,500 |
| Single Room Occupancy and Studio Apartment Building | G | 9,000 | 13,500 |
| Neighborhood Four Story, Mixed Use Building with Retail on Ground Floor | H | 21,000 | 15,000 |
| Mid-Rise, Small Unit, Apartment Building | I | 19,000 | 18,000 |
| Mid-Rise, Large Unit, Apartment Building | J | 3,000 | 4,000 |
| High-Rise Apartment Building | K | 19,000 | 24,000 |
| Accessory Dwelling Unit | ADU | 3,000 | 3,000 |

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

Goal 10 – Figure 1. Housing Mix



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 zones.

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

State planning law requires that housing needs be analyzed and identified by affordability, and requires that land be made available in sufficient supply to accommodate the amount of affordable housing needed. Allowing for a robust supply of inherently more affordable housing types (small studio apartments, ADUs, small-lot single family, etc.) does not mean that these housing units will actually be affordable in practice. In a market economy, housing is allocated to the highest bidder. If supply is limited, the price of even the more affordable housing types can be bid up. In addition, new housing is typically more expensive than older housing. Not all

new households will occupy new housing units. Higher income households will often occupy new housing units, leaving older units to lower income households. If housing supply is tight, the price of older housing units can also be bid up. In light of these market dynamics, the primary impact of a comprehensive plan on affordability will be the extent to which it allows for an adequate overall supply, and allows for a diverse mix of housing. The facts described above show that the *2035 Comprehensive Plan* does this.

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 are addressed below.

Several specific land use changes have an impact on housing and capacity, housing choice, and affordability.

- The *2035 Comprehensive Plan* includes a number of down-designations, where allowed residential density is being reduced. This is generally occurring in remote locations where urban infrastructure is lacking (no sidewalks, unpaved streets, limited sewer and water access), and where provision of such infrastructure would be expensive (steep slopes, landslide hazard areas). These locations are primarily in low density areas (R7, R10, R20). These density reductions will not impact affordable housing opportunities because development of these areas would be inherently expensive. The impact on the overall housing supply is limited because these areas are constrained, and are therefore counted at a discounted rate in the BLI.
- The *2035 Comprehensive Plan* includes a number of down-designations in outer East Portland. Some multi-dwelling designations are being removed and replaced with single-dwelling designations. This is occurring primarily in areas that are not close to transit, and where there is limited sidewalk infrastructure. Because these areas are not well served by transit, new residents in these areas would likely have higher transportation costs. Limited down-designations in these locations will encourage multi-dwelling development to be built in more transit-accessible locations, with a positive impact on household budgets. There is more than enough multi-dwelling capacity elsewhere to compensate for this impact.
- The *2035 Comprehensive Plan* includes a new set of mixed-use map designations, to replace the City's commercial designations. The new designations are based on the centers and corridor growth strategy described in the Urban Design chapter of the plan (Chapter 3). This change re-affirms the City's intent to provide a range of mixed use housing opportunities, especially in close-in locations. The plan recommends an "Urban

Center” mixed use designation for all Town Centers and all other centers and corridors close to the Central City. The Urban Center designation allows for up to 5 story mixed use or residential development. This change is consistent with recommended Policy 5.21, New development in opportunity areas.

As part of the City’s evaluation of land use changes being proposed with the 2035 *Comprehensive Plan*, staff compared the racial and income demographics of the areas being re-designated. Some testimony questioned this practice. This data was not used as a determining factor in any one individual map change, but instead was used to test and evaluate the overall impact of all residential map changes. This was done because recent federal guidance warns that rezoning decisions that primarily benefit or burden one group over another can be problematic under the federal Fair Housing Act. For example, if most down-zoning occurred in white high income neighborhoods, the plan could be judged to have a discriminatory effect, even if it was not intentional. The analysis showed that residential land use changes were being made in a wide variety of neighborhoods, with different demographic mixes.

Comprehensive Plan Housing Policy

Chapter 5 of the 2035 *Comprehensive Plan* comprises the City’s Goal 10 housing strategy. Several specific housing policies are discussed below, which address maintaining housing supply and capacity, increasing housing choice, and maintaining affordability.

Portland’s existing *Comprehensive Plan* includes the following “no-net loss” housing policy, which was imposed during a previous periodic review process because at that time housing land supply was limited relative to demand.

Old *Comprehensive Plan* Policy 4.2: Maintain Housing Potential Retain housing potential by requiring no net loss of land reserved for, or committed to, residential, or mixed-use. When considering requests for amendments to the Comprehensive Plan map, require that any loss of potential housing units be replaced.

This policy was driven by the fact that, at the time, there was very little evidence of successful urban infill housing, or higher-density mixed use development. As a result, most of Portland’s inventory of land available for housing consisted of large vacant single-dwelling or multi-dwelling land (“green-field” sites). The supply of large vacant sites was limited, as it still is today.

The market has changed dramatically since that time, however, with the vast majority of new residential development in Portland now occurring as infill or as part of medium- to high-density mixed-use development. As a result, the current *BLI* includes much more land, including many smaller sites that would not have been considered developable 20 years ago. Accordingly, the City is proposing to remove the no-net loss policy, and replace it with a more targeted set of policies addressing capacity, regional share, and affordable housing.

Policy 5.1 Housing supply. Maintain sufficient residential development capacity to accommodate Portland’s projected share of regional household growth.

Policy 5.2 Housing growth. Strive to capture at least 25 percent of the seven-county region's residential growth (Multnomah, Washington, Clackamas, Yamhill, Columbia, Clark, and Skamania counties).

Policy 5.3, Housing potential. Evaluate plans and investments for their impact on housing capacity, particularly the impact on the supply of housing units that can serve low- and moderate-income households, and identify opportunities to meet future demand.

Other complementary policies provide an expanded emphasis on impact analysis related to housing affordability and fair housing, including:

Policy 5.10 Coordinate with fair housing programs. Foster inclusive communities, overcome disparities in access to community assets, and enhance housing choice for people in protected classes throughout the city by coordinating plans and investments to affirmatively further fair housing.

Policy 5.12 Impact analysis. Evaluate plans and investments, significant new infrastructure, and significant new development to identify potential disparate impacts on housing choice, access, and affordability for protected classes and low-income households. Identify and implement strategies to mitigate the anticipated impacts.

Policy 5.15 Gentrification/displacement risk. Evaluate plans and investments, significant new infrastructure, and significant new development for the potential to increase housing costs for, or cause displacement of communities of color, low- and moderate-income households, and renters. Identify and implement strategies to mitigate the anticipated impacts.

Policy 5.16 Involuntary displacement. When plans and investments are expected to create neighborhood change, limit the involuntary displacement of those who are under-served and under-represented. Use public investments and programs, and coordinate with nonprofit housing organizations (such as land trusts and housing providers) to create permanently-affordable housing and to mitigate the impacts of market pressures that cause involuntary displacement.

Policy 5.30 Housing cost burden. Evaluate plans and investments for their impact on household cost, and consider ways to reduce the combined cost of housing, utilities, and/or transportation. Encourage energy-efficiency investments to reduce overall housing costs.

Policy 5.36 Impact of regulations on affordability. Evaluate how existing and new regulations affect private development of affordable housing, and minimize negative impacts where possible. Avoid regulations that facilitate economically-exclusive neighborhoods.

Policy 5.37 Mobile home parks. Encourage preservation of mobile home parks as a low/moderate-income housing option. Evaluate plans and investments for potential

redevelopment pressures on existing mobile home parks and impacts on park residents and protect this low/moderate-income housing option. Facilitate replacement and alteration of manufactured homes within an existing mobile home park.

Several other policies emphasize housing choice in neighborhoods, affirmatively further fair housing, and encouraging new forms of housing:

Policy 4.15 Residential area continuity and adaptability. Encourage more housing choices to accommodate a wider diversity of family sizes, incomes, and ages, and the changing needs of households over time. Allow adaptive reuse of existing buildings, the creation of accessory dwelling units, and other arrangements that bring housing diversity that is compatible with the general scale and patterns of residential areas.

Policy 5.4 Housing types. Encourage new and innovative housing types that meet the evolving needs of Portland households, and expand housing choices in all neighborhoods. These housing types include but are not limited to single- dwelling units; multi-dwelling units; accessory dwelling units; small units; pre-fabricated homes such as manufactured, modular, and mobile homes; co-housing; and clustered housing/clustered services.

Policy 5.39 Compact single-family options. Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

Policy 5.6 Middle housing. Enable and encourage development of middle housing. This includes multi-unit or clustered residential buildings that provide relatively smaller, less expensive units; more units; and a scale transition between the core of the mixed use center and surrounding single family areas. Where appropriate, apply zoning that would allow this within a quarter mile of designated centers, corridors with frequent service transit, high capacity transit stations, and within the Inner Ring around the Central City.

Policy 5.46 Housing continuum. Prevent homelessness and reduce the time spent being homeless by allowing and striving to provide a continuum of safe and affordable housing opportunities and related supportive services including but not limited to rent assistance, permanent supportive housing, transitional housing, micro housing communities, emergency shelters, temporary shelters such as warming centers, and transitional campgrounds/rest areas.

The City Council received significant testimony regarding Policy 5.6, Middle housing, both for and against. Proponents viewed the policy as a needed addition to the housing chapter. The *2035 Comprehensive Plan* provides enough zoned capacity to meet expected housing needs over the next 20 years. However, the *2035 Comprehensive Plan* also highlights and addresses the need for more housing in the range between the single-family houses and units in larger multi-family or mixed-use buildings. There is growing demand for greater housing supply and choice in terms of price, size, location, tenure options and accessibility.

- Less expensive. Creating more middle housing opportunities with the plan may help relieve some price pressure. Generally, these forms of housing can be built using wood frame

construction methods. They are less expensive to build than 4-6 story mixed use buildings, and are more land-efficient than detached single family homes. Middle housing can also serve as a transition between denser mixed-use development and abutting single dwelling neighborhoods.

- Home ownership. Although home ownership is generally beyond the reach of the lowest income groups, there is also a challenge in supplying enough entry-level homes to meet expected demand. Most of the City’s single-family supply is single-family lots in the 5,000-7,000 square foot range, while most of the expected demand over the next 20 years is for more affordable lots in the 1,600 to 4,000 square foot range. Much of the available land for additional single-family construction is in East Portland and outer Southwest Portland, while demand is highest in the inner most neighborhoods. Construction of more attached homes could help meet this demand.
- Access to complete communities. The *2035 Comprehensive Plan* promotes compact development within walking distance of neighborhood and town center locations. To achieve our “complete neighborhood” goals, we want to be able to have about 3,500 to 7,000 households within a walkable ½-mile distance of our commercial main streets. Many centers are not yet to this level of density. Zoning for more attached housing options near the edges of the identified centers could be a way to help achieve that goal.
- Choice. There is demand for greater range of housing types that are adaptable to different life stages, and multigenerational living. Surveys have also suggested that many apartment dwellers would prefer to live in their own home, if they can afford it. While it is prudent to supply enough multifamily housing to meet rising demand for that housing type, it may also be desirable to provide other options.

Opponents of policy 5.6 viewed the policy as effectively re-zoning land. In adopting this policy, the Council made it clear that they disagreed with this argument. The Council expressed an expectation that staff will carry out a subsequent planning project to determine where re-zoning to accommodate this middle housing would be appropriate, and that this future project will include public notice to impacted properties, and opportunities for public discussion and comment. The policy is directive, but does not by itself rezone property. The phrase “where appropriate” is intended to mean that a variety of land suitability factors and other plan policies will be weighed to determine where land should be rezoned to allow for middle housing to be developed.

A number of policies aim to expand the implementation toolbox and create a larger pool of regulated affordable housing:

Policy 5.17 Land banking. Support and coordinate with community organizations to hold land in reserve for affordable housing, as an anti-displacement tool, and for other community development purposes.

Policy 5.26 Regulated affordable housing target. Strive to produce and fund at least 10,000 new regulated affordable housing units citywide by 2035 that will be affordable to households in the 0-80 percent MFI bracket.

Policy 5.35 Inclusionary housing. Use inclusionary zoning and other regulatory tools to effectively link the production of affordable housing to the production of market-rate housing. Work to remove regulatory barriers that prevent the use of such tools.

These policies are aligned with the intent of Goal 10 because they promote maintaining housing supply and capacity, increasing housing choice, and maintaining affordability. They also direct address and further fair housing obligations.

A future ordinance, for periodic review Task V, will consider necessary changes to zoning codes, and will meet Goal 10 and statutory requirements clear and objective standards for needed housing.

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 Boundary⁴. 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.

In practice most residential development in Portland occurs on land designated for mixed use development. The rule also allows consideration of mixed use areas as “residentially-designated” (OAR 660-07-0018 (1)). The Metropolitan Housing Rule applies only to new construction on vacant and re-developable land. Including mixed use designations, and residential designations, the Buildable Lands Inventory contains about 11,500 acres of residentially-designated vacant and re-developable land. The *2035 Comprehensive Plan Map* allows a zoned-capacity of about 247,000 additional dwellings on that land. This equates to an allowed overall residential density of about 21 du/acre on this land, without excluding the kind of natural resource or other constraints that the rule allows to be excluded.

Of the 11,500 acres of residentially-designated vacant and re-developable land, approximately 4,450 of those acres are sites with slopes over 25%, within a landslide hazard area, within the 100-year floodplain, or within an environmental conservation or protection overlay (Portland’s acknowledged Goal 5 program). Those types of excludable lands together have a residential capacity of about 12,250 units. Excluding these sites from the Metropolitan Housing Rule calculations leaves 7,050 acres of remaining vacant or re-developable land, with a residential capacity of 234,750 new dwellings. This equates to about 33 du/acre⁵.

⁴ 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.

⁵ Excluding mixed use designations, this number is 14 du/acre.

As a result, the *2035 Comprehensive Plan* complies with this rule.

Goal 10 Conclusions

For the reasons stated above this ordinance meets all applicable requirements of Goal 10. The City complies with the single-dwelling to multi-dwelling capacity ratio requirement of Goal 10. The *2035 Comprehensive Plan Map* provides a City supply of residential land sufficient to meet identified housing needs within the meaning of ORS 197.307(3), Goal 10 and OAR Chapter 660, Division 7. The *2035 Comprehensive Plan* provides a wide range of allowed housing types, at a variety for allowed densities. As a result, the 2035 housing mix is expected to be more diverse than it is today. Recommended housing policies are consistent with Goal 10 because they address maintaining housing supply and capacity, increasing housing choice, and maintaining affordability.

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.

Goal 11 requires several components for a public facilities plan. The City adopted the first requirement by Ordinance No. 185657:

- 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.

Goal 11 facility plan requirements adopted by a companion ordinance adopted the same date as this ordinance 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.

This ordinance adopts policy statements in addition to those adopted by the companion ordinance. Chapter 8 of the *2035 Comprehensive Plan* contains 120 public facilities and service policies. The following policies directly address Goal 11 requirements.

Policy 8.1 Urban services boundary. Maintain an Urban Services Boundary for the City of Portland that is consistent with the regional urban growth policy, in cooperation with neighboring jurisdictions. The Urban Services Boundary is shown on the *2035 Comprehensive Plan Map*.

Policy 8.2 Rural, urbanizable, and urban public facility needs. Recognize the different public facility needs in rural, urbanizable and urban land as defined by the Regional Urban Growth Boundary, the City Urban Services Boundary, and the City Boundaries of Municipal Incorporation. See Figure 8-1 — Urban, Urbanizable, and Rural Lands.

Policy 8.3 Urban service delivery. Provide the following public facilities and services at urban levels of service to urban lands within the City’s boundaries of incorporation:

- Public rights-of-way, streets, and public trails
- Sanitary sewers and wastewater treatment
- Stormwater management and conveyance
- Flood management
- Protection of the waterways of the state
- Water supply
- Police, fire, and emergency response
- Parks, natural areas, and recreation
- Solid waste regulation

Policy 8.6 Interagency coordination. Maintain interagency coordination agreements with neighboring jurisdictions and partner agencies that provide urban public facilities and services within the City of Portland’s Urban Services Boundary to ensure effective and efficient service delivery. See Policy 8.3 for the list of services included. Such jurisdictions and agencies include, but may not be limited to:

- Multnomah County for transportation facilities and public safety.
- State of Oregon for transportation and parks facilities and services.
- TriMet for public transit facilities and services.
- Port of Portland for air and marine facilities and services.
- Metro for regional parks and natural areas, and for solid waste, composting, and recycling facilities and transfer stations.
- Gresham, Milwaukie, Clackamas County Service District #1, and Clean Water Services for sanitary sewer conveyance and treatment.
- Multnomah County Drainage District No. 1, Peninsula Drainage District No 1, and Peninsula Drainage District No. 2 for stormwater management and conveyance, and for flood mitigation, protection, and control.
- Rockwood People’s Utility District; Sunrise Water Authority; and the Burlington, Tualatin Valley, Valley View, West Slope, Palatine Hill, Alto Park, and Clackamas River Water Districts for water distribution.

- Portland Public Schools and the David Douglas, Parkrose, Reynolds, Centennial, and Riverdale school districts for public education, park, trail, and recreational facilities.

Policy 8.17 Services outside the city limits. Prohibit City provision of new urban services, or expansion of the capacity of existing services, in areas outside city limits, except in cases where the City has agreements or contracts in place.

Policy 8.18 Service district expansion. Prohibit service district expansion or creation within the City’s Urban Services Boundary without the City’s expressed consent.

Policy 8.19 Rural service delivery. Provide the public facilities and services identified in Policy 8.3 in rural areas only at levels necessary to support designated rural residential land uses and protect public health and safety. Prohibit sanitary sewer extensions into rural land and limit other urban services

For the reasons stated above, all applicable “policy statement” requirements of Goal 11 have been met by this ordinance.

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.”

General Policy Consistency

Chapters 3, 8 and 9 of the *2035 Comprehensive Plan* contain more than 100 policies, which together, call for the development of a TSP that will meet or exceed the requirements of Goal 12. Several policies that specifically advance the intent of Goal 12 are described below. These policies encourage a more walkable city, establish multimodal service standards, encourage a well-connected network of streets, reduce reliance on single occupant automobile use, increase the use of other modes of transportation, and expand the use transportation demand management tools.

Chapter 3

Policy 3.33 Housing. Provide for a wide range of housing types in Town Centers, which are intended to generally be larger in scale than the surrounding residential areas. There should be sufficient zoning capacity within a half-mile walking distance of a Town Center to accommodate 7,000 households.

Policy 3.37 Housing. Provide for a wide range of housing types in Neighborhood Centers, which are intended to generally be larger in scale than the surrounding residential areas, but smaller than Town Centers. There should be sufficient zoning capacity within a half-mile walking distance of a Neighborhood Center to accommodate 3,500 households.

Policy 3.44 Active transportation. Enhance the role of the Inner Ring Districts' extensive transit, bicycle, and pedestrian networks in conjunction with land uses that optimize the ability for more people to utilize this network. Improve the safety of pedestrian and bike connections to the Central City. Strengthen transit connections between the Inner Ring Districts and to the Central City.

Policy 3.46 Connections. Improve corridors as multimodal connections providing transit, pedestrian, bicycle, and motor vehicle access and that serve the freight needs of centers and neighborhood business districts.

Policy 3.49 Integrated land use and mobility. Enhance Civic Corridors as distinctive places that are models of ecological urban design, with transit-supportive densities of housing and employment, prominent street trees and other green features, and high-quality transit service and pedestrian and bicycle facilities.

Policy 3.51 Mobility corridors. Improve Civic Corridors as key mobility corridors of citywide importance that accommodate all modes of transportation within their right-of-way or on nearby parallel routes.

Policy 3.54 Transit-oriented development. Encourage transit-oriented development and transit-supportive concentrations of housing and jobs, and multimodal connections at and adjacent to high-capacity transit stations.

Policy 3.63 Multiple benefits. Design City Greenways that provide multiple benefits that

contribute to Portland's pedestrian, bicycle, green infrastructure, and parks and open space systems.

Chapter 8

Policy 8.39 Interconnected network. Establish a safe and connected rights-of-way system that equitably provides infrastructure services throughout the city.

Policy 8.40 Transportation function. Improve and maintain the right-of-way to support multimodal transportation mobility and access to goods and services as is consistent with the designated street classification.

Policy 8.51 Right-of-way vacations. Maintain rights-of-way if there is an established existing or future need for them, such as for transportation facilities or for other public functions established in Policies 8.39 to 8.46.

Policy 8.53 Public trails. Establish, improve, and maintain a citywide system of local and regional public trails that provide transportation and/or recreation options and are a component of larger network of facilities for bicyclists, pedestrians, and recreational users.

Chapter 9

Policy 9.5 Mode share goals and Vehicle Miles Travelled (VMT) reduction. Increase the share of trips made using active and low-carbon transportation modes. Reduce VMT to achieve targets set in the most current Climate Action Plan and Transportation System Plan, and meet or exceed Metro's mode share and VMT targets.

Policy 9.11 Land use and transportation coordination. Implement the Comprehensive Plan Map and the Urban Design Framework through coordinated long-range transportation and land use planning. Ensure that street policy and design classifications and land uses complement one another.

Policy 9.17 Pedestrian transportation. Encourage walking as the most attractive mode of transportation for most short trips, within and to centers, corridors, and major destinations, and as a means for accessing transit.

Policy 9.20 Bicycle transportation. Create conditions that make bicycling more attractive than driving for most trips of approximately three miles or less.

Policy 9.22 Public transportation. Coordinate with public transit agencies to create conditions that make transit the preferred mode of travel for trips that are not made by walking or bicycling.

Policy 9.38 Automobile transportation. Maintain acceptable levels of mobility and access for private automobiles while reducing overall vehicle miles traveled (VMT) and

negative impacts of private automobiles on the environment and human health.

Policy 9.47 Connectivity. Establish an interconnected, multimodal transportation system to serve centers and other significant locations. Promote a logical, direct, and connected street system through street spacing guidelines and district-specific street plans found in the Transportation System Plan, and prioritize access to specific places by certain modes in accordance with policies 9.6 and 9.7.

Policy 9.49 Performance measures. Establish multimodal performance measures and measures of system completeness to evaluate and monitor the adequacy of transportation services based on performance measures in goals 9.A. through 9.I. Use these measures to evaluate overall system performance, inform corridor and area-specific plans and investments, identify project and program needs, evaluate and prioritize investments, and regulate development, institutional campus growth, zone changes, Comprehensive Plan Map amendments, and conditional uses.

Policy 9.50 Regional congestion management. Coordinate with Metro to establish new regional multimodal mobility standards that prioritize transit, freight, and system completeness.

9.50.a. Create a regional congestion management approach, including a market-based system, to price or charge for auto trips and parking, better account for the cost of auto trips, and to more efficiently manage the regional system.

9.50.b. In the interim, use the deficiency thresholds and operating standards of the Regional Mobility Policy, in Figure 9-4, for evaluation of impacts to state facilities and the regional arterial and throughway network.

Policy 9.53 New development. Create and maintain TDM regulations and services that prevent and reduce traffic and parking impacts from new development and redevelopment. Encourage coordinated area-wide delivery of TDM programs. Monitor and improve the performance of private-sector TDM programs.

Policy 9.55 Parking management. Reduce parking demand and manage supply to improve pedestrian, bicycle and transit mode share, neighborhood livability, safety, business district vitality, vehicle miles traveled (VMT) reduction, and air quality. Implement strategies that reduce demand for new parking and private vehicle ownership, and that help maintain optimal parking occupancy and availability.

Policy 9.58 Off-street parking. Limit the development of new parking spaces to achieve land use, transportation, and environmental goals, especially in locations with frequent transit service. Regulate off-street parking to achieve mode share objectives, promote compact and walkable urban form, encourage lower rates of car ownership, and promote the vitality of commercial and employment areas. Use transportation demand management and pricing of parking in areas with high parking demand. Strive to provide adequate but not excessive off-street parking where needed, consistent with the

preceding practices.

Identification of Needs Analysis and Coordination

The City's *TSP* must be based on an inventory of local, regional and state transportation needs, consider all modes of transportation, and consider the different consequences that would result from utilizing differing combinations of transportation modes (an alternatives analysis). The City's *TSP* must also contain measures to minimize the adverse impacts of transportation, conserve energy, and meet the needs of individuals who have difficulty in obtaining transportation because of their age, income, physical or mental disability.

Goal 12 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* (addressed below). OAR 660-012-015 through 0060 below provide more specific guidance.

Goal 12 Conclusions

For the reasons stated below the City has met the relevant requirements of Goal 12 and the TPR, necessary to adopt new land use map and policies, and to lay the groundwork for the complete *TSP* update.

These reasons include:

- Recognition, acceptance and accommodation of the population and employment forecast and distribution issued by Metro under ORS 195.036. Pursuant to Portland's periodic review work order, this is approximately 123,000 new households and 142,000 new jobs (2010-2035)⁶.
- A new *2035 Comprehensive Plan Map* carrying out and enhancing the spatial development pattern established by the *Region 2040 Growth Concept*, and furthering land use patterns "that make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs" within the meaning of Goal 12 and the TPR (this is discussed in response to 660-012-0035).
- *2035 Comprehensive Plan* policies sufficient to guide the completion of the TSP (discussed above).
- An adequate list of transportation projects and programs (this is discussed in response to OAR 660-012-040).

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

⁶ Metro Council Ordinance No. 12-1292A, November 29, 2012.

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. The *2035 Comprehensive Plan* and *TSP* are consistent with this rule because the City developed the *2035 Comprehensive Plan Map* and *TSP* project list 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).
- Trimet Service Enhancement Plans (aka The Future of Transit): The City has participated in Trimet's current work to update its long term service plans. This Trimet planning process has been occurring contemporaneously with the Portland's periodic review work plan. Trimet's current proposals reflect City input, including input from the City's Planning and Sustainability Commission (in a work session on March 10, 2015). In particular, the City and Trimet have jointly recommended several service improvements in outer East Portland, on 122nd, 142, and 162nd Avenues. These improvements are planned intended with sidewalk and related safety improvements on these streets, in the recommended *TSP* project list.

The City has also signed a joint Letter of Intent (signed September 1, 2015) outlining future transit service related work plans. Due to the capital improvement focus of public facilities planning, comprehensive plans typically focus on physical transit improvements, like light rail improvements, sidewalks, or shelters, rather than on levels of bus service. This letter of intent reflects the fact that Portland's land use pattern is dependent on the stability and future expansion of Trimet's bus service. The letter outlines the intent to develop future service agreements or MOUs that tie bus service future improvements to land use benchmarks and City progress on supportive facilities like sidewalk or safety improvements that improve access to transit.

- *RTP* Project List: The City and Metro have coordinated to ensure general consistency of the local *TSP* project list with the most recent adopted *Regional Transportation Plan*. The recommended *TSP* project list generally includes all projects that are part of the regional plan (including those identified by the Port, ODOT and Trimet). Portland participated in the last update to the *RTP*, in 2014, and is participating in the forthcoming 2018 update. Because the 2014 *RTP* update occurred at a time when Portland's *2035 Comprehensive Plan* and *TSP* were still in draft form, the regional project list and the project list in Portland's new *TSP* must be reconciled with the regional plan. Since the 2014 regional *TSP* update, Portland has

refined its streetcar plans, and as a result, there is a different package of projects in the new TSP. Portland's TSP has also removed or modified several projects from its TSP that are still in the regional RTP – primarily as a result of updated expectations about West Hayden Island annexation. In addition, while both the regional and local TSPs still include the Columbia River Crossing, there is substantial uncertainty about the timing of that project (for reasons beyond the control of the City). The City's TSP therefore makes different assumptions about the timing of changes to the Interstate Bridge. The City expects to reconcile these differences in the 2018 regional RTP update.

- *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 2035 *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.
- Central City MMA: ODOT and City staff have developed a draft agreement to implement a Multimodal Mixed Use Transportation Area (MMA) designation within the Central City, consistent with provisions in the *Oregon Highway Plan*. This agreement has not yet been adopted, but the 2035 *Comprehensive Plan* includes draft policy reflecting this intent (Comprehensive Plan Policy 9.51 Central City Multimodal Mixed Use Transportation Area (MMA)). The MMA designation and associated agreement will be adopted as part of the *Central City 2035 Plan*.

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

This section of the rule requires that the TSP 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 OAR 660-012-0030 and 0035. |
| 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 TSP project list includes incorporating projects developed with the <i>Bicycle Plan for 2030</i> . The TSP project list is consistent with the regional <i>High Capacity Transit Plan</i> , and contains projects to support Trimet’s transit system plans. A letter of intent outlines steps to further joint planning with Trimet. |
| 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 Plan</i> . Plan policies aimed at protecting harbor access lands within Industrial Sanctuary. <i>TSP</i> project list contains harbor and rail projects recommended by the Port of Portland, and regional rail freight studies. |
| 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. | The <i>2035 Comprehensive Plan</i> incorporates new Transportation and Public Facilities policies. See findings in response to Goal 12 above. |
| A transportation financing program. | See findings for OAR 660-012-0040 |

Required needs assessment and analysis of alternatives have been completed as described in findings responding to OAR 660-012-030 and 035. This ordinance adopts several elements of a new *TSP*, in conjunction with the *2035 Comprehensive Plan*: transportation policies, a transportation financing plan, and a list roadway, bike, pedestrian, and transit projects. These products are also a part of a new public facilities plan (called the *Citywide Systems Plan*) and *List of Significant Projects*, and are being adopted under the framework of Goal 11. Public Facilities and Services. These items constitute Stage 1 of the City's new *TSP*.

The City already has local street connectivity requirements in Code (City Code 33.654, 17.82, 17.88). Stage 2 of the new *TSP* was recommended by the Planning and Sustainability Commission in April 2016, and includes updated street classification maps and descriptions (primarily related to bicycle classifications and urban design), updates to planning objectives that elaborate on many of the policies, further refinement of system performance measures (which are referenced in Policy 9.48), updates to the list of refinement plans and studies, parking management policies and programs for Centers and Corridors, and changes to implementing regulations in Title 17. New parking management programs and TDM programs are also proposed. This phase will be considered by the City in late 2016, as part of periodic review Task V.

The resulting assembly of the above-described Stage 1 and Stage 2 elements, combined with existing *TSP* elements which are not being amended (notably the various modal plans, and street design standards), will constitute a *TSP* containing the elements required by OAR 660-012-020. The pending *Central City 2035 Plan* includes new street classifications, parking management, and a district-specific *TSP* project list for the Central City. It will be adopted as a post-acknowledgement plan amendment.

The final stage (Stage 3) of the *TSP* will occur as a post-acknowledgement plan amendment, and may include further updates to geographically-specific policies and objectives, and other adjustments to ensure ongoing *RTP* compliance (such as reconciliation with the 2018 *RTP*).

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. Based on this analysis, several segments of state highways were identified that do not meet *OHP* mobility standards, even with planned projects in place. These are addressed in more detail later under findings for compliance with the *Oregon Highway Plan*.

The City's proposed approach for addressing these unmet state needs is to conduct a refinement plan as defined in section -0025(3) of the TPR. This is described in detail below in response to 0035.

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 *RTP* allocation of households and jobs to Metro Traffic Analysis Zones (TAZs)⁷. 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 analysis⁸. 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*.

⁷ This allocation was made using land use assumptions from the current adopted Comprehensive Plan.

⁸ A more detailed description of modelling methods is found in a memo to City Council dated April 18, 2016.

- The second run added the staff-proposed revised *TSP* project list⁹, 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.

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 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 of the conclusions of 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. The *2035 Comprehensive Plan* increases this percentage to 62%. The proposed addition of north/south frequent transit on 122nd Avenue contributed the most to increasing access to frequent transit by filling in transit gap areas in East Portland. This analysis is found on pages 58 and 59 of the *Growth Scenario Report*.

Access to low-stress bikeways: The City estimated the percentage of households that will be

⁹ 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.

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%). The *2035 Comprehensive Plan* increases this percentage to 72%. The bike projects in the recommended TSP project list provides a 16 percent increase over the 2010 benchmark. While low-stress bike projects in the TSP are located across Portland, the biggest increase in performance is from the emphasis on expanding the network in East Portland, along with St. Johns and parts of Northeast Portland. This analysis is found on pages 60 and 61 of the *Growth Scenario Report*.

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 results¹⁰. The *2035 Comprehensive Plan* performs better and shows an 8% reduction in per capita VMT.

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 measures¹¹.

Several factors contribute to this performance gain:

- Additional transit improvements in East Portland, better connecting that population to jobs in the Columbia Corridor.
- Extensive investment in bike and pedestrian safety improvements in outer East Portland.
- Land use plans that shift more growth to the Central City and nearby corridors.
- Additional policy emphasis on parking management and Transportation Demand Management (TDM) requirements – particularly with campus institutions, large employers, and new residential development. The second and third model runs included additional post-modelling technical analysis to quantify the impact of this policy, which is not fully factored into the regional model.
- A more balanced household to employment ratio in Portland that generates shorter trip distances.
- A post-recession shift of development from the suburbs to more compact urban areas in Portland. The 2014 and 2015 modelling uses more up-to-date data on actual 2010-2014

¹⁰ This analysis is found on page 62 of the *Growth Scenario Report*.

¹¹ Fehr and Peers Memorandum, May 31, 2015

population changes, rather than using earlier planning projections. As a result, there are fewer trips from suburban locations than anticipated in Metro's baseline scenario.

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 2010¹². Based on modelling results, the 2035 *Comprehensive Plan* performs better and reduces the percentage of all trips taken in an automobile to 74%¹³. Post-modelling analysis suggests that this number could be as low as 64%¹⁴, if the impact of bicycle network investments and TDM programs are fully accounted for. Single occupancy vehicle mode share declines with the 2035 *Comprehensive Plan*, while bicycle, walking, and transit mode shares increase. This change is driven by the same factors noted above that contribute to VMT reduction described above.

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

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

In 2010, transportation-related carbon emissions amounted to 2,231,000 metric tons/year. Improvements in vehicle fuel efficiency standards across all vehicle classes, a reduction of the carbon content of fuels, and regional land use plans result in a projected reduction in transportation-related carbon emissions to 1,149,000 metric tons/year, even with the existing *Comprehensive Plan*. Given the VMT measures described above, the 2035 *Comprehensive Plan* would further reduce emissions. Post-modelling analysis suggests that emissions could be as low as 934,000 metric tons/year, if the impact of bicycle network investments and TDM programs are fully accounted for¹⁵. This is still higher than the City's own *Climate Action Plan* target of 596,000 metric tons/year by 2050, but the trend is consistent with Goal 12.

Based on the modeling, analysis and investment plans described above, the 2035 *Comprehensive Plan* and *TSP* advances key objectives of Goal 12, including supporting a pattern of travel that

¹² This analysis is found on page 63 and 64 of the *Growth Scenario Report*.

¹³ Run 3 Model Results Summary - TSP Measures, dated 1/15/16

¹⁴ Fehr and Peers Memorandum, May 31, 2015

¹⁵ This analysis is found on page 65 of the *Growth Scenario Report*.

will avoid air pollution, reducing reliance on single occupancy automobile use, and making it more convenient for people to walk, bicycle, and use transit.

Land Use Patterns and Transportation

As described above, and in the *Growth Scenarios Report*, the City examined several different possible growth patterns. The *2035 Comprehensive Plan* is a “centers and corridors” pattern, with a heavy emphasis on continued growth in and around the Central City. The *2035 Comprehensive Plan* allows 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 (referred to as the “Inner Ring” in policy). Significant growth capacity is also maintained adjacent to other major transit nodes and corridors, such as in Hollywood, Lents, Gateway, and along Interstate Avenue.

The *2035 Comprehensive Plan* describes a collection of Neighborhood and Town Centers, with specific growth objectives within ½ mile of those locations (Policies 3.33 and 3.37). These centers are located throughout the city, so that 80% of Portland households can be within a 10-minute walk of one of these centers by 2035.

With a strong central city and spatially distributed centers and corridors, the recommended 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.

0035 Conclusions

As described above, the *2035 Comprehensive Plan* and *TSP* will improve access to frequent transit and low-stress bikeways, relative to the current *Comprehensive Plan* and other alternatives considered. Model results suggest that the plan also enables a per capita reduction in VMT, and a reduction in the percentage of trips made by automobile.

The *2035 Comprehensive Plan* and *TSP* includes policies promoting a regional congestion management approach, including a market-based system, to price or charge for auto trips and parking, better account for the cost of auto trips, and to more efficiently manage the regional system (Policy 9.50). Policies also encourage the use of emerging vehicle and parking technology to improve real-time management of the transportation network and to manage and allocate parking supply and demand (Policy 9.48). A system management approach has been emphasized over construction of new roadway capacity.

The *2035 Comprehensive Plan* and *TSP* supports this policy by promoting expanded emphasis on TDM approaches in Portland through both policy (Policies 9.52 to 9.54) and program development (the Transportation & Parking Demand Management (TDM) Program – TSP Project #10013). The City Council received some testimony that TDM measures are unproven and should therefore not be relied upon in the City’s plan. The Council rejected this argument because there is sufficient¹⁶ evidence that TDM can be effective¹⁶, and because as a matter of state and regional law, cities are required to employ these measures (OAR 660-012-0045 (5).b and 660-012-0035(4)). Similarly, there was testimony that the City should have policies that require

¹⁶ Fehr and Peers Memo, May 31, 2015

considerably more off-street parking with new development. The Council rejected this argument because such specific direction is more appropriate in zoning code regulations rather than policy (more appropriately a periodic review Task V topic), and because as a matter of state and regional law, the city is required to reduce the number of parking spaces per capita (OAR 660-012-0045 (5).c).

The *2035 Comprehensive Plan* and *TSP* are consistent with OAR 660-012-0035 because the City evaluated the potential impacts of alternatives, including improvements, system management measures, demand management, and land use alternatives; and because the policies and the *TSP* project list is designed to increase transportation choices and reduce reliance on the automobile.

OAR 660-012-0040 - Transportation Financing Program

This rule requires TSPs to include a transportation financing program. The recommended *List of Significant Transportation Projects* (aka the “TSP Project List”) includes a twenty-year list of major projects, citywide programs, refinement plans and financial projections. Each project has an estimated timeframe, and a rough cost estimate. The program includes:

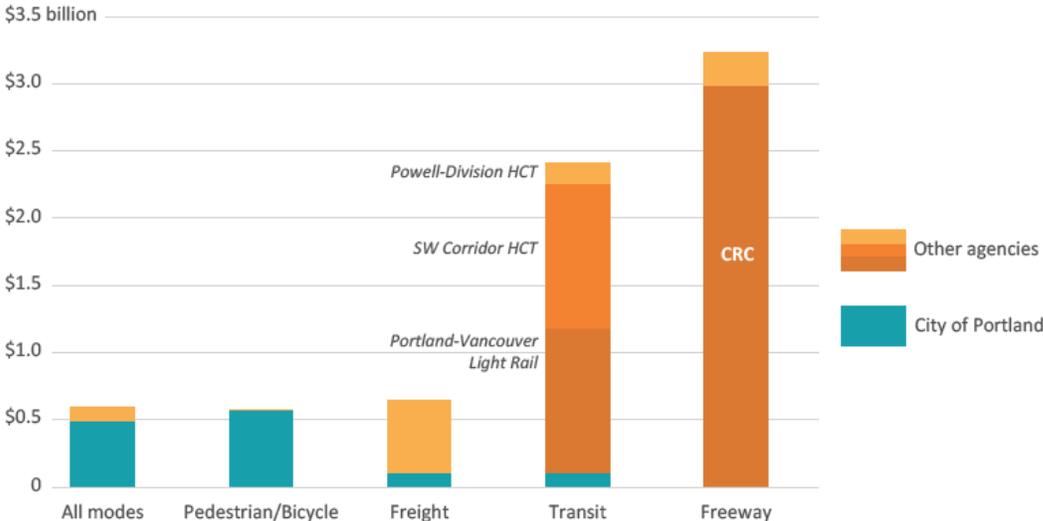
- Major projects: More than 200 major projects (those generally over \$500,000 estimated cost) that the City might be able to build with twenty years of reasonably aggressive revenues, including new local, state, and regional funding, and a list of major projects that could be funded under a more aggressive revenue assumption.
- Other agency projects: This is the list of 75 major transportation projects proposed to be led and primarily funded by agencies other than the City of Portland, such as ODOT, the Port of Portland, Multnomah County, or TriMet. The source for most of these projects is the *Regional Transportation Plan (RTP)*, adopted in 2014.
- Flexible programs: 10 citywide programs for bundling smaller projects (those generally under \$500,000 estimated cost), including many small projects from the City’s *2030 Bike Plan* and *Pedestrian Master Plan*. Programs have been allocated \$310 million within the financially-constrained plan.
- Refinement plans: Updates to the 2007 refinement plan list, plus studies added by the PSC, and an ODOT “hot spots” refinement plan. Additional refinement plans and studies will be recommended in the next round of *TSP* updates in fall 2015.
- Financial plan (per 0045): A new Finance Chapter for the *TSP*, including “constrained” (reasonably aggressive) and “unconstrained” (more aggressive) revenue forecasts. The financial plan identifies potential and likely revenue sources, with projections about how much may be available from each source in the 20 year planning period. Twenty-year revenue projections range from \$0.8 billion (existing revenue only) to \$2.1 billion (extensive new revenue). The financially constrained list is based on a mid-range revenue estimate of \$1.3 billion, which includes some new revenue. The major project list and recommended programs add up to \$1.6 billion, and the \$1.3 billion financially-constrained list is a subset of that list.

To prepare the project list, potential projects were evaluated based on a variety of criteria, 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.¹⁷

The spending distribution of all projects by mode, including those funded by others, is shown below. As is evident from this chart, projects funded by other (federal, state, Port, railroads, etc.) are heavily concentrated in freeway, transit and freight categories. One project, the Columbia River Crossing, dominates the spending by others. This project is likely to be reviewed by regional decision-makers in the 2018 update of the TSP, but remains in the local TSP for the sake of maintaining conformance with the RTP. Several high capacity transit improvements also involve considerable expense by others. Portland’s spending is concentrated on multimodal corridor projects, and pedestrian/bicycle improvements.

TPR – Figure 1

Constrained investments (20-year) by mode and agency



¹⁷ TSP Major Projects Performance Report, March 2015

The 10 flexible programs noted above are listed in the table below.

TPR – Table 2, TSP Flexible Programs

| Program Category | Amount (\$ millions) |
|----------------------------------|-----------------------------|
| Safe routes to schools | \$71.5 |
| High crash corridors | \$67.1 |
| Pedestrian network | \$42.2 |
| Alternative street design | \$38 |
| Bikeway network | \$24 |
| Neighborhood greenways | \$19.5 |
| Transportation demand management | \$19.5 |
| Transit priority | \$9.5 |
| Freight priority | \$9.5 |
| Transportation system management | \$9.5 |
| TOTAL | \$310.3 |

Consistent with Goal 12 and OAR 660-012-0035, both the major project list and program list emphasize actions that reduce reliance on single occupant automobile use, and increases alternative modes of transportation. Freight spending is primarily aimed at complementing the economic development policies, and making investments to allow more intensive use of a limited industrial land supply.

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 the City is replacing its entire comprehensive plan along with a major update of its transportation system plan. OAR 660-012-0060 focuses on discrete, specific changes to an existing plan, not a wholesale change such as the one the City is making under its periodic review work program.

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 “balance¹⁸.” 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 though post-acknowledgement procedures. It is possible that one of

¹⁸ “Balance” is a paraphrase of OAR 660-012-0020(3)

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. Therefore, because this ordinance replaces the City’s existing *Comprehensive Plan* adopts a new *2035 Comprehensive Plan* and portions of an updated *Transportation System Plan*, this section is not applicable.

Nonetheless, OAR 660-012-0020 through 0040, which are applicable to this ordinance and addressed above, requires an analysis for plan revisions similar to that required for plan amendments by OAR 660-012-0060. Goal 2 also requires coordination with the *Oregon Highway Plan*. Accordingly, the Council’s findings include an analysis that considers the capacity of existing and committed facilities, the degree to which those capacities have been reached or surpassed on existing facilities, and the assumptions on which these capacities are based.

Oregon Highway Plan

Oregon Land Use Goal 2 and OAR 660-012-0015 requires that local plans be consistent with the Oregon Highway Plan.

Oregon Highway Plan Goal 1. System Definition.

To maintain and improve the safe and efficient movement of people and goods, and contribute to the health of Oregon’s local, regional, and statewide economies and livability of its communities.

Policy 1A, State Highway Classification System

Policy 1A establishes the state highway classification system. The *2035 Comprehensive Plan* does not yet include any roadway classification changes. Changes to the City’s classification system are pending as a component of periodic review Task V. Conformance with the state highway classification system will be addressed at that time.

Policy 1B, Land Use and Transportation

Policy 1B contains provisions for coordination of land use and transportation decision-making. The Land Use and Transportation Policy addresses the relationship between the highway and patterns of development both on and off the highway. It emphasizes development patterns that maintain state highways for regional and intercity mobility and supports compact development patterns that are less dependent on state highways than linear development for access and local circulation. Policy 1B recognizes that state highways serve as main streets of many communities, and strives to maintain a balance between serving those main streets and the through traveler. The policy also defines and allows for designation of special transportation areas (STAs) to better link intended land use in centers and main streets with how the state highway system is designed and managed. In the City of Portland, STAs have been designated along US30 Bypass in the St. Johns Town Center and along Macadam Avenue (OR 43) in the Central City.

By establishing a clear set of center and corridor designations, the *2035 Comprehensive Plan* provides a framework to guide future coordination with ODOT, by defining place-types and

related land use objectives.

Policy 1C, State Highway Freight System

Policy 1C addresses the State Highway Freight System. The purpose of this system is to facilitate the efficient and reliable interstate, intrastate, and regional truck movement through a designated freight system.

Within Portland, a number of state routes are part of this state-designated system, including all of the Interstate highways, US 30 in Northwest Portland, US 26/Sunset Highway, Or 213 on 82nd Avenue, US 30 Bypass through St. Johns up to MLK Blvd. on Lombard (which has an interim freight designation), and portions of OR 99E on MLK Blvd near Delta Park, and on SE McLoughlin Blvd south of the viaduct. The current TSP freight classifications are consistent with the OHP Freight designations. Changes to the City's street classification system are pending as a component of TSP stage 2 (periodic review Task V). Conformance with the state highway freight classification system will be addressed at that time.

The *2035 Comprehensive Plan* land use map generally supports this system through a more focused growth strategy that emphasizes centers and corridors. This strategy allows for more short trips and supports greater emphasis on walking, biking, and transit. Reduced reliance on automobile travel helps conserve road capacity for commercial and freight trips.

The formal designation of centers and corridors also provides greater long term certainty about where denser mixed use development will be allowed, and where it will not be allowed. Many of the streets that are part of the State Highway Freight System have not been designated as mixed use corridors, in order to support more efficient and reliable truck movement (US 30 Bypass/Lombard, OR99E/McLoughlin Blvd, US 30 in Northwest Portland, OR99E/MLK Blvd near Delta Park).

The *TSP* project list also includes significant investment in the state freight network. Examples include: McLoughlin Blvd Roadway Improvements (Project 70030); Columbia Blvd ITS (30008), I-84 Active Corridor Management (70078), Columbia/Alderwood Intersection Improvements (40032), and numerous road/rail overcrossings in the Columbia Blvd/Kenton Line corridor (30066, 40001, 40007, 40100, etc).

Mobility impacts are described later in these findings in response to Policy 1.F.

Policy 1D, Scenic Byways

Policy 1D addresses Scenic Byways. There are no state Scenic Byway designations within Portland. This policy is not applicable.

Policy 1E, Lifeline Routes

Policy 1E recognizes the critical role that some highway facilities, particularly bridges, play in emergency response and evacuation. ODOT works with local governments which are particularly susceptible to isolation by virtue of their limited highway access, to further define and map a networks of lifeline routes. The City of Portland and ODOT are parties to an

intergovernmental agreement adopted in 2006, which identifies emergency transportation routes within the Portland Metro region¹⁹. The agreement outlines post-earthquake damage assessment and coordination protocols for this network. The Major Emergency Response classification in the existing adopted *TSP* is consistent with the regional network identified with this agreement. The *2035 Comprehensive Plan* and updated *TSP* does not include any changes to the adopted emergency response classifications.

Policy 1F, Highway Mobility Policy

Policy 1F establishes mobility targets based on volume to capacity, “v/c,” ratios. These targets are “performance standards” within the meaning of Statewide Planning Goal 12, OAR 660-015-0000 (12), and the Transportation Planning Rule, OAR 660-012. The Policy 1F mobility targets only apply to state highways. It is the policy of the State of Oregon to use highway mobility standards to maintain acceptable and reliable levels of mobility on the state highway system. These standards identify state highway mobility performance expectations for planning and plan implementation, for evaluating the impacts on state highways of amendments to land use and transportation plans pursuant to the Transportation Planning Rule (OAR 660-12-060), and for guiding operational decisions.

The volume to capacity ratios in Table 7 of Policy 1.F apply to all state highway sections located within the Portland metropolitan area urban growth boundary. Table 7 generally specifies a maximum volume to capacity ratio of .99 for two-hour peak operating conditions through a 20-year horizon. Ratios of 1.1 are allowed for 1 hour on some routes, including:

- Within the Central City, Gateway, Town Centers, Main Streets, and Station Communities.
- Banfield Freeway/I-84 (from I-5 to I-205)
- I-5 North (from Marquam Bridge to Interstate Bridge)
- OR 99E (from Lincoln Street to OR 224 Interchange)
- Sunset Highway/US26 (from I-405 to Sylvan Interchange)
- Stadium Freeway/I-405 (from I-5 South to I-5 North)

Where it would be infeasible to meet these standards, the City may request that the Oregon Transportation Commission adopt alternative highway mobility targets and standards consistent with Action 1F3 of the OHP.

As noted above, the Regional Travel Demand Model was run 3 three times, with additional analysis by the City. The City coordinated review of transportation modeling results with ODOT. From these model results, impacts to state highway volume to capacity ratios was examined. Information was generated about the freeway system generally, as well as other “locations of concern” on state highways. ODOT staff reviewed model results with the City, as did Metro and Trimet staff. ODOT provided specific input related to locations of concern within the state system.

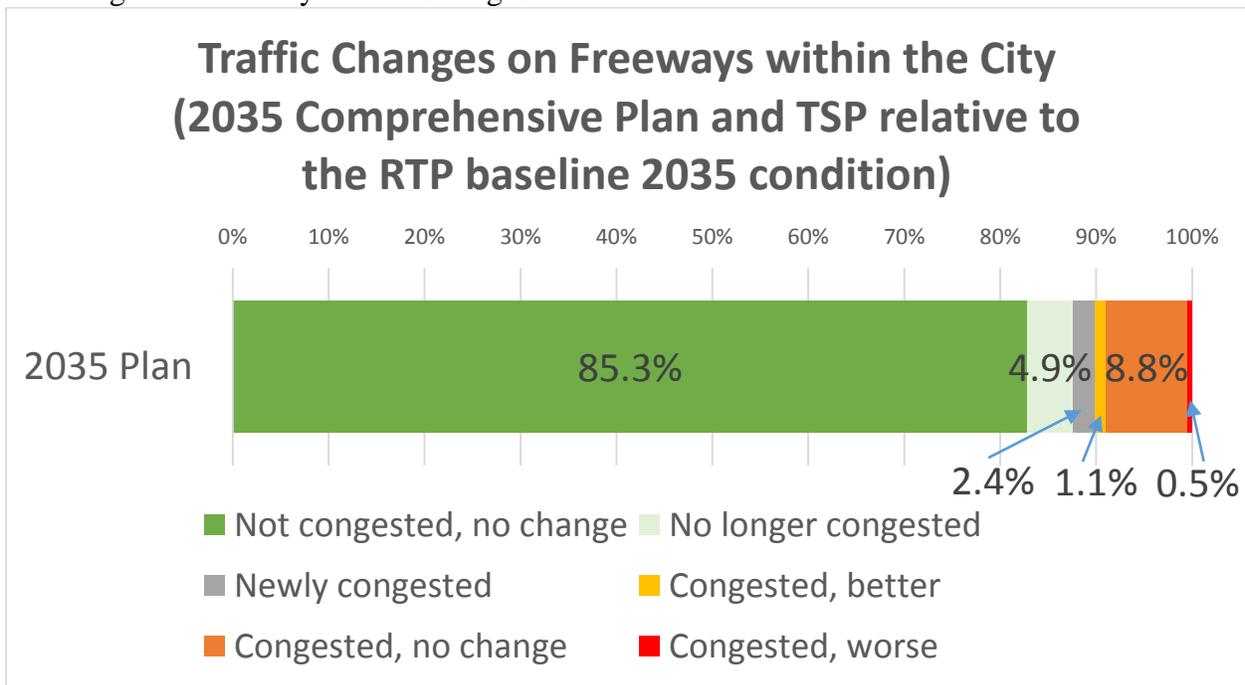
The chart below (Figure 1) was developed to understand the general impact of proposed land use changes on major state facilities (the freeway system). The data from modeling indicates that

¹⁹ Ordinance 180656.

95% of freeway miles will have similar levels of congestion with both the *RTP* baseline and the *2035 Comprehensive Plan*.

The conclusion reached from this data is that mobility problems are, for the most part, not attributable to changes in Portland’s *2035 Comprehensive Plan Map*, but are caused by increased population grown and the use of state highway segments within Portland for regional, exurban and intra-regional trips, which is consistent with their function, as defined in the *OHP* and *RTP*. These congestion problems noted are largely present in the baseline conditions expected in 2035, with or without proposed land use and investment changes in Portland. The specific locations that do not meet the targets (i.e. the unmet state needs) are discussed later in these findings. Figure 1

TPR- Figure 2. Freeway Traffic Changes



The proposed land use changes did not resolve nor make anticipated 2035 congestion worse. That said, Goal 12 contains no requirement to scale back the 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” in order to make room for more traffic originating outside the City. In other words the transportation system is supposed to support a livable city – nothing in Goal 12, the other Goals, the *RTP* or the *OHP* requires Portland to become a less livable place so that people living outside the City may drive though the City move conveniently. Accordingly, changes to the *2035 Comprehensive Plan Map* were not identified as a solution to noted problems. The appropriate identified solutions were plan policy, transportation improvement projects, and further refinement planning.

Another part of the solution are the transportation projects and programs identified in the July 14, 2015 TSP project list, as further amended by City Council. The list contains over 200 projects,

each costing more than \$500,000, that the City could build within twenty years based on reasonable “financially constrained” revenue assumptions. These projects and programs also help alleviate identified mobility problems on the state system by providing transportation alternatives and by reducing reliance on state highways for short, local trips.

To the extent mobility concerns are not fully addressed by plan policy, projects or programs, or combinations of any two or all three of these solutions, the *TSP* will include “refinement plans” designed to produce the necessary solutions.

Street-Specific Findings Related to Policy 1F

Tables 1 through 3 below identify the specific links within the state system that will not meet Policy 1.F mobility targets, based on the third model run²⁰. Table 4 identifies locations being monitored because congestion levels are close to exceeding mobility targets, because they are key locations in the network, or because there are other concerns (safety, etc.) that warrant monitoring. Many of the locations listed in these tables also do not meet the mobility targets with the current acknowledged *Comprehensive Plan* and *TSP*, as documented in baseline model results.

For each location, the tables identify the recommended project, study, or refinement plan associated with each location. These projects, plans, and studies provide a mechanism for more location-specific analysis, to identify the best way to make progress toward better meeting mobility targets in these locations. In many cases, the Recommended TSP also promotes demand-side remedies, such as stronger Transportation Demand Management (TDM) programs, parking management, and investment in other modes (pedestrian, bike, transit). The project list also includes a variety of investments in technology to better manage traffic flow (signal improvements, real time information systems, etc.). This approach is necessary because there are limited opportunities within Portland where road widening is a financially realistic option. The *Oregon Highway Plan* also allows for establishment of alternative performance measures, which may be appropriate in some of these locations.

²⁰ This information is taken from transportation modelling results maps and data tables provided to City Council in a memo dated April 18, 2016.

OHP - Table 1. Facilities within the Central City that fail to meet Policy 1.F (Table 7) V/C ratios from the *Oregon Highway Plan*

| <u>Street/Road</u> | <u>Location</u> | <u>Response (Projects and Refinement Plans)</u> |
|--|--|--|
| I-405 | Broadway exit and entrance ramps | MMA projects, CC2035 Plan, Project #20027, CC Loop Refinement Plan |
| I-405 NB | Between US 26 and Salmon | MMA projects, CC2035 Plan, CC Loop Refinement Plan |
| I-5 SB | Marquam Bridge approaching I-405 interchange | MMA projects, CC2035 Plan, CC Loop Refinement Plan |
| Junction of I-405 and US 26 | Various ramps | MMA projects, CC2035 Plan, I-405 Safety Study |
| Junction of I-405 and I-5 | Various ramps at east end of Freemont Bridge | MMA projects, CC2035 Plan, CC Loop Refinement Plan |
| I-405 NB | Kerby Street exit | MMA projects, CC2035 Plan, added light at Vancouver (project complete) |
| Junction of I-5 and I-84 | Various ramps | MMA projects, CC2035 Plan, CC Loop Refinement Plan, Project #20119 |
| US 26 (Sunset Hwy) | Vista Tunnel | MMA projects, CC2035 Plan |
| I-5 SB and NB | Various ramps connecting to and from Morrison Bridge | MMA, CC2035 Plan, CC Loop Refinement Plan |
| US 26 (Powell Blvd.) | Between Ross Island Bridge and Milwaukie Ave. | MMA projects, CC2035 Plan |
| Junction of US 26 (Powell Blvd.) and US 99E (McLoughlin) | ramp from Ross Island Bridge to McLoughlin Blvd. SB | MMA projects, CC2035 Plan, Projects #20050, 70030, 70045, 70078, 80040 |
| US 26 | Ross Island Bridge | MMA projects, CC2035, Project #80039, 80040 |
| 99E (SE Grand/MLK) | Viaduct from Lincoln to Powell | MMA projects, CC2035 Plan, Project #20050 |

Note: This table shows the performance of Central City locations with the 2035 *Comprehensive Plan* and *TSP*, but does not yet reflect the impact of land use or project list changes being proposed with the *Central City 2035 Plan*, which will be adopted as a post-acknowledgement Plan.

OHP - Table 2. Freeways and expressways outside the Central City that fail to meet Policy 1.F (Table 7) V/C ratios from the *Oregon Highway Plan*

| <u>Street/Road</u> | <u>Location</u> | <u>Response (Projects and Refinement Plans)</u> |
|--|--|---|
| I-5 NB | frontage road near Burlingame Park at Terwilliger exit | Project #90089, SW Corridor |
| I-5 NB | Going to Ainsworth | Third Track Connector Study |
| I-5 NB | Marine Dr. to Interstate Bridge | Projects #30020, 30033, Hayden Island Access Study |
| I-5 SB | exit ramp to 99W/Tigard | Projects #90014, 90017, 90018, 90105, 90106, 90107, SW Corridor |
| I-84 EB | 16 th to 32 nd | Project #70078 |
| I-205 NB | I-84 to over Glenn Jackson Bridge | Interstate 205 Corridor Refinement Plan, Project #40046 |
| Junction of I-205 and Airport Way | various ramps | Interstate 205 Corridor Refinement Plan |
| Junction of I-205 and NE Killingsworth | various ramps | Interstate 205 Corridor Refinement Plan, Project #40018 |
| I-205 SB | Killingsworth to Prescott | Interstate 205 Corridor Refinement Plan |
| Junction of I-84 and I-205 | various ramps | Interstate 205 Corridor Refinement Plan |
| I-205 SB | exit to SE Division | Interstate 205 Corridor Refinement Plan |
| I-205 SB | Powel to Foster | Interstate 205 Corridor Refinement Plan |
| I-205 NB | in vicinity of Flavel | Interstate 205 Corridor Refinement Plan |
| I-205 NB | exit ramp to SE Washington in Gateway | Interstate 205 Corridor Refinement Plan |
| OR 99-E (SE McLoughlin Boulevard) | Ross Island Bridge to Center | Project #70030, Portland-Milwaukie LRT, ODOT “Hot Spots” Refinement Plan. |
| OR 99-E (SE McLoughlin Boulevard) | Reedway to Tacoma | Projects #70030, 70076, Portland-Milwaukie LRT, ODOT “Hot Spots” Refinement Plan. |

OHP - Table 3. Other ODOT facilities outside the Central City that that fail to meet Policy 1.F (Table 7) V/C ratios from the *Oregon Highway Plan*

| <u>Street/Road</u> | <u>Location</u> | <u>Response (Projects and Refinement Plans)</u> |
|--|--|---|
| US 30 (NW Yeon) | NW Nicolai to NW 26 th | Project #60023 |
| US 30 Bypass (N Ivanhoe, N Philidephia, N Lombard) | St Johns | Projects #30035, 30050 |
| US 30 Bypass | St Johns Bridge, and NW Bridge Ave | North Willamette River Crossing Study |
| US 30 Bypass (N Lombard) | Westanna to Foss | Lombard Corridor Plan, Projects #30035, 30059 |
| US 30 Bypass (NE Killingsworth) | 70 th to 82 nd | ODOT “Hot Spot” Refinement Plan |
| North Portland Rd | at Marine Drive | Project #30038, Industrial Lands Access Study |
| US 26 (Powell Blvd.) | Ross Island Bridge to Chavez | Projects #80037, 80039, 80040, 70045 |
| US 26 (Powell Blvd.) | I-205 to 112 th | Projects #80015, 80032, 80035, 80037 |
| US 26 (Powell Blvd.) | 136 th to 168 th | Projects #80015, 80032, 80037, 80035, ODOT “Hot Spots” Refinement Plan. |
| 99W (SW Barbur) | Bancroft to OR 10 (Capital Hwy) | Projects #90014, 90017, 90018, 90105, 90106, 90107, SW Corridor |
| 99W (SW Barbur) | at 65 th , I-5 Junction | Projects #90014, 90017, 90018, 90105, 90106, 90107, SW Corridor |
| OR 43 (SW Macadam) | Taylors Ferry to Sellwood Bridge | monitor |
| OR 43 (SW Macadam) | at Palatine Hill Rd | Project #90071 |

OHP - Table 4. Additional “Locations of Safety and Operations Concern” within the ODOT system

| <u>Street/Road</u> | <u>Location</u> | <u>Response (Projects and Studies)</u> |
|-------------------------|---|--|
| US 30 | St. Johns Bridge to Corn. Pass | monitor |
| I-405 SB | exit at Glisan/Everett, and NW 16 th | MMA projects, CC2035 Plan |
| SW Naito | Ross Island Bridge to Barbur | SW Corridor, Project #90060 |
| OR 43 (SW Macadam) | Central City to Taylor’s Ferry | monitor |
| 82 nd Avenue | at Division | Projects #40013, 80039, 80040 |
| I-205 NB | at Washington, Glisan | Interstate 205 Study, Project #80041 |
| US 30 Bypass (Lombard) | at Albina | Project #30035 |
| US 30 Bypass (Sandy) | at 122 nd Ave | monitor |

The *2035 Comprehensive Plan* and *TSP* meets Policy 1F because through modelling the City has identified locations that may fail to meet mobility standards in 2035, and the *TSP* includes projects, studies and refinement plans to further evaluate and implement remedies.

Policy 1G, Major Improvements

Policy 1G emphasizes safety and improving system efficiency and management before adding capacity. The highest priority is to preserve the functionality of the existing highway system by means such as access management, local comprehensive plans, transportation demand management, improved traffic operations, and alternative modes of transportation.

The *2035 Comprehensive Plan* and *TSP* is consistent with this approach. The vast majority of projects identified in the *TSP* project list are projects that improve the function of existing roads, through signal timing, intersection improvements, and investments in safety and mode choice. Land use choices emphasizing growth in the Central City and a network of identified centers and corridors also supports this policy by directing growth to transit-supportive locations, which reduces the need for expansion of capacity on the state highway system. The plan also calls for the creation of a regional congestion management approach, including a market-based system, to price or charge for auto trips and parking, better account for the cost of auto trips, and to more efficiently manage the regional system (Policy 9.50). Several new policies call for the creation of a more robust transportation demand management program (Policies 9.52-9.54).

Policy 1H, Bypasses

Policy 1H addresses development and designation of new highway bypasses. There are no state-defined bypasses within Portland, so this policy is not applicable.

Oregon Highway Plan Goal 2. System Management.

To work with local jurisdictions and federal agencies to create a increasingly seamless transportation system with respect to development, operation, and maintenance of the highway and road system that: safeguards the state highway system by maintaining functionality and integrity; ensures that local mobility and accessibility needs are met; and enhances system efficiency and safety.

Policy 2A, Partnerships

Policy 2A addresses cooperative partnerships, to make more efficient and effective use of limited resources. The *2035 Comprehensive Plan* and *TSP* supports expansion of partnerships between local, regional and state transportation authorities in a number of different ways. The *TSP* project list incorporates needed state and regional projects. The City continues to work in partnership with ODOT and Metro on regionally important projects (for example, the Southwest Corridor, *TSP* Project #90106). Through the *2035 Comprehensive Plan* process, the City has also expanded its partnership with Trimet, through coordination of transit service improvements with sidewalk and street improvements²¹.

Policy 2B, Off-System Improvements

Policy 2B involves state assistance to local jurisdictions to develop, enhance, and maintain improvements on local transportation systems when they are a cost-effective way to improve the operation of the state highway system. The *2035 Comprehensive Plan* and *TSP*, and associated analysis, provides a mechanism to understand the relationship between local and state actions, which facilitates the intent of this policy.

Policy 2C, Interjurisdictional Transfers

Policy 2C addresses inter-jurisdictional transfers that rationalize and simplify the management responsibilities, reflect the appropriate functional classification of a particular roadway segment or corridor, and/or lead to increased efficiencies. One barrier to inter-jurisdictional transfer has been the financial liability of ongoing maintenance, especially for older facilities. The *2035 Comprehensive Plan* and *TSP* advances this policy by identifying a number of large projects that may provide a mechanism to discuss inter-jurisdictional transfer. For example, the SW Corridor High Capacity Transit project (*TSP* Project #90106) will involve a significant improvement to SW Barbur, which may make consideration of transfer possible. Projects on SE Powell and 82nd Avenue may also lead to further opportunities for cost sharing and potential transfer if appropriate.

Policy 2D, Public Involvement

Policy 2D addresses public involvement, and opportunities to have input into decisions regarding proposed policies, plans, programs, and improvement projects that affect the state highway system. Through the *2035 Comprehensive Plan* and *TSP*, the City has provided a mechanism to involve the public in developing 20-year plans for investment in the transportation system, including state facilities.

²¹ See letter of intent between Trimet and City, signed 9/1/15

To inform the development of the TSP project list, an advisory committee (the Transportation Expert Group) was formed, involving both agency experts and other community leaders involved in transportation advocacy. This group met from January 2014 through early 2016, and reviewed policies, financial plans, the project list, and the evaluation criteria used to rank projects. The City also included the draft project list in the online Map App, at various stages of development. This enabled direct feedback on specific projects. Community comments lead to changes and re-prioritization of some projects.

Findings in response to Statewide Planning Goal 1 provide a more information on outreach activities.

Policy 2E, Intelligent Transportation Systems

Policy 2E calls for consideration of a broad range of Intelligent Transportation Systems (ITS) services to improve system efficiency and safety in a cost-effective manner. The *2035 Comprehensive Plan* and *TSP* include both policy and specific projects supporting and implementing ITS. For example, Policy 9.48 encourages the use of emerging vehicle and parking technology to improve real-time management of the transportation network and to manage and allocate parking supply and demand. Within the *TSP* project list there are several ITS projects listed, including some on state facilities, including Lombard, Columbia Blvd., Grand/MLK, and NW Yeon.

Policy 2F, Traffic Safety

Policy 2F promotes safety improvements for all users of the highway system. The *2035 Comprehensive Plan* and *TSP* supports this goal by elevating safety to be the first goal of the transportation polices (Comp Plan Goal 9A). This goal seeks to eliminate traffic-related fatalities and serious injuries from Portland's transportation system, integrating the "vision-zero" concept into the City's *2035 Comprehensive Plan*. Reinforcing this goal, the City is emphasizing safety in the selection and ranking of projects in the *TSP*²². Finally, the plan and project list includes steps toward the adoption of a Multimodal Mixed Use Area (MMA) designation in the Central City (Comp Plan Policy 9.51). The adoption of this policy and subsequent agreement will elevate safety in decision-making related to the Central City and surrounding freeway loop.

Policy 2G, Rail and Highway Compatibility

Policy 2G aims to increase safety and transportation efficiency through the reduction and prevention of conflicts between railroad and highway users. The *2035 Comprehensive Plan* and *TSP* supports this policy by including projects in the *TSP* project list that will add grade-separation and/or seismic upgrades to overpasses along several high-traffic rail corridors. Crossings identified for improvement include several along the Kenton Line in N/NE Portland, and several in NW Portland (Cully, 42nd/47th Ave, 33rd, 11th/13th Ave, Penn Junction, Rivergate Blvd., Willbridge, and Kittridge Bridge).

²² *TSP Major Projects Performance Report*, March 2015

Oregon Highway Plan Goal 3. Access Management.

To employ access management strategies to ensure safe and efficient highways consistent with their determined function, ensure statewide movement of goods and services, enhance community livability and support planned development patterns, while recognizing the needs of motor vehicles, transit, pedestrians, and bicyclists.

Policy 3A and 3B, Classification and Spacing Standards, Medians

Policies 3.A and 3B are about managing the location, spacing and type of road and street intersections and approach roads, and placement of medians on state highways to assure the safe and efficient operation of state highways. The *2035 Comprehensive Plan* and *TSP*, when complete, will contain up-to-date street plans, connectivity standards, and street classifications. These elements are included within the second phase of the *TSP*, which will be included with periodic review Task V. The City's adopted street design standards also govern intersection design and spacing.

Policy 3C, Interchange Management Access Areas

Policy 3C addresses planning and management of grade-separated interchange areas to ensure safe and efficient operation between connecting roadways. A large variety of interchange areas exist within Portland, existing within a variety of different land uses. The *2035 Comprehensive Plan* and *TSP* provides several tools to improve management of interchange areas and coordination with ODOT.

As evidenced by modeling results, the interchange areas in the Central City are some of the most congested in the region. *2035 Comprehensive Plan* Policy 9.51 promotes the designation of a Mixed Use Multimodal Area (MMA) within the Central City. The adoption of this policy and subsequent agreement will elevate safety in decision-making related to the Central City and surrounding freeway loop interchanges.

Many of Portland's interchange areas are also transit station areas designated within the Metro 2040 Plan. The City must therefore balance the intent of Policy 3C with other regional planning objectives. Figures 3-1 through 3-8 provide an urban design framework which provides a tool to identify the land use context for future interchange management within Portland.

Policy 3D, 3E, Deviations, Appeals

Policies 3D and 3E govern requests for state highway approach permits, and the appeal of approach permit decisions. This policy is not applicable to the update of a comprehensive plan or *TSP*.

Oregon Highway Plan Goal 4. Travel Alternatives.

To optimize overall efficiency and utility of the state highway system through the use of alternative modes and travel demand management strategies.

Policy 4A, Efficiency of Freight Movement

Policy 4.A addresses the efficiency of freight movement on the state highway system and access

to intermodal connections. Findings related to the state freight network were provided in response to Policy 1C. Findings related to mobility are above, in response to Policy 1F.

Portland serves as a hub in the statewide freight network. It also hosts a unique aggregation of intermodal connections – between freight rail, highway, harbor, pipelines, and the airport – particularly in the Columbia Corridor. The *2035 Comprehensive Plan* and *TSP* emphasizes these connections, and the land use designations that support it. Comp Plan policies 9.30-9.36 support the importance of these intermodal connections. The TSP project list also identifies needed investments to support intermodal freight movement in the Columbia Corridor, including improvements to the Kenton Line rail line, improvements and grade separation of rail overcrossings. Willamette River Channel Deepening is also identified in the *TSP* project list (Project#30109) to acknowledge the critical role the river plays in freight movement within the City.

Policy 4B, Alternative Passenger Modes

Policy 4B supports alternative passenger transportation systems where travel demand, land use, and other factors indicate the potential for successful and effective development of alternative passenger modes.

The *2035 Comprehensive Plan* and *TSP* was developed in coordination with Trimet, which is the transit service provider within the Portland Metropolitan Region. The land use plan is framed around an identified network of mixed use centers and corridors, many of which are located on existing frequent service bus lines or at high capacity transit station areas. The plan was developed in parallel with long term Trimet service improvement plans, which has led to specific changes in the Trimet service plans – for example, on 122nd Avenue. The City also signed a letter of intent to develop more formal service planning and investment coordination²³.

The *TSP* project list advances this policy by including several significant projects to expand the region’s high capacity transit service – notably the SW Corridor HCT Project, and an eventual Portland-Vancouver Light rail connection. Several studies are underway to evaluate other transit improvements (Growing Transit Communities Plan, and the Enhanced Transit Corridors Study). *2035 Comprehensive Plan* policies also continue to support the development of commuter rail and high speed rail service to other communities in the region and wider Pacific Northwest (Policy 9.28, intercity passenger Service).

Policy 4C, HOV Facilities

Policy 4C addresses HOV facilities, to improve the efficiency of the highway system in locations where travel demand, land use, transit, and other factors are favorable to their effectiveness. This policy does not apply to this ordinance because it does not propose or change any HOV facilities.

Policy 4D, Transportation Demand Management

Policy 4D supports investment in Transportation Demand Management (TDM) strategies. The *2035 Comprehensive Plan* and *TSP* supports this policy by promoting expanded emphasis on TDM approaches in Portland through both policy (Policies 9.52 to 9.54) and program

²³ See letter of intent between Trimet and City, signed 9/1/15

development (the Transportation & Parking Demand Management (TDM) Program – TSP Project #10013).

Policy 4E, Park and Ride Facilities

Policy 4E encourages the development and use of park-and-ride facilities. There are a number of existing park and ride locations within Portland. The *2035 Comprehensive Plan* and *TSP* provides a framework to evaluate future new park and ride lots within Portland. The urban design policies of the *2035 Comprehensive Plan* include station area typologies (Figure 3-4) which describes desired urban form at different high capacity station areas. Working within this framework, policies and objectives in the *TSP* provide guidance on the location of park-and-ride lots. *TSP* objectives support park and ride stations where transit-supportive development is not hampered, bus service is not available or is inadequate, and the surrounding area is not negatively impacted.

Oregon Highway Plan Goal 5. Environmental and Scenic Resources.

To protect and enhance the natural and built environment through the process of constructing, operating, and maintaining the state highway system.

Policy 5A, 5B, Environmental and Scenic Resources

Policies 5A and 5B address how the design, construction, operation, and maintenance of the state highway system should maintain or improve the natural and built environment, and protect/enhance scenic resources. Policies in Chapters 3, 4, and 7 of the *2035 Comprehensive Plan* provide local City policies consistent with these state policies – addressing both environmental and scenic resources. An updated natural resources inventory has also been adopted by the City as part of the *2035 Comprehensive Plan* (part of periodic review Task II).

Oregon Highway Plan Goal 6. Tolling and Congestion Pricing.

It is the policy of the State of Oregon to consider the use of tolling for financing the construction, operations and maintenance of new roads, bridges, or dedicated lanes only if expected toll receipts will pay for an acceptable portion of project costs.

Polices 6A-6D, Tolling and Congestion Pricing

These policies address tolling and congestion pricing. The *2035 Comprehensive Plan* and *TSP* includes policies promoting a regional congestion management approach, including a market-based system, to price or charge for auto trips and parking, better account for the cost of auto trips, and to more efficiently manage the regional system (Policy 9.50).

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.

For the facts and reasons stated in the finding for Goal 12 above, this ordinance meets the requirements of Goal 13. The *Growth Scenario Report* adopted with a companion ordinance to satisfy Task III of periodic review also contains information about how energy conservation was considered in the development of the *2035 Comprehensive Plan*.

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 (UGMFP)*. The growth concept emphasizes development within designated centers and corridors.

The Goal 2 analysis performed for the *Growth Scenarios Report* adopted with a companion ordinance provides substantial evidence that the spatial development pattern of urban jobs and housing allowed by the *2035 Comprehensive Plan Map* is compatible with the *Region 2040 Growth Concept*, ensures efficient use of urban land through infill and redevelopment opportunities, and will provide for more complete and livable communities.

For the facts and reasons stated above in the finding for Goals 2, 9, 10 and 12 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 adopt an inventory of greenway resources or uses, or adopt land use regulations that allow intensification of uses within the greenway. For this reason, most of Goal 15 does not apply to this ordinance.

The only part of Goal 15 that applies to this ordinance concerns the Willamette River Greenway boundary. Goal 15 requires that this boundary be depicted in the *2035 Comprehensive Plan*. Since the City is adopting a new plan, it must “re-depict” this boundary in exactly the same place. Because this has been done, this ordinance meets all applicable requirements of Goal 15.

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. In addition, The *Growth Scenario Report* adopted with a companion ordinance to satisfy periodic review Task III contains additional information about the housing analysis that was done during the development of the 2035 Comprehensive Plan.

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. In addition, the *Economic Opportunities Analysis* adopted with a companion ordinance to satisfy periodic review Task III contains additional information about the economic analysis that was done during the development of the *2035 Comprehensive Plan*.

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.

The policy requirements have been met for the facts and reasons stated in the findings for Goal 9 above. Land use regulations to achieve compatibility will be part of the City's periodic review Task V submittal.

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 as stated in the findings for Goals 11 and 12 above. Additional information is found in the *CSP*, adopted with a companion ordinance to satisfy periodic review Task IV, Subtask D.

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 recognizes and accepts this forecast 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 in this ordinance and a companion ordinance, the City 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 regional plans and require city and county comprehensive plans to comply with regional plan. Metro adopted its *Urban Growth Management Functional Plan* under this authority.

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

Most of the *Urban Growth Management Functional Plan* requirements concern zones and land use regulations. This ordinance only adopts a comprehensive plan map, plan policies and a project list. The zones and land use regulations that Metro has deemed to comply with *Urban Growth Management Functional Plan* are not repealed or amended by this ordinance and continue in effect. A few provision of the *Urban Growth Management Functional Plan* address plan designations, and for other provisions it is simply prudent to examine plan map designations and plan policy to determine whether any provision of the new plan would prevent future zones and regulations needed to conform to the *Urban Growth Management Functional Plan*.

Urban Growth Management Functional Plan Title 1 Findings, Housing Capacity

The Regional Framework Plan calls for a compact urban form and a “fair-share” approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity except as provided in section 3.07.120.

This element of the regional plan limits down-zoning in the Central City and other 2040 places – specifically Regional Centers, Town Centers, 2040 Corridors, Station Communities, and 2040 Main Streets. There is limited set of circumstances when down-zoning within these 2040-defined places may occur, including changes to address Title 4(Industrial and Other Employment Areas), to add medical or educational facilities, and to protect natural resources.

For purposes of this title, Metro measures “minimum zoned capacity.” The title is clear that individual parcels may be down-zoned, provided the impact on the citywide minimum zoned capacity is negligible. It should be stated that the present Council action includes adoption of the *2035 Comprehensive Plan Map*, but not the *Zoning Map*, and this does not itself change the minimum zoned residential capacity. As a result, Title 1 (Metro *Urban Growth Management Functional Plan* Section 3.07.120) does not apply to the adoption of the *2035 Comprehensive Plan Map*.

That said, it is prudent to provide preliminary analysis at this stage, to ensure that the adopted *2035 Comprehensive Plan* does not preclude compliance with this title. The *Zoning Map* will be updated within the scope of periodic review Task V, as necessary. The *Zoning Map* recommendation will be considered by City Council later in 2016. The preliminary analysis below assumes a zoning map with designations that most closely match the *2035 Comprehensive Plan* designations.

Method of Analysis

To evaluate compliance with Title 1, GIS analysis was performed to calculate the minimum zoned capacity for Gateway; all Town Centers; Neighborhood Centers; and other 2040 Station Communities, Corridors and Main Streets. The Central City was not included in this analysis because no land use map changes have been proposed involving designations with minimum residential densities (Central City Plan Map changes will come later, as part of the *Central City 2035* project, and be subject to a separate analysis). Some of the City-designated Town Centers

shown in the 2035 Comprehensive Plan are not yet adopted by Metro, but most of these places are already designated 2040 Corridors, Station Communities, or 2040 Main Streets. The City-designated Neighborhood Centers are a local designation, generally equivalent to the Metro Main Street designation (not to be confused with a different use of that terminology in Metro Title 12). Maps of the relevant analysis geographies were provided to City Council in a memo dated April 18, 2016.

This analysis compares current minimum zoned residential capacity with what will be possible with the zoning that most closely corresponds to the new 2035 Comprehensive Plan. The different 2040 geographies within Portland are each summarized. The analysis is focused on vacant and underutilized land identified by the City’s *Buildable Lands Inventory (BLI)*. Other lots may have minimum residential density higher than current utilization, but are not considered part of the City’s “capacity” to accommodate additional housing. The analysis also excluded land within adopted college and medical center campus master plan areas, and public land (such as parks, schools, etc.). Some college and hospital campuses, schools, and parks are zoned with residential designations that have minimum residential densities, but they are not functionally available to accommodate additional housing.

Current Minimum Density Rules

This analysis is based on current minimum densities in the Zoning Code. Table 1 below summarizes current Zoning Code residential density requirements. Only residential zones have minimum residential density requirements, though housing is also allowed in commercial/mixed use zones.

Title 1 - Table 1. Minimum Residential Density from the Portland Zoning Code

| CP Designation | Minimum Residential Density ^{1,2} | Maximum Residential Density |
|--|---|------------------------------------|
| RX | 1 unit per 500 square feet. | 1 unit per 250 square feet. |
| RH | 1 unit per 1,000 square feet. | 1 unit per 500 square feet. |
| R1 | 1 unit per 1,450 square feet ³ . | 1 unit per 1,000 square feet. |
| R2 | 1 unit per 2,500 square feet. | 1 unit per 2,000 square feet. |
| R3 | 1 unit per 3,750 square feet. | 1 unit per 3,000 square feet. |
| R2.5 | 1 unit per 6,250 square feet. | 1 unit per 2,500 square feet. |
| R5 | 1 unit per 6,250 square feet. | 1 unit per 5,000 square feet. |
| R7 | 1 unit per 8,750 square feet. | 1 unit per 7,000 square feet. |
| R10 | 1 unit per 12,500 square feet. | 1 unit per 10,000 square feet. |
| R20 | 1 unit per 25,000 square feet. | 1 unit per 20,000 square feet. |
| RF | 1 unit per 108,900 square feet. | 1 unit per 87,120 square feet. |
| Notes: | | |
| 1) The minimum density of the portion of the site in the environmental zone, floodplain, or Landslide Hazard Area is 0. | | |
| 2) If the minimum density is equal to the maximum density, then reduce the minimum by one. | | |
| 3) In the R1 zone, if the site is less than 10,000 square feet in area, the minimum density is 1 unit per 2,000 square feet. | | |

The Portland Zoning Code also specifies how minimum and maximum density numbers are rounded.

- Truncate all min and max density numbers after the second decimal (3.83 if 3.839).
- For min density, round up after .5 (3.83 becomes 4)
- For results below 1.00, always round up to 1 (0.1 would become 1).
- For max density, if the result is 1.01 to 3.99, round up only after .9.
- For max density, if the result is 4.01 to 10.99, round up only after .75
- For max density, if the result is 11.01 or greater, round up at .5.
- For final results, truncate to the rounded whole number.

Using these rules, and the City's zoning and parcel data, GIS software was used to add up the total residential minimum density of the analysis areas in question. Several maps were used in this process:

- Metro 2040 Main Streets – areas within ¼ mile
- Metro 2040 Corridors – areas within ¼ mile
- Metro 2040 Station Areas – areas within ¼ mile of stations
- District Liaison Boundaries
- Town Centers and Neighborhood Centers
(with actual boundaries, including Gateway and Central City)
- Urban Services Boundary (Proposed)
- 2035 *Comprehensive Plan* designations
- Zoning (current)
- Parcels
- Vacant and Underutilized Land/BLI – the 2015 version
- Environmental zones
- Floodplains
- Landslide Hazard Areas

Analysis Results

As shown in Table 2, the citywide estimated minimum residentially-zoned capacity is 40,146 dwellings, using the current *Zoning Map*. With zoning corresponding to the new 2035 *Comprehensive Plan Map*, that number could be 36,692, about 9% less²⁴.

Most of the individual geographies reported in Table 2 have negligible changes (changes of less than 50 units, or less than 5%). Areas with more significant decreases are generally due to one of the following two reasons:

²⁴ There may be other scenarios with a lower minimum residentially-zoned capacity, if the City were to apply zoning that is less intense than the 2035 *Comprehensive Plan* designation. Findings evaluating the actual zoning map will be relevant at the point that it is being adopted.

1. Some parcels changed from residential to commercial/mixed use designations. These changes represent a loss of minimum residentially-zoned capacity only because the City does not currently have minimum density requirements for residential development in commercial/mixed use zones. It should be noted that this change may be beneficial from the perspective of Title 6 incentives.
2. Some parcels changed from one residential density to a lower residential density. In many cases these changes were made in response to land hazards, historic district designations, lack of supporting transportation infrastructure, and school district capacity constraints.

These reasons are noted in Table 2.

Changes from residential to commercial/mixed use are not likely to result in an actual loss of residential capacity because residential development is allowed in commercial/mixed use zones. In fact, between 2005 and 2014, 74% of development projects in commercial/mixed use zones included new residential units. These projects added 6,866 units to the City's housing supply. 3,670 of those units were in mixed use buildings (115 buildings), and the remainder were in entirely residential buildings. Forty of those mixed use projects were profiled in more detail in the *Mixed Use Zones Assessment Report* (October 2014). The average density of those 40 mixed use projects was 140 units/acre.

Title 1 - Table 2. Estimated Minimum Residentially-Zoned Capacity

| Place | Existing | New 2035 CP | Change | % Change | Notes |
|-------------------------|--------------|-------------------|--------------|-------------|--|
| CENTRAL | 1902 | 1902 | 0 | 0% | |
| Central City | 1902 | 1902 | 0 | 0% | |
| EAST | 19703 | 18017 | -1686 | -9% | |
| Gateway Regional Center | 3912 | 3045 | -867 | -22% | * changes from residential to commercial/mixed use |
| Midway TC | 578 | 568 | -10 | -2% | |
| Lents TC | 530 | 405 | -125 | -24% | *changes from residential to commercial/mixed use |
| 122nd/Hazelwood | 1099 | 1072 | -27 | -2% | |
| Jade District | 1244 | 1481 | 237 | 19% | |
| Division/162nd | 446 | 446 | 0 | 0% | |
| Rosewood/Glenfair | 2866 | 2807 | -59 | -2% | |
| Parkrose | 221 | 212 | -9 | -4% | |
| Other 2040 Areas | 8807 | 7981 | -826 | -9% | *residential down-designations |
| NORTH | 4011 | 3969 | -42 | -1% | |
| St. Johns TC | 585 | 587 | 2 | 0% | |
| Hayden Island | 66 | 66 | 0 | 0% | |
| Kenton Lombard | 1056 | 1011 | -45 | -4% | |

| | | | | | |
|-----------------------------|--------------|--------------|--------------|-------------|---|
| Mid-Lombard | 245 | 245 | 0 | 0% | |
| Other 2040 Areas | 2059 | 2060 | 1 | 0% | |
| NORTHEAST | 5338 | 4233 | -1105 | -21% | |
| Hollywood TC | 148 | 148 | 0 | 0% | |
| Killingsworth/Interstate TC | 998 | 993 | -5 | -1% | |
| 42nd/Killingsworth | 62 | 45 | -17 | -27% | |
| Alberta/MLK | 88 | 79 | -9 | -10% | |
| Cully | 147 | 147 | 0 | 0% | |
| Fremont/Williams | 1030 | 458 | -572 | -56% | * residential down-designations |
| Roseway | 191 | 155 | -36 | -19% | |
| Other 2040 Areas | 2674 | 2208 | -466 | -17% | * residential down-designations, and changes from residential to commercial/mixed use |
| SOUTHEAST | 6773 | 6066 | -707 | -10% | |
| Belmont/Hawthorne/Division | 271 | 171 | -100 | -37% | * changes from residential to commercial/mixed use |
| Heart of Foster | 7 | 1 | -6 | -86% | |
| Kerns | 299 | 282 | -17 | -6% | |
| Montavilla | 252 | 252 | 0 | 0% | |
| NE 60th / North Tabor | 663 | 393 | -270 | -41% | * residential down-designations |
| Powell/Creston | 309 | 293 | -16 | -5% | |
| Sellwood/Moreland | 91 | 86 | -5 | -5% | |
| Woodstock | 64 | 37 | -27 | -42% | |
| Other 2040 Areas | 4817 | 4551 | -266 | -6% | |
| WEST²⁵ | 2419 | 2505 | 86 | 4% | |
| Northwest District | 622 | 612 | -10 | -2% | |
| Hillsdale TC | 0 | 0 | 0 | 0% | |
| West Portland TC | 0 | 0 | 0 | 0% | |
| Macadam | 202 | 203 | 1 | 0% | |
| Multnomah Village | 0 | 0 | 0 | 0% | |
| Other 2040 Areas | 1595 | 1690 | 95 | 6% | |
| TOTAL | 40146 | 36692 | -3454 | -9% | |

Title 1 Conclusions

²⁵ Some geographies in West Portland have no minimum density because they are within the mapped Landslide Hazard Area, or partially within the environmental overlay zone, or floodplain. The Portland Zoning Code exempts these areas from minimum residential density requirements.

While the conversion of some residential land to mixed use land in the *2035 Comprehensive Plan* introduces a Title 1 issue that must be resolved at the zoning map stage (periodic review Task V), there are ways to address this. In order to avoid Metro Title 1 compliance concerns at the zoning map stage, it may be necessary to document and monitor housing unit production in the commercial/mixed use zones, and consider minimum density requirements with mixed use designations, when residential units are included in a project. Such a requirement would not preclude 100% commercial projects, but would ensure the commercial/mixed use land is not under-built when residential development does occur.

In order to understand the impact of such a requirement, staff examined a scenario where minimum residential density requirements were imposed as follows:

Title 1 – Table 3. Hypothetical Mixed Use Minimum Density

| Comp Plan Designation | Minimum Residential Density |
|------------------------------|--|
| Central Commercial | 1 unit per 500 square feet (the same as RX) 87 units/acre |
| Mixed Use – Urban Center | 1 unit per 1,450 square feet (the same as R1) 30 units/acre |
| Mixed Use – Civic Corridor | 1 unit per 2,500 square feet (the same as R2) 17 units/acre |
| Mixed Use - Neighborhood | 1 unit per 2,500 square feet (the same as R2) 17 units/acre |
| Mixed Use - Dispersed | None |

This analysis is generalized by *2035 Comprehensive Plan* designation. Actual minimum density requirements would be codified in the *Zoning Code*, for each allowed zone within these designations. At this stage (periodic review Task IV), this analysis simply serves to estimate the general impact of such a future hypothetical requirement, to show that it could feasibly deliver at least as much housing as the current residential minimum density requirements in the locations where residential designations are being changed to mixed use. Compliance is feasible, and will be determined in future analysis of The *Zoning Map* and *Zoning Code* (Task V).

Table 3 below shows approximately what the minimum zoned residential capacity of commercial/mixed use zones would be if a minimum density regulation with the above-parameters was added to commercial/mixed use zones. The different 2040 geographies are each summarized. The analysis is again focused on vacant and underutilized land identified by the City's *Buildable Lands Inventory*. The result is also multiplied by 74% to reflect recent (5-year) building permit history, where 74% of projects include residential units, and 26% are purely commercial buildings.

The potential gains from adding minimum density requirements to commercial/mixed use zones would generally be greater than the loss from reduced minimum residentially-zoned capacity from other changes being made in the *2035 Comprehensive Plan*.

Title 1 - Table 4. Hypothetical Minimum Zoned Capacity of Commerical/Mixed Use Designations

| Place | Potential C/MU Min Density | Place | Potential C/MU Min Density |
|-----------------------------|----------------------------|----------------------------|----------------------------|
| CENTRAL | 7969 | SOUTHEAST | 5518 |
| Central City | 7969 | Belmont/Hawthorne/Division | 912 |
| EAST | 18041 | Heart of Foster | 281 |
| Gateway Regional Center | 10394 | Kerns | 721 |
| Midway TC | 779 | Montavilla | 390 |
| Lents TC | 1101 | NE 60th / North Tabor | 93 |
| 122nd/Hazelwood | 741 | Powell/Creston | 430 |
| Jade District | 717 | Sellwood/Moreland | 83 |
| Division/162nd | 517 | Woodstock | 192 |
| Rosewood/Glenfair | 163 | Other 2040 Areas | 2416 |
| Parkrose | 416 | WEST | 1605 |
| Other 2040 Areas | 3213 | Northwest District | 827 |
| NORTH | 2360 | Hillsdale TC | 0 |
| St. Johns TC | 457 | West Portland TC | 0 |
| Hayden Island | 522 | Macadam | 140 |
| Kenton Lombard | 332 | Multnomah Village | 0 |
| Mid-Lombard | 178 | Other 2040 Areas | 638 |
| Other 2040 Areas | 871 | | |
| NORTHEAST | 5010 | | |
| Hollywood TC | 661 | | |
| Killingsworth/Interstate TC | 454 | | |
| 42nd/Killingsworth | 121 | | |
| Alberta/MLK | 553 | | |
| Cully | 165 | | |
| Fremont/Williams | 942 | | |
| Roseway | 365 | | |
| Other 2040 Areas | 1749 | TOTAL | 40503 |

Because this ordinance adopts a comprehensive plan land use map, and does not change existing zoning or the amount of housing capacity under current zoning, Title 1 does not apply. The above analysis demonstrates that the 2035 *Comprehensive Plan* does not preclude Title 1 compliance.

Urban Growth Management Functional Plan Title 2 Findings

Title 2 addressed parking policy, but was repealed when similar provisions were added to the RTP. The former Title 2 does not apply to this ordinance.

Urban Growth Management Functional Plan Title 3 Findings, Water Quality and Flood Management

To protect the beneficial water uses and functions and values of resources within the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas from development activities and protecting life and property from dangers associated with flooding.

Title 3 addresses water quality and flood management. The City has adopted overlay zones and land use regulations that, in the June 2011 update to its 2010 compliance report, Metro found sufficient to comply with Title 3. This ordinance does not change any of these overlays or regulations, nor does it adopt policy which would require such changes. Title 3 does not apply to this ordinance.

Urban Growth Management Functional Plan Title 4 Findings, Industrial and Other Employment Areas

The Regional Framework Plan calls for a strong regional economy. To improve the economy, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas.

The purpose of Title 4 is to maintain a regional supply of existing industrial and employment land by limiting competing uses for this land. Metro has not adopted a Statewide Planning Goal 9 economic opportunities analysis for the region, so Title 4 is not based on an assessment of the land needed for various employment types, nor do the Title 4 maps necessarily depict lands most suitable to accommodate future job growth. Rather, Title 4 seeks to protect the manufacturing, warehousing, and distribution of goods within three types of mapped areas by limiting competing uses. These three areas are Regionally Significant Industrial Areas (RSIAs), Industrial Areas, and Employment Areas. They were identified in 2004 from clusters of existing industrial and employment uses. Industrial clusters with multi-modal freight handling infrastructure were designated as RSIAs.

Identified competing uses include retail commercial uses (such as stores and restaurants), retail and professional services that cater to daily customers (such as financial, insurance, real estate, legal, medical, and dental offices, schools, places of assembly, and parks). Limitations on competing uses are most strict within RSIAs, slightly less strict within the Industrial Areas, and least stringent within Employment Areas. Title 4 places no limitations on residential, farm, forest

or open space uses in any of the three mapped areas, provided designated open spaces are not developed into parks, schoolyards or athletic fields.

Title 4 encourages the location of retail and commercial uses in Centers, Corridors, Main Streets and Station Communities, and thus works in tandem with Title 6 to support the desired future settlement pattern depicted in the *Region 2040 Growth Concept*. Title 4 was adopted in 2004 and required Portland to achieve initial compliance by 2007 and by 2010 for additional restrictions on parks and places of assembly.

All previous Metro compliance reports have determined that land in Portland within an “Industrial Sanctuary” Comprehensive Plan Map designation meets all Title 4 requirements for mapped RSIA Land and Industrial Land. Similarly, all land in Portland within a General Employment Comprehensive Map designation meets Title 4 requirements for Employment Areas. The Metro compliance reports for 2010, 2011, 2012, 2013, 2014, and 2015 are included in the record for this ordinance. The last report for 2015 was prepared in March of 2016; each of these reports finds Portland is in compliance with Title 4, with its existing zoning map and code. By operation of Metro Code 3.07.870 (a) and (b) these compliance determinations are final land use decisions.

It is important to note that Portland’s *2035 Comprehensive Plan Map* designations were not the basis of these compliance determinations; but rather the corresponding and allowed zones for these designations and the associated land use regulations. The most important part of these compliance determinations was the examination of whether City land use regulations for industrial and employment zones limited retail and certain commercial uses to the extent required by Title 4. In other words, these compliance determinations focused more on whether certain competing uses were sufficiently limited within City industrial and employment zones consistent with a purpose of Title 4, rather than whether the complete range of uses allowed by these zones were compatible with this title.

This ordinance adopts comprehensive plan goals and policies and plan map designations. It does not adopt or apply zones to property or adopt implementing land use regulations (that action is pending with periodic review Task V). Because Title 4 addresses plans, zones and regulations, a complete Title 4 compliance determination will have to await completion of periodic review Task V, which will apply zoning designations to property and adopt zoning regulations. This ordinance adopts only three components that lend themselves to an examination against the requirements of Title 4; they are:

- The Comprehensive Plan Map, which establishes the spatial distribution of designations throughout the City;
- Policy 10.1, which describes the uses for which the various designations are intended;
- Policy 10.2, which, along with Figure 10-1, describes corresponding and allowed zones for each land use designation.

Title 4 compliance is easier to determine by directly comparing zoning regulations to Title 4 restrictions, but the *2035 Comprehensive Plan* land use map and policies can be examined to see if they would establish precedents that would make the future adoption of Title 4 compliant

zones or land use regulations difficult or impossible. These Title 4 findings will make this this examination in five steps summarized below.

Part One will review whether the zones and land use regulations corresponding to the “Industrial Sanctuary” and “Mixed Employment” designations continue to comply with Title 4.

Part Two will examine whether application of existing land use regulations for zones not corresponding with, but nevertheless allowed by, the Industrial Sanctuary or Mixed Employment designations would compromise or prevent future compliance with Title 4. Difficulties could arise if any of these zones permit uses that are prohibited or restricted by Title 4.

Part Three will examine the recommended *2035 Comprehensive Plan Map* to determine whether any other designations on the map authorize corresponding or allowed zones with associated use regulations that are more permissive than Title 4 allows.

Part Four will review corresponding and allowed zones both within a Title 4 area, and more permissive than Title 4 to determine whether they carry out requirements of the *Urban Growth Management Functional Plan*, other than those included within Title 4.

Finally, Part Five will compare the Title 4 map to the *2035 Comprehensive Plan Map* to determine the amount of overlap in compatible designations with the three Metro Title 4 areas. Potential incompatibilities attributable to probable map errors and omissions also will be identified.

Part One: Compatibility of Corresponding Zones and Land Use Regulations

In Portland’s 1980 *Comprehensive Plan* (Policy 10.5 and Table 10.4-1) the Industrial Sanctuary designation corresponds to the IH, IG1 and IG2 zones. In the *2035 Comprehensive Plan* (Policy 10.3 and Figure 10.1) the Industrial Sanctuary designation corresponds to the same IH, IG1 and IG2 zones. Since these zones have been determined to comply with Title 4, the parts of *2035 Comprehensive Plan* Policy 10.3 and Figure 10.1 that address “corresponding zones” also meet Title 4.

In Portland’s 1980 *Comprehensive Plan* (Policy 10.5 and Table 10.4-1) the Mixed Employment designation corresponds to the EGI and EG2 zones. In the *2035 Comprehensive Plan* (Policy 10.3 and Figure 10.1) the Mixed Employment designation corresponds to the same EG1 and EG2 zones. Since these zones (as they exist today) have been determined to comply with Title 4, the parts of *2035 Comprehensive Plan* Policy 10.3 and Figure 10.1 that address “corresponding zones” also meet Title 4. To the extent that action taken with Task V of periodic review alters these regulations, appropriate analysis and findings will be made at that time.

Part Two: Compatibility of Allowed Zones and Land Use Regulations

The 1980 and 2035 plans take different approaches to non-corresponding zones. In the 1980 plan non-corresponding zones are characterized as either “more intense” or “less intense” than the corresponding zone (Policy 10.5 and Table 10.4-1). The plan prohibits zone changes zone

changes to more intense zones, encourages zone changes to corresponding zones, and allows to zone changes to less intense zones. Portland City Code 33.855.050 narrows this choice by requiring any legislative or quasi-judicial zone change to be made to a corresponding rather than a less intense zone. Under this regulatory regime, where the *Comprehensive Plan Map* complies with Title 4 any allowed zone change would also comply with Title 4. There may be places where an allowed less intense zone remains in place.

Theoretically it is possible for a pre-Title 4 existing CX, EX, IG1 or IG2 zone to remain under a current Industrial Sanctuary designation or a pre-Title 4 existing CX or EX zone to remain under a Mixed designation. To date, however, either none of these examples occur within a designated Title 4 area or Metro compliance determinations have been based on observations that any such occurrences are minor or technical in nature, and Portland thus remains in substantial compliance with Title 4. The regional *Urban Growth Management Functional Plan* definition of compliance is “substantial compliance” which is the same standard for compliance with the Statewide Planning Goals under ORS 197.747. The reports do not always distinguish between absolute and substantial compliance.

The recommended 2035 *Comprehensive Plan* abandons the characterization of “more intense” or “less intense” zones. In relation to 2035 *Comprehensive Plan Map* designations, zones are categorized in Figure 10-1 as either “corresponding zones” or “non-corresponding zones that are allowed.” Policy 10.3.b. requires all quasi-judicial amendments to the zoning map to be made to a corresponding designation. However, recommended Policy 10.3.c. permits a legislative amendment to the zoning map to be made to a “zone that is (sic) does not corresponding but is allowed.” Other changes to zones that are not “corresponding” or “allowed” are prohibited.

For the Industrial designation the only non-corresponding-but-allowed zones are RF²⁶, a Portland Zone that has never been examined for suitability as a Title 4 implementation measure. There are more non-corresponding-but-allowed zones for Mixed Employment Comprehensive Plan Map designation. Again there is RF. There are also IH, IG1, IG2, as well as CM1, CM2, CM3, and CE.

Metro has determined the IH, IG1, IG2 zones, and their associated land use regulations, are suitable as Title 4 RSIA and Title 4 Industrial Area implementing measures in Metro compliance reports to date. The application of one of these zones within a comprehensive plan map Mixed Employment designation, would exceed Portland’s Title 4 compliance obligation because it imposes a Title 4 RSIA- level of protection to Title 4 employment areas. However, Portland can satisfy its “substantial compliance” obligation by either meeting or exceeding regional *Urban Growth Management Functional Plan* requirements. So the fact that Policy 10.3.c would allow a future legislative zone change from either EG1 or EG2 to IH, IG1, or IG2 does not violate Title 4, since “over protecting” industrial lands provides additional assurance that the purposes of Title 4 are satisfied.

²⁶ The 2035 *Comprehensive Plan* also notes that a limited amount of pre-existing OS, R20, R10, R7 and R5 zones exist within the IS designation. While new application of R20-R5 zones is not allowed in the Industrial Sanctuary or Mixed Employment areas, about 25 acres of these legacy pockets remain in Title 4 areas.

The *2035 Comprehensive Plan* Policy 10.1.2 describes the Farm and Forest designation as intended for agriculture, forestry and very low intensity single detached residential use. This designation is carried out by the RF zone. Uses allowed, limited, prohibited and conditionally allowed in the RF zone are described in Portland City Code 33.110, Table 110-1. None of the farm, forest or residential uses allowed by the RF zoning regulations are prohibited or limited by title 4, and the commercial retail and office uses that are either prohibited or limited by Title 4 are also prohibited by the RF zoning regulations.

There is a potential conflict, however, between some future legislative amendments to the RF, CM1, CM2, CM3, and CE, zones designated by plan policy as non-corresponding but allowed, and the use limitations required by Title 4. Some of the uses prohibited by Title 4 are allowed as conditional uses in the RF zoning regulations. These include: Community Services, Parks, Schools, Colleges, Medical Centers, Religious Institutions and Daycare. The conditional use approval criteria in Chapter 33.815 of the City Code can be met without reference to Title 4.

Similarly, the Mixed Employment designation identifies the commercial/mixed use CM1, CM2, CM3, and CE zones as non-corresponding but allowed zones within a Title 4 Employment Area. There are currently less than 4 acres of commercial/mixed-use zones within Title 4 areas. While land use regulations for these zones are yet to be recommended, some commercial office and retail uses clearly contemplated by the recommended and corresponding Comprehensive Plan Map Designations (Policies 10.1.13 through 10.1.16) would be allowed by right by these zones, or be allowed without regard to the limitations imposed on these uses by Title 4.

2035 Comprehensive Plan Policy 10.3.c and Figure 10-1 are also problematic. While Policy 10.3.c alone would not take Portland out of compliance with Title 4, some legislative zoning decisions theoretically allowable, but not required, by the policy could jeopardize Title 4 compliance.

A change to any of the problematic “allowed” zones can only be accomplished through a legislative rezoning process, and Title 4 would apply to these decisions. However, the Portland zoning code does not presently reference Title 4 as a consideration for zone changes in conformance with the comprehensive plan. If Metro recommends it as necessary, the City could, as part of Task V of its periodic review, adopt land use regulations limiting zone changes in Title 4 areas to just those zones designated as corresponding to the *2035 Comprehensive Plan Map* designation. A number of policies aimed at protecting employment land in Chapter 6 of the *2035 Comprehensive Plan* would apply to such a legislative project.

Part Three: Identification of Zones that might be more Permissive than Title 4

The following is a chart of all zones, both corresponding and allowed, permitted by the *2035 Comprehensive Plan Map* within Title 4 areas. Zones that are theoretically permitted by the *2035 Comprehensive Plan Map*, but have no actual instances of occurrence within Title 4 areas are also included. Each zone is examined to determine whether, either by right or through a conditional use approval, it would allow uses more permissive than those allowed by Title 4. To make these determinations existing land use regulations for existing zones are examined. However, regulations have not yet been adopted for the new mixed-use zone series, so uses

allowed by these zones are informed estimates based on the purpose of the associated comprehensive plan map designations as described in *2035 Comprehensive Plan Policy 10.1*. The location and amount of mixed-use zones was drawn from an officially proposed, but un-adopted, zoning map.

Chart cells are coded. An equal “=” indicates that City zones are consistent with Title 4. An ex “x” indicates a potential incompatibility. An asterisk “*” indicates a remote potential for incompatibility requiring a future quasi-judicial land use decision. Also included are the number of tax lots in each zone and their aggregate area. This area is calculated from tax lots only, and ignores areas of rights-of-way.

Title 4 – Table 1. City Zones not Previously Examined for Compliance with Title 4

| Portland Zone | Compatible Allowed Uses | More Permissive Allowed Uses | More Permissive Conditional Uses | Number of Tax Lots | Area in Acres |
|--|--------------------------------|-------------------------------------|---|---------------------------|----------------------|
| OS | Yes = | Yes x | Yes * | 59 | 696.08 |
| RF | Yes = | No = | Yes * | 63 | 49.44 |
| R20 | Yes = | No = | Yes * | 6 | 6.99 |
| R10 | Yes = | No = | Yes * | 25 | 8.08 |
| R7 | Yes = | No = | Yes * | 1 | 0.06 |
| R5 | Yes = | No = | Yes * | 79 | 11.15 |
| R2.5 | Yes = | No = | Yes * | 16 | 1.61 |
| R2 | Yes = | No = | Yes * | 25 | 10.24 |
| R3 | Yes = | No = | Yes * | 11 | 2.03 |
| R2 | Yes = | No = | Yes * | 37 | 4.79 |
| R1 | Yes = | No = | Yes * | 0 | 0 |
| RH | Yes = | Yes x | Yes * | 6 | 2.21 |
| CE | Yes = | Yes x | Yes * | 0 | 0 |
| CM1 | Yes = | Yes x | Yes * | 6 | 2.33 |
| CM2 | Yes = | Yes x | Yes * | 2 | 0.49 |
| CM3 | Yes = | Yes x | Yes * | 3 | 0.26 |
| CX | Yes = | Yes x | Yes * | 0 | 0 |
| CI1 | Yes = | Yes x | Yes * | 6 | 36.52 |
| CI2 | Yes = | Yes x | Yes * | 1 | 0.67 |
| IR | Yes = | Yes x | Yes * | 0 | 0 |
| EX | Yes = | Yes x | Yes * | 129 | 76.33 |
| Total Tax Lot Area of Zones that Might Allow More Permissive Uses | | | | | 909.28 |

Title 1 – Table 2. City Zones Previously Determined to Comply with Title 4

| Portland Zone | Compatible Allowed Uses | More Permissive Allowed Uses | More Permissive Conditional Uses | Number of Tax Lots | Area in Acres |
|--|--------------------------------|-------------------------------------|---|---------------------------|----------------------|
| EG1 | Yes = | No = | Yes * | 193 | 62.96 |
| EG2 | Yes = | No = | Yes * | 685 | 1,154.92 |
| IG1 | Yes = | No = | Yes * | 1,394 | 623.72 |
| IG2 | Yes = | No = | Yes * | 2,005 | 7,312.83 |
| IH | Yes = | No = | Yes * | 1,303 | 5,348.66 |
| Total Tax Lot Area of Zones that Might Allow More Permissive Uses | | | | | 0.00 |
| Total Tax Lot Area of Zones that do not Allow More Permissive Uses | | | | | 14,503.09 |
| Total Tax Lot Area of Zones within Title 4 Areas | | | | | 15,412.37 |
| Total Right-of-Way within Title 4 Areas | | | | | 2,593.00 |
| Total River within Title 4 Areas | | | | | 1,928.00 |
| Total Title 4 Areas in Portland City Limits | | | | | 19,933.37 |

Title 1 – Table 3. County MUF19 Zone not Previously Examined for Compliance with Title 4

| County Zone | Compatible Allowed Uses | More Permissive Allowed Uses | More Permissive Conditional Uses | Number of Tax Lots | Area in Acres |
|---|--------------------------------|-------------------------------------|---|---------------------------|----------------------|
| MUF19 | Yes = | No = | Yes * | 18 | 994.00 |
| Total Tax Lot Area of Zones that Might Allow More Permissive Uses | | | | | 0.00 |
| Total Tax Lot Area of Zones that do not Allow More Permissive Uses | | | | | 994.00 |
| Total Tax Lot Area of Zones within Title 4 Unincorporated Areas | | | | | 994.00 |
| Total Right-of-Way within Title 4 Unincorporated Areas | | | | | 13.00 |
| Total River within Title 4 Unincorporated Areas | | | | | 275.00 |
| Total Title 4 Unincorporated Areas within Portland’s Service Boundary | | | | | 1,282.00 |

Title 1 – Table 4. Sums of both City and County Zones within Title 4 Areas Expressed in Acres

| | |
|--|------------------|
| Total Incorporated Tax Lots within Portland’s Service Boundary | 14,503.00 |
| Total Unincorporated Tax Lots within Portland’s Service Boundary | 994.00 |
| Total Incorporated Rights-of-Way within Portland’s Service Boundary | 2,593.00 |
| Total Unincorporated Rights-of-Way within Portland’s Service Boundary | 13.00 |
| Total Incorporated River within Portland’s Service Boundary | 1,928.00 |
| Total Unincorporated River within Portland’s Service Boundary | 275.00 |
| GRND TOTAL: All Title 4 Land within Portland’s Service Boundary | 20,306.00 |

Title 1 – Table 5. City Compliant Comprehensive Plan Designations not within Title 4 Areas

| | |
|--|---------------|
| Total Mixed Employment Designations not within Title 4 Areas | 269.00 |
| Total Mixed Industrial Sanctuary Designations not within Title 4 Areas | 512.00 |
| GRND TOTAL: Title 4 Compliant Designations not within Title 4 Areas | 781.00 |

No clear conclusion can be drawn from the chart above other than adopting the *2035 Comprehensive Plan* policy and map could allow the adoption of a future zones or land use regulations that would allow uses less limited by type or amount than required Title 4. The reverse is also the case, it is possible that none, or very few, of these possible conflicts might arise between future zone changes and Title 4. As a “cause,” the adoption of new plan policy and a new plan map is too far removed from the “effect” of Title 4 violations to demine any inevitable relationships between city planning and regional land use restrictions. The possibility of a future violation exists, but nothing more can be determined by the analysis of the decisions actually being made by this ordinance. Because no probable effects can be discerned at this stage of the planning process, and because the uses allowed by the new mixed use zone series is based, in part, on un-adopted planning documents, a worst case analysis follows.

A summary of the worst case is that 909 of a total of 15,497 tax lot area acres (6% percent of the total Title 4 areas) allow uses incompatible with Title 4. However, the *2035 Comprehensive Plan Map* adopted by this ordinance designates 696 of these acres as Open Space. These Industrial Sanctuary to Open Space changes were made to recognize the purchase of industrial and employment land by Portland, Metro and other public agencies for natural areas and stormwater detention areas, uses fully compatible with Title 4. To the City’s knowledge only one 70 acre Open Space parcel (Cully Park) is intended for developed public recreation facilities, a use that can conflict with Title 4. Taking the compatible Industrial Sanctuary to Open Space re-designations into account, the maximum tax lot area with potential conflicts is reduced to 283 acres, or 2% of Portland’s total Title 4 area.

The *2035 Comprehensive Plan Map* adopted by this ordinance contains 781 acres of industrial and employment land that is not in a Title 4 area. Some of this land adjoins existing Title 4 land and is suitable for RSIA or Industrial designation. The City could propose additions to Title 4 areas that could partially offset the 283 acre worst case described above.

The *2035 Comprehensive Plan Map* that is adopted by this ordinance carries forward previously approved changes to designations made in accord with Metro’s *Urban Growth Management Functional Plan*. This means the acreage included in the charts above includes 259 acres that should have been removed from the Title 4 map. This situation is explained below in Part Five. Taking these factors into account, the impact of a worst case is reduced to 24 acres, or one-tenth of one percent of all of Portland’s Title 4 land.

Given the minor and technical nature of the worst case, the only clear conclusion from the charts above is that it might be prudent, as part of Task V of Portland’s periodic review, to adopt more restrictive conditional use approval criteria for Title 4 areas. There are, however, no present conflicts between the decisions being made by this ordinance and Title 4.

Part Four: More Permissive Zones Can Carry Out other Functional Plan Purposes

Like any multi-objective plan, Metro's *Urban Growth Management Functional Plan* seeks to achieve a variety of good outcomes. However, there are places within in the region where these good outcomes are complimentary and other places where they compete. For example, Title 4 carries out an employment purpose while Title 3 seeks to improve water quality and protect life and property from flooding. Title 13 seeks to conserve, protect, and restore fish and wildlife habitat. In Portland there are many instances along the Willamette River and within the Columbia South Shore where tax lots on the Title 4 maps are also included on the Title 3 or 13 map--or on all three maps. There are only two instances where the City knows an owner, or potential owner, intends to use a site re-designated by the *2035 Comprehensive Plan Map* in a manner inconsistent with Title 3 use limitations, and both of these sites carry triple Title 3, 4, and 13 designations.

The first is a 172-acre RSIA area along the Willamette River of interest to the University of Portland (Sate ID Lots: 1N1E07 100, 1N1E18 100, 1N1E18 300, and 1N1E18A 100). The *2035 Comprehensive Plan* re-designates this site from industrial to Institutional Campus. The university would like to develop athletic fields on this site; and the primary users of these fields would not be employees of the nearby industrial firms. This use in this place would not be allowed by Title 4. The athletic fields would be on a remediated Superfund site where toxic soils are contained beneath a shallow cap. The cap extends so far into the river that harbor works cannot be adequately secured in the river bed, thus rendering the site unsuitable for water-dependent commerce. The site used to have freight access by a private road through the parcel to the north, but Metro purchased this land for a park and natural area and closed the road. While an alternative access suitable for pedestrians and light vehicles could be developed, there is no longer any practical freight access to this site. The soil above the remediating cap is also too shallow to support the foundations required for many industrial buildings. These conditions render the site unsuitable for industrial use. These facts would allow Metro to remove the site from the Title 4 map. The City should present these facts to Metro as a formal Title 4 map change request.

A second site is in a 25-acre Employment Area along the Columbia South Shore in the Cully Neighborhood (Sate ID Lot: 1N2E17DC 300). The *2035 Comprehensive Plan* re-designates this site from employment to open space. The site is a contaminated brown field owned by the Portland Bureau of Parks and Recreation. The bureau, in cooperation with the neighborhood association, intends to complete remediation of the site and develop a community park, a use not allowed by the Title 4 restrictions. Part 3.04.450(d)(1) of the Metro Code allows a city to amend its comprehensive plan or zoning regulations to change its designation of land on the Employment and Industrial Areas Map and allow uses not allowed by Title 4 upon a demonstration that a site is not buildable due to environmental constraints. This demonstration should be presented to Metro as a formal Title 4 map change request.

A third site involves a conflict between Titles 4 and 6. It includes a few acres tax lots that are within both an Industrial Area and the Clinton Street Light Rail Station Community. (Sate ID Lots: 1S1E11BA 7600, 1S1E11AB 7100, and 1S1E11BA 8400, and surrounding). The *2035 Comprehensive Plan* re-designates these lots for Central Employment, mixed commercial and

residential development. The commercial part contains uses not allowed by Title 4 and allowed in amounts greater than the Title 4 limits. This is a situation where the Title 4 map has not been updated to reflect the completion of the Max Orange Max Line. Title 6 states, “The Regional Framework Plan identifies Centers, Corridors, Main Streets and Station Communities throughout the region and recognizes them as the principal centers of urban life in the region. Title 6 calls for actions and investments by cities and counties, complemented by regional investments, to enhance this role. A regional investment is an investment in a new high-capacity transit line . . .” While a tax lot can be both a title 4 area and a Title 13 area, it cannot be both a Title 4 area and a Title 6 area, because the purposes of these two titles are incompatible. By making the regional investment of a light rail station at SE Clinton Street, Metro has created a new Title 6 area, and should remove the Clinton Street Light Rail Station Community from the Title 4 map. The City should provide Metro the designated boundaries of the Clinton Street Light Rail Station Community so that the Metro Council may initiate an update of the Title 4 map to reflect this transit use.

Part Five: City and Regional Map Differences.

Alignment Differences

The boundaries of Metro’s Title 4 areas and Portland’s *2035 Comprehensive Plan Map* designations are not perfectly aligned. There are small amounts of residential zones falling within Title 4 areas: R2 (0.63 acres), R2.5 (0.46 acres), R7 (0.01 acres), and RH (0.11 acres). Because of the very small amount of land involved and because residential uses are allowed in Title 4 areas, all of these errors are minor and technical. They do not compromise Portland’s status as in substantial compliance with Title 4.

Industrial Land Differences

There are 285 tax lots comprising 1,572 acres that are designated as either RSIA or Industrial Areas by Title 4 that are not designated as Industrial Sanctuary by the *2035 Comprehensive Plan Map*. Of these, there are 212 tax lots comprising 631 acres resulting from the *2035 Comprehensive Plan Map* re-designation of existing Industrial Sanctuary to another use. As explained in Part Three above, most of these re-designations are to a Title 4 compatible Open Space designation where a public owner intends to preserve the land as an undeveloped natural area or a stormwater detention facility. An additional 19 tax lots comprising 766 acres is attributable to the retention of Multnomah County’s Title 4-compatible Mixed Farm and Forest 19 designation for West Hayden Island. The remaining 58 tax lots comprising 174 acres are explained by Title 4 map errors.

Employment Land Differences

There are 232 Tax lots comprising 385 acres that are designated as Employment Areas by Title 4 that are neither fully-protected by a Mixed Employment designation nor over-protected by an Industrial Sanctuary designation. Of these, 171 tax lots comprising 162 acres are the result of the *2035 Comprehensive Plan Map* re-designation of Mixed Employment to another designation. An additional 4 tax lots comprising 1.5 acres are the result of a decision to overprotect employment land with an Industrial Sanctuary designation. An additional 136.5 acres is explained by existing Industrial Sanctuary overprotection of Title 4 Employment Areas. “Overprotection” is not a Title 4 conflict. The City may apply employment land use limitations that are stricter than those

required by Title 4. The remaining nine tax lots comprising 85 acres are the result of Title 4 map errors.

Title 4 Map Errors

The cumulative 67 tax lot, 259-acre discrepancy described in the concluding sentences in the two paragraphs above as “Title 4 map errors” are more accurately described as “map lags.” The 259 acre difference is explained by the administrative operation of Titles 4 and 8 of Metro’s *Urban Growth management Functional Plan*. Under Title 8 Portland may amend its plan to remove use limitations required by Title 4 from tax lots identified by the City, provided the criteria for doing so contained in Title 4 are met. Portland gives Metro both proposed and final notice for these changes and, unless Metro objects, the changes become final land use decisions recognized in Metro’s annual compliance report. Metro is then obligated by its own code to change the Title 4 map to reflect the City’s final, Metro-approved decision. There can be some administrative lag between Metro’s annual report and actions to reflect these changes on Metro’s Title 4 map.

Title 4 Conclusion

There are three places where the changes made by the *2035 Comprehensive Plan Map* either allow uses not allowed at all by Title 4 or allow uses in greater amounts than Title 4 permits. These situations are described in Part Four of these findings. To address these discrepancies, this ordinance contains a directive authorizing the Mayor to request that Metro make the necessary changes described above to its Title 4 maps.

The remainder of this finding only addresses potential conflicts that might be facilitated by this ordinance. Particularly, Parts Two and Three of these findings describe possible regulations for future legislative zone changes and quasi-judicial conditional use approvals that would require reference to Metro’s Title 4. While not required by this ordinance, if these land use regulation amendments are requested by Metro they will be included City’s periodic review Task V work.

As stated above, this ordinance only adopts comprehensive plan goals and policies and plan map designations. It does not apply zones to property or adopt land use regulations applicable to various zones. Because Title 4 addresses plans, zones and regulations, a complete Title 4 compliance determination will have to await completion of periodic review Task V, which will apply zoning designations to property and adopt zoning regulations. The few “conflicts” identified in the findings above between the map designations and policies adopted by this ordinance and Title 4 restrictions are all theoretical rather than actual. The findings above identify land use regulations that could be adopted as part of Task V that would prevent all identified theoretical conflicts from becoming actual conflicts.

Urban Growth Management Functional Plan Title 5 Findings

Title 5 addressed neighbor cities and rural reserves, but was repealed. The former Title 5 does not apply to this ordinance.

Urban Growth Management Functional Plan Title 6 Findings, Centers, Corridors, Station Communities and Main Streets

The Regional Framework Plan identifies Centers, Corridors, Main Streets and Station Communities throughout the region and recognizes them as the principal centers of urban life in the region. Title 6 calls for actions and investments by cities and counties, complemented by regional investments, to enhance this role.

Title 6 establishes eligibility criteria for certain regional investments, and the use of more flexible trip generation assumptions when evaluating transportation impacts. Title 6 also contains aspirational activity level targets for different Metro 2040 place types. The findings below discuss how the 2035 Comprehensive Plan responds to these requirements. This title is incentive-based, so these findings simply serve to document intent. There are no specific mandatory compliance standards in Title 6 that apply to this ordinance.

Pursuant to Title 6, the City is establishing boundaries for all Metro-designated Centers (Central City, Gateway Regional Center, and all Town Centers); and all City-designated Neighborhood Centers (some of which are also Metro-designated Station Communities or Main Streets). Table 4 below summarizes each City-designated place, and the corresponding Metro Title 6 designation. City designations are shown on the 2035 Comprehensive Plan Map, and the Urban Design Framework (in Chapter 3 of the 2035 Comprehensive Plan policies).

Title 6 - Table 1. City- and Metro-Designated Places

Activity Levels (Jobs +Residents/Parcel Acre)

CENTRAL

| | Metro Designation | Metro Target | 2015 | 2035 Forecast |
|--------------|--------------------------|---------------------|-------------|----------------------|
| Central City | Central City | 250 | 111 | 153 |

EAST

| | | | | |
|----------------------------|-------------------|----|----|----|
| Gateway Regional Center | Regional Center | 60 | 34 | 54 |
| Midway * | Main Street | 39 | 34 | 41 |
| Lents | Town Center | 40 | 24 | 54 |
| 122nd/Hazelwood | Station Community | 45 | 29 | 42 |
| Jade District | Main Street | 39 | 19 | 34 |
| Division/162 nd | Main Street | 39 | 25 | 44 |
| Rosewood/Glenfair | Station Community | 45 | 33 | 75 |
| Parkrose | Main Street | 39 | 29 | 38 |

NORTH

| | | | | |
|----------------|-------------------|----|----|----|
| St. Johns | Town Center | 40 | 29 | 44 |
| Hayden Island | Station Community | 45 | 14 | 21 |
| Kenton Lombard | Station Community | 45 | 27 | 54 |
| Mid-Lombard | Main Street | 39 | 30 | 56 |

NORTHEAST

| | | | | |
|---------------------------|-------------------|----|-----|-----|
| Hollywood | Town Center | 40 | 123 | 142 |
| Killingsworth/Interstate* | Station Community | 45 | 33 | 65 |
| 42nd/Killingsworth | Corridor | 45 | 25 | 36 |
| Alberta/MLK | Main Street | 39 | 42 | 57 |
| Roseway | Main Street | 39 | 37 | 57 |
| Fremont/Williams | None | NA | 58 | 75 |
| Cully | Main Street | 39 | 31 | 40 |

SOUTHEAST

| | | | | |
|----------------------------|-------------------|----|----|----|
| Belmont/Hawthorne/Division | Main Street | 39 | 60 | 89 |
| Heart of Foster | Corridor | 45 | 21 | 43 |
| Kerns | Main Street | 39 | 51 | 63 |
| Montavilla | Main Street | 39 | 27 | 43 |
| NE 60th / North Tabor | Station Community | 45 | 31 | 36 |
| Powell/Creston | Main Street | 39 | 30 | 57 |
| Sellwood/Moreland | Main Street | 39 | 42 | 46 |
| Woodstock | Main Street | 39 | 28 | 52 |

WEST

| | | | | |
|--------------------|-------------|----|----|----|
| Northwest District | Main Street | 39 | 82 | 92 |
| Hillsdale | Town Center | 40 | 19 | 29 |
| West Portland | Town Center | 40 | 37 | 62 |
| Macadam | Main Street | 39 | 38 | 42 |
| Multnomah Village | Main Street | 39 | 31 | 35 |

* Portland will seek amendments to Title 6 to recognize these Town Centers at the Metro level.

Actions and Investments in Centers, Corridors, Station Communities and Main Streets

The center boundaries established with the *2035 Comprehensive Plan* facilitate eligibility for future regional investment under Title 6, and will form the basis of future assessments and refinement plans necessary to document that eligibility.

Eligibility Actions for Lower Mobility Standards and Trip Generation Rates

The City intends that the identified and mapped centers listed above become eligible to use the higher volume to-capacity standards in Table 7 of the 1999 *Oregon Highway Plan*, and under Metro Functional Plan Section 3.07.630(a), because:

- A boundary has been established previously, or is now being established with the 2035 *Comprehensive Plan*; and
- Mixed use designations are being applied in each of the centers.

The City also intends that a subset of the identified and mapped centers listed above may become eligible in the future for an automatic reduction of 30 percent below the vehicular trip generation rates reported by the Institute of Traffic Engineers when analyzing the traffic impacts, pursuant to OAR 660-012- 0060, and Metro *Urban Growth Management Function Plan* Section 3.07630(b), because:

- A boundary has been established previously, or is now being established with the 2035 *Comprehensive Plan*;
- Mixed use designations have been applied in each of the centers;
- Auto-oriented uses have been prohibited in some centers (with policy support in Chapter 4 of the *2035 Comprehensive Plan*);
- Mode share targets have been included in the *TSP* (with policy support in in Chapter 9 of the *2035 Comprehensive Plan*);
- Street designs in the already adopted *Portland Design Guide for Public Street Improvements* (October 1993) generally meet Metro standards;
- TDM program are being added to the *TSP* (with policy support in Chapter 9 of the *2035 Comprehensive Plan*); and
- Parking management permit programs are being expanded, with new programs targeted at the identified centers.

Activity Levels for Centers, Corridors, Station Communities and Main Streets

Without specifying a target date, Metro Title 6 (3.07.640) recommends the following average number of residents and workers per acre for each type of place:

- (1) Central City - 250 persons
- (2) Regional Centers - 60 persons
- (3) Station Communities - 45 persons
- (4) Corridors - 45 persons
- (5) Town Centers - 40 persons
- (6) Main Streets - 39 persons

The *2035 Comprehensive Plan* is consistent with Title 6 because it increases the possible zoned capacity in most of these 2040 designated areas, primarily though updated commercial/mixed

use designations. This is not being accomplished through immediate up-zoning, but by adopting plan designations that allow for denser zones in the future (for example, adoption of an Urban Center designation where a lower density zone exists today). Table 5 below summarizes the planned residential capacity of each designated place, as calculated in the City’s *Buildable Lands Inventory*.

Table 4 above summarizes the current activity levels within each center shown on the *2035 Comprehensive Plan Map*. Seven of the thirty-three *2035 Comprehensive Plan* centers meet the 2040 Metro activity level recommendations today (in 2015) – Hollywood, Kerns, Belmont/Hawthorne/Division, Alberta/MLK, Fremont/Williams, Northwest District, and Sellwood/Moreland.

The expected 2035 activity levels have also been estimated. These estimates were prepared using the City’s Growth Allocation Model²⁷, incorporating the City’s adopted *Buildable Lands Inventory* and the *2035 Comprehensive Plan* land use designations. The estimates suggest that ten of the City-designated centers will meet Metro 2040 activity level recommendations by 2035. Given the City’s total regional growth allocation, the available vacant and underutilized land, and the *2035 Comprehensive Plan* designations, all of the City’s other centers will likely experience increased activity levels by 2035, making progress toward achieving Metro’s recommendations.

Policies describing the intended land uses in designated centers are included in Chapter 4 of the *2035 Comprehensive Plan*. These policies are consistent with Title 6 because they encourage a broad mix of uses in centers, including grocery stores, civic buildings and spaces. Policies also encourage a variety of housing types, and establish general density targets for different types of centers.

Title 6 - Table 2. *2035 Comprehensive Plan Map Residential Capacity**

| | Existing Plan | 2035 Comp Plan |
|-------------------------|---------------|----------------|
| CENTRAL | | |
| Central City | 26,408 | 26,601 |
| EAST | | |
| Gateway Regional Center | 19,651 | 17,639 |
| Midway TC | 1,867 | 5,305 |
| Lents TC | 5,150 | 7,331 |
| 122nd/Hazelwood | 6,580 | 5,418 |
| Jade District | 4,200 | 5,074 |
| Division/162nd | 1,744 | 3,164 |
| Rosewood/Glenfair | 7,205 | 7,015 |
| Parkrose | 981 | 1,833 |

²⁷ *Buildable Lands Inventory and Growth Allocation GIS Model*, Revised April 2016

| | | | |
|------------------|-----------------------------|--------|--------|
| | Other 2040 Areas | 28,887 | 41,256 |
| NORTH | | | |
| | St. Johns TC | 3,085 | 5,194 |
| | Hayden Island | 955 | 121 |
| | Kenton Lombard | 5,920 | 5,316 |
| | Mid-Lombard | 1,347 | 1,489 |
| | Other 2040 Areas | 22,441 | 24,324 |
| NORTHEAST | | | |
| | Hollywood TC | 2,944 | 4,694 |
| | Killingsworth/Interstate TC | 5,466 | 6,438 |
| | 42nd/Killingsworth | 331 | 306 |
| | Alberta/MLK | 1,706 | 3,759 |
| | Roseway | 1,148 | 2,273 |
| | Cully | 1,131 | 515 |
| | Other 2040 Areas | 20,295 | 32,613 |
| SOUTHEAST | | | |
| | Belmont/Hawthorne/Division | 2,871 | 6,095 |
| | Heart of Foster | 1,347 | 1,701 |
| | Kerns | 3,528 | 6,305 |
| | Montavilla | 2,220 | 2,395 |
| | NE 60th / North Tabor | 1,112 | 1,048 |
| | Powell/Creston | 1,657 | 2,678 |
| | Sellwood/Moreland | 1,099 | 324 |
| | Woodstock | 565 | 517 |
| | Other 2040 Areas | 34,492 | 36,299 |
| WEST | | | |
| | Northwest District | 3,921 | 6,144 |
| | Hillsdale TC | 1,879 | 2,611 |
| | West Portland TC | 682 | 3,867 |
| | Macadam | 621 | 495 |
| | Multnomah Village | 389 | 178 |
| | Other 2040 Areas | 13,366 | 17,142 |

* Constrained zoned residential capacity from 2015 BLI Model

Centers, Corridors, Station Communities and Main Streets Map

The City of Portland will, upon adoption of the *2035 Comprehensive Plan*, request that Metro incorporate the adopted center boundaries into the Metro Centers, Corridors, Station Communities and Main Streets Map in Title 6.

Title 6 Conclusions

Title 6 addresses region 2040 design types: centers, corridors, station communities and main streets. These are depicted on the *2035 Comprehensive Plan Map* to facilitate Title 6 incentives. In some cases the City has depicted more centers, or more extensive centers, than required by Title 6. In other cases the extent of centers, main streets and corridors is less on the plan map than the Title 6 map. There also some differences is terms. Notwithstanding slight differences in extent and terminology, the *2035 Comprehensive Plan Map* provides more opportunities to live and work in mixed use areas than the map it replaces. The findings above discuss how the 2035 Comprehensive plan responds to the eligibility criteria for certain regional investments, and the use of more flexible trip generation assumptions. There are no specific mandatory compliance standards in Title 6 that apply to this ordinance.

Urban Growth Management Functional Plan Title 7 Findings, Housing Choice

The Regional Framework Plan calls for establishment of voluntary affordable housing production goals to be adopted by local governments and assistance from local governments on reports on progress towards increasing the supply of affordable housing. It is the intent of Title 7 to implement these policies of the Regional Framework Plan.

Title 7 addresses housing choice. Metro adopted voluntary affordable housing goals for each city and county in the region for the Years 2001 to 2006, but never updated them. Since this ordinance adopts a plan for the period 2015 to 2035, Tile 7 does not apply. Nevertheless, the new *2035 Comprehensive Plan* adopts affordable housing production goals that greatly exceed those adopted by the outdated Title 7.

Urban Growth Management Functional Plan Title 8 Findings, Compliance Procedures

Title 8 addresses compliance procedures. This Title 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. This notice was provided to Metro. Title 8 also requires the City to provide findings of compliance with the *Urban Growth Management Functional Plan*. The findings in this ordinance were also provided to Metro. All applicable requirements of Title 8 have been met.

Urban Growth Management Functional Plan Title 9 Findings, Performance Measures

Title 9 addressed performance measures, but was repealed. The former Title 9 does not apply to this ordinance.

Urban Growth Management Functional Plan Title 10 Findings, Definitions

Title 10 contains definitions. Whenever the City had a question about a term in the *Urban Growth Management Functional Plan*, the definition in Title 10 was applied. When the 2035 *Comprehensive Plan* adopted by this ordinance uses a term found in Title 10 either the term has the same meaning found in Title 10, or the difference is explained in these ordinance findings. All applicable requirements of Title 10 requirements have been met.

Urban Growth Management Functional Plan Title 11 Findings, Planning for New Urban Areas

Title 11 addresses planning for new urban areas. Since no areas added to the urban growth boundary or designated as urban reserves have been assigned to Portland by Metro for planning, Title 11 does not apply to this ordinance.

Urban Growth Management Functional Plan Title 12 Findings, Protection of residential Neighborhoods

Existing neighborhoods are essential to the success of the 2040 Growth Concept. The intent of Title 12 of the Urban Growth Management Functional Plan is to protect the region's residential neighborhoods. The purpose of Title 12 is to help implement the policy of the Regional Framework Plan to protect existing residential neighborhoods from air and water pollution, noise and crime and to provide adequate levels of public services.

Title 12 addresses protection of residential neighborhoods. This title largely restricts Metro's authority to plan and regulate, but does allow City designation of "neighborhood centers." The City has not exercised the option to designate neighborhood centers within the meaning of Title 12, but has employed the same term with a different meaning. The areas designated as a neighborhood center on the 2035 *Comprehensive Plan* map are functionally equivalent to a main street designation within Title 6. Since, the City has not employed any of the optional provisions of Title 12, that title does not apply to this ordinance.

Urban Growth Management Functional Plan Title 13 Findings, Nature in Neighborhoods

The purposes of this program are to (1) conserve, protect, and restore a continuous ecologically viable streamside corridor system, from the streams' headwaters to their confluence with other streams and rivers, and with their floodplains in a manner that is integrated with upland wildlife habitat and with the surrounding urban landscape; and (2) to control and prevent water pollution for the protection of the public health and safety, and to maintain and improve water quality throughout the region.

Title 13 addresses nature in neighborhoods. The City adopted a new *Natural Resources Inventory* by Ordinance No. 185657, and this inventory was approved as a completed periodic

review task by LCDC Order 001850. On January 16, 2013 the City received a letter from Metro stated that Portland, upon adoption of this inventory, had also achieved compliance with Title 13.

The LCDC and Metro approved inventory identified the location, quantity and quality of various natural resources, and determined their significance – including identification of significant fish and wildlife habitat areas and riparian areas regulated by Title 13. In addition to the previously approved inventory, this ordinance adopts *2035 Comprehensive Plan* Policies 7.19 through 7.22 that concern “Planning for Natural Resources” and Policies 7.23 to 7.26 that concern “Protecting Natural Resources.” Both sets of policies are fully compatible with regulations needed to carry out Title 13.

As noted in the findings for Title 14, West Hayden Island is a Habitat Conservation Area within the meaning of Title 13. Title 13 states: “The City of Portland shall develop a District Plan that complies with Metro Code Section 3.07.1330(B)(4)(a), in cooperation with the Port of Portland, that applies to West Hayden Island.” The City prepared such a plan, with Port participation, but it was withdrawn from Council consideration when the Port objected to its adoption. Metro Code 3.07.1330(B)(4)(a) allows the adoption of a plan that either complies with Metro Code Section 3.07.1330(B)(1) or Metro Code Section 3.07.1330(B)(2). On January 16, 2013 the City received a letter from Metro stating that Portland had also achieved compliance with Title 13 by adoption of an inventory maps that “substantially comply with the Metro Habitat Conservation Areas Map” as required by the Section 3.07.1330(B)(2) option. These maps are also adopted as official comprehensive plan supporting documents for the *2035 Comprehensive Plan* adopted by this ordinance.

Because this ordinance leaves in place and the unchanged land use regulations and inventories previously determined to comply with Title 13, and because no provision on the maps or policies adopted by this ordinance requires changes to these inventories and land use regulations, all applicable requirements of Title 13 have been met.

Urban Growth Management Functional Plan Title 14 Findings, Urban Growth Boundary

Title 14 addresses the regional urban growth boundary. Since this ordinance does not require, nor initiate, a boundary change, title 14 does not apply.

Summary, Urban Growth Management Functional Plan Findings

The Metro Title 10 definition of comply or compliance means “substantial” rather than absolute compliance. "Substantial compliance" means city and county comprehensive plans and implementing ordinances, on the whole, conforms with the purposes of the performance standards in the functional plan and any failure to meet individual performance standard requirements is technical or minor in nature.

For the facts and reasons stated above this ordinance substantially complies with all *Urban Growth Management Functional Plan* requirements applicable to Task IV of Portland’s periodic review work program.

Metro Regional Transportation Functional Plan (RTFP, Chapter 3.08)

The *Regional Transportation Plan (RTP)* establishes an outcomes based framework that is performance-driven and includes policies, objectives and actions that direct future planning and investment decisions to consider economic, equity and environmental objectives.

The principal performance objectives of the *RTP* are improved public health, safety and security for all; attraction of jobs and housing to downtowns, main streets, corridors and employment areas; creating vibrant, livable communities, sustaining the region’s economic competitiveness and prosperity; efficient management to maximize use of the existing transportation system; completion of the transportation system for all modes of travel to expand transportation choices; increasing use of the transit, pedestrian and bicycle systems; ensuring equity and affordable transportation choices; improving freight reliability; reducing vehicle miles traveled and resulting emissions; and promoting environmental and fiscal stewardship and accountability.

The *Regional Transportation Functional Plan (RTFP)* implements the Goals and Objectives in section 2.3 of the *RTP* and the policies of the *RTP* and its constituent freight, high-capacity transit and transportation system management and operations plans which cities and counties of the region will carry out in their comprehensive plans, transportation system plans (TSPs), other land use regulations and transportation project development.

Local implementation of the *RTP* is intended to result in a more comprehensive approach for implementing the *2040 Growth Concept*, help communities achieve their aspirations for growth and support current and future efforts to achieve the principal objectives of the *RTP* and address climate change. The *RTFP* is intended to be consistent with federal law that applies to Metro in its role as a metropolitan planning organization, the Oregon Transportation Plan, and Statewide Planning Goal 12 (Transportation) and it’s Transportation Planning Rule (TPR). If a TSP is consistent with this *RTFP*, Metro deems it consistent with the *RTP*.

Regional Transportation Functional Plan Title 1, System Design

Title 1 addresses street, transit, freight, bicycle and pedestrian system design, green street design, street connectivity, bicycle and pedestrian connections to the transit system, modal plans, and system management.

Street designs in the already adopted *Portland Design Guide for Public Street Improvements* (October 1993) generally consistent with Metro standards. This document provides detailed design and engineering specifications, and is used in tandem with street functional and design classifications, which provide guidance on the specific elements that must be accommodated in specific locations. Portland’s existing *TSP* contains master street plans for areas that do not meet

Metro connectivity standards. These plans are being carried over into the new *TSP*, and further refined as part of periodic review Task V.

The *TSP* project list includes a large number of projects that provide better pedestrian and bike connections to transit. This was emphasized in two geographies in particular: the SW Corridor, and East Portland. For example, in the SW Corridor, projects #90088, and #90026 will improve pedestrian access from OHSU and Multnomah Village to the new SW corridor High Capacity Transit project. East Portland examples include project #50049 and #80033, which will make significant pedestrian improvements along 122nd Avenue, and surround East Portland MAX stations.

The City's existing zoning code includes design standards that regulate the orientation of buildings to the street, and limit the location of parking lots and auto-oriented uses. These standards are being updated through the Commercial/Mixed Use zoning rewrite, which is occurring as an element of periodic review Task V.

The City has existing adopted modal plans for transit²⁸, freight, bikes, and pedestrians. The *2035 Comprehensive Plan* and *TSP* incorporates goals and policies from the 2011 *Bicycle Plan for 2030*. Corresponding changes to bike classifications are being updated with the upcoming periodic review implementation measures (Task V). The freight and pedestrian plans were adopted in 2006 and 1998, respectively, and have previously been incorporated into the *TSP*. Those plans are carried forward as part of the new *TSP*, but have not been changed. Updated to the modal plans are anticipated as a post-acknowledgement amendment at some time after 2017. Policies 9.17 through 9.40 in the 2035 *Comprehensive Plan* provide high level mode-related policies to guide that work. The City is working toward a future update of its transit plans by initiating coordination with Trimet through its Service Enhancement process, through a pending new memorandum of understanding²⁹, and through several studies that are in progress (*Growing Transit Communities Plan*, and the *Enhanced Transit Corridors Study*).

The *2035 Comprehensive Plan* and *TSP* takes system management approach, rather than proposing construction of new roadway capacity. The *TSP* project list contains a number of ITS projects to manage the existing system better through signal technology and live information about traffic conditions. The plan policies also promote integration of these approaches into emerging vehicle technology (Policies 9.39, 9.45, 9.48). Expanded TDM programs are also promoted through policy (Policies 9.52-9.54).

Title 1 also addresses Green Street Elements (3.08.110.A.2). The City's existing development regulations comply with these requirements because the City has adopted standards for incorporation of green elements into public and private streets (17.38 , 33.654, And the *BDS Admin Rule for Private Rights-of-Way - Streets, Alleys, Shared Courts, Common Greens and Pedestrian Connections*). These standards, developed to ensure compliance with federal water quality mandates, include requirements to include green features in streets, such as vegetated

²⁸ The master street plan for transit in the *TSP*, which will be updated in Stage 3, serves as the cities modal plan for transit. Cities are not required to have a stand-alone plan, but do need a plan/map in the *TSP*.

²⁹ See Letter of Intent signed September 1, 2015

swales, planters, street trees, and pervious pavement.

In conclusion, the *2035 Comprehensive Plan* and *TSP* meets *RTFP* Title 2 because:

- Already adopted street design standards are generally consistent with Metro standards;
- The City had existing street classifications and street plans, which are not amended with this ordinance;
- The City's existing zoning code includes design standards that regulate the orientation of buildings to the street, require pedestrian connections, and limit the location of parking lots and auto-oriented uses, and;
- City has an existing suite of modal plans that have already been deemed to meet the requirements of this Title.

Regional Transportation Functional Plan Title 2, TSP Updates

Title 2 describes certain elements that must be included and standards that apply when a City updates its *Transportation System Plan (TSP)*. This title is applicable because the *2035 Comprehensive Plan* incorporates updates to the *TSP*. In particular, this ordinance adopts a new list of transportation projects needed to support forecast growth through 2035³⁰. New transportation policies are also being adopted.

Table 3.08-2 of the *RTFP* contains the same mobility standards described in Policy 1F of the *Oregon Highway Plan*. The *Oregon Highway Plan* Policy 1F findings above are therefore also applicable to documentation of *RTFP* compliance. The *RTFP* applies these targets to state facilities and to other regional facilities shown on Figure 2-7 of the *RTP*. As a supplement to the *Oregon Highway Plan* findings, all non-ODOT City streets on Figure 2-7 have been evaluated.

Table 1 below identifies the links (in addition to the ODOT facilities listed in *OHP* Policy 1F findings) that will not meet mobility targets, based on the third model run³¹. For each location, the table identifies the recommended *TSP* project, study, or refinement plan associated with each location. These projects, plans, and studies provide a mechanism for more location-specific analysis, to identify the best way to make progress toward better meeting mobility targets in these locations.

³⁰ Pursuant to Portland's periodic review work order, this is approximately 123,000 new households and 142,000 new jobs (2010-2035). This is based on Metro Council Ordinance No. 12-1292A, November 29, 2012.

³¹ This information is taken from transportation modelling results maps and data tables provided to City Council in a memo dated April 18, 2016.

RTFP - Table 1. Additional regionally-important facilities that do not meet Table 3.08-2 mobility targets (in addition to the state facilities identified in *Oregon Highway Plan* findings)

| Street/Road | Location | Response (Projects and Studies) |
|--------------------------------|---------------------------------------|---|
| Morrison Bridge | various approach ramps | MMA projects, CC2035 Plan, Project #20117 |
| Hawthorne Bridge | Approach ramps and bridge | MMA projects, CC2035 Plan |
| NE Couch | NE Sandy to 11 th | monitor |
| NE Martin Luther King Jr. Blvd | Hancock to Freemont | Streetcar Project |
| NE Sandy Blvd. | 47 th to 50 th | Projects #40068, 40069 |
| NE Killingsworth | Kerby to Vancouver | Project #30028 |
| NE Halsey | 86 th to 102 nd | Project #40086.2 |
| NE Glisan | 60 th to 99 th | NE Glisan Study, Projects #70059, 70079 |
| NE 33 rd Ave. | Broadway to Freemont | monitor |
| W. Burnside | at Barnes Road | Project #60006 |
| E. Burnside | 60 th to Thornburn | Project #70010 |
| SE Foster Rd. | 51 st to 82 nd | Project #70021, 70047 |
| SE Foster Rd. | 122nd to City boundary | ODOT “Hot Spot” Refinement Plan, Pleasant Valley Area Study |
| SE Tacoma | Sellwood Bridge to McLoughlin | Project #70055, 70057 |

Regional mobility corridors have been considered in the City’s analysis and evaluation. Some of the largest investments within the *TSP* project list are being made to provide additional options within regional mobility corridors. This includes the SW Corridor project (#90106), Powell-Division High Capacity Transit (#80040), and overcrossings and rail crossing grade separation in the Columbia Corridor (#30066, for example). Modeling results suggest that congestion will continue to be a concern in a number of these corridors in 2035. Several studies identified in the *TSP* are aimed at regional mobility corridors, including the I-205 study, and the Foster-Powell study.

Solutions identified in the *TSP* project list emphasize system management, TDM, transit, bicycle, and pedestrian improvements. This was described in the Goal 12 findings above. Land use strategies have also been used to create a more walkable, bike-able, and transit-friendly urban form. In particular, the land use plan’s emphasis on focusing growth in identified centers helps ensure more destinations are within walking distance of every household (See Comp Plan Policies 3.33 and 3.37).

The *2035 Comprehensive Plan* and *TSP* include performance targets consistent with those in the *RTP/RTFP*. Transportation policies and *TSP* objectives include reference to Metro’s Interim Regional Mobility Policy, and the City is adopting modal targets. Title 2 identifies several performance measures that must be incorporated into the *TSP*, including those that address mode splits, mobility and congestion, safety, vehicle miles travelled per capita, and freight reliability.

Table 6 summarizes Metro’s modal targets.

RTFP - Table 2. Metro’s Non-SOW Modal Targets

| 2040 Design Type | Non Drive Alone Modal Target |
|---|-------------------------------------|
| Portland Central City | 60-70% |
| Regional and Town Centers, Main Streets, Station Communities, Corridors, Passenger Intermodal Facilities (for example, PDX) | 45-55% |
| Industrial, freight intermodal facilities, employment areas, inner and outer neighborhoods | 40-45% |

The *2035 Comprehensive Plan* includes policies to meet or exceed Metro’s modal and VMT targets (Policy 9.5). Portland has previously adopted through resolution a citywide goal that 70% of commute trips occur through walking, biking, transit, carpooling, or telecommute³². In addition, the specific modal targets are being integrated into the TSP as an objective. As described above in findings under Goal 12 and the TPR, single occupancy vehicle mode share declines with the *2035 Comprehensive Plan*, while bicycle, walking, and transit mode shares increase. Analysis suggests that under the *2035 Comprehensive Plan*, the percentage of trips taken by automobile could drop to just over half of all trips. Model-based analysis includes all types of trips, so it is not directly comparable to the Metro target, which emphasizes commute trips. The modelling, however, suggests that the recommended plan is moving this metric in the right direction, toward that *Portland Plan* goal.

The *2035 Comprehensive Plan* includes Goal 9A, which sets a target of zero traffic-related fatalities and serious injuries. The plan also adopts regional interim mobility standards into the *2035 Comprehensive Plan* (Policy 9.50/Figure 9-4). Policy 9.49 also directs the City to establish multimodal performance measures and measures of system completeness to evaluate and monitor the adequacy of transportation services based on performance measures in Comprehensive Plan goals 9.A. through 9.I (which address safety, meeting multiple objectives, place-making, sustainability, equity, health, prosperity, and cost effectiveness), This will occur in the forthcoming Stage 3 of the TSP Update (proposed with periodic review Task V).

In the forthcoming Stage 3 of the *TSP*, the City is also proposing more specific objectives to supplement Policy 9.5, to establish modal targets for transit (25%), cycling (25%), walking (7.5%), and carpooling (10%). The City may also choose to adopt targets for working at home/telecommuting. To facilitate this, policies have been included in the plan to facilitate home businesses (Policy 6.65). In addition, targets for vehicle ownership rates and carbon emissions are proposed as *TSP* objectives as part of the *TSP* Stage 3 package.

Title 2 also requires consideration of the needs of environmental justice populations. The *2035 Comprehensive Plan* and *TSP* included several steps to examine equity and potential impact on environmental justice populations. As an element of the *Growth Scenarios Report*, the City

³² *Climate Action Plan and Portland Plan*

developed a study and a set of maps to assess gentrification and displacement risk³³. This study incorporated a number of different demographic datasets, as well as rates of demographic change, and real estate conditions. Demographic risk factors included presence of communities of color, renters, people with lower educational attainment, and households with lower incomes. The mapping used in this study was updated a number of different times during the project. It was used as a tool to understand which land use decisions and projects would be most likely to impact vulnerable populations (either positively or negatively). During development of the *TSP* project list, this data was used as an element of project ranking³⁴. Projects that improve safety, access (opportunity and neighborhood), and/or health for underserved populations (low-income, people of color, seniors and youth) received additional points in the ranking, and were therefore more likely to become projects listed on the financially-constrained project list. The emphasis on safety, access, and opportunity in this evaluation was intended to emphasize that the project must benefit a community, rather than receiving points for simply passing through a community. For example, sidewalk improvements to improve access to schools and transit in a community was identified as a benefit because the facility would serve the local population directly. A rail project or arterial road project that simply passed through a community was not awarded these points. Negative points were given to projects that may have a local health impact on such communities.

In conclusion, the *2035 Comprehensive Plan* and *TSP* meets *RTFP* Title 2 because:

- System needs have been identified as described in earlier Goal 12 and TPR findings, based on an analysis of gaps and deficiencies.
- Analysis has been based on growth assumptions which are aligned with Metro as directed in the City's periodic review work order.
- Through modelling the City has identified locations within the regional network that may fail to meet regional mobility standards in 2035, and the *TSP* includes projects, studies and refinement plans to consider appropriate remedies or other system management responses.
- Solutions identified in the *TSP* project list emphasize system management, TDM, transit, bicycle, and pedestrian improvements, and land use strategies.
- The project selection and ranking criteria included consideration of environmental justice populations.
- Regional mobility corridors have been considered in the City's analysis and evaluation.
- The *2035 Comprehensive Plan* and *TSP* include performance targets and related policies consistent with those in the *RTP/RTFP*.

³³ *Gentrification and Displacement Study: implementing an equitable inclusive development strategy in the context of gentrification*. Commissioned by City of Portland Bureau of Planning and Sustainability. Authored by Lisa K. Bates, PhD, Updated: 05/18/13.

³⁴ *TSP Major Projects Performance Report*, March 2015

Regional Transportation Functional Plan Title 3, Projects

Title 3 requires the City to identify the location and general description/parameters of planned facilities. The *2035 Comprehensive Plan* and *TSP* is consistent with this title because the project list has been mapped, and includes project descriptions/parameters, estimated costs, and timeframes.

Regional Transportation Functional Plan Title 4, Parking Management

Title 4 requires cities to establish parking ratios within a specified range (minimums and maximums) in their development codes. This title also requires that cities establish minimum bicycle parking requirements, and requires certain design standards for large parking areas. The title also requires parking management plans and policies in centers and station communities. The current phase (periodic review Task IV) of the *2035 Comprehensive Plan* and *TSP* updates policies, project lists, and land use designations, but does not change development regulations. Therefore, this policy is not directly applicable to the present ordinance.

Nonetheless, this ordinance relates to this policy in two ways. First, *the 2035 Comprehensive Plan* policies include updated parking policies (policies 9.54 to 9.60), which will form the basis of future updates to parking regulations. Second, the new *2035 Comprehensive Plan Map* formally identifies centers and station communities within Portland, which provides a clearer basis for application of parking policies to those geographies, consistent with *RTFP* Title 4.

The city has previously adopted regulations into its development codes that comply with this title, including parking minimums and maximums within the required ranges, bicycle parking requirements, and design regulations for large parking-oriented developments. As an element of periodic review Task V, the City is updating a variety of development regulations, including commercial mixed-use zoning codes. These code updates will include changes to parking requirements in some zones. In particular, the changes are designed to facilitate greater use of shared parking, and paid parking.

Finally, while not part of the present ordinance, the City is proceeding with new parking management programs and a toolkit for fast growing mixed use centers and station areas. Initial proposals were developed in mid-2015, and are expected to be adopted in 2016³⁵. In conclusion, the *2035 Comprehensive Plan* and *TSP* meets *RTFP* Title 2 because the current phase of the *2035 Comprehensive Plan* and *TSP* updates do not change acknowledged development regulations that already implement these Metro requirements.

Regional Transportation Functional Plan Title 5, Comp Plans

This title includes requirements for amendments to comprehensive plans. It requires cities to consider certain strategies, including, transportation system management, transportation demand

³⁵ *Parking Management Toolkit*. Prepared By: Kittelson & Associates, Inc., March 2016

management, transit improvements, bike improvements, pedestrian improvements, traffic calming, land use, connectivity, and capacity. These strategies have been considered, and are incorporated into the plan as discussed in earlier findings, including *RTFP* Title 1 and 2 findings, OAR 660-012-035 findings, *Oregon Highway Plan* Goal 1G, 2E and 4D findings, and in general Goal 12 findings.

This Title also describes required supplemental analysis if a city incorporates projects into its TSP that is not in the regional *RTP*, and will result in a significant increase in SOV capacity. The City has not proposed any facilities that are not in the *RTP* that will result in significant increases to SOV capacity.

This title also includes procedures that apply when a city is not including a regionally-identified project in a local *TSP*. The *2035 Comprehensive Plan* and *TSP* generally contains all regionally-identified projects included in the *RTP*, with one exception: projects associated with the annexation and development of West Hayden Island. Through a recent multi-agency planning process to consider annexation, and through its Statewide Planning Goal 9 analysis, the Port withdrew its annexation request, and City has determined that there is not a need to annex and develop West Hayden Island within the 20-year planning horizon of the *2035 Comprehensive Plan*. As a result, the City has chosen to not include associated transportation projects in its *TSP*. This includes a potential new bridge from Marine Drive to West Hayden Island, and several projects to extend rail access to the site. Through the regional *RTP* update the City will be requesting removal of those projects from the regional plan.

Regional Transportation Functional Plan Title 6, Compliance

Title 6 describes *RTFP* compliance procedures. The *RTFP* was adopted in 2010, and last amended in 2012. The City's current periodic review order was initiated in 2007, the same year that the City's existing *TSP* was last amended. Since then, the City has worked with Metro to coordinate development of the *2035 Comprehensive Plan* and associated *TSP* with updates to the *RTP* - both in relation to the 2014 *RTP* (which occurred mid-process in relation to the City's periodic review project), and in anticipation of the 2018 *RTP* update (which will presumably occur after acknowledgement). Metro has been notified of hearings and various milestones of project development.

The following checklist has been developed in coordination with Metro as a tool to document compliance with the *RTFP*.

RTFP – Table 3. Metro Checklist

| Regional Transportation Functional Plan Requirement | Local TSP Reference |
|---|---|
| Title 1: Transportation System Design | |
| Title 1, Street System Design Sec 3.08.110A(1) – Complete Streets | TSP Stage 1 (PR Task IV): Comp Plan Policy 9.1, 9.2, 9.6, 9.13 to 9.15 TSP Stage 2 (Pending, PR Task V): Objective 11.10.D |
| Title 1, Street System Design Sec 3.08.110A(2) - - Green Streets | TSP Stage 1 (PR Task IV): Comp Plan Policy 9.1, 9.15 TSP Stage 2(Pending, PR Task V): Objectives 11.10.D, N, O, Q Existing City Code 17.38, Stormwater Management 33.654, Rights of Way BDS Admin Rule for Private Rights-of-Way - Streets, Alleys, Shared Courts, Common Greens and Pedestrian Connections Ys |
| Title 1, Street System Design Sec 3.08.110A(3) – Transit Supportive | TSP Stage 1 (PR Task IV): Policy 9.1, 9.6, 9.24 to 9.28 TSP Stage 2 (Pending, PR Task V): Objectives 11.10.E, H, K |
| Title 1, Street System Design Sec 3.08.110B - Regulations | TSP Stage 1 (PR Task IV): Comp Plan Policy 9.6, 9.12, 9.16 to 9.18, 9.44 to 9.46 TSP Stage 2 (Pending, PR Task V): Objectives 6.8.A-E / 6.22.C / 11.10.J/ 11.11.A-E Section 2: Objectives 6.13.D,F/11.10.E Existing City Code 33.654, Rights of Way 17.82, Land Divisions Design Guide for Public Street Improvements BDS Admin Rule for Private Rights-of-Way - Streets, Alleys, Shared Courts, Common Greens and Pedestrian Connections |
| Title 1, Street System Design Sec 3.08.110C - | TSP Stage 1 (PR Task IV), Comp Plan Policy 9.2, 9.14, 9.46, TSP Stage 2 (Pending, PR Task V): |

| Regional Transportation Functional Plan Requirement | Local TSP Reference |
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| Connectivity | <p>Section 6: Street Design Classification Descriptions</p> <p>Section 9: Master Street Plans Descriptions and Maps</p> |
| Title 1, Street System Design Sec 3.08.110D – New Streets | TSP Stage 2 (Pending, PR Task V): Section 9, Master Street Plans Descriptions and Maps |
| Title 1, Street System Design Sec 3.08.110E, F – New Development and Redevelopment | <p>TSP Stage 1 (PR Task IV): Comp Plan Policy 9.15, 9.46</p> <p>TSP Stage 2 (Pending, PR Task V): Objectives 6.20.A-D, Objectives 11.11.A-E</p> <p>Mixed Use Zoning Update</p> <p>Existing City Code 33.654, Rights of Way</p> <p>17.88.040, Through Streets</p> |
| Title 1, Street System Design Sec 3.08.110G – Hwy Access Management | <p>TSP Stage 1 (PR Task IV): Comp Plan Policy 9.28, 9.44 to 9.49</p> <p>TSP Stage 2 (Pending, PR Task V): Objectives 6.20.A-D, 6.16.A-C</p> <p>Existing City Code 17.28.110, Driveways</p> |
| Title 1, Transit System Design Sec 3.08.120A – Bike/Ped Connections | <p>TSP Stage 1 (PR Task IV): Comp Plan Policy 9.16, 9.21, 9.22</p> <p>TSP Major Projects + Citywide Programs Recommendation List</p> <p>TSP Stage 2 (Pending, PR Task V): Mixed Use Zoning Update</p> <p>Existing City Code 33.120.220, Building Setbacks on a Transit Street, in Pedestrian District</p> <p>33.120.255, Pedestrian Standards</p> |
| Title 1, Transit System Design Sec 3.08.120B(1) – Transit Plan | TSP Stage 3: District Policies and Maps, for transit |

| Regional Transportation Functional Plan Requirement | Local TSP Reference |
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| Title 1, Transit System Design Sec 3.08.120B(2) – Access to Transit Design Standards | <p>TSP Stage 1 (PR Task IV): Comp Plan Goal 3.C (Focused growth)</p> <p>Comp Plan Policy 3.2, 3.19, 3.44, 3.49, 3.54-3.60, 4.6, 4.23, 9.12, 9.22-26</p> <p>TSP Stage 2 (Pending, PR Task V): Objectives 6.19.A-D</p> |
| Title 1, Pedestrian System Design Sec 3.08.130A - Pedestrian Plan | <p>TSP Stage 1 (PR Task IV): TSP Stage 1 (PR Task IV): Comprehensive Plan Policy 9.2, 9.6, 9.16-9.18</p> <p>TSP Major Projects + Citywide Programs Recommendation List</p> <p>TSP Stage 3 (Pending): District Policies and Maps, for pedestrians Existing Plans Portland Pedestrian Master Plan</p> |
| Title 1, Pedestrian System Design Sec 3.08.130B - Pedestrian Districts | <p>TSP Stage 1 (PR Task IV): Comp Plan Policy 9.2, 9.12, 9.46</p> <p>TSP Stage 2 (Pending, PR Task V): Objectives 6.8.A, 6.20.A-D</p> <p>Objectives 11.11.A-E</p> <p>Section 4: Objective 6.23.G,I</p> <p>TSP Stage 3 (Pending): District-specific policies and maps</p> |
| Title 1, Pedestrian System Design Sec 3.08.130C - Direct Pedestrian Access | <p>TSP Stage 2 (Pending, PR Task V): Mixed Use Zones Project (Will require on-site pedestrian connectivity that meets regional connectivity requirements, and provide better links to existing Title 17 requirements).</p> <p>Existing City Code 33.120.220, Building Setbacks on a Transit Street, in Pedestrian District</p> <p>33.120.255, Pedestrian Standards</p> <p>33.654, Rights of Way</p> <p>17.88.040, Through Streets</p> |
| Title 1, Bicycle System Design Sec | <p>TSP Stage 1 (PR Task IV): Comprehensive Plan Policy 9.2, 9.6, 9.19-9.21</p> |

| Regional Transportation Functional Plan Requirement | Local TSP Reference |
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| 3.08.140- – Bicycle Plan | <p>TSP Major Projects + Citywide Programs Recommendation List</p> <p>TSP Stage 2 (Pending, PR Task V): Objectives 6.3 H-G; 6.23 A-L; 6.26 A, E, and F; 6.27 D and E; 11.10.F, R-T; 11.12 F</p> <p>Section 5, Bicycle Classification Maps</p> <p>TSP Stage 3 (Pending): District Policies and Maps, for bicyclists</p> |
| Title 1, Freight System Design Sec 3.08.150 – Freight Plan | <p>TSP Stage 1 (PR Task IV): Comprehensive Plan Policy 9.2, 9.7, 9.29-9.35, 9.40</p> <p>TSP Major Projects + Citywide Programs Recommendation List</p> <p>TSP Stage 3 (Pending): District Policies and Maps, for freight</p> <p>Existing Plans Portland Freight Master Plan</p> |
| Title 1, Transportation System Management and Operations Sec 3.08.160 | <p>TSP Stage 1 (PR Task IV): Comprehensive Plan Policy 9.38, 9.44-9.54</p> <p>TSP Major Projects + Citywide Programs Recommendation List</p> <p>TSP Stage 2 (Pending, PR Task V): Section 14, Transportation Demand Management (TGM) and Code</p> |
| Title 2: Development and Update of Transportation System Plans | |
| Title 2, Transportation Needs Sec 3.08.210 | <p>TSP Stage 1 (PR Task IV): Goal 12 and Oregon Highway Plan findings submitted with new Comprehensive Plan reference and describe modeling results.</p> <p>TSP Major Project and Citywide Program List</p> <p>TSP Major Projects Performance Report: https://www.portlandoregon.gov/transportation/article/522651</p> <p>Multimodal System Completeness, A strategy for Measuring and Building Portland’s Transportation System (2015)</p> <p>Alternative Mobility Standards and Performance Measures (2012)</p> <p>Citywide Systems Plan (2015)</p> |

| Regional Transportation Functional Plan Requirement | Local TSP Reference |
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| | <p>TSP Stage 2 (Pending, PR Task V): Section 12, p.77: Studies List + ODOT Hot Spots Refinement Study</p> <p>Existing Plans, Studies</p> <ul style="list-style-type: none"> 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) |
| <p>Title 2, Sec 3.08.220 Transportation Solutions</p> | <p>TSP Stage 1 (Task IV): Comprehensive Plan Policy 3.33 and 3.37 (Land Use Strategy per 3.08.220.A.4)</p> <p>The TSP Major Projects and Citywide Programs includes significantly expanded TSM and TDM citywide programs, including Freight Priority, Transit Priority, and proposed expansion of TDM to new multifamily and office development. Pedestrian, bicycle, and transit gaps and deficiencies in centers and corridors, and in areas with disadvantaged communities, received higher project evaluation scores.</p> <p>ODOT, Metro, TriMet, the Port, and public and private sector stakeholders were involved in establishing project evaluation criteria and establishing the project and program constrained and unconstrained lists.</p> |
| <p>Title 2, Performance</p> | <p>TSP Stage 1 (PR Task IV):</p> |

| Regional Transportation Functional Plan Requirement | Local TSP Reference |
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| Targets and Standards Sec 3.08.230 | <p>Comprehensive Plan Policy 9.5, 9.48</p> <p>Goal 12 and Oregon Highway Plan findings submitted with new Comprehensive Plan reference and describe modeling results.</p> <p>Growth Scenario Report adopted with Task III of periodic review describes anticipated performance on a variety of metrics, including mode split, VMT, emissions.</p> <p>TSP Stage 2 (Pending, PR Task V):TSP Performance Measures (Section 10)</p> |
| Title 3: Transportation Project Development | |
| Title 3, Defining Projects in Transportation System Plan Sec 3.08.310 | <p>TSP Stage 1 (PR Task IV): TSP Projects and Programs</p> <p>TSP Stage 2 (Pending, PR Task V):</p> <ul style="list-style-type: none"> Master Street Plans Street Classification Maps <p>Existing City Code</p> <ul style="list-style-type: none"> Design Guide for Public Street Improvements |
| Title 4: Regional Parking Management | |
| Title 4, Parking Management Sec 3.08.410 | <p>TSP Stage 1 (PR Task IV):</p> <ul style="list-style-type: none"> Comp Plan Policy 9.54-9.60 <p>TSP Stage 2 (Pending, PR Task V):</p> <ul style="list-style-type: none"> Objective 6.25.A-C, 6.26.A-D, 6.27A-C. Objective 6.31.E On-street Truck Loading Commerical/Mixed Use Code <p>Pending Centers and Corridors Parking Management Toolkit – technical reference document (to be adopted in June 2016).</p> <p>New parking code (Pending, June 2016)</p> <p>Existing Zoning Code</p> <ul style="list-style-type: none"> 33: 33.266.110.D – areas near transit exempted from minimums 33.266.130.F.5 – Large parking lots 33.266.200 – bicycle parking |

| Regional Transportation Functional Plan Requirement | Local TSP Reference |
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| | Table 266-1 & 266-2 minimum and maximum parking tables 33.510.261-267 – Central City no parking minimums |
| Title 5: Amendment of Comprehensive Plans | |
| Title 5, Amendments of City and County Comprehensive and Transportation System Plans Sec 3.08.510A,B | TSP Stage 1 (PR Task IV): Comp Plan Policy 9.53: TDM – new development TSP Stage 2 (Pending, PR Task V): Section 10: Performance measures page 5 Interim Regional Mobility Policy |
| Title 5, Amendments of City and County Comprehensive and Transportation System Plans Sec 3.08.510C | TSP Stage 1 (PR Task IV): TSP Major Projects + Citywide Programs Recommendation List |

Portland Comprehensive Plan Findings

Ordinances that amend comprehensive plans have to comply with policies that are not being amended. Since this ordinance 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 *2035 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 CIC report accepted with a companion ordinance 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, in addition to those on the legislative mailing list. That test notice was received before October 13,

2015. The 14-day code requirement has been met. The City also mailed 28,000 notices as required by ORS 117.186 (known as Measure 56) to potentially affected property owners. All City Code requirements have been met.

Findings Addendum

Addendum to Exhibit A “Further Findings of Fact” for substitute ordinance, “Adopt a new Comprehensive Plan for the City of Portland, Oregon, which replaces and supersedes the Comprehensive Plan adopted with Ordinance 150580, amend Ordinance Nos. 161770, 165861 and 177028.”

Metro Title 7 Housing Choice

Title 7 of *Metro’s Regional Urban Growth Management Plan* requires local governments to adopt aspirational goals to increase the region’s supply of supply of affordable housing.

In particular, section 3.07.730 of the Metro Code requires Portland to include in its Comprehensive Plan strategies and measures to ensure a diverse range of housing types, maintain the existing supply of affordable housing, increase the opportunities for new affordable housing, and increase opportunities for households of all income levels to live throughout Portland.

Ensuring a diverse range of housing types.

The City Council fulfilled its period Review Task II obligations on October 3, 2012, by adopting Ordinance No. 185657 that contained a *Housing Needs Analysis* in five parts:

1. *Housing and Transportation Cost Study* – version as recommended by the PSC in December 2010
2. *Updates on Key Housing Supply and Affordability Trends* – version as recommended by the PSC on July 12, 2011
3. *Housing Supply* – version as recommended by the PSC on July 12, 2011
4. *Housing Affordability* – version as recommended by the PSC on July 12, 2011
5. *Housing Demand and Supply Projections* – version as recommended by the PSC on July 12, 2011

The Oregon Land Conservation and Development Commission approved Portland’s *Housing Needs Analysis* as meeting Statewide Planning Goal 10 and the Metropolitan Housing Rule on May 23, 2014 by Order 001850. Through operation of OAR 660-025-0160(8) Portland’s *Housing Needs Analysis* became an acknowledged supporting documents for Portland’s 2035 Comprehensive Plan.

This ordinance adopts an inventory of residential land sufficient to meet a range of housing needs for at least 20 years. The findings for Statewide Planning Goal 10 explains how Portland’s inventory of vacant and re-developable residential land can accommodate the identified range of housing needs.

Maintaining the existing supply of affordable housing

The *2035 Comprehensive Plan* contains explicit policies aimed at maintain the existing supply of affordable housing. Examples include:

Policy 5.12 Impact analysis. Evaluate plans and investments, significant new infrastructure, and significant new development to identify potential disparate impacts on housing choice, access, and affordability for protected classes and low-income households. Identify and implement strategies to mitigate the anticipated impacts.

Policy 5.15 Gentrification/displacement risk. Evaluate plans and investments, significant new infrastructure, and significant new development for the potential to increase housing costs for, or cause displacement of communities of color, low- and moderate-income households, and renters. Identify and implement strategies to mitigate the anticipated impacts.

Policy 5.16 Involuntary displacement. When plans and investments are expected to create neighborhood change, limit the involuntary displacement of those who are under-served and under-represented. Use public investments and programs, and coordinate with nonprofit housing organizations (such as land trusts and housing providers) to create permanently-affordable housing and to mitigate the impacts of market pressures that cause involuntary displacement.

Policy 5.30 Housing cost burden. Evaluate plans and investments for their impact on household cost, and consider ways to reduce the combined cost of housing, utilities, and/or transportation. Encourage energy-efficiency investments to reduce overall housing costs.

Policy 5.36 Impact of regulations on affordability. Evaluate how existing and new regulations affect private development of affordable housing, and minimize negative impacts where possible. Avoid regulations that facilitate economically-exclusive neighborhoods.

Policy 5.37 Mobile home parks. Encourage preservation of mobile home parks as a low/moderate-income housing option. Evaluate plans and investments for potential redevelopment pressures on existing mobile home parks and impacts on park residents and protect this low/moderate-income housing option. Facilitate replacement and alteration of manufactured homes within an existing mobile home park.

Increasing the opportunities for new affordable housing.

The *2035 Comprehensive Plan* contains Policy 5.26 that establishes a twenty-year production target of 10,000 new and regulated housing units that will be affordable to households with incomes between zero and eighty percent of the region's median family income. Other policies aimed at increasing supply include:

Policy 5.17 Land banking. Support and coordinate with community organizations to hold land in reserve for affordable housing, as an anti-displacement tool, and for other community development purposes.

Policy 5.35 Inclusionary housing. Use inclusionary zoning and other regulatory tools to effectively link the production of affordable housing to the production of market-rate housing. Work to remove regulatory barriers that prevent the use of such tools.

Increasing opportunities for households of all income levels to live throughout Portland.

The *2035 Comprehensive Plan* contains policies aimed at increasing opportunities for households of a variety of income levels to live throughout the city. Examples include:

Policy 4.15 Residential area continuity and adaptability. Encourage more housing choices to accommodate a wider diversity of family sizes, incomes, and ages, and the changing needs of households over time. Allow adaptive reuse of existing buildings, the creation of accessory dwelling units, and other arrangements that bring housing diversity that is compatible with the general scale and patterns of residential areas.

Policy 5.4 Housing types. Encourage new and innovative housing types that meet the evolving needs of Portland households, and expand housing choices in all neighborhoods. These housing types include but are not limited to single- dwelling units; multi-dwelling units; accessory dwelling units; small units; pre-fabricated homes such as manufactured, modular, and mobile homes; co-housing; and clustered housing/clustered services.

Policy 5.39 Compact single-family options. Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

Policy 5.6 Middle housing. Enable and encourage development of middle housing. This includes multi-unit or clustered residential buildings that provide relatively smaller, less expensive units; more units; and a scale transition between the core of the mixed use center and surrounding single family areas. Where appropriate, apply zoning that would allow this within a quarter mile of designated centers, corridors with frequent service transit, high capacity transit stations, and within the Inner Ring around the Central City.

Policy 5.46 Housing continuum. Prevent homelessness and reduce the time spent being homeless by allowing and striving to provide a continuum of safe and affordable housing opportunities and related supportive services including but not limited to rent assistance, permanent supportive housing, transitional housing, micro housing communities, emergency shelters, temporary shelters such as warming centers, and transitional campgrounds/rest areas.

Conclusion

For the reasons stated above, and for the reasons stated in the findings for Statewide Planning Goal 10, the requirements of Title 7 have 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 Task IV.