

RIVER PLAN/SOUTH REACH

Volume 2: Scenic Resources Protection Plan

Recommended Draft
October 2020

Acknowledgements

Portland City Council

Ted Wheeler, Mayor, Former Commissioner-in-Charge

Chloe Eudaly, Commissioner

Amanda Fritz, Commissioner

Jo Ann Hardesty, Commissioner-in-Charge

Dan Ryan, Commissioner

Portland Planning and Sustainability Commission

Eli Spevak, Chair

Katherine Schultz, Vice Chair

Steph Routh, Vice Chair

Jeff Bachrach

Ben Bortolazzo

Mike Houck

Katie Larsell

Oriana Magnera

Chris Smith

Bureau of Planning and Sustainability

Andrea Durbin, Director

Joe Zehnder, Chief Planner

Sallie Edmunds, Central City, River & Environmental Planning Manager

Debbie Bischoff, Senior Planner, Project Manager

Jeff Caudill, City Planner II, Project Manager

Contributing staff:

Cassie Ballew, City Planner I

Mindy Brooks, City Planner II

Ethan Brown, City Planner II

Shannon Buono, Senior Planner

Eden Dabbs, Communications Coordinator III

Joan Frederiksen, City Planner II

Krista Gust, Graphics Designer III

Neil Loehlein, GIS Technician

Carmen Piekarski, GIS Analyst

Nicholas Starin, City Planner II

Previous contributing staff: Marc Asnis, City Planner- Urban Design; Marty Stockton, City Planner II; Leslie Wilson, Graphic Design

Inter-bureau Team

Maya Agarwal, Emily Roth and Brett Horner, Portland Parks and Recreation

Adam Barber, Multnomah County Planning

Courtney Duke, Portland Bureau of Transportation

Laura John, Tribal Relations Director, Office of Government Relations

Paul Ketcham and Kaitlin Lovell, Bureau of Environmental Services

Morgan Steele and Stephanie Beckman, Bureau of Development Services

Previous staff:

Michael Cerbone, Multnomah County Planning;

Kevin Donohue, PBOT; Alex Howard, Office of Management and Finance

Consultants: Barney & Worth, facilitation services

Cover illustration by James Pettinari

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HOW TO COMMENT

You may submit comments to the City Council on the Recommended Draft in writing, online via the Map App, or remotely at the public hearing.

To testify in writing you must provide your full name and mailing address.

Use the Map App:

<https://www.portlandmaps.com/bps/mapapp/maps.html#mapTheme=rpsr>

Click on the “Testify” button.

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Portland City Council
 River Plan/South Reach Testimony
 1221 SW Fourth Avenue, Room 130, Portland, Oregon 97204

To testify at the City Council Hearing

You may speak for the time period allotted by City Council and your testimony will be added to the public record. You must provide your full name and mailing address.

Council hearing date: November 4, 2020, at 2 p.m. This will be held as a virtual hearing.

You can use a computer, mobile device or telephone to testify during the hearing. To testify during the hearing, please visit the project website to register:

www.portland.gov/bps/river-plan/south-reach . You will receive a confirmation email containing information about joining the virtual hearing. The deadline to sign up for the November 4 Council hearing is Tuesday, November 3 at 4 p.m. Individuals have three minutes to testify, unless stated otherwise at the hearing. Email the Council Clerk at cctestimony@portlandoregon.gov with questions. To confirm the hearing date and time, check the City Council calendar at <https://www.portlandoregon.gov/auditor/26979>.

For more information

Visit the project website: <https://www.portland.gov/bps/river-plan/south-reach>

Contact the project team: bpsriverplan@portlandoregon.gov

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SUMMARY

A scenic resource is any structure, feature, or element (natural or built) that is valued for its aesthetic appearance. The “scenic” part of the resource is the focal feature or features, such as Mt Hood, the Central City skyline, or the Willamette River. These focal features are observed by the viewer from identified locations including viewpoints, trails or streets. The *South Reach Scenic Resources Protection Plan* (SRSRPP) addresses scenic resources that are accessible to the general public. Generally, the resources are located on or viewed from public property, a public right-of-way, or a public trail.

Types of Scenic Resources

The SRSRPP addresses the following types of scenic resources:

View: A view is an aesthetically pleasing landscape or scene comprised of one or more visual features. A view may be framed, wide angle, or panoramic and may include natural and/or manmade structures and activities. A view may be from a stationary viewpoint or be seen as one travels along a roadway, waterway or path.

Viewpoint: A viewpoint is a location from which one enjoys a view. A viewpoint may have a developed viewing area with features such as benches, signs, and lighting or may simply be a publicly accessible point from which to take in a view.

View street: A view street is a linear scenic resource that leads to a visual focal feature that has an aesthetically pleasing, scenic quality and serves as the terminus of the view.

River access ways: a subset of view streets that terminate at or within the Willamette Greenway boundary and provide a visual and physical connection to the Willamette River. All of the view streets in the South Reach are river access ways.

Visual focal feature: A visual focal feature is a point or element of the natural or built environment that is an aesthetically pleasing or interesting object of a view. Views may have one or more visual focal features.

Scenic site: A scenic site is an area valued for its aesthetic qualities. The area may be made up primarily of natural, vegetated cover and water, or include structures and manmade landscaping. Scenic sites may or may not include viewpoints.

Scenic corridor: A scenic corridor is a linear transportation corridor, including but not limited to a road, railroad, trail or waterway valued for its aesthetic qualities and accessed by car, bike, train, foot, wheelchair or boat. A scenic corridor includes multiple views, viewpoints, visual focal features or scenic sites that may be interspersed with vegetation, built structures or other obstructing features of the surrounding environment. There may be pullouts or designated viewpoints along the travel way where travelers can safely stop to enjoy a particularly nice view.

The scenic resources included in the SRSRPP are drawn from three sources:

- *Willamette Greenway Plan* (1987) – A number of viewpoints and view corridors (now called “view streets”) were identified in the *Willamette Greenway Plan*.

- *Scenic Resources Protection Plan (1991)* – The *Scenic Resources Protection Plan* evaluated scenic resources throughout the city. A number of these scenic resources were located in the South Reach.
- *Proposed Scenic Resources* – New scenic resources were proposed by community members at River Plan/South Reach events and workshops.

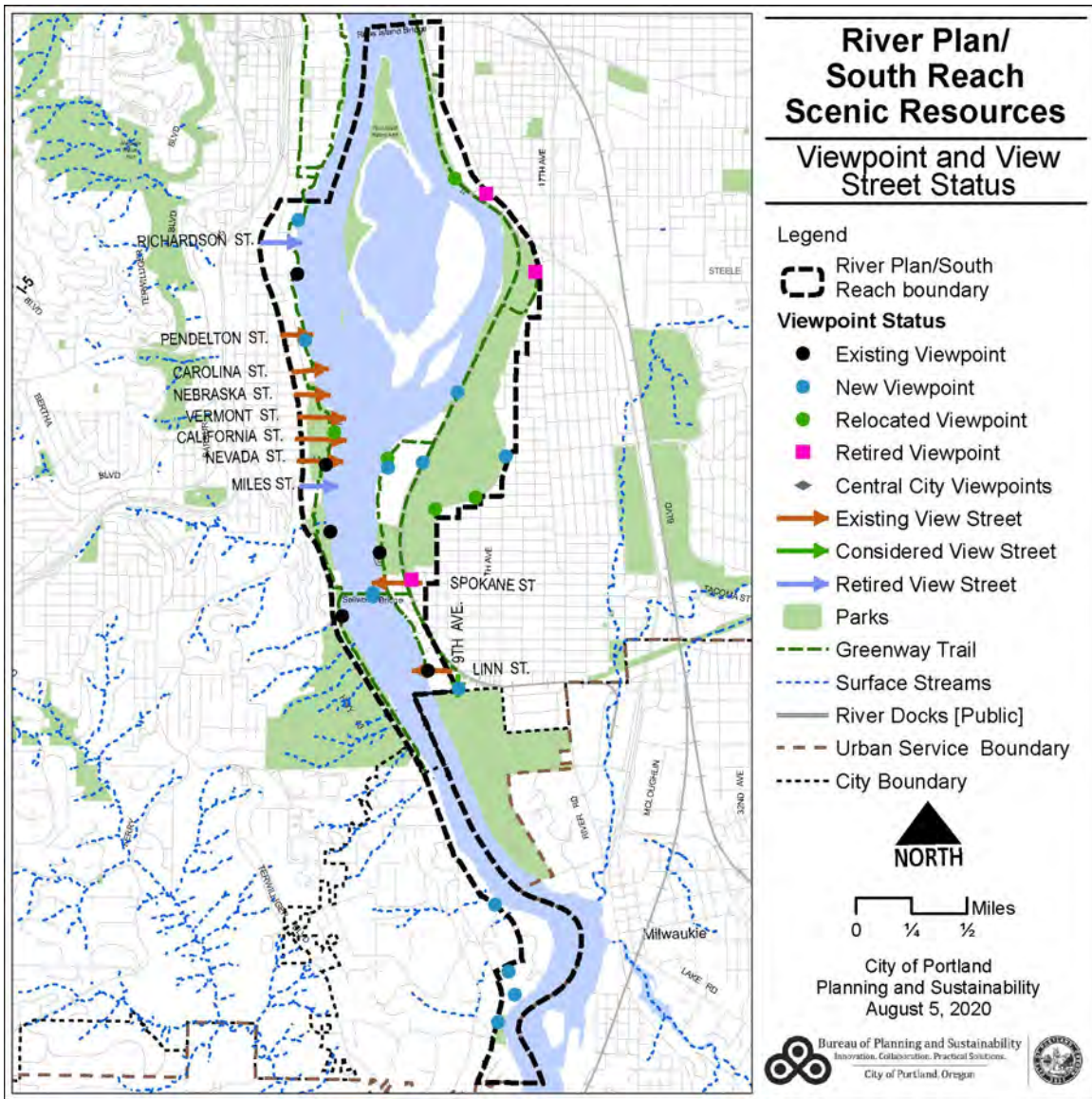
Compliance with Oregon Land Use Goal 15

Oregon State Land Use Goal 15, Willamette Greenway, is intended to protect, conserve, enhance and maintain key resources within the Greenway boundary along the Willamette River. Scenic resources are one of those key resources. Goal 15 does not have an established process for completing an inventory and evaluation of scenic resources. However, the administrative rules for State Land Use Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources, include an inventory and evaluation process that can be used to demonstrate compliance with Goal 15. For the SRSRPP, the Goal 5 process was utilized because the scenic resources under consideration are located both inside and outside of the established Greenway boundary.

The purpose of the SRSRPP is to update and refine previously adopted scenic resources protection plans applicable in the South Reach. The plan evaluates the economic, social, environmental, and energy (ESEE) trade-offs associated with different levels of protection for significant scenic resources. The results of the ESEE analysis will inform updates to the zoning code and other tools to protect and manage scenic resources.

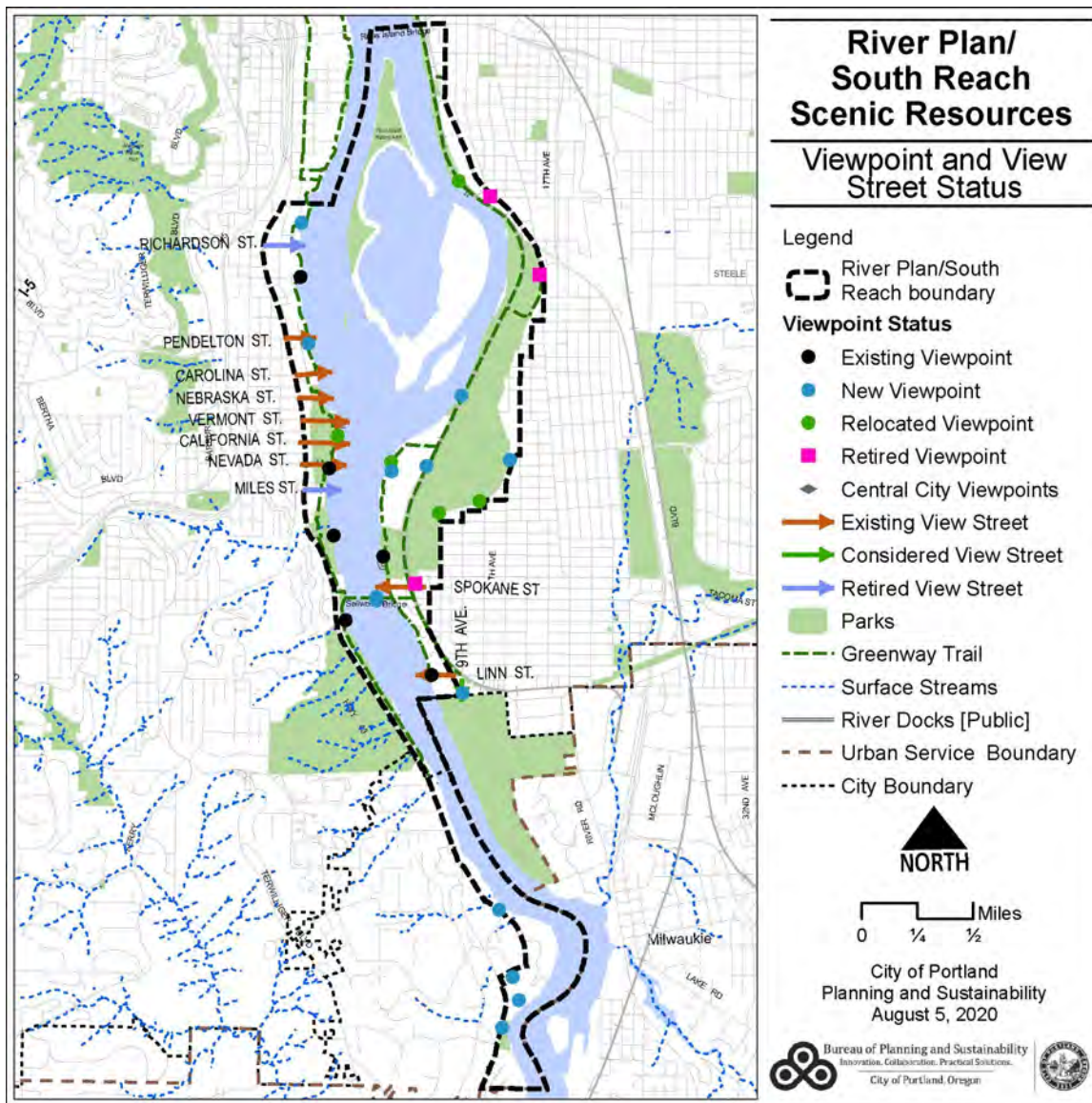
Results

A total of 27 viewpoints and eleven river access ways were considered in the SRSRPP. Three of the 27 viewpoints and two of the river access ways are proposed to be retired because they did not meet an initial set of criteria to determine whether the view corridor from a viewpoint or visual focal feature of the river access way are well-defined and of the necessary character for further consideration. The map below shows the status of each South Reach viewpoint and river access way, including identifying which are proposed to be retired.



Viewpoints

Viewpoints and river access ways that were not proposed to be retired were further assessed to determine if they were significant and, if so, to evaluate the tradeoffs of different levels of protection. Of the 24 viewpoints determined to be significant, 20 were defined as river views and four were upland views. Based on past City of Portland projects and a variety of previous studies, views of a water feature receive consistently higher scores than upland views so all viewpoints with a river view were determined to be significant. Upland views are less likely to be defined as significant by a viewer so these views must meet established criteria for significance and be defined as “Tier I” or “Tier II” views (“Tier III” views are not significant). All of the upland views within the River Plan / South Reach planning area were determined to be significant. The ranking of all of the South Reach viewpoints is depicted in the map below.



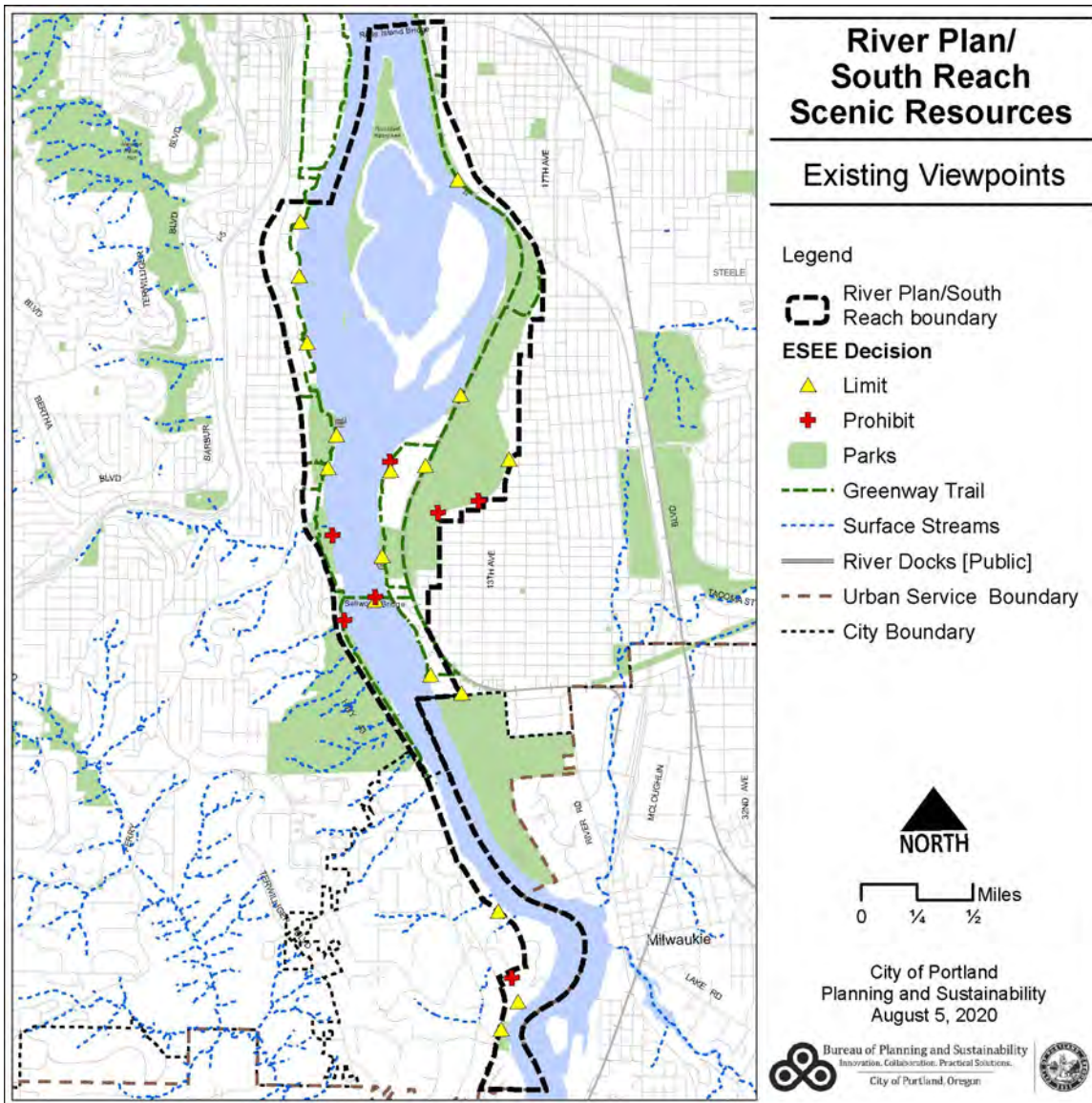
For all views determined to be significant the ESEE analysis was completed to evaluate the potential impacts of conflicting uses on the view and, conversely, the possible impacts of view protections on the conflicting uses. Based on these different potential impacts a recommendation on the appropriate level of protection was made for each view. Protection recommendations were either Prohibit, Limit or Allow. The Goal 5 definition of each determination is provided below.

Prohibit conflicting uses – A decision to prohibit conflicting uses would provide significant scenic resources the highest level of protection. Per Goal 5, “a local government may decide that a significant [inventory] site is of such importance compared to the conflicting uses, and the ESEE consequences of allowing the conflicting uses are so detrimental to the resource, that the conflicting uses should be prohibited.” [660-23-040(5)(c)] Some development may be allowed with a prohibit decision if all economic use of a property would be prevented through full protection.

Limit a conflicting use – “a local government may decide that both the [inventory] site and the conflicting uses are important compared to each other and, based on the ESEE analysis, the conflicting use should be allowed in a limited way that protects the [inventory] site to a desired extent.” [660-23-040(5)(b)]. A program to limit conflicting uses can be designed to allow some level of development or other conflicting use with certain restrictions to protect the scenic resources.

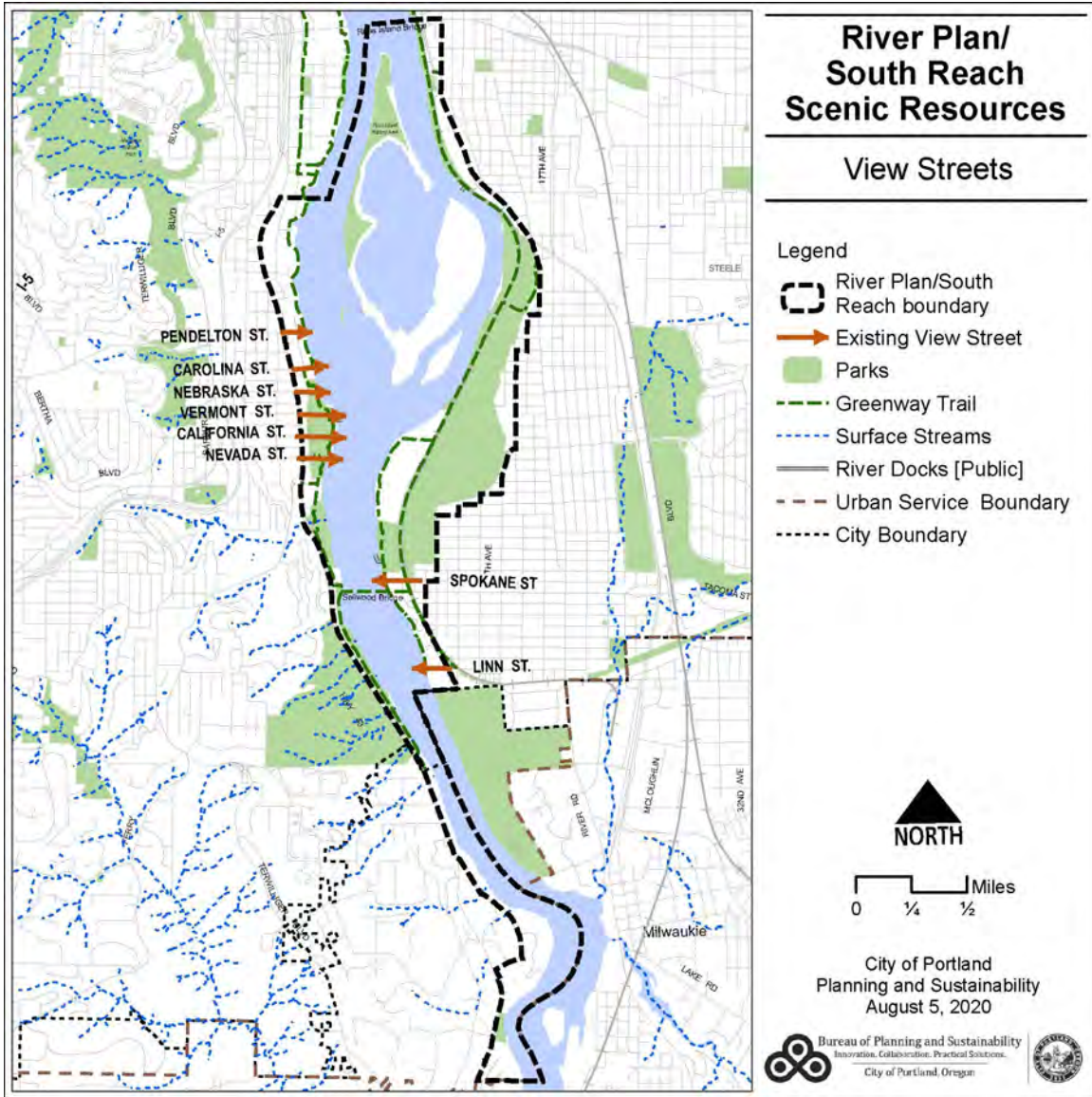
Allow a conflicting use – “a local government may decide that a conflicting use should be allowed fully, notwithstanding the possible impacts on the [inventory] site.” The Goal 5 rule also requires that the ESEE analysis “demonstrate that the conflicting uses is of sufficient importance relative to the [inventory] site, and must indicate why measures to protect the resource to some extent should not be provided.” [660-23-040(5)(a)]

The map below shows the protection recommendation for each significant River Plan / South Reach view.



River Access Ways

Eight river access ways were determined to end in a unique and prominent focal terminus and were thus determined to be significant. All significant river access ways are proposed for protection. The map below shows the river access ways to be protected.



Scenic Corridors, Visual Focal Features and Scenic Sites

No changes are proposed for existing scenic corridors, visual focal features or scenic sites. All of these resources will continue to be protected under existing requirements and processes.

CHAPTER I. INTRODUCTION

A. WHAT ARE SCENIC RESOURCES?

A scenic resource is any structure, feature, or element (natural or built) that is valued for its aesthetic appearance. The “scenic” part of the resource is the focal feature or features, such as Mt Hood, the Central City skyline, or the Willamette River, which have broadly appealing scenic qualities. These focal features are observed by the viewer from identified locations including viewpoints, trails or streets. It is the combination of the focal features and the ability to view the focal features that make up scenic resources. Since resources are experienced by individuals, their significance or importance will differ from person to person.

The *South Reach Scenic Resources Protection Plan* (SRSRPP) addresses scenic resources that are accessible to the general public. Generally, the resources are located on or viewed from public property, a public right-of-way, or a public trail. Scenic resources viewed from private property, such as a view from an office or apartment, are not part of the SRSRPP, with the exception of a few publicly accessible views from the privately-owned Garden at Elk Rock and Oaks Amusement Park.

The SRSRPP uses the following definitions for these key terms:

View: A view is an aesthetically pleasing landscape or scene comprised of one or more visual features. A view may be framed, wide angle, or panoramic and may include natural and/or manmade structures and activities. A view may be from a stationary viewpoint or be seen as one travels along a roadway, waterway or path. A view may be to a faraway object, such as a mountain, or of a nearby object, such as a bridge. Views are also referred to as **view corridors** in this plan and the 1991 *Scenic Resources Protection Plan*.



View of downtown.

Viewpoint: A viewpoint is a location from which one enjoys a view. A viewpoint may be a generalized location, such as a butte, and include several vantage points where the view may be seen to best advantage, or a single observation point. A viewpoint may have a developed viewing area with features such as benches, signs, and lighting or may simply be a publicly accessible point from which to take in a view.



Viewpoint in the South Reach.

View street: A view street is a linear scenic resource that is enclosed or bordered on both sides (for example, by buildings or trees) and leads to a visual focal feature that has an aesthetically pleasing, scenic quality and serves as the terminus of the view.

River access ways are a subset of view streets that terminate at or within the Willamette Greenway boundary and provide a visual and physical connection to the Willamette River. River access ways were called “view corridors” in the 1987 *Willamette Greenway Plan*. All of the view streets in the South Reach are river access ways.



View street in the South Reach.

Visual focal feature: A visual focal feature is a point or element of the natural or built environment that is an aesthetically pleasing or interesting object of a view. Views may have one or more primary visual focal features and one or more secondary or contributing visual focal features.



Mount Hood is a visual focal feature.

Scenic site: A scenic site is an area valued for its aesthetic qualities. The area may be made up primarily of natural, vegetated cover and water, or include structures and manmade landscaping. Scenic sites may or may not include scenic viewpoints.

Scenic corridor: A scenic corridor is a linear transportation corridor, including but not limited to a road, railroad, trail or waterway valued for its aesthetic qualities and accessed by car, bike, train, foot, wheelchair or boat. A scenic corridor includes multiple views, viewpoints, visual focal features or scenic sites that may be interspersed with vegetation, built structures or other obstructing features of the surrounding environment. There may be pullouts or designated viewpoints along the travel way where travelers can safely stop to enjoy a particularly nice view. A scenic corridor differs from a view street in that a view street includes a single designated point on the street where looking from that point you can see one or more visual focal features. A scenic corridor is an aesthetically pleasing resource in and of itself.

B. HISTORY OF SCENIC RESOURCES PROTECTION IN THE SOUTH REACH

This section provides a brief overview of previous scenic resource planning, protection and management efforts in and near the South Reach. Other plans and studies related to scenic resources located outside of the South Reach, such as the Central City, Rocky Butte and Terwilliger Boulevard, are not included in this summary.

1985 Macadam Corridor Study and Design Guidelines

This project addressed a public desire to increase physical and visual access from SW Macadam Avenue to the Willamette River. Implementing zoning code measures in the Macadam plan district (33.550) require the maintenance of eight view corridors (renamed river access ways in this plan) from SW Macadam to the river, between SW Richardson St and SW Miles St. The Macadam Corridor Design Guidelines provide approval criteria for public and private development and include a guideline that calls for creating “public views to the river, Greenway Trail and Willamette Park from Macadam Avenue and other public parks and rights-of-way west of Macadam as well as views from the river and the Greenway to the west.”

1987 Willamette Greenway Plan

With the adoption of Oregon statewide planning goal 15, Willamette Greenway, the state required local jurisdictions to plan for public access to the Willamette River and protect scenic resources associated with the river. In 1987, the City adopted the *Willamette Greenway Plan*, which went into effect in 1988. The plan required development of a public trail on properties with river frontage and identified numerous viewpoints along the river. The views are primarily of the river itself, the bridges, and the city skyline. The zoning code requires that identified public viewpoints be developed when trail improvements are triggered by new development. The *Willamette Greenway Plan* also designated greenway view corridors, renamed river access ways in this plan, where it is possible to see and/or reach the Willamette River from approaching streets and rights-of-way. The *River Plan / South Reach* updates the *Willamette Greenway Plan* for the portion of the greenway in the South Reach, including its scenic resources protection measures.

1991 Scenic Resources Protection Plan

Prior to 1989, several different plans and projects identified and protected scenic views, viewpoints, and drives throughout the city. In addition, public acquisitions of land set aside significant resources for their aesthetic qualities. The 1991 *Scenic Resources Protection Plan* consolidated many of these previous efforts and identified 131 scenic resources throughout Portland. Implementation of the plan included application of a Scenic Resource (s) overlay zone, amendments to the Scenic Resource chapter (33.480) of the zoning code and adjustment of building height restrictions to protect significant views.

2001 – 2004 River Renaissance Vision, Strategy and Atlas

This multi-part, high-level planning initiative includes a Vision calling for connecting “new and existing neighborhoods to and across the river, through rails, trails, bikeways, streets, view corridors, and water taxis.” A *Willamette River Atlas*, completed in 2001, mapped previously identified view corridors and viewpoints and categorized the viewpoints as developed or undeveloped.

2035 Comprehensive Plan (2018)

As described in section D, below, the recently adopted *2035 Comprehensive Plan* provides policy direction to identify, protect and manage scenic resources citywide. The *South Reach Scenic Resources Protection Plan* is one of many implementing measures for the City’s Comprehensive Plan.

C. REGULATORY CONTEXT FOR SCENIC RESOURCE PROTECTION

Oregon Statewide Planning Goals

Comprehensive land use planning was mandated by the 1973 Oregon Legislature, primarily in response to population growth pressures on valuable farm and forest lands. Since 1975, cities and counties in Oregon have been required to comply with Statewide Planning goals. Today there are 19 goals that Oregon cities and counties must comply with through adoption and maintenance of local comprehensive plans. Portland adopted its first comprehensive plan in 1980 to satisfy the requirements of the state planning program.

Only those goals most directly related to scenic resources — Goals 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces), 15 (Willamette River Greenway) and 8 (Recreational Needs) — are addressed in this section.

Oregon State Land Use Goal 15, Willamette Greenway, is intended to protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of the land along the Willamette River. Goal 15 applies within the established Greenway Boundary.

Oregon State Land Use Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources, establishes a process by which scenic resources are inventoried and evaluated for significance. If a resource is found to be significant, the local government must evaluate the consequences of three policy choices: protecting the resource, allowing proposed uses that conflict with the resource, or establishing a balance between protecting and allowing uses that conflict with the resource. The ESEE analysis is the process used to evaluate the conflicts. The local government must then adopt a program based on the results of this evaluation.

The City of Portland has been in compliance with Goal 5 for scenic resources since 1991, with the adoption of the *Scenic Resources Protection Plan*. This inventory is an update for a portion of the scenic resources contained in the *Scenic Resources Protection Plan*; specifically, the scenic resources for the South Reach. Because this inventory will be an update to an approved Goal 5 program, this update must comply with OAR 660-023 instead of OAR 660-016

Goal 5 and Goal 15 apply to mutually exclusive geographies. Goal 5 does not apply within the Greenway Boundary and Goal 15 does not apply outside of the Greenway Boundary. The ESEE analysis that is required by Goal 5 is not a required step to comply with Goal 15. However, the city is not precluded from using an ESEE analysis to evaluate the tradeoffs of protecting scenic resources within the Greenway Boundary. The City is choosing to include the scenic resources located in the Goal 5 and Goal 15 areas in the ESEE analysis in the *South Reach Scenic Resources Protection Plan*. This is being done to establish a consistent approach to determining levels of protection and management for the scenic resources across Portland.

The purpose of the ESEE analysis is to update and refine previously adopted scenic resources protection plans applicable in the South Reach. The ESEE analysis will evaluate the economic, social, environmental, and energy trade-offs associated with different levels of protection for significant scenic resources in, of and across the South Reach. The results of the ESEE analysis will inform updates to the zoning code and other tools to protect and manage scenic resources. In addition to the zoning code, additional tools include supplemental zoning code provisions called “plan districts”, design guidelines, vegetation management plans and others. The results of the ESEE analysis will include decisions that provide the basis for an updated program for the South Reach.

The Goal 5 rule (OAR 660-015-0000(5)) requires that the ESEE analysis include the following steps:¹

1. Determine the impact area. Local governments shall determine an impact area for each resource site. The impact area shall be drawn to include only the area in which allowed uses could adversely affect the identified

¹ Although Goal 15, Willamette Greenway, does not require these steps to determine levels of protection for scenic resources the City is not precluded from using the same process to evaluate resources located within the Greenway Boundary.

significant scenic resources. The impact area defines the geographic limits within which to perform ESEE analysis.

2. Identify conflicting uses. Local governments shall identify conflicting uses that exist, or could occur, within significant scenic resource areas. To identify these uses, local governments shall examine land uses allowed outright or conditionally within the zones applied to the resource site and in its impact area. A "conflicting use" is a land use or other activity reasonably and customarily subject to land use regulations, that could adversely affect a significant resource (except as provided in OAR 660-023-0180(1)(b)).

3. Analyze the ESEE consequences. Local governments shall analyze the ESEE consequences that could result from decisions to allow, limit, or prohibit a conflicting use. The analysis may address each of the identified conflicting uses, or it may address a group of similar conflicting uses. The narratives and tables within this analysis include a thorough explanation of the consequences and describe, to the extent there is existing information, primary, secondary and tertiary impacts for the local and regional community. The final ESEE decision will inform land use actions to address scenic resources. However, the City's comprehensive approach provides the community and City decision makers with a better understanding of the broad implications of the options and may inform decisions that go beyond the ESEE decision.

4. Develop a program. Based on and supported by the analysis of ESEE consequences, local governments shall determine whether to prohibit, limit or allow identified conflicting uses that could negatively affect significant scenic resources:

(a) *Prohibit* – A local government may decide that a significant scenic resource is of such importance compared to the conflicting uses and the ESEE consequences of allowing the conflicting uses are so detrimental to the resource that the conflicting uses should be prohibited.

(b) *Limit* – A local government may decide that both the significant scenic resource and the conflicting uses are important when they are compared and, based on the ESEE analysis, the conflicting uses should be allowed in a limited way that protects the resource to a desired extent or requires mitigation of loss of scenic resources.

(c) *Allow* – A local government may decide that the conflicting uses should be allowed fully, notwithstanding the possible impacts on the significant scenic resources. The ESEE analysis must demonstrate that the conflicting use is of sufficient importance relative to the resource and must indicate why measures to protect the resource to some extent should not be provided, as per subsection (b) of this section.

It should be noted that some of the information contained within the ESEE analysis of consequences will not be directly addressed in the ESEE recommendation because the consequences, while real and important, are not directly related to protection of the scenic resources. This does not preclude the River Plan / South Reach from addressing the consequences via mechanisms outside of the ESEE recommended program.

Oregon State Land Use Goal 8, Recreational Needs, requires jurisdictions to satisfy the recreational needs of citizens. Local jurisdictions are responsible for creating and maintaining recreational areas, facilities and opportunities to meet the current and future needs. Recreational areas, facilities and opportunities are defined

to include scenic landscapes, scenic roads and travel ways as well as passive activities, such as sightseeing. Goal 8 applies across Portland and is coincident with both Goal 5 and Goal 15 resources. There is no specified process for protecting Goal 8 resources; however, this scenic resource protection plan supports compliance with Goal 8.

City of Portland 2035 Comprehensive Plan

Local jurisdictions in Oregon are required to develop and update Comprehensive Plans to demonstrate compliance with the statewide land use planning goals. Portland adopted an updated *2035 Comprehensive Plan* in 2016. The following Comprehensive Plan goals and policies form the basis for the *South Reach Scenic Resources Protection Plan*, as well as future scenic resource inventory and protection measures.

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.

Policies: Scenic resources

Portland's signature views of Mt Hood and other mountain peaks, bridges, and rivers are important to the city's identity. These views strengthen connections to the local and regional landscape. The policies below encourage the recognition, enhancement, and protection of public views and significant scenic resources, as designated in the Scenic Resources Inventory and Protection Plans.

- Policy 4.40 Scenic resources.* Enhance and celebrate Portland's scenic resources to reinforce local identity, histories, and cultures and contribute toward way-finding throughout the city. Consider views of mountains, hills, buttes, rivers, streams, wetlands, parks, bridges, the Central City skyline, buildings, roads, art, landmarks, or other elements valued for their aesthetic appearance or symbolism.
- Policy 4.41 Scenic resource protection.* Protect and manage designated significant scenic resources by maintaining scenic resource inventories, protection plans, regulations, and other tools.
- Policy 4.42 Vegetation management.* Maintain regulations and other tools for managing vegetation in a manner that preserves or enhances designated significant scenic resources.
- Policy 4.43 Building placement, height, and massing.* Maintain regulations and other tools related to building placement, height, and massing in order to preserve designated significant scenic resources.
- Policy 4.44 Future development.* Encourage new public and private development to create new public viewpoints providing views of Portland's rivers, bridges, surrounding mountains, hills and buttes, the Central City skyline, and other landmark features.

D. WHAT'S IN THE PLAN?

The SRSRPP includes four chapters:

Chapter 1: Introduction – This chapter describes context for the *South Reach Scenic Resources Protection Plan*, including providing information on past resource protection efforts in the South Reach, describing the regulatory context that provides direction on completing the scenic resources inventory and economic, social, environmental and energy (ESEE) analysis contained in chapters 2 and 3, and identifies the City's policy priorities for scenic resources.

Chapter 2: Scenic Resources: Inventory – This is an inventory of existing and potential scenic resources in and near the South Reach planning area. The inventory includes detailed descriptions, photos, maps, scores and rankings of variety of South Reach scenic resources. The information in the inventory serves as the basis for the ESEE analysis in Chapter 3.

Chapter 3: Scenic Resources: Economic, Social, Environmental and Energy Analysis (ESEE) – The ESEE evaluates the impacts of protecting (or not) the scenic resources identified in the inventory. A decision is made on whether each scenic resource should be protected and to what degree. Decisions can be to allow, limit or prohibit conflicting uses, such as vegetation or future structures, that may block or reduce the scenic qualities of the view.

Chapter 4: Implementation Tools – This chapter identifies updates to portions of the city-wide *Scenic Resources Protection Plan* (1991) and scenic overlay zones and zoning code that will be made to implement the decisions included in Chapter 3.

The inventory and ESEE may be used during land use review and building permit processes to provide additional information and explanation about the decisions to protect or not protect a scenic resource. Both chapters also provide recommendations about on-going management and improvements that would enhance the resources.

The SRSRPP maintain Portland's compliance with Statewide Goal 5 requirements and rules related to scenic resources.