

## Exhibit A

### Findings of Fact – Mayo House move

<b>Site Address:</b>	236 NE SACRAMENTO ST AND 2313 WI/ NE M L KING BLVD
<b>Legal Description:</b>	ALBINA, BLOCK 18, LOT 8 and 9
<b>Tax Account No.:</b>	R102223, R102224
<b>State ID No.:</b>	1N1E27DA 3000, 1N1E27DA 2900
<b>Quarter Section:</b>	2830
<b>Neighborhood:</b>	Eliot
<b>Current Zoning:</b>	R2.5a (Single-Dwelling Residential 2,500, 'a' Alternative Design Density overlay zone)
<b>Current Comprehensive Plan map designation:</b>	Single Dwelling 2,500
<b>Proposed Zoning:</b>	CM3d (Mixed Commercial 3, 'd' Design overlay zone)
<b>Proposed Comprehensive Plan map designation:</b>	MU-U (Mixed Use Urban Center)

#### 33.810.050 Comprehensive Plan Map Amendment

**B. Legislative.** Amendments to the Comprehensive Plan Map which are legislative must be found to be consistent with the goals and policies of the Comprehensive Plan, Metro's Urban Growth Management Functional Plan, the Statewide Planning Goals, and any relevant area plans adopted by the City Council.

**Findings:** The City Council seeks to remove the current Comprehensive Plan Map designation (Single-Dwelling 2,500) and apply the Mixed Use – Urban Center designation to the two lots that make up the site.

The existing designation is described in Policy 10.1 of the Comprehensive Plan as follows:

*Single-Dwelling 2,500: This designation allows a mix of housing types that are single-dwelling in character. This designation is intended for areas near, in and along centers and corridors, near transit station areas, where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas within this designation generally do not have development constraints. This designation often serves as a transition between mixed use or multi-dwelling designations and lower density single dwelling designations. The maximum density is generally 17.4 units per acre.*

The proposed designation is described in Policy 10.1 of the Comprehensive Plan as follows:

*Mixed Use – Urban Center: This designation is intended for areas that are close to the Central City and within Town Centers where urban public services are available or planned including access to high-capacity transit, very frequent bus service, or streetcar service. The designation allows a broad range of commercial and employment uses, public services, and a wide range of housing options. Areas within this designation are generally mixed use and very urban in character. Development will be pedestrian-oriented with a strong emphasis on design and street level activity and will range from low- to mid-rise in scale. The range of zones and development scale associated with this designation are intended to allow for more intense development in core areas of centers and corridors and near transit stations, while providing transitions to adjacent residential areas. The corresponding zones are Commercial Mixed Use 1 (CM1), Commercial Mixed Use 2 (CM2), Commercial Mixed Use 3 (CM3), and Commercial Employment (CE). This designation is generally accompanied by a design overlay zone.*

Based on the findings below, City Council finds the requested designation would, on balance, be equally or more supportive of the Comprehensive Plan than the existing designations.

The following Comprehensive Plan Goals and Policies are relevant to this proposal:

**Goal 1.D: Implementation tools.** Portland’s Comprehensive Plan is executed through a variety of implementation tools, both regulatory and non-regulatory. Implementation tools comply with the Comprehensive Plan and are carried out in a coordinated and efficient manner. They protect the public’s current and future interests and balance the need for providing certainty for future development with the need for flexibility and the opportunity to promote innovation.

*The amendments support this for the following reasons. The map amendments change sites and areas on the Comprehensive Plan Map and/or Official City Zoning Map to better comply with and implement the 2035 Comprehensive Plan. The amendments align the existing and newly adopted zoning regulations with mapped zoning designations where necessary for effective implementation.*

## **Policies**

### **Chapter 1, The Plan**

**Policy 1.5, Zoning Map.** Maintain a Zoning Map that identifies the boundaries of various zones, districts, and other special features.

**Policy 1.10 - Compliance with the Comprehensive Plan.** *Ensure that amendments to the Comprehensive Plan’s elements, supporting documents, and implementation tools comply with the Comprehensive Plan. “Comply” means that amendments must be evaluated against the Comprehensive Plan’s applicable goals and policies and on balance be equally or more supportive of the Comprehensive Plan as a whole than the existing language or designation.*

**Findings:** The proposed Comprehensive Plan map amendment has been analyzed against all of the relevant Goals and Policies of the Comprehensive Plan. The following discussion of those Goals and Policies show that the proposal is equally or more supportive of them, thus satisfying this policy.

**Policy 1.11 - Consistency with Metro Urban Growth Management Functional Plan and Urban Growth Boundary.** *Ensure that the Comprehensive Plan remains consistent with the Metro Urban Growth Management Functional Plan and supports a tight urban growth boundary for the Portland metropolitan area.*

**Findings:** Each title of the Urban Growth Management Functional Plan that is relevant to the requested Comprehensive Plan Map Amendment is addressed below:

#### Title 1 - Requirements for Housing and Employment Accommodation

This section of the Functional Plan requires that each jurisdiction contribute its fair share to increasing the development capacity of land within the Urban Growth Boundary. This requirement is to be generally implemented through city-wide analysis based on calculated capacities from land use designations.

The Single-Dwelling 2,500 designation that applies to the site anticipates up to 17.4 dwelling units per acre. The proposed Mixed Use – Urban Center designation anticipates over 100 dwelling units per acre if developed residentially. Therefore, the proposal better supports Title 1 by increasing the residential development capacity of a site which is within the Urban Growth Boundary.

#### Title 6 – 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.

The proposed change in designation for this site from Residential 2,500 to Mixed Use – Urban Center supports a slight expansion of Mixed Use capacity adjacent to a major urban corridor, ML King Jr Blvd, and in an identified Urban Center. Therefore, the proposed Comprehensive Plan Map designation is equally supportive of Title 3.

#### Title 7 - Housing Choice

The framework plan calls for establishment of voluntary affordable housing production goals to be adopted by local governments.

The proposed Comprehensive Plan Map designation equally supports Title 7 by increasing the potential for housing development on the site, or allowing the potential density to be transferred to another site in the Mixed Use – Urban Center designation, which in turn increases the potential for affordable housing development in the future.

#### Title 8 - Compliance Procedures

This title outlines compliance procedures for amendments to comprehensive plans and implementing ordinances.

The proposal meets this title because the public notice requirements for City Council Consideration, 33.740.030, are met. In addition to notifying City-recognized organizations within a 1,000-foot radius of the site and neighbors within a 400-foot radius of the site, notice of the proposal was posted at the subject site and sent to Metro and to the Department of Land Conservation and Development.

#### Summary

As discussed above, the requested Mixed Use – Urban Center designation either would be supportive of the intent of the relevant titles in the Urban Growth Management Functional Plan, or these titles would be met through compliance with other applicable City regulations. The proposal supports a tight Urban Growth Boundary by increasing the development capacity of a site which is inside the existing boundary. For these reasons, City Council finds the proposal is more consistent with Policy 1.11 than the existing designation.

***Policy 1.12 - Consistency with Statewide Planning Goals.*** *Ensure that the Comprehensive Plan, supporting documents, and implementation tools remain consistent with the Oregon Statewide Planning Goals.*

**Findings:** The City's Comprehensive Plan was written to comply with the Oregon Statewide Planning Goals. The Statewide Planning Goals are comparable to chapters in the City's Comprehensive Plan as follows:

- Statewide Planning Goal 1 (Citizen Involvement) – Comprehensive Plan Chapter 2 (Community Involvement)
- Statewide Planning Goal 2 (Land Use Planning) – Comprehensive Plan Chapter 1 (The Plan) and Chapter 10 (Land Use Designations and Zoning)
- Statewide Planning Goal 5 (Open Spaces, Scenic and Historic Areas and Natural Resources) – Comprehensive Plan Chapter 4 (Design and Development), Chapter 7 (Environment and Watershed Health), and Chapter 8 (Public Facilities and Services)
- Statewide Planning Goal 6 (Air, Water, and Land Resources Quality) – Comprehensive Plan Chapter 7 (Environment and Watershed Health)

- Statewide Planning Goal 7 (Areas Subject to Natural Disasters and Hazards) – Comprehensive Plan Chapter 4 (Design and Development) and Chapter 7 (Environment and Watershed Health)
- Statewide Planning Goal 8 (Recreation Needs) – Comprehensive Plan Chapter 8 (Public Facilities and Services)
- Statewide Planning Goal 9 (Economy of the State) – Comprehensive Plan Chapter 6 (Economic Development)
- Statewide Planning Goal 10 (Housing) – Comprehensive Plan Chapter 5 (Housing)
- Statewide Planning Goal 11 (Public Facilities and Services) – Comprehensive Plan Chapter 8 (Public Facilities and Services)
- Statewide Planning Goal 12 (Transportation) – Comprehensive Plan Chapter 9 (Transportation)
- Statewide Planning Goal 13 (Energy) – Comprehensive Plan Chapter 4 (Design and Development)
- Statewide Planning Goal 14 (Urbanization) – Comprehensive Plan Chapter 3 (Urban Form)
- Statewide Planning Goal 15 (Willamette Greenway) – Comprehensive Plan Chapter 7 (Environment and Watershed Health)

Statewide Planning Goals not listed above relate to agricultural resources (Goal 3), forestry (Goal 4), estuarine resources (Goal 16), coastal shorelands (Goal 17), beaches and dunes (Goal 18), and ocean resources (Goal 19). These goals do not apply to the subject site.

The proposal is consistent with all applicable Statewide Planning Goals and the comparable chapters of the City's Comprehensive Plan, thus supporting Policy 1.12.

**Policy 1.13 - Consistency with State and Federal Regulations.** *Ensure that the Comprehensive Plan remains consistent with all applicable state and federal regulations, and that implementation measures for the Comprehensive Plan are well coordinated with other City activities that respond to state and federal regulations.*

**Findings:** Notice of the proposal was mailed to the Oregon Department of Land Conservation and Development. The proposal is consistent with Policy 1.13.

**Policy 1.14 - Public facility adequacy.** *Consider impacts on the existing and future availability and capacity of urban public facilities and services when amending Comprehensive Plan elements and implementation tools. Urban public facilities and services include those provided by the City, neighboring jurisdictions, and partners within Portland's urban services boundaries, as established by Policies 8.2 and 8.6.*

**Findings:** The proposed Mixed Use – Urban Center designation corresponds to the CM3 Mixed Use zone. Due to its urban location where full City services are adequately provided and available, the proposal supports Policy 1.14.

**Policy 1.15 - Intergovernmental coordination.** *Strive to administer the Comprehensive Plan elements and implementation tools in a manner that supports the efforts and fiscal health of the City, county and regional governments, and partner agencies such as school districts and transit agencies.*

**Findings:** By allowing an increase in allowable residential density and opportunity for mixed uses, the Comprehensive Plan Map Amendment would likely increase the value of the property and therefore increase the property tax base for the local governments and the Portland School District. The cost of public improvements to serve increased development on the site would be borne by the property owner rather than by public service providers.

In addition, the proposal increases mixed use opportunities on a site that is within a quarter-mile of three Tri-Met bus lines and within a 20-minute walk of MAX light rail service. Therefore, the proposal supports Tri-Met's efforts to provide efficient transit services. For these reasons, City Council finds the proposal equally supports Policy 1.15.

**Policy 1.19 - Area-specific plans.** *Use area-specific plans to provide additional detail or refinements applicable at a smaller geographic scale, such as for centers and corridors, within the policy framework provided by the overall Comprehensive Plan.*

**1.19.b.** *Area-specific plan components intended as context, general guidance, or directives for future community-driven efforts should not amend the Comprehensive Plan elements or implementation tools but be adopted by resolution as intent. These components include vision statements, historical context, existing conditions, action plans, design preferences, and other background information.*

**1.19.c.** *Community, area, neighborhood, and other area-specific plans that were adopted by ordinance prior to May 24, 2018, are still in effect. However, the elements of this Comprehensive Plan supersede any goals or policies of a community, area, or neighborhood plan that are inconsistent with this Plan.*

**Findings:** The site is within the boundaries of the Eliot Neighborhood Plan, which was adopted by ordinance in 1993. The following Policies of the plan are relevant, and the summary for each is taken from the plan.

Policy B: Neighborhood Identity: Promote Eliot as a culturally vibrant, economically vital, and residentially stable urban community with historic features.

Policy C: Community Services and Institutions: Recognize that businesses and institutions are key participants in community affairs within the Eliot neighborhood.

Policy 1: Historic Conservation and Urban Design: Retain and strengthen a sense of neighborhood history in Eliot through preservation and restoration of historic structures and other measures.

Policy 6: Business and Economic Development: Recognize the Eliot Neighborhood's heritage as a location for both established businesses and new firms needing a central location.

Policy 8: Livability and Public Safety: Reinforce both a sense of neighborhood and of security for persons who live and work in Eliot.

Policy 11: Southern Eliot: Preserve and reinforce the residential character of Southern Eliot while allowing a mixture of uses and protecting historic resources.

**Findings:** The re-utilization of the Mayo House at the site preserves a contributing structure of the Eliot Conservation District. This directly supports Policies B and 1, Neighborhood Identity and Historic Conservation and Urban Design. With the higher intensity designation and zoning of Mixed Use – Urban Center and CM3, greater opportunities are created for business and economic development. The Mixed Use designation allows the mix of the existing housing and potential for future commercial uses to be created on this site either through redevelopment or transfer of density for more housing options on another site. The Mayo House addition to the property at

236 NE Sacramento St reinforces its residential character and protects the house as a contributing resource, while the proposed designation offers opportunities for commercial and residential uses on the site. This further reinforces a sense of neighborhood and of security. Consequently, the proposed change in the Comprehensive Plan map designation to Mixed Use – Urban Center supports the relevant policies of the neighborhood plan. Since the proposal is found to support each of the relevant policies of the Eliot Neighborhood Plan discussed above, City Council find the proposed change equally supports Policy 1.19 of the Comprehensive Plan.

## **Chapter 2, Community Involvement**

### **Goals 2A: Community Involvement as a partnership**

#### **2B: Social Justice and equity**

#### **2C: Value community wisdom and participation**

#### **2E: Meaningful participation**

**Policy 2.1 - Partnerships and coordination.** *Maintain partnerships and coordinate land use engagement with:*

**2.1.a.** *Individual community members.*

**2.1.b.** *Communities of color (including those whose families have been in this area for generations such as Native Americans, African Americans, and descendants of immigrants), low-income populations, Limited English Proficient (LEP) communities, Native American communities, immigrants and refugees, and other under-served and under-represented communities.*

**2.1.c.** *District coalitions, Neighborhood Associations, watershed councils, and business district associations as local experts and communication channels for place-based projects.*

**2.1.d.** *Businesses, unions, employees, and related organizations that reflect Portland's diversity as the center of regional economic and cultural activity.*

**2.1.e.** *Community-based, faith-based, artistic and cultural, and interest-based non-profits, organizations, and groups.*

**2.1.f.** *People experiencing disabilities.*

**2.1.g.** *Institutions, governments, and Sovereign tribes.*

**Policy 2.2 - Broaden partnerships.** *Work with district coalitions, Neighborhood Associations, and business district associations to increase participation and to help them reflect the diversity of the people and institutions they serve. Facilitate greater communication and collaboration among district coalitions, Neighborhood Associations, business district associations, culturally-specific organizations, and community-based organizations.*

**Policy 2.3 - Extend benefits.** *Ensure plans and investments promote environmental justice by extending the community benefits associated with environmental assets, land use, and public investments to communities of color, low-income populations, and other under-served or under-represented groups impacted by the decision. Maximize economic, cultural, political, and environmental benefits through ongoing partnerships.*

**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 Council, and community members.*

**Policy 2.12 - Roles and responsibilities.** *Establish clear roles, rights, and responsibilities for participants and decision makers in planning and investment processes. Address roles of City*

*bureaus, elected officials, and participants, including community and neighborhood leadership, business, organizations, and individuals.*

**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 2.25 - 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 2.39 - Notification.** *Notify affected and interested community members and recognized organizations about administrative, quasi-judicial, and legislative land use decisions with enough lead time to enable effective participation. Consider notification to both property owners and renters.*

**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.*

**Policy 2.41 - Limited English Proficiency (LEP).** *Ensure that limited English proficient (LEP) individuals are provided meaningful access to information about administrative, quasi-judicial, and legislative land use decisions, consistent with federal regulations.*

**Findings:** Through the District Liaison program of the Bureau of Planning and Sustainability, City Council supports the above Comprehensive Plan Goals and Policies for Community involvement, social justice and equity, community wisdom and participation and meaningful participation. The move of the Mayo House was the result of partnerships and communication and collaboration, ultimately reaching the goal of preserving the house and relocating it to a nearby property owned by a family of color in an area of the City that has long been home to the Black community.

The City mailed notice of the proposed Comprehensive Plan and Zoning Map Amendment to neighbors within 400 feet of the site, including both property owners and renters, on December 22, 2018. The notice was also mailed to the Eliot and Irvington Neighborhood Associations, the Northeast Coalition of Neighborhoods Office, and the Soul District and Williams Avenue Business Associations. In addition, the site has been posted with a notice of the public hearing. A summary of the proposal and a phone number to obtain further information are included on the signs. The owner of the receiving site for the Mayo House has been in contact with representatives of the Eliot Neighborhood Association.

Therefore, information about the proposal has been distributed broadly, and those interested in or potentially affected by the proposal have meaningful opportunities to participate in the decision-making process. For the above reasons, the proposal equally supports the above policies.

### **Chapter 3, Urban Form**

**GOAL 3.C: Focused growth:** Household and employment growth is focused in the Central City and other centers, corridors, and transit station areas, creating compact urban development in areas with a high level of service and amenities, while allowing the relative stability of lower-density single-family residential areas.

**GOAL 3.D: A system of centers and corridors:** Portland's interconnected system of centers and corridors provides diverse housing options and employment opportunities, robust multimodal transportation connections, access to local services and amenities, and supports low-carbon complete, healthy, and equitable communities.

**Policy 3.1 - Urban Design Framework.** Use the Urban Design Framework (UDF) as a guide to create inclusive and enduring places, while providing flexibility for implementation at the local scale to meet the needs of local communities.

**Policy 3.2 - Growth and stability.** Direct the majority of growth and change to centers, corridors, and transit station areas, allowing the continuation of the scale and characteristics of Portland's residential neighborhoods.

**Policy 3.3 - Equitable development.** Guide development, growth, and public facility investment to reduce disparities; encourage equitable access to opportunities, mitigate the impacts of development on income disparity, displacement and housing affordability; and produce positive outcomes for all Portlanders.

**Policy 3.5 - Energy and resource efficiency.** Support energy-efficient, resource-efficient, and sustainable development and transportation patterns through land use and transportation planning.

**Policy 3.6 - Land efficiency.** Provide strategic investments and incentives to leverage infill, redevelopment, and promote intensification of scarce urban land while protecting environmental quality.

**Policy 3.12 - Role of centers.** Enhance centers as anchors of complete neighborhoods that include concentrations of commercial and public services, housing, employment, gathering places, and green spaces.

**Policy 3.13 - Variety of centers.** Plan for a range of centers across the city to enhance local, equitable access to services, and expand housing opportunities.

**Policy 3.14 - Housing in centers.** Provide housing capacity for enough population to support a broad range of commercial services, focusing higher-density housing within a half-mile of the center core.

**Policy 3.15 - Investments in centers.** Encourage public and private investment in infrastructure, economic development, and community services in centers to ensure that all centers will support the populations they serve.

**Policy 3.17 - Arts and culture.** Ensure that land use plans and infrastructure investments allow for and incorporate arts, culture, and performance arts as central components of centers.

**Policy 3.18 - Accessibility.** Design centers to be compact, safe, attractive, and accessible places, where the street environment makes access by transit, walking, biking, and mobility devices such as wheelchairs, safe and attractive for people of all ages and abilities.

**Policy 3.31 - Role of Town Centers.** Enhance Town Centers as successful places that serve the needs of surrounding neighborhoods as well as a wider area, and contain higher concentrations of employment, institutions, commercial and community services, and a wide range of housing options.

**Policy 3.39 - Growth.** Expand the range of housing and employment opportunities in the Inner Ring Districts. Emphasize growth that replaces gaps in the historic urban fabric, such as redevelopment of surface parking lots and 20th century auto-oriented development.

**Policy 3.40 - Corridors.** Guide growth in corridors to transition to mid-rise scale close to the Central City, especially along Civic Corridors.

**Policy 3.41 - Distinct identities.** Maintain and enhance the distinct identities of the Inner Ring



*Districts and their corridors. Use and expand existing historic preservation and design review tools to accommodate growth in ways that identify and preserve historic resources and enhance the distinctive characteristics of the Inner Ring Districts, especially in areas experiencing significant development.*

**Policy 3.89 - Inner Neighborhoods infill.** *Fill gaps in the urban fabric through infill development on vacant and underutilized sites and in the reuse of historic buildings on adopted inventories.*

**Findings:** The site is in a designated Urban Center and adjacent to ML King Jr Blvd, a designated Civic Corridor. The Comprehensive Plan map designation of Mixed Use – Urban Center and CM3 zoning along this corridor and adjacent to it is the same as that proposed for the site.

The proposal supports energy efficiency, environmental quality, and efficient use of urban land use by increasing higher intensity mixed use opportunities within walking distance of existing transit services and services and amenities in this urban center.

Since the site is well within the Urban Growth Boundary, the change in allowable density and uses on the subject site reduces outward pressure on the Urban Growth Boundary (UGB). This in turn helps to preserve the rural character of land outside the UGB.

The re-utilization of the Mayo House onto the site will allow the house's current location to be redeveloped to the density allowed, and will add density to the subject site where it will be moved to, while also adding the opportunity for future density transfers through the historic resources protection code. The more intensive designation offers greater opportunities to the site, located close to the Central City and in a major Urban Center, better supporting all of the related Urban Form policies. For these reasons, City Council finds the proposed designation equally supports Goals 3C and D and the above policies of Chapter 3, Urban Form.

#### **Chapter 4, Design and Development**

**Goal 4.A: Context-sensitive design and development.** New development is designed to respond to and enhance the distinctive physical, historic, and cultural qualities of its location, while accommodating growth and change.

**Goal 4.B: Historic and cultural resources.** Historic and cultural resources are identified, protected, and rehabilitated as integral parts of an urban environment that continues to evolve.

**Policy 4.2 - Community identity.** *Encourage the development of character-giving design features that are responsive to place and the cultures of communities.*

**Policy 4.3 - Site and context.** *Encourage development that responds to and enhances the positive qualities of site and context — the neighborhood, the block, the public realm, and natural features.*

**Policy 4.9 - Transitional urbanism.** *Encourage temporary activities and structures in places that are transitioning to urban areas to promote job creation, entrepreneurship, active streets, and human interaction.*

**Policy 4.17 - Demolitions.** *Encourage alternatives to the demolition of sound housing, such as rehabilitation and adaptive reuse, especially affordable housing, and when new development would provide no additional housing opportunities beyond replacement.*

**Policy 4.28 - Historic buildings in centers and corridors.** *Identify, protect, and encourage the use and rehabilitation of historic resources in centers and corridors.*

**Policy 4.31 - Land use transitions.** *Improve the interface between non-residential uses and residential uses in areas where commercial or employment uses are adjacent to residentially-zoned*

land.

**Findings:** The proposed Mixed Use – Urban Center designation corresponds to the CM3 zone, which allows a broader range of uses, including Residential and Commercial uses. The move of the Mayo House preserves an existing Victorian structure that is representative of the Eliot neighborhood’s community identity and neighborhood context. Its move to a site adjacent to an existing Commercial use provides the desired transition between uses and also offers a lower scale transition within the site that will likely include commercial uses in the future. Potentially some of the density from this site will be sent to an appropriate nearby location through the historic resources density transfer option, where it will be utilized in a way that allows this site to be used at its greatest potential within the existing and moved structures. As a result, the more intensive designation appropriately provides the opportunity for the house move and future commercial/mixed uses on the site, while protecting and rehabilitating an existing contributing structure and providing a desirable transition between the proposed CM3 and existing R2.5 zones.

**Policy 4.46 - Historic and cultural resource protection.** *Within statutory requirements for owner consent, identify, protect, and encourage the use and rehabilitation of historic buildings, places, and districts that contribute to the distinctive character and history of Portland’s evolving urban environment.*

**Policy 4.50 - Demolition.** *Protect historic resources from demolition. When demolition is necessary or appropriate, provide opportunities for public comment and encourage pursuit of alternatives to demolition or other actions that mitigate for the loss.*

**Policy 4.53 - Preservation equity.** *Expand historic resources inventories, regulations, and programs to encourage historic preservation in areas and in communities that have not benefited from past historic preservation efforts, especially in areas with high concentrations of under-served and/or under-represented people.*

**Policy 4.54 - Cultural diversity.** *Work with Portland’s diverse communities to identify and preserve places of historic and cultural significance.*

**Policy 4.55 - Cultural and social significance.** *Encourage awareness and appreciation of cultural diversity and the social significance of both beautiful and ordinary historic places and their roles in enhancing community identity and sense of place.*

**Policy 4.57 - Economic viability.** *Provide options for financial and regulatory incentives to allow for the productive, reasonable, and adaptive reuse of historic resources.*

**Policy 4.60 - Rehabilitation and adaptive reuse.** *Encourage rehabilitation and adaptive reuse of buildings, especially those of historic or cultural significance, to conserve natural resources, reduce waste, and demonstrate stewardship of the built environment.*

**Findings:** The proposal preserves an existing Victorian house which is a contributing structure in the Eliot Conservation District. Not only is it saved from demolition or deconstruction, but the contributing structure will add a housing unit to the site, and will potentially be partially used for commercial uses in the future. The change in designation to Mixed Use – Urban Center allows for a more significant role for this structure and site to play in contributing to the City’s cultural diversity and economic viability. The relocated structure will be moved to the site of a former 7-unit apartment building that was a prominent structure on this block. Replacing the vacant portion of the property with the Mayo House provides a small but significant step in bringing the site back as a wealth generating opportunity. For all of these reasons, the proposal supports all of the relevant Design and Development policies.

## Chapter 5, Housing

**Goal 5.A: Housing diversity.** Portlanders have access to high-quality affordable housing that accommodates their needs, preferences, and financial capabilities in terms of different types, tenures, density, sizes, costs, and locations.

**Goal 5.B: Equitable access to housing.** Portland ensures equitable access to housing, making a special effort to remove disparities in housing access for people with disabilities, people of color, low-income households, diverse household types, and older adults.

**Goal 5.D: Affordable housing.** Portland has an adequate supply of affordable housing units to meet the needs of residents vulnerable to increasing housing costs.

**Policy 5.5 - Housing in centers.** *Apply zoning in and around centers that allows for and supports a diversity of housing that can accommodate a broad range of households, including multi-dwelling and family-friendly housing options.*

**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 5.14 - Preserve communities.** *Encourage plans and investments to protect and/or restore the socioeconomic diversity and cultural stability of established communities.*

**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 5.22 - New development in opportunity areas.** *Locate new affordable housing in areas that have high/medium levels of opportunity in terms of access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities. See Figure 5-1 — Housing Opportunity Map.*

**Policy 5.23 - Higher-density housing.** *Locate higher-density housing, including units that are affordable and accessible, in and around centers to take advantage of the access to active transportation, jobs, open spaces, schools, and various services and amenities.*

**Policy 5.25 - Housing preservation.** *Preserve and produce affordable housing to meet needs that are not met by the private market by coordinating plans and investments with housing providers and organizations.*

**Policy 5.31 - Household prosperity.** *Facilitate expanding the variety of types and sizes of affordable housing units, and do so in locations that provide low-income households with greater access to convenient transit and transportation, education and training opportunities, the Central City, industrial districts, and other employment areas.*

**Policy 5.32 - Affordable housing in centers.** *Encourage income diversity in and around centers by allowing a mix of housing types and tenures.*

**Findings:** The proposed change to the Mixed Use – Urban Center designation supports the above Housing goals and policies because it allows the addition of new housing units to the site and offers future density transfers with preservation of the historic contributing structure that is moving to the site. The move of the Mayo house ensures housing preservation, offers the opportunity for new affordable units in an Urban Center, close to high levels of employment and

education opportunities and urban services. For these reasons, City Council finds the proposed designation better supports the aforementioned goals and policies.

## **Chapter 6, Economic Development**

**Goal 6.A: Prosperity.** Portland has vigorous economic growth and a healthy, diverse economy that supports prosperity and equitable access to employment opportunities for an increasingly diverse population. A strong economy that is keeping up with population growth and attracting resources and talent can:

- Create opportunity for people to achieve their full potential,
- Improve public health,
- Support a healthy environment,
- Support the fiscal well-being of the city.

**Policy 6.1 - Diverse and growing community.** *Expand economic opportunity and improve economic equity for Portland's diverse, growing population through sustained business growth.*

**Policy 6.5 - Economic resilience.** *Improve Portland's economic resilience to impacts from climate change and natural disasters through a strong local economy and equitable opportunities for prosperity.*

**Policy 6.30 - Disparity reduction.** *Encourage investment in, and alignment of, public efforts to reduce racial, ethnic, and disability-related disparities in income and employment opportunity.*

**Policy 6.31 - Minority-owned, woman-owned and emerging small business (MWESB) assistance.** *Ensure that plans and investments improve access to contracting opportunities for minority-owned, woman-owned, and emerging small businesses.*

**Policy 6.32 - Urban renewal plans.** *Encourage urban renewal plans to primarily benefit existing residents and businesses within the urban renewal area through:*

- Revitalization of neighborhoods.
- Expansion of housing choices.
- Creation of business and job opportunities.
- Provision of transportation linkages.
- Protection of residents and businesses from the threats posed by gentrification and displacement.
- The creation and enhancement of those features which improve the quality of life within the urban renewal area.

**Policy 6.63 - District function.** *Enhance the function of neighborhood business districts as a foundation of neighborhood livability.*

**Policy 6.64 - Small, independent businesses.** *Facilitate the retention and growth of small and locally-owned businesses.*

**Policy 6.72 - Community economic development.** *Encourage collaborative approaches to align land use and neighborhood economic development for residents and business owners to better connect and compete in the regional economy.*

**Policy 6.73 - Centers.** *Encourage concentrations of commercial services and employment opportunities in centers.*

**6.73.a.** *Encourage a broad range of neighborhood commercial services in centers to help residents and others in the area meet daily needs and/or serve as neighborhood gathering places.*

**Findings:** The proposed change to the Mixed Use – Urban Center designation supports the Economic Development goals and policies because it allows mixed uses at the site, bringing wealth creation and prosperity opportunities for the long-term property owners who are small

business owners. It encourages more intensive opportunities for both the existing commercial use, which has been partially nonconforming due to its eastern lot operating with limited allowances in a Residential zone. On the Mayo House receiving site, new mixed use opportunities are created with the relocation of the house and with it, the opportunity for an expanded small business by minority business owners investing in this community. For these reasons, the proposal supports the relevant Economic Development goals and policies.

## **Chapter 9, Transportation**

**GOAL 9.C: Great places.** Portland's transportation system enhances quality of life for all Portlanders, reinforces existing neighborhoods and great places, and helps make new great places in town centers, neighborhood centers and corridors, and civic corridors.

**GOAL 9.D: Environmentally sustainable.** The transportation system increasingly uses active transportation, renewable energy, or electricity from renewable sources, achieves adopted carbon reduction targets, and reduces air pollution, water pollution, noise, and Portlanders' reliance on private vehicles.

**GOAL 9.E: Equitable transportation.** The transportation system provides all Portlanders options to move about the city and meet their daily needs by using a variety of safe, efficient, convenient, and affordable modes of transportation. Transportation investments are responsive to the distinct needs of each community.

**GOAL 9.F: Positive health outcomes.** The transportation system promotes positive health outcomes and minimizes negative impacts for all Portlanders by supporting active transportation, physical activity, and community and individual health.

**GOAL 9.G: Opportunities for prosperity.** The transportation system supports a strong and diverse economy, enhances the competitiveness of the city and region, and maintains Portland's role as a West Coast trade gateway and freight hub by providing efficient and reliable goods movement, multimodal access to employment areas and educational institutions, as well as enhanced freight access to industrial areas and intermodal freight facilities. The transportation system helps people and businesses reduce spending and keep money in the local economy by providing affordable alternatives to driving.

**Findings:** The proposed change to the Mixed Use – Urban Center designation and CM3 zoning supports the above City's Transportation goals relevant to this proposal. The site of the proposed designation is adjacent to a major Civic Corridor, NE ML King Jr Blvd, with good access to all modes of transportation. Three transit lines are in close proximity to the site on NE ML King Jr Blvd and N Vancouver/Williams Ave to the east. The site is in safe and established pedestrian and bicycle networks. Its proximity and access to the Central City further supports these Transportation goals and their related policies.

## **Chapter 10, Land Use Designations and Zoning**

**Goal 10.A: Land use designations and zoning.** Effectively and efficiently carry out the goals and policies of the Comprehensive Plan through the land use designations, Zoning Map, and the Zoning Code.

**Policy 10.1 - Land use designations.** *Apply a land use designation to all land and water within the City's Urban Services Boundary. Apply the designation that best advances the Comprehensive Plan goals and policies. The land use designations are shown on the adopted Land Use Map and on official Zoning Maps.*

### **Mixed Use and Commercial**

#### **16. Mixed Use – Urban Center**

This designation allows for transit-supportive densities of commercial, residential, and employment uses, including a full range of housing, retail, and service businesses with a local or regional market. This designation is intended for areas along major corridors where urban public

services are available or planned including access to high-capacity transit, frequent bus service, or streetcar service. The Civic Corridor designation is applied along some of the City's busiest, widest, and most prominent streets. As the city grows, these corridors also need to become places that can succeed as attractive locations for more intense, mixed-use development. They need to become places that are attractive and safe for pedestrians while continuing to play a major role in the City's transportation system. Civic Corridors, as redevelopment occurs, are also expected to achieve a high level of environmental performance and design. The corresponding zones are Commercial Mixed Use 1 (CM1), Commercial Mixed Use 2 (CM2), Commercial Mixed Use 3 (CM3), and Commercial Employment (CE).

**Findings:** The site is within the City's Urban Services Boundary. As discussed in the findings above, City Council finds the proposed Mixed Use – Urban Center designation is equally or more supportive of the Comprehensive Plan's goals and policies compared to the current designations. The site is in an Urban Center, an area of high access to public services. Applying the Mixed Use – Urban Center designation to the site would effectively and efficiently advance the goals and policies of the Comprehensive Plan. City Council finds the proposal equally supports Goal 10.A and Policy 10.1.

**Policy 10.2 - Relationship of land use designations to base zones.** *Apply a base zone to all land and water within the City's urban services boundary. The base zone applied must either be a zone that corresponds to the land use designation or be a zone that does not correspond but is allowed according to Figure 10-1 — Corresponding and Less-Intense Zones for Each Plan Map Designation. In some situations, there are long-term or short-term obstacles to achieving the level of development intended by the land use designation (e.g., an infrastructure improvement to serve the higher level of development is planned but not yet funded). In these situations, a less intense zone (listed in Figure 10-1) may be applied. When a land use designation is amended, the zone may also have to be changed to a corresponding zone or a zone that does not correspond but is allowed.*

**Policy 10.3 - Amending the Zoning Map.**

**10.3.a.** *Amending a base zone may be done legislatively or quasi-judicially.*

**10.3.c.** *When amending a base zone legislatively, the amendment may be to a corresponding zone or to a zone that does not correspond but is allowed. A legislative Zoning Map amendment may not be to a zone that is not allowed.*

**10.3.d.** *An amendment to a base zone consistent with the land use designation must be approved when it is found that current public services are capable of supporting the uses allowed by the zone, or that public services can be made capable by the time the development is complete. The adequacy of services is based on the proposed use and development. If a specific use and development proposal is not submitted, services must be able to support the range of uses and development allowed by the zone. For the purposes of this requirement, services include water supply, sanitary sewage disposal, stormwater management, transportation, school district capacity (where a school facility plan exists), and police and fire protection.*

**10.3.e.** *An amendment to apply or remove an overlay zone or plan district may be done legislatively or quasi-judicially, and must be based on a study or plan document that identifies a specific characteristic, situation, or problem that is not adequately addressed by the base zone or other regulations.*

**Findings:** The amendments support Policy 10.3 for the following reasons. The proposed Comprehensive Plan Map designation of Mixed Use – Urban Center allows four possible zones. Concurrently with this Comprehensive Plan Map Amendment, City Council proposes a Zoning Map Amendment to apply the CM3 base zone to the site. The CM3 zone is proposed for this site because it is in an Urban Center, adjacent to ML King Jr Blvd, a Civic corridor, and adjacent to CM3 zoning to the east and north, consistent with the surrounding zoning pattern. The 'á' overlay applies to the site currently, and it is in the Eliot Conservation District and Albina Community Plan District. Application of the CM3 zone requires the addition of the 'd' Design overlay zone, and removal of the 'á' overlay.

The map amendments ensure effective implementation of the 2035 Comprehensive Plan by aligning development regulations in a spatial manner. The map amendment evaluation criteria included, but was not limited to:

- Consistency with 2035 Comprehensive Plan Goals and Policies
- Proximity to amenities and services
- Land use pattern
- Recent development activity
- Infrastructure availability
- Land use and building permit history
- Occupancy
- Existing and proposed uses
- Current building permit review

The closest north/south street from the site, NE Martin Luther King Jr. Boulevard, is classified as a Major Transit Priority Street, and is the appropriate location for the intensity and uses allowed in the CM3 zone.

The applicant has submitted for a building permit to move the Mayo House to the site and consequently performance standards for the proposed development have been reviewed by the service bureaus. This review has addressed the water supply and capacity, and police and fire protection are also capable of supporting the proposed use and development due to its minimal impacts and location in an area of highest public services. Additionally, the sanitary waste disposal and stormwater disposal systems have been reviewed by the Bureau of Environmental Services. The building permit provides an option to require improvements to the sanitary waste disposal and stormwater disposal systems were services inadequate. As part of the permit review, the transportation system has been reviewed and was determined capable of supporting the use and development proposed for the Mayo House property. The system has also served the uses existing on the portion of the site that is adjacent to the Mayo House property. The building permit to move the Mayo House to the site also provides an option to require improvement to the transportation if deemed necessary. This can also be said for any future permit for development on the portion of the site adjacent to the Mayo House property.

Furthermore, applying the Design Overlay zone and the additional design requirements required is appropriate given the intensity of development the CM3 zoning allows.

For these reasons, City Council finds the proposal equally supports Policies 10.2 and 10.3.

In summary, City Council finds that the proposed Comprehensive Plan and Zoning map amendments support all the relevant Comprehensive Plan goals and policies, Metro's Urban Growth Management Functional Plan, the Statewide Planning Goals, and adopted Eliot Neighborhood Plan.

### **33.855.050 Zoning Map Amendment Approval Criteria for Base Zone Changes**

An amendment to the base zone designation on the Official Zoning Maps will be approved (either quasi-judicial or legislative) if the review body finds that the applicant has shown that all of the following approval criteria are met:

- A. Compliance with the Comprehensive Plan Map.** The zone change is to a corresponding zone of the Comprehensive Plan Map. When the Comprehensive Plan Map designation has more than one corresponding zone, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes or characteristics of each zone and the zoning pattern of surrounding land.
- Findings:** The proposed Mixed Use Urban Center Comprehensive Plan Map designation corresponds with the proposed CM3 zoning designation. This zoning designation is found to the immediate east of

the site and north across NE Sacramento Street from the site and therefore the proposed zoning is consistent with the zoning pattern of surrounding land. The closest north/south street from the site, NE Martin Luther King Jr. Boulevard, is classified as a Major Transit Priority Street, and is the appropriate location for the intensity and uses allowed in the CM3 zone.

#### **B. Adequate public services.**

1. Adequacy of services applies only to the specific zone change site.
2. Adequacy of services is determined based on performance standards established by the service bureaus. The burden of proof is on the applicant to provide the necessary analysis. Factors to consider include the projected service demands of the site, the ability of the existing and proposed public services to accommodate those demand numbers, and the characteristics of the site and development proposal, if any.
  - a. Public services for water supply, and capacity, and police and fire protection are capable of supporting the uses allowed by the zone or will be capable by the time development is complete.
  - b. Proposed sanitary waste disposal and stormwater disposal systems are or will be made acceptable to the Bureau of Environmental Services. Performance standards must be applied to the specific site design. Limitations on development level, mitigation measures or discharge restrictions may be necessary in order to assure these services are adequate.
  - c. Public services for transportation system facilities are capable of supporting the uses allowed by the zone or will be capable by the time development is complete. Transportation capacity must be capable of supporting the uses allowed by the zone by the time development is complete, and in the planning period defined by the Oregon Transportation Rule, which is 20 years from the date the Transportation System Plan was adopted. Limitations on development level or mitigation measures may be necessary in order to assure transportation services are adequate.
  - d. The school district within which the site is located has adequate enrollment capacity to accommodate any projected increase in student population over the number that would result from development in the existing zone. This criterion applies only to sites that are within a school district that has an adopted school facility plan that has been acknowledged by the City of Portland.
3. Services to a site that is requesting rezoning to IR Institutional Residential, will be considered adequate if the development proposed is mitigated through an approved impact mitigation plan or conditional use master plan for the institution.

#### **Findings:**

##### **33.855.050.B.1**

Adequacy of public services has been reviewed based on the specific zone change site.

##### **33.855.050.B.2.a**

The applicant has submitted for a building permit to move the Mayo House to the site and therefore performance standards for the proposed development have been reviewed by the service bureaus. This review has addressed the water supply and capacity, and police and fire protection are also capable of supporting the proposed use and development due to its minimal impacts.

##### **33.855.050.B.2.b**

The applicant has submitted for a building permit to move the Mayo House to the site. As part of this permit review, the sanitary waste disposal and stormwater disposal systems have been reviewed by the Bureau of Environmental Services. The building permit provides an option to require improvements to the sanitary waste disposal and stormwater disposal systems were services inadequate.

##### **33.855.050.B.2.c**

The applicant has submitted for a building permit to move the Mayo House to the site. As part of this permit review, the transportation system has been reviewed and was determined capable of supporting the use and development proposed for the Mayo House property. The system has also served the uses existing on the portion of the site that is adjacent to the Mayo House property. The building permit to move the Mayo House to the site also provides an option to require improvement to the transportation if deemed necessary. This can also be said for any future permit for development on the portion of the site adjacent to the Mayo House property.



33.855.050.B.2.d

The site is not located in an areas that has an adopted school facility plan.

33.855.050.B.3

The proposed zoning is not IR, Institutional Residential.

- C. When the requested zone is IR, Institutional Residential.** In addition to the criteria listed in subsections A. and B. of this Section, a site being rezoned to IR, Institutional Residential must be under the control of an institution that is a participant in an approved impact mitigation plan or conditional use master plan that includes the site. A site will be considered under an institution's control when it is owned by the institution or when the institution holds a lease for use of the site that covers the next 20 years or more.

**Findings:** The proposed zoning is not IR, Institutional Residential.

- D. When the requested zone change is CI1 or CI2.** When the requested zone change is CI1 or CI2, a Transportation Impact Review is required as part of the zoning map amendment.

**Findings:** The proposed zoning is not CI1 or CI2

- D. Location.** The site must be within the City's boundary of incorporation.

**Findings:** The site is located within the City's boundary of incorporation.

### **33.855.060 Approval Criteria for Other Changes**

In addition to the base zones and Comprehensive Plan designations, the Official Zoning Maps also show overlay zones, plan districts, and other items such as special setback lines, recreational trails, scenic viewpoints, and historic resources. Amendments to all of these except historic resources and the creation of plan districts are reviewed against the approval criteria stated in this section. Historic resources are reviewed as stated in Chapter 33.846, Historic Resource Reviews. The creation of a new plan district is subject to the approval criteria stated in 33.500.050. An amendment will be approved (either quasi-judicial or legislative) if the review body finds that all of the following approval criteria are met:

- A. Where a designation is proposed to be added, the designation must be shown to be needed to address a specific situation. When a designation is proposed to be removed, it must be shown that the reason for applying the designation no longer exists or has been 33.855.060.A

**Findings:** The proposed Design Overlay zone is applied to the CM3 zoned sites to the north and east of the site and therefore its application on the Mayo House site is appropriate. Furthermore, applying the Design Overlay zone is required for CM3-zoned sites within the Mixed Use – Urban Center designation.

- B. The addition or removal is consistent with the purpose and adoption criteria of the regulation and any applicable goals and policies of the Comprehensive Plan and any area plans; and

**Findings:** The site is currently zoned with the 'a' Alternative Design Density overlay zone, which is proposed to be removed and replaced with the 'd' Design overlay zone.

The purpose of the Alternative Design Density Overlay Zone is to focus development on vacant sites, preserve existing housing and encourage new development that is compatible with and supportive of the positive qualities of residential neighborhoods. The concept for the zone is to allow increased density for development that meets additional design compatibility requirements

The purpose of the Design overlay zone is to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The Design Overlay Zone also promotes quality high-density development adjacent to transit facilities. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning

projects, development of design guidelines for each district, and by requiring design review or compliance with the Community Design Standards.

**Findings:** The ‘a’ overlay is applied to Residentially-zoned lots, and consequently is proposed to be removed from the site and replaced with the ‘d’ overlay zone, which is generally applied to the proposed CM3 zoning. The site is near high level of transit services on ML King Jr Blvd to the east and the Vancouver/Williams corridor to the west. The Design overlay zone is applied to CM3 zoning in close-in areas on and adjacent to major corridors and in Urban Centers. NE Martin Luther King Jr. Boulevard is classified as a Civic Corridor. The Comprehensive Plan includes a policy addressing the need to “design great places” along surrounding Civic Corridors, which the addition of the ‘d’ overlay supports. The preceding analysis showing that the proposed Comprehensive Plan map designation supports relevant Comprehensive Plan policies further supports the addition of the ‘d’ overlay to the proposed CM3 zoning.

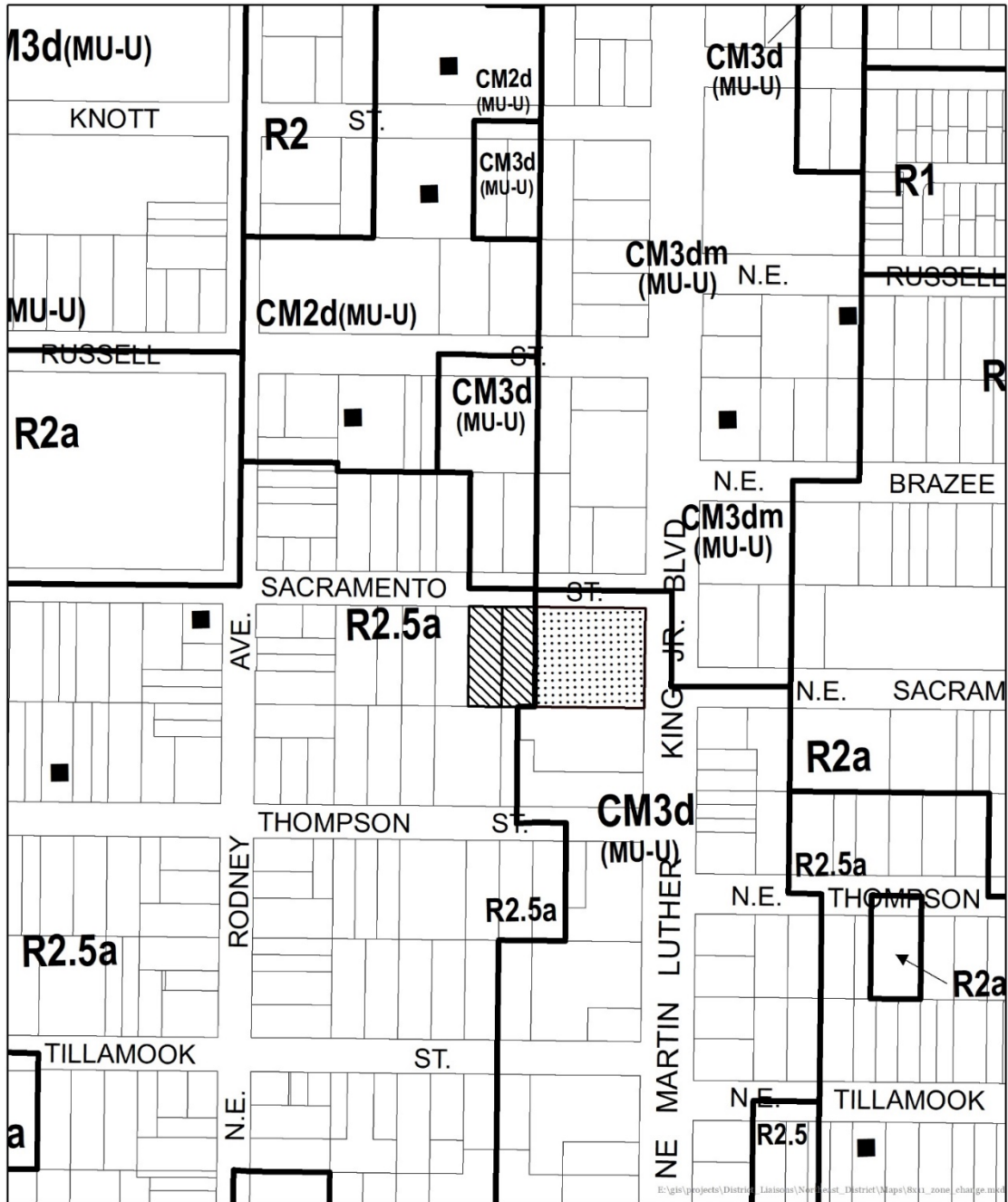
- C. In the Marquam Hill plan district, relocation of a scenic viewpoint must be shown to result in a net benefit to the public, taking into consideration such factors as public access, the quality of the view, the breadth of the view, and the public amenities that are or will be available.

**Findings:** The site is not located within the Marquam Hill plan district.

**In summary,** all of the relevant criteria of 33.855.050 and .060 are met, and City Council supports the change from R2.5a zoning to CM3d zoning for the site.

# Exhibit B

## Existing and Proposed Zoning



### Zoning Existing

THIS SITE IS WITHIN THE  
ALBINA COMMUNITY PLAN DISTRICT  
AND ELIOT CONSERVATION DISTRICT



Site



Also Owned Parcels



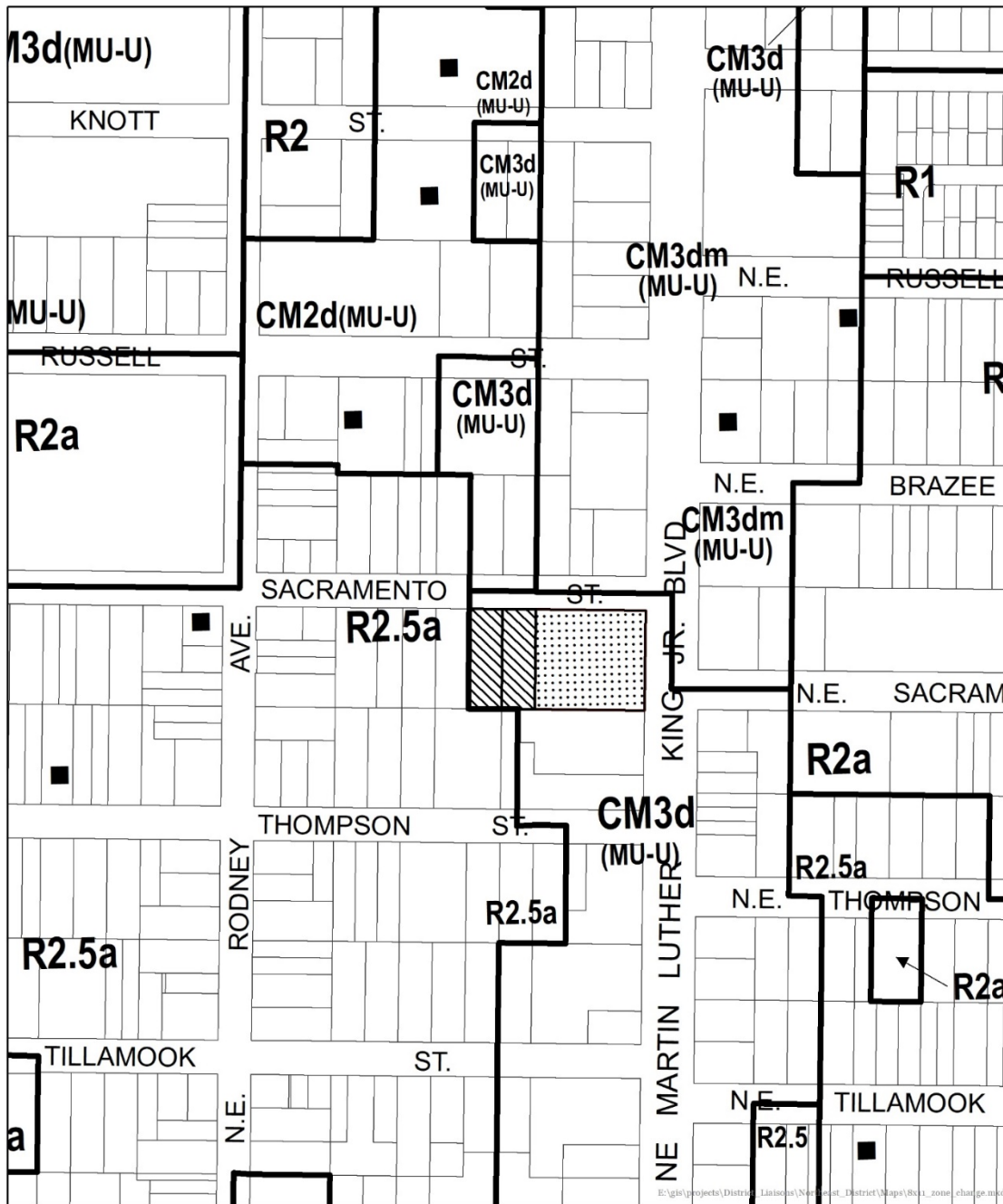
Historic Landmarks

1/4 Section: 2830

Scale: 1 inch = 200 feet

State ID: 1N1E27DA 2900 &

1N1E27DA 3000



## Zoning Proposed

THIS SITE IS WITHIN THE  
ALBINA COMMUNITY PLAN DISTRICT  
AND ELIOT CONSERVATION DISTRICT



Site



Also Owned Parcels



Historic Landmarks

1/4 Section: 2830

Scale: 1 inch = 200 feet

State ID: 1N1E27DA 2900 &  
1N1E27DA 3000