

Exhibit A:

Findings of Fact Report

May 2022

Introduction and Summary of the Residential Infill Project – Part 2 (RIP2) amendments.

The Residential Infill Project – Part 2 (RIP2) follows the work from RIP1 to respond to recent State legislative “middle housing” mandates, namely HB2001 and SB458. RIP2 will bring the City of Portland into conformance with these mandates including changes to the land division chapters that will enable middle housing to be divided into separate lots for greater homeownership opportunities. RIP2 also includes some zoning reforms that are not required by those bills, as summarized below.

Middle Housing Options:

- Allow duplexes on all lots where a single detached house is otherwise allowed zones as required by HB2001.
- Allow a “detached unit” duplex where there is an existing house on lots outside the ‘z’ overlay in the R2.5 through R20 zones. Limit the height of the new unit to 25 feet. HB2001 allows, but does not require this configuration of duplexes.
- Allow triplexes and fourplexes on unconstrained lots in the R10 and R20 zones as required by HB2001.
- Introduce a new housing type “cottage cluster” for the RM1 zone and R2.5 through R10 zones as required by HB2001.
- Revise rules for creating attached house lots in the RM1 through R20 zones to reflect higher allowed densities as required by the HB2001 administrative rules.
- Allow a house to have two ADUs, or a duplex to have one ADU in the R10 and R20 zones, consistent with RIP1. This is not a requirement of HB2001. The city is already in conformance with other HB2001 ADU requirements.
- Provide an alternative building configuration for “deeply affordable” fourplexes and multi dwelling structures with 5 or 6 units, to better enable townhouse style construction. These changes were not mandated by HB2001.
- Institute new caps on building floor area (FAR) in the R10 and R20 zones for lots that are less than 10,000 square feet in size. HB2001 allows, but does not require these size caps.
- Limit development of middle housing (other than duplexes) in certain goal-protected areas and where sufficient street infrastructure is not present.
- Incorporate modifications to the existing ‘z’ overlay zone to:
 - Encompass R2.5 through R20 zones
 - Continue use of landslide and flood risk components
 - Use environmental zones as opposed to the broader natural resource inventory component
 - Apply wildfire risk components to the R10 and R20 zones only
 - Include the following additional components: high airport noise levels, and lots designated for future industrial lands.
- Remove density and housing type restrictions that conflict with HB2001 from plan districts, overlay zones, and historic resource sites.

Middle Housing Land Divisions (MHLDs) in accordance with SB458:

- Create more “fee-simple” homeownership opportunities by allowing middle housing development to be divided into separate lots.
- Codify the State’s expedited land division process.
- Address how zoning regulations will apply to subsequent development on MHLD sites.
- Add application requirements and review standards for preliminary plan and final plat reviews.

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General.

The Comprehensive Plan requires that amendments to its elements, supporting documents, and implementation tools comply with the plan itself. “Comply” means that the 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. (Policy 1.10)

Text amendments to the zoning code must be found to be consistent with the Comprehensive Plan, Urban Growth Management Functional Plan, and the Statewide Planning Goals. In addition, the amendments must be consistent with the intent or purpose statement for the base zone, overlay zone, and plan district where the amendment is proposed, and any plan associated with the regulations. (33.835.040)

Legislative zoning map amendments must be found to comply with the Comprehensive Plan Map with a zone change to a corresponding zone of the Comprehensive Plan Map. The change also must demonstrate that there are adequate public services capable of supporting the uses allowed by the zone. In addition, the school district(s) within which the sites are located must have 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 the David Douglas School District, which has an adopted school facility plan that has been acknowledged by the City of Portland. (33.855.050)

- 1. Finding:** The City Council has identified and addressed all relevant and applicable goals and policies in this document.
- 2. Finding:** As discussed in more detail below, the City Council has considered the public testimony on this matter and considered all applicable goals and policies and on balance, or as a whole, has found the Residential Infill Project amendments – Part 2 (RIP2 amendments) are consistent with and comply with the goals and policies of the Comprehensive Plan, Metro Urban Growth Management Functional Plan, Statewide Planning Goals and other relevant city plans.
- 3. Finding:** The RIP2 zoning map amendments are to the Constrained Sites ‘z’ overlay zone and are not changing the base zone. The Comprehensive Plan Map does not indicate overlay zones. Therefore, these zoning map changes are found to comply with the Comprehensive Plan Map. Enrollment capacity within David Douglas School District is not adversely affected by the RIP2 amendments as discussed in greater detail below.

Part I. Statewide Planning Goals

State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with the Statewide Planning Goals.

The Statewide Planning Goals that apply to Portland are:

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

There are approximately 560 acres of land both within Portland’s municipal boundaries and beyond the regional urban service boundary that can be classified as rural land. In 1991, as part of Ordinance 164517, the City Council took an exception to Goal 3 and 4, the agriculture and forestry goals. Because of the acknowledged exception, the following goals do not apply:

- Goal 3 Agricultural Lands
- Goal 4 Forest Lands

Other Statewide Planning Goals apply only within Oregon’s coastal zone. Since Portland is not within Oregon’s coastal zone, the following goals do not apply to this decision:

- Goal 16 Estuarine Resources
- Goal 17 Coastal Shorelands
- Goal 18 Beaches and Dunes
- Goal 19 Ocean Resources

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

4. Finding: Portland adopted a Community Involvement Program on June 15, 2016. The Community Involvement Program serves as a framework to carry out policies from Chapter 2 — Community Involvement, of the 2035 Comprehensive Plan, and applies to legislative land use and transportation projects initiated by the City. Among the commitments that the City is asked to make in the Comprehensive Plan are the following:

- To provide a wide range of opportunities for involvement in planning and investment decisions.
- To achieve greater equity in land use actions through setting priorities and making decisions with meaningful involvement of under-served and under-represented communities.
- To meaningfully involve, in decision making, those who potentially will be adversely affected by the results of those decisions.

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- To provide this meaningful involvement throughout the phases of planning and investment projects - issue identification and project design through implementation, monitoring, evaluation, and enforcement.
- To provide well-designed, relevant, responsive and culturally-responsive public involvement.
- To build community capacity for meaningful participation and leadership in planning and investment decisions.

The City has an acknowledged Goal 1 program. Community involvement efforts for the Residential Infill Part 2 (RIP2) project have been conducted in accordance with that program. Therefore, the project is in compliance with Goal 1. More specific findings related to the city's community involvement efforts are found in response to the policies in Chapter 2 of the Comprehensive Plan and are incorporated here. Therefore, the requirements of Goal 1 are met.

Goal 2. Land Use Planning. To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

5. **Finding:** Goal 2, as it applies to the RIP2 amendments, requires the City to follow its established procedures for legislative amendments to the Comprehensive Plan, the Zoning Code, and the Zoning Map and make decisions based on an understanding of the facts relevant to the decision. The amendments comply with this goal because, as demonstrated by findings below, the RIP2 amendments were developed consistent with the Statewide Planning Goals, the Metro Urban Growth Management Functional Plan, 2035 Comprehensive Plan and Portland Zoning Code, as detailed in this ordinance and are supported by an adequate factual base.

Additionally, consistent with Goal 2, other government agencies received notice from the 35-day DLCDD notice and the City's legislative notice. The City did not receive any requests from other government agencies to modify the RIP2 amendments.

The City Council's decision is based on the findings in this document, and the findings are based on the evidence presented to the Planning and Sustainability Commission and City Council that are incorporated in the record that provides the adequate factual basis for this decision. The Council legislative record specifically incorporates all materials linked on the project website, the reports, memos and presentations provided to the Planning and Sustainability Commission and City Council, the written and verbal testimony submitted to the Planning and Sustainability Commission and City Council, and notices sent to the public, and the RIP2 electronic box available at [efiles.portlandoregon.gov/record/14989226] that contains reports, documents, and information related to the project. On the Bureau of Planning and Sustainability's website, the following link [www.portland.gov/bps/rip2] provides access to a portion of the legislative record. This link was available to the public and City Council during the public hearing process. In light of the COVID-19 pandemic, as well as following directives outlined in Governor Brown's Executive Order no. 20 – 16, the PSC and Council hearings were held virtually, allowing the public to testify using a telephone, mobile device, or computer. All project documents were produced and distributed electronically because staff do not have access to City facilities.

Goal 5. Open Space, Scenic and Historic Areas, and Natural Resources. To protect natural resources and conserve scenic and historic areas and open spaces.

6. **Finding:**

Natural Resources. The City protects natural resources by applying environmental zoning (i.e. the environmental, river, and pleasant valley overlay zones) to significant natural resources that it

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identifies through a natural resources inventory. The City's most recent natural resource inventory (NRI) was adopted as part of the *2035 Comprehensive Plan* (Ordinance 185657) and was acknowledged by LCDC on June 13, 2014. The NRI identifies the location, quantity, and quality of all significant natural resources as required by the inventory provisions of Statewide Planning Goal 5. The existing environmental zones were implemented through a series natural resource protection plan (see figure 7-2 of the *2035 Comprehensive Plan*). Each protection plan evaluated the economic, social, environmental and energy impacts of regulating development within natural resource areas, as required by Statewide Planning Goal 5. The existing environmental zones have been acknowledged as in compliance with Statewide Planning Goal 5.

The RIP amendments are consistent with Statewide Planning Goal 5 related to natural resources because they do not amend any of the existing environmental zones and do not amend any of the zoning regulations associated with the environmental zones (33.430, 33.465, 33.475). In addition, as part of the City's original application of the environmental overlay zones, the ESEE analyses that were conducted considered single dwellings, ADUs and duplexes as permitted uses in the single dwelling zones. The RIP amendments prohibit three or more units on lots that have environmental overlay zones. Since the code currently permits two dwelling units now, and the RIP2 amendments prohibit any additional density in these areas, the RIP2 amendments do not establish any new conflicting use.

Open Spaces. The RIP2 amendments are consistent with Statewide Planning Goal 5 because they do not affect the City's Open Space zoning.

Scenic Resources. The RIP2 amendments are consistent with Statewide Planning Goal 5 because they do not affect the scenic resource overlay zone, which conserves significant scenic resources identified in the City's adopted Scenic Resources Protection Plan.

Historic Resources. Historic resources are located throughout the City including in single-dwelling zones that are affected by the RIP2 amendments. Identified historic resources (individual landmarks and districts) are conserved by the City's Historic Resources overlay zone. The RIP2 amendments do not identify new or remove any existing designated historic resources and the amendments do not affect any of the Historic Resource overlay zone regulations (Chapter 33.445). For this reason, the RIP amendments are consistent with Statewide Planning Goal 5.

Generally. As shown below in the findings for the 2035 Comprehensive Plan, the RIP2 amendments are consistent with the goals and policies of Chapter 4 (Design and Development, including Historic and Cultural Resources) and Chapter 7 (Environment and Watershed Health). The findings in response to those goals and policies are incorporated here by reference, and they further support the finding that the RIP amendments are consistent with Statewide Planning Goal 5.

Goal 6. Air, Water, and Land Resource Quality. To maintain and improve the quality of the air, water and land resources of the state.

- 7. Finding:** Goal 6 requires the maintenance and improvement of the quality of air, water, and land resources. The State has not yet adopted administrative rules for complying with Statewide Planning Goal 6. The City is in compliance with federal and state environmental standards and statutes, including the federal Clean Water Act and Clean Air Act. Existing City regulations including Title 10 (Erosion Control) and the Stormwater Management Manual will remain in effect and are applicable to future development. Chapter 7 (Environment and Watershed Health) of the 2035 Comprehensive Plan furthers Statewide Planning Goal 6. As shown below in the findings for the 2035 Comprehensive Plan, the RIP2 amendments are consistent with the goals and policies of Chapter 7 (Environment and Watershed Health) and the findings in response to those goals and

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policies are incorporated here by reference. Therefore, RIP amendments are consistent with the requirements of Statewide Planning Goal 6.

Goal 7, Areas Subject to Natural Disasters and Hazards. To protect people and property from natural hazards.

8. Finding: The State has not yet adopted administrative rules for complying with Statewide Planning Goal 7. Senate Bill 1051 (2018) requires that cities allow an ADU on any lot where a house is allowed. House Bill 2001 (2019) requires cities allow a duplex on any lot where a detached house is allowed. The city currently allows a house with an accessory dwelling unit on all lots in the R20 through R2.5 zones and a duplex on lots in the R7 through R2.5 zones where a house is allowed. The RIP2 amendments allow a duplex on any lot in the R10 and R20 zones that allows for a house. While certain RIP2 zoned lots are eligible for up to 6 units, the RIP2 amendments include a prohibition on more than 2 dwelling units per lot (e.g. house plus ADU or duplex) on sites that contain the following identified natural hazard areas shown in the City's adopted and acknowledged Buildable Lands Inventory (Ordinance 187831):

- Special flood hazard area (Land area covered by the floodwaters of the base flood, as shown on the Federal Emergency Management Agency (FEMA) maps in effect on November 26, 2010);
- Floodway (The active flowing channel during a flood, as designated on the flood maps adopted under authority of Title 24 of the Portland City Code);
- 1996 Flood Inundation area (A record peak flow in February of 1996 caused the Willamette River and its major tributaries to flood. This map was created to delineate the inundated areas near the mainstem and major tributaries of the Willamette River);
- Potential Rapidly Moving Landslide Hazard Zones (as shown in the DOGAMI IMS-22 publication); and
- Deep landslide (High Susceptibility or Landslide Deposit or Scarp as shown in the DOGAMI IMS-57 publication)
- Wildfire risk (sites in the R10 and R20 zones with a cumulative hazard value of 5 or more as shown on the 1998 City of Portland Wildfire Hazard Zone map and sites in the R10 and R20 zones Areas with a high or extreme risk rating as shown on the 2001 Multnomah County Community Wildfire Protection Plan map 13B that are not also included in the 1998 City of Portland Wildfire Hazard Zone map)

For this reason, the RIP2 amendments do not increase the potential for people or property to be affected by natural hazards, consistent with Statewide Planning Goal 7.

The RIP2 amendments are also consistent with this goal because City programs that are deemed in compliance with Metro Title 3 requirements for flood management, and erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24), as well as the environmental overlay zones are unchanged by these amendments and will ensure any new development will be done in a way to protect people and property from hazards.

As shown below in the findings for the 2035 Comprehensive Plan, the RIP2 amendments are consistent with the goals and policies of Chapter 7 (Environment and Watershed Health) and the findings in response to those goals and policies are incorporated here by reference. Therefore, the RIP2 amendments are consistent with the requirements of Statewide Planning Goal 7.

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

9. Finding: Goal 8 focuses on the provision of destination resorts. However, it does impose a general obligation on the City to plan for meeting its residents' recreational needs: "(1) in coordination with private enterprise; (2) in appropriate proportions; and (3) in such quantity, quality and locations as is consistent with the availability of the resources to meet such requirements."

Goal 8 provides that "Recreation Needs -- refers to existing and future demand by citizens and visitors for recreation areas, facilities and opportunities." Goal 8 also provides that "Recreation Areas, Facilities and Opportunities -- provide for human development and enrichment, and include but are not limited to: open space and scenic landscapes; recreational lands; history, archaeology and natural science resources; scenic roads and travelers; sports and cultural events; camping, picnicking and recreational lodging; tourist facilities and accommodations; trails; waterway use facilities; hunting; angling; winter sports; mineral resources; active and passive games and activities."

The City of Portland has a robust and diverse system of parks, recreation areas and open spaces. The City's Parks 2020 Vision documents the City's long-term plan to provide a wide variety of high-quality park and recreation services and opportunities for all residents.

The RIP2 amendments do not impact the existing vision, nor do they affect any land designated as open space.

As noted below in the findings for the 2035 Comprehensive Plan, the RIP2 amendments are consistent with the goals and policies of Chapter 8 (Public Facilities and Services and the findings in response to those goals and policies are incorporated here by reference. Therefore, RIP2 amendments are consistent with the requirements of Statewide Planning Goal 8.

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

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

The *2035 Comprehensive Plan* demonstrates compliance with Goal 9. Land needs for a variety of industrial and commercial uses are identified in the *Economic Opportunities Analysis* (EOA), which was adopted (Ordinance 187831) and acknowledged by LCDC on April 25, 2017.

The City's acknowledged EOA analyzed and demonstrated adequate growth capacity for a diverse range of employment uses, which are organized into different geographies that represent a distinct mix of business sectors and building types. In each of the geographies, the City analyzed the future employment growth and the developable land supply to accommodate that growth. The RIP2 project does not reduce the supply of employment land because no land is being removed from the City's employment land base, and no new permanent nonindustrial uses are being allowed within industrial zones.

As noted below in the findings for the 2035 Comprehensive Plan, the RIP2 amendments are consistent with the goals and policies of Chapter 6 (Economic Development) of the 2035

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Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. Therefore, the RIP2 amendments are consistent with the requirements of Statewide Planning Goal 9.

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

11. Finding: Goal 10 specifies that each city must plan for and accommodate needed housing types. As used in ORS 197.307 “needed housing” means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, and includes attached and detached single-family housing and multiple family housing for both owner and renter occupancy;

Goal 10 requires each city to inventory its buildable residential lands, forecast future needs, and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Goal 10 and its implementing administrative rules contain the following specific requirements:

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

The adopted *2035 Comprehensive Plan* conducted city-wide analysis to demonstrate compliance with Goal 10. The City's Housing Needs Analysis, which was adopted (Ordinance 185657) and acknowledged by LCDC on June 11, 2014, consists of five distinct reports that analyzed the state of housing supply, housing affordability issues and the City's ability to meet projected housing demand. The Buildable Land Inventory (BLI), which was adopted (Ordinance 187831) and acknowledged by LCDC on April 25, 2017, identified the supply of land available to provide this needed housing. Supporting documents adopted with the acknowledged 2035 Comprehensive Plan (Ordinance 187832) established that the residential housing capacity of the unconstrained vacant and underutilized parcels in Portland is approximately 169,000 units. This is much more than the estimated 20-year need of 123,000 housing units by 2035. Portland has a surplus of housing capacity.

Goal 10 mandates that local jurisdictions ensure adequate capacity, and provides a “floor” for such measure, but does not restrict or prevent jurisdictions from increasing housing capacity above a set “ceiling”. In other words, just because the City has shown that it meets the number of requisite units to accommodate the forecast growth, Goal 10 does not prevent the City from increasing the capacity, and especially so when such increases help improve the housing target performance in other areas of the goal (type, tenure and affordability).

The RIP2 amendments include modifications to zoning allowances that increase both the range of allowed housing types, as well as the overall capacity for housing units to be created. These amendments are in part to improve the performance of the Comprehensive Plan housing policies. Further, since an increase of housing development capacity is increased in more areas across the city this increase in “supply” helps reduce cost increases from previously unmet demand.

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The findings below address Goal 10 requirements to demonstrate that with the RIP2 amendments, the City continues to accommodate 20-years of forecast growth and provide a variety of housing types and tenures, with a variety of affordability levels.

The RIP2 amendments expand the variety of housing types available in the R2.5, R5, R7, R10 and R20 zones, which comprise nearly 40% of the City's total area. There are essentially seven housing types that are enabled or expanded through these changes:

- Accessory Dwelling Units (ADU). New allowances for up to two ADUs with a house or one ADU with a duplex are added to the R10 and R20 zones.
- Duplexes. Under current regulations, duplexes are allowed on corner lots in the R10 and R20 zones. The RIP2 amendments allow duplexes on all lots in the R2.5-R20 zones, consistent with mandates in HB2001.
- Triplexes. Under current regulations, triplexes are only allowed in the R2.5, R5, R7 zones and not allowed in the 'z' overlay. The RIP2 amendments will allow triplexes on R10 and R20 lots (outside of the 'z' overlay) throughout Portland.
- Fourplexes. Under current regulations, fourplexes are only allowed in the R2.5, R5, R7 zones and not allowed in the 'z' overlay. The RIP2 amendments will allow fourplexes on R10 and R20 lots (outside of the 'z' overlay) throughout Portland.
- Multi-dwelling buildings with 5 or 6 units. Under current regulations, multi-dwelling buildings are only allowed in the R2.5, R5, R7 zones and not allowed in the 'z' overlay. The RIP2 amendments will allow multi-dwelling buildings (outside of the 'z' overlay) when certain levels of regulated affordable housing units are provided.
- Cottage Clusters. These are a new residential structure type not currently allowed per se in the city (though similar styles of development are allowed via a planned development process in single dwelling zones, and as "multi-dwelling development" in other zones). The RIP2 amendments create new standards and allow these (outside of the 'z' overlay) in the R2.5 through R10 zones, as well as in the RM1 zone.
- Higher Density Attached Houses. Attached houses are already an allowed housing type. However, HB2001 prescribes certain higher levels of density for attached houses, which RIP2 incorporates into the land division standards for R2.5 through R20 zones (outside of the 'z' overlay).

Under the previous zoning, the 2035 Comprehensive Plan anticipated roughly 16,200 single dwellings to be built in single dwelling zones in the planning period. With RIP1, the additional housing types were expected to result in roughly 20,100 projected housing units within the RIP1 zones¹. The RIP2 amendments add more eligible lots (through reduced lot size thresholds, added R10 and R20 zoned area, and reductions to the 'z' overlay in R2.5, R5 and R7 zones) and more housing types, described above. This helps further diversify Portland's housing stock to suit a wider range of housing needs, preferences, and financial capabilities.

The changes also include requirements that in cases where more than two units are proposed, some portion of the units on the site must be visitable for people with mobility impairments. These units are more easily adapted for reasonable accommodation requests per the federal fair housing requirements.

¹ Household projection comparison - Comp Plan to RIP, BPS, January 2020

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The Comprehensive Plan uses two definitions for “affordable housing” and both are relevant to the RIP2 amendments. The first definition relates to housing that serves extremely low, very low- and low-income households. City Council interprets these household types as below 30%, below 60%, and 80% of the median family incomes respectively. The second definition cites the HUD definition of “affordable” as housing that costs no more than 30 percent of a household’s monthly income. In terms of affordability, the smaller size units provide lower unit cost options (both rent and sales) than comparative larger single houses on single lots². These units provide more variety and available options for households that may be above 80% MFI but are seeking housing that fits below the 30% of their household income level. The RIP2 amendments also provide two incentives for the creation of regulated affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows up to six units at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. This FAR generally provides for 2-bedroom units. For these deeper affordable units, two visitable units will be required.

In terms of housing affordability and stability, the additional, second ADU can supplement an owner’s income and offset mortgage expenses. Similarly, owner-occupied duplexes, triplexes and fourplexes can be purchased through normal residential Federal Housing Administration (FHA) loans, Veterans Affairs loans, or conventional financing, with rents being used to help qualify for lending.³

In terms of tenure, there are no zoning regulations that require the expanded housing types to be ownership or rental units. RIP2 includes changes to the land division codes that enable lots that contain “middle housing” (e.g. duplexes, triplexes, fourplexes. and cottage clusters) to be divided into separate lots for individual ownership. This new middle housing land division code implements the requirements of SB458, which was intended to “address regulatory barriers to selling, for example, both units of a duplex as two individual homes when the real property was not subdivided or partitioned into two discrete lots or parcels”⁴.

The Metropolitan Housing Rule (OAR 660-007-0035) states that cities “must provide for an overall density of ten or more dwelling units per net buildable acre”. The adopted Comprehensive Plan provides for 31 units per acre overall⁵. The RIP2 amendments do not change minimum density requirements. Therefore, the amendments provide for more than ten housing units per net buildable acre across the city.

As noted below in the findings for the 2035 Comprehensive Plan, the RIP2 amendments are consistent with the goals and policies of Chapter 5 (Housing) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. Therefore, the RIP2 amendments are consistent with the requirements of Statewide Planning Goal 10.

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

12. Finding: Statewide Planning Goal 11, Public Facilities, requires cities to adopt and update public facilities plans. Public facilities plans ensure that urban development is guided and supported by

² Exhibit B, Volume 3, Appendix A, Johnson Economics *Economic Analysis of Proposed Changes to the Infill Development Standards*, Nov. 2018

³ How to finance a Duplex or Multifamily Home, Bankrate.com, January 2019

⁴ SB 458 STAFF MEASURE SUMMARY, April 1, 2021

⁵ City of Portland, Ord. 188177, Vol. 1.1.A, page 40

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types and levels of water, sewer and transportation facilities appropriate for the needs and requirements of the urban areas to be serviced, and that those facilities and services are provided in a timely, orderly and efficient arrangement.

The adopted 2035 Comprehensive Plan includes the Citywide Systems Plan (CSP), which was adopted (Ordinance 185657) and acknowledged by LCDC on April 25, 2017. The CSP includes the Public Facilities Plan with information on current and future transportation, water, sanitary sewer, and stormwater infrastructure needs and projects, consistent with the requirements of Statewide Planning Goal 11. The service limitations identified in the CSP have been incorporated into the Buildable Lands Inventory (BLI) which was adopted (Ordinance 187831) and acknowledged by LCDC on April 25, 2017

The HB2001 requirement that duplexes be allowed on any lot where a house is otherwise allowed does not have a significant effect on public facilities and services because duplexes are already allowed on corner lots, and on all lots in the R2.5, R5, and R7 zones (with RIP1). Houses with accessory dwelling units are also allowed on all lots where a house is allowed in the affected zones. While the ADU is required to be a smaller sized unit than the house, in terms of total potential floor area, there is no distinction between this configuration and a duplex. The RIP2 changes increase the capacity for number of households on certain qualifying lots in the affected zones from 2 (house plus ADU, corner lot duplex) to 4 units in most cases, 6 units when certain thresholds for affordability are met, and up to 16 units when the cottage cluster standards can be met. However, not all eligible lots are likely to develop at this density over the CSP 20-year planning period. Household growth is determined by Metro allocations at the regional level. The RIP amendments do not affect the City's forecasted growth rate. This growth rate is an established allocation from Metro in its agency's role to coordinate land use planning for the region in accordance with Goal 2. Metro develops the forecast and allocates the forecasted growth to each of the jurisdictions within its boundaries. Each local jurisdiction is responsible for determining how to best manage and direct that growth within its boundaries.

The RIP2 changes complement changes addressed and evaluated as part of RIP1 by incorporating two additional single dwelling zone areas (R10 and R20), and two additional housing types (higher density attached houses and cottage clusters), as required by House Bill 2001. It should also be noted that should the city fail to adopt changes as prescribed by HB2001 and the associated administrative rules, the Large Cities Model Code will become effective. The Model Code lacks some of the safeguards proposed to limit or mitigate potential public facility and services impacts, either directly or indirectly, such as application of the 'z' overlay to clearly establish where housing density is limited to a duplex, lower allowable FARs, limits on maximum cottage cluster site size and number of units, and minimum lot size requirements.

For the R10 and R20 areas, staff evaluated potential infrastructure challenges in the context of determining whether to seek an "infrastructure-based time extension request" (IBTER) allowed under OAR660-046-300. In these areas, development could face increased cost to extend infrastructure, which may make it infeasible to develop in specific locations. However, the recommendations that emerged from those case studies⁶ found that since nearly 80% of the lots in these zones would be encumbered by the Constrained Sites 'z' overlay zone, the majority of potential infrastructure conflicts were removed. In addition to those lots, additional lots outside the 'z' overlay are likewise restricted by their lack of street frontage on a maintained street. The few

⁶ Case Studies Recommendation Report, OTAK, May 2021

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remaining cases will be addressed through required infrastructure upgrades as part of the specific development.

One of the two additional housing types (higher density attached houses) is simply a different form of triplex or fourplex, where units are arranged on side by side lots, rather than being built on a combined single lot. Additional lot size amendments within the Accessory Dwelling Unit chapter (33.205) ensure that allowances for ADUs will not result in doubling or quadrupling of allowed density, to maintain density parity between triplex/fourplex and these attached houses. As such, there are no distinctions from RIP1 to consider.

The second new housing type (cottage clusters) allow between 3 and 16 units on a lot. The administrative rules implementing HB2001 specifically restrict the city's ability to impose 1) density limits, 2) building coverage requirements, or 3) floor area ratio limits⁷ - the three principle means of forecasting or anticipating facility service demand. The state rules also limit where cities may or may not allow clusters, such as goal-protected areas (i.e. the 'z' overlay) or where "Sufficient Infrastructure" is already provided, or can be provided as part of the development application. Within the state's limitations on what cities may regulate, there are still practical limits to what can fit on a site in terms of required open area per unit, building separation requirements, average floor area limits, etc. It is unlikely for 16 units to fit on a 5,000 sq ft site. In addition to the spatial above-ground challenges of siting units, below-ground utility infrastructure must also be accommodated. Staff evaluated several cottage cluster scenarios and found that in cases where units were maximized to their largest allowable floor area, the density was roughly equivalent to 1 unit per 1,875 sq ft. In cases where the objective was to create the most units (each about the size of an ADU), the density was closer to 1 unit per 1,000 sq ft. Effective building coverage was generally less than the normally applicable building coverage standard⁸. The second modeling challenge is the lack of precedence for this product type to determine in which market area and at what price levels these projects would be produced. In nearby Tigard and Milwaukie, there are cottage cluster codes in effect but few projects constructed. Consequently, due to the state's limitations imposed upon cities authority to regulate certain aspects of cottage clusters, and the mandate that they be allowed, and the relative lack of data to determine whether or where they are likely to be proposed, these developments will need to be closely reviewed to ensure that the requisite sufficiency of infrastructure exists to support the proposed development. The administrative rules for HB2001 provide that "a Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a cottage cluster development application." (OAR660-046-220(4)(i)). "'Sufficient Infrastructure' means the following level of public services to serve new Triplexes, Quadplexes, Townhouses, or Cottage Cluster development: (a) Connection to a public sewer system capable of meeting established service levels; (b) Connection to a public water system capable of meeting established service levels; (c) Access via public or private streets meeting adopted emergency vehicle access standards to a city's public street system; and (d) Storm drainage facilities capable of meeting established service levels for storm drainage." OAR 660-046-020 (16)

The Buildable Lands Inventory considers other development constraints to determine the overall increase in available capacity, and then assigns growth based on household forecasts, housing type demand and development trends. The RIP1 capacity and growth allocation model determined that there would be approximately 3,900 additional households reallocated to areas within the R2.5, R5,

⁷ OAR 660-046-220(4)(c),(e),and (g)

⁸ RIP2 Staff Report Volume 1, Appendix B, Cottage Cluster and Duplex Concept Report, Urbsworks, June 2021

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and R7 zones when compared against the baseline 2035 Comprehensive Plan. There is no evidence to suggest that allowing for additional units in single dwelling zones will increase the rate or amount of population growth in the city. In other words, these are not additional households above the 2035 Comprehensive Plan total for the planning period, but rather households that shift from one or more other zones. Impacts to city systems were evaluated based on the net change of development impact between the 2035 Comprehensive Plan zoning and the RIP changes as well as the location of where increased household development was forecast.

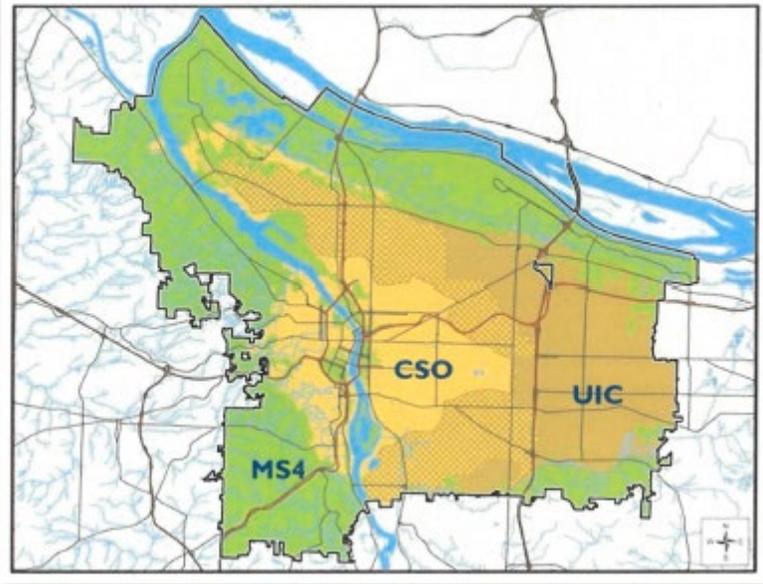
For areas included in the additional housing allowances provided by the RIP2 changes, development standards and regulations are in place to ensure sewer, water, and stormwater needs are met and impacts are addressed. Where there are existing constraints on public facilities, proposed development could face increased cost of to provide or mitigate the constrained infrastructure.

The RIP2 amendments expand housing types to roughly 20% of R10 and R20 areas. However, the RIP1 capacity and growth allocation model shows reductions of household allocation in the R10 and R20 zones as a result of increased capacity in higher density single dwelling zones. Zoned capacity was not a limiting factor on development in the lower density single dwelling R10 and R20 zones as much as higher development and land acquisition costs. The added housing types in RIP2 (higher density attached houses, detached unit duplexes) support other ownership opportunities or building form configurations and do not increase unit allowances. Cottage clusters increase potential units but roughly in the same proportion of units allowed with fourplexes on smaller sites. The areas that saw increased housing allocations are middle ring neighborhoods in southeast and northeast along the 82nd avenue/ I-205 corridor, outer east areas along Division Street, and areas of north Portland. Services in these areas were previously evaluated with the RIP1 amendments based on existing and planned service capacity.

Sanitary Sewer

The east, west, and north portions of the city are served by separated sanitary and storm sewer systems (green shaded areas). The central portions of the city are generally served by combined sanitary and storm sewers (tan shaded areas). Large portions of the city on the east side of the Willamette River utilize Underground Injection Control (UIC, brown shaded areas) systems to infiltrate stormwater into the ground, thereby reducing runoff. The cross-hatched areas are served by both combined and UIC systems. The Bureau of Environmental Services evaluated the impacts of RIP1 amendments against the 2035 Comprehensive Plan zoning for each system⁹.

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Combined System.

Within the combined service area BES notes that the 2035 Comprehensive Plan Citywide Systems Plan (CSP) identified that some areas in the combined system are affected by localized hydraulic capacity limitations that increase the risk of basement sewer backups and/or street flooding. These areas are concentrated close in on the east side with scattered areas in other parts of the system. A number of projects to address this hydraulic deficiency were included in the proposed Investment Strategy in the CSP. There is no evidence that the RIP1 or RIP2 amendments will cause an increase in the combined sewer hydraulic capacity limitations identified in the CSP. Sanitary flow is a minor component in the combined system when compared to stormwater flows, and much of the projected infill is within the UIC boundary where the sewers and wastewater treatment facilities tend to have excess capacity, and stormwater runoff from future development can be infiltrated into the soil.

BES reviewed their combined systems in consideration of the RIP1 amendments and changes to forecasted household allocation and found that adequate capacity exists in the system to accommodate the level of anticipated development, in order to limit combined sewer overflows. For RIP2, the newly added R10 and R20 areas are located outside of the combined sewer areas, so there is no added impact to CSO areas from RIP2.

BES has already identified a series of projects in the CSP Collection System Investment Strategy to address capacity deficiencies in the combined system over the next 20 years. BES employs an asset management model and continuously monitors the capacity of the combined system, constructing capital improvements to mitigate flooding risk and to limit combined sewer overflows in compliance with the City's regulatory permits. BES will continue this practice as residential infill and other development activity occurs. Therefore, Council has concluded that the combined sewer system, with planned projects included in the adopted CSP, is adequate or will be adequate to accommodate the forecasted growth from RIP.

Separated System.

Most of the properties zoned R7, R5, and R2.5 in the separated area are served by sanitary sewers. Currently there are minimal capacity issues in these sewers, except for areas where the City experiences stormwater inflow or infiltration (I&I) into the sanitary system. BES manages a program

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to reduce I&I to reduce the need for wastewater treatment capacity and limit pollution entering the sanitary system. As infill occurs, BES will monitor sanitary flows, identify necessary conveyance improvements, and implement capital projects to adequately respond to infrastructure needs and prevent sewage releases to surface waters, consistent with State and Federal regulations. Therefore, with these ongoing improvements already identified in the adopted CSP, Council finds that sanitary sewer infrastructure is adequate or will be adequate as development occurs.

Stormwater

BES manages a complicated network of pipes and ditches, streams and wetlands, engineered facilities, drainageways, and infrastructure to convey, detain, and treat stormwater runoff. In areas that were developed prior to being annexed to the City of Portland, development standards and regulations were not as comprehensive as they are today. The result is stormwater systems that are fragmented, incomplete and, in some cases, in poor condition.

Increased or new development can pose challenges to the operation and function of the existing stormwater system. The magnitude of the challenges varies by geographically specific factors such as topography, soils, system maturity, and the type of stormwater system (separated, combined or UIC). Infiltration is generally the most cost-efficient means of mitigating the runoff from impervious surfaces such as asphalt, concrete and roofs.

Generally, residential infill will be easier to accommodate on the east side of the Willamette River where soils allow stormwater infiltration and the BES Stormwater Management Manual (SWMM) will require runoff from potential increases in impervious area to remain on site.

In areas west of the Willamette River, there is less ability to infiltrate stormwater to the groundwater aquifer due to less permeable soils, steeper topography and geologic factors such as landslide susceptibility and shallow confining soil layers. Without the ability to infiltrate, the cost of mitigating the effects of impervious area and reduced vegetative cover increases, especially in areas where stormwater system deficiencies already exist.

BES' spatial analysis shows that approximately 6% of the residentially zoned tax lots within RIP zones likely do not have adequate stormwater service. Extending or providing service to these tax lots can be challenging, both from a financial perspective and because construction of service extensions can create ancillary needs, such as downstream capacity upgrades and roadway development (e.g. adding curbs and inlets). When a development application is reviewed and it's determined that service is not available, the burden is on the developer to extend the stormwater service or wait until BES plans, designs and implements a Capital Improvement Project to provide the needed service.

Other factors that create challenges for the stormwater system are areas susceptible to landslides, areas within mapped or observed floodplains, and areas of high-value natural resources. The new 'z' overlay addresses these issues (landslides, natural resources, and floodplains) by limiting lots in these areas to no more than two units. HB2001 and SB1051 prevent further density limitations in that it requires cities to allow duplexes or ADU's wherever houses are allowed. Moreover, current zoning already allows duplexes on corner lots or a house with an accessory dwelling unit.

Many of the neighborhoods with challenging soils and topography are located on Portland's west side. However, RIP1 models project a decrease in likely residential development on the west side.

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The 2035 Comprehensive Plan BLI allocated 4,172 units to single family zones in the western neighborhoods. The RIP1 household allocation model predicted 2,509 units, a difference of 1,663 units or about a 40% reduction of households. About 1,200 of the units were removed from lower density residential zones on the west side (R10, R20, RF) where stormwater and sewer services are even more challenging. These reductions are offset by increased households in inner and eastern neighborhoods, where stormwater systems are adequate.

In addition, because RIP1 and RIP2 allow for multiple units to be constructed on a single lot (up to four, or six when providing regulated affordable units) instead of the single house allowed by current 2035 Comprehensive Plan zoning, the net redevelopment activity in the western district is further reduced. Building coverage limits are unchanged from current allowances and total allowable building size is reduced through caps on floor area (FAR), with the exception of cottage clusters, which are not able to be limited by building coverage standards under HB2001. While triplexes, and fourplexes up to sixplexes will be able to utilize more FAR than houses or duplexes, they are still smaller than what is permissible under the current zoning rules for a single house. These FARs work in conjunction with building coverage limits to encourage more multi-story buildings, which reduces effective building coverage. Moreover, onsite parking is now optional, providing more opportunities to leave more of the site permeable. An amendment to the “Deeper Affordability Bonus” created an alternate set of development standards to facilitate townhouse style development. These changes included an increase to allowed building coverage (in exchange for lower building height) to 60% of the site area. These developments will continue to be required to meet stormwater management manual requirements, which is feasible within the setback areas.

In summary, the RIP2 amendments limit the number of units in landslide and flood susceptible areas where stormwater conveyance is most challenging, do not increase allowable building coverage (an indicator of stormwater conveyance demand), reduce the overall size of structures which can lessen the amount of utilized building coverage and do not significantly affect the household allocation results from RIP1 that project a reduction of net development activity in stormwater service challenged areas. All these taken together, Council finds that the RIP2 amendments do not increase, and more likely decrease stormwater impacts compared to existing regulations. Any localized deficiencies will be addressed at the time of development or through capital projects identified in the adopted CSP.

Water

Chapter 7 of the CSP notes that “vacant land and redevelopment lots within the retail service area are increasingly being developed with higher-density housing and more mixed-use development than in the past. In addition, several of the bureau’s 20 wholesale customers have identified growth in existing service areas as well as some small additions to the UGB in 2004.”

Water demand forecasts developed by the Water Bureau anticipate that per capita water demands will continue to decline somewhat over time; however, the overall demands on the Portland water system will increase due to population growth. The growth in demand does not increase at the same rate as the growth in population. Using a single-equation econometric model, the Water Bureau estimated the mathematical relationship between the overall demand for water and a series of explanatory variables including population change, weather factors such as precipitation and temperature, the average price of water, weekend use, climate change, and others. (CSP p.151)

The City of Portland provides water to retail customers within the city limits, as well as a significant number of large wholesale customers. Average daily demand for retail customers in 2012 was 62 million gallons per day (MGD). This is expected to grow to approximately 70 MGD by 2030. While

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this is not a huge growth rate within the City, it is something that needs to be addressed in the planning of infrastructure.

The RIP2 amendments do not affect the City's projected growth rate. This forecasted growth is an established allocation from Metro in its agency's role to coordinate land use planning for the region in accordance with Goal 2. Therefore, the RIP2 amendments will have no significant impact on the overall water supply. PWB's supply and water distribution system is sized to meet City fire suppression needs which far surpass the day-to-day demand from residential customers. The RIP2 amendments do not significantly affect the household allocation results from RIP1, which found the following:

There are three water service areas that were identified in the Citywide Systems Plan (Chapter 7, p.199) as having at least one type of service goal deficiency and that show an increase in households from the Comprehensive Plan estimates due RIP1. These service areas include the Bertha service area (additional 54 households), the Stephenson Pumped service area (51 additional households), and the Vernon 362 service area (20 additional households).

The water bureau has analyzed service connection demands in each of these three areas by looking at total projected peak day demand plus fire flow demand in comparison to the available supply capacity in each of those services areas to determine whether they are significantly impacted. In all cases, there was surplus capacity available. There is no evidence that the water system both citywide and in these identified areas will be adversely impacted by the RIP1 or RIP2 amendments.

Based on demand increases from the proposed additional households as part of RIP, Council finds that the affected service areas will not be significantly impacted. Distribution piping within the service areas is sized to meet fire flows, so there should not be supply issues to individual lots.

Chapter 8 (Public Facilities and Services) of the 2035 Comprehensive Plan furthers Goal 11. As noted below in the findings for the 2035 Comprehensive Plan, the RIP amendments are consistent with the goals and policies of Chapter 8 (Public Facilities and Services) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. Therefore, RIP2 amendments are consistent with the requirements of Statewide Planning Goal 11.

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

13. Finding: This goal requires Portland to adopt a Transportation System Plan (TSP) that supports safe, convenient and economical movement of people and goods, and supports a pattern of travel that will avoid air pollution, traffic and livability problems. Parts, but not all, of the City's TSP have to be adopted as part of the Comprehensive Plan.

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

The RIP2 amendments do not amend the City's adopted Transportation System Plan, therefore the City continues to plan for public infrastructure investments to maintain and strengthen the multimodal transportation infrastructure in the higher density single dwelling zones to provide and encourage a safe, convenient and economic transportation system, as further demonstrated in the following discussion and 2035 Comprehensive Plan, Chapter 9 findings.

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A separate parallel process amended PCC 17.88, Local Transportation Improvement Charge, which was adopted by Council on June 24, 2020 (Ord. No 190017). These changes enable and authorize PBOT to collect funds for street improvements when the new housing types permissible with the RIP amendments are built on under-improved streets in single dwelling zones. The RIP2 amendments prohibit more than a house with an ADU or a duplex on streets that have “not been accepted by the City for maintenance”, which are largely characterized as unpaved streets. However, a number of maintained streets do not meet other current city standards such as sidewalks or curbs for stormwater management. The Local Transportation Improvement Charge (LTIC) allows developers to pay into a fund based on the amount of street frontage on their site. When adopting that ordinance, Council found in part “not getting street and stormwater improvements included in the cost of new development shifts the cost of providing the infrastructure from the developer to the public, city and/or to the development site’s neighbors. Each of these outcomes has different equity impacts in terms of who benefits and who is burdened by new development...On sites with frontage on maintained but unimproved streets which are largely characterized by having pavement but may lack curbs, sidewalks and/or other road improvements, requiring partial street improvements with development can be disproportionately costly and can leave ineffective and incomplete infrastructure systems.” The LTIC allows funds to be collected and applied in a more efficient, equitable, and cost-effective manner to ensure that streets are improved as development occurs.

Goal 12 requires local governments to adopt transportation plans. The adopted 2035 Comprehensive Plan includes the Transportation System Plan (TSP), which was adopted in three phases (Ordinance 187832, 188177, and 188957). Phase 1 and 2 was submitted as part Task Four of Periodic Review; and both were approved by LCDC Order 18 – WKTSK – 001897 on August 8, 2018. Phase 3 of the Transportation System Plan was adopted as a post-acknowledgement plan amendment by Ordinance No. 188957, became effective on June 23, 2018.

House Bill 2001 which was passed in the 2019 legislative session requires that cities allow for the development of all middle housing types and provides that “when a local government makes a legislative decision to amend its comprehensive plan or land use regulations to allow middle housing in areas zoned for residential use that allow for detached single-family dwellings, the local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility.” Therefore, the additional allowances for duplex, triplex, fourplex, attached house (i.e. townhouse) and cottage cluster housing types in the RIP2 amendments are not required to consider whether the amendments would significantly affect the any existing or planned transportation facilities.

While HB2001 removes the requirement to evaluate transportation impacts for some middle housing types, the RIP2 amendments include proposals to allow additional accessory dwelling units (house plus two ADUs or duplex plus one ADU) and up to six units when providing regulated affordable units in portions of the R10 and R20 areas. The transportation modeling conducted with RIP1 did not differentiate between housing types, but rather relied on the household allocation model to determine the net shift of households within Transportation Analysis Zones (TAZ’s) and the corresponding shift in peak hour travel patterns to evaluate levels of congestion on Portland streets.

The introduction of up to six units (when meeting certain affordability requirements) was not contemplated by the RIP1 household allocation model, however, it is reasonable to conclude that the low utilization rate will have a de minimus impact on the overall distribution of units across the City’s transportation network. While this provision allows for two more units on a lot than HB2001 enables, the corresponding affordability requirement severely affects the feasibility of such units

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being constructed¹⁰. Based on this analysis, the units from these proposals represent a minor contribution to the housing allocation. This analysis showed that it was largely infeasible to construct affordable five and sixplexes without bringing additional funding, subsidy, or waivers to the project. Certain non-profit and CDC development models may be able to develop a funding package to deliver affordable 5 or 6 plexes, but would compete against funding units in larger projects in higher density zones where such projects are permissible. Based on input from non-profit housing providers¹¹, staff estimates up to 4 such sixplexes may be realized per year. Permit data between August 1, 2021 and January 1, 2022 reinforces this conclusion, as over 118 units were permitted utilizing other RIP1 provisions, but no sixplexes had been proposed. To evaluate the transportation impact of such few units at a system-wide scale is not possible within the construct of the transportation model and would not produce markedly different results than the original transportation analysis, as the overall allocation of households would remain largely unchanged.

Therefore, while House Bill 2001 exempts cities from evaluating transportation impacts for certain middle housing types, the findings below reflect the same conclusions when evaluating other housing types not covered by the bill (allowances for regulated affordable 6 plexes and additional ADUs).

ORAR 660-012-0060 (1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
- (b) Change standards implementing a functional classification system; or
- (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.
 - (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or
 - (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

The TSP includes a congestion performance analysis of the 2035 Comprehensive Plan Map.

¹⁰ Memorandum from Tom Armstrong and Andrea Pastor to RIP Project Team, March 2020

¹¹ RIP1 Testimony from Steve Messinetti, Habitat for Humanity of Portland, March 2, 2020 and Diane Linn, Proud Ground, March 3, 2020.

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The RIP2 amendments do not change the functional classification of any existing or proposed transportation facility, nor do they change the standards implementing a functional classification system. Therefore, the amendments do not have a significant effect under (a) or (b).

The RIP2 amendments increase the maximum household density on approximately 3,221 residentially zoned lots (R10 and R20). Simultaneously, the RIP2 amendments reduce maximum building entitlements (FAR) on lots less than 10,000 square feet in these zones by approximately $\frac{1}{4}$ to $\frac{1}{2}$ compared to current zoning allowances. As part of the Residential Infill Project Part 1, the Portland Bureau of Transportation (PBOT) evaluated and summarized the projects transportation impacts¹². The analysis was based on the City's adopted Buildable Lands Inventory model, which was modified to account for new housing types allowed in the three RIP1 affected zones (R7, R5, and R2.5)¹³. The BLI determines total household capacity and uses that in conjunction with development trends to predict the allocation of housing units to all areas of the city. This predictive model is fixed to a 2035 growth forecast, meaning that the changes in zoning allowances were not assumed to affect population forecasts and total citywide household growth over the planning period. The net effect is a relative redistribution of households from other zones and locations in the city.

With regard to (c), the PBOT analysis found that traffic from the reallocated households resulting from the RIP1 amendments is not significant. The added traffic is widely spread across the City. The current and proposed housing types are consistent land uses within the context of the descriptions of the functional classifications of existing or planned transportation facilities. Therefore, the amendments do not have a significant effect under (A).

The RIP1 capacity and growth allocation model shows reductions of household allocation in the West Hills and relatively even allocation differences in inner neighborhoods compared to the 2035 Comprehensive Plan. While the RIP2 amendments add some additional housing capacity in the R10 and R20 areas, this will not impact the RIP1 allocation model, since these areas were not faced with capacity constraints. Units were instead drawn to closer in R2.5 and R5 areas with newly increased housing capacity, where that capacity had previously been fully utilized.

The additional ADU allowances in RIP2 for R10 and R20 zones allow for less development and density than fourplexes or townhouses authorized under HB2001. The deeper affordability bonus that allows up to 6 units on a lot is not likely to be frequently utilized except by non-profits who can bring other sources of funding to the project or have a different development non-profit model than market rate builders. As discussed above, their development is assumed to be rare, even more so in areas with higher land costs like the R10 and R20 zones. Based on these factors, Council finds that the impacts evaluated under RIP1 are not substantially different with the proposals under RIP2 and defers to the RIP1 transportation modeling. That modeling shows that the overall impact of RIP1 on the citywide transportation system is not significant. It does, however, result in localized impacts on road segments that have previously been identified as areas of concern. Council finds these added trips will not degrade the performance of an existing or planned transportation facility because of mitigating factors and strategies described above that will reduce the impact of these changes. Therefore, the amendments do not have a significant effect under (C).

Furthermore, as noted below in the findings for the 2035 Comprehensive Plan, the RIP2 amendments are consistent with the goals and policies of Chapter 9 (Transportation) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by

¹² PBOT Memorandum from Bob Kellett to Morgan Tracy, March 1, 2019

¹³ Residential Infill Project Capacity and Growth Allocation Modeling Methodology, BPS January 2020

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reference. Therefore, the RIP2 amendments are consistent with the requirements of Statewide Planning Goal 12.

The policies in the City's 2035 Comprehensive Plan address measures to ensure a safe, convenient, and economic transportation system. Council incorporates the findings for Comprehensive Plan Chapter 9 as additional findings for Goal 12.

Council finds that the RIP2 amendments are consistent with Goal 12.

Goal 13. Energy Conservation. To conserve energy.

14. Finding: The State has not adopted specific rules for complying with Statewide Planning Goal 13. Goal 13 generally requires that land use plans contribute to energy conservation. The RIP2 amendments do not adopt or amend a local energy policy or implementing provisions. Therefore, the amendments are consistent with the requirements of Statewide Planning Goal 13.

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

15. Finding: Metro exercises Goal 14 obligations on behalf of Portland and other cities within the Metropolitan region. Metro has adopted an Urban Growth Management Functional Plan and compliance with this plan by constituent cities assures compliance with Goal 14, which is discussed in Part II of this document and those findings are incorporated by reference.

As discussed above under Statewide Planning Goals 9 and 10, the impact of the RIP2 amendments to Portland's zoning code will increase development capacity in areas located inside the urban growth boundary, further enabling the City to accommodate its forecasted growth. The amendments increase the efficient use of land by increasing housing capacity throughout the city's urban services area and requiring more units on oversized lots. These amendments also improve the community livability by expanding the range of allowable housing types and increasing the potential for lower comparative housing costs in more areas of the city, especially in zones that are already designated as areas where urban services are available or planned. Therefore, the RIP2 amendments are consistent with the requirements of Statewide Land Use Goal 14.

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

16. Finding: Statewide Planning Goal 15 requires cities to adopt local greenway plans, along with criteria for new development, new uses, and the increase of uses along the river. The City implements Statewide Planning Goal 15 through application of the Greenway and River overlay zones. The RIP2 amendments do not affect the extent of or regulations within the Greenway or River overlay zones. The RIP2 amendments allow additional density on lots in the single-dwelling zones. There are three small areas of R5 zoning that fall inside the Willamette River Greenway (SW Miles, Sellwood Bluff, North Portland). However, all the parcels in these areas are excluded from the RIP2 additional density (specifically cottage clusters and higher density attached housing) based on the presence of flood plain or environmental zoning. Furthermore, no changes to existing protections afforded through the greenway overlay zones are proposed.

Therefore, the RIP2 amendments are consistent with the requirements of Statewide Land Use Goal 15.

Part II. Metro Urban Growth Management Functional Plan

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

In Metro's June 2011 update to its 2010 compliance report Metro found, "The City of Portland is in compliance with all Urban Growth Management Functional Plan requirements in effect on December 15, 2010, except for Title 13, Nature in Neighborhoods. On January 16, 2013 the City received a letter from Metro stating that Portland had achieved compliance with Title 13. The city is still in compliance with all Titles of the Urban Growth Management Functional Plan as evidenced by their 2020 Compliance Report, dated February 4, 2021, and available on the Metro.gov website.

Title 1. Housing Capacity. The Regional Framework Plan calls for a compact urban form and a "fair-share" approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity, especially in centers, corridors, main streets, and station communities, except as provided in section 3.07.120.

17. Finding: The RIP2 amendments build on the original RIP1 amendments adopted on August 1, 2021 and do not reduce housing potential in any part of the City. Where houses, accessory dwelling units, and duplexes are currently allowed, they will continue to be allowed. RIP2 extends the allowance to increase housing capacity to four units (in a fourplex), or up to a sixplex if certain affordability requirements are met, into the lower density zones of R10 and R20 for unconstrained parcels (not within the 'z' overlay) of a certain minimum size. In addition, density and lot size requirements for attached housing have been amended to achieve a comparable density to a fourplex in unconstrained single dwelling zones. RIP2 also removes all limitations to duplex development so that a duplex can be developed on any lot where a single house can be developed. New regulations provide for the alternate development of cottage clusters on unconstrained sites in the R10 – R2.5 zones, allowing multiple smaller detached units on a single lot. These additional provisions are consistent with recent State legislation passed through House Bill 2001. Additional amendments incorporate an expedited land division process to allow for the division of middle housing types into separate ownership lots per the provisions in Senate Bill 458.

None of the amendments in RIP2 decrease housing capacity, and several have the potential to further increase capacity beyond the additional 25,000 units estimated through RIP, including the additional capacity on roughly 3,000 unconstrained lots in the R10 and R20 zones.. Therefore, the RIP2 amendments are consistent with the requirements of Metro Title 1.

Title 2. Regional Parking Policy. (Repealed Ord. 10-1241B, Sec. 6, 1997)

Title 3. Water Quality and Flood Management. To protect the beneficial water uses and functions and values of resources within the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas from development activities and protecting life and property from dangers associated with flooding.

18. Finding: Title 3 calls for the protection of the beneficial water uses and functional values of resources within Metro-defined Water Quality and Flood Management Areas by limiting or mitigating the impact of development in these areas. Title 3 establishes performance standards for 1) flood management; 2) erosion and sediment control; and 3) water quality. The City implements zoning regulations (Title 33.430, 33.440, 33.465, 33.515, 33.537, 33.563, 33.631, 33.640), as well as erosion control and balanced cut-and-fill standards (Title 10 and Title 24). Metro has found the City to be in substantial compliance with Title 3. This ordinance does not affect any of these regulations.

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Furthermore, the RIP2 amendments that allow additional density or housing variety in the single-dwelling zones do not apply to lots in the Constrained Sites 'z' overlay zone, which include lots identified as having Environmental and Pleasant Valley overlay zones, lots that are within the 100-year floodplain, and lots subject to landslides, as well as lots in R10 and R20 that have identified wildfire hazards. The City has chosen to limit the additional development allowed in these and landslide areas in order to limit the potential for additional development to negatively impact water quality resources and to limit the number of households that could be threatened or displaced during a flood event, which can also trigger landslides. Therefore, the amendments are consistent with Title 3.

Title 4. Industrial and Other Employment Areas. The Regional Framework Plan calls for a strong regional economy. To improve the economy, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region's transportation system for the movement of goods and services and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities. The Metro Council will evaluate the effectiveness of Title 4 in achieving these purposes as part of its periodic analysis of the capacity of the urban growth boundary.

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

None of the affected zones are in Metro-designated Employment Areas. Therefore, the RIP2 amendments are consistent with the requirements of Metro Title 4.

Title 5. Neighboring Cities (Repealed Ord. 10-1238A, Sec. 4, 1997)

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. A regional investment is an investment in a new high-capacity transit line or designated a regional investment in a grant or funding program administered by Metro or subject to Metro's approval.

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

Metro has designated the areas that may qualify for these regional incentives, including transit stations, the Central City, Gateway regional center, along with Hollywood, Hillside, Raleigh Hills, West Portland, Lents, and St. Johns town centers. The RIP2 amendments build on the RIP1 amendments to achieve Metro 2040 Growth Concept by further developing the variety of

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development options in single dwelling zones within these growth concept areas, while limiting the increase in zoned capacity to about 20 percent of the unconstrained R20 and R10 lots which are further away from the growth concept areas. The increases in housing type variety, while maintaining housing capacity, can contribute towards achieving the activity level targets in 2040 places enhancing their role as principal centers of urban life in the region. These parcels, when developed with housing types not previously allowed will also continue to contribute to a mix of needed housing types to be vibrant and successful Centers, Corridors, Station Communities and Main Streets as called for in 3.07.640.C.; including attached housing, cottage clusters, multiple family housing and expedited land divisions for both owner and renter occupancy.

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

21. Finding: Title 7 addresses housing choice. Metro adopted voluntary affordable housing goals for each city and county in the region for the years 2001 to 2006, but never updated them. Therefore, Title 7 does not apply. Nevertheless, the recently adopted *2035 Comprehensive Plan* includes city-wide affordable housing production goals that greatly exceed those adopted by the outdated Title 7 (Ordinance 178832). In addition, Metro Code 3.07.730 states that implementing ordinances should include strategies and implementation measures to ensure a diversity of housing types available within the city's boundaries for all income levels. The RIP2 amendments increase the variety of housing available in unconstrained single dwelling zones to cottage clusters, more dense attached housing, an expedited land division process, expand housing density in unconstrained R10 and R20 zones, as well as allow duplexes on any lot where a house is currently allowed. These provisions support the measures provided through HB 2001 and SB458 at the state level.

Title 8. Compliance Procedures. Title 8 addresses compliance procedures and establishes a process for ensuring city or county compliance with requirements of the Urban Growth Management Functional Plan and for evaluating and informing the region about the effectiveness of those requirements. An amendment to a city or county comprehensive plan or land use regulation shall be deemed to comply with the functional plan upon the expiration of the appropriate appeal period specified in ORS 197.830 or 197.650 or, if an appeal is made, upon the final decision on appeal. Once the amendment is deemed to comply, the functional plan requirement shall no longer apply to land use decisions made in conformance with the amendment. A city or county proposing an amendment to a comprehensive plan or land use regulation shall submit the proposed amendment to Metro at least 35 days prior to the first evidentiary hearing on the amendment.

22. Finding: Required notice was provided to Metro. Metro did not identify non-compliance with the UGMFP. Title 8 also requires the City to provide findings of compliance with the *Urban Growth Management Functional Plan*. These findings meet this requirement. All applicable requirements of Title 8 have been met.

Title 9. Performance Measures. (repealed Ord. 10-1244B, Sec. 8, 2010)

Title 10. Functional Plan Definitions. Title 10 contains definitions.

23. Finding: When the 2035 Comprehensive Plan uses a term found in Title 10 either the term has the same meaning found in Title 10, or the difference is explained. The RIP2 amendments do not change any definitions in the 2035 Comprehensive Plan that are also found in Title 10. All applicable requirements of Title 10 requirements have been met.

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Title 11. Planning for New Urban Areas. The purpose of Title 11 to guide long range planning for urban reserves and areas added to the UGB. It is also providing interim protection for areas added to the UGB until city or county amendments to land use regulations to allow urbanization become applicable to the areas.

24. Finding: The RIP2 amendments do not add areas to the UGB. Therefore, this Title is not applicable.

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

In order to protect these areas, Metro shall not require any city or county to authorize an increase in the residential density of a single-family neighborhood in an area mapped solely as Neighborhood. In addition, specific limits on access to commercial services are applied to commercial uses within designated neighborhood centers in order to reduce air pollution and traffic congestion. This Title also calls on Cities to establish a level of service standard for parks and greenspaces that calls for a park facility within a specified distance of all residences.

25. Finding: Title 12 largely restricts Metro's authority to plan and regulate density in single-family neighborhoods. The RIP2 amendments were originated by the City's legislative process and respond to state legislative mandates, specifically HB 2001 and SB 458. They are not at the direction of Metro. The RIP2 amendments do not include changes to neighborhood center designations or commercial use limits. The City has already established a goal in its Parks 2020 Vision of providing a basic, developed Neighborhood Park facility within a half mile of every Portland resident, and a Community Park within a mile of every resident. Findings related to Title 3 related to water quality are incorporated here by reference. Therefore, these amendments comply with Title 12.

Title 13. Nature in Neighborhoods. The purposes of this program are to (1) conserve, protect, and restore a continuous ecologically viable streamside corridor system, from the streams' headwaters to their confluence with other streams and rivers, and with their floodplains in a manner that is integrated with upland wildlife habitat and with the surrounding urban landscape; and (2) to control and prevent water pollution for the protection of the public health and safety, and to maintain and improve water quality throughout the region.

26. Finding: Title 13 is expressly intended to provide a minimum baseline level of protection for identified Habitat Conservation Areas. Local jurisdictions may achieve substantial compliance with Title 13 using regulatory and/or non-regulatory tools. The City of Portland implements Title 13 through its adopted Natural Resources Inventory (NRI) and environmental overlay zone protection measures, which Metro has found to be in substantial compliance with Title 13.

The RIP2 amendments do not affect the environmental overlay zones or their corresponding zoning regulations. Furthermore, the RIP2 amendments do not expand allowed uses in these areas. Existing code allows a house with an ADU, and duplexes, and. HB2001 requires a duplex to be permissible on any lot. The RIP2 allowances for additional housing types that result in 3 or more units on a lot are restricted on lots located within an environmental overlay zone, or in other areas that have constraints including flood and landslide areas, and areas at risk for wildfire when in the R10 and R20 zones. The environmental zones are based on the City's project to update the environmental overlay zones and to address unprotected resources. Therefore, the RIP2 amendments are consistent with the requirements of Title 13.

Title 14. Urban Growth Management Plan. Title 14 addresses the regional urban growth boundary.

27. Finding: This ordinance does not require, nor initiate, a boundary change, Title 14 does not apply.

Summary, Urban Growth Management Functional Plan Findings

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

For the facts and reasons stated above this ordinance substantially complies with all Urban Growth Management Functional Plan requirements applicable to the RIP2 amendments.

Part III. Portland’s Comprehensive Plan

Portland’s 2035 Comprehensive Plan was adopted as part of Task Four of Periodic Review. Task Four was adopted by Ordinance No. 187832 on June 15, 2016. The 2035 Comprehensive Plan was amended as part of Task Five of Periodic Review, which was adopted by Ordinance No. 188177 on December 21, 2016. Both ordinances were made effective on May 24, 2018 by Ordinance No. 188695, and both Tasks Four and Five were approved by LCDC Order 18 – WKTSK – 001897 on August 8, 2018.

29. Finding: The City Council has identified the following guiding principles, goals and policies to be applicable to the RIP amendments, except as additionally noted otherwise below.

Guiding Principles

The 2035 Comprehensive Plan adopted five “guiding principles” in addition to the goals and policies typically included in a comprehensive plan. These principles were adopted to reinforce that implementation of the plan needs to be balanced, integrated and multi-disciplinary, and the influence of each principle helps to shape the overall policy framework of the plan. While the policies in the Comprehensive Plan effectively ensure that the guiding principles are met, the findings below further demonstrate that in addition to meeting those specific policies on balance, the RIP amendments are consistent with these guiding principles as described below.

Economic Prosperity. Support a low-carbon economy and foster employment growth, competitiveness and equitably distributed household prosperity.

30. Finding: This guiding principle asserts prosperity is about more than job growth. It also is about having a resilient regional economy, thriving local businesses and growth in living-wage jobs. It is also prosperity shared by Portland households. The 2035 Comprehensive Plan measures household prosperity in terms of a “self-sufficiency index” of what income is needed to meet basic household needs – costs of housing, childcare, food, healthcare and transportation.

The most significant contribution of the RIP2 amendments to this principle is through increasing opportunities for “equitably distributed household prosperity”. This means that the economic benefits of a prosperous city are broadly accessible to satisfy essential needs, advance wellbeing, and achieve full potential. Council finds that household prosperity is equitably distributed when households of a range of income levels and all neighborhoods have access to amenities and services. Residential Infill does this by increasing the supply of lower cost housing options in more parts of the city. This, in turn, increases the access that households have to the different amenities and services that these neighborhoods can offer that affect the ability to meet household needs on a budget.

The manner in which the RIP2 amendments equitably distribute household prosperity is built into the economics of type, amount and size of housing it allows on land that currently can only be used for single houses. These amendments allow duplex, triplex, fourplex, additional ADUs on what previously would contain single or possibly two residential units. The zoning amendments limit the maximum size of these residential buildings by zone, lot size and number of units. It thereby creates opportunity and economic incentive to build more smaller units on the same amount of land. Smaller units, even new construction, cost less than larger units in similar locations and conditions. Multi-unit housing configurations add tenure can be rental or ownership thereby increasing less expensive housing options.

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This variety of housing options allows more households to seek out a housing solution that better meets their needs. With more lower cost options available¹⁴, this translates to spending less of their income on housing and more on the local goods and services, or to create additional savings. The RIP2 amendments make this diversity of housing possible not just along select corridors, but broadly throughout many areas of the city, which also allows households to seek housing closer to the amenities and necessities they prioritize, be it a job, daycare, school, or recreation. Proximity reduces transportation costs through less vehicle miles travelled or more transit/bike/pedestrian travel all of which means lower carbon emissions. Furthermore, the RIP2 amendments do not reduce or convert any lands zoned for employment, and in fact apply housing constraints (the 'z' overlay) to residentially zoned lands designated for future industrial lands conversion. Therefore, the RIP2 amendments are consistent with the economic prosperity guiding principle. See also findings for relevant policies in Chapters 5 and 6.

Human Health. Avoid or minimize negative health impacts and improve opportunities for Portlanders to lead healthy, active lives.

31. Finding: Council finds this principle is met in part through the Comprehensive Plan “complete neighborhoods” strategy. The RIP amendments advance this by increasing opportunities for Portlanders to live in places that have and can sustain conditions, services and amenities supportive of better health outcomes for residents.

As described in the 2035 Comprehensive Plan (page I-15), the assets of a complete neighborhood - such as enough population density to support a wider range of services within walkable distances and good transit access to work and other destinations - make it easier for residents to have active lifestyles and integrate exercise into their daily lives. Roughly 67,000 Residential Infill zoned parcels are in areas that identified as complete neighborhoods (defined in the Portland Plan as a score of 70 or higher, on a scale of zero to 100). Allowing more housing options on these parcels will help expand housing opportunities in these locations, providing more residents at more income levels with access to these areas. At the same time the marginal increase in population densities strengthens the market to support neighborhood serving services and transit.

Council further finds that this principle calls for strengthening consideration of environmental justice. The 2035 Comprehensive Plan describes environmental justice as “the equitable treatment and meaningful involvement of all people in public decision making as it applies to who benefits and who bears the cost of development and growth.” More frequently, environmental justice is considered with the lens of when burdens of less desirable or unhealthy land uses are imposed in or near communities that have been historically underrepresented.

However, environmental justice also includes a directive that potential benefits of land use changes are also equitably shared. Within the context of these amendments, single dwelling zones encompass nearly every neighborhood in the City. The existing conditions report¹⁵ indicates that R10 and R20 zones largely fall in medium to low housing opportunity areas. So the geographic expansion in RIP2 does not help address this policy as much as revisions to the 'z' overlay in the higher density R2.5, R5, and R7 zones, and the reduction of minimum lot size requirements, which increase the pool of eligible lots in zones that are more proximate to complete neighborhoods and higher housing opportunity scores.

¹⁴ Economic Analysis of Proposed Changes to the Infill Development Standards, Johnson Economics, November 2018

¹⁵ RIP2 staff report, Appendix A: R10 and R20 existing conditions report, Urbsworks, June 2021

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Therefore, the RIP2 amendments provide even more housing opportunities in higher housing opportunity areas of the city which are characterized by higher Healthy Eating Active Living scores (determined by their proximity to parks, food sources, and healthcare providers). Increasing housing options in these areas of the city allows for better health outcomes for under-served and under-represented communities when they are able to find housing in these areas.

Environmental Health. Weave nature into the city and foster a healthy environment that sustains people, neighborhoods, and fish and wildlife. Recognize the intrinsic value of nature and sustain the ecosystem services of Portland’s air, water and land.

32. Finding: Council finds that this guiding principle requires the Council to consider, when taking actions that implement the Comprehensive Plan, to not overlook the importance of including space for the health of natural resources and the ecosystem in the design and development of the city. This space can be in parks, streams, natural areas, along streets as well as on sites with development. The best performance occurs when the supply and design of these different types of spaces create, or “weave”, intentional or ad-hoc pathways for wildlife through the city. The RIP2 amendments further this principle by increasing the efficiency of the use of land for housing while keeping the lower levels of building coverage characteristic of single-dwelling zoned lots.

Specifically, the RIP2 amendments discourage driveways and garages. This reduces the amount of land needed for paving to store vehicles. The changes also reduce the allowable size of residential buildings in single dwelling zones while keeping current building coverage limits, except for projects providing half of their units as regulated affordable townhouses.

Preserving the amount of pervious surface benefits stormwater management and the ability to protect water quality of streams and rivers. It also provides more area for trees, landscaping and the animals these attract.

Finally, RIP2 amendments that provide for increased household density do not apply to parcels that contain resources identified on the City’s natural resource inventory (NRI) that are protected by environmental overlays or Pleasant Valley Natural Resource overlay. No changes to the environmental or greenway overlay zones are proposed as part of the amendments, therefore the natural resource values and functions continue to be fostered.

Equity. Promote equity and environmental justice by reducing disparities, minimizing burdens, extending community benefits, increasing the amount of affordable housing, affirmatively furthering fair housing, proactively fighting displacement, and improving socio-economic opportunities for under-served and under-represented populations. Intentionally engage under-served and under-represented populations in decisions that affect them. Specifically recognize, address and prevent repetition of the injustices suffered by communities of color throughout Portland’s history.

33. Finding: This guiding principle states that actions taken to implement the Comprehensive Plan should equitably benefit and be shaped by underserved and underrepresented communities, including communities of color. This includes heightened awareness of not repeating systematic harms city policy has caused these communities, including communities of color, in the past.

The Planning and Sustainability Commission received testimony from a number of housing advocates and affordable housing providers, including ROSE, REACH, Proud Ground, Portland Housing Center, NAYA, Hacienda, and PCRI calling for greater ADU fairness for owners of smaller homes. The PSC responded by adding a provision allowing sites with existing houses to create full-size second detached units, thereby removing disparities based on the existing house size, while also leveraging the ability to divide the unit off using the SB458 middle housing land division. This will

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help owners stay in their homes while providing more opportunities to add value to their property and needed housing for the City.

With the RIP1 amendments, displacement of low-income renters in single family houses across the city was reduced by approximately 28% compared to prior zoning¹⁶. In areas experiencing gentrification where higher shares of vulnerable households are located, displacement was reduced by 21%. The RIP2 amendments extend these housing choices to a small added increment of lots (about 2%), but in areas that are generally characterized by higher rates of homeownership.

The benefits of Residential Infill include slowing the growth of housing costs citywide, including in East Portland. When land resources are scarce and city continues to grow, the price of single-family lots and homes increases due to market competition. By increasing the number of options for new housing – number of lots and units, types of units and range of locations – existing housing is less prone to market speculation because there are more choices available on the market. Having more housing options in inner neighborhoods benefits more people by putting more and smaller housing in service rich locations¹⁷. This suggests that cost pressure on housing in outer neighborhoods like East Portland will also be reduced, which has a greater proportion of underrepresented population than the city as a whole.

In terms of engagement with communities of color and other under-represented groups in development of the RIP2 amendments, the process built on RIP1 engagement and also included outreach activities (notices, helpline, and virtual meetings) to engage under-served and under-represented populations in the decision-making process. As noted in the findings for Statewide Planning Goal 1 (Citizen Involvement) and Chapter 2 (Community Involvement) of the 2035 Comprehensive Plan the project included extensive engagement; the findings in response to those goals and policies are incorporated by reference. The RIP2 amendments are consistent with the principle to create a robust and more inclusive community involvement process.

Resilience. Reduce risk and improve the ability of individuals, communities, economic systems, and the natural and built environments to withstand, recover from, and adapt to changes from natural hazards, human-made disasters, climate change, and economic shifts.

34. Finding: The 2035 Comprehensive Plan describes resilience as “reducing the vulnerability of our neighborhoods, businesses, and built and natural infrastructure to withstand challenges – environmental, economic and social – that may result from major hazardous events.”

The RIP2 amendments further this guiding principle through increasing the ability of Portland’s land supply to produce a wider range of compact development. Increasing the supply of lower-cost market-rate housing and allowing for an increased range of housing types throughout the city provides room for the market to produce housing in varying economic conditions and more readily adapt to changing market demands. Newer built housing is also designed to be more seismically and structurally sound, and more energy efficient which helps to withstand effects of natural disasters and climate change. A greater diversity of housing also helps individuals find housing that is “right sized” to their needs, both socially and economically.

In terms of natural hazards, the RIP2 amendments restrict additional households from locating in the 100-year floodplain, floodway, and 1996 flood inundation area. In more heavily wooded urban

¹⁶ Exhibit B, Vol. 3, Appendix B: Displacement Risk and Mitigation, February 2019

¹⁷ The Effect of New Market-Rate Housing Construction on the Low-Income Housing Market, Upjohn Institute, 2019 and Are Private Markets and Filtering a Viable Source of Low-Income housing, Rosenthal; American Economic Review, February 2014

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wildland interface wildfire risk areas, specifically in the lower density R10 and R20 zones, middle housing is also restricted to allowing only duplexes, consistent with state law. The amendments also restrict additional households from being in potential rapidly moving landslide hazard zones, high landslide susceptibility areas and landslide deposits or scarps. Furthermore, the provisions of 33.631 (Sites in Flood Hazard Areas) along with City programs for flood management, and erosion and sediment control (Title 10 Erosion Control and the balanced cut and fill requirements of City Title 24), are unchanged by these amendments.

Chapter 1: The Plan

Goal 1.A: Multiple goals. Portland’s Comprehensive Plan provides a framework to guide land use, development, and public facility investments. It is based on a set of Guiding Principles that call for integrated approaches, actions, and outcomes that meet multiple goals to ensure Portland is prosperous, healthy, equitable, and resilient.

35. Finding: As noted above, the RIP2 amendments are consistent with the guiding principles of the Comprehensive Plan. As part of an integrated approach to meet multiple goals, the City Council has considered, weighed and balanced applicable policies, as described on page HTU-5 of the Comprehensive Plan, to determine that this ordinance on the whole complies with the Comprehensive Plan. As described below, the City Council’s decision to adopt the RIP2 amendments has considered the multiple goals of the comprehensive plan, including the guiding principles, to determine that the adoption of this ordinance will ensure that Portland is prosperous, healthy, equitable, and resilient by increasing available housing choice and homeownership opportunities.

Goal 1.B: Regional partnership. Portland’s Comprehensive Plan acknowledges Portland’s role within the region, and it is coordinated with the policies of governmental partners.

36. Finding: The findings show how the amendments are consistent with Metro’s Urban Growth Management Functional Plan and the Statewide Planning Goals, including Goal 2 which requires coordination. Metro, TriMet, and other state agencies received notice of the proposed RIP2 amendments from the 35-day DLCDD notice and the City’s legislative notice.

Goal 1.C: A well-functioning plan. Portland’s Comprehensive Plan is effective, its elements are aligned, and it is updated periodically to be current and to address mandates, community needs, and identified problems.

37. Finding: The City Council defines “effective” as being successful in producing a desired or intended result. The desired or intended result is embodied in the Guiding Principles and goals and policies of the Comprehensive Plan. These findings demonstrate how the RIP2 amendments are consistent with the Comprehensive Plan, including advancing multiple goals. These changes represent updating regulatory implementation tools that respond to community needs and identified problems, especially in addressing building size and housing choice within single dwelling zones, as documented in the project Volume 1, Staff Report.

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.

38. Finding: The RIP2 amendments include changes to the Zoning Code and Zoning Map, which are primary implementation tools. The map amendments provide a clear indication where additional housing types (3+ units) are not allowed, with the constrained sites ‘z’ overlay zone.

The City Council defines “flexibility” as a capability to adapt to new, different, or changing requirements and “innovation” as the introduction of something new. The code amendments provide flexibility for a variety of building styles within more certain development parameters (FAR, height, etc), while simultaneously promoting innovation through the introduction of newly allowed housing types in single dwelling zones and other zones where additional ADU’s will now be allowed.

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The City Council finds that it is in the public's current and future interest to provide for additional housing opportunities by increasing the housing capacity in Portland and providing for a wider range of housing types in single-dwelling zones by providing more flexibility in terms of the number units allowed in a building by focusing regulations on building scale and design. The Zoning Code amendments change development standards, but continue to rely on clear and objective standards, to provide greater certainty for future development outcomes. The City Council finds that many of these changes create added flexibility, such as making vehicle parking optional and promoting innovation through bonus provisions to encourage more internal house conversions or provide more units that are regulated at set affordability levels.

While these regulatory changes are primarily focused on advancing housing policies in Chapter 5, Housing, the findings herein demonstrate that other policies in other chapters are also advanced, and that on balance, shows how Council weighed and balanced the applicable policies to determine that their decision on the whole complies with the Comprehensive Plan.

Goal 1.E: Administration. Portland's Comprehensive Plan is administered efficiently and effectively and in ways that forward the intent of the Plan. It is administered in accordance with regional plans and state and federal law.

39. Finding: The RIP2 amendments include an amendment to the 2035 Comprehensive Plan background documents. Specifically, the Buildable Lands Inventory which incorporates several types of natural hazard and other development constraint data is being updated with new maps reflecting the most currently available landslide risk from the Department of Geology and Mineral Industries (DOGAMI). This is intended to enable a more efficient and effective administration of the Comprehensive Plan. No other changes to the Comprehensive Plan are proposed. As noted above, RIP2 amendments are consistent with the guiding principles of the 2035 Comprehensive Plan.

The findings in this exhibit demonstrate how the RIP2 amendments are consistent with the 2035 Comprehensive Plan including advancing multiple goals and utilizing regulatory implementation tools that promote current and future interests (including addressing shifting demographic and changing housing needs), provide certainty in terms of development entitlements while allowing for innovation by removing prescriptive design standards. The findings additionally show how the amendments are consistent with the Urban Growth Management Functional Plan, and the Statewide Planning Goals. Metro, TriMet, and other state agencies received notice of the proposed RIP amendments from the 35-day DLCD notice and the City's legislative notice. TriMet submitted comments supportive of the RIP amendments.

The Comprehensive Plan

Policy 1.1. Comprehensive Plan elements. Maintain a Comprehensive Plan that includes these elements:

- **Vision and Guiding Principles.** The Vision is a statement of where the City aspires to be in 2035. The Guiding Principles call for decisions that meet multiple goals to ensure Portland is prosperous, healthy, equitable, and resilient.
- **Goals and policies.** The goals and policies of the Comprehensive Plan, including the Urban Design Framework, provide the long-range planning direction for the development and redevelopment of the city.
- **Comprehensive Plan Map.** The Comprehensive Plan Map is the official long-range planning guide for spatially defining the desired land uses and development in Portland. The Comprehensive Plan Map is a series of maps, which together show the boundaries of

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municipal incorporation, the Urban Service Boundary, land use designations, and the recognized boundaries of the Central City, Gateway regional center, town centers, and neighborhood centers.

- **List of Significant Projects.** The List of Significant Projects identifies the public facility projects needed to serve designated land uses through 2035 including expected new housing and jobs. It is based on the framework provided by a supporting Public Facilities Plan (PFP). The Citywide Systems Plan (CSP) is the City’s public facilities plan. The Transportation System Plan (TSP) includes the transportation-related list of significant projects. The list element of the TSP is also an element of the Comprehensive Plan.
- **Transportation policies, street classifications, and street plans.** The policies, street classifications, and street plan maps contained in the Transportation System Plan (TSP) are an element of the Comprehensive Plan. Other parts of the TSP function as a supporting document, as described in Policy 1.2.

40. Finding: The verb “maintain” is defined in the 2035 Comprehensive Plan as to keep what you have, conserve, continue. The City Council interprets this policy to mean that the City retains all the elements of the comprehensive plan. The RIP amendments maintain the 2035 Comprehensive Plan while simultaneously addressing emerging issues. The RIP2 amendments do not include changes to guiding principles, goals or policies, or the List of Significant Projects, nor do they change policies, street classifications, or street plan maps contained in the Transportation System Plan (TSP).

Supporting Documents

Policy 1.2. Comprehensive Plan supporting documents. Maintain and periodically update the following Comprehensive Plan supporting documents.

1. **Inventories and analyses.** The following inventories and analyses are supporting documents to the Comprehensive Plan:
 - Economic Opportunities Analysis (EOA)
 - Natural Resource Inventory (NRI)
 - Buildable Lands Inventory (BLI)
 - Housing Needs Analysis (HNA)

41. Finding: The RIP2 amendments were developed consistent with the supporting documents of the adopted 2035 Comprehensive Plan. The RIP amendments do not impact the EOA employment development capacity as no designated employment areas are proposed to be rezoned and are not affected by the amendments. Existing allowances for home-based business are also maintained.

The RIP2 amendments do not change the NRI, but do reflect a shift in the formulation of the Constrained Sites ‘z’ Overlay Zone which previously used the NRI to instead include only areas within environmental overlay zones. This change is based on directives from the state’s administrative rules governing how goal protected areas can be considered for limiting certain types of middle housing¹⁸.

The adopted Buildable Lands Inventory was utilized as the baseline to assess net impacts to housing capacity and growth allocation from the proposed regulatory changes with RIP1. The housing *capacity* is determined through the City’s adopted BLI growth model which identifies

¹⁸ OAR 660-046-010(3)(a)(A)(ii)

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vacant and underutilized sites and then applies a number of development constraints including regulatory, environmental and infrastructure to estimate the feasibility of realized development on those sites. The RIP1 and RIP2 amendments include modifications to zoning allowances that increase both the range of allowed housing types, as well as the overall capacity for housing units to be created. The RIP2 amendments do not reduce zoning allowances for housing on any lot, but do reduce the maximum permissible size of housing units based on application of FAR for approximately 5,000 lots in the R10 and R20 zones.

Household *allocation* is a more confined number of likely unit development within the Comprehensive Plan period, which is informed by the city's obligations under Statewide Goal 2, that specifies that Portland shall apply the Metro population forecast described when changing a land use regulation. Metro forecasted Portland to receive 123,000 additional households by 2035. Therefore, no changes to the total citywide number of forecasted households results from the RIP2 amendments. Per ORS 197.040, updates to the BLI are required during updates to the comprehensive plan and at periodic review, and not necessarily during a post acknowledgment plan amendment; "Each jurisdiction must include in its computations all plan and/or zone changes involving residential land which that jurisdiction made since acknowledgment." (OAR 660-007-0045).

The RIP2 amendments do include updates to the background constraint data for the BLI, specifically with regard to more recently available landslide risk data from the Department of Geology and Minerals. These updates do not affect the original Comprehensive Plan housing capacity nor housing capacity projected from RIP1. This was the data used in RIP1 to establish the landslide component of the Constrained Sites 'z' overlay zone. It just was not incorporated into the BLI background during the RIP1 project. This change reconciles that and brings the 'z' overlay into conformance with the State's administrative rules regarding goal-protected areas.

These amendments are in part to improve the performance of the Comprehensive Plan housing policies. Further, since an increase of housing development capacity is increased in more areas across the city this increase in "supply" helps reduce cost increases from previously unmet demand. The RIP2 amendments do not affect the Metro growth allocation. Therefore, no development is required to accommodate that growth. However, the location of that development and the types of units produced will differ from the comprehensive plan baseline strategy. Future updates to the Buildable Lands Inventory during periodic review will reflect household capacity and allocation forecast impacts as a result of the RIP1 and RIP2 amendments.

The RIP2 amendments respond to the Housing Needs Analysis by providing for increased capacity for residential development in the remaining single dwelling residential zones (R10 and R20 zones representing approximately 11% of the city's land area). The amendments increase the potential for a variety of housing types that are identified in the growth scenarios report as underrepresented in the city's current and future housing mix under the adopted comprehensive plan growth strategy. Future updates to the HNA will incorporate middle housing created as a result of the RIP1 and RIP2 amendments. The city is required to update the HNA with each periodic review or six years as stated in ORS 197.296.

- 2. Public Facilities Plan.** The Public Facilities Plan (PFP) is a coordinated plan for the provision of urban public facilities and services within Portland's Urban Services Boundary. The Citywide Systems Plan (CSP) is the City's public facilities plan.

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42. Finding: As demonstrated in the findings for Statewide Planning Goal 11 and chapter 8 of the 2035 Comprehensive Plan, the RIP2 amendments do not allow for new incompatible land uses, and allowances for additional residential density have been evaluated and limited to ensure that these changes do not impact the provision of public services and are consistent with the adopted Citywide Systems Plan (CSP). The CSP, which was adopted (Ordinance 185657) and acknowledged by LCDC on April 25, 2017, includes the Public Facilities Plan with information on current and future transportation, water, sanitary sewer, and stormwater infrastructure needs and projects, consistent with the requirements of Statewide Planning Goal 11. The RIP2 amendments maintain and do not amend the Citywide Systems Plan (CSP).

The service limitations identified in the CSP have been incorporated into the adopted BLI development constraint analysis that identified parts of Portland that lack needed urban infrastructure. In some cases, development could face increased cost to extend infrastructure, which may make it infeasible to develop in specific locations. This is especially relevant in the R10 and R20 zones. Nearly 80% of lots in these zones are encumbered by the Constrained Sites 'z' overlay zone. There are additional lots outside the 'z' overlay that are encumbered by their lack of street frontage on a maintained street. Other infrastructure required to develop on the remaining lots will be required with the development. As noted in Statewide Goal 8 findings, the RIP2 amendments do not affect the Metro growth allocation (123,000 households).

As noted below in the findings for goals and policies of Chapter 8 (Public Facilities and Services), the public systems are adequate to support the increment of additional units in affected areas. The RIP2 amendments are consistent with the CSP.

3. Transportation System Plan (TSP). The TSP is the detailed long-range plan to guide transportation system functions and investments. The TSP ensures that new development and allowed land uses are consistent with the identified function and capacity of, and adopted performance measures for, affected transportation facilities. The TSP includes a financial plan to identify revenue sources for planned transportation facilities included on the List of Significant Projects. The TSP is the transportation element of the Public Facilities Plan. Certain components of the TSP are elements of the Comprehensive Plan. *See Policy 1.1.*

43. Finding: As demonstrated in the findings for the goals and policies of Chapter 9 (Transportation), the RIP2 amendments do not allow for new incompatible land uses, and allowances for additional residential density have been limited within the confines of HB2001 to ensure that these changes do not impact the transportation system. The RIP2 amendments are consistent with and do not amend the Transportation System Plan, therefore the City continues to plan for public infrastructure investments to maintain and strengthen the multimodal transportation infrastructure in single dwelling zones.

4. School Facility Plans. School facility plans that were developed in consultation with the City, adopted by school districts serving the City, and that meet the requirements of ORS 195 are considered supporting documents to the Comprehensive Plan.

44. Finding: It is the responsibility of individual School Districts to develop school facility plans in consultation with the City that meet the requirements of ORS 195. David Douglas School District (DDSD) is currently the only school district in Portland with an adopted school facility plan that meets this policy. David Douglas School District has previously noted concerns with school capacity during the formulation of the Comprehensive Plan, however, enrollment within the David Douglas School District has been increasingly in decline since 2015. OAR 660-046, the administrative rules for HB2001, do not provide means to exclude or limit middle housing in

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areas based on school capacity. Nevertheless, most R10 and R20 areas in the school district area are constrained by the 'z' overlay based on natural resources or hazards. Moreover, housing allocation analysis conducted as part of RIP1 also showed a decline of anticipated households (132) in the district boundary.

Implementation tools

Policy 1.3. Implementation tools subject to the Comprehensive Plan. Maintain Comprehensive Plan implementation tools that are derived from, and comply with, the Comprehensive Plan. *Implementation tools include those identified in policies 1.4 through 1.9.*

45. Finding: The RIP2 amendments maintain and amend the comprehensive plan implementation tools as described below in Policies 1.4 through 1.9. Consistency with the comprehensive policies and guiding principles for relevant amendments are demonstrated elsewhere in these findings.

Policy 1.4. Zoning Code. Maintain a Zoning Code that establishes the regulations that apply to various zones, districts, uses, and development types.

46. Finding: Policy 1.4 requires that the City adopt and implement a zoning code. The zoning code was originally adopted by Ordinance No. 163608, effective January 1991, and has been amended numerous times since its initial effective date.

The RIP2 amendments include Zoning Code amendments intended to implement the policy framework of the *2035 Comprehensive Plan*. These changes primarily affect single dwelling zones, by increasing the allowable residential development types in those zones. Within each zone, different development regulations are tailored for the various development types, including minimum lot size distinctions, and differing floor area requirements. The ability to construct triplexes, fourplexes, cottage clusters, higher density attached houses or additional ADU's within these zones is consistent with the Comprehensive Plan designation of the zones that establish single dwellings to be the primary development type, see findings under Policy 10.1. These amendments provide specific parameters that effectively are differentiated from other zoning districts like mixed use, employment and open space zones. Particular distinctions are drawn between single dwelling zones and multi-dwelling zones through the application of differing densities, building scale and applicable development standards, and range of "by-right" housing types.

The Zoning Code amendments also include the application of the 'constrained sites' overlay zone to certain R10 and R20 areas with restrictions on additional housing types to address Comprehensive Plan policy 4.79 (Natural hazards and climate change risks and impacts) and policy 7.24 (Regulatory hierarchy: avoid, minimize, mitigate). Consistency with the comprehensive policies and guiding principles are demonstrated elsewhere in these findings.

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

47. Finding: The zoning map was adopted with the zoning code as part of Ordinance No. 163608 in 1991 and has been subsequently amended numerous times since that date. This map identifies boundaries of different base zone types (single-dwelling, multi-dwelling, mixed use, employment/industrial and open space) overlay zones and plan districts, as well as location of historical landmarks and existing or planned major public trails. The RIP2 amendments include Zoning Map amendments intended to implement the policy framework of the Comprehensive Plan. The Zoning Map is amended with a revised 'constrained sites' overlay zone with corresponding restrictions on 3 or more units per lot. In addition, several areas where both a predominance of substandard sized historically narrow lots and unconstrained infrastructure exist, are rezoned to

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R2.5. Consistency with the comprehensive policies and guiding principles are demonstrated elsewhere in these findings.

Policy 1.6 Service coordination agreements. Maintain coordination agreements with local governments of adjoining jurisdictions concerning mutual recognition of urban service boundaries; special service districts concerning public facilities and services within Portland’s Urban Services Boundary; and public school districts concerning educational facilities within Portland's Urban Services Boundary.

48. Finding: The city maintains several intergovernmental agreements concerning mutual recognition of urban service boundaries; special service districts concerning public facilities and services within Portland’s Urban Services Boundary; and with public school districts. As these agreements are not changing and do not need to be changed, this policy is not relevant to the RIP2 amendments.

Policy 1.7 Annexations. Provide a process incorporating urban and urbanizable land within the City’s Urban Services Boundary through annexation. See policies 8.11-8.19 for service extension requirements for annexations.

49. Finding: The city has a process for incorporating urban and urbanizable land. RIP2 amendments do not include any annexations nor change current processes for incorporation of land. Therefore, this policy is not relevant to the RIP2 amendments.

Policy 1.8 Urban renewal plans. Coordinate Comprehensive Plan implementation with urban renewal plans and implementation activities. A decision to adopt a new urban renewal district, adopt or amend goals and objectives that will guide investment priorities within a district, or amend the boundaries of an existing district, must comply with the Comprehensive Plan.

50. Finding: The RIP2 amendments do not include changes to existing, or any new urban renewal plans. Therefore, this policy is not relevant to the RIP2 amendments.

Policy 1.9 Development agreements. Consider development agreements entered into by the City of Portland and pursuant to Oregon Revised Statute 94 a Comprehensive Plan implementation tool.

51. Finding: The RIP2 amendments do not affect nor necessitate development agreements. Therefore, this policy is not relevant to the RIP2 amendments.

Administration

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 than the existing language or designation.

1.10.a Legislative amendments to the Comprehensive Plan’s elements and implementation tools must also comply with the Guiding Principles.

1.10.b Legislative amendments to the Comprehensive Plan’s elements should be based on the factual basis established in the supporting documents as updated and amended over time.

1.10.c Amendments to the Zoning Map are in compliance with the Comprehensive Plan if they are consistent with the Comprehensive Plan Map.

52. Finding:

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The City Council finds that this is a fundamental policy of the Comprehensive Plan that guides the manner in which the City Council considers amendments to the Plan itself or any implementing regulations, such as the Zoning Code.

The City Council interprets the policy to require the Council to consider whether, after considering all relevant facts, an amendment is equally or more supportive of the Comprehensive Plan.

The City Council finds that an amendment is equally supportive when it is on its face directly supported by goals and policies in the Plan. The City Council finds that an amendment is more supportive of the Comprehensive Plan when the amendment will further advance goals and policies, particularly those that are aspirational in nature. The City Council finds that the policy requires consideration as to whether amendments are equally or more supportive of the Plan *as a whole*. The City Council finds that amendments do not need to be equally or more supportive with individual goals and policies, but rather amendments must be equally or more supportive of the entire Comprehensive Plan. Therefore, the City Council finds that there may be instances where specific goals and policies are not supported by the amendments but still the amendment is equally or more supportive of the entire Comprehensive Plan when considered cumulatively. The City Council finds that there is no precise mathematical equation for determining when the Plan as a whole is supported but rather such consideration requires City Council discretion in evaluating the competing interests and objectives of the plan.

Council notes that the Comprehensive Plan introduction explains that “[t]he Comprehensive Plan contains a broad range of policies for Council to consider. Each policy describes a desirable outcome. But it is unlikely that all policies are relevant to a particular decision and that a particular decision could be expected to advance all of the policies in the plan equally well . . . [E]ven the strongest policies do not automatically trump other policies. Every decision is different, with different facts. The particular policies that matter will change from one decision to another. There is no set formula—no particular number of ‘heavier’ policies equals a larger set of ‘lighter’ policies. In cases where there are competing directions embodied by different policies, City Council may choose the direction they believe best embodies the plan as a whole.” 2035 Comprehensive Plan, page HTU-5.

The RIP2 amendments advance many Comprehensive Plan policies, as discussed in these findings. Council finds that RIP2 is more supportive of the Comprehensive Plan particularly with regard to the goals and policies cited below.

- Increasing the diversity of and access to housing options, which is inscribed for example in policies such as Policy 3.4 All ages and abilities, Policy 3.32 Housing in neighborhood centers, Policy 3.36 Housing in town centers, Policy 3.39 Growth, Policy 3.42 Diverse residential areas, Goal 5.A: Housing diversity; Policy 5.4 Housing types, policy 5.6 Middle housing, and Policy 5.21 Access to opportunities.
- Support housing affordability and extend access to amenities, reflected in policy 5.6, Middle Housing, Policy 5.11 Remove barriers, Policy 5.30 Housing cost burden, Policy 5.31 Household prosperity.
- Be resource efficient and environmentally sensitive, see for example Goal 3.B: A climate and hazard resilient urban form, Goal 4.C: Human and environmental health, Policy 3.6 Land efficiency, Policy 4.19 Resource efficient and healthy residential design and development, Policy 4.74 Flexible development options, Policy 7.14 Natural hazards, Policy 9.58 Off-street parking.

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- Avoid increasing the risk of displacement, as noted in policies including Policy 3.3 Equitable development, Policy 3.9 Growth and development, Goal 5.B: Equitable access to housing, Goal 5.D: Affordable housing, Policy 5.1 Housing supply, Policy 5.3 Housing potential, Policy 5.12 Impact analysis, Policy 5.15 Gentrification/displacement risk and Policy 5.16 Involuntary displacement
- Allow homes to adapt over time, as called for in policies such as Policy 5.7 Adaptable housing, Policy 5.19 Aging in place, Policy 5.53 Responding to social isolation
- Be economically feasible as guided by Policy 4.57 Economic viability, Policy 5.3 Housing potential, Policy 5.36 Impact of regulations on affordability, and Policy 9.60 Cost and price.
- Provide clear rules for development primarily embodied in Policy 10.4 Amendments to the Zoning Code.
- Fit neighborhood context. Both the Planning and Sustainability Commission as well as City Council support changes that respond to incompatible infill, including limits on FAR and revisions to address building height, however Council also recognized that to reduce cost impacts on housing development and provide greater opportunity for housing access in more parts of the city, a greater emphasis would be placed on measures that removed potential barriers to housing production. The findings for Policy 4.15 Residential area continuity and adaptability, for example, illustrate how Council improves the performance of zoning standards to fit the neighborhood context more than the existing language in the code.

The City Council finds that these amendments are equally or more supportive of the Comprehensive Plan than the existing Zoning Code regulations because they increase housing diversity, improve equitable access to housing, provide incentives for regulated affordable housing in single dwelling zones, remove regulatory barriers for housing choice, and encourage the creation of more physically accessible housing, while allowing existing and new single dwelling development to continue and expand and adapt to changing household needs.

The City Council finds that the evaluation to determine if the RIP2 amendments are on balance equally or more supportive than the existing language or designation must consider all of the goals and policies, as demonstrated by these findings.

Additionally, Council finds that Policy 1.10b requires that amendments are based on the factual basis established in supportive documents. The RIP2 amendments are a legislative amendment to the Zoning Code, Zoning Map, and background data for the Buildable Lands Inventory within the Comprehensive Plan. These findings identify how the RIP amendments comply with the Comprehensive Plan. That is, the amendments are evaluated against the Comprehensive Plan's Guiding Principles, goals, and policies, as detailed throughout this set of findings.

As described in the finding for Policy 1.2, the RIP2 amendments do include updates to the background constraint data for the BLI, specifically with regard to more recently available landslide risk data from the Department of Geology and Minerals. This was necessary given the availability and pertinence of this data with regard to incorporating these landslide hazards into the 'z' overlay. This update does not impact the extent of the 'z' overlay within the R2.5, R5 and R7 zones, since the same data was used with that project.

While the household capacity identified from the adopted BLI, is increased by the RIP2 code changes – *increases* to capacity do not affect compliance with Statewide Goal 10, which establishes a floor for identifying adequate capacity, but does not set upper limits, and these

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increases are also shown to conform to policies in Chapter 5 and elsewhere in the Comprehensive Plan. The other supporting documents have been considered but are not impacted by these changes.

For the reasons stated in these findings, the City Council concludes that the RIP2 amendments are on balance, or on the whole, more supportive of the goals and policies of the Comprehensive Plan than the current regulations. The City Council has considered all applicable goals and policies to achieve an optimum outcome. The purposes of the RIP2 amendments are to enhance public health and safety and protect the environment. The City council considered the applicable goals and policies and concludes that, on the whole, limiting scale-compatible residential structure types in R10 and R20 zones, and restricting cottage clusters and higher density attached houses would be less supportive of the Comprehensive Plan than adopting the RIP2 amendments.

Council finds that the RIP2 amendments are consistent and comply with each applicable policy in the Comprehensive Plan.

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.

53. Finding: Providing for additional residential capacity supports Metro’s plan for a tight urban growth boundary by reducing pressure to develop housing in new greenfield areas. While the Comprehensive Plan adopted BLI demonstrated that there was sufficient capacity within the single dwelling zones for the 20-year planning period, much of that capacity was projected to be utilized. When available land becomes more scarce, while demand remains strong, price for that land increases which impacts a builder’s ability to develop housing feasibly¹⁹. The additional capacity created through the RIP2 amendments doesn’t affect the total projected household growth for the City, but it does provide significant capacity headroom to reduce the pressure exerted against a more fixed supply of land. Put another way, with more options available on more lots, scarcity is reduced and development becomes more feasible, reducing the need to add more land within the UGB. See also findings in Part II, Metro Urban Growth Management Functional Plan.

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.

54. Finding: See findings in Part I, Statewide Planning Goals which demonstrate consistency.

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.

55. Finding: The RIP2 amendments were developed to be consistent with applicable state and federal regulations, including FEMA flood regulations, state building code requirements, HB2001 and SB458.

House Bill 2001, signed into law on August 8, 2019, affects a number of provisions relating to housing and housing needs analyses, but the portions of that bill relevant to the RIP2 amendments and legislative action relate to requirements that cities allow specified middle housing types where

¹⁹ Why Have Housing Prices Gone Up? National Bureau of Economic Research, Feb 2005

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detached single dwellings are allowed. Further, the bill directs local governments to “consider ways to increase the affordability of middle housing” by considering ordinances and policies that include but are not limited to waiving or deferring system development charges; adopting or amending criteria for property tax exemptions or freezes; or assessing a construction tax.

The City of Portland already applies a number of measures designed to increase the affordability of regulated affordable housing. The City currently waives SDCs for projects meeting established affordability program requirements (PCC 30.01.095). A construction excise tax of 1 percent of the value of improvements to residential or commercial structures is also currently assessed to support affordable housing (PCC 6.08). The City currently utilizes two programs, HOLTE (Home Ownership Limited Tax Exemption) and MULTE (Multiple-Unit Limited Tax Exemption) that provide property tax relief to development of affordable housing units. Additionally, waivers to the Local Transportation Improvement Charge can be requested for affordable housing construction in single dwelling zones (PCC 17.88). These measures will continue to be applicable to middle housing that is developed in compliance with affordable housing requirements.

The Residential Infill Project also includes measures that increase the affordability of market rate middle housing especially in comparison to detached single dwellings through the imposition of a sliding FAR scale (33.110.210). According to the econometric analysis in RIP1 Volume 3, Appendix A, average rents at the citywide level are decreased by 56 percent from the default zoning code by applying these size limitations and allowing multiple units to share land costs. The following example uses a midrange market level of \$278/sf achievable pricing to illustrate the sales point levels for four housing types in the R5 zone on a 5,000 sf lot. While some variability is to be expected within smaller multiplex housing types due to potentially higher construction and design requirements related to meeting Oregon State Structural Code requirements, the following basic parameters generally still follow:

Housing Type	Allowed FAR	Total size	Average unit size	Cost per unit (@\$278/sf)	Unit % of house
House	0.5	2,500 sf	2,500 sf	\$695,000	100%
Duplex	0.6	3,000 sf	1,500 sf	\$417,000	60%
Triplex	0.7	3,500 sf	1,167 sf	\$324,333	47%
Fourplex	0.7	3,500 sf	875 sf	\$243,250	35%

RIP1 also removed minimum required parking for residential structures in the single dwelling zones. According to Donald Shoup²⁰ average costs in Portland in 2011 for a parking space range from \$26,000 (aboveground structure) to \$35,000 (underground) per space. Removing these requirements further reduces the costs associated with providing middle housing.

Therefore, with the combination of measures enacted through RIP1, RIP2 and previously existing actions for affordable housing, City Council has adequately considered and adopted measures to increase the affordability of middle housing.

In addition, the Oregon Administrative Rules implementing HB2001 (OAR 660-046) require that when cities propose to adopt alternate siting or design standards not contained in the rules or state model code, the city must demonstrate how the standard or standards individually and cumulatively will not cause unreasonable cost or delay to the development of middle housing. As with RIP1, RIP2 continues to apply a requirement for a portion of units to be “visitable”. A more complete discussion

²⁰ Donald Shoup, “[The High Cost of Minimum Parking Requirements](#),” in *Parking: Issues and Policies*, edited by Corinne Mulley and Stephen Ison, Bingley, UK: Emerald Group Publishing, 2014, pp. 87–113.

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of this standard and its impact on middle housing development is contained in Section 4 of the project staff report and Appendix C²¹. Financial cost barriers were also considered during adoption of the Better Housing by design Project, which found that the greatest potential added cost was the requirement for a no-step entry. This could in some cases, necessitate creating a ramp. BHD explored various scenarios and found that the costs were nominal in relation to the development especially when the grade differential was 3 feet or less between the street and main entrance²². This has been factored into the allowable exemptions for visitable units. Therefore, City Council finds that the imposition of this alternative design standard has no impact on the timeliness of middle housing development and negligible added cost, and such potential marginal costs are outweighed by the public need and interest for creating more accessible housing.

Another aspect of HB2001 and the implementing administrative rules relate to defining what areas middle housing (other than duplexes) must be allowed in. OAR 660-046-0205(3) states that cities may either allow for middle housing as provided in OAR 660-046-0205 through 0235 or apply separate siting standards when certain percentages of lots continue to allow for different middle housing types AND when at least one type of middle housing (other than duplexes) is allowed on 75% of the lots within each census block group. Cottage clusters are not allowed in the R20 zone. There are 104 R20 lots that are outside the 'z' overlay (i.e. goal protected areas). Only 72 of those meet the minimum lot size standard for cottage clusters in OAR 660-046-0220(4)(a)(B). Cottage clusters are similarly limited in RM2-RX, mixed use, EX and institutional zones due to challenges with meeting minimum density standards and similar multi-dwelling development types already allowed. The RIP2 amendments allow clusters on lots smaller than the size prescribed by OAR 660-046-0220(4)(a)(A) for the R2.5 and R5 zones. In so doing, the overall number of eligible lots for cottage clusters in the R10-RM1 zones is 82,108, while a strict application of the OAR lot size and residential area standard yields only 55,185 eligible lots. Therefore, the alternative provides for 149% of the OAR lot threshold. Moreover, triplexes, fourplexes, and townhouses are permitted on 100% of the lots outside the 'z' overlay (selected goal protected areas) and where sufficient infrastructure exists.

SB458, signed into law May 26, 2021, requires cities to allow middle housing authorized under HB2001 to be divided into separate lots using an existing expedited land division process in ORS 197.360-380. The RIP2 amendments include several chapters to facilitate implementation of this bill including Chapter 33.253 which addresses subsequent development on middle housing land division sites, Chapter 33.644 which authorizes certain types of residential structures to be divided subject to review standards derived from the bill and codified in Chapter 33.671. Expedited land division procedures are likewise codified in Chapter 33.730.

SB458 states that a middle housing land division is "a partition or subdivision of a lot or parcel on which the development of middle housing is allowed under ORS 197.758 (2) or (3)." That statute specifies the types and locations of middle housing allowed based on city size. For larger cities, this includes duplexes on all lots and all other middle housing in residential areas (as described elsewhere in these findings). Middle housing per 197.758 includes duplexes, triplexes, quadplexes, cottage clusters and "townhouses". Townhouses are defined as "a dwelling unit constructed in a row of two or more attached units, where each dwelling unit *is located* on an individual lot or parcel and shares at least one common wall with an adjacent unit." SB458 also notes that "The type of middle housing developed on the original parcel is not altered by a middle housing land division." In other words, dividing a duplex so that each unit is on an individual lot even if the units are attached at a common wall, does not convert the duplex into a townhouse. The duplex remains a duplex,

²¹ RIP2 Staff Report, Appendix C: Age-friendly Housing and Environments, Shanley Lazas, March 2021

²² Visitability Prototypes Study, DECA architects, June 2018

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even though the units are now on separate lots. Chapter 33.644 omits “townhouses” or their synonymous counterpart “attached houses” from eligibility through SB458. This is because in order to *be* a townhouse, the unit must *already be* on its individual lot or parcel. If it were not, it would be a building with multiple units on one lot (like a duplex, triplex, or fourplex, as those terms are defined in OAR 660-046-0020). Using SB458 to divide that building could not create townhouse units, because the very language in the bill stipulates that the type of middle housing is not changed as a result of the middle housing land division. Therefore, this housing type is a paradox when viewed through the lens of SB458, and consequently is not included in the types of middle housing that can be divided under these amendments using the confined standards and review process that falls outside the land use process otherwise afforded other land divisions.

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.

56. Finding: As demonstrated in the findings for Statewide Planning Goal 11 and Chapter 8 (Public Facilities and Services) of the Comprehensive Plan, City Council considered the impacts on the existing and future availability and capacity of urban public facilities and services consistent with this policy.

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.

57. Finding: As demonstrated in the findings for Statewide Planning Goal 2, the City filed the required 35-day notice with Oregon Department of Land Conservation and Development to notify other government agencies of the proposed RIP amendments. In addition, the City sent a separate legislative notice to Multnomah County, adjacent cities, Metro and TriMet. City’s fiscal impact statement notes that while the reduction in maximum building size may affect individual investment decisions, the amendments will not reduce the number of feasible residential units and creates more capacity for additional units, which is also further substantiated in the Economic Analysis (Volume 3, Appendix A).

Policy 1.16. Planning and Sustainability Commission review. Ensure the Planning and Sustainability Commission (PSC) reviews and makes recommendations to the City Council on all proposed legislative amendments to Comprehensive Plan elements, supporting documents, and implementation tools. The PSC advises City Council on the City’s long-range goals, policies, and programs for land use, planning, and sustainability. The membership and powers and duties of the PSC are described in the Zoning Code.

58. Finding: The PSC thoroughly reviewed and was briefed on the RIP2 amendments:

- November 30, 2021 – PSC briefing on RIP2 proposals
- December 14, 2021 – Public hearings and testimony, identify potential changes
- January 11, 2022 – PSC work session and discussion on potential changes
- January 25, 2022 – PSC work session continued
- February 8, 2022 – PSC RIP2 recommendation vote to City Council

Policy 1.17. Community Involvement Committee. Establish a Community Involvement Committee to oversee the Community Involvement Program as recognized by Oregon Statewide Planning Goal 1 – Community Involvement and policies 2.15-2.18 of this Comprehensive Plan.

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59. Finding: The Citizen Involvement Committee was appointed in June 2018 and reviews and advises the way City staff engage with the public in land use and transportation planning. The City Council determines that RIP2 was undertaken in compliance with community involvement goals and policies, as indicated in the findings for Comprehensive Plan Chapter 2 (Community Involvement).

Policy 1.18. Quasi-judicial amendments to the Comprehensive Plan Map. Applicants for quasi-judicial amendments to the Comprehensive Plan Map must show that the requested change adheres to Policies 1.10 through 1.15 and:

- Is compatible with the land use pattern established by the Comprehensive Plan Map.
- Is not in conflict with applicable adopted area-specific plans as described in Policy 1.19, or the applicable hearings body determines that the identified conflict represents a circumstance where the area specific plan is in conflict with the Comprehensive Plan and the proposed amendment is consistent with the Comprehensive Plan.

The Hearings Officer must review and make recommendations to the City Council on all quasi-judicial amendments to the Comprehensive Plan Map using procedures outlined in the Zoning Code.

60. Finding: This policy concerns quasi-judicial amendments to the Comprehensive Plan Map and is not applicable to this project, which is a legislative project.

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.a Area-specific plans that are adopted after May 24, 2018, should clearly identify which components amend Comprehensive Plan elements, supporting documents, or implementation tools. Such amendments should be appropriate to the scope of the Comprehensive Plan; be intended to guide land use decisions; and provide geographically specific detail. Such amendments could include policies specific to the plan area, land use designation changes, zoning map changes, zoning code changes, and public facility projects necessary to serve designated land uses.

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 January 1, 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.

61. Finding: The RIP amendments do not include or amend area specific plans. Policy 1.19 directs that existing area-specific plans be used to provide additional detail or refinements at a smaller geographic scale, like centers or corridors. The RIP2 amendments are applicable at a citywide geography, with some changes affecting all zones (e.g. middle housing land divisions), while some affect large portions of RIP zones across much of the city (e.g. additional housing types such as cottage clusters). At the citywide scale, the findings included herein demonstrate that the amendments are consistent with the 2035 comprehensive plan.

Area and community plans that include RIP2 zones have been reviewed for relevant policy guidance.

Chapter 2: Community Involvement

Goal 2.A: Community involvement as a partnership. The City of Portland works together as a genuine partner with all Portland communities and interests. The City promotes, builds, and maintains relationships, and communicates with individuals, communities, neighborhoods, businesses, organizations, institutions, and other governments to ensure meaningful community involvement in planning and investment decisions.

Goal 2.B: Social justice and equity. The City of Portland seeks social justice by expanding choice and opportunity for all community members, recognizing a special responsibility to identify and engage, as genuine partners, under-served and under-represented communities in planning, investment, implementation, and enforcement processes, particularly those with potential to be adversely affected by the results of decisions. The City actively works to improve its planning and investment-related decisions to achieve equitable distribution of burdens and benefits and address past injustices.

Goal 2.C: Value community wisdom and participation. Portland values and encourages community and civic participation. The City seeks and considers community wisdom and diverse cultural perspectives, and integrates them with technical analysis, to strengthen land use decisions.

Goal 2.D: Transparency and accountability. City planning and investment decision-making processes are clear, open, and documented. Through these processes a diverse range of community interests are heard and balanced. The City makes it clear to the community who is responsible for making decisions and how community input is considered. Accountability includes monitoring and reporting outcomes.

Goal 2.E: Meaningful participation. Community members have meaningful opportunities to participate in and influence all stages of planning and decision making. Public processes engage the full diversity of affected community members, including under-served and under-represented individuals and communities. The City will seek and facilitate the involvement of those potentially affected by planning and decision making.

Goal 2.F: Accessible and effective participation. City planning and investment decision-making processes are designed to be culturally accessible and effective. The City draws from acknowledged best practices and uses a wide variety of tools, including those developed and recommended by under-served and under-represented communities, to promote inclusive, collaborative, culturally-specific, and robust community involvement.

Goal 2.G: Strong civic infrastructure. Civic institutions, organizations, and processes encourage active and meaningful community involvement and strengthen the capacity of individuals and communities to participate in planning processes and civic life.

62. Finding: Council interprets these policies to promote community involvement that engages and values all members of the community, with particular emphasis on engaging with the full diversity of affected community members. The preparation of these amendments has provided numerous opportunities for meaningful community involvement, including:

The RIP2 amendment package follows up on the five-year effort of the Residential Infill Project that expanded middle housing options in the R2.5, R5, and R7 zones. The RIP2 amendments extend most of those housing options to the R10 and R20 zones and also include amendments to all single dwelling zones to bring the City into compliance with HB2001 and SB458. The Residential Infill Project was a significant effort that required substantial resource commitment and represented a major evolutionary change in what is allowed in these Portland's single-dwelling zones. As such, it generated a great deal of interest and input and necessitated a robust

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community engagement process. Since RIP2 continues the work of the Residential Infill Project, it builds off the extensive community engagement that was conducted with RIP1. To that end, a high-level community engagement strategy was warranted for RIP2 that used the community engagement process from RIP1 as a foundation.

In scoping the RIP2 amendment package, in light of moves to further center racial justice and advance equitable planning practices and impacts that RIP2 would have on those goals, there was an opportunity cost in scoping this project to the scale of RIP1 when the resources could instead be allocated to other BPS projects that have the potential to better advance those goals (e.g. the Shelter to Housing Continuum, the Anti-displacement Action Plan, or the Spatial Justice Project). Further, unlike RIP1, with the passage of HB2001 and SB458 the City has certain compliance obligations and a deadline of June 30, 2022 to complete the project.

Staff also engaged with members of the public in drafting a project scope for RIP2. Early engagement included targeted outreach to housing stakeholders (including Portland: Neighbors Welcome, Habitat for Humanity, Community Alliance of Tenants, NAYA, Hacienda, PCRI, Homebuilders Association of Portland, Fair Housing Council of Oregon, 1000 Friends, REACH, Catholic Charities, PCRI, and focus groups with various small-scale developers) to garner feedback on the cottage cluster portion of the project. Staff also met with the Planning and Sustainability Commission (on 3/9/21) and the Community Involvement Committee (on 2/9/21) and held similar discussions. The purpose of these discussions was to identify whether the project scope should be more limited to respond to the outstanding compliance issues, or broader to include more significant changes, similar to the efforts in RIP1. There was general consensus to keep the scope limited to issues pertaining to compliance with state law.

With stakeholder agreement on the project scope to keep this effort limited to compliance with the State legislation and achieve parity in R10/R20 zones with what is allowed in the higher density single-dwelling zones. Consequently, the scope of this project and level of community engagement would not be on the scale of RIP1. The engagement plan would lean on the work completed for the Residential Infill Project, Part 1 and be driven by meeting the State deadline of June 30, 2022.

As is the case with most legislative projects, the Planning and Sustainability Commission and City Council may hear public testimony during their hearings that is persuasive and results in those bodies recommending changes to proposals brought forward by staff. These changes may have the result of expanding the project scope, but remain consistent with the subject matter and identified areas of code under discussion.

Proposed Draft. On November 10, 2021 — 5 weeks before the PSC's first of two public hearings — the City published the Proposed Draft of RIP2 amendments in preparation for the Planning and Sustainability Commission (PSC) review and recommendation. In support of this process, the BPS website had a project page dedicated to this project, a Map App page for submitting testimony, and telephone helpline to learn about the plan effort and numerous ways to comment on the plan. As part of the Proposed Draft publication and legislative process requirements, the following legal notices were also sent:

- Form 1 Notice
Sent to the Department of Land Conservation and Development (DLCD)

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- Legislative Notice (~300 notices)
Sent to interested parties, recognized organizations, affected bureaus, TriMet, Metro and ODOT and published in the Daily Journal of Commerce
- Measure 56 Notice (10,290 notices)
Required by Ballot Measure 56, this mailed notice was sent to owners of each lot or parcel of property where there is a proposed change to the base zoning of the property or where there are limits or prohibition of land uses previously allowed in the affected zone.

In addition to these legal requirements, information about the PSC hearings was featured in blog posts on the project website, e-updates to project mailing list (372 people as of March 2022), media releases and posts by BPS on Twitter and Facebook. Moreover, staff engaged directly with the public at two virtual info sessions held November 17 and 18, 2021. All community engagement meetings, presentations, and hearings were held virtually in order to meet the City's guidelines for public meetings in light of COVID-19. The PSC held a public hearing on December 14, 2021. 27 people testified at the hearings and 65 written testimonials were received.

The PSC discussed the proposals over two subsequent work sessions on January 11 and January 25, 2022 culminating in direction to staff to prepare amendments to the Proposed Draft.

On February 8, 2022, the Commission deliberated on the proposed amendments before voting to recommend the changes to City Council. The PSC wished to consider additional changes, but did not have time to do so, under the City's compliance deadline with the State, so they moved the package forward to City Council. In their recommendation, the PSC additionally gave staff direction to meet with affordable housing providers to develop an alternative set of development standards for the "deeper affordability bonus" in order to better enable townhouse style development for further consideration at City Council.

All PSC meetings were streamed live and are also available for viewing on the Bureau website

Recommended Draft. On March 18, 2022 the Recommended Draft of the Residential Infill Project was published presenting the PSC's recommendations to City Council. On April 6, 2022, the City sent a legislative notice of the City Council Hearing to interested parties and anyone who testified to the PSC on the proposed draft and supplied contact information. City Council held a public hearing on April 21, 2022, to receive testimony on the Recommended Draft.

City Council heard oral testimony from 53 people in addition to receiving 72 written pieces of testimony. In response to this testimony, staff presented potential amendments for City council consideration at a subsequent public hearing on May 19, 2022. Staff published the specific amendments that council had directed staff to further develop on May 12, 2022.

On May 19, 2022, City Council held a virtual public hearing and received 31 pieces of written testimony regarding the amendments. The virtual public meeting was held using the Zoom platform and 18 people testified orally. It was free to participants and it allowed them to provide testimony by phone or computer. Participants could also watch the hearing on YouTube with closed caption accommodations.

On June 1, 2022, City Council voted to approve these amended findings and the amended elements of the Residential Infill Project.

Summary: The public engagement process provided opportunities for all interested parties to comment on and influence the recommended draft and the final decision before City Council.

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To support the legislative and required Measure 56 notices, the BPS website had a project page with the available documents; a Map App page with a testimony function; BPS staff created a dedicated help phone line; and BPS staff hosted a series of community meetings to explain and answer questions regarding the Proposed Draft.

The public was provided meaningful opportunities to participate by expressing support as well as concerns and suggesting amendments in front of both the PSC and City Council. Public meetings were well advertised, open and accessible to the public and videotaped and broadcast to increase transparency of the decision-making process. City Council considered testimony received and discussed, deliberated, and incorporated several amendments that were developed in direct response to this testimony.

The RIP2 outreach and engagement process utilized various methods and forums to interact and solicit input from a wide variety of perspectives as noted above. During concept development of the project, staff met with multiple stakeholder groups as well as the district coalitions. Following publication of the Proposed Draft, staff held two virtual info sessions that were publicized on the project website, to Measure 56 notice recipients, social media, and eblasts using the neighborhood association networks. The Proposed Draft to the Planning Commission was accompanied by a Measure 56 notice to all property owners and accompanied by a series of one-on-one conversations with the public at various locations throughout the city.

City Council finds that this plan, and this public engagement process are consistent with Goals 2.A – 2.G of the 2035 Comprehensive Plan.

As noted below in these findings, the RIP amendments are consistent with the goals and policies of Chapter 2 (Community Involvement) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. The events and outreach strategies summarized here demonstrate consistency with the requirements of Statewide Planning Goal 1.

Partners in decision making

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, low-income populations, Limited English Proficient (LEP) communities, Native American communities, and other under-served and under-represented communities.

2.1.c District coalitions, neighborhood associations, 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 Institutions, governments, and Sovereign tribes.

63. Finding: This policy directs the City to maintain partnerships and coordinate community engagement on a programmatic level and is not specific to a particular legislative project. Therefore, this policy is not applicable. Nevertheless, these partnerships were engaged and

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maintained throughout this process. Staff conducted on-going communication and responded to requests for additional information from neighborhood associations, coalitions, community-based organizations, under-represented communities as well as individuals among others.

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.

64. Finding: This policy directs the City to work with coalitions and associations to increase participation and improve communication on a programmatic level and is not specific to a particular legislative project. Therefore, this policy is not applicable. However, as evidenced by the range of involvement from comments and testimony received, the city was engaged with a breadth of partners to increase participation from these organizations and better reflect the diversity of the people served by them.

Environmental justice

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.

65. Finding: As noted above, the RIP2 amendments follow up on and build off the innovative policies to increase access to middle housing created during the five-year Residential Infill Project process. The RIP2 amendment project was initiated to bring the City into compliance with the State's middle housing legislation passed since the adoption of the Residential Infill Project, HB2001 and SB458 and to extend the increased housing options of the Residential Infill Project to the City's low-density single dwelling zones (R10 and R20). The community engagement process for the RIP2 amendments is an extension of the community engagement done with the original Residential Infill Project; therefore, the analyses conducted for the Residential Infill Project into the community benefits and burdens of public investments on communities of color, low-income populations, and other under-served or under-represented groups continue to apply to the RIP2 amendments. Additional demographic analysis of the R1- and R20 zones, where the largest changes with the RIP2 amendments are proposed, was also completed as part of the RIP2 Existing Conditions Report. It's important to note that zones R10 and R20 represent roughly 10% of single dwelling-zoned lots in the city overall, and of that approximately 80% of those will be located with the Constrained Sites Overlay Zone and therefore ineligible for all middle housing allowances except for duplexes which will be allowed on all lots. The bulk of the RIP2 changes relate to creating more housing options in the higher density single dwelling zones, which were already analyzed as part of RIP1.

The 2035 Comprehensive Plan defines "ensure" to mean "to make sure that something will happen or be available". RIP1 addressed a number of issues that had been identified as particular burdens for low-income populations and communities of color, including housing affordability, and access to more neighborhoods. The new incentives for creating regulated affordable housing in these zones affords more options for lower income households, who are disproportionately represented in under-served and under-represented groups. BPS used neighborhood vulnerability data to identify neighborhoods (Census tracts) with higher than

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average shares of people that are vulnerable to economic displacement: renters, communities of color, adults without a four-year college degree and low-income households. According to the Displacement Risk Analysis, the RIP1 amendments reduced redevelopment-induced displacement potential by 28%. When limiting this analysis to those census tracts that have specifically higher shares of vulnerable populations, displacement potential was reduced by 21%. The RIP2 amendments continue to allow additional investments in all areas of the city including the R10 and R20 areas, but reduce the potential windfall from allowing multiple units by instituting FAR size limits. The RIP2 amendments also include provisions intended to assist existing homeowners in R10 and R20 zones to self-invest by being able to add accessory dwelling units incrementally. Newly created provisions also allow homeowners to create second “detached unit” duplexes by adding a second unit on their lot and in concert with SB458 land division changes enable the portion of the lot to be sold, without necessitating complete redevelopment of the site. Beyond the benefits to existing residents and homeowners, new residents will have greater access to well-situated neighborhoods through lower cost housing and alternative ownership options. Moreover, partnerships between the City and non-profit CDC’s will help deliver permanently affordable housing in more areas of the city. These benefits are equitably distributed and are extended to communities of color, low income communities, and other under-served and under-represented groups. On-going partnerships with groups identified in Policies 2.1 and 2.2 will help ensure that the long term economic, cultural, political and environmental benefits of the RIP2 amendments are maximized through continued communication.

Policy 2.4. Eliminate burdens. Ensure plans and investments eliminate associated disproportionate burdens (e.g. adverse environmental, economic, or community impacts) for communities of color, low-income populations, and other under-served or under-represented groups impacted by the decision.

2.4.a, Minimize or mitigate disproportionate burdens in cases where they cannot be eliminated.

66. Finding: Council interprets this policy to mean that plans and investments each contribute to the elimination of these disproportionate burdens so that in sum these burdens are eliminated over the duration of the planning period. The RIP2 amendments create new housing opportunities. The creation of new housing opportunities has the potential to result in involuntary displacement, a key adverse economic and community impact. Therefore, for the purposes of this policy Council sought to ensure that the amendments mitigated the burden of displacement.

Factors that lead to displacement are much broader and multi-faceted than just zoning and land use, although these tools do have the power to weaponize and exacerbate displacement potential. Conversely, it is not possible within the scope of a zoning change to completely eradicate decades and generations of displacement. The RIP1 analyses addressed the majority of new housing types and development impacts across 124,465 lots in the R2.5, R5 and R7 zones. With the RIP2 amendments an additional 3,054 lots were removed from the ‘z’ overlay, and 3,235 lots in the R10 and R20 zones were added. All told, accounting for minimum lot size requirements, there are 126,370 lots that may be eligible for additional housing types.

Further, the demographic analysis found that the R10 and R20 lots are largely located on the outer southwest and southeast areas of the City in areas largely located outside of areas identified as having high displacement risk from the 2018 Displacement Risk Assessment (see attached Residential Infill Project Displacement Risk Mitigation Report). For the R2.5-R7 zones, the RIP1 analysis found an improved condition when compared against the baseline comprehensive plan, with a 28% net reduction in such displacement citywide, a 21% reduction

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when looking specifically at census tracts with higher shares of vulnerable communities (higher combined quintiles of renters, low-income, people of color, and individuals without a college degree), and a 16% reduction when focused solely on census tracts with higher shares of people of color. The analysis also examined proposed rezone areas to determine whether any particular race/ethnicity was disproportionately over or under-represented and found the demographics to be relatively consistent with the citywide average.

Council finds that the RIP2 amendments, together with the RIP1 amendments contribute to the elimination of disproportionate burdens and minimizes and partially mitigates for the historical zoning actions that have led to the conditions that are causing involuntary displacement today.

2.4.b. Use plans and investments to address disproportionate burdens of previous decisions.

67. Finding: The RIP2 amendments address a number of issues that had been identified as particular burdens for low-income populations and communities of color, including housing affordability and increased housing options in more areas of the city.

Neighborhoods across the city are experiencing rising housing costs, with few remaining areas where low-income households can afford to purchase housing. The RIP2 amendments include incentives designed to leverage partnerships in affordable housing producers to provide a greater number of regulated affordable units within single dwelling zones. This expands the reach of potential affordability beyond mixed use and multi-dwelling zones.

Invest in education and training

Policy 2.5. Community capacity building. Enhance the ability of community members, particularly those in under-served and/or under-represented groups, to develop the relationships, knowledge, and skills to effectively participate in plan and investment processes.

Policy 2.6. Land use literacy. Provide training and educational opportunities to build the public's understanding of land use, transportation, housing, and related topics, and increase capacity for meaningful participation in planning and investment processes.

Policy 2.7. Agency capacity building. Increase City staff's capacity, tools, and skills to design and implement processes that engage a broad diversity of affected and interested communities, including under-served and under-represented communities, in meaningful and appropriate ways.

68. Finding: These policies concern broad approaches to educating community members and City staff about planning processes and are not applicable to this project given the project scope. As noted in findings 2.1 and 2.2 the RIP2 amendments engaged partnerships through on-going communication and provided additional information in meaningful and culturally appropriate ways to better enable these community partners to convey important project information and engage their members.

Community assessment

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

69. Finding: The City Council interprets this policy to create the opportunity for the community and advisory committees to have opportunities to communicate their issues and concerns to the PSC and City Council outside of the formal legislative process. These changes are a legislative process

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with formal opportunities to testify to communicate directly with City Council. Therefore, this policy does not apply.

Policy 2.9. Community analysis. Collect and evaluate data, including community-validated population data and information, to understand the needs, priorities, and trends and historical context affecting different communities in Portland.

Policy 2.10. Community participation in data collection. Provide meaningful opportunities for individuals and communities to be involved in inventories, mapping, data analysis, and the development of alternatives.

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

70. Finding: Policies 2.9 through 2.11 concern how the City collects and makes available data that supports land use decisions. In this case, the project built on collective input gathered through the original Residential Infill Project, which was based on the 2008 Infill Development Toolkit, and the 2035 Comprehensive Plan background, including the Residential Policy Expert Group summation. This was supplemented by an opinion poll conducted at the project's inception and was intended to capture key community values and help prioritize residential infill issues. Over 7,000 responses were received. In addition, materials were compiled and reviewed with the Stakeholder Advisory Committee as a basis for concept development. This material was made available and posted online. Reactions to early draft proposals were collected through online and paper comment forms, emails, letters, and poster board exhibits. Community validated methodologies were also used to identify vulnerable communities and develop the Displacement Risk Analysis. Further collaborative refinement to the proposals occurred based on community testimony throughout the project duration. Council incorporates the findings for Comprehensive Plan Policy Goals 2A through 2G as additional demonstration of compliance with Policies 2.9 through 2.11.

Transparency and accountability

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 2.13. Project scope. Establish clear expectations about land use project sponsorship, purpose, design, and how decision makers will use the process results.

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

71. Finding: Policies 2.12 through 2.15 provide direction regarding roles, responsibilities, feedback opportunities, and documentation for participants and decision makers. Roles and responsibilities of participants and decision makers were identified in the RIP2 Community Engagement Plan, November 2021. The project scope was developed and solidified during the concept phase of the

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project. As described in the findings for Statewide Planning Goal 1 (Citizen Involvement), the legislative process was clearly outlined in notices, documents and on the project website as to how to testify to influence the Proposed Draft at the PSC, which amended the proposal. Then the Recommended Draft was published with the opportunity to testify at the City Council's public hearing.

Throughout this process, BPS staff contacted, met with, and coordinated with stakeholders to inform them how to engage in the decision-making process, how the process was structured, and additional opportunities to participate when such opportunities existed.

The RIP2 amendments were informed by a broad range of individuals and groups. See the RIP2 Community Engagement Log²³.

The public was provided meaningful opportunities to participate by expressing support as well as concerns and suggesting amendments in front of both the PSC and City Council. Public meetings were well advertised, open and accessible to the public and videotaped and broadcast to increase transparency of the decision-making process. The PSC considered testimony received and discussed, deliberated, and incorporated several amendments that were developed in direct response to this testimony at two public meeting work sessions. Council held an additional public hearing to consider the PSC's recommended draft and to hear additional public testimony.

Community involvement program

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

Policy 2.17. Community engagement manual. Create, maintain, and actively implement a community engagement manual that details how to conduct community involvement for planning and investment projects and decisions.

Policy 2.18. Best practices engagement methods. Utilize community engagement methods, tools, and technologies that are recognized as best practices.

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

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

Policy 2.21. Program evaluation. Periodically evaluate the effectiveness of the Community Involvement Program and recommend and advocate for program and policy improvements. The Community Involvement Committee (CIC) will advise City staff regarding this evaluation.

Policy 2.22. Shared engagement methods. Coordinate and share methods, tools, and technologies that lead to successful engagement practices with both government and community partners and solicit engagement methods from the community.

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

²³ RIP2 Community Engagement Log, March 2022

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72. Finding: The City Council interprets policies 2.16 through 2.23 to concern the City’s Community Involvement Program, including the Community Involvement Committee, and are not applicable because the RIP2 amendments do not change this program. Council finds that community members were afforded opportunities to be involved in and inform all phases of the planning process which meet the goals and purposes of the community involvement program.

Process design and evaluation

Policy 2.24. Representation. Facilitate participation of a cross-section of the full diversity of affected Portlanders during planning and investment processes. This diversity includes individuals, stakeholders, and communities represented by race, color, national origin, English proficiency, gender, age, disability, religion, sexual orientation, gender identity, and source of income.

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

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

Policy 2.27. Demographics. Identify the demographics of potentially affected communities when initiating a planning or investment project.

Policy 2.28. Historical understanding. To better understand concerns and conditions when initiating a project, research the history, culture, past plans, and other needs of the affected community, particularly under-represented and under-served groups, and persons with limited English proficiency (LEP). Review preliminary findings with members of the community who have institutional and historical knowledge.

Policy 2.29. Project-specific needs. Customize community involvement processes to meet the needs of those potentially affected by the planning or investment project. Use community involvement techniques that fit the scope, character, and potential impact of the planning or investment decision under consideration.

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

Policy 2.31. Innovative engagement methods. Develop and document innovative methods, tools, and technologies for community involvement processes for plan and investment projects.

Policy 2.32. Inclusive participation beyond Portland residents. Design public processes for planning and investment projects to engage affected and interested people who may not live in Portland such as property owners, employees, employers, and students, among others, as practicable.

Policy 2.33. Inclusive participation in Central City planning. Design public processes for the Central City that recognize its unique role as the region’s center. Engage a wide range of stakeholders from the Central City and throughout the region including employees, employers, social service providers, students, and visitors, as well as regional tourism, institutional, recreation, transportation, and local/regional government representatives, as appropriate.

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Policy 2.34. Accessibility. Ensure that community involvement processes for planning and investment projects are broadly accessible in terms of location, time, and language, and that they support the engagement of individuals with a variety of abilities and limitations on participation.

Policy 2.35. Participation monitoring. Evaluate and document participant demographics throughout planning and investment processes to assess whether participation reflects the demographics of affected communities. Adapt involvement practices and activities accordingly to increase effectiveness at reaching targeted audiences.

Policy 2.36. Adaptability. Adapt community involvement processes for planning and investment projects as appropriate to flexibly respond to changes in the scope and priority of the issues, needs, and other factors that may affect the process.

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

73. Finding: Policies 2.24 through 2.37 concern how the community involvement program is designed and developed to support planning and investment projects. The community involvement process conducted in support of the RIP2 amendments engaged a broad range of stakeholders, including but not limited to people who live in single dwelling zones and those involved in the development of housing. The project's Community Engagement Plan identified groups who have a stake in the future of middle housing and included equity considerations in identifying impacted populations, which guided the projects public outreach approach.

The amendments were also informed early in the process by engaging affected and interested people through project open houses and community events as well as roundtable discussions with development professionals, including affordable housing providers, designers, and developers and designers. The initial phases of project involved community members in identifying issues that needed to be addressed. The amendments were also informed by analysis of demographics and development trends in the R10 and R20 zones, but were also largely shaped and confined by state law.

Staff engaged with property owners through direct notification, replying to email and phone calls, and meeting with the business community, housing and tenant advocates, and representatives of the home building industry including architects, contractors, and consultants.

To support these notices, the BPS website had a project page with the available documents, a Map App page with a testimony function, and BPS staffed a dedicated help phone line.

Project staff worked with the BPS equity specialist to develop appropriately tailored engagement processes. Staff deployed an array of engagement methods, including a Map App (online interactive web-based map application) page with a testimony function; a dedicated help phone line; and several engagement formats including online open houses and smaller group consultations. Staff added a regular "e-update" mailing to interested parties which provided enhanced two-way communication between staff and the public to provide frequently requested information or responses, and timely updates. Additionally, BPS staff met with specific advocacy and interest groups, and district coalitions as resources allowed.

In accordance with city guidelines in response to the COVID-19 pandemic, all project public events hosted by the city were held virtually and accommodated people with disabilities.

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A number of people testified at both the PSC and City Council public hearings, which resulted in further amendments to the final regulations.

Information design and development

Policy 2.38. Accommodation. Ensure accommodations to let individuals with disabilities participate in administrative, quasi-judicial, and legislative land use decisions, consistent with federal regulations.

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.

74. Finding: Consistent with Policies 2.38 – 2.41 and BPS community involvement practices, meetings, open house events, and all public meetings, described in more detail in the findings for Statewide Goal 1, were held to accommodate people with disabilities, meetings were noticed, information on the plan was provided to meeting participants as well as online. On April 15, 2020, Governor Brown issued Executive Order No. 20-16 due to the COVID-19 pandemic requiring local governments to conduct public meetings by telephone, video, or other electronic means whenever possible. In order to move forward with city operations, the directive laid out instructions to conduct business virtually during this time. The City has conducted all public meetings virtually since the start of the pandemic. As part of staff’s on-going project communications, an email contact list was maintained with nearly 400 addresses. Emails were sent on a roughly monthly basis, or as updated information was available.

The City mailed the required Measure 56 notice on November 8, 2021 to all owners of property in the R10 and R20 zones as well as property owners R2.5-R7 zones that were proposed to be added to the ‘z’ Constrained Sites Overlay Zone properties (10,290 in total) when it published the Proposed Draft prior to the December 14 PSC hearing. The City also sent a legislative notice to interested parties, including neighborhood associations, business associations, and other affected jurisdictions, that have requested notice of proposed land use changes.

The City sent a legislative notice on April 6, 2022 to interested parties, and others that participated in the PSC hearings to inform them of the opportunity to testify at the April 21, 2022 City Council public hearing.

Chapter 3: Urban Form

GOAL 3.A: A city designed for people. Portland’s built environment is designed to serve the needs and aspirations of all Portlanders, promoting prosperity, health, equity, and resiliency. New development, redevelopment, and public investments reduce disparities and encourage social interaction to create a healthy connected city.

75. Finding: City Council interprets this goal as calling for a built environment that supports the ability of Portlanders to meet their needs, including but not limited to needs for housing, employment, commercial and community services, education, and access to recreation and open space – as a basis for how the City of Portland will guide the future of the built environment. This goal identifies a number of important outcomes that this goal is intended to promote, including prosperity (which the Comprehensive Plan defines as including the prosperity of both households and businesses), health, equity (which the Comprehensive Plan defines to be when everyone has access to the opportunities necessary to satisfy their essential needs, advance their well-being, and achieve their full potential), and resilience (which the Comprehensive Plan defines as the capability to anticipate, prepare for, respond to, and recover from significant multi-hazard threats with minimum damage to social well-being, the economy, and the environment). This goal also calls for the City to be involved in fostering development and public investments that reduce disparities, which the City Council interprets to mean reducing disparities among Portlanders and Portland communities in access to resources that are essential for achieving equity, such as household income and access to housing, quality education, and services. A desired outcome of this goal is therefore to create a healthy connected city in which Portlanders can meet their needs for housing, employment, services, transportation, social connections, and have access to recreation and nature.

The RIP2 amendments are consistent with this goal by building on the amendments established in RIP1 to reduce disparities in access to housing by further allowing a variety of housing types in all single-dwelling zones that are less expensive than similarly situated single-family houses and more affordable for a broader range of Portlanders. As of the RIP1 findings of 2018, the median home sale price exceeded \$475,000 (which was only affordable to households earning 130% to 160% of the median area income). This median price has since increased in 2022 to \$574,291. The RIP2 amendments allow for additional types of modest housing on single dwelling lots such as cottage clusters which have a smaller footprint and lower floor area, and by allowing a greater number of attached houses through a land division. In compliance with SB 458, a new expedited land division will allow for a segment of duplexes, triplexes, fourplexes and cottage clusters to divide the underlying land to create new, smaller lot ownership opportunities. These RIP2 amendments reduce disparities in access to housing and encourage social interaction by expanding the range of housing choices available to Portlanders both in terms of comparatively lower cost housing, but also in terms of building form and more accessible choices. The expanded visitability standards will help increase the number of units that will or are readily adaptable to meet the needs of our aging and disabled communities. While these zoning changes will not in themselves serve the needs of all Portlanders, they do effectively increase the diversity of housing potentially available to *more* Portlanders, and better serve this goal than the current zoning. The increased access to housing provided by the RIP2 amendments also contributes to the health, prosperity, and equity components of this goal, as housing is essential for households to remain healthy, access jobs, and for children to have stable access to education.

The RIP2 amendments further promote the social interactions component of this goal because the small-scale multi-unit housing development such as cottage clusters allowed by the RIP2 amendments fosters and promotes social interaction by providing common outdoor area accessible

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from the units. Allowing a broader range of housing options in existing neighborhoods will also strengthen social connections by allowing more Portlanders to afford to live in the neighborhoods where their social networks exist. Finally, the increase in the variety of ownership opportunities through the expedited land division process consistent with SB458 will provide opportunities for more households to create long-term and intergenerational wealth.

GOAL 3.B: A climate and hazard resilient urban form. Portland’s compact urban form, sustainable building development practices, green infrastructure, and active transportation system reduce carbon emissions, reduce natural hazard risks and impacts, and improve resilience to the effects of climate change.

76. Finding: City Council interprets this goal as identifying the reduction of carbon emissions, reduction of natural hazard risks, and resilience to the effects of climate change as a basis for how the City of Portland will guide the built environment. This goal is achieved when development contributes to a compact urban form – such as development focused around the Central City, centers and corridors; through sustainable development practices – such as energy-efficient development; through green infrastructure – such as stormwater planters and ecoroofs; and through active transportation – such as walking, bicycling, and transit. The RIP2 amendments are consistent with this goal in that they expand on the amendments in RIP1 to further promote infill development options in single-dwelling zones including greater densities for attached housing and allowing cottage clusters. However, RIP2 recognizes the limitations to development in areas zoned R10 and R20 by applying the constrained sites overlay to these zones to limit development in areas with environmental or infrastructure limitations. These areas also recognize the wildfire hazard that is more prevalent in the lower density zones of R10 and R20. Combined, the RIP2 amendments maintain the promotion of areas in close proximity to services and transportation, expand development options and recognize areas that may be prone to natural disasters such as landslide, flood and wildfire hazard areas to improve natural hazard resiliency.

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.

77. Finding: This goal reflects the 2035 Comprehensive Plan’s preferred growth scenario which calls for 30% of the growth in the Central City, with Centers and Corridors accommodating 50% of new housing units, while the single-family residential areas account for the remaining 20% of growth. The City Council interprets this goal to mean that implementing land use strategies should contribute to meeting these growth percentages, and that the relative stability of single-family areas is achieved by retaining these area’s low-rise scale and limiting development to buildings with small numbers of units.

Although the RIP2 amendments allow a greater variety of types of units on single-dwelling zone lots, the RIP1 housing allocation model showed a net reduction of units from R10 and R20 areas to R2.5, R5 and R7 area as capacity was created in closer in neighborhoods that were unable to absorb additional units prior to RIP1. So while additional capacity is now being created with RIP2 in the R10 and R20 zones, this was not a confining factor before. Therefore, the overall allocation of units in single dwelling zones is not anticipated to be significantly different than RIP1. Other lots that may be developed using existing RIP1 allowances for development such as triplexes or fourplexes may now choose similar densities with attached houses or middle housing land division, but will not have a greater number of allowed units than previously allocated. The number of units created through a cottage cluster can vary between 3 and 16, with the final number being determined by the size of

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the parcel, the footprint of the proposed units, plus area devoted to required open space and any proposed parking. As unit sizes increase toward the maximum allowed (1,400 sq ft on average), the effective density is roughly 1 unit per 1,500 sq ft. The increase in the variety of housing types allowed within the single-dwelling zones is consistent with and mandated by the state guidance provided in HB2001 and SB458. This plan, and other pending and recently approved zone changes will be incorporated in a future update to the City's BLI as part of its next periodic review, in accordance with ORS 197.040.

City Council interprets "relatively stable" to mean that in comparison to areas that will experience high amounts of growth and development/redevelopment, these areas will see significantly less development and that this development will consist of low density, small-scale residential buildings. The development that is allowed through the RIP2 amendments will have similar forms to those allowed through RIP1, with base zone and additional standards applying for cottage clusters. Added flexibility is provided for deeply affordable projects in terms of increased building coverage, in exchange for lower building height limits. However, there will be greater opportunities for some form of the middle housing development to be subdivided into ownership lots through a new expedited land division process. This will provide home ownership opportunities greater than currently allowed, but do not necessarily increase the density. In some areas that contain R20 and R10 zoning and are unconstrained through the 'z' overlay, the RIP2 project increases the housing density over what is allowed through RIP1. This change impacts approximately 20% of the total lots in these zones, and only about 2.5% of the total unconstrained lots in single dwelling zones, so it will not significantly change their character. The areas impacted by RIP2 will continue to remain relatively stable with an incremental addition of units and additional housing types into the neighborhoods. In contrast to the commercial/mixed use and multi-dwelling zones, which allow large buildings with 100 or more units, the RIP2 amendments – while allowing a broader range of housing types – continue to limit development in the single-dwelling zones.

While these changes do increase the variety of housing types allowed, they are also intended to achieve compliance with State House Bill 2001 and Senate Bill 458.

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.

78. Finding: City Council interprets this goal as identifying the intended role of the interconnected system of designated centers and corridors as central to the organization of Portland's urban form and transportation networks. The Centers and Corridors envisioned by the Urban Design chapter and framework continue to be supported by the RIP2 amendments. Based upon their development capacity, these areas will continue to serve as the focus for employment and higher density housing and a majority of the household growth, while the RIP2 amendments will further enhance the roles of adjacent single-family neighborhoods in contributing to growth around centers and corridors by virtue of allowing a broader range of smaller scale housing options. In addition, these housing types and additional households will benefit from their proximity to jobs, services, transportation options and other amenities that accompany the centers and corridors areas. More than half of the zoning within a half mile of designated centers is single-dwelling zoning. The RIP2 amendments to allow a broader range of housing types that are built at a similar scale as development already allowed in single-dwelling zones will thus be consistent with this goal by contributing to the diversity of housing options around centers, while allowing for more people to live close to centers and corridors and to be able to use and support services in these areas. The expansion of housing options in the R10 and

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R20 zones, while consistent with the provisions of HB 2001, is limited to those lots not constrained by environmental resources, infrastructure or wildfire risk. This change impacts a small subset of these lots and should not detract from the development of the centers and corridors²⁴.

GOAL 3.E: Connected public realm and open spaces. A network of parks, streets, City Greenways, and other public spaces supports community interaction; connects neighborhoods, districts, and destinations; and improves air, water, land quality, and environmental health.

79. Finding: The City of Portland currently includes a diverse network of parks, streets, City Greenways, and other public spaces that provide connections and support community interaction. Projects in the TSP and CSP will continue to improve upon this network as those project designs are undertaken. Generally Zoning Code requirements for land divisions in the single-dwelling zones include requirements for new streets, which provide opportunities for expanding the City's system of streets and connections. While the RIP2 amendments include a new expedited land division process that does not require street access in accordance with SB458, this exemption will only apply to middle housing developments that are allowed within single dwelling zones, so the visual and connectivity impact remains the same. In addition, new options for cottage clusters consistent with HB2001 will require pedestrian networks to connect the development and its open spaces with the adjacent public streets. The changes in RIP2 remain consistent with this goal.

GOAL 3.F: Employment districts. Portland supports job growth in a variety of employment districts to maintain a diverse economy.

80. Finding: This goal relates to employment districts, which the RIP2 amendments do not affect. This goal does not apply.

GOAL 3.G: Nature in the city. A system of habitat corridors weaves nature into the city, enhances habitat connectivity, and preserves natural resources and the ecosystem services they provide.

81. Finding: This goal relates to achieving a system of habitat corridors, which include protected open space such as Forest Park, habitat areas such as stream corridors, and swaths of tree canopy, the concept for which is shown in Comprehensive Plan Figure 3-6 (Urban Habitat Corridors). The City has an adopted Natural Resources Inventory (NRI) that provides a basis for establishing future habitat corridors and enhancing connectivity. The City's environmental overlay zone regulations are the implementing regulatory tools to preserve natural resources and their ecosystem services, particularly in relationship to habitat areas. The RIP2 amendments do not amend either the NRI or the existing environmental zone regulations. Habitat corridors also include tree canopy. The RIP2 amendments to allow cottage clusters with common open space or detached unit duplexes provide opportunities for preserving existing tree canopy as part of an open space area with units orienting to this open space.

Citywide design and development

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.

82. Finding: The UDF provides guidance on the built and natural form of Portland, providing in Comprehensive Plan Figure 3-1 a diagrammatic arrangement of centers, corridors, city greenways, urban habitat corridors, and pattern areas. The UDF figure text notes that detailed boundaries for

²⁴ RIP2 Comparison of tax lots in the 'z' overlay by base zone, BPS March 2022

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these items will be defined in supporting plans or future planning projects. The RIP2 amendments do not establish or change specific boundaries in the UDF. The UDF identifies centers and corridors where the majority of commercial and housing development is intended to be concentrated. The RIP2 amendments are consistent with the UDF and this policy because the amendments do not significantly affect the UDF concepts of growth focused in centers and corridors. In general, the RIP2 amendments do not significantly increase the number of units anticipated in most single dwelling zones, while increasing the flexibility for how those units may be sited, through amendments impacting attached houses, cottage clusters and middle housing land divisions. Units within the single dwelling zones will remain low-rise and small scale while maintaining adherence to changes in state law through HB2001 and SB458. The remaining policies in Chapter 3 provide additional direction on the desired characteristics and functions of the places identified in the UDF and are addressed below.

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

83. Finding: This policy reflects the Comprehensive Plan preferred growth scenario which calls for roughly 30% of the growth in the Central City, centers and corridors accommodating about 50% of new housing units, while the single-family residential areas account for the remaining 20% of growth. Although the RIP2 amendments allow a greater variety of housing types on single-dwelling zone lots, the amendments do not significantly increase the density on these lots, with the exception of the unconstrained lots in R10 and R20 which will now have the potential for more units. However, the unconstrained lots make up approximately 20% of the overall lots in R20 and R10 and only 2.5% of the total number of unconstrained single dwelling lots. So, the change should not shift growth further away from the centers and corridors.

City Council interprets “continuation of the scale and characteristics of Portland’s residential neighborhoods” to mean that in comparison to the centers and corridors that will experience high amounts of growth and development/redevelopment, single-dwelling zone residential areas should remain places with relatively small-scale development and retain characteristics of residential neighborhoods, such as green street edges created by front yards and gardens. The RIP2 amendments are consistent with this policy by limiting most development alternatives in the single-dwelling zones to small-scale buildings on relatively small lots that are unconstrained by environmental hazards, consistent with the low-rise development on residential lots that currently predominate in these residential zones. In contrast to the commercial/mixed use and multi-dwelling zones, which allow large buildings with 100 or more units, the RIP2 amendments allow a broader range of housing types, but still limit development in the single-dwelling zones to small buildings subject to the development standards for scale implemented through RIP1, with a small amendment to allow additional site design flexibility for affordable housing proposals while maintaining overall massing. New regulations to allow detached cottage cluster development consistent with HB2001 allows for smaller scale detached housing to be placed in existing neighborhoods while providing open spaces for residents, similar to the character of single-dwelling residential areas. Allowing a detached duplex only in situations where the existing house is preserved also maintains stability in the neighborhood characteristics.

Policy 3.3. Equitable development. Guide development, growth, and public facility investment to reduce disparities, ensure equitable access to opportunities, and produce positive outcomes for all Portlanders.

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84. Finding: “Guide” is defined in the Comprehensive Plan as to “shape or direct actions over time to achieve certain outcomes,” and that “this verb is used when the City has a role in shaping outcomes but implementation involves multiple other implementers and actions taking place over a long period of time.” City Council interprets this policy as calling for a range of approaches, related to both development and public facilities, to achieve more equitable development outcomes that reduce disparities and expand equitable access to opportunities. The RIP2 amendments are consistent with this policy by augmenting the RIP1 amendments allowing more types of housing in single-dwelling zones that are less expensive than single-family houses and more affordable for a broader range of Portlanders. As of the RIP1 findings of 2018, the median home sale price exceeded \$475,000 (which was only affordable to households earning 130% to 160% of the median area income). According to Zillow, this median price in Portland has since increased in 2022 to \$574,291. The RIP2 amendments allow for additional types of moderate housing on single dwelling lots such as cottage clusters which have a smaller footprint and lower floor area, and by allowing a greater number of attached houses through a land division. In compliance with SB 458, a new expedited land division will allow for a segment of triplexes and fourplexes to divide to create new smaller lot ownership opportunities. The RIP2 amendments are also consistent with this policy by reducing disparities in access to housing by expanding the visitability standards adopted in RIP1 to additional housing types such as the cottage clusters, removing some barriers to those with mobility limitations.

3.3.a. Anticipate, avoid, reduce, and mitigate negative public facility and development impacts, especially where those impacts inequitably burden communities of color, under-served and under-represented communities, and other vulnerable populations.

85. Finding: The Comprehensive Plan defines ‘public facility’ as “Any facility, including buildings, property, and capital assets, that is owned, leased, or otherwise operated, or funded by a governmental body or public entity. Examples of public facilities include sewage treatment and collection facilities, stormwater and flood management facilities, water supply and distribution facilities, streets, and other transportation assets, parks, and public buildings.” City Council interprets this policy as calling for the City to identify and mitigate potential impacts, including displacement risks, associated with major public facility improvements (such as the citing of a waste treatment facility, roadway interchange or other major capital asset, as well as local improvement districts where numbers of properties would be simultaneously affected both by assessments as well as physical changes to the condition of area infrastructure). While specific development may be required to improve the condition of infrastructure to support the proposed development, Council does not find that public facilities that are required in association with a specific site development (such as street frontage improvements or upsizing infrastructure to meet the demands of the specific development) will have negative impacts to surrounding properties or residents. RIP2 does not include or require new major public facilities.

The policy similarly calls for such identification and mitigation of potential impacts from changes to development allowances provided by the zoning code. While RIP2 provides opportunities for a greater variety of housing types in unconstrained single dwelling zones, it does not generally increase overall density of these areas with the exception of the unconstrained R20 and R10 lots. These make up approximately 2.5% of all unconstrained single dwelling lots. Development on these lots will provide opportunities for lower cost small scale housing available to a wider range of individuals. This should provide a net positive impact similar to the studies with RIP. The RIP1 household allocation model showed development shift from R10 and R20 areas to the R2.5 and R5 areas which should not be substantially different with the proposals in RIP2 as

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described elsewhere in these findings. Moreover, according to the existing conditions report, these areas tend to have significantly higher rates of homeownership as compared to the citywide average. Since development primarily displaces renters since they do not control when a site is redeveloped, the frequency of potential displacement is lower in R10 and R20 areas.

3.3.b. Make needed investments in areas that are deficient in public facilities to reduce disparities and increase equity. Accompany these investments with proactive measures to avoid displacement and increase affordable housing.

86. Finding: Major investments in deficient public facility areas are outlined in the list of Significant Projects in the CSP. The RIP2 amendments primarily affect Zoning Code regulations and do not include specific investments. Therefore, this policy is not applicable.

3.3.c. Encourage use of community benefit agreements to ensure equitable outcomes from development projects that benefit from public facility investments, increased development allowances, or public financial assistance. Consider community benefit agreements as a tool to mitigate displacement and housing affordability impacts.

87. Finding: “Encourage” is defined in the Comprehensive Plan as to “promote or foster using some combination of voluntary approaches, regulations, or incentives.” City Council finds that the use of community benefit agreements is more feasible in much larger scale developments, and not the scale of development anticipated by the RIP2 amendments. Community benefit agreements are outside the scope of this legislative zoning code project.

3.3.d. Incorporate requirements into the Zoning Code to provide public and community benefits as a condition of development projects to receive increased development allowances.

88. Finding: This policy calls for incorporating requirements for public and community benefits in conjunction with increases to development allowances. City Council interprets public and community benefits to include providing additional supply of housing, encouraging the retention of existing housing stock, encouraging the construction of affordable housing, and providing physically-accessible units. The RIP2 amendments are consistent with this policy by continuing the RIP1 provision linking additional building floor area to additional housing benefits, including affordable housing, and visitability standards.

3.3.e. When private property value is increased by public plans and investments, require development to address or mitigate displacement impacts and impacts on housing affordability, in ways that are related and roughly proportional to these impacts.

89. Finding: In general, the majority of RIP2 amendments do not significantly increase the allowed number of units on a site with an exception of the unconstrained lots in R20 and R10, which represent about 2.5% of total unconstrained single dwelling lots, and are often in areas of low services. The City has existing programs that address impact due to development, including charging a 1% affordable housing construction excise tax on new residential development and additions that are valued above \$100,000 including development within single-dwelling zones. This tax pays for affordable housing programs, including production and preservation of housing for people with incomes at or below 60% (MFI), incentives for inclusionary zoning, and State of Oregon homeownership programs.

3.3.f. Coordinate housing, economic development, and public facility plans and investments to create an integrated community development approach to restore communities impacted by past

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decisions.

90. Finding: City Council interprets an “integrated community development approach” as one that moves out of traditional policy silos and approaches community development related issues in a more holistic manner, with partners from multiple sectors working and investing together by using money from a mix of funding streams and to increase impact. The RIP2 amendments continue on the path established by RIP1 as part of the three-pronged Housing Opportunity Initiative that is designed to increase housing opportunity and address displacement across Portland. The Housing Opportunity initiative consists of the Better Housing by Design project which addresses housing choice and more attainable housing options for the multi-dwelling zones, the Residential Infill Project (RIP) which expands the permissible housing choices while ensuring compatible and appropriate scale development in single dwelling zones, and the Anti-Displacement Action Strategy which is a community-led long-term effort to evaluate and enact a variety of tools as appropriate to stabilize communities and stem involuntary displacement. The RIP2 amendments further expand the variety of additional housing types in predominantly single dwelling neighborhoods to provide a greater range of housing choices at different sizes and price points. This helps reduce disparities by creating redevelopment and investment alternatives other than one large house or remodeling an existing house into a more expensive house. These alternatives result in smaller individual units which, when holding location, time of sale, land and living area, and other amenities constant, are comparatively less expensive than larger units. The RIP2 amendments provide additional attainable housing types to a broader segment of the population, reducing the wide disparity of housing available between income strata, and can reduce the subsidy gap to bring affordable housing units online.

3.3.g. Encourage developers to engage directly with a broad range of impacted communities to identify potential impacts to private development projects, develop mitigation measures, and provide community benefits to address adverse impacts.

91. Finding: The verb “encourage”, which is defined in the 2035 Comprehensive Plan, means to promote or foster using some combination of voluntary approaches, regulations, or incentives. City Council determined as part of its legislative adoption process, the appropriate triggers for new Neighborhood Contact requirements which became effective on December 2, 2019. Council established that only certain projects that were more likely to result in potential impacts should be subject to these rules. Council found that land divisions of more than 4 lots, and building additions or new development over 10,000 square feet were appropriate triggers. The scale of development allowed by the RIP2 amendments is generally below the thresholds established by Council for neighborhood contact requirements, with the possible exception of a larger cottage cluster. Cottage clusters with new floor area over 10,000 square feet will need to satisfy the neighborhood contact process. The RIP2 amendments do not change the neighborhood contact process or thresholds.

Policy 3.4. All ages and abilities. Strive for a built environment that provides a safe, healthful, and attractive environment for people of all ages and abilities.

92. Finding: “Strive” is defined in the Comprehensive Plan as “devote serious effort or energy to; work to achieve over time.” The City Council interprets this policy to be focused on creating a supportive built environment for all people, children, the elderly and people with disabilities, and that this policy is especially relevant in the Zoning Code in relationship to requirements for outdoor spaces that support active living and ensuring that the built environment accommodates the needs of people of a variety of abilities, including those with mobility limitation. The RIP2 amendments are

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consistent with this policy by including requirements for outdoor area for individual units and requiring common areas for cottage clusters. The amendments also incorporate the RIP1 requirements for visitable dwelling units to the new housing types such as cottage clusters or those that trigger the visitability requirement for development under a middle housing land division. While not considered fully “accessible” visitability standards remove key economic obstacles to retrofitting homes for the purposes of providing accommodations for specific disabilities and offer benefits to people of all ages and abilities, for example parents with strollers, children with bicycles, or older adults with mobility impairments.

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

93. Findings: “Support” is defined in the Comprehensive Plan as “to aid the cause of.” The RIP2 amendments are consistent with this policy by expanding on the compact housing forms that provide energy efficiency benefits and by improving land resource conservation through regulations encouraging smaller-scale housing such as cottage clusters, allowing a greater density for attached housing and creating a pathway for middle housing structures such as triplexes and fourplexes to ownership opportunities through an expedited land division consistent with SB458. While many of the RIP2 provisions are available on unconstrained sites throughout the single-dwelling zones (i.e. those outside of the ‘z’ overlay), over 97% of the eligible lots are within the R7, R5 and R2.5 zones which are in areas of existing infrastructure capacity. This enables more households to live closer to transit, jobs, and centers of commerce, recreation and education. Expanding housing choice in an area with transportation options not only reduces energy consumption, it also can result in significant savings on home energy and transportation costs. Dwelling units that share walls such as attached housing and those that share amenities such as cottage clusters can use less energy per unit.

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.

94. Findings: The RIP2 amendments are consistent with this policy by augmenting the RIP1 incentives for infill development that allow for more efficient use of urban land, while limiting environmental impacts. In addition, provisions for cottage clusters allow multiple units to be arranged on a lot in ways that can protect existing natural features and tree canopy, while still gaining additional units. Increasing allowed density for attached housing allows for development of ownership units at a similar scale to the three- and fourplexes allowed through RIP. Limiting the infill opportunities within the R20 and R10 zones by not including areas with natural, environmental or wildfire constraints ensures that these areas keep their environmental quality.

Policy 3.7. Integrate nature. Integrate nature and use green infrastructure throughout Portland.

95. Findings: The RIP2 amendments are consistent with this policy because they work in conjunction with existing regulations affecting development in the single-dwelling zones to provide and expand opportunities for natural elements such as trees and green infrastructure, including by keeping limited building coverages and providing open spaces. The cottage cluster regulations require common open spaces which can be used to preserve natural features or strands of trees. These limitations and amendments also work in conjunction with Stormwater Management Manual requirements administered by the Bureau of Environmental Services to facilitate vegetated stormwater management facilities and other green infrastructure approaches

Policy 3.8. Leadership and innovation in design. Encourage high-performance design and development

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that demonstrates Portland’s leadership in the design of the built environment, commitment to a more equitable city, and ability to experiment and generate innovative design solutions.

96. Finding: The verb “encourage”, which is defined in the 2035 Comprehensive Plan, means to “promote or foster using some combination of voluntary approaches, regulations, or incentives.” City Council interprets this policy as calling for encouraging innovative design in the built environment that contributes to meeting the range of design-related policies in chapters 3 and 4 of the Comprehensive Plan, such as those related to supporting pedestrian-oriented places, response to context, integrating nature and green infrastructure, sustainable development, and more equitable places. RIP2 amendments are consistent with this policy by providing new flexibility for additional housing types and configurations, including options that contribute to equity by allowing for less expensive housing that is affordable to more Portlanders. Amendments are also supportive of this policy by providing additional design flexibility to respond to unique site and context issues by allowing cottage clusters as a development type through clear and objective standards, as an alternative to the review procedure type and costs associated with Planned Developments (PDs).

Policy 3.9. Growth and development. Evaluate the potential impacts of planning and investment decisions, significant new infrastructure, and significant new development on the physical characteristics of neighborhoods and their residents, particularly under-served and under-represented communities, with attention to displacement and affordability impacts. Identify and implement strategies to mitigate the anticipated impacts.

97. Finding: This policy calls for evaluation of impacts to the physical characteristics of neighborhoods and impacts to residents, especially underserved communities subject to displacement and affordability impacts. The RIP2 amendments are consistent with this policy by keeping the development standards reviewed through RIP, such as those related to development scale and building design, intact to integrate infill development with consideration of the characteristics of residential neighborhoods; and the potential impacts to affordability and displacement. RIP2 made slight modifications to the affordable 4 to 6-plex standards to increase design flexibility which can mitigate displacement. Additional development types, including cottage clusters, and middle housing land division, will provide a range of housing eligible to Portlanders of different economic resources. Limitations on building height and scale took into consideration the general characteristics of residential neighborhoods. In so doing, development that results from these changes is not considered significant.

Policy 3.10. Rural, urbanizable, and urban land. Preserve the rural character of rural land outside the Regional Urban Growth Boundary. Limit urban development of urbanizable land beyond the City Limits until it is annexed and full urban services are extended.

98. Finding: The RIP2 amendments provide for increased residential capacity within the City Limits, and do not apply to rural land outside the UGB. This policy does not apply.

Policy 3.11. Significant places. Enhance and celebrate significant places throughout Portland with symbolic features or iconic structures that reinforce local identity, histories, and cultures and contribute to way-finding throughout the city. Consider these especially at:

- High-visibility intersections
- Attractions
- Schools, libraries, parks, and other civic places
- Bridges
- Rivers

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- Viewpoints and view corridor locations
- Historically or culturally significant places
- Connections to volcanic buttes and other geologic and natural landscape features
- Neighborhood boundaries and transitions

99. Finding: City Council interprets this policy as applying to prominent specific places, features and iconic structures. The RIP2 amendments apply broadly in the single-dwelling zones and do not impact symbolic features or iconic structures. No changes to historic resource protections are made with these amendments, although the amendments remove the restriction on siting a manufactured home in a historic area. The recent changes made by the Historic Resource Code Project will ensure review of any development in these historic areas addresses historic criteria, but the outright prohibition removes the potential for an affordable housing type, even one designed for historic infill. The RIP2 amendments expand the variety of development types in these zones but do not impact other criteria within the zoning code that can address historic areas, natural resources and viewpoints.

Centers

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 3.16. Government services. Encourage the placement of services in centers, including schools and colleges, health services, community centers, daycare, parks and plazas, library services, and justice services.

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 3.19. Center connections. Connect centers to each other and to other key local and regional destinations, such as schools, parks, and employment areas, by frequent and convenient transit, bicycle sharing, bicycle routes, pedestrian trails and sidewalks, and electric vehicle charging stations.

Policy 3.20. Green infrastructure in centers. Integrate nature and green infrastructure into centers and enhance public views and connections to the surrounding natural features.

100. Finding: Policies 3.12 through 3.20 provide direction on the desired characteristics and functions of centers. City Council interprets most of these policies as applying to the commercial/mixed use and multi-dwelling zones within the mapped boundaries of centers. The exception to this is policy 3.14,

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which calls for providing housing capacity within a half-mile of center cores to provide population to support services in centers. Although the RIP2 amendments do not impact the bulk of the zoning within center boundaries, they are consistent with policy 3.14 by providing a greater variety of housing units that can be accommodated on properties in single-dwelling zones, while maintaining the increased density allocated through RIP. In addition, the amendments address the provisions within HB2001 and SB458 to incorporate cottage clusters, increase attached housing density and develop the expedited land division process for middle housing. While these, and the previous RIP1 amendments, have also been extended to the R20 and R10 zones, the allowances are only available in unconstrained areas identified as not having the 'z' overlay. This represents only 20% of the lots in the R20 and R10 zones and about 2.5% of the unconstrained single dwelling lot overall. Overall, the amendments are consistent with Policy 3.14 by keeping development in these areas small in scale ensuring that the majority of higher density residential development is within centers and corridors. In addition, the RIP2 amendments allowing cottage clusters include requirements for common open space that can accommodate green infrastructure such as tree groupings and habitat areas.

Central City

Policy 3.21. Role of the Central City. Encourage continued growth and investment in the Central City, and recognize its unique role as the region's premier center for jobs, services, and civic and cultural institutions that support the entire city and region.

Policy 3.22. Model Urban Center. Promote the Central City as a living laboratory that demonstrates how the design and function of a dense urban center can concurrently provide equitable benefits to human health, the natural environment, and the local economy.

Policy 3.23. Central City employment. Encourage the growth of the Central City's regional share of employment and continue its growth as the region's unique center for innovation and exchange through commerce, employment, arts, culture, entertainment, tourism, education, and government.

Policy 3.24. Central City housing. Encourage the growth of the Central City as Portland's and the region's largest center with the highest concentrations of housing and with a diversity of housing options and services.

Policy 3.25. Transportation hub. Enhance the Central City as the region's multimodal transportation hub and optimize regional access as well as the movement of people and goods among key destinations.

Policy 3.26. Public places. Promote public places and the Willamette River waterfront in the Central City as places of business and social activity and gathering for the people of its districts and the broader region.

101. Finding: Policies 3.21 through 3.26 provide direction on the desired characteristics and functions of the Central City. In general, RIP2 does not impact zones in the Central City. These policies are not applicable.

Gateway Regional Center

Policy 3.27 Role of Gateway. Encourage growth and investment in Gateway to enhance its role as East Portland's center of employment, commercial, and public services.

Policy 3.28 Housing. Encourage housing in Gateway, to create East Portland's largest concentration of high-density housing.

Policy 3.29 Transportation. Enhance Gateway's role as a regional high-capacity transit hub that serves as an anchor for East Portland's multimodal transportation system.

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Policy 3.30 Public places. Enhance the public realm and public places in Gateway to provide a vibrant and attractive setting for business and social activity that serves East Portland residents and the region.

102. Finding: Policies 3.27 through 3.30 provide direction on the desired characteristics and functions of the Gateway Regional Center. The RIP2 amendments do not change the regional center boundary on the Urban Design Framework. There is one 11.33 acre R5 zoned parcel in the Gateway Regional Center. It is the site of Floyd Light Middle School owned by David Douglas School District. There are no plans to develop the site with non-school uses in the near term. If future residential development occurred, the RIP2 amendments would allow a greater variety of housing types on the site..

Town Centers

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

Policy 3.33 Transportation. Improve Town Centers as multimodal transportation hubs that optimize access from the broad area of the city they serve and are linked to the region's high-capacity transit system.

Policy 3.34 Public places. Provide parks or public squares within or near Town Centers to support their roles as places of focused business and social activity.

103. Finding: Policies 3.31 through 3.34 provide direction on the desired characteristics and functions of the Town Centers. The RIP2 amendments do not change the boundaries of the designated Town Centers. City Council interprets most of these policies as applying to the commercial/mixed use and multi-dwelling zones within the mapped boundaries of Town Centers. The exception to this is policy 3.32, which calls for providing housing capacity for 7,000 households within a half-mile of town centers. While primarily located outside center boundaries, single-dwelling zones are located within a half-mile of most Town Centers. The RIP2 amendments are consistent with policy 3.32 by further increasing the variety of housing types beyond RIP, that can be accommodated on properties in single-dwelling zones, including areas close to Town Centers. This includes increased allowances for attached houses and cottage clusters. Also, there are small numbers of single-dwelling zoned parcels within Town Center boundaries throughout the city. For these parcels, the RIP2 amendments are also consistent with Policy 3.32 because they augment RIP1 by allowing a greater variety of housing types allowed on each property.

Neighborhood Centers

Policy 3.35 Role of Neighborhood Centers. Enhance Neighborhood Centers as successful places that serve the needs of surrounding neighborhoods. In Neighborhood Centers, provide for higher concentrations of development, employment, commercial and community services, and a wider range of housing options than the surrounding neighborhoods.

Policy 3.36 Housing. Provide for a wide range of housing types in Neighborhood Centers, which are intended to generally be larger in scale than the surrounding residential areas, but smaller than Town Centers. There should be sufficient zoning capacity within a half-mile walking distance of a Neighborhood Center to accommodate 3,500 households.

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Policy 3.37 Transportation. Design Neighborhood Centers as multimodal transportation hubs that are served by frequent-service transit and optimize pedestrian and bicycle access from adjacent neighborhoods.

Policy 3.38 Public places. Provide small parks or plazas within or near Neighborhood Centers to support their roles as places of local activity and gathering.

104. Finding: Policies 3.35 through 3.38 provide direction on the desired characteristics and functions of Neighborhood Centers. The RIP2 amendments do not change any designated Neighborhood Center boundaries. City Council interprets most of these policies as applying to the commercial/mixed use and multi-dwelling zones within the mapped boundaries of Neighborhood Centers. The exception to this is policy 3.36, which calls for providing housing capacity for 3,500 households within a half-mile of Neighborhood Centers. While primarily located outside center boundaries, single-dwelling zones are located within a half-mile of most Neighborhood Centers. The RIP2 amendments are consistent with policy 3.36 by further increasing the variety of housing types that can be accommodated on properties in single-dwelling zones, including areas close to Neighborhood Centers. This includes increased allowances for attached houses and cottage clusters. Also, there are small numbers of single-dwelling zoned parcels within Neighborhood Center boundaries. For these parcels, the RIP2 amendments are also consistent with Policy 3.36 because they augment RIP1 by allowing a greater variety of housing types allowed on each property.

Inner Ring Districts

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 3.42 Diverse residential areas. Provide a diversity of housing opportunities in the Inner Ring Districts' residential areas. Encourage approaches that preserve or are compatible with existing historic properties in these areas. Acknowledge that these areas are historic assets and should retain their established characteristics and development patterns, even as Inner Ring centers and corridors grow. Apply base zones in a manner that takes historic character and adopted design guidelines into account.

Policy 3.43 Active transportation. Enhance the role of the Inner Ring Districts' extensive transit, bicycle, and pedestrian networks in conjunction with land uses that optimize the ability for more people to utilize this network. Improve the safety of pedestrian and bike connections to the Central City. Strengthen transit connections between the Inner Ring Districts and to the Central City.

105. Finding: Policies 3.39 through 3.43 provide direction on the desired characteristics and functions of the Inner Ring Districts. Policies 3.39 and 3.42 call for expanding the range and diversity of housing opportunities in the Inner Ring Districts, which include areas of single-dwelling zoning between the districts' corridors. The RIP2 amendments are consistent with these policies by augmenting the RIP1 amendments to further allow a variety of housing types in these districts including attached houses at an increased density, cottage clusters and middle housing ownership

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opportunities through the expedited land division process consistent with SB458. The amendments also include incentives to retain existing houses by allowing for a detached duplex configuration if the existing house is preserved. Consistent with Policy 3.41, which calls for maintaining and enhancing the distinct identities of the Inner Ring Districts, RIP2 amendments reinforce the established characteristics in the single dwelling zones in these areas through retaining the pattern on residential lots of primary and accessory building forms, setbacks, heights, building coverage and open area, while slightly amending the standards to allow more affordable housing flexibility. RIP2 amendments are intended to work with recently approved historic resource code provisions to provide alignment with the historic preservation components of policies 3.41 and 3.42 through historic review of new development. The RIP2 amendments are consistent with Policy 3.43, which calls for allowing for more people to be able to use the area's extensive active transportation networks, by providing pedestrian standards for development such as cottage clusters to access the public network.

Corridors

Policy 3.44. Growth and mobility. Coordinate transportation and land use strategies along corridors to accommodate growth and mobility needs for people of all ages and abilities.

Policy 3.45. Connections. Improve corridors as multimodal connections providing transit, pedestrian, bicycle, and motor vehicle access and that serve the freight needs of centers and neighborhood business districts.

Policy 3.46. Design. Encourage street design that balances the important transportation functions of corridors with their roles as the setting for commercial activity and residential living.

Policy 3.47. Green infrastructure in corridors. Enhance corridors with distinctive green infrastructure, including landscaped stormwater facilities, extensive tree plantings, and other landscaping that both provide environmental function and contribute to a quality pedestrian environment.

106. Finding: Policies 3.44 through 3.47 provide direction on the desired characteristics and functions of corridors as well as street design and future land use changes. These policies are implemented by the Bureau of Transportation through the Transportation System Plan and street design guidelines, as well as by higher-density mixed-use and multi-dwelling zoning along the corridors mapped on the UDF. The RIP2 amendments do not affect the implementation of these policies.

Civic Corridors

Policy 3.48. Integrated land use and mobility. Enhance Civic Corridors as distinctive places that are models of ecological urban design, with transit-supportive densities of housing and employment, prominent street trees and other green features, and high-quality transit service and pedestrian and bicycle facilities.

Policy 3.49. Design great places. Improve public streets and sidewalks along Civic Corridors to support the vitality of business districts, create distinctive places, provide a safe, healthy, and attractive pedestrian environment, and contribute to quality living environments for residents.

Policy 3.50. Mobility corridors. Improve Civic Corridors as key mobility corridors of citywide importance that accommodate all modes of transportation within their right-of-way or on nearby parallel routes.

Policy 3.51. Freight. Maintain freight mobility and access on Civic Corridors that are also Major or Priority Truck Streets.

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107. Finding: Policies 3.48 through 3.51 provide direction on the desired characteristics and functions of Civic Corridors as well as street design and future land use changes. These policies are implemented by the Bureau of Transportation through the Transportation System Plan and street design guidelines, as well as by higher-density mixed-use, employment, and multi-dwelling zoning along the corridors mapped on the UDF. The RIP2 amendments do not affect the implementation of these policies.

Neighborhood Corridors

Policy 3.52. Neighborhood Corridors. Enhance Neighborhood Corridors as important places that support vibrant neighborhood business districts with quality multi-family housing, while providing transportation connections that link neighborhoods.

108. Finding: This policy provides direction on the desired characteristics and functions of Neighborhood Corridors as well as street design and future land use changes. This policy is primarily implemented by the Bureau of Transportation through the Transportation System Plan and by higher-density mixed-use and multi-dwelling zoning along the corridors mapped on the UDF. The RIP2 amendments do not affect these implementation tools. However, the amendments are consistent with this policy by increasing opportunities for housing variety along Neighborhood Corridors.

Transit Station Areas

Policy 3.53. Transit-oriented development. Encourage transit-oriented development and transit-supportive concentrations of housing and jobs, and multimodal connections at and adjacent to high-capacity transit stations.

Policy 3.54. Community connections. Integrate transit stations into surrounding communities and enhance pedestrian and bicycle facilities (including bike sharing) to provide safe and accessible connections to key destinations beyond the station area.

Policy 3.55. Transit station area safety. Design transit areas to improve pedestrian, bicycle, and personal safety.

Policy 3.56. Center stations. Encourage transit stations in centers to provide high density concentrations of housing and commercial uses that maximize the ability of residents to live close to both high-quality transit and commercial services.

Policy 3.57. Employment stations. Encourage concentrations of jobs and employment-focused land uses in and around stations in employment-zoned areas.

Policy 3.58. Transit neighborhood stations. Encourage concentrations of mixed-income residential development and supportive commercial services close to transit neighborhood stations. Transit neighborhood stations serve mixed-use areas that are not in major centers.

Policy 3.59. Destination stations. Enhance connections between major destinations and transit facilities and strengthen the role of these station areas as places of focused activity.

109. Finding: Policies 3.53 through 3.59 provide direction on the desired characteristics and functions of transit station areas. These policies are implemented by higher-density mixed-use, employment, and multi-dwelling zoning in designated transit station areas, as well as through transportation improvements providing connections to transit stations. The RIP2 amendments do not affect the implementation of these policies. However, the RIP2 amendments are supportive of

these policies by allowing for more housing variety on single-dwelling zone properties, which includes land located near most transit stations.

City Greenways

Policy 3.60. Connections. Create a network of distinctive and attractive City Greenways that link centers, parks, schools, rivers, natural areas, and other key community destinations.

Policy 3.61. Integrated system. Create an integrated City Greenways system that includes regional trails through natural areas and along Portland's rivers, connected to neighborhood greenways, and heritage parkways.

Policy 3.62. Multiple benefits. Design City Greenways that provide multiple benefits that contribute to Portland's pedestrian, bicycle, green infrastructure, and parks and open space systems.

Policy 3.63. Design. Use design options such as distinctive street design, motor vehicle diversion, landscaping, tree plantings, scenic views, and other appropriate design options, to create City Greenways that extend the experience of open spaces and nature into neighborhoods, while improving stormwater management and calming traffic.

110. Finding: Policies 3.60 through 3.63 primarily relate to the design and construction of improvements for City Greenways within rights-of-way and not to the development requirements for lots that abut them, which is what will be regulated by the RIP2 Zoning Code amendments. The RIP2 amendments do not impact the implementation of these policies.

Urban habitat corridors

Policy 3.64. Urban habitat corridors. Establish a system of connected, well-functioning, and diverse habitat corridors that link habitats in Portland and the region, facilitate safe fish and wildlife access and movement through and between habitat areas, enhance the quality and connectivity of existing habitat corridors, and establish new habitat corridors in developed areas.

Policy 3.65. Habitat connection tools. Improve habitat corridors using a mix of tools including natural resource protection, property acquisition, natural resource restoration, tree planting and landscaping with native plants, and ecological design integrated with new development.

Policy 3.66. Connect habitat corridors. Ensure that planned connections between habitat corridors, greenways, and trails are located and designed to support the functions of each element, and create positive interrelationships between the elements, while also protecting habitat functions, fish, and wildlife.

111. Finding: Policies 3.64 through 3.66 provide direction on the desired characteristics and functions of urban habitat corridors. These policies call for achieving a system of habitat corridors, which include protected open space such as Forest Park, habitat areas such as stream corridors, and swaths of tree canopy, the concept for which is shown in Comprehensive Plan Figure 3-6 (Urban Habitat Corridors). The City has an adopted Natural Resources Inventory (NRI) that provides a basis for establishing future habitat corridors and enhancing connectivity. The City's environmental overlay zone regulations are the implementing regulatory tools to preserve natural resources and their ecosystem services, particularly in relationship habitat areas. The RIP2 amendments do not amend either the NRI or the existing environmental zone regulations. Habitat corridors also include tree canopy. The RIP2 amendments do not change Title 11 tree preservation and tree density requirements that apply in development situations. However, the RIP2 amendments are consistent with the policy by allowing development types such as cottage

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clusters which allow for creating common open areas without requiring a uniform layout of lots. This provides opportunities to preserve trees or room for new tree planting.

Employment areas

Policy 3.67. Employment area geographies. Consider the land development and transportation needs of Portland’s employment geographies when creating and amending land use plans and making infrastructure investments.

112. Finding: Comprehensive Plan Figure 3-7 identifies four employment area geographies – Central City, industrial/employment, commercial, and institutional. The RIP2 amendments do not affect these geographies and do not introduce any new single-dwelling zoning to these employment areas.

Policy 3.68. Regional Truck Corridors. Enhance designated streets to accommodate forecast freight growth and support intensified industrial use in nearby freight districts. *See Figure 3-7 — Employment Areas.* Designated regional truckways and priority truck streets (Transportation System Plan classifications are shown to illustrate this network).

113. Finding: Regional truckways and priority truck streets are major freight routes, such as the interstate highways. The City Council interprets this policy to acknowledge the role that regional truck corridors play in our transportation system and to take steps to improve those functions. Portland’s approach to regional truck corridors is unchanged because the RIP2 amendments do not amend the Citywide System Plan or the Transportation System Plan, which implement this policy.

Rivers Pattern Area

Policy 3.69. Historic and multi-cultural significance. Recognize, restore, and protect the historic and multi-cultural significance of the Willamette and Columbia Rivers, including current activities such as subsistence fishing of legally-permitted fish species.

114. Finding: The verb “recognize” is defined in the 2035 Comprehensive Plan as to acknowledge and treat as valid. The City Council interprets this policy to acknowledge the multi-cultural significance that the rivers play in our community and to take steps to improve those functions. The RIP2 amendments do not amend existing regulatory protections for the Willamette River Greenway, and except for two small areas on either side of Oregon Slough near Jantzen Beach, there are no single dwelling zones adjacent to the Columbia River. In those areas, the ‘z’ overlay zone is applied, limiting the additional housing types. Therefore, the amendments continue to recognize, restore, and protect the historic and multi-cultural significance of the Willamette and Columbia Rivers.

Policy 3.70. River transportation. Recognize and enhance the roles of the Willamette and Columbia rivers as part of Portland’s historic, current, and future transportation infrastructure, including for freight, commerce, commuting, and other public and private transportation functions.

115. Finding: The verb “recognize” is defined in the 2035 Comprehensive Plan as to acknowledge and treat as valid. The City Council interprets the verb “enhance”, which is not defined in the 2035 Comprehensive Plan, to mean to intensify or improve. The City Council interprets this policy to acknowledge the role that the rivers play in our transportation system and to take steps to improve those functions. The RIP2 amendments do not allow for new incompatible land uses,

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therefore, these changes will continue to provide the same opportunities for public and private transportation functions on the Willamette and Columbia rivers.

Policy 3.71. Recreation. Improve conditions along and within the Willamette and Columbia rivers to accommodate a diverse mix of recreational users and activities. Designate and invest in strategically-located sites along the length of Portland’s riverfronts for passive or active recreation activities that are compatible with nearby land uses, historically and culturally important sites, significant habitat areas, restoration sites, and native fish and wildlife usage.

116. Finding: There are some areas of single dwelling zoned parcels that have frontage on the Willamette and Columbia Rivers. These parcels either also have the ‘z’ overlay designation, or are having the designation added. This limits the types of additional housing allowed to what is presently permissible. These amendments do not change any plans for recreation sites on the Willamette and Columbia rivers, therefore this policy does not apply.

Policy 3.72 Industry and port facilities. Enhance the regionally significant economic infrastructure that includes Oregon’s largest seaport and largest airport, unique multimodal freight, rail, and harbor access; the region’s critical energy hub; and proximity to anchor manufacturing and distribution facilities.

117. Finding: There are no RIP2 zoned parcels in industrial areas or adjacent to port facilities, therefore this policy does not apply.

Policy 3.73. Habitat. Enhance the roles of the Willamette and Columbia rivers and their confluence as an ecological hub that provides locally and regionally significant habitat for fish and wildlife and habitat restoration opportunities.

Policy 3.74. Commercial activities. Enhance the roles of the Willamette and Columbia rivers in supporting local and regional business and commerce, including commercial fishing, tourism, recreation, and leisure.

Policy 3.75. River neighborhoods. Enhance the strong river orientation of residential areas that are located along the Willamette and Columbia Rivers.

Policy 3.76. River access. Enhance and complete Portland’s system of river access points and riverside trails, including the Willamette Greenway Trail, and strengthen active transportation connections between neighborhoods and the rivers.

Policy 3.77. River management and coordination. Coordinate with federal, state, regional, special districts, and other agencies to address issues of mutual interest and concern, including economic development, recreation, water transportation, flood and floodplain management and protection, regulatory compliance, permitting, emergency management, endangered species recovery, climate change preparation, Portland Harbor Superfund, brownfield cleanup, and habitat restoration.

Policy 3.78 Columbia River. Enhance the role of the Columbia River for river dependent industry, fish and wildlife habitat, subsistence and commercial fisheries, floating- and land-based neighborhoods, recreational uses, and water transportation.

Policy 3.79 Willamette River North Reach. Enhance the role of the Willamette River North Reach for river dependent industry, fish and wildlife habitat, and as an amenity for riverfront neighborhoods and recreational users.

Policy 3.80. Willamette River Central Reach. Enhance the role of the Willamette River Central Reach as the Central City and region’s primary riverfront destination for recreation, history and culture, emergency response, water transportation, and as habitat for fish and wildlife.

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Policy 3.81 Willamette River South Reach. Enhance the role of the Willamette River South Reach as fish and wildlife habitat, a place to recreate, and as an amenity for riverfront neighborhoods and others.

Policy 3.82. Willamette River Greenway. Maintain multi-objective plans and regulations to guide development, infrastructure investments, and natural resource protection and enhancement within and along the Willamette Greenway.

118. Finding: Policies 3.73 through 3.82 provide direction on the desired characteristics and functions of the Rivers Pattern Area, which includes areas along the Willamette and Columbia Rivers. The RIP2 zones are largely located outside areas along the Willamette and Columbia Rivers, with a few exceptions. In those areas, the 'z' overlay has been applied to these lots which limits the extent of changes proposed by the RIP2 amendments. In addition, impacts along the rivers are addressed through the Greenway or Environmental overlay zones.

Central City Pattern Area

Policy 3.83. Central City districts. Enhance the distinct identities of the Central City's districts.

Policy 3.84. Central City river orientation. Enhance and strengthen access and orientation to the Willamette River in the Central City and increase river-focused activities.

Policy 3.85. Central City pedestrian system. Maintain and expand the Central City's highly interconnected pedestrian system.

Policy 3.86. Central City bicycle system. Expand and improve the Central City's bicycle system.

119. Finding: There are no RIP2 zones in the Central City. These policies are not applicable.

Inner Neighborhoods Pattern Area

Policy 3.87 Inner Neighborhoods main streets. Maintain and enhance the Streetcar Era pattern of street-oriented buildings along Civic and Neighborhood corridors.

Policy 3.88 Inner Neighborhoods street patterns. Preserve the area's urban fabric of compact blocks and its highly interconnected grid of streets.

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.

Policy 3.90 Inner Neighborhoods active transportation. Use the extensive street, sidewalk, and bikeway system and multiple connections to the Central City as a key part of Portland's active transportation system

Policy 3.91 Inner Neighborhoods residential areas. Continue the patterns of small, connected blocks, regular lot patterns, and streets lined by planting strips and street trees in Inner Neighborhood residential areas.

120. Finding: Policies 3.87 through 3.91 provide direction on the desired characteristics and functions of the Inner Neighborhoods Pattern Area. The RIP2 amendments support these policies by expanding housing variety in areas that were subject to the RIP1 amendments, while including development standards that reflect the established patterns in the Inner Neighborhood Pattern Area. While most of the above policies are applicable to street layout and design, the RIP2 amendments are consistent with policy 3.89 by creating more options for infill development to occur and fill gaps in the urban fabric in a manner that is compatible in scale with existing residential lot and block patterns. The amendments allow for the placement of smaller scale

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detached units within a cottage cluster, and allow the creation of a detached second “duplex” unit if the existing house is preserved. Compliance with HB2001 requirements for “townhouses” (attached houses per Title 33) means that smaller size and width lots will be allowed to be created. However, street connectivity criteria continue to apply in these cases so that when street connections can be made, there is an opportunity to do so. SB458 allows middle housing development on a “parent” parcel to be divided into separate middle housing lots. Due to the small infill nature of duplexes, triplexes and fourplexes, the creation of lot lines will have no marked visual effect on the development form or parent parcel pattern. Right of way dedication as needed to meet street design standards occurs with development, and street trees are required as part of new development or alterations with a value over \$25,000. On larger scale project with more than 6 units, street improvements are required that meet the street design standards including planter strips and street trees.

Eastern Neighborhoods Pattern Area

Policy 3.92 Eastern Neighborhoods street, block, and lot pattern. Guide the evolving street and block system in the Eastern Neighborhoods in ways that build on positive aspects of the area’s large blocks, such as opportunities to continue mid-block open space patterns and create new connections through blocks that make it easier to access community destinations.

- A. **North-South Transit.** Support development of, access to, and service enhancement for North-South transit.
- B. **Alleyways.** Promote and guide the implementation of alley improvements that result in alleys that are safe, well maintained, and an asset for the community.

Policy 3.93 Eastern Neighborhoods site development. Require that land be aggregated into larger sites before land divisions and other redevelopment occurs. Require site plans which advance design and street connectivity goals.

Policy 3.94 Eastern Neighborhoods trees and natural features. Encourage development and right-of-way design that preserves and incorporates Douglas fir trees and groves, and that protects the area’s streams, forests, wetlands, steep slopes, and buttes.

Policy 3.95 Eastern Neighborhoods buttes. Enhance public views of the area’s skyline of buttes and stands of tall Douglas fir trees.

Policy 3.96 Eastern Neighborhoods corridor landscaping. Encourage landscaped building setbacks along residential corridors on major streets.

Policy 3.97 Eastern Neighborhoods active transportation. Enhance access to centers, employment areas, and other community destinations in Eastern Neighborhoods by ensuring that corridors have safe and accessible pedestrian and bicycle facilities and creating additional secondary connections that provide low-stress pedestrian and bicycle access.

121. Finding: Policies 3.92 through 3.97 provide direction on the desired characteristics and functions of the Eastern Neighborhoods Pattern Area. There are significant areas of single dwelling zoned land in the eastern pattern area. In general RIP2 is consistent with these policies while balancing the requirements of HB2001 and SB458 to allow cottage clusters and expedited land divisions without requiring extending street access. The RIP2 amendments provide opportunities for increased density in developing attached houses through standard land division processes which do follow city policy for street connectivity and access. Provisions for cottage clusters include requirements for common open areas which can create additional landscaped areas and tree preservation and for a pedestrian network that connects to the public street network that leads to

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area centers. Development proposed through the RIP2 amendments will continue to meet PBOT requirements for street improvements or payment into the Local Transportation Improvement Charge (LTIC), and System Development Charges (SDCs) generated by new dwelling units will fund city infrastructure in the area

Western Neighborhoods Pattern Area

Policy 3.98 Western Neighborhoods village character. Enhance the village character of the Western Neighborhoods' small commercial districts and increase opportunities for more people to live within walking distance of these neighborhood anchors.

- A. **Prioritize new sidewalk connections.** Prioritize adding sidewalks where there are none over expanding/ widening existing connections.
- B. **North-South transit.** Support development of, access to, and service enhancement for North-South transit.

Policy 3.99 Western Neighborhoods active transportation. Provide safe and accessible pedestrian and bicycle connections, as well as off-street trail connections, to and from residential neighborhoods.

Policy 3.100 Western Neighborhoods development. Encourage new development and infrastructure to be designed to minimize impacts on the area's streams, ravines, and forested slopes.

Policy 3.101 Western Neighborhoods habitat corridors. Preserve, enhance, and connect the area's network of habitat areas and corridors, streams, parks, and tree canopy.

Policy 3.102 Western Neighborhoods trails. Develop pedestrian-oriented connections and enhance the Western Neighborhoods' distinctive system of trails to increase safety, expand mobility, access to nature, and active living opportunities in the area.

- 1. **TDM strategies.** Explore and emphasize Transportation Demand Management strategies and tools, that function in spite of unique topographic conditions of the West Hills, to provide effective options for commuters while reducing carbon emissions, improving neighborhood livability and cycling safety, and protecting important natural resources.
- 2. **Forest Park natural resources.** Protect the ecological quality and function of natural Forest Park's natural resources in the design and development of transportation projects in or near the park and avoid, minimize, then mitigate adverse impacts to wildlife, habitat, and riparian corridors.
- 3. **Focus for active transportation.** Primarily focus sidewalk and bicycle route improvements in (and in close proximity to) the designated Centers and Corridors of the Comp Plan.
- 4. **Filling gaps in connections.** Fill gaps in important access connections, including exploring traditional ROW acquisition and partnerships with other City bureaus.
- 5. **Accessible routes.** Improve accessibility/create parallel routes in some cases (for motor vehicles, bicycles and pedestrians, and/or both). Explore what existing facilities and connections most merit upgrades or secondary accessible routes.

122. Finding: Policies 3.98 through 3.102 provide direction on the desired characteristics and functions of the Western Neighborhoods Pattern Area. Single-dwelling zones represent the majority of parcels in the Western Neighborhoods Pattern Area, and include the largest area of R10 and R20 zones impacted by the expansion of development options into these zones. However, a small minority of approximately 20% of these lots overall have been found to be unconstrained lots

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(outside of the 'z' overlay), so that most lots in R20 and R10 will be limited to 1 or 2 units, to help maintain the neighborhoods natural areas and limit those at risk of wildfire. In areas eligible for the increased variety of development, provisions achieve consistency with these policies while balancing the requirements of HB2001 and SB458 to allow cottage clusters and expedited land divisions. Provisions for cottage clusters include requirements for common open areas which can create additional landscaped areas and tree preservation, and for a pedestrian network that connects to the public street network that leads to neighborhood centers.

Development proposed through the RIP2 amendments will continue to meet PBOT requirements for street improvements or payment into the Local Transportation Improvement Charge (LTIC), and System Development Charges (SDCs) generated by new dwelling units will fund city infrastructure in the area. The LTIC is collected by PBOT and used to construct a system of improvements on unimproved and under-improved local streets. The LTIC ensures that instead of piecemeal and incomplete active transportation improvements occurring on a lot by lot basis, funds are collected and applied more efficiently and effectively to complete these networks in alignment with the LTIC allocation criteria, including filling critical gaps in the City's transportation infrastructure. Approved changes to the LTIC ordinance expanded the types of housing within single dwelling zones that are eligible to pay this charge so that triplexes, fourplexes, 6 unit cottage clusters and up to 6 plexes may now qualify. For cottage clusters with more than 6 units, street improvements will be required. Therefore, the RIP2 amendments continue to enhance access by helping to fund and construct safe and accessible pedestrian and bicycle connections to residential neighborhoods

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.

123. Finding: The Design and Development chapter focuses on the specifics of the built environment. City Council interprets this goal as calling for the design of new development to consider and respond to the context where the development is taking place. This context includes physical characteristics, as well as the history and culture of places. Zoning and development standards are only one of many ingredients that define a neighborhood’s context. In addition to the architecture of its homes and the people who inhabit them, the context of a neighborhood also concerns the spaces in between – the natural environment, open space, plants, access to sunlight, and more. Street layout, topography, existing vegetation and mix of residential, commercial and open space also have a strong influence. In addition, a neighborhood’s historical narrative, such as influences from major infrastructure or institutional investments or changing socio-economic compositions, also define the distinct attributes of different neighborhoods. City Council interprets response to context to not be about replicating what exists, but for development and the regulations that shape this development to be informed by context. The RIP2 amendments are consistent with this goal in that development standards, such as those related to development scale and building design, are maintained from the RIP1 amendments which were created with consideration of the characteristics of Portland’s residential neighborhoods. Additional limitations on building height and scale are integrated into the new development options such as cottage clusters and detached duplexes. The amendments do not create standards that lock in time the existing scale of residential neighborhoods. Instead, they are reflective of current zoning allowances in single dwelling zones and continue to limit development to a low-rise scale of no more than two- to three-stories that – compared to larger scale allowed in the multi-dwelling and mixed use zones – keeps development scale closer to the scale of residential neighborhoods where houses and other small-scale housing predominates. FAR limits are extended into the R10 and R20 zones in cases where the lots may be smaller, to ensure development is smaller in scale.

Goal 4.B: Historic and cultural resources. Historic and cultural resources are integral parts of an urban environment that continue to evolve and are preserved.

124. Finding: City Council interprets this goal as recognizing that Portland’s built environment will and should continue to change over time, but that it is important that historic and cultural resources be preserved as part of this changing environment. City Council interprets “historic and cultural resources” to refer to “historic resources” as defined in the Comprehensive Plan, which indicates that these are designated historic resources that include “historic landmarks, conservation landmarks, historic districts, conservation districts, and structures or objects that are identified as contributing to the historic significance of a district, including resources that are listed in the National Register of Historic Places.” RIP2 does not change the regulations that apply to historic resources as those regulations were recently amended through the Historic Resource Code Amendment project. The RIP2 amendments are intended to work with the new regulations where applicable.

Goal 4.C: Human and environmental health. Neighborhoods and development are efficiently designed and built to enhance human and environmental health: they protect safety and livability; support local access to healthy food; limit negative impacts on water, hydrology, and air quality; reduce carbon

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emissions; encourage active and sustainable design; protect wildlife; address urban heat islands; and integrate nature and the built environment.

125. Finding: City Council interprets this goal as calling for the protection and enhancement of human and environmental health as objectives that should guide City actions related to the built environment. City Council interprets development that is “efficiently designed” as designed to be resource- and cost-efficient. RIP2 amendments are consistent with this goal because they build on the RIP1 amendments for more compact development, to include greater density and flexibility for attached houses, allow multiple smaller detached units on a single lot and create an expedited land division process for middle housing. Smaller units are often less resource intensive. [In](#)

onsite stormwater facilities. [Studies](#) indicate that smaller, attached units are associated with significantly greater energy efficiency than detached houses RIP amendments allowing three and four units on previously restricted lots allows for greater efficiency, while other amendments reduce building scale and required parking, which allows for more of the site to remain permeable and landscaped. This in turn provides positive returns on hydrology, air quality, shade and habitat, and reduces urban heat island impacts

Goal 4.D: Urban resilience. Buildings, streets, and open spaces are designed to ensure long-term resilience and to adjust to changing demographics, climate, and economy, and withstand and recover from natural disasters.

126. Finding: “Resilience” is defined in the Comprehensive Plan as the “capability to anticipate, prepare for, respond to, and recover from significant multi-hazard threats with minimum damage to social well-being, the economy, and the environment.” Plans and proposals are consistent with this goal when they contribute to this resilience and are responsive to changing demographics. The RIP2 amendments are consistent with this goal as they build on RIP1 amendments to facilitate a variety of additional housing types, which support resiliency to hazards, as newer buildings are designed to better withstand earthquakes and other natural disasters. The expanded ‘z’ overlay restricts additional units from being in landslide or flood prone areas, including the 1996 flood inundation area which reflects the increased flood risk from climate change, thereby improving climate and natural hazard resiliency, and considers the impacts of wildfire hazards in less built up areas such as the R10 and R20 zones. The added options also are responsive to demographic and income changes providing new ownership and living situations in the single dwelling zones.

Context

Policy 4.1. Pattern areas. Encourage building and site designs that respect the unique built, natural, historic, and cultural characteristics of Portland’s five pattern areas described in Chapter 3: Urban Form.

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.

127. Finding: Policies 4.1 through 4.3 provide direction on how the context of where development occurs should be considered in City implementation approaches. The RIP2 amendments are consistent with these policies as they expand on the range of approaches that guide development within single-dwelling zoned neighborhoods. These include more options for attached housing and middle housing land divisions, and providing opportunities for development of smaller units in cottage clusters in situations where land divisions may be less feasible. Provisions in the cottage

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cluster standards allow flexibility in the provision of common open areas which can allow development to preserve and incorporate site features such as trees or natural features into the development. These features can be prevalent in the Western and Eastern pattern areas. The cottage cluster standards include flexibility for the preservation of an existing house on site, to maintain street character. In addition, the amendments allow for development of a detached duplex as long as the existing house is preserved, which helps to maintain existing built and community patterns. These new development types are integrated into the recently approved RIP1 amendments which set up new standards addressing scale of development.

Policy 4.4. Natural features and green infrastructure. Integrate natural and green infrastructure such as trees, green spaces, ecoroofs, gardens, green walls, and vegetated stormwater management systems, into the urban environment. Encourage stormwater facilities that are designed to be a functional and attractive element of public spaces, especially in centers and corridors.

128. Finding: This policy calls for including natural elements, such as trees, and green infrastructure, such as ecoroofs and vegetated stormwater facilities, as part of the urban environment – both as part of development projects and within public spaces, such as streets. The RIP2 amendments are consistent with this policy because they work in conjunction with existing regulations affecting development in the single-dwelling zones to provide and expand opportunities for natural elements such as trees, and green infrastructure. The RIP2 amendments help achieve this by incorporating new development options into the existing single-dwelling regulations from RIP1 that include limits to building coverage and floor area. In addition, new development types, such as cottage clusters, include regulations for common open area as part of the development which can include existing tree canopy and landscaping. City Council included changes that would allow deeply affordable projects (those that provide half of the units as regulated affordable units) to have greater building coverage which in turn reduces that amount of land area available for natural features and green infrastructure. However, Council heard no compelling evidence about the cumulative impact on citywide tree canopy. To the extent there was testimony about impacts on tree canopy, that impact was weighed against policies 5.3 Housing Potential, 5.4 Housing Types, 5.10 Coordinate with Fair Housing Programs, 5.26 Regulated affordable housing target, and 5.36 Impact of regulations on affordability. Council finds that the slight potential impact to green space and green infrastructure was outweighed by the need to further attainment of these other housing policies.

Expansion of the constrained sites 'z' overlay, and inclusion of wildfire hazard risks to constrained sites in the R10 and R20 zones ensures that more intense development not occur in areas with natural resources or hazards. These limitations and amendments also work in conjunction with Stormwater Management Manual²⁶ requirements administered by the Bureau of Environmental Services to facilitate vegetated stormwater management facilities and other green infrastructure approaches.

Policy 4.5. Pedestrian-oriented design. Enhance the pedestrian experience throughout Portland through public and private development that creates accessible, safe, and attractive places for all those who walk and/or use wheelchairs or other mobility devices.

129. Finding: City Council interprets “enhance” in the context of this policy as calling for new development and public infrastructure to contribute to improving the environment experienced by people using pedestrian facilities. The RIP2 amendments are consistent with this policy by

²⁶ Portland Policy Document, ENB-4.01, BES July 2019

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including standards for cottage clusters to provide walkways that connect features on the site and connect to the street. Although single dwelling development is not required to provide accessibility features, RIP2 extends the RIP1 provisions to require visitable, physically-accessible housing units as part of the development of the additional development types such as cottage clusters when there are three or more units, which will expand housing options for people with mobility limitations and help create communities where people with a range of abilities can live and get around.

Policy 4.6. Street orientation. Promote building and site designs that enhance the pedestrian experience with windows, entrances, pathways, and other features that provide connections to the street environment.

130. Finding: The Comprehensive Plan defines “promote” as “further the progress of, advance, or raise.” The RIP2 amendments are consistent with this policy by incorporating existing regulations to orient and connect buildings to the street into the new development types, including cottage clusters and middle housing land division projects. These existing provisions include reduced on-site parking requirements limits to driveways and garages to improve the pedestrian relationship between the buildings and the public realm of streets, and design-related standards for street-facing façades and main entrance standards that enhance connections to the street environment.

Policy 4.7. Development and public spaces. Guide development to help create high-quality public places and street environments while considering the role of adjacent development in framing, shaping, and activating the public space of streets and urban parks.

131. Finding: “Guide” is defined in the Comprehensive Plan as “shape or direct actions over time to achieve certain outcomes. This verb is used when the City has a role in shaping outcomes but implementation involves multiple other implementers and actions taking place over a long period of time.” City Council interprets this policy to mean that there will be a number of approaches to implementing this policy, which include Zoning Code regulations that affect private development adjacent to public spaces, but also street and park improvements. The RIP2 amendments are consistent with this policy by incorporating existing regulations that improve the relationship between buildings and the public space of streets with the new development types. These include provisions that orient the buildings and entrances to the street and create a pedestrian network for cottage cluster developments that connect the buildings to common areas and to the street.

Policy 4.8. Alleys. Encourage the continued use of alleys for parking access, while preserving pedestrian access. Expand the number of alley-facing accessory dwelling units.

132. Finding: The Comprehensive Plan defines “encourage” as “promote or foster using some combination of voluntary approaches, regulations, or incentives.” The RIP2 amendments do not change the current regulations related to alleys and development but are consistent with recent changes made through RIP1 that encourage use of alleys.

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.

133. Finding: The Council interprets this policy as relating to temporary commercial activities and public gathering places, rather than residential uses that are the focus of the single-dwelling zones. The RIP2 amendments do not change temporary uses and activities already contemplated and allowed in the zoning code (33.296 Temporary Activities). This policy is therefore not applicable.

Health and safety

Policy 4.10. Design for active living. Encourage development and building and site design that promotes a healthy level of physical activity in daily life.

Policy 4.11. Access to light and air. Provide for public access to light and air by managing and shaping the height and mass of buildings while accommodating urban-scale development.

Policy 4.12. Privacy and solar access. Encourage building and site designs that consider privacy and solar access for residents and neighbors while accommodating urban-scale development.

Policy 4.13. Crime-preventive design. Encourage building, site, and public infrastructure design approaches that help prevent crime.

Policy 4.14. Fire prevention and safety. Encourage building and site design that improves fire prevention, safety, and reduces seismic risks.

134. Finding: Policies 4.10 through 4.14 provide direction regarding the promotion of health and safety in development. The RIP2 amendments are consistent with these measures by incorporating new development types into the existing regulations that support these policies such as building coverage, floor area ratios, height limits and setbacks. In addition, allowing cottage clusters supports many of these policies by creating a mechanism to allow a group of smaller detached units with separation for light and air and common open spaces in view of units, while still requiring units close to the street to provide windows and entrance doors to access the street. In addition, the constrained sites 'z' overlay is expanded into the R10 and R20 zones and includes areas under wildfire risk to limit the potential loss of buildings due to wildfire.

Residential areas

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

135. Finding: City Council interprets the residential areas policies (policies 4.15 through 4.19) as applying to the lower-density residential zones located outside centers, including the single-dwelling zones that are affected by the RIP2 amendments. Council interprets "compatible" to mean two things that are able to exist or occur together without conflict. For the purposes of this policy, Council does not interpret "compatible" to only require Council to consider the existing built environment but rather the policy also requires Council consider whether the new housing types are compatible, or can exist without conflict, with the pattern of development that is currently allowed. Policy 4.15 calls for a variety of housing choices in these residential areas that accommodate a range of household types and abilities, while keeping to a scale that is compatible with the general scale and patterns of the residential areas.

The urban environment is composed of several 'building blocks' that together give the city's districts and neighborhoods their shape and built character. These include block structure and street patterns, street design, lot patterns and building placement, building forms and landscaping, vegetation and natural features. Council finds that the general scale and pattern of residential areas for the purposes of these amendments is established by the zoning development standards that determine the built environment in each of the single dwelling zones. Since the additional housing types that are allowed through RIP2 will be generally within the scale and

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follow the pattern of development that is currently allowed, this diversity of housing is compatible and will not conflict with these residential areas. In addition, new development standards that limit the size and height of units within cottage cluster development ensure that these developments do not overwhelm surrounding areas. All of the housing types included in RIP2 expand housing choice within single-dwelling zones, including new ownership options created through the middle housing expedited land division process.

These added housing types can also be incorporated into sites with existing development such as when a second detached duplex is added on the site of a house, or a cottage cluster is built that incorporates existing structures. This provides greater flexibility for preservation of existing units while allowing the sites to grow and adapt to changing demographics and income levels.

Finally, the RIP2 amendments are also consistent with this policy by incorporating the RIP1 visitability standards into new development types that result in 3 or more units on a site. This will help increase the number of units that will or are readily adaptable to meet the needs of our aging and disabled communities.

Policy 4.16. Scale and patterns. Encourage design and development that complements the general scale, character, and natural landscape features of neighborhoods. Consider building forms, scale, street frontage relationships, setbacks, open space patterns, and landscaping. Allow for a range of architectural styles and expression.

136. Finding: The Comprehensive Plan defines “encourage” as “promote or foster using some combination of voluntary approaches, regulations, or incentives.” The RIP2 amendments are consistent with this policy by incorporating the new development options into the existing and recent RIP1 regulations that shape development to fit within the scale and follow the pattern of development that is currently allowed so that the new housing minimizes conflict with these residential areas. Some flexibility has been added in RIP2 for affordable plexes while maintaining massing limits. New development standards that limit the size and height of units within cottage cluster developments ensure that these developments do not overwhelm surrounding areas. In addition, the regulations for cottage clusters include common open space requirements oriented to the development while also requiring the units close to the street to meet street frontage standards for windows and entrances. The expansion of the constrained sites ‘z’ overlay to R10 and R20 zoned areas, and the addition of the wildfire hazard to the overlay within these zones reduces the potential density within these zones to further protect the natural landscape of these areas.

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.

137. Finding: The Comprehensive Plan defines “encourage” to mean “promote or foster using some combination of voluntary approaches, regulations or incentives.” The RIP2 amendments include regulations that provide alternatives to demolition with regulatory incentives to retain existing houses. These include being able to incorporate existing houses into cottage cluster developments without subjecting them to the floor area limitations and allowing a second “detached duplex” unit on a lot that preserves the existing house. The new middle housing expedited land division provides opportunities for previously constructed townhouses and cottage clusters to achieve fee-simple unit ownership without redeveloping the site.

Policy 4.18. Compact single-family options. Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

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138. Finding: The RIP2 amendments are consistent with this policy by creating additional options for development within single-dwelling zoned lots. This includes allowing the by-right development of multiple detached houses through the cottage cluster regulations while limiting the footprint and floor area of new homes within these developments. The provisions also expand the ability to build a second “detached duplex” unit, while preserving the existing house. The new regulations expand the regulations for attached houses to provide an opportunity for greater density and a variety of size ranges for these units. Finally, the new middle housing expedited land division allows for new ownership opportunities for dwelling units by creating a new form of lot division.

Policy 4.19. Resource efficient and healthy residential design and development. Support resource efficient and healthy residential design and development.

139. Finding: RIP2 amendments are consistent with this goal because they expand on the amendments in RIP1 to allow for more compact development in single-dwelling zones, including greater densities for attached housing and allowing cottage clusters, while continuing to regulate building size and scale to reduce energy demand. Including provisions for common open space within the cottage clusters can both allow for preservation of natural features and provide active areas for the social engagement of residents. Incorporating these new development types into the existing regulatory structure ensures that buildings are designed to be accessible to the street and nearby public amenities.

Design and development of centers and corridors

Policy 4.20. Walkable scale. Focus services and higher-density housing in the core of centers to support a critical mass of demand for commercial services and more walkable access for customers.

Policy 4.21. Street environment. Encourage development in centers and corridors to include amenities that create a pedestrian-oriented environment and provide places for people to sit, spend time, and gather.

Policy 4.22. Relationship between building height and street size. Encourage development in centers and corridors that is responsive to street space width, thus allowing taller buildings on wider streets.

Policy 4.23. Design for pedestrian and bicycle access. Provide accessible sidewalks, high-quality bicycle access, and frequent street connections and crossings in centers and corridors.

Policy 4.24. Drive-through facilities. Prohibit drive through facilities in the Central City, and limit new development of new ones in the Inner Ring Districts and centers to support a pedestrian-oriented environment.

Policy 4.25. Residential uses on busy streets. Improve the livability of places and streets with high motor vehicle volumes. Encourage landscaped front setbacks, street trees, and other design approaches to buffer residents from street traffic.

Policy 4.26. Active gathering places. Locate public squares, plazas, and other gathering places in centers and corridors to provide places for community activity and social connections. Encourage location of businesses, services, and arts adjacent to these spaces that relate to and promote the use of the space.

Policy 4.27. Protect defining features. Protect and enhance defining places and features of centers and corridors, including landmarks, natural features, and historic and cultural resources.

Policy 4.28. Historic buildings in centers and corridors. Protect and encourage the restoration and improvement of historic resources in centers and corridors.

Policy 4.29. Public art. Encourage new development and public places to include design elements and

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public art that contribute to the distinct identities of centers and corridors, and that highlight the history and diverse cultures of neighborhoods.

140. Finding: Policies 4.20 through 4.29 provide direction on design and development in centers and along corridors. City Council interprets these policies as applying to the higher-density commercial/mixed use, multi-dwelling, and employment zones within the mapped boundaries of centers and along designated civic and neighborhood corridors, and as not applying to single-dwelling zones. Comprehensive Plan text accompanying these policies indicates that “centers and corridors are places where large numbers of people live, work, and visit.” This describes the higher-density mixed-use, multi-dwelling, and employment zones in centers and corridors that are the focus of these policies. The Comprehensive Plan defines “high-density housing” as referring to “housing that is mid- to high-rise in building scale,” and furthermore defines “mid-rise” as a building between five and seven stories in height. The RIP2 amendments therefore do not affect the higher-density zones in centers. The RIP2 amendments limit multi-unit development in the single-dwelling zones primarily to houses and middle housing types, which City Council interprets as not constituting high-density housing.

Transitions

Policy 4.30. Scale transitions. Create transitions in building scale in locations where higher-density and higher-intensity development is adjacent to smaller-scale single-dwelling zoning. Ensure that new high-density and large-scale infill development adjacent to single dwelling zones incorporates design elements that soften transitions in scale and limit light and privacy impacts on adjacent residents.

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.

Policy 4.32. Industrial edge. Protect non-industrially zoned parcels from the adverse impacts of facilities and uses on industrially zoned parcels using a variety of tools, including but not limited to vegetation, physical separation, land acquisition, and insulation to establish buffers between industrial sanctuaries and adjacent residential or mixed-use areas to protect both the viability of long-term industrial operations and the livability of adjacent areas.

141. Finding: Policies 4.30 through 4.32 provide direction regarding transitions between different types of land uses and development scales. These policies are implemented by regulations in the higher-density mixed-use, multi-dwelling, employment, and institutional zones that require transitions in building height, landscaped buffers, and limitations in activities adjacent to single-dwelling zoning. Policy 4.30 speaks specifically to additional requirements in the higher density zones when those zones abut single-dwelling zoning. Since the RIP2 amendments do not change the higher density zoning development standards, this policy is not applicable. Land use transitions (in Policies 4.31 and 4.32) are supported by existing requirements in the single-dwelling zones for perimeter setbacks that can be landscaped to improve the buffering from non-residential zones. Transitions between non-residential and residential uses is also aided by building code requirements for sound attenuation for new development and substantial alterations that add units to existing development. These requirements are unchanged by RIP2, therefore these policies are met.

Off-site impacts

Policy 4.33. Off-site impacts. Limit and mitigate public health impacts, such as odor, noise, glare, light pollution, air pollutants, and vibration that public facilities, land uses, or development may have on adjacent residential or institutional uses, and on significant fish and wildlife habitat areas. Pay attention

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to limiting and mitigating impacts to under-served and under-represented communities.

Policy 4.34. Auto-oriented facilities, uses, and exterior displays. Minimize the adverse impacts of highways, auto-oriented uses, vehicle areas, drive-through areas, signage, and exterior display and storage areas on adjacent residential uses.

Policy 4.35. Noise impacts. Encourage building and landscape design and land use patterns that limit and/or mitigate negative noise impacts to building users and residents, particularly in areas near freeways, regional truckways, major city traffic streets, and other sources of noise.

Policy 4.36. Air quality impacts. Encourage building and landscape design and land use patterns that limit and/or mitigate negative air quality impacts to building users and residents, particularly in areas near freeways, regional truckways, high traffic streets, and other sources of air pollution.

Policy 4.37. Diesel emissions. Encourage best practices to reduce diesel emissions and related impacts when considering land use and public facilities that will increase truck or train traffic.

Policy 4.38. Light pollution. Encourage lighting design and practices that reduce the negative impacts of light pollution, including sky glow, glare, energy waste, impacts to public health and safety, disruption of ecosystems, and hazards to wildlife.

Policy 4.39. Airport noise. Partner with the Port of Portland to require compatible land use designations and development within the noise-affected area of Portland International Airport, while providing disclosure of the level of aircraft noise and mitigating the potential impact of noise within the affected area.

Policy 4.40. Telecommunication facility impacts. Mitigate the visual impact of telecommunications and broadcast facilities near residentially zoned areas through physical design solutions.

142. Finding: Policies 4.33 through 4.40 generally address industrial and commercial uses that can negatively affect adjacent residential uses and areas. The City Council interprets these policies to apply to non-residential uses, such as those allowed in commercial and employment zones, that can have negative public health impacts on adjacent residential uses. These policies are implemented through the requirements of Zoning Code Chapter 33.262, which is designed to protect uses from off-site impacts associated with nonresidential uses and by requirements for the higher intensity base zones in Chapters 33.130, 33.140 and 33.150 that require landscaped setbacks and screening adjacent to residential zones. For the single dwelling zones, current base zone development standards help address impacts from non-residential areas and street traffic through existing setback requirements and Title 11 tree density standards. Building code requirements include sound attenuation standards to limit noise impacts to residents within dwellings. Existing regulations in the Portland International Airport Noise Impact Zone (33.470) are unchanged, and areas with high noise impacts (68 and higher DNL) where new residential uses are prohibited are unaffected by the housing type allowances in the RIP2 amendments.

Scenic resources

Policy 4.41. 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 4.42. Scenic resource protection. Protect and manage designated significant scenic resources by maintaining scenic resource inventories, protection plans, regulations, and other tools.

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Policy 4.43. Vegetation management. Maintain regulations and other tools for managing vegetation in a manner that preserves or enhances designated significant scenic resources.

Policy 4.44. Building placement, height, and massing. Maintain regulations and other tools related to building placement, height, and massing to preserve designated significant scenic resources.

Policy 4.45. 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.

143. Finding: Policies 4.41 through 4.45 provide direction regarding Portland’s designated scenic resources. The RIP2 amendments do not affect management of designated scenic resources. View corridors are protected through the establishment of specified height limits that supersede base zone height limits. Scenic corridors are protected through the establishment of setbacks (20’ in single-dwelling zones) that supersede the base zone front or street side setback in addition to other development standards that apply in addition to the base zone regulations. In addition, the constrained sites ‘z’ overlay limits is often applied in areas with scenic or natural resources and further limits development options. Since the RIP2 amendments do not change the scenic standards, and they continue to supersede base zone standards in cases of conflict, scenic resource protection is unaffected.

Historic and cultural resources

Policy 4.46. Historic and cultural resource protection. Protect and encourage the restoration of historic buildings, places, and districts that contribute to the distinctive character and history of Portland’s evolving urban environment.

144. Finding: This policy calls for protecting and encouraging the restoration of historic resources that contribute to the “distinctive character and history of Portland’s evolving urban environment.”

“Protect” is defined in the Comprehensive Plan as “to defend or guard against loss, injury, or destructions,” which can be accomplished through a variety of regulatory and non-regulatory approaches. City Council interprets “historic and cultural resources” to refer to “historic resources” as defined in the Comprehensive Plan, which indicates that these are designated historic resources that include “historic landmarks, conservation landmarks, historic districts, conservation districts, and structures or objects that are identified as contributing to the historic significance of a district, including resources that are listed in the National Register of Historic Places.” RIP2 does not change the regulations that apply to historic resources as those regulations were recently amended through the Historic Resource Code Amendment project. The RIP2 amendments are intended to work with the new regulations where applicable. RIP2 does provide opportunities for new development to be integrated on a site with existing development, potentially by adding a ‘detached duplex’ on a site with an existing house, or incorporating an existing house into a cottage cluster. However, these proposals would be subject to the Historic Resource overlay and its approval criteria.

Policy 4.47. State and federal historic resource support. Advocate for state and federal policies, programs, and legislation that would enable stronger historic resource designations, protections, and rehabilitation programs.

145. Finding: The RIP2 amendments do not include state or federal policy advocacy. This policy does not apply.

Policy 4.48. Continuity with established patterns. Encourage development that fills in vacant and

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underutilized gaps within the established urban fabric, while preserving and complementing historic resources.

146. Finding: City Council interprets Policy 4.48 to consist of two parts that work together: 1) encouraging development that fills in vacant and underutilized gaps in the established urban fabric and 2) preserving and complementing historic resources. Regarding the first part, City Council finds that meeting this policy requires allowing new development within the existing built environment. This includes new development that is adjacent to individual historic resources and on non-contributing sites in Historic and Conservation Districts. Regarding the second part, City Council finds that Policy 4.48 requires the protection of historic resources and provisions for requiring new development to complement those resources. Historic resources are complemented when the relationship between the characteristics of additions, alterations, and new development improves the ability to preserve, rehabilitate, reuse, or understand the existing historic resource.

City Council interprets this policy to be implemented by the development review processes and provisions described in the findings for Policy 4.46. RIP2 is consistent with this interpretation by providing opportunities for additional infill, both on vacant sites, and on underutilized sites that may have a historic resource, potentially by adding a ‘detached unit duplex’ on a site with an existing house, or incorporating an existing house into a cottage cluster. However, these proposals would be subject to the Historic Resource overlay, which addresses compatibility. RIP2 removes a provision that would have required a 10-year delay to build more than a duplex on a site where a designated historic resource had been demolished without receiving demolition review. This solely affected Conservation resources and contributing resources in Conservation Districts. This provision was removed for two reasons. First, HB2001 and OAR 660-046 stipulate that middle housing cannot be limited in Goal 5 historic resource areas, and that regulations not add unreasonable cost or delay in the creation of middle housing. Second, the Historic Resources Code Project (HRCP) amended the protections afforded to conservation resources so that they now require demolition review (whereas previously only a 120-day delay was required). RIP2 does not change the remaining regulations that apply to historic resources. The RIP2 amendments are intended to work with the HRCP regulations where applicable.

Policy 4.49. Resolution of conflicts. Adopt and periodically update design guidelines for unique historic districts. Refine base zoning in historic districts to consider the character of the historic resources in the district.

147. Finding: The first part of Policy 4.49 provides direction on adopting and updating design guidelines for historic districts, which are not part of the scope of the RIP2 project. The City creates and updates such guidelines through projects with a specific focus on historic district guidelines. The RIP2 amendments are also not rezoning any areas within historic districts. The additional development types allowed through RIP2 are intended to work within the existing single-dwelling base zone and the historic regulations recently approved. The RIP2 amendments do not affect the current historic resource review procedures that consider the character of the historic district during specific proposals to alter the resource.

Policy 4.50. Demolition. Protect historic resources from demolition. Provide opportunities for public comment and encourage pursuit of alternatives to demolition or other actions that mitigate for the loss.

148. Finding: “Protect” is defined in the Comprehensive Plan as “to defend or guard against loss, injury, or destructions,” which can be accomplished through a variety of regulatory and non-regulatory approaches. Historic resources include Historic Landmarks and districts, Conservation Landmarks

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and districts, contributing structures within those districts, and structures identified in the city's historic resource inventory. Contributing structures in Historic and Conservation Districts, Historic and Conservation Landmarks and historic resources with protective covenants are protected through a demolition review process (33.445). Other resources are subject to 120-day delay to allow time for consideration of alternatives to demolition, such as restoration, relocation, or architectural salvage. The RIP2 amendments include opportunities to incorporate existing houses into a development, by adding a 'detached duplex' on a site with an existing house, or incorporating an existing house into a cottage cluster. In conjunction with the recently adopted Historic Resource Code Amendment project, RIP2 is consistent with this policy.

Policy 4.51. City-owned historic resources. Maintain City-owned historic resources with necessary upkeep and repair.

149. Finding: The RIP2 amendments do not affect the maintenance of any City-owned historic resources.

Policy 4.52. Historic Resources Inventory. Maintain and periodically update Portland's Historic Resources Inventory to inform historic and cultural resource preservation strategies.

150. Finding: The historic resources inventory is not being updated through this process. This policy is not applicable.

Policy 4.53. Preservation equity. Expand historic preservation 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 historic places and their roles in enhancing community identity and sense of place.

151. Finding: Policies 4.53, 4.54 and 4.55 address implementation approaches related to expanding historic preservation efforts involving diverse communities and areas. These were the focus of the Historic Resources Code Amendment Project as well as other City efforts. The RIP2 amendments are intended to work with the recently approved projects and do not further impact these policies.

Policy 4.56. Community structures. Encourage the adaptive reuse of historic community structures, such as former schools, meeting halls, and places of worship, for arts, cultural, and community uses that continue their role as anchors for community and culture.

152. Finding: The RIP2 amendments do not propose any changes to current historic resource protections, historic preservation incentives (33.445) or non-conforming use regulations (33.258). Historic community structures, such as places of worship, exist in single-dwelling zones. The recently adopted Historic Resources Code Project addressed these issues, and RIP2 does not apply.

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

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153. Finding: The RIP2 amendments are consistent with this policy by providing for a wider variety of housing types and more options to add units to a site through the ‘detached duplex’ and cottage cluster provisions. Existing historic recourse protections and reviews ensure subsequent changes will be consistent with the historic and cultural context.

Policy 4.58. Archaeological resources. Protect and preserve archaeological resources, especially those sites and objects associated with Native American cultures. Work in partnership with Sovereign tribes, Native American communities, and the state to protect against disturbance to Native American archaeological resources.

154. Finding: The RIP2 amendments do not affect archaeological resources or the City’s work with partners on protecting against disturbances to Native American archaeological resources. This policy does not apply.

Public art

Policy 4.59. Public art and development. Create incentives for public art as part of public and private development projects.

155. Finding: No changes or incentives are proposed by the RIP2 amendments to the City’s public art incentives. This policy does not apply.

Resource-efficient design and development

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.

156. Finding: The RIP2 amendments are consistent with this policy as they permit existing homes to be incorporated into new infill development, through the provision creating a ‘detached duplex’ on a site with an existing dwelling, or by including the home into a cottage cluster development. These are part of the City’s efforts to demonstrate stewardship of the built environment, in that these amendments – in conjunction with other regulations and historic preservation approaches – are part of strategies to intentionally guide the future of Portland’s built environment to achieve a wide range of community and policy objectives, such as those related to sustainable development and the preservation of historic resources.

Policy 4.61. Compact housing. Promote the development of compact, space- and energy-efficient housing types that minimize use of resources such as smaller detached homes or accessory dwellings and attached homes.

157. Finding: RIP2 amendments are consistent with this policy because they expand on the amendments in RIP1 allow for more compact development, in single-dwelling zones including greater densities for attached housing and allowing cottage clusters, while continuing to regulate building size and scale to reduce energy demand. The ability to accommodate multiple households on a single residential lot supports both land and resource efficient development.

Policy 4.62. Seismic and energy retrofits. Promote seismic and energy-efficiency retrofits of historic buildings and other existing structures to reduce carbon emissions, save money, and improve public safety.

158. Finding: The RIP2 amendments are consistent with this policy by providing opportunities for sites with a historic home to add units, which can provide income to make seismic and energy improvements to the existing home. Additionally, when existing houses are converted into

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duplexes, triplexes or fourplexes, seismic and energy retrofits are frequently included as part of the required building code compliance.

Policy 4.63. Life cycle efficiency. Encourage use of technologies, techniques, and materials in building design, construction, and removal that result in the least environmental impact over the life cycle of the structure.

159. Finding: The RIP2 amendments do not change existing deconstruction requirements. The amendments do encourage the use of techniques and materials to adapt and convert existing residential structures by offering FAR bonuses for adding units to a site with an existing house.

Policy 4.64. Deconstruction. Encourage salvage and reuse of building elements when demolition is necessary or appropriate.

160. Finding: The RIP2 amendments do not change existing deconstruction requirements.

Policy 4.65. Materials and practices. Encourage use of natural, resource-efficient, recycled, recycled content, and non-toxic building materials and energy-efficient building practices.

161. Finding: The RIP2 amendments do not require or incentivize specific materials or building practices beyond current building code standards. This policy is implemented by other City programs that promote green building approaches.

Policy 4.66. Water use efficiency. Encourage site and building designs that use water efficiently and manage stormwater as a resource.

162. Finding: The RIP2 amendments do not change existing stormwater management manual requirements or specify explicit water efficiency measures. However, the cottage cluster regulations provide opportunities to include open areas for common stormwater infiltration on site.

Policy 4.67. Optimizing benefits. Provide mechanisms to evaluate and optimize the range of benefits from solar and renewable resources, tree canopy, ecoroofs, and building design.

163. Finding: This policy is implemented primarily by programmatic implementation approaches related to evaluating and strategically optimizing benefits of resource-efficient design, such as through the Commercial Building Energy program, Home Energy Score requirements, Sustainability at Work, and the Portland Clean Energy Community Benefits Fund. The RIP2 amendments do not impact these programs, but provide additional development opportunities for single-dwelling zones where these alternative development types could incorporate these features, and so are consistent with the policy.

Policy 4.68. Energy efficiency. Encourage and promote energy efficiency significantly beyond the Statewide Building Code and the use of solar and other renewable resources in individual buildings and at a district scale.

164. Finding: The RIP2 amendments do not mandate energy standards beyond the building code but do provide opportunities for smaller and attached units that are more energy efficient than larger homes built to higher energy standards.

Policy 4.69. Reduce carbon emissions. Encourage a development pattern that minimizes carbon emissions from building and transportation energy use.

165. Finding: The RIP2 amendments allow for a wider variety of development on lots in single-dwelling zones, resulting in more efficient use of land and building materials. The infill development of smaller or detached units can reduce energy costs, and infill development close to services allows

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for more trips to be taken through walking, biking or alternative transit. The RIP2 amendments are consistent with this policy.

Policy 4.70. District energy systems. Encourage and remove barriers to the development and expansion of low-carbon heating and cooling systems that serve multiple buildings or a broader district.

Policy 4.71. Ecodistricts. Encourage ecodistricts, where multiple partners work together to achieve sustainability and resource efficiency goals at a district scale.

166. Finding: City Council finds that policies 4.70 and 4.71 are primarily applicable to high-density development in urban districts, such as centers, not to dispersed development in single-dwelling zones, which is the focus of the RIP2 amendments. Ecodistricts and district energy systems are more typically associated with larger multifamily or commercial development projects.

Policy 4.72. Energy-producing development. Encourage and promote development that uses renewable resources, such as solar, wind, and water to generate power on-site and to contribute to the energy grid.

167. Finding: “Encourage” is defined in the Comprehensive Plan as “promote or foster using some combination of voluntary approaches, regulations, or incentives.” Other City efforts utilize non-regulatory approaches to promote development that uses renewable resources, and existing Zoning Code regulations accommodate solar panels and small wind turbines through provisions such as exceptions to building height limits. The RIP2 amendments provide additional development opportunities for single-dwelling zones where these alternative development types could incorporate these features, and so are consistent with the policy.

Designing with nature

Policy 4.73. Design with nature. Encourage design and site development practices that enhance, and avoid the degradation of, watershed health and ecosystem services and that incorporate trees and vegetation.

Policy 4.74. Flexible development options. Encouraging flexibility in the division of land, the siting and design of buildings, and other improvements to reduce the impact of development on environmentally sensitive areas and to retain healthy native and beneficial vegetation and trees.

Policy 4.75. Low-impact development and best practices. Encourage use of low-impact development, habitat-friendly development, bird-friendly design, and green infrastructure.

Policy 4.76. Impervious surfaces. Limit use of and strive to reduce impervious surfaces and associated impacts on hydrologic function, air and water quality, habitat connectivity, tree canopy, and urban heat island effects.

Policy 4.77. Hazards to wildlife. Encourage building, lighting, site, and infrastructure design and practices that provide safe fish and wildlife passage, and reduce or mitigate hazards to birds, bats, and other wildlife.

Policy 4.78. Access to nature. Promote equitable, safe, and well-designed physical and visual access to nature for all Portlanders, while also maintaining the functions and values of significant natural resources, fish, and wildlife. Provide access to major natural features, including:

- Water bodies such as the Willamette and Columbia rivers, Smith and Bybee Lakes, creeks, streams, and sloughs.
- Major topographic features such as the West Hills, Mt. Tabor, and the East Buttes.
- Natural areas such as Forest Park and Oaks Bottom.

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168. Finding. Policies 4.73 through 4.78 provide direction regarding the interface between development and natural features and functions. The RIP2 amendments, in conjunction with the approved RIP1 amendments and other development standards are consistent with these policies by providing additional variety of development on single-dwelling zoned sites. Development such as cottage clusters can provide flexibility in building siting and the preservation and maintenance of natural features, resulting in lower impact development. In addition, the expansion of the constrained sites 'z' overlay into the R10 and R20 zones and including wildfire risk under the constrained sites in those zones helps to reduce and mitigate development's impacts on natural resources and hazard areas. The RIP2 amendments also reduce the potential for development to negatively impact the ecosystem service and functions by reducing the allowed building size on small lots in the R10 and R20 zones, which may result in reduced impervious area. As described in the Citywide Natural Resources Inventory, impervious surfaces have negative impacts on streams related to increased runoff and storm flows. The limitations on vehicle paving are continued from the original RIP1 amendments to apply to the RIP2 development options.

Hazard-resilient design

Policy 4.79. Natural hazards and climate change risks and impacts. Limit development in or near areas prone to natural hazards, using the most current hazard and climate change-related information and maps.

Policy 4.80. Geological hazards. Evaluate slope and soil characteristics, including liquefaction potential, landslide hazards, and other geologic hazards.

Policy 4.81. Disaster-resilient development. Encourage development and site-management approaches that reduce the risks and impacts of natural disasters or other major disturbances and that improve the ability of people, wildlife, natural systems, and property to withstand and recover from such events.

Policy 4.83. Urban heat islands. Encourage development, building, landscaping, and infrastructure design that reduce urban heat island effects.

Policy 4.82. Portland Harbor Facilities. Reduce natural hazard risks to critical public and private energy and transportation facilities in the Portland Harbor.

Policy 4.84. Planning and disaster recovery. Facilitate effective disaster recovery by providing recommended updates to land use designations and development codes, in preparation for natural disasters.

169. Finding: Policies 4.79 through 4.84 provide direction regarding the interface of development with natural hazards. RIP2 amendments allowing for a more varied and efficient use of single-dwelling zoned land help implement these policies. The expansion of the constrained sites 'z' overlay into the R20 and R10 zones as well as the incorporation of wildfire hazards into the overlay in those zones help to limit development in areas that may be more sensitive to hazards, such as landslide, fire or floods. The inclusion of common outdoor areas in cottage clusters provide the opportunity for the preservation or planting of groupings of trees which can reduce the heat island effect. Generally, duplexes are required to be allowed on all lots pursuant to House Bill 2001. Urban heat islands are generally found to be associated with more intense zones, where large expanses of parking and lower tree canopy are present. The RIP2 amendments also retain the reduced parking requirements and most limited structure sizes in RIP1, allowing for reduced amounts of impervious surfaces and increasing the ability to maintain and increase tree canopy.

City programs that are deemed in compliance with Metro Title 3 requirements for flood management, and erosion and sediment control (i.e., City Title 10 Erosion Control, and the

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balanced cut and fill requirements of City Title 24), as well as the environmental overlay zones are unchanged by these amendments and will ensure any new development will be done in a way to protect people and property from hazards.

Healthy food

Policy 4.85. Grocery stores and markets in centers. Facilitate the retention and development of grocery stores, neighborhood-based markets, and farmer’s markets offering fresh produce in centers.

Policy 4.86. Neighborhood food access. Encourage small, neighborhood-based retail food opportunities, such as corner markets, food co-ops, food buying clubs, and community-supported agriculture pickup/drop-off sites, to fill in service gaps in food access across the city.

Policy 4.87. Growing food. Increase opportunities to grow food for personal consumption, donation, sales, and educational purposes.

Policy 4.88. Access to community gardens. Ensure that community gardens are allowed in areas close to or accessible via transit to people living in areas zoned for mixed-use or multi-dwelling development, where residents have few opportunities to grow food in yards.

170. Finding: Policies 4.85 through 4.88 provide direction regarding the role of development in contributing to access to healthy foods. Increasing the number of households that can locate in an area increases the market capture for grocery stores, improving their viability in the surrounding area. The RIP2 amendments do not change retail allowances or zoning that would directly affect food access, but they do provide increased opportunity for a greater variety of households to locate within complete neighborhoods (areas with higher access to food and other amenities). In addition, the requirement for common open areas for cottage clusters can provide opportunities to establish small resident food gardens.

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.

172. Finding: The City's Housing Needs Analysis, which was adopted (Ordinance 185657) and acknowledged by LCDC on June 11, 2014, consists of five distinct reports that analyzed the state of housing supply, housing affordability issues and the City's ability to meet projected housing demand. The Buildable Land Inventory (BLI), which was adopted (Ordinance 187831) and acknowledged by LCDC on April 25, 2017, identified the supply of land available to provide this needed housing. This demonstrated compliance with Statewide Land Use Goal 10.

The RIP2 amendments expand the types of housing available in the R2.5, R5, R7, R10 and R20 zones, which comprise nearly 40% of the City's total area. There are essentially seven housing types that are enabled or expanded through these changes:

Accessory Dwelling Units (ADU). New allowances for up to two ADUs with a house or one ADU with a duplex are added to the R10 and R20 zones.

Duplexes. Under current regulations, duplexes are allowed on all lots in the R2.5 - R7 zones but duplexes are allowed only on corner lots in the R10 and R20 zones. The RIP2 amendments allow duplexes on all lots in the R2.5-R20 zones, consistent with mandates in HB2001.

Triplexes. Under current regulations, triplexes are only allowed in the R2.5, R5, R7 zones and not allowed in the 'z' overlay. The RIP2 amendments will allow triplexes on R10 and R20 lots (outside of the 'z' overlay) throughout Portland.

Fourplexes. Under current regulations, fourplexes are only allowed in the R2.5, R5, R7 zones and not allowed in the 'z' overlay. The RIP2 amendments will allow fourplexes on R10 and R20 lots (outside of the 'z' overlay) throughout Portland.

Multi-dwelling buildings with 5 or 6 units. Under current regulations, multi-dwelling buildings are only allowed in the R2.5, R5, R7 zones and not allowed in the 'z' overlay. The RIP2 amendments will allow multi-dwelling buildings on R10 and R20 lots (outside of the 'z' overlay) when certain levels of regulated affordable housing units are provided.

Cottage Clusters. These are a new residential structure type not currently allowed per se in the city (though similar styles of development are allowed via a planned development process in single dwelling zones, and as "multi-dwelling development" in other zones). The RIP2 amendments create new standards and allow these (outside of the 'z' overlay) in the R2.5 through R10 zones, as well as in the RM1 zone.

Higher Density Attached Houses. Attached houses are already an allowed housing type. However, HB2001 prescribes certain higher levels of density for attached houses, which RIP2 incorporates into the land division standards for R2.5 through R20 zones (outside of the 'z' overlay).

Under the previous zoning, the 2035 Comprehensive Plan anticipated roughly 16,200 single dwellings to be built in single dwelling zones in the planning period. With RIP1, the additional housing types were expected to result in roughly 20,100 projected housing units within the RIP1 zones²⁷. The RIP2 amendments add more eligible lots (through reduced lot size thresholds, added R10 and R20 zoned area, and reductions to the 'z' overlay in R2.5, R5 and R7 zones) and more

²⁷ Household projection comparison - Comp Plan to RIP, BPS, January 2020

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housing types, described above. This helps further diversify Portland’s housing stock to suit a wider range of housing needs, preferences, and financial capabilities.

The changes also include requirements that in cases where more than two units are proposed, some portion of the units on the site must be visitable for people with mobility impairments. These units are more easily adapted for reasonable accommodation requests per the federal fair housing requirements.

The Comprehensive Plan uses two definitions for “affordable housing” and both are relevant to the RIP2 amendments. The first definition relates to housing that serves extremely low, very low- and low-income households. City Council interprets these household types as below 30%, below 60%, and 80% of the median family incomes respectively. The second definition cites the HUD definition of “affordable” as housing that costs no more than 30 percent of a household’s monthly income. In terms of affordability, the smaller size units provide lower unit cost options (both rent and sales) than comparative larger single houses on single lots²⁸. These units provide more variety and available options for households that may be above 80% MFI but are seeking housing that fits below the 30% of their household income level. The RIP2 amendments also provide two incentives for the creation of regulated affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows up to six units at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. This FAR generally provides for 2-bedroom units. For these deeper affordable units, two visitable units will be required.

Also, in terms of housing affordability and stability, the additional, second ADU can supplement an owner’s income and offset mortgage expenses. Similarly, owner-occupied duplexes, triplexes and fourplexes can be purchased through normal residential Federal Housing Administration (FHA) loans, Veterans Affairs loans, or conventional financing, with rents being used to help qualify for lending.²⁹

In terms of tenure, there are no zoning regulations that require the expanded housing types to be ownership or rental units. RIP2 includes changes to the land division codes that enable duplexes, triplexes, fourplexes and units in a cottage cluster to be divided into separate lots for individual ownership, as an alternative to condominium platting, through a middle housing land division. This will serve to increase homeownership opportunities, though since this a new type of land division, the utilization of this option remains to be seen.

By expanding the palette of available housing types and unit sizes that can be built on 67% of the city’s lots, Portlanders will have increased access to high-quality housing that accommodates their needs, preferences, and financial capabilities.

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.

173. Finding: City Council defines “equitable access to housing” as a goal to create housing that is accessible and affordable to a wide range of households, including people with disabilities, people of color, low-income households, diverse household types, and older adults. The RIP2 amendments are consistent with this goal because they include requirements for visitable units

²⁸ Exhibit B, Volume 3, Appendix A, Johnson Economics *Economic Analysis of Proposed Changes to the Infill Development Standards*, Nov. 2018

²⁹ How to finance a Duplex or Multifamily Home, Bankrate.com, January 2019

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that are intended to offer more options and remove access barriers for people with disabilities and older adults. The RIP2 amendments also provide two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. The increased range of housing types enabled through the RIP2 amendments also broadens the diversity of housing to suit different household types and compositions in many more areas of the city, including multigenerational households, cottage clusters and cohousing. Opening up more opportunities for first time homebuyers by allowing for smaller, less expensive units can ensure more equitable access in more neighborhoods. Additional provisions for ADUs also offer more opportunities for older adults who wish to downsize either on their own lot, in the same neighborhood, or with extended family.

Goal 5.C: Healthy connected city. Portlanders live in safe, healthy housing that provides convenient access to jobs and to goods and services that meet daily needs. This housing is connected to the rest of the city and region by safe, convenient, and affordable multimodal transportation.

174. Finding: City Council interprets this goal as to encourage the development of a wide range of housing units in and around complete neighborhoods that have access to transit, bikeways and sidewalks (see Human Health Guiding Principle). Roughly half (~66,000) of all R2.5, R5, and R7 parcels are in areas that are complete neighborhoods. R10 and R20 areas are generally, by their designation, farther from centers and corridors (less than 1% of parcels are located in complete neighborhoods). HB2001 requires certain middle housing types be allowed in all residential areas unless certain exceptions are present. These exceptions do not include proximity to jobs, services or transit. Eligible exclusions include natural resource and land hazard constraints, and many of these constrained areas correspond to areas that are farther from centers and corridors. Only about 20% of parcels in the R10 and R20 zones are eligible for RIP2 additional housing options. RIP2 continues to support this goal by expanding the types and variety of housing allowed in all single dwelling zones, including the higher density R2.5, R5 and R7 zones where services and transit are more accessible. . In other cases, lots must be connected to the system of maintained streets in order to be developed with 3 or more units.

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.

175. Finding: City Council interprets this goal as to encourage the development of regulated affordable housing that provides long-term stability to low-income households. The rising cost of housing is a top concern across the city, as more people are finding it difficult to afford housing — whether they are buying or renting³⁰. Between 2011 and 2018, the median home sale price citywide rose 60 percent — or more than \$150,000. And as of 2018, the median home sale price exceeded \$475,000 in more than half the neighborhoods in the city. In fact, to afford the median price home in Portland today, families must earn 130% to 160% of the median area income. By comparison, in 2011 a family earning 80% of the median area income could afford a median priced 2-bedroom home.

The RIP2 amendments provide two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable. The second incentive is a deeper affordability bonus that allows up to six units at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. Moreover, according to the RIP1 economic

³⁰ Portland Housing Bureau, State of Housing Report 2018

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analysis the average rents per unit is decreased by over 50%. This is the result of being able to spread land acquisition costs across more units, combined with the creation of smaller unit sizes. While the per square foot costs are marginally higher, since the units themselves are smaller, they are priced lower than larger single units. RIP2 continues on this path by introducing similar housing type allowances in the R10 and R20 zones, as well as further diversifying the types of housing allowed (cottage clusters, detached unit duplexes) as well as increasing the pathways to ownership of these less expensive units (higher density attached houses, middle housing land divisions).

Goal 5.E: High-performance housing. Portland residents have access to resource-efficient and high-performance housing for people of all abilities and income levels.

176. Finding: City Council defines “high-performance housing” to include housing that is developed with a lighter environmental impact (smaller carbon footprint, eco-friendly materials, longevity of construction, reducing waste, recycling). The RIP2 amendments include requirements for visitable units that are intended to offer more options and remove access barriers for people with disabilities. Incentives are included to encourage development of affordable units available to households earning 60% or less of the median area income. These units will be required to meet building code standards for energy efficiency. New limits on building size reduce the maximum size of buildings in R10 and R20 zones on lots less than 10,000 square feet between $\frac{1}{3}$ and $\frac{1}{2}$ of current entitlements. According to a study published by Oregon DEQ *A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon*³¹, of 30 different material reduction and reuse practices evaluated, reducing home size and multi-family living achieved the largest greenhouse gas reductions along with significant reductions in other impact categories. Reducing home size by 50 percent results in a projected 36 percent reduction in lifecycle greenhouse gas emissions. Reducing home size is a significant leverage point for environmental impact reduction and may be equivalent to achieving minimum levels of “green” certification.

Diverse and expanding housing supply

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

177. Finding: The verb “maintain” is defined in the 2035 Comprehensive Plan as to keep what you have, conserve, continue. The City Council interprets “sufficient residential development capacity” as having at least as much capacity as the 20-year growth forecast, as required by Statewide Planning Goal 10. Goal 10 mandates that local jurisdictions ensure adequate capacity, and provides a “floor” for such measure, but does not restrict or prevent jurisdictions from increasing housing capacity above a set “ceiling”. In other words, just because the City has shown that it meets the number of requisite units to accommodate the forecast growth, Goal 10 does not prevent the City from increasing the capacity, and especially so when such increases help improve the housing target performance in other areas of the goal (type, tenure and affordability).

The RIP2 amendments include modifications to zoning allowances that increase both the range of allowed housing types, as well as the overall capacity for housing units to be created in single-dwelling zones. These amendments are in part to improve the performance of the Comprehensive Plan housing policies. Further, since an increase of housing development capacity is increased in

³¹ A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, September 29, 2010

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more areas across the city this increase in “supply” helps reduce cost increases from previously unmet demand. The City Council finds that increasing development capacity beyond what is needed is desired to provide capacity over a longer planning horizon; as well as to improve locational and housing type choice.

While the RIP2 changes increase the capacity for number of households on certain qualifying lots in the affected zones from 2 (house plus ADU, corner lot duplex) to as many as 16 units; not all lots are likely to develop at this density over the 20-year planning period. Household growth is determined by Metro forecasts at the regional level. The RIP2 amendments do not affect the City’s forecasted growth rate of 123,000 households (between 2015-2035). This growth rate is an established allocation from Metro in its agency’s role to coordinate land use planning for the region in accordance with Goal 2. Metro develops the forecast and allocates the forecasted growth to each of the jurisdictions within its boundaries. Accordingly, while the RIP2 amendments increase the capacity for household growth, the overall number of allocated households is not changed.

The increase in development capacity will ensure that the City of Portland continues to accommodate the projected share of regional household growth.

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

178. Finding: The verb “strive” is defined in the 2035 Comprehensive Plan as to work to achieve over time. The City Council interprets this policy as a performance measure that requires the City to monitor how much residential growth is occurring compared to the rest of the region. The change to increase the number of units permitted on a lot allows for a wider range of smaller housing types and sizes, and increases development capacity across Portland, which will contribute to Portland’s ability to continue to capture new housing units.

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

179. The RIP2 amendments increase overall housing capacity by adding more middle housing-eligible lots (through reduced lot size thresholds, added R10 and R20 zoned area, and reductions to the ‘z’ overlay in R2.5, R5 and R7 zones) and more housing types. These smaller, multi unit options are comparatively less expensive than single detached houses which increases housing choice for low- and moderate-income households.

Moreover, the RIP2 amendments include changes to the land division code to allow middle housing to be divided into separate lots for ownership at lower costs than a subdivision of larger detached single dwellings. These changes are expected to increase housing opportunities smaller units, which are more affordable/less expensive for lower- and moderate-income households.

Finally, the RIP2 amendments also provide two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 60% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI.

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

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housing/clustered services.

180. Finding: “Encourage” is defined in the Comprehensive Plan as “promote or foster using some combination of voluntary approaches, regulations, or incentives.” The City Council interprets the phrase “evolving needs” as forecasted changes in household income, age, people per households and household with children in the Housing Needs Analysis and Growth Scenarios Report that suggest that Portland will need a wider range of housing types beyond the predominant types of detached single-dwelling houses and small apartments. The RIP2 amendments promote the evolving needs of Portland households by allowing for more flexibility in terms of the number of units and types of residential structures that can be developed inside the regulated building envelope (FAR, height, and lot coverage determine the size of the building). The RIP2 amendments also remove some regulatory barriers for manufactured homes, making them easier to site and/or use as accessory dwelling or cottage units.

Furthermore, the Comprehensive Plan defines “expand” as to “make something that already exists more extensive.” The RIP2 amendments “expand” housing choice by increasing the palette of allowed residential structure types from a single house, and corner lot duplexes, to allow duplexes, triplexes fourplexes, cottage clusters and higher density attached houses. Council interprets “expand housing choices in all neighborhoods” to mean increase housing choices throughout the City as a whole. Council does not interpret this to mean that every single zone must allow for all housing types but rather Council interprets this policy to ensure that the city-wide there is a variety of housing types and within a variety of neighborhoods. “Neighborhoods” are defined to include broad areas of the city that typically include residential, commercial, and mixed-use areas. Neighborhood is not limited to the specific single dwelling zones, but they often comprise a majority of the larger neighborhood area based on the prevalence of single dwelling zoning.

Therefore, the RIP2 amendments encourage new and innovative housing types and expand housing choices in neighborhoods

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.

181. Finding: The RIP2 amendments do not change base zoning, but will apply the constrained sites ‘z’ overlay to nearly 75% of the lots in R10 and R20 zones, based on the presence of natural resources and land hazards. These areas are generally not in or near centers. The housing types included in the RIP2 amendments will help serve an even broader range of households than even RIP1, with the inclusion of cottage clusters, and detached unit duplexes.

The Council interprets “family friendly housing” to include housing units that contain multiple bedrooms and include additional features critical for families, i.e., spaces where family members can gather for meals and other activities, and where children can play and engage in other activities such as homework; and have easy access to outdoor play and recreation space. The RIP2 amendments reduce minimum lot sizes for three or more units which could result in more, but smaller units on these smaller lot sizes. However, providing the option to create more smaller (and thus comparatively less expensive) units versus 1 or 2 larger units on these sites can have benefits in support of this policy by increasing the diversity of lower cost housing options. While these smaller units may not be suitable for larger families, other family configurations such as single parents with one or two children could still benefit from this lower cost housing that is also

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differentiated from larger multidwelling apartments by virtue of more private yard space, quieter locations on local streets, and locations that are more convenient to their daily needs.

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.

182. Finding: The Comprehensive Plan defines “enable” to mean supply with the means, knowledge or opportunity, make able. “Encourage” means promote, or foster using some combination of voluntary approaches, regulations, or incentives. For application to the single dwelling zones, City Council interprets the phrase “middle housing” to mean housing in the range between single-family houses and units in larger multi-family or mixed-use buildings, as discussed in Council's findings in Ordinance 187832 adopting Policy 5.6. It includes multi-unit or clustered housing types that are compatible in scale with single-family homes. Consistent with Section 2 of HB 2001 (2019), Council's interpretation of middle housing includes, but is not limited to, the following types of middle housing:

(A) Duplexes;

(B) Triplexes;

(C) Quadplexes [fourplexes];

(D) Cottage clusters [means groupings of no fewer than four detached housing units per acre with a footprint of less than 900 square feet each and that include a common courtyard.]; and

(E) Townhouses [means a dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit].

City Council acknowledges that Policy 5.6 could be narrowly interpreted to only apply the RIP2 amendments to 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. However, such a narrow interpretation of the policy is not compelled by its text and Council finds that a broader interpretation is more consistent with the overall requirement to enable and encourage middle housing. In adopting the RIP2 amendments with a broader application, City Council takes further direction from HB 2001 (2019) that requires all middle housing types listed above in areas zoned for residential use that allow for the development of detached single-family dwellings. In taking this direction, Council is responding to both the Planning and Sustainability Commission's RIP1 recommendation and testimony received calling for a much more broad and equitable distribution of the benefits of these middle housing types.

Several aspects of the RIP2 amendments ensure that in this broader application of zoning, these middle housing types are appropriately located beyond the quarter mile geography. These measures include FAR limits on the maximum size of structures that are generally less than current zoning allowances (or average unit floor area maximums in the case of cottage clusters). Moreover, additional housing type restrictions pertaining to natural resource and hazards are embodied in the application of the 'z' constrained sites overlay zone. And finally, middle housing types (beyond two units) are restricted from streets that have not been accepted for maintenance by the city, an indication that they are either unpaved, or do not meet certain levels of

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engineering standards. Service bureaus have evaluated infrastructure demands based on shifts in household allocations from RIP2 amendments and found that adequate public facility services will continue to be provided, see Statewide Goals 11 and 12.

The RIP2 amendments enable and encourage, as those terms are defined, additional middle housing. Duplexes, triplexes, and fourplexes are three types of moderate density middle housing that generally reflect the scale and form of single dwellings. Townhouses (defined as attached houses in the zoning code) are allowed at approximately the same densities as triplexes and fourplexes. Cottage clusters permit higher levels of density (16 detached units allowed), but are limited in scale by lower height limits and average floor area requirements. In compliance with HB 2001, duplexes will be allowed on all lots in single dwelling zones where detached houses are allowed. Triplexes, fourplexes, townhouses, and cottage clusters will be allowed on all lots within these zones when the lot has frontage on a city-maintained street (or state-maintained highway), meets minimum lot size requirements, and does not have the 'z' overlay zone applied. Beyond the HB2001 required middle housing types, up to six units could be allowed on these lots when 50% of the units meet regulated affordability requirements. The Growth Scenarios report categorizes many middle housing types including duplexes, triplexes, and shared courtyard units as "single family residences" or "single family residential." Moreover, development limitations on maximum building size, lower FARs, along with standards that address street facing facades, main entrances, parking placement and garage design all support more compatible infill and produce a scale transition from the mixed-use core to the single dwelling areas.

Policy 5.7. Adaptable housing. Encourage adaption of existing housing and the development of new housing that can be adapted in the future to accommodate the changing variety of household types.

183. Finding: The RIP2 amendments include several features to encourage adaptation of existing housing. This includes FAR bonuses for adding units to sites with an existing house, greater flexibility to site two ADUs with increased lot coverage allowances, the ability to add a detached unit to convert a house site to a detached unit duplex, which can be sold separately by dividing the lot using a middle housing land division and the allowance of a 250 square foot addition (regardless of FAR caps) in each 5 year period to enable the ongoing adaptation to better suit current and future residents' needs.

The RIP2 amendments also include a visitability standard when developing three or more units on a site which addresses the more costly aspects of future adaptations for mobility impairment needs. Subsequent changes may still be necessary for full utility, but can be tailored to the particular need, while the key features of access (entry width, bathroom maneuverability and availability and general living space) will have been addressed for these units.

Policy 5.8. Physically-accessible housing. Allow and support a robust and diverse supply of affordable, accessible housing to meet the needs of older adults and people with disabilities, especially in centers, station areas, and other places that are proximate to services and transit.

Policy 5.9. Accessible design for all. Encourage new construction and retrofitting to create physically-accessible housing, extending from the individual unit to the community, using Universal Design Principles.

184. Finding. Policies 5.8 and 5.9 are addressed and supported by the RIP2 amendments by including new requirements for visitable units when 3 or more units are developed on a site. These requirements will offer more options and remove access barriers for people with disabilities.

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These requirements apply to building types not presently addressed by accessibility standards and will apply to sites where three or more units are proposed.

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

185. Finding: The Comprehensive Plan defines “foster” to mean “encourage or guide the incremental development of something over a long period of time.” City Council interprets the phrase “inclusive communities” to mean communities that have a diversity of people in terms of race, ethnicity, gender, sexual orientation, socio-economic status, age, physical abilities, religious beliefs, political beliefs, or other characteristics. The 2011 Analysis of Impediments to Fair Housing³² identified a shortage of affordable, accessible units, especially for people with disabilities, larger families, and households below 30% of Median Family Income and that low-income and vulnerable populations with restricted ability to exercise housing choice. The RIP2 amendments encourage and enhance housing choice by removing regulatory barriers that prohibit alternatives to single family housing in single dwelling zones and offer incentives for developing affordable housing. Due to historical disparities in access to homeownership, households of color occupy single-dwelling housing at lower rates than the city as a whole (single family homeownership is 18 percent households of color versus representing 30 percent of the population overall, see RIP1 Volume 3, Appendix B). In 2019 homeownership rates for households of color for all types of housing was 15% lower than it was for white households.³³ While discriminatory lending practices continue to linger, a larger impediment to homeownership in Portland is the income/housing cost gap. By allowing land costs to be shared across 2, 3, or 4 or even 16 units significantly reduces price drivers per unit. The RIP2 amendments include affordable housing incentives intended to be utilized by affordable housing providers and CDC’s that can lower their overall costs to deliver units to their constituency. These affordable units will also be regulated by Portland Housing Bureau rules to ensure fair housing requirements are met.

The 2011 Analysis of Impediments to Fair Housing also identified unequal access to opportunity, which is defined as basic commercial and public amenities such as transit, schools, grocery stores, and sidewalks. The analysis indicates that this inequity in access disproportionately affects those with disabilities, low-incomes, communities of color and immigrant and refugee communities. The RIP2 amendments encourage and enhance housing choice in high opportunity areas by removing regulatory barriers that prohibit alternatives to single family housing in single dwelling zones and offer incentives for developing affordable housing.

Therefore, the RIP2 amendments foster inclusive communities by reducing some of the harmful regulatory obstacles that segregated people’s housing by income which frequently serves as a proxy for race.

Housing access

Policy 5.11. Remove barriers. Remove potential regulatory barriers to housing choice for people in protected classes to ensure freedom of choice in housing type, tenure, and location.

186. Finding: The City Council interprets the intent of this policy is to ensure housing choices for residents in all neighborhoods, not the development options on a single parcel. The RIP2 amendments remove regulatory barriers to providing up to 4-16 dwellings on most lots

³² City of Portland, City of Gresham and Multnomah County; Fair Housing Plan 2011

³³ National Equity Atlas: Homeownership by Race/Ethnicity in Portland, 2019

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throughout the city, encompassing nearly a third of the land area in the city. [The 'z' overlay limits middle housing on approximately 15% of all single dwelling zoned lots] The RIP2 amendments also include about 20 percent of the R10 and R20 zoned lots where 3 or more units may now be possible. These changes increase the range of type, tenure, and location of housing options for all Portlanders, including those in protected classes.

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

Policy 5.13. Housing stability. Coordinate plans and investments with programs that prevent avoidable, involuntary evictions and foreclosures.

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

187. Finding: The City Council interprets Policies 5.12 to 5.16 as requiring evaluation and analysis as to who will benefit and who will be burdened by a planning decision, including amendments to the Comprehensive Plan, the Comprehensive Plan Map, the Zoning Code, and the Zoning Map. For the RIP2 amendments, the Council interprets "involuntary displacement" to occur when a resident is forced to relocate due to factors that are beyond the resident's control including but not limited to increased rents, and decisions by landlords to redevelop property. A detailed quantitative risk analysis was performed for RIP1 that compared the default comprehensive plan displacement risk against risk resulting from the RIP1 amendments. The analysis showed that across the city, there was a 28% reduction in risk in R2.5, R5, and R7 zones. For the R10 and R20 zones, BPS included a vulnerability analysis in the existing conditions report to identify neighborhoods (Census tracts) with higher than average shares of people that are vulnerable to economic displacement: low income individuals, communities of color, adults without a four-year college degree and renters. The census data showed that while there were some areas with higher levels of combined score-vulnerability, the rate of homeownership was at or above the citywide average in these areas. Homeowners are more insulated against displacement from redevelopment since they decide whether or not to redevelop their property. Additionally, the provision for detached unit duplexes requires that an existing house be present before the duplex is allowed. While the state rules restrict cities abilities to limit duplex development, this particular provision is an added option that creates an effective anti-displacement alternative.

The RIP2 amendments also extend two incentives for the creation of affordable units to mitigate the potential displacement impacts; protect and/or restore the socioeconomic diversity and cultural stability of established communities; and to create permanently affordable housing. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is

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affordable at up to 60% MFI. The second incentive is a deeper affordability bonus that allows a up to six units at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI.

In addition to the FAR bonuses for voluntarily providing affordable units, the city already collects a construction excise tax to fund affordable housing programs. The tax is calculated as 1% of the permit valuation on residential and commercial building projects with improvements valued at \$100,000 or more. This helps to mitigate for indirect displacement caused by redevelopment activity overall. Additionally, the city has a mandatory relocation assistance rule that restricts no-cause evictions unless relocation payments are made to the displaced tenant. While this doesn't prevent evictions from occurring, it helps to provide greater housing stability and slows the pace of this change.

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

188. Finding: This policy is not applicable because this programmatic response is not part of the scope of the RIP2 amendments. However, the RIP2 amendments support the creation of more affordable housing units (with bonus FAR incentives) on sites that are currently held or are acquired in the future for affordable housing development.

Policy 5.18. Rebuild communities. Coordinate plans and investments with programs that enable communities impacted by involuntary displacement to maintain social and cultural connections, and re-establish a stable presence and participation in the impacted neighborhoods.

189. Finding: This ordinance does not establish new programs. The RIP2 amendments create the opportunity for increased housing opportunities, including affordable housing, on the single dwelling zoned parcels in the impacted neighborhoods that are included the Portland Housing Bureau's North/Northeast Preference Policy, which gives priority placement to people who were displaced, are at risk of displacement, or who are descendants of households that were displaced due to urban renewal in North and Northeast Portland, and can serve as models for other neighborhoods where displacement has been occurring. The displacement risk analysis conducted with RIP1 found that the new housing allowances generally reduced displacement pressure across the city and in higher vulnerability neighborhoods but identified three locations where displacement was marginally increased over the baseline scenario. The RIP2 changes are not expected to significantly alter those results, since the changes expand capacity in areas where existing zoned capacity was not deficient, and development and land costs are higher. The changes also include new types of housing that don't significantly change the total floor area entitlements allowed in RIP1.

Policy 5.19. Aging in place. Encourage a range of housing options and supportive environments to enable older adults to remain in their communities as their needs change.

190. Finding: The RIP2 amendments allow for additional middle housing types, notably cottage clusters and extend other housing types to low density R10 and R20 areas. The amendments also include requirements for visitable units that are intended to offer more options and remove access barriers for people with disabilities, more common in older adults. Incentives are included to encourage development of affordable units available to households earning 80% or less of the median area income, which is important for seniors on fixed incomes. The increased range of housing types enabled through the RIP2 amendments also broadens the diversity of housing to suit different household types and compositions in many more areas of the city, including

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multigenerational households, intentional cottage clusters communities and cohousing to provide for a diversity of options available to older adults as they choose to transition from larger single detached houses. Finally, additional provisions for Accessory Dwelling Units offer more opportunities for older adults who wish to downsize either on their own lot, in the same neighborhood, or with extended family.

Housing location

Policy 5.20. Coordinate housing needs in high-poverty areas. Meet the housing needs of under-served and under-represented populations living in high-poverty areas by coordinating plans and investments with housing programs.

191. Finding: The Census Bureau uses a set of income thresholds that vary by family size and composition to determine who classifies as impoverished. If a family's total income is less than the family's threshold than that family and every individual in it is considered to be living in poverty. High poverty areas are interpreted to mean areas with more than 25% poverty rate. According to US HUD, census tracts around Cully, Portsmouth, Wilkes, Centennial, Powelhurst-Gilbert, Lents, Montavilla, Buckman, Elliot, and the Central City have these higher poverty rates. Housing needs are coordinated as these high poverty areas are also the areas that qualify for the Low-Income Housing Tax Credit, a tool that is frequently used in combination with other city-incentives including CET and SDC waivers to produce regulated affordable housing units. These high poverty areas have residential areas with single dwelling zones. The RIP2 amendments remove regulatory barriers by providing for a wider range of housing types throughout the city. The RIP2 amendments allow for middle housing to be divided into separate lots which will produce smaller homes more suited for first time homebuyers. These changes are expected to increase housing opportunities that are more affordable/less expensive for lower- and moderate-income households.

The RIP2 amendments also provide two incentives for the creation of affordable units to mitigate the potential displacement impacts; protect and/or restore the socioeconomic diversity and cultural stability of established communities; and to create permanently affordable housing. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 60% MFI. The second incentive is a deeper affordability bonus that allows a up to six units at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI.

Policy 5.21. Access to opportunities. Improve equitable access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities in areas with high concentrations of under-served and under-represented populations and an existing supply of affordable housing.

192. Finding: The City Council interprets this policy to provide guidance to public investment decisions to improve access to opportunity as part of meeting goals to enhance more neighborhoods to become "complete neighborhoods". As described in the 2035 Comprehensive Plan (page I-15), complete neighborhoods are places where people have safe and convenient access to the goods and services needed in daily life. R2.5, R5, and R7 zones account for over 96% of the areas designated as having medium to high levels of completeness. Increasing the capacity to accommodate additional households makes better use of existing investments in those areas. R10 and R20 zones are not generally near complete neighborhoods, and the Comprehensive Plan generally does not direct public investments to these areas except where public health or safety are affected. While the state rules require cities allow middle housing more broadly, including R10 and R20 zones, the presence of natural resource and other land hazard constraints limits the amount of development allowed for roughly 80% of these areas. With the additional RIP2 housing

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options available in complete neighborhoods, more types of housing at various price points can be created to improve the equitable access to these neighborhoods.

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.

193. Finding: This policy is intended to ensure that affordable housing is not concentrated in areas where land values are the lowest, which often correspond to lower opportunities, but is created in areas with better access to those ingredients that help support prosperity. In making changes to the zoning code, Council interprets this policy to apply to regulated affordable housing, that is housing that is subject to affordable housing rules of the housing bureau.

Nearly 96 percent of all land within neighborhoods with high/medium levels of opportunity is comprised of R2.5, R5, and R7 zoning. During early RIP2 scoping meetings with affordable housing providers, there was general agreement that the affordable housing provisions adopted with RIP1 (0.1 FAR bonus for 1 affordable unit, or up to 6 units for 50% affordable units) be applied in the R10 and R20 areas. While these zones are typically not in high housing opportunity areas, there is a countervailing equity argument that opportunities for lower cost housing should be available in areas that have little to no affordable units. Also, as shown in the existing conditions report, these are not the areas where land values are the lowest and consequently where affordable housing is likely to be concentrated.

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.

194. Finding: City Council interprets the phrase “higher-density housing” to mean housing types that are at a scale that is greater than single-dwelling housing types, such as multi-dwelling apartments, mid-rise and high-rise mixed-use buildings. Most of these centers areas are already zoned for higher-density housing, in support of this policy.

Policy 5.24. Impact of housing on schools. Evaluate plans and investments for the effect of housing development on school enrollment, financial stability, and student mobility. Coordinate with school districts to ensure plans are aligned with school facility plans.

195. Finding: David Douglas School District (DDSD) is the only school district in Portland with an adopted school facility plan. There are no changes from RIP2 amendments that relate to the school’s financial stability or student mobility. David Douglas School District has previously noted concerns with school capacity, but had also began to experience declining enrollment prior to the COVID-19 pandemic.³⁴ OAR 660-046, the administrative rules for HB2001, do not provide means to exclude or limit middle housing in areas based on school capacity. Nevertheless, most R10 and R20 areas in the school district area are constrained by the ‘z’ overlay based on natural resources or hazards. This in turns limits the number of lots that can accommodate additional households. Based on this, there is no negative anticipated effect on the districts enrollment capacity.

Housing affordability

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

³⁴ David Douglas Enrollment Summary, DDSD, October 2021

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organizations.

196. Finding: The Comprehensive Plan uses two definitions for “affordable housing” and both are relevant to the RIP amendments. The first definition relates to housing that serves extremely low-, very low- and low-income households. City Council interprets these household types as below 30%, below 60%, and 80% of the median family incomes respectively. The second definition cites the HUD definition of “affordable” as housing that costs no more than 30 percent of a household’s monthly income.

Project staff worked closely with Housing Development Center, a consortium of affordable housing providers to develop and modify proposals to be better utilized by those organizations. Testimony from Habitat for Humanity; ROSE CDC; REACH; Proud Ground; Portland Housing Center; Native American Youth and Family, Center, Hacienda, and Portland Community Reinvestment Initiatives was supportive of the proposals and included several suggestions to improve housing affordability outcomes. The Planning and Sustainability Commission responded by adding a new housing type, the detached unit duplex, as a way to address perceived inequities for owners of smaller homes attempting to build accessory dwelling units and retain existing housing stock while providing more opportunities for family sized units. The Commission discussed attaching an affordability requirement to this option, but after considering the added pressure this may place on total site redevelopment to create a duplex, which cannot be conditioned to be affordable based on HB2001, opted instead to focus on the anti-displacement benefit of retaining existing homes as a way of retaining naturally occurring affordable housing while increasing housing supply of homes to reduce competitive pressure.

This deeper affordability bonus from RIP1 was likewise extended to RIP2 R10 and R20 areas. It stipulates that up to 6 units be allowed with up to 1.2 FAR, and a 35 foot height limit, when at least 50% of the units meet the affordability requirements of Title 30. These requirements ensure that dwelling units for sale shall remain affordable for a period of at least 10 years and be available to households earning 80 percent or less of median income, and dwelling units for rent shall remain affordable for a period of 99 years and be available to households earning 60 percent or less of median income.

These actions and packages of incentives serve to preserve and produce affordable housing to meet needs that are not met by the private market through well coordinating plans and investments.

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

197. Finding: The Comprehensive Plan defines “strive” as to devote serious effort or energy to; work to achieve over time. The RIP2 amendments support the voluntary production of affordable housing by creating two incentives for the creation of affordable units. The first creates incentives for providing units affordable to households earning no more than 60% of the median family income (MFI). In this case, an additional 0.1 FAR is offered when the units meet the 60% MFI threshold and the additional requirements of the Housing Bureau and Title 30. The second incentive is a deeper affordability bonus that allows up to six units with a small increment of added height (35 foot building height) and 1.2 FAR when at least 50 percent of the units and meet the affordability requirements of Title 30 These requirements ensure that dwelling units for sale shall remain affordable for a period of at least 10 years and be available to households earning 80

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percent or less of median income, and dwelling units for rent shall remain affordable for a period of 99 years and be available to households earning 60 percent or less of median income.

While the feasibility analysis³⁵ indicates that the housing market generally cannot profitably deliver these affordable units under these bonuses, they do provide a more competitive edge for non-profit housing providers to deliver more units when sites are secured. These tools are a beneficial asset toward meeting the 10,000 affordable unit goal, by providing greater location and construction type options to diversify housing project portfolios. Moreover, based on the RIP1 economic analysis average rents per unit is decreased by over 50% from the default zoning and development. While not regulated affordable housing, this analysis also indicates a reduced financial feasibility gap between market produced housing and regulated affordable housing, which in turn enables limited housing dollars to go farther in producing more regulated units.

Policy 5.27. Funding plan. Encourage development or financial or regulatory mechanisms to achieve the regulated affordable housing target set forth for 2035.

198. Finding: As of August 1, 2016, new residential development and additions that are valued above \$100,000 are required to pay a one-percent affordable housing construction excise tax. This tax pays for affordable housing programs, including: production and preservation of housing for people with incomes at or below 60% (MFI), incentives for inclusionary zoning, and State of Oregon homeownership programs. The RIP2 amendments also include regulatory mechanisms design to encourage the development of regulated affordable units in the form of FAR and unit bonuses.

Policy 5.28. Inventory of regulated affordable housing. Coordinate periodic inventories of the supply of regulated affordable housing in the four-county (Clackamas, Clark, Multnomah and Washington) region with Metro.

199. Finding: City Council interprets this policy to apply to ongoing intergovernmental coordination, and not a directive to be applied with each land use plan amendment. This policy is not applicable.

Policy 5.29. Permanently-affordable housing. Increase the supply of permanently-affordable housing, including both rental and homeownership opportunities.

200. Finding: The 2035 Comprehensive Plan defines permanently-affordable housing as units that will remain affordable to a low-income household, such as housing that is owned and maintained by a public agency or a nonprofit organization. The RIP2 amendments support the voluntary production of affordable housing by creating two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 60% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. The housing types enabled by these amendments create opportunities for both rental (duplex, triplex, fourplex, ADU), ownership of these units through condominium arrangements, as well as fee simple ownership options (narrow lot development and small flag lot development of historically narrow lots).

The deeper affordability bonus will enable affordable housing developers to provide more housing options and increased density that translates to serving more households with less subsidy.

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

³⁵ Memorandum from Tom Armstrong and Andrea Pastor to RIP Project Team, March 2020

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energy-efficiency investments to reduce overall housing costs.

201. Finding: The RIP2 amendments allow for housing types, which by being smaller in size and sharing land costs over multiple units, results in less expensive housing and reduced housing costs. An economic analysis prepared by Johnson Economics found that the RIP1 amendments produced overall units that were 56% lower sales/rent levels than allowed under current zoning.

The RIP2 amendments generally support reduced utility cost by encouraging smaller units and more attached units. According to studies conducted by the State DEQ, “Reducing home size is among the best tier of options for reducing waste generation in the Oregon housing sector, while simultaneously achieving a large environmental benefit across many categories of impact...Reduction in home size is a significant leverage point for impact reduction [including non-renewable energy use] and may be a more effective measure than achieving minimum levels of ‘green certification’”³⁶.

Reducing the need to rely on a personal vehicle can significantly reduce household costs. The average annual cost to own and drive a vehicle in 2018 ranged from \$7,531 to \$10,213, according to AAA. That is the equivalent of \$625 to \$850 per month³⁷. Moreover, Portland’s overall rate of households without a car is higher than the state or nation average.³⁸ Providing additional housing options close to transit and eliminating minimum parking requirements further supports this trend by improving the likelihood that residents will use transit³⁹ and also helps alleviate the cost of personal transportation.

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.

202. Finding: The RIP2 amendments expand the variety of types of affordable housing allowed in single dwelling zones to a wider variety of tenure and housing type options including duplexes, detached unit duplexes, triplexes, fourplexes, cottage clusters, higher density attached houses, additional ADU’s and sixplexes. These housing types, which by being smaller in size and sharing land costs over multiple units, results in less expensive housing and reduced housing costs. In addition, the RIP2 amendments support the voluntary production of affordable housing by creating two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 60% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. These housing types are allowed within 96% of the area comprising complete neighborhoods, areas with the highest access to employment, education, and training opportunities, and are well served by transit.

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

203. Finding: Single dwelling zoned parcels account for just 4% of the land area in Centers, so this policy is largely reliant on mixed use and multi-dwelling zones. City Council interprets the phrase “around centers” to be the area within ½-mile of the boundary of a designated town or

³⁶ “A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon” – Department of Environmental Quality, Sept. 29, 2010

³⁷ Your driving costs, 2018 American Automobile Association

³⁸ Car_access, National Equity Atlas, 2018

³⁹ Urban Densities and Transit: A Multi-dimensional Perspective, Robert Cervero and Erick Guerra, 2011

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neighborhood center. 103,000 single dwelling zoned lots are within ½-mile of a town or neighborhood center. For the areas around centers, the RIP2 amendments provide more options for an increased supply of other housing types, smaller housing units, and less expensive units than comparative single dwelling houses. These units also provide options for both ownership and rental tenures.

Policy 5.33. Central City affordable housing. Encourage the preservation and production of affordable housing in the Central City to take advantage of the area’s unique concentration of active transportation access, jobs, open spaces, and supportive services and amenities.

204. Finding: There are no RIP2 zones in the Central City. This policy does not apply.

Policy 5.34 Affordable housing resources. Pursue a variety of funding sources and mechanisms including new financial and regulatory tools to preserve and develop housing units and various assistance programs for households whose needs are not met by the private market.

205. Finding: This ordinance does not include new funding sources or financial tools. Regulatory incentives are included to encourage the development of regulated affordable housing to develop housing units at the 60% and 80% AMI levels for households whose needs are not met by the private market.

Policy 5.35. Inclusionary housing. Use inclusionary zoning and other regulatory tools to effectively link the production of affordable housing to the production of market-rate housing.

206. Finding: Inclusionary housing does not apply to RIP2 amendments because the requirement only applies to buildings with more than 20 dwelling units. The RIP amendments link production of affordable housing to market rate housing through two affordable housing bonuses. New market rate housing also provides funds towards affordable housing through payment of a 1% construction excise tax.

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

207. Finding: The RIP2 amendments remove design standards and other potential barriers that could affect the development of affordable housing. FAR limits are proposed for lots less than 10,000 sq ft in the R10 and R20 zones to complement FAR limits in the higher density zones. However, bonus FAR is available for projects that provide affordable housing. The RIP2 amendments could be seen as an important step to remove restrictions from otherwise economically-exclusive neighborhoods by allowing for duplexes throughout, and triplex, fourplex, cottage clusters and affordable sixplexes in certain parts of R10 and R20 zoned neighborhoods. The variability in housing types and unit sizes provides a greater range of dwellings at a variety of price points, which helps diversify the socio-economic profile of neighborhoods. Additionally, there is a positive correlation between the effect of producing market rate housing on the low-income housing market.⁴⁰

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

⁴⁰ The Effect of New Market-Rate Housing Construction on the Low-Income Housing Market, Mast, Evan, *W.E. Upjohn Institute*, 2019

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home park.

208. Finding: Existing mobile home parks have been rezoned to RMP (Residential Manufactured Dwelling Park) and are no longer in the RIP2 zones. Therefore, this policy does not apply to the RIP2 amendments.

Policy 5.38. Workforce housing. Encourage private development of a robust supply of housing that is affordable to moderate-income households located near convenient multimodal transportation that provides access to education and training opportunities, the Central City, industrial districts, and other employment areas.

209. Finding: The RIP2 amendments expand the available types of housing allowed in single dwelling zones to include among other types, cottage clusters, and higher density attached houses. These types when combined with FAR and unit size limits provides for a greater range of unit sizes. The RIP1 economic analysis found that those changes produced overall units that were 56% lower rent levels than the default zoning scenario (\$1,800/month versus \$4,100/month). The RIP2 amendments complement the RIP1 housing types with an even greater variety. This provides the opportunity for more housing available to families in the 80% to 120% MFI range. Roughly 103,000 single dwelling zoned parcels are within a half mile of a frequent bus line, max or streetcar station.

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

210. Finding: While the RIP2 amendments expand the types of housing that is allowed to be built in single dwelling zones, they also encourage the development and preservation of small resource-efficient and affordable single-family homes in these zones as well. The RIP2 amendments include new detached “cottage units” which are smaller and comparatively less expensive than a large single house on a lot. Moreover, a new detached unit duplex option and provisions in the cottage cluster standards offer incentives to retain existing homes. These smaller sized homes use less material and even built to standard building code energy standards are more energy efficient than their predecessors. Furthermore, because the size of new construction is limited, the residual land value (the amount of money one can pay to acquire a piece of property and redevelop) is lower. This, in combination with the ability to meet housing demand with other middle housing types on fewer redevelopment sites overall means that fewer existing homes need to be redeveloped to achieve the same number of units overall.

Policy 5.40 Employer-assisted housing. Encourage employer-assisted affordable housing in conjunction with major employment development.

211. Finding: The RIP2 amendments do not change employment development regulations.

Policy 5.41 Affordable homeownership. Align plans and investments to support improving homeownership rates and locational choice for people of color and other groups who have been historically under-served and under-represented.

Policy 5.42 Homeownership retention. Support opportunities for homeownership retention for people of color and other groups who have been historically under-served and under-represented.

Policy 5.43 Variety in homeownership opportunities. Encourage a variety of ownership opportunities and choices by allowing and supporting including but not limited to condominiums, cooperatives, mutual housing associations, limited equity cooperatives, land trusts, and sweat equity.

212. Finding: Council finds that Policies 5.41 through 5.43 all aim to support opportunities for homeownership for all Portlanders, including historically under-served and under-represented

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Portlanders. These policies are primarily implemented through the work of the Housing Bureau. The types of housing units offered made available in single dwelling zones offer lower-cost ownership opportunities where the units have been converted through condominium process. These small-plexes may also be suitable candidates for cooperatives, mutual housing associations, and limited equity cooperatives. Provisions that allow for internal conversions or adding accessory dwelling units to sites with existing houses offer homeowners more potential to reinvest and develop alternate means of income from rental units.

In compliance with Senate Bill 458, the RIP2 amendments include new land division processes have been codified that will enable specific types of middle housing (duplexes, triplexes, fourplexes, and cottage clusters) to be divided such that units are on individual lots, and available for ownership without the need for a condominium.

Therefore, the RIP2 amendments promote a lower cost housing type and provide the option for units on individual lots, s offering potential paths towards home ownership.

Policy 5.44 Regional cooperation. Facilitate opportunities for greater regional cooperation in addressing housing needs in the Portland Metropolitan area, especially for the homeless, low- and moderate-income households, and historically under-served and under-represented communities.

Policy 5.45 Regional balance. Encourage development of a “regional balance” strategy to secure greater regional participation to address the housing needs of homeless people and communities of color, low- and moderate-income households, and historically under-served and under-represented communities throughout the region.

213. Finding: Council finds that Policies 5.44 through 5.45 address how the City engages with Metro and other jurisdictions in the Portland region on housing issues and do not apply to this legislative project. The RIP2 amendments are one strategy to maintain lower-cost market-rate housing in Portland that will help Portland meet its housing needs and serve as an example for other jurisdictions in the region.

Homelessness

Policy 5.46. Housing continuum. Prevent homelessness and reduce the time spent being homeless by ensuring that a continuum of safe and affordable housing opportunities and related supportive services are allowed, including but not limited to Permanent Supportive Housing, transitional housing, self-built micro housing communities, emergency shelters, temporary shelters such as warming centers, and transitional campgrounds.

214. Finding: City Council defines permanent supportive housing as affordable housing combined with supportive services to help individuals and families lead more stable lives. City Council interprets this policy to provide direction to provide a range of housing types, especially types that may not be considered traditional housing (detached single-dwellings, multi-dwelling buildings, manufactured dwelling parks). The RIP2 amendments do not affect the group living or community service regulations in the single-dwelling zones. Therefore, this policy does not apply.

Health, safety, and well-being

Policy 5.47 Healthy housing. Encourage development and maintenance of all housing, especially multi-dwelling housing, that protects the health and safety of residents and encourages healthy lifestyles and active living.

215. Finding: The RIP2 amendments allow smaller scale additional housing types in higher opportunity neighborhoods. More than 65,000 single dwelling zoned parcels are in complete neighborhoods.

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These neighborhoods generally have greater transportation mode options, together with nearby amenities, and learning and employment options to encourage more walking and rolling and active living. These housing types also share yard space which fosters greater social interaction which improves both the health and safety of residents.

Policy 5.48 Housing safety. Require safe and healthy housing free of hazardous materials such as lead, asbestos, and radon.

216. Finding: The RIP2 amendments provide pathways for currently non-conforming or potentially illegal duplex, triplex or fourplexes in R10 and R20 zones to become conforming and enable homeowners to reinvest and improve living conditions in these units. Allowances that encourage more ADUs, including basement ADUs, can also help remediate hazardous conditions as these spaces are improved to current building code standards.

Policy 5.49. Housing quality. Encourage housing that provides high indoor air quality, access to sunlight and outdoor spaces, and is protected from excessive noise, pests, and hazardous environmental conditions.

217. Finding: The RIP2 amendments do not change Title 29 provisions which address pest and other hazardous environmental conditions. All new housing is subject to compliance with the state uniform building code standards to ensure high indoor air quality, access to sunlight spaces, and that the residents are protected from excessive noise. The RIP2 amendments include a minimum outdoor yard space requirement to ensure access to outdoor area.

Policy 5.50. High-performance housing. Encourage energy efficiency, green building practices, materials, and design to produce healthy, efficient, durable, and adaptable homes that are affordable or reasonably priced.

218. Finding: The RIP2 amendments encourage smaller units and allow for more attached units which results in improved energy efficiency and is consistent with the policy of creating high-performance housing. According to studies conducted by the State DEQ, “Reducing home size is among the best tier of options for reducing waste generation in the Oregon housing sector, while simultaneously achieving a large environmental benefit across many categories of impact...Reduction in home size is a significant leverage point for impact reduction [including non-renewable energy use] and may be a more effective measure than achieving minimum levels of ‘green certification’”⁴¹

Attached housing is also more energy efficient than detached forms of housing. According to the EPA, “fairly substantial differences are seen in detached versus attached homes [approximately 17.5% improved efficiency], but the most striking difference is the variation in energy use between single-family detached homes and multifamily homes [50% improved efficiency], due to the inherent efficiencies from more compact size and shared walls among units.”⁴²

Policy 5.51. Healthy and active living. Encourage housing that provides features supportive of healthy eating and active living such as useable open areas, recreation areas, community gardens, crime-preventive design, and community kitchens in multifamily housing.

219. Finding: The RIP2 amendments allow for four units in small-plex arrangements or up to 16 units in cottage clusters. This housing is consistent with Policy 5.51 as it provides for required outdoor

⁴¹ A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, September 2010

⁴² [Location Efficiency and Housing Type, Jonathan Rose Companies, March 2011](#)

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areas which can be utilized for community gardening or recreation. This housing is also not required to have on site parking thereby offering additional outdoor area opportunities. Crime preventative design is encouraged through street facing window requirements, limits on large blank garage doors, and standards for front door orientation to the street, or common outdoor area in the case of cottage clusters.

Policy 5.52. Walkable surroundings. Encourage active transportation in residential areas through the development of pathways, sidewalks, and high-quality onsite amenities such as secure bicycle parking.

220. Finding: New residential development and conversions or additions that add dwelling units must either build street improvements or pay into the Local Transportation Improvement Charge (LTIC) when streets are not sufficiently improved. Recent changes to the LTIC rules have enabled duplexes, triplexes and fourplexes to pay into LTIC. These payments are collected and applied toward the construction of full street improvements, instead of the partial “orphaned” sidewalk improvements that otherwise occur and do not fulfill complete network connections. The LTIC program ensures that additional households will be connected to the street networks holistically over time. The RIP2 amendments also include new requirements for internal pathway circulation routes in cottage clusters to encourage more walkability within sites. The bicycle parking code amendments adopted on December 4, 2019 (Ord. No. 189784), enhances security standards to help prevent bike theft, which council determined are applicable to household living uses with 5 or more units on site.

Policy 5.53. Responding to social isolation. Encourage site designs and relationship to adjacent developments that reduce social isolation for groups that often experience it, such as older adults, people with disabilities, communities of color, and immigrant communities.

221. Finding: The RIP2 amendments create allowances for duplexes, triplexes, fourplexes and up to six units when meeting regulated affordability requirements in the R10 and R20 zones. These can create conditions that enhance symbiosis with neighbors in the same building. Allowing for additional accessory dwelling units also provides more opportunities for residents that share a single property to interact or create multigenerational housing. The amendments also reduce review thresholds that shorten review times for middle housing land divisions to encourage more homeownership opportunities for middle housing units. Cottage clusters can be built to suit particular demographic needs, such as clusters of semi-independent cottages, or congregate care facilities combined with family friendly housing that encourages generational interaction.

Policy 5.54 Renter protections. Enhance renter health, safety, and stability through education, expansion of enhanced inspections, and support of regulations and incentives that protect tenants and prevent involuntary displacement.

222. Finding: The RIP2 amendments do not alter regulations establishing tenant protections including required relocation assistance when properties are sold and/or redeveloped (PCC 30.01.085).

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.

Goal 6.B: Development. Portland supports an attractive environment for industrial, commercial, and institutional job growth and development by: 1) maintaining an adequate land supply; 2) a local development review system that is nimble, predictable, and fair; and 3) high-quality public facilities and services.

Goal 6.C: Business district vitality. Portland implements land use policy and investments to:

- Ensure that commercial, institutional, and industrial districts support business retention and expansion.
- Encourage the growth of districts that support productive and creative synergies among local businesses.
- Provide convenient access to goods, services, and markets.
- Take advantage of our location and quality of life advantages as a gateway to world-class natural landscapes in Northwest Oregon, Southwest Washington, and the Columbia River Basin, and a robust interconnected system of natural landscapes within the region's Urban Growth Boundary.

223. Finding: The RIP2 amendments do not change the comprehensive plan designations of any currently designated employment lands. The RIP2 amendments do not affect the base development capacity in the commercial mixed-use areas. Therefore, there is no impact to employment capacity. The amendments help support business district vitality by allowing for more households to locate closer to goods, services, and markets. The City Council finds that the RIP2 amendments are consistent with economic development goals and policies, especially those that support neighborhood business districts.

Diverse, expanding city economy

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 6.2. Diverse and expanding economy. Align plans and investments to maintain the diversity of Portland's economy and status as Oregon's largest job center with growth across all sectors (commercial, industrial, creative, and institutional) and across all parts of the city.

Policy 6.3. Employment growth. Strive to capture at least 25 percent of the seven-county region's employment growth (Multnomah, Washington, Clackamas, Yamhill, Columbia, Clark, and Skamania counties).

Policy 6.4. Fiscally-stable city. Promote a high citywide jobs-to-households ratio that supports tax revenue growth at pace with residential demand for municipal services.

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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 6.6. Low-carbon and renewable energy economy. Align plans and investments with efforts to improve energy efficiency and reduce lifecycle carbon emissions from business operations. Promote employment opportunities associated with energy efficiency projects, waste reduction, production of more durable goods, and recycling.

Policy 6.7. Competitive advantages. Maintain and strengthen the city’s comparative economic advantages including access to a high-quality workforce, business diversity, competitive business climate, and multimodal transportation infrastructure.

Policy 6.8. Business environment. Use plans and investments to help create a positive business environment in the city and provide strategic assistance to retain, expand, and attract businesses.

Policy 6.9. Small business development. Facilitate the success and growth of small businesses and coordinate plans and investments with programs that provide technical and financial assistance to promote sustainable operating practices.

Policy 6.10. Business innovation. Encourage innovation, research, development, and commercialization of new technologies, products, and services through responsive regulations and public sector approaches.

Policy 6.11. Sharing economy. Encourage mechanisms that enable individuals, corporations, non-profits, and government to market, distribute, share, and reuse excess capacity in goods and services. This includes peer-to-peer transactions, crowd funding platforms, and a variety of business models to facilitate borrowing and renting unused resources.

Policy 6.12. Economic role of livability and ecosystem services. Conserve and enhance Portland’s cultural, historic, recreational, educational, food-related, and ecosystem assets and services for their contribution to the local economy and their importance for retention and attraction of skilled workers and businesses.

224. Finding: Policies 6.1 through 6.12 provide direction regarding economic and employment growth. The RIP2 map amendments do not affect any land designated for industrial or employment uses. The RIP2 map amendments do not affect the base development capacity in the commercial mixed-use areas. Therefore, there is no impact to employment capacity. Providing a wider variety of housing to suit a broader segment of the population will help retain and attract skilled workers.

Land development

Policy 6.13. Land supply. Provide supplies of employment land that are sufficient to meet the long-term and short-term employment growth forecasts, adequate in terms of amounts and types of sites, available and practical for development and intended uses. Types of sites are distinguished primarily by employment geographies identified in the Economic Opportunities Analysis, although capacity needs for building types with similar site characteristics can be met in other employment geographies.

225. Finding: The RIP2 amendments do not change the comprehensive plan designations of any currently designated employment lands. Therefore, there is no impact to employment capacity.

Policy 6.14. Brownfield redevelopment. Overcome financial-feasibility gaps to cleanup and redevelop 60 percent of brownfield acreage by 2035.

Policy 6.15. Regionally-competitive development sites. Improve the competitiveness of vacant and underutilized sites located in Portland’s employment areas using incentives, and regional and state

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assistance for needed infrastructure and site readiness improvements.

Policy 6.16. Regulatory climate. Improve development review processes and regulations to encourage predictability and support local and equitable employment growth and encourage business retention, including:

- 6.16.a.** Assess and understand cumulative regulatory costs to promote Portland’s financial competitiveness with other comparable cities.
- 6.16.b.** Promote certainty for new development through appropriate allowed uses and “clear and objective” standards to permit typical development types without a discretionary review.
- 6.16.c.** Allow discretionary-review to facilitate flexible and innovative approaches to meet requirements.
- 6.16.d.** Design and monitor development review processes to avoid unnecessary delays.
- 6.16.e.** Promote cost effective compliance with federal and state mandates, productive intergovernmental coordination, and efficient, well-coordinated development review and permitting procedures.

226. Finding: Policies 6.14 through 6.16 provide direction regarding development sites and regulations in employment areas. The RIP2 amendments do not change the comprehensive plan designations or regulations affecting any currently designated employment lands. The RIP2 amendments do not change the development standards or requirements for designated employment lands. Therefore, these policies are not applicable.

Policy 6.17. Short-term land supply. Provide for a competitive supply of development-ready sites with different site sizes and types, to meet five-year demand for employment growth in the Central City, industrial areas, campus institutions, and neighborhood business districts.

227. Finding: The RIP2 amendments do not change the development standards or requirements for designated employment lands. Therefore, this policy is not applicable.

Policy 6.18. Evaluate land needs. Update the Economic Opportunities Analysis and short-term land supply strategies every five to seven years.

Policy 6.19. Corporate headquarters. Provide land opportunities for development of corporate headquarters campuses in locations with suitable transportation facilities.

228. Finding: Policies 6.17 through 6.19 provide direction regarding land supply and corporate headquarters in employment areas. The RIP2 amendments do not change the comprehensive plan designations of any currently designated employment lands. Therefore, there is no adverse impact to employment land supply.

Traded sector competitiveness

Policy 6.20. Traded sector competitiveness. Align plans and investments with efforts to improve the city and regional business environment for traded sector and export growth. Participate in regional and statewide initiatives.

Policy 6.21. Traded sector diversity. Encourage partnerships to foster the growth, small business vitality, and diversity of traded sectors.

Policy 6.22. Clusters. Align plans and investments with efforts that direct strategic business development resources to enhance the competitiveness of businesses in traded sector clusters.

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Policy 6.23. Trade and freight hub. Encourage investment in transportation systems and services that will retain and expand Portland’s competitive position as a West Coast trade gateway and freight distribution hub.

Policy 6.24. Traded sector land supply. Foster traded sector retention, growth, and competitive advantages in industrial districts and the Central City. Recognize the concentration of traded-sector businesses in these districts.

Policy 6.25. Import substitution. Encourage local goods production and service delivery that substitute for imports and help keep the money Portlanders earn in the local economy.

Policy 6.26. Business opportunities in urban innovation. Strive to have Portland’s built environment, businesses, and infrastructure systems showcase examples of best practices of innovation and sustainability.

229. Finding: The RIP2 amendments address housing and do not adversely impact the city and regional business climate. Policies 6.20 through 6.26 do not apply.

Equitable household prosperity

Policy 6.27. Income self-sufficiency. Expand access to self-sufficient wage levels and career ladders for low-income people by maintaining an adequate and viable supply of employment land and public facilities to support and expand opportunities in Portland for middle- and high-wage jobs that do not require a 4-year college degree.

6.27.a. Support the role of industrial districts as a leading source of middle-wage jobs that do not require a 4-year college degree and as a major source of wage-disparity reduction for under-served and under-represented communities.

6.27.b. Evaluate and limit negative impacts of plans and investments on middle and high wage job creation and retention.

230. Finding: The RIP2 amendments address housing and do not adversely impact employment land or public facilities. Policy 6.27 does not apply.

Policy 6.28. East Portland job growth. Improve opportunities for East Portland to grow as a business destination and source of living wage jobs.

231. Finding: The RIP2 amendments address the single-dwelling zones and do not impact employment land or job growth in East Portland. Policy 6.28 does not apply.

Policy 6.29. Poverty reduction. Encourage investment in, and alignment of, poverty-reduction efforts that address economic development, land use, transportation, housing, social services, public health, community development, and workforce development.

232. Finding: By increasing the range of permissible housing types in single-dwelling zones and the production of market rate housing together with incentives for providing affordable units, housing units are available at a wider spectrum of prices across a broader geographic reach of the city, increasing both ownership and rental opportunities. Reducing housing costs and having more households able to reside closer to active transportation options improves public health outcomes, increases household stability, and offers households greater means to accumulate savings. In addition, developing new opportunities for unit ownership allows for the generation of wealth that can be transferred to future generations. Therefore, the RIP2 amendments encourage poverty reduction efforts through land use, transportation, housing and economic and community

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development, and do not affect efforts related to social services, public health and workforce development.

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.

233. Finding: Policies 6.30 and 6.31 provide direction regarding equity-related approaches to employment and small business development. The RIP2 amendments address housing and do not adversely impact employment or business development. These policies do not apply.

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.

234. Finding: The RIP2 amendments do not address or amend urban renewal plans. This policy does not apply.

Central City

Policy 6.33. Central City. Improve the Central City's regional share of employment and continue its growth as the unique center of both the city and the region for innovation and exchange through commerce, employment, arts, culture, entertainment, tourism, education, and government.

Policy 6.34. Central City industrial districts. Protect and facilitate the long-term success of Central City industrial districts, while supporting their evolution into places with a broad mix of businesses with high employment densities.

Policy 6.35. Innovation districts. Provide for expanding campus institutions in the Central City and Marquam Hill, and encourage business development that builds on their research and development strengths.

235. Finding: Policies 6.33 through 6.35 provide direction regarding economic development in the Central City. There are no zones in the Central City impacted by RIP2. These policies do not apply.

Industrial and employment districts

Policy 6.36. Industrial land. Provide industrial land that encourages industrial business retention, growth, and traded sector competitiveness as a West Coast trade and freight hub, a regional center of diverse manufacturing, and a widely-accessible base of family-wage jobs, particularly for under-served and under-represented people.

Policy 6.37. Industrial sanctuaries. Protect industrial land as industrial sanctuaries identified on the Comprehensive Plan Map primarily for manufacturing and distribution uses and to encourage the growth of industrial activities in the city.

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Policy 6.38. Prime industrial land retention. Protect the multimodal freight-hub industrial districts at the Portland Harbor, Columbia Corridor, and Brooklyn Yard as prime industrial land that is prioritized for long-term retention.

6.38.a. Protect prime industrial lands from quasi-judicial Comprehensive Plan Map amendments that convert prime industrial land to non-industrial uses, and consider the potential for other map amendments to otherwise diminish the economic competitiveness or viability of prime industrial land.

6.38.b. Limit conversion of prime industrial land through land use plans, regulations, or public land acquisition for non-industrial uses, especially land that can be used by river-dependent and river-related industrial uses.

6.38.c. Limit regulatory impacts on the capacity, affordability, and viability of industrial uses in the prime industrial area while ensuring environmental resources are also protected.

6.38.d. Strive to offset the reduction of development capacity as needed, with additional prime industrial capacity that includes consideration of comparable site characteristics. Offsets may include but are not limited to additional brownfield remediation, industrial use intensification, strategic investments, and other innovative tools and partnerships that increase industrial utilization of industrial land.

6.38.e. Protect prime industrial land for siting of parks, schools, large-format places of assembly, and large-format retail sales.

6.38.f. Promote efficient use of freight hub infrastructure and prime industrial land by limiting non-industrial uses that do not need to be in the prime industrial area.

Policy 6.39. Harbor access lands. Limit use of harbor access lands to river- or rail-dependent or related industrial land uses due to the unique and necessary infrastructure and site characteristics of harbor access lands for river-dependent industrial uses.

Policy 6.40. Portland Harbor Superfund Site. Take a leadership role to facilitate a cleanup of the Portland Harbor that moves forward as quickly as possible and that allocates cleanup costs fairly and equitably. Encourage a science-based and cost-effective cleanup solution that facilitates re-use of land for river- or rail-dependent or related industrial uses.

Policy 6.41. Multimodal freight corridors. Encourage freight-oriented industrial development to locate where it can maximize the use of and support reinvestment in multimodal freight corridors.

Policy 6.42. Columbia East. Provide a mix of industrial and limited business park development in Columbia East (east of 82nd Avenue) that expand employment opportunities supported by proximity to Portland International Airport and multimodal freight access.

Policy 6.43. Dispersed employment areas. Provide small, dispersed employment areas for a flexible and affordable mix of office, creative services, small-scale manufacturing, traded sector and distribution, and other small-format light industrial and commercial uses with access to nearby freeways or truck streets.

Policy 6.44. Industrial land use intensification. Encourage reinvestment in, and intensification of, industrial land use, as measured by output and throughput per acre.

Policy 6.45. Industrial brownfield redevelopment. Provide incentives, investments, technical assistance and other direct support to overcome financial-feasibility gaps to enable remediation and redevelopment of brownfields for industrial growth.

Policy 6.46. Impact analysis. Evaluate and monitor the impacts on industrial land capacity that may

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result from land use plans, regulations, public land acquisition, public facility development, and other public actions to protect and preserve existing industrial lands.

Policy 6.47. Clean, safe, and green. Encourage improvements to the cleanliness, safety, and ecological performance of industrial development and freight corridors by facilitating adoption of market feasible new technology and design.

Policy 6.48. Fossil fuel distribution. Limit fossil fuels distribution and storage facilities to those necessary to serve the regional market.

Policy 6.49. Industrial growth and watershed health. Facilitate concurrent strategies to protect and improve industrial capacity and watershed health in the Portland Harbor and Columbia Corridor areas.

Policy 6.50. District expansion. Provide opportunities for expansion of industrial areas based on evaluation of forecasted need and the ability to meet environmental, social, economic, and other goals.

Policy 6.51. Golf course reuse and redevelopment. Facilitate a mix of industrial, natural resource, and public open space uses on privately-owned golf course sites in the Columbia Corridor that property owners make available for reuse.

Policy 6.52. Residential and commercial reuse. Facilitate compatible industrial or employment redevelopment on residential or commercial sites that become available for reuse if the site is in or near prime industrial areas, and near a freeway or on a freight street.

Policy 6.55. Neighborhood park use. Allow neighborhood park development within industrial zones where needed to provide adequate park service within one-half mile of every resident.

236. Finding: Policies 6.36 through 6.55 provide direction regarding industrial and employment districts. The RIP2 amendments do not change the comprehensive plan designations or regulations affecting any currently designated industrial or employment lands. Therefore, there is no impact to the development capacity of the City's industrial and employment districts.

Campus institutions

Policy 6.56. Campus institutions. Provide for the stability and growth of Portland's major campus institutions as essential service providers, centers of innovation, workforce development resources, and major employers.

Policy 6.57. Campus land use. Provide for major campus institutions as a type of employment land, allowing uses typically associated with health care and higher education institutions. Coordinate with institutions in changing campus zoning to provide land supply that is practical for development and intended uses.

Policy 6.58. Development impacts. Protect the livability of surrounding neighborhoods through adequate infrastructure and campus development standards that foster suitable density and attractive campus design. Minimize off-site impacts in collaboration with institutions and neighbors, especially to reduce automobile traffic and parking impacts.

Policy 6.59. Community amenities and services. Encourage campus development that provides amenities and services to surrounding neighborhoods, emphasizing the role of campuses as centers of community activity.

Policy 6.60. Campus edges. Provide for context-sensitive, transitional uses, and development at the edges of campus institutions to enhance their integration into surrounding neighborhoods, including mixed-use and neighborhood-serving commercial uses where appropriate.

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Policy 6.61. Satellite facilities. Encourage opportunities for expansion of uses, not integral to campus functions, to locate in centers and corridors to support their economic vitality.

237. Finding. Policies 6.56 through 6.61 provide direction regarding campus institutions. There are no zones with a campus institution land use designation impacted by RIP2. These policies do not apply.

Neighborhood business districts

Policy 6.62. Neighborhood business districts. Provide for the growth, economic equity, and vitality of neighborhood business districts.

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 6.65. Home-based businesses. Encourage and expand allowances for small, low-impact home based businesses in residential areas, including office or personal service uses with infrequent or by-appointment customer or client visits to the site. Allow a limited number of employees, within the scale of activity typical in residential areas. Allow home-based businesses on sites with accessory dwelling units.

238. Finding. Policies 6.62 through 6.65 provide direction regarding neighborhood districts and smaller businesses. The RIP2 map amendments do not affect the base land uses or development capacity in the commercial/mixed-use zones. Home occupations, presently allowed in single-dwelling zones, are unaffected by these amendments. The RIP2 amendments provide for a wider variety and increased capacity of housing in single-dwelling zones which are frequently found near neighborhood business districts. The increased density can result in a greater number and diversity of consumers, which helps increase the vitality and resulting growth of neighborhood business districts.

Policy 6.66. Neighborhood-serving business. Provide for neighborhood business districts and small commercial nodes in areas between centers to expand local access to goods and services. Allow nodes of small-scale neighborhood-serving commercial uses in large planned developments and as a ground floor use in high density residential areas.

Policy 6.67. Retail development. Provide for a competitive supply of retail sites that support the wide range of consumer needs for convenience, affordability, accessibility, and diversity of goods and services, especially in under-served areas of Portland.

Policy 6.68. Investment priority. Prioritize commercial revitalization investments in neighborhoods that serve communities with limited access to goods and services.

Policy 6.69. Non-conforming neighborhood business uses. Limit non-conforming uses to reduce adverse impacts on nearby residential uses while avoiding displacement of existing neighborhood businesses.

Policy 6.70. Involuntary commercial displacement. Evaluate plans and investments for their impact on existing businesses.

6.70.a. Limit involuntary commercial displacement in areas at risk of gentrification, and incorporate tools to reduce the cost burden of rapid neighborhood change on small business owners vulnerable to displacement.

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6.70.b. Encourage the preservation and creation of affordable neighborhood commercial space to support a broad range of small business owners.

Policy 6.71. Temporary and informal markets and structures. Acknowledge and support the role that temporary markets (farmer’s markets, craft markets, flea markets, etc.) and other temporary or mobile-vending structures play in enabling startup business activity. Also, acknowledge that temporary uses may ultimately be replaced by more permanent development and uses.

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.

6.72.a. Encourage broad-based community coalitions to implement land use and economic development objectives and programs.

6.72.b. Enhance opportunities for cooperation and partnerships between public and private entities that promote economic vitality in communities most disconnected from the regional economy.

6.72.c. Encourage cooperative efforts by area businesses, Business Associations, and Neighborhood Associations to work together on commercial revitalization efforts, sustainability initiatives, and transportation demand management.

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.

6.73.b. Encourage the retention and further development of grocery stores and local markets as essential elements of centers.

6.73.c. Enhance opportunities for services and activities in centers that are responsive to the needs of the populations and cultural groups of the surrounding area.

6.73.d. Require ground-level building spaces in core areas of centers accommodate commercial or other street-activating uses and services.

6.73.e. Encourage employment opportunities as a key function of centers, including connections between centers, institutions, and other major employers to reinforce their roles as vibrant centers of activity.

239. Finding: Policies 6.66 through 6.73 provide direction regarding neighborhood districts and centers, which primarily have commercial/mixed use zoning. The RIP2 map amendments do not change commercial revitalization priorities, or affect the base land uses, non-conforming rules, or development capacity in the commercial/mixed-use zones. In addition, providing a wider variety of housing to suit a broader segment of the population will help retain and attract skilled workers. The RIP2 amendments do not change the comprehensive plan designations or regulations affecting any lands designated Mixed Use Commercial. Therefore, these policies do not apply.

Chapter 7: Environmental and Watershed Health

Goal 7.A: Climate. Carbon emissions are reduced to 50 percent below 1990 levels by 2035.

240. Finding: The City’s adopted Climate Action Plan (CAP) identifies objectives and actions for reducing carbon emissions and one of the objectives is to reduce emissions related to transportation. Several actions related to reducing emissions (including actions 4O and 4Q) call for reducing emissions by focusing on “concentrating growth and density in areas with access to transit services, bike and pedestrian infrastructure...to reduce transportation fuel use. Such development patterns have helped reduce total gasoline sales in Multnomah County by 29 percent per person below 1990.”⁴³ The RIP2 amendments increase the number of dwelling units allowed (i.e. increase density) on roughly 75,000 single-dwelling zoned lots⁴⁴. Ninety percent of single dwelling zoned parcels are located within a quarter mile of transit service. The RIP2 amendments increase the potential for density to be located near transit, which the CAP identifies as a good strategy for reducing carbon emissions, and therefore, the RIP2 amendments are consistent with Goal 7.A.

The CAP also identifies solid waste as a source of carbon emissions. Objective 2 includes actions aimed at reducing the carbon emissions associated with buildings, and Objective 10 includes actions focused on reducing solid waste by 33%. According to a study conducted by the State DEQ “Reducing home size is among the best tier of options for reducing waste generation in the Oregon housing sector...”⁴⁵. The RIP2 amendments add a maximum floor area ratio (FAR) to the set of development standards that apply to structures on lots that are less than 10,000 square feet in size in the R10 and R20 zones. Therefore, the RIP2 amendments are consistent with Goal 7.A.

Goal 7.B: Healthy watersheds and environment. Ecosystem services and ecosystem functions are maintained and watershed conditions have improved over time, supporting public health and safety, environmental quality, fish and wildlife, cultural values, economic prosperity, and the intrinsic value of nature.

241. Finding: The primary tool in the zoning code to protect resources and functional values that have been identified by the City as providing benefits to the public is environmental overlay zoning. RIP does not amend any of the City’s existing environmental overlay zones. RIP2 helps to maintain ecosystem service and function by prohibiting the additional density allowed by the RIP2 amendments on sites that contain any of the City’s environmental overlay zones, and other areas with floodplain or landslide risk that are not currently protected by environmental overlay zones.

The RIP2 amendments also reduce the potential for development to negatively impact the ecosystem service and functions within these areas by reducing the allowed building size on small lots in the R10 and R20 zones, which may result in reduced impervious area. As described in the Citywide Natural Resources Inventory, impervious surfaces have negative impacts on streams related to increased runoff and storm flows⁴⁶. Therefore, the RIP2 amendments are consistent with Goal 7.B.

⁴³ Climate Action Plan, City of Portland, Oregon and Multnomah County, pg. 77, June 30, 2015

⁴⁴ Represents 2,990 lots in R10 and R20 zones without ‘z’ overlay, plus 72,214 lots in R2.5, R5, and R7 that may allow a cottage cluster with up to 16 units.

⁴⁵ Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, Quantis, Earth Advantage, and Oregon Home Builders Association, September 29, 2010

⁴⁶ City of Portland Natural Resources Inventory, pg. 16, October 2012

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Goal 7.C: Resilience. Portland’s built and natural environments function in complementary ways and are resilient in the face of climate change and natural hazards.

242. Finding: The Comprehensive Plan defines “resilience” as the capability to anticipate, prepare for, respond to, and recover from significant multi-hazard threats with minimum damage to social well-being, the economy, and the environment. The city’s adopted Climate Action Plan (CAP) addresses resiliency and includes specific strategies and actions that can be taken to support and improve resiliency.

The CAP identifies reducing risks and impacts from flooding and landslides as a key strategy to address climate change preparedness (CAP Objective 15). Action 15C calls for encouraging or requiring private property owners and developers to implement climate change preparation measures, including limiting or reducing impervious area⁴⁷. The RIP2 amendments encourage the reduction of impervious surface by reducing the allowed building size. Reducing the allowed size of buildings means that in some cases the footprint of the building will be smaller. RIP2 also includes a provision allowing sidewalks in the right of way to function as part of the required pedestrian path system in cottage clusters to link units, parking areas, and other shared areas. This reduces the need for duplicative paved surface. As described in the CAP, reducing impervious surface can help to make the built environment more resilient in the face of climate change and natural hazards and thus, the RIP amendments are consistent with this Goal.

The CAP actions related to climate change preparedness call for, among other things, protecting floodplains, managing stormwater naturally and managing landslide risk (Actions 15A, 15B, 15F). The RIP2 amendments support these actions by increasing density near transit (see findings for Goal 7A) and away from natural resources and hazard areas. The RIP2 amendments also help to protect floodplain and manage landslide and wildfire risk by prohibiting the increased density on lots that have environmental zoning, on lots in the floodplain, and on lots that have elevated landslide or wildfire risk. In addition, the RIP2 amendments do not change City programs for flood management, and erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24). Therefore, the RIP2 amendments are consistent with Goal 7.C.

Goal 7.D: Environmental equity. All Portlanders have access to clean air and water, can experience nature in their daily lives, and benefit from development designed to lessen the impacts of natural hazards and environmental contamination.

243. Finding: As shown in the findings for Goal 7.A, locating density near transit is a key strategy for reducing carbon emissions. The RIP2 amendments allow multiple dwelling units on single-dwelling zoned lots. Roughly 90 percent of the single-dwelling zoned lots that will allow the opportunity for this increased density are located within 1/4 mile of transit service thus expanding options for the development of energy-efficient compact housing in locations supportive of low-carbon transportation options (such as transit, walking, and bicycling). Therefore, the RIP2 amendments support reduced carbon emissions and clean air and water.

Goal 7.E: Community stewardship. Portlanders actively participate in efforts to maintain and improve the environment, including watershed health.

244. Finding: This goal is focused on actions that have the potential to activate Portland’s residents on behalf of the environment and watershed health. RIP2 amends zoning regulations and

⁴⁷ Climate Action Plan, City of Portland, Oregon and Multnomah County, pg. 115, June 30, 2015

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designations. The RIP2 amendments do not affect non-regulatory, environmental public involvement programs or actions. Therefore, this goal does not apply

Improving environmental quality and resilience

Policy 7.1. Environmental quality. Protect or support efforts to protect air, water, and soil quality, and associated benefits to public and ecological health and safety, through plans and investments.

245. Finding: The RIP2 amendments are consistent with this policy because they do several things to support the protection of air, water, and soil quality:

- The amendments encourage the reduction of impervious surface on lots in the single-dwelling zones by reducing allowed building size on smaller lots in the R10 and R20 zones. As shown in the findings for Goals 7.B and 7.C above, reducing impervious surface can reduce impacts from flooding and landslides, thus helping to protect water and soil quality.
- The City protects identified natural resources and associated benefits to the public and ecological health through the application of environmental overlay zones. The RIP2 amendments increase the number of dwelling units that can be built on lots in the single-dwelling zones, however the additional density will not be allowed on lots that have environmental zoning, lots within the floodplain, lots with elevated landslide or wildfire risk.
- The RIP amendments do not affect City programs for flood management, and erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24).

Policy 7.2. Environmental equity. Prevent or reduce adverse environment-related disparities affecting under-served and under-represented communities through plans and investments. This includes addressing disparities relating to air and water quality, natural hazards, contamination, climate change, and access to nature.

246. Finding: The RIP2 amendments have the potential to improve air and water quality, reduce impacts from natural hazards, and address climate change as described in the findings for Goals 7.A, 7.B, 7.C and 7.D, and Policy 7.1 above.

Policy 7.3. Ecosystem services. Consider the benefits provided by healthy ecosystems that contribute to the livability and economic health of the city.

247. Finding: This Comprehensive plan defines ecosystem services as including, among other things, climate regulation, flood mitigation, stormwater management, and clean air and water. The RIP amendments are consistent with this policy because, as shown in the findings for Goals 7.A, 7.B, 7.C, 7.D and Policy 7.1, they have the potential to reduce carbon emissions and impervious surfaces thus improving air and water quality, reducing stormwater runoff and mitigating floods.

The RIP2 amendments are also consistent with this policy because they protect the ecosystem services provided by identified natural resources. According to the adopted Citywide Natural Resources Inventory, Portland's identified natural resource "provide important ecosystem services that can protect public health, safety and property, and reduce local infrastructure costs. For example, although the city has developed an elaborate stormwater pipe system, local rivers, streams, wetlands and floodplains still provide critical water storage and conveyance capacity throughout Portland's watersheds. Trees, shrubs and groundcover help reduce the impacts of stormwater runoff by intercepting precipitation and filtering out pollutants. Vegetation also helps prevent erosion and landslides by stabilizing streambanks and steep slopes. Trees and vegetation

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help maintain healthful air quality and reduce energy demand and discharge of greenhouse gases, particularly carbon dioxide which contributes to global warming”.⁴⁸ The RIP2 amendments increase the number of dwelling units allowed on single-dwelling zoned lots in Portland. However, the RIP2 proposals do not allow the increased density on lots that with identified natural resources that are protected with environmental overlay zones, lots within the floodplain, and lots with elevated landslide or wildfire risk thus taking the ecosystem services provided by the resources into consideration.

Policy 7.4. Climate change. Update and implement strategies to reduce carbon emissions and impacts and increase resilience through plans and investments and public education.

7.4.a. Carbon sequestration. Enhance the capacity of Portland’s urban forest, soils, wetlands, and other water bodies to serve as carbon reserves.

7.4.b. Climate adaptation and resilience. Enhance the ability of rivers, streams, wetlands, floodplains, urban forest, habitats, and wildlife to limit and adapt to climate-exacerbated flooding, landslides, wildfire, and urban heat island effects.

248. Finding: The RIP2 amendments are consistent with this policy and subpolicies because, as shown in in the findings for Goals 7.A, 7.B, 7.C and 7.D, and Policy 7.1 above, they have the potential to reduce carbon emissions and increase resilience.

Policy 7.5. Air quality. Improve, or support efforts to improve, air quality through plans and investments, including reducing exposure to air toxics, criteria pollutants, and urban heat island effects. Consider the impacts of air quality on the health of all Portlanders.

249. Finding: The RIP2 amendments are consistent with this policy because, as shown in in the findings for Goals 7.A and Policy 7.1 above, they have the potential to reduce carbon emissions and improve air quality. In addition, Council considered the impacts of air quality on the health of all Portlanders by adopting the RIP2 amendments that encourage the reduction of on-site impervious surface (e.g. limiting the overall amount of floor area allowed on small lots in the R10 and R20 zones) combined with the existing maximum building coverage limitations in single-dwelling zones. These actions may result in more lot area remaining open or unbuilt, which increases space with a lot for trees and other vegetation to be planted. Increasing the number of trees and vegetation enhances the urban forest and mitigates urban heat island effects⁴⁹. Moreover, reducing impervious area that is used for vehicle parking can reduce the sources of toxics entering stormwater and eventually streams⁵⁰.

City Council did include changes that would allow deeply affordable projects (those that provide half of the units as regulated affordable units) to have greater building coverage which in turn reduces the areas available for tree planting. However, this is partially offset by Title 11 requirements for payments in lieu of tree planting which can then be applied to tree planting off-site. Moreover, these projects are not exempt from street tree preservation and planting requirements.

Policy 7.6. Hydrology. Through plans and investments, improve or support efforts to improve watershed hydrology to achieve more natural flow and enhance conveyance and storage capacity in rivers, streams, floodplains, wetlands, and aquifers. Minimize impacts from development and associated

⁴⁸ City of Portland Natural Resources Inventory, pg. 3, October 2012

⁴⁹ Reducing Urban Heat Islands: Compendium of Strategies—Trees and Vegetation, US EPA, 2008

⁵⁰ Pitt, R., R Field*, M. Lalor, AND M. Brown**. URBAN STORMWATER TOXIC POLLUTANTS: ASSESSMENT, SOURCES, AND TREATABILITY. 10.2175/106143095X13, WATER ENVIRONMENT RESEARCH. WEF, Alexandria, VA, 67(3):260-275, (1995).

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impervious surfaces, especially in areas with poorly-infiltrating soils and limited public stormwater discharge points, and encourage restoration of degraded hydrologic functions.

250. Finding: The RIP2 amendments support this policy because, as shown in the findings for Goals 7.B and 7.C and policy 7.1, the amendments have the potential to reduce impervious surfaces in single-dwelling zones, and reducing impervious surfaces can have positive effects on ecosystem services including stream flow, and hydrology. In addition, the RIP2 amendments prohibit the additional dwelling units allowed on lots with identified and protected natural resources, floodplain, landslide or wildfire risk thereby limiting the impact from additional development in these areas. Several of the areas where the additional density will not be allowed overlap with areas identified by BES as having “less ability to infiltrate stormwater to the groundwater aquifer due to less permeable soils, steeper topography and geologic factors such as landslide susceptibility and shallow confining soil layers.”⁵¹ For these reasons, the RIP2 amendments are consistent with this policy.

Policy 7.7. Water quality. Improve, or support efforts to improve, water quality in rivers, streams, floodplains, groundwater, and wetlands through land use plans and investments, to address water quality issues including toxics, bacteria, temperature, metals, and sediment pollution. Consider the impacts of water quality on the health of all Portlanders.

251. Finding: The RIP2 amendments support this policy because, as shown in the findings for goals 7.B and 7.C and policies 7.1, 7.5 and 7.6, the amendments have the potential to reduce impervious surfaces in the R10 and R20 zones, and reducing impervious surfaces is one key strategy for improving water quality in urbanized areas. According to the US EPA, impervious (nonporous) surfaces like roads, parking lots, and rooftops prevent rain and snowmelt from infiltrating, or soaking, into the ground.⁵² Instead of infiltrating, the water runs off rapidly, degrading the banks of streams and other waterways. In addition, the rapidly moving water picks up pollutants from the impervious areas, depositing them in the streams and other waterways⁵³. Increased run off can also lead to increased flooding⁵⁴.

Policy 7.8. Biodiversity. Strive to achieve and maintain self-sustaining populations of native species, including native plants, native resident and migratory fish and wildlife species, at-risk species, and beneficial insects (such as pollinators) through plans and investments.

252. Finding: The RIP2 amendments are consistent with this policy because, as shown in the findings for 7.B and 7.C and policies 7.1, 7.3, 7.5 and 7.6, the amendments maintain the City’s existing regulatory protection of identified natural resources (i.e. Title 33 environmental overlay zones, Title 10, Erosion Control, Title 24 balanced cut and fill requirements), limit impacts for additional development in and near protected natural resource areas, encourage property owners to reduce impervious surfaces and increase trees and vegetation. Reducing impervious areas and increasing trees and vegetation can positively impact air and water quality and the urban forest. Native plants, animals and insects rely on healthy watersheds that include healthy water and habitat. To the extent that the RIP2 amendments maintain the existing natural resources and encourage the

⁵¹ Memorandum from Fred MacGregor, et. al., BES to Morgan Tracy, RIP Project Manager, March 6, 2020

⁵² Protecting Water Quality from Urban Runoff, US EPA, February 2003

⁵³ Pitt, R., R Field*, M. Lalor, AND M. Brown**. URBAN STORMWATER TOXIC POLLUTANTS: ASSESSMENT, SOURCES, AND TREATABILITY. 10.2175/106143095X13, WATER ENVIRONMENT RESEARCH. WEF, Alexandria, VA, 67(3):260-275, (1995)

⁵⁴ Stormwater Management Manual, BES 2016

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improvement or creation of new natural resource areas, the amendments are consistent with this policy.

Policy 7.9. Habitat and biological communities. Ensure that plans and investments are consistent with and advance efforts to improve, or support efforts to improve fish and wildlife habitat and biological communities. Use plans and investments to enhance the diversity, quantity, and quality of habitats habitat corridors, and especially habitats that:

- Are rare or declining.
- Support at-risk plant and animal species and communities.
- Support recovery of species under the Endangered Species Act, and prevent new listings.
- Provide culturally important food sources, including those associated with Native American fishing rights.

253. Finding: The RIP2 amendments are consistent with this policy because, as shown in the findings for goals 7.B and 7.C and policies 7.1, 7.3, 7.5 and 7.6, the amendments support efforts to improve habitat and biological communities by maintaining City’s existing regulatory protection of identified natural resources, which include fish and wildlife habitat⁵⁵, limit impacts from additional development in and near protected natural resource areas, and encourage property owners to reduce impervious surfaces and increase trees and vegetation. Protecting existing natural resources, reducing impervious areas and increasing trees and vegetation are key strategies for improving fish and wildlife habitat.⁵⁶ To the extent that the RIP2 amendments maintain the existing natural resources and encourage the improvement or creation of new natural resource areas, the amendments are consistent with this policy.

Policy 7.10. Habitat connectivity. Improve or support efforts to improve terrestrial and aquatic habitat connectivity for fish and wildlife by using plans and investments, to:

- Prevent and repair habitat fragmentation.
- Improve habitat quality.
- Weave habitat into sites as new development occurs.
- Enhance or create habitat corridors that allow fish and wildlife to safely access and move through and between habitat areas.
- Promote restoration and protection of floodplains.

254. Finding: The RIP2 amendments are consistent with this policy because, as shown in the findings for 7.B and 7.C and policies 7.1, 7.3, 7.5 and 7.6, the amendments support efforts to improve terrestrial and aquatic habitat connectivity for fish and wildlife by maintaining City’s existing regulatory protection of identified natural resources, which include fish and wildlife habitat⁵⁷, limit impacts from additional development in and near protected natural resource areas, and encourage property owners to reduce impervious surfaces and increase trees and vegetation. Protecting existing natural resources, reducing impervious areas and increasing trees and vegetation are key strategies for improving fish and wildlife habitat.⁵⁸ To the extent that the RIP2 amendments maintain the existing natural resources and encourage the improvement or creation of new natural resource areas, the amendments are consistent with this policy.

⁵⁵ City of Portland Natural Resources Inventory, pg. 33, October 2012

⁵⁶ City of Portland Natural Resources Inventory, pg. 97, October 2012

⁵⁷ City of Portland Natural Resources Inventory, pg. 33, October 2012

⁵⁸ City of Portland Natural Resources Inventory, pg. 97, October 2012

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Policy 7.11. Urban forest. Improve, or support efforts to improve the quantity, quality, and equitable distribution of Portland’s urban forest through plans and investments.

7.11.a. Tree preservation. Require or encourage preservation of large healthy trees, native trees and vegetation, tree groves, and forested areas.

7.11.b. Urban forest diversity. Coordinate plans and investments with efforts to improve tree species diversity and age diversity.

7.11.c. Tree canopy. Support progress toward meeting City tree canopy targets.

7.11.d. Tree planting. Invest in tree planting and maintenance, especially in low-canopy areas, neighborhoods with under-served or under-represented communities, and within and near urban habitat corridors.

7.11.e. Vegetation in natural resource areas. Require native trees and vegetation in significant natural resource areas.

7.11.f. Resilient urban forest. Encourage planting of Pacific Northwest hardy and climate change resilient native trees and vegetation generally, and especially in urban habitat corridors.

7.11.g. Trees in land use planning. Identify priority areas for tree preservation and planting in land use plans.

7.11.h. Managing wildfire risk. Address wildfire hazard risks and management priorities through plans and investments.

255. The RIP amendments are consistent with this policy and subpolicies 7.11.a, 7.11.b, 7.11.c, 7.11.f and 7.11.h because the amendments support efforts to improve Portland’s urban forest by encouraging the reduction of on-site impervious surface and building size (i.e. limiting the overall amount of floor area allowed on a lot in the R10 and R20 zones). Reducing impervious area on a lot can provide opportunities to preserve existing trees and vegetation or plant additional trees and vegetation. As described in the findings for policy 7.5, planting additional trees and vegetation enhances the urban forest which has positive impacts on air quality. Preserving trees and planting trees also has the potential to improve tree diversity, enhance tree canopy. The amendments also maintain the existing City regulatory programs related to protection of natural resources (i.e. Title 33 environmental overlay zones, Title 10, Erosion Control, Title 24 balanced cut and fill requirements), which is supportive of Portland’s urban forest. Subpolicies 7.11d., 7.11.e and 7.11.g are not applicable because they call for investments (identify and fund priority tree planting areas) that are not within the scope of this project. The City is already in conformance with subpolicy 7.11.e because the 33.430, Environmental Overlay Zone, standards currently require native trees and vegetation in the resource area of environmental overlay zones.

Policy 7.12. Invasive species. Prevent the spread of invasive plants, and support efforts to reduce the impacts of invasive plants, animals, and insects, through plans, investments, and education.

Policy 7.13. Soils. Coordinate plans and investments with programs that address human-induced soil loss, erosion, contamination, or other impairments to soil quality and function.

256. **Finding:** Policies 7.12 and 7.13 are not applicable to the RIP2 amendments because the amendments do not change, affect or propose any City program or regulation related to invasive plants or animals, flood management, or erosion and sediment control (Title 10 Erosion Control and the balanced cut and fill requirements of City Title 24).

Policy 7.14. Natural hazards. Prevent development-related degradation of natural systems and

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associated increases in landslide, wildfire, flooding, and earthquake risks.

257. Finding: The RIP2 amendments are consistent with this policy. The RIP2 amendments prevent development-related degradation of natural systems by limiting additional density, to the extent allowed by HB2001, in areas with identified and protected natural resources, elevated landslide and wildfire risk, and within the 100-year floodplain. The amendments also reduce the allowed building size in in the R10 and R20 zones. These amendments in combination with the existing limit on overall building coverage per lot have the potential to reduce impervious surfaces in single-dwelling zones, and as shown in the findings for goals 7.B and 7.C and policies 7.1, 7.5 and 7.6, reducing impervious surfaces reduces stormwater runoff. Stormwater runoff contributes negatively to landslide and flooding risk. Furthermore, when development occurs, it is subject to City programs for flood management, and erosion and sediment control (Title 10 Erosion Control and the balanced cut and fill requirements of City Title 24), which are unchanged by these amendments.

Policy 7.15. Brownfield remediation. Improve environmental quality and watershed health by promoting and facilitating brownfield remediation and redevelopment that incorporates ecological site design and resource enhancement.

258. Finding: This policy does not apply to the RIP2 project. The RIP2 project amends the City's single-dwelling zones to allow additional middle housing types. None of the identified brownfields in the city are within single-dwelling zones.

Policy 7.16. Adaptive management. Evaluate trends in watershed and environmental health using current monitoring data and information to guide and support improvements in the effectiveness of City plans and investments.

259. Finding: This policy directs ongoing monitoring of watershed and environmental health as a basis for reviewing the effectiveness or impact of plans and investments. This policy does not apply to proposed changes to zoning regulations.

Policy 7.17. Restoration partnerships. Coordinate plans and investments with other jurisdictions, air and water quality regulators, watershed councils, soil and water conservation districts, Sovereign nations, and community organizations and groups including under-served and under-represented communities, to optimize the benefits, distribution, and cost-effectiveness of watershed restoration and enhancement efforts.

260. Finding: Policy 7.17 guides the development and review of City plans and investments that address watershed and environmental health. The policy does not apply because the RIP2 project does not change or affect any City watershed or environmental health plan or investment.

Policy 7.18. Community stewardship. Encourage voluntary cooperation between property owners, community organizations, and public agencies to restore or re-create habitat on their property, including removing invasive plants and planting native species.

261. Finding: This policy is focused on programs to improve public and agency participation in habitat restoration and enhancement. This policy does not apply because the RIP2 project does not affect, change or propose habitat restoration programs.

Planning for natural resource protection

Policy 7.19. Natural resource protection. Protect the quantity, quality, and function of significant natural resources identified in the City's natural resource inventory, including:

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- Rivers, streams, sloughs, and drainageways.
- Floodplains.
- Riparian corridors.
- Wetlands.
- Groundwater.
- Native and other beneficial vegetation species and communities.
- Aquatic and terrestrial habitats, including special habitats or habitats of concern, large anchor habitats, habitat complexes and corridors, rare and declining habitats such as wetlands, native oak, bottomland hardwood forest, grassland habitat, shallow water habitat, and habitats that support special-status or at-risk plant and wildlife species.
- Other resources identified in natural resource inventories.

Policy 7.20. Natural resource inventory. Maintain an up-to-date inventory by identifying the location and evaluating the relative quantity and quality of natural resources.

Policy 7.21. Environmental plans and regulations. Maintain up-to-date environmental protection plans and regulations that specify the significant natural resources to be protected and the types of protections to be applied, based on the best data and science available and on an evaluation of cumulative environmental, social, and economic impacts and tradeoffs. *See Figure 7-2 — Adopted Environmental Plans.*

7.21.a. Improve the effectiveness of environmental protection plans and regulations to protect and encourage enhancement of ecological functions and ecosystem services.

Policy 7.22. Land acquisition priorities and coordination. Maintain a land acquisition program as a tool to protect and support natural resources and their functions. Coordinate land acquisition with the programs of City bureaus and other agencies and organizations.

262. Finding: Policies 7.19 through 7.22 provide direction regarding planning for natural resource protection. The *2035 Comprehensive Plan* background documents included an updated Natural Resources Inventory (NRI), which was adopted (Ordinance 185657) and acknowledged by LCDC on June 13, 2014. The NRI identified the location, quantity, and quality of all significant natural resources as required by the inventory provisions of Statewide Planning Goal 5. From the set of all significant resources, high and medium quality resources, ranked primarily from riparian corridor and wildlife habitat considerations, were identified to comply with the inventory requirements of Title 13 of Metro’s Urban Growth Management Functional Plan.

The City’s environmental overlay zones are the primary zoning tool to protect resources and functional values that have been identified by the City as providing benefits to the public (including the Environmental overlay zones, the River Natural overlay zone, the River Environmental overlay zone, and the Pleasant Valley Natural Resource overlay zone). The RIP2 amendments do not change these zones or regulations. Furthermore, the amendments also do not include or change any land acquisition programs which will continue to be coordinated between City bureaus and other agencies and organizations.

Protecting natural resources in development situations

Policy 7.23. Impact evaluation. Evaluate the potential adverse impacts of proposed development on significant natural resources, their functions, and the ecosystem services they provide to inform and guide development design and mitigation consistent with policies 7.24-7.26. and other relevant

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Comprehensive Plan policies.

Policy 7.24. Regulatory hierarchy: avoid, minimize, mitigate. Maintain regulations requiring that the potential adverse impacts of new development on significant natural resources and their functions first be avoided where practicable, then minimized, then lastly, mitigated.

Policy 7.25. Mitigation effectiveness. Require that mitigation approaches compensate fully for adverse impacts on locally and regionally significant natural resources and functions. Require mitigation to be located as close to the impact as possible. Mitigation must also take place within the same watershed or portion of the watershed that is within the Portland Urban Services Boundary, unless mitigating outside of these areas will provide a greater local ecological benefit. Mitigation will be subject to the following preference hierarchy:

1. On the site of the resource subject to impact with the same kind of resource; if that is not possible, then
2. Off-site with the same kind of resource; if that is not possible, then
3. On-site with a different kind of resource; if that is not possible, then
4. Off-site with a different kind of resource.

Policy 7.26. Improving environmental conditions through development. Encourage ecological site design, site enhancement, or other tools to improve ecological functions and ecosystem services in conjunction with new development and alterations to existing development.

263. Policies 7.23 through 7.26 provide direction regarding the protection of significant natural resources in development situations. . . The City's environmental overlay zones (including the Environmental overlay zones, the River Natural overlay zone, the River Environmental overlay zone, and the Pleasant Valley Natural Resource overlay zone) are the regulations that control development in order to protect, or ensure mitigation for, the resources and functional values while allowing environmentally sensitive urban development. The RIP2 amendments do not amend any of the existing environmental zoning regulations and furthermore the amendments:

- Encouraging the reduction of impervious surface on lots in the single-dwelling zones, including lots that have environmental zoning, by limiting the allowed building size. Reducing impervious surface helps to protect water and soil quality by reducing runoff which protects streams and other water bodies.
- Limiting the impacts from additional development in the environmental zones by prohibiting the additional density allowed by RIP2 on lots that have environmental zoning and by prohibiting the additional density on lots within the floodplain, and lots with elevated landslide or wildfire risk)

Aggregate resources

Policy 7.27. Aggregate resource protection. Protect aggregate resource sites for current and future use where there are no major conflicts with urban needs, or where these conflicts may be resolved.

Policy 7.28. Aggregate resource development. When aggregate resources are developed, ensure that development minimizes adverse environmental impacts and impacts on adjacent land uses.

Policy 7.29. Mining site reclamation. Ensure that the reclamation of mining sites protects public health and safety, protects fish and wildlife (including at-risk species), enhances or restores habitat (including rare and declining habitat types), restores adequate watershed conditions and functions on the site, and is compatible with the surrounding land uses and conditions of nearby land.

264. Finding: Policies 7.27 through 7.29 provide direction regarding aggregate resources. The RIP2 amendments address housing and do not impact aggregate resources or mine sites. These policies do not apply.

Columbia River Watershed

Policy 7.30. In-water habitat. Enhance in-water habitat for native fish and wildlife, particularly in the Oregon Slough and near-shore environments along the Columbia River.

Policy 7.31. Sensitive habitats. Enhance grassland, beach, riverbanks, wetlands, bottomland forests, shallow water habitats, and other key habitats for wildlife traveling along the Columbia River migratory corridor, while continuing to manage the levees and floodplain for flood control.

Policy 7.32. River-dependent and river-related uses. Maintain plans and regulations that recognize the needs of river-dependent and river-related uses while also supporting ecologically-sensitive site design and practices.

265. Finding: Policies 7.30 through 7.32 provide direction regarding habitat and river-related uses in the Columbia River Watershed. The RIP2 amendments do not affect the environmental zones that apply in this area, or other regulations or programs related to habitat enhancement, or river-dependent or river-related uses.

Willamette River Watershed

Policy 7.33. Fish habitat. Provide adequate intervals of ecologically-functional shallow-water habitat for native fish along the entire length of the Willamette River within the city, and at the confluences of its tributaries.

Policy 7.34. Stream connectivity. Improve stream connectivity between the Willamette River and its tributaries.

Policy 7.35. River bank conditions. Preserve existing river bank habitat and encourage the rehabilitation of river bank sections that have been significantly altered due to development with more fish and wildlife friendly riverbank conditions.

Policy 7.36. South Reach ecological complex. Enhance habitat quality and connections between Ross Island, Oaks Bottom, and riverfront parks and natural areas south of the Central City, to enhance the area as a functioning ecological complex.

Policy 7.37. Contaminated sites. Promote and support programs that facilitate the cleanup, reuse, and restoration of the Portland Harbor Superfund site and other contaminated upland sites.

Policy 7.38. Sensitive habitats. Protect and enhance grasslands, beaches, floodplains, wetlands, remnant native oak, bottomland hardwood forest, and other key habitats for native wildlife including shorebirds, waterfowl, and species that migrate along the Pacific Flyway and the Willamette River corridor.

Policy 7.39. Riparian corridors. Increase the width and quality of vegetated riparian buffers along the Willamette River.

Policy 7.40. Connected upland and river habitats. Enhance habitat quality and connectivity between the Willamette riverfront, the Willamette's floodplain, and upland natural resource areas.

Policy 7.41. River-dependent and river-related uses. Develop and maintain plans and regulations that recognize the needs of river-dependent and river-related uses, while also supporting ecologically-sensitive site design and practices.

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266. Finding: The RIP amendments are consistent with this policy because they do not affect the regulation of river-dependent or river-related uses.

Policy 7.42. Forest Park. Enhance Forest Park as an anchor habitat and recreational resource.

267. Finding: Policies 7.33 through 7.42 provide direction regarding habitat and river-related uses in the Willamette River Watershed. The RIP2 amendments do not affect the Environmental, Greenway, or River overlay zones that apply in this area, or other regulations or programs related to habitat or watershed health.

Columbia Slough Watershed

Policy 7.43. Fish passage. Restore in-stream habitat and improve fish passage within the Columbia Slough, including for salmonids in the lower slough.

Policy 7.44. Flow constriction removal. Reduce constriction, such as culverts, in the slough channels, to improve the flow of water and water quality.

Policy 7.45. Riparian corridors. Increase the width, quality, and native plant diversity of vegetated riparian buffers along Columbia Slough channels and other drainageways within the watershed, while also managing the slough for flood control.

Policy 7.46. Sensitive habitats. Enhance grasslands and wetland habitats in the Columbia Slough, such as those found in the Smith and Bybee Lakes and at the St. Johns Landfill site, to provide habitat for sensitive species, and for wildlife traveling along the Columbia and Willamette river migratory corridors.

Policy 7.47. Connected rivers habitats. Enhance upland habitat connections to the Willamette and Columbia rivers.

Policy 7.48. Contaminated sites. Ensure that plans and investments are consistent with and advance programs that facilitate the cleanup, reuse, and restoration of contaminated sites that are adjacent, or that discharge stormwater, to the Columbia Slough.

Policy 7.49. Portland International Airport. Protect, restore, and enhance natural resources and functions in the Portland International Airport plan district, as identified in Portland International Airport/Middle Columbia Slough Natural Resources Inventory. Accomplish this through regulations, voluntary strategies, and the implementation of special development standards.

268. Finding: Policies 7.43 through 7.49 provide direction regarding the environment and watershed health in the Columbia Slough Watershed. The RIP2 amendments do not affect the environmental zones that apply in this area, or other regulations or programs related to habitat or watershed health.

Fanno and Tryon Creek Watersheds

Policy 7.50. Stream connectivity. Encourage the daylighting of piped portions of Tryon and Fanno creeks and their tributaries.

Policy 7.51. Riparian and habitat corridors. Protect and enhance riparian habitat quality and connectivity along Tryon and Fanno creeks and their tributaries. Enhance connections between riparian areas, parks, anchor habitats, and areas with significant tree canopy. Enhance in-stream and upland habitat connections between Tryon Creek State Natural Area and the Willamette River.

Policy 7.52. Reduced hazard risks. Reduce the risks of landslides and streambank erosion by protecting trees and vegetation that absorb stormwater, especially in areas with steep slopes or limited access to stormwater infrastructure.

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269. Finding: Policies 7.50 through 7.52 provide direction regarding habitat and river-related uses in the Fanno and Tryon Creek Watersheds. The RIP2 amendments do not affect the environmental zones that apply in this area, or other regulations or programs related to habitat or watershed health.

Johnson Creek Watershed

Policy 7.53. In-stream and riparian habitat. Enhance in-stream and riparian habitat and improve fish passage for salmonids along Johnson Creek and its tributaries.

Policy 7.54. Floodplain restoration. Enhance Johnson Creek floodplain functions to increase flood-storage capacity, improve water quality, and enhance fish and wildlife habitat.

Policy 7.55. Connected floodplains, springs, and wetlands. Enhance hydrologic and habitat connectivity between the Johnson Creek floodplain and its springs and wetlands.

Policy 7.56. Reduced natural hazards. Reduce the risks of landslides, streambank erosion and downstream flooding by protecting seeps, springs, trees, vegetation, and soils that absorb stormwater in the East Buttes.

Policy 7.57. Greenspace network. Enhance the network of parks, trails, and natural areas near the Springwater Corridor Trail and the East Buttes to enhance habitat connectivity and nature-based recreation in East Portland.

270. Finding: Policies 7.53 through 7.57 provide direction regarding the environment and watershed health in the Johnson Creek Watershed. The RIP2 amendments do not affect the environmental zones that apply in this area or programs related to habitat or watershed health. The amendments also do not amend the Johnson Creek Basin Plan District.

Chapter 8: Public Facilities and Services

Goal 8.A: Quality public facilities and services. High-quality public facilities and services provide Portlanders with optimal levels of service throughout the city, based on system needs and community goals, and in compliance with regulatory mandates.

271. Finding: Council interprets this Goal to mean that public infrastructure and services are adequately planned, funded, built and maintained over time at a level commensurate with the growth and needs of an area and to meet regulatory obligations. The RIP2 amendments provide for optimal levels of service throughout the city based on system needs and community goals by largely directing future households to areas with current and planned levels of urban infrastructure and away from areas that are more difficult to serve. This is largely due to the creation of additional household capacity in areas that previously were projected to reach their zoned allocation capacity and where these services already exist and are more proximate to public facilities. It is also reflective of the increased cost to develop in areas that lack such services, and are therefore both more expensive to develop and less able to cover those costs due to lower consumer demand from lower access to services and amenities. The RIP2 amendments also extend the application of the 'z' overlay to nearly 80% of the R10 and R20 zoned areas where infrastructure deficiencies may exist or where there is little excess existing capacity.

Infrastructure issues were evaluated for RIP2 as part of the Infrastructure Based Time Extension Request process (OAR660-046-300). This process allows cities to identify areas where infrastructure deficiencies may merit a delay before permitting additional middle housing under HB2001. The city's consultants reviewed several case study areas to extrapolate and determine whether an IBTER would be appropriate. After reviewing these case studies, the consultants recommended the City apply a hybrid approach rather than request an IBTER time extension. This approach first, limits the applicable area where middle housing would be permitted through available goal-protected area exemptions. This reduces the total area for eligible lots by nearly 80% of the R10 and R20 zones. Second, identified infrastructure constraints can be addressed through developer-required improvements. The improvements may (and likely will) be costly for the developer, but they can be required, which means the deficiency does not meet the parameters for an IBTER.

This approach both limits the impact of potential development scenarios that are potentially hampered by infrastructure deficiencies, while also relying on the development review process to ensure high-quality public facilities and services are provided as development occurs.

The adopted 2035 Comprehensive Plan includes the Citywide Systems Plan (CSP), which was adopted (Ordinance 185657) and acknowledged by LCDC on April 25, 2017. The CSP includes the Public Facilities Plan with information on current and future transportation, water, sanitary sewer, and stormwater infrastructure needs and projects.

In addition, the service limitations identified in the CSP have been incorporated into the adopted BLI development constraint analysis that identified parts of Portland that lack needed urban infrastructure. The BLI constraint analysis is the basis of a geographic evaluation of the single dwelling zones to ensure that public facilities are planned to support any potential development that could result from these amendments.

The additional housing types allowed in single dwelling zones increase the effective maximum density of dwelling units on a parcel from two in R10 and R20 zones and four to six in R2.5, R5, and R7 to as many as 16, depending on lot eligibility. A number of parcels are ineligible for the

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additional housing types beyond a duplex (e.g. in the 'z' constrained sites overlay, not large enough, or are located on a street that has not been accepted for maintenance).

However, not all lots are likely to develop at this density over the CSP 20-year planning period. Household growth is determined by Metro allocations at the regional level. Household *allocation* is a more confined number of likely development within the Comprehensive Plan period, which is informed by the city's obligations under Statewide Goal 2, and more specifically OAR 660-32-0020. As part of the adopting of the 2035 Comprehensive Plan, Metro forecasts Portland to receive 123,000 additional households between 2015 and 2035.

This is an important distinction because while the RIP2 amendments increase capacity for development in RIP zones, they do not affect population or household allocation forecasts for the City overall. In other words, the housing effect of these changes allows for a redistribution of allocated households within the City by creating opportunities for additional development in different areas where zoned capacity was previously overutilized, but do not increase total numbers of expected households citywide.

Therefore, the model uses the population forecast required by ORS 195.036 to determine where new housing units are likely to be allocated. The RIP1 capacity and growth allocation model showed the predicted changes to the spatial distribution of housing units between all zones. This data was then evaluated by infrastructure bureaus at specific geographies that correspond with their systems planning to determine system and service adequacy. The RIP2 changes complement changes addressed and evaluated as part of RIP1 by incorporating two additional single dwelling zone areas (R10 and R20), and two additional housing types (higher density attached houses and cottage clusters), as required by House Bill 2001. It should also be noted that should the city fail to adopt changes as prescribed by HB2001 and the associated administrative rules, the Large Cities Model Code will become effective. The Model Code lacks some of the safeguards proposed to limit or mitigate potential public facility and services impacts, either directly or indirectly, such as application of the 'z' overlay to clearly establish where housing density is limited to a duplex, lower allowable FARs, limits on maximum cottage cluster site size and number of units, and minimum lot size requirements.

The evaluation results from RIP1, together with the findings and recommendations from the IBTER report, development review standards for sewer, water, stormwater and transportation demonstrate the RIP2 amendments continue to ensure that high-quality public facilities and services will provide Portlanders with optimal levels of service throughout the city, based on system needs and community goals, and in compliance with regulatory mandates.

Goal 8.B: Multiple benefits. Public facility and service investments improve equitable service provision, support economic prosperity, and enhance human and environmental health.

272. The RIP2 amendments do not alter public facility and service investments identified in the CSP which were previously found to support economic prosperity, and enhance human and environmental health.

Goal 8.C: Reliability and resiliency. Public facilities and services are reliable, able to withstand or recover from catastrophic natural and manmade events, and are adaptable and resilient in the face of long-term changes in the climate, economy, and technology.

273. Finding: The Citywide Systems Plan (CSP), which was adopted (Ordinance 185657) and acknowledged by LCDC on April 25, 2017. The CSP includes the Public Facilities Plan with information on current and future transportation, water, sanitary sewer, and stormwater

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infrastructure needs and projects, consistent with the requirements of Statewide Planning Goal 11. Considering the impacts of climate change and identifying the vulnerabilities and risks of those impacts enables the City to make more informed infrastructure investment decisions to better prepare and adapt for climate change and improve the resiliency of critical infrastructure. Climate change vulnerabilities are highlighted and incorporated into the risks of failure of the City's built and green infrastructure so assets can be appropriately maintained, designed, and replaced to improve the resiliency of systems to natural and manmade events and technological changes. Moreover, the CSP includes recommended improvements, investment strategies, and projects and programs to respond to these needs. As noted previously, the RIP2 amendments do not affect the household growth forecast for the planning period. Changes to the location of these households in comparison to the RIP1 changes are expected to be relatively small and have been found to not add, change or affect the Citywide Systems Plan projects to improve service reliability and resiliency.

Goal 8.D: Public rights-of-way. Public rights-of-way enhance the public realm and provide a multi-purpose, connected, safe, and healthy physical space for movement and travel, public and private utilities, and other appropriate public functions and uses.

274. Finding: The RIP2 amendments do not affect or change requirements in the public rights of way. Three or more units will only be allowed on sites that have maintained street access to ensure greater multi-modal mobility for residents.

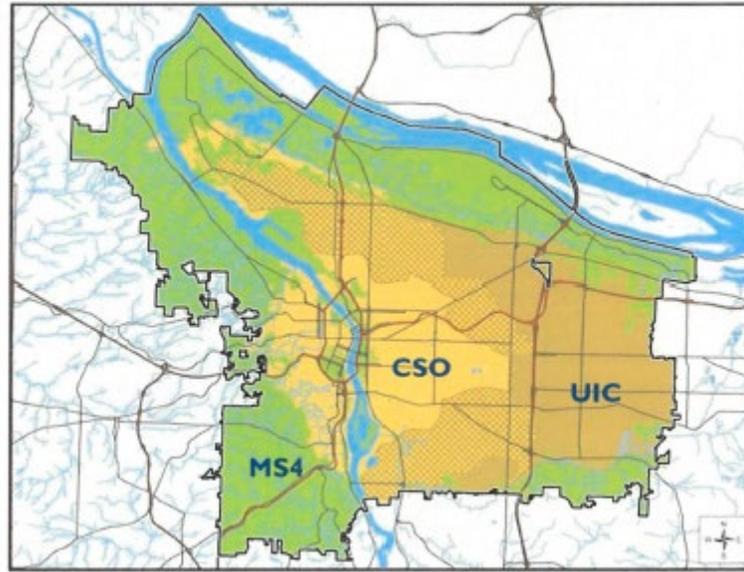
Goal 8.E: Sanitary and stormwater systems. Wastewater and stormwater are managed, conveyed, and/or treated to protect public health, safety, and the environment, and to meet the needs of the community on an equitable, efficient, and sustainable basis.

275. Finding: The public health and safety, as well as the environment continue to be protected by adequate stormwater and sanitary systems as noted below. Future investments and ongoing risk management will continue to follow the policies set forth in the investment strategies described in Chapter 2 of the Citywide Systems Plan to ensure the needs of the community are met on an equitable, efficient, and sustainable basis.

Sanitary Sewer

The east, west, and north portions of the city are served by separated sanitary and storm sewer systems (green shaded areas). The central portions of the city are generally served by combined sanitary and storm sewers (tan shaded areas). Large portions of the city on the east side of the Willamette River utilize Underground Injection Control (UIC, brown shaded areas) systems to infiltrate stormwater into the ground, thereby reducing runoff. The cross-hatched areas are served by both combined and UIC systems. The Bureau of Environmental Services evaluated the impacts of RIP2 amendments against the 2035 Comprehensive Plan zoning for each system.

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Combined System.

Within the combined service area BES notes that the 2035 Comprehensive Plan Citywide Systems Plan (CSP) identified that some areas in the combined system are affected by localized hydraulic capacity limitations that increase the risk of basement sewer backups and/or street flooding. These areas are concentrated close in on the east side with scattered areas in other parts of the system and were evaluated with the changes proposed as part of RIP1. A number of projects to address this hydraulic deficiency were included in the proposed Investment Strategy in the CSP. There is no evidence that the RIP2 proposal will cause an increase in the combined sewer hydraulic capacity limitations identified in the CSP. Sanitary flow is a minor component in the combined system when compared to stormwater flows, and much of the projected infill is within the UIC boundary where the sewers and wastewater treatment facilities tend to have excess capacity, and stormwater runoff from future development can be infiltrated into the soil.

BES has already identified a series of projects in the CSP Collection System Investment Strategy to address capacity deficiencies in the combined system over the next 20 years. BES employs an asset management model and continuously monitors the capacity of the combined system, constructing capital improvements to mitigate flooding risk and to limit combined sewer overflows in compliance with the City's regulatory permits. BES will continue this practice as residential infill and other development activity occurs. Therefore, Council has concluded that the combined sewer system, with planned projects included in the adopted CSP, is adequate or will be adequate to accommodate the forecasted growth from RIP1 and RIP2 to ensure the needs of the community are met on an equitable, efficient, and sustainable basis.

Separated System.

Most of the properties zoned R10 and R20 are in the separated sewer area. There are some isolated R10/R20 areas with gaps in the pipe system. A requirement of OAR 660-046 is that middle housing, other than duplexes be served by "sufficient infrastructure" which includes connection to a public sewer system capable of meeting established service levels. Cities shall "work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a [middle housing] development application". If those services are not available and cannot be provided, the middle housing may not be permitted. Where sewer pipes are present, currently there are minimal capacity issues in these sewers, except for areas where the

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City experiences stormwater inflow or infiltration (I&I) into the sanitary system. BES manages a program to reduce I&I to reduce the need for wastewater treatment capacity and limit pollution entering the sanitary system. As infill occurs, BES will monitor sanitary flows, identify necessary conveyance improvements, and implement capital projects to adequately respond to infrastructure needs and prevent sewage releases to surface waters, consistent with State and Federal regulations. Therefore, with these ongoing improvements already identified in the adopted CSP and requirements imposed during site development, sanitary sewer infrastructure is adequate or will be adequate as development occurs to ensure the needs of the community are met on an equitable, efficient, and sustainable basis.

Stormwater

BES manages a complicated network of pipes and ditches, streams and wetlands, engineered facilities, drainageways, and infrastructure to convey, detain, and treat stormwater runoff. In areas that were developed prior to being annexed to the City of Portland, development standards and regulations were not as comprehensive as they are today. The result is stormwater systems that are fragmented, incomplete and, in some cases, in poor condition.

Increased or new development can pose challenges to the operation and function of the existing stormwater system. The magnitude of the challenges varies by geographically specific factors such as topography, soils, system maturity, and the type of stormwater system (separated, combined or UIC). Infiltration is generally the most cost-efficient means of mitigating the runoff from impervious surfaces such as asphalt, concrete and roofs.

Generally, development will be easier to accommodate on the east side of the Willamette River where soils allow stormwater infiltration and the BES Stormwater Management Manual (SWMM) will require runoff from potential increases in impervious area to remain on site.

In areas west of the Willamette River, there is less ability to infiltrate stormwater to the groundwater aquifer due to less permeable soils, steeper topography and geologic factors such as landslide susceptibility and shallow confining soil layers. Without the ability to infiltrate, the cost of mitigating the effects of building coverage and impervious area and reduced vegetative cover increases, are greater especially in areas where stormwater system deficiencies already exist.

Extending or providing service to these tax lots can be challenging, both from a financial perspective and because construction of service extensions can create ancillary needs, such as downstream capacity upgrades and roadway development (e.g. adding curbs and inlets). Typically, when a development application is reviewed and it's determined that service is not available, the burden is on the developer to extend the stormwater service or wait until BES plans, designs and implements a Capital Improvement Project to provide the needed service. This is reinforced in the guidance adopted by DLCD in the form of OAR 660-046 which requires that cities "work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a [middle housing, other than duplex] development application". If those services are not available and cannot be provided, the middle housing may not be permitted.

Other factors that create challenges for the stormwater system are areas susceptible to landslides, areas within mapped or observed floodplains, and areas of high-value natural resources. BES has worked closely with BPS to analyze and define the impacts that the RIP2 could potentially have on these conditions or resources. The 'z' overlay addresses these issues (landslides, natural resources, floodplains, as well as wildfire risk areas) by limiting lots in these areas to no more than the two units currently allowed (existing zoning already allowed duplexes on corner lots or a house with an

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accessory dwelling unit). HB2001 prevents further density limitations in that it requires cities to allow duplexes wherever houses are allowed.

Many of the neighborhoods with challenging soils and topography are located on Portland's west side. However, RIP1 models project a decrease in likely residential development on the west side. The 2035 Comprehensive Plan BLI allocated 4,172 units to single family zones in the western neighborhoods. The RIP1 household allocation model predicted about a 40% reduction of households from those areas, as they shifted to inner and eastern neighborhoods, where stormwater systems are already adequate (see Figure 5). About 1,200 of the units are removed from lower density residential zones on the west side (R10, R20, RF) where stormwater and sewer services are more challenging. While RIP2 expands the zoned capacity in western neighborhoods by incorporating middle housing in some R10 and R20 areas (that were not constrained by natural resources or land hazards), the R10 and R20 geographies were not hampered by a lack of zoning capacity, so much as they are affected by higher land acquisition and development costs. Consequently, the RIP2 changes are not likely to reverse the trend of housing development migrating to less costly and better served closer in neighborhoods.

Building coverage limits are unchanged from current allowances and total allowable building size is reduced through caps on floor area (FAR). These FARs work in conjunction with building coverage limits to encourage more multi-story buildings, which reduces effective building coverage. Moreover, onsite parking is now optional, providing more opportunities to leave more of the site permeable and retain vegetative cover.

City Council included changes that would allow deeply affordable projects (those that provide half of the units as regulated affordable units) to have greater building coverage, however, these projects must still meet the Stormwater Management Manual. Moreover, due to the price caps on rent or sales, these projects are challenging to make work financially, and thus are not expected to be commonplace⁵⁹.

In summary, the RIP2 amendments continue to limit the number of units in landslide and flood susceptible areas where stormwater conveyance is most challenging, project a reduction of net development activity in stormwater service challenged areas, in most cases do not increase allowable building coverage (an indicator of stormwater conveyance demand), and reduce the overall size of structures on smaller R10 and R20 lots which can lessen the amount of utilized building coverage. All these taken together, Council finds that the RIP2 amendments do not increase stormwater impacts compared to existing regulations. Any localized deficiencies will be addressed at the time of development or through capital projects already identified in the adopted CSP. These changes help ensure a more efficient delivery of service, reduce costs of service extensions which help further the CSP asset management strategies to ensure the needs of the community are met on an equitable, efficient, and sustainable basis.

Goal 8.F: Flood management. Flood management systems and facilities support watershed health and manage flooding to reduce adverse impacts on Portlanders' health, safety, and property.

276. Finding: The RIP2 amendments do not directly affect flood management systems or facilities; however, they improve flood management through asset risk reduction. They remove sites within flood plains from consideration for 3 or more units by application of the 'z' overlay. The amendments provide for more housing options to locate outside these flood-prone areas and reduce or at least maintain the number of potential households at risk in these areas (Two units

⁵⁹ Memo - Deeper Affordability Bonus Feasibility Study, Andrea Pastor, Sr. Econ Planner BPS, March 2020

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are not similarly restricted within the 'z' overlay because HB2001 (2019) generally requires that duplexes be allowed on any lot where detached houses are allowed and SB1051 (2017) generally requires an ADU be allowed on any lot with a detached house)). The amendments also clarify manufactured home standards that previously required a foundation that is "enclosed at the perimeter". In flood prone areas foundations should allow flood waters to move through the crawl space and thus not be "enclosed". The amendments state that the manufactured home must be set on a "perimeter foundation", which is more fully specified in the applicable building codes in accordance with Title 24 requirements.

Goal 8.G: Water. Reliable and adequate water supply and delivery systems provide sufficient quantities of high-quality water at adequate pressures to meet the needs of the community on an equitable, efficient, and sustainable basis.

277. Finding: Water demand forecasts developed by the Water Bureau anticipate that while per capita water demands will continue to decline somewhat over time, the overall demands on the Portland water system will increase due to population growth. The Portland Water Bureau has not experienced any major supply deficiencies in the last 10 years. The supply and water distribution system is sized to meet City fire suppression needs which far surpass the day-to-day demand from residential customers. The demand from additional dwelling units on individual properties are unlikely to affect the water system

In some cases, parcels may be located adjacent to streets that lack water service. Other areas may only be served by a 2-inch water main which can only accommodate a 1-inch water meter. A 1-inch meter size is sufficient for up to 89 fixture units which can reasonably accommodate four units, each containing a clothes washer, dishwasher, kitchen sink, and two full bathrooms (shower or tub), and exterior hose bib⁶⁰. New development will be required to extend service where no service is presently available or upgrade water mains when development requires larger water meter sizes.

Goal 8.H: Parks, natural areas, and recreation. All Portlanders have safe, convenient, and equitable access to high-quality parks, natural areas, trails, and recreational opportunities in their daily lives, which contribute to their health and well-being. The City manages its natural areas and urban forest to protect unique urban habitats and offer Portlanders an opportunity to connect with nature.

278. Finding: The Portland Parks bureau is charged with ensuring Portlanders have safe convenient and equitable access to high-quality parks, natural areas, trails, and recreational opportunities. The RIP2 amendments do not affect park capital project priorities, programs or management.

Goal 8.I: Public safety and emergency response. Portland is a safe, resilient, and peaceful community where public safety, emergency response, and emergency management facilities and services are coordinated and able to effectively and efficiently meet community needs.

279. Finding: Chapter 10 of the CSP addresses "Other Essential Facilities and Systems", including civic facilities, technology systems, and emergency response to make sure that the full set of services and facilities necessary to support a prosperous, thriving and sustainable city are included in long-term planning conversations and inform future investments in these facilities to maintain existing systems, resolve identified deficiencies, serve new population growth, and address other long-term community needs.

⁶⁰ Residential Water Service Application, Water Meter Sizing Worksheet, Portland Water Bureau, June 2019

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The RIP2 amendments include a new constraint component for the 'z' overlay: wildfire risk for R10 and R20 areas. The RIP2 amendments add middle housing options to R10 and R20 areas. Much of those areas are impacted by wildfire risk. While there are areas of wildfire risk in R2.5, R5 and R7 zones, the street network and emergency access is more complete in these areas. In any case, for parcels (in any zone) that are found to be in the wildfire risk area, fire sprinkler protection, Class A roof coverings, and/or non-combustible sidings are required. This is also the case when development occurs in an area that does not meet all fire department access requirements via the Fire Code Appeals process.

The RIP2 amendments and residential fire code requirements are only applicable to new development and alterations that generally require a building permit. However, the RIP2 amendments do not increase fire susceptibility for existing structures or change or worsen the existing access conditions on these streets, and overall with the application of FAR limits, the amendments reduce total allowable building size for new structures thus lowering potential maximum building fire fuel loads on these streets. Therefore, Council finds that these existing codes which are unchanged by the RIP2 amendments provide coordinated public safety and emergency response.

Goal 8.J: Solid waste management. Residents and businesses have access to waste management services and are encouraged to be thoughtful consumers to minimize upstream impacts and avoid generating waste destined for the landfill. Solid waste — including food, yard debris, recyclables, electronics, and construction and demolition debris — is managed, recycled, and composted to ensure the highest and best use of materials.

280. Finding: The RIP2 amendments do not affect resident or business access to waste management services. The housing types largely align with existing single family waste collection services, which apply to sites with 1-4 units. The exception is the Deeper Affordability Bonus which allows for a 6-plex or cottage cluster with more than 4 units. In these cases, a commercial hauler will service these sites. The RIP2 amendments do include a new reference in the single dwelling zones to the applicable solid waste and recycling requirements in Title 17. The Bureau of Planning and Sustainability will continue to encourage by way of information campaigns and programs that avoid and minimize waste to the landfill.

The RIP amendments also reduce waste in general through new limits on building size. According to the DEQ Life Cycle Analysis⁶¹, for Climate Change Impact, the use of the home contributes about 86% of the total impact due to energy use (space and water heating, electricity consumption); materials production contributes 14%; followed by the construction, maintenance, and demolition phases which contribute a combined 2%. Across all categories, the environmental impact of the extra small home (1149 sq ft) are reduced between 20% and 40% that of the Medium Standard Home (2262 sqft), suggesting that home size is among the most important determinants of environmental impact.

Goal 8.K: School facilities. Public schools are honored places of learning as well as multifunctional neighborhood anchors serving Portlanders of all ages, abilities, and cultures.

281. Finding: The RIP2 amendments do not directly affect school facilities, but they do provide for a broader range of available housing types in school catchment areas to suit more types of family housing needs and price ranges. By offering more types of housing with a greater range of unit prices, more students of differing incomes (and by extension cultures), ages and abilities have a

⁶¹ A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, Phase 2 Report, September 29, 2010

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higher likelihood for finding housing within the school of their choosing, rather than being limited to schools in geographic areas of higher shares of multi-family zoning.

Goal 8.L: Technology and communications. All Portland residences, businesses, and institutions have access to universal, affordable, and reliable state-of-the-art communication and technology services.

282. Finding: The RIP2 amendments do not directly affect technology and communication services, and do not impede the City's progress toward providing universal, affordable, and reliable state-of-the-art communication access for all Portland residences, businesses, and institutions.

Goal 8.M: Energy infrastructure and services. Residents, businesses, and institutions are served by reliable energy infrastructure that provides efficient, low-carbon, affordable energy through decision-making based on integrated resource planning.

283. Finding. Integrated resource planning (IRP) is a roadmap that large utilities use to plan generational acquisitions over five, 10, or 20 years (or more). Many utilities use integrated resource plans for coal, natural gas, and smart grid energy. IRPs examine foreseeable future resources with regard to transmission lines, substations, power plants, end users, and the utilities and operators responsible for taking care of the transmission and distribution of electricity. The RIP2 amendments do not affect the total forecasted population or household growth over the planning period. Therefore, the RIP amendments do not affect or require a reevaluation of the utilities' IRP.

Service provision and urbanization

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

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

284. Finding: The City Council interprets policies 8.1 through 8.3 as providing direction on the orderly provision of public facilities and urban services. The RIP2 amendments do not change the Urban Services Boundary, or designations of rural/urban areas. All of the single dwelling zoned areas are within the current urban services boundary. These policies do not apply.

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

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

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- Parks, natural areas, and recreation
- Solid waste regulation

Policy 8.4. Supporting facilities and systems. Maintain supporting facilities and systems, including public buildings, technology, fleet, and internal service infrastructure, to enable the provision of public facilities and services.

285. Finding: Policies 8.3 and 8.4 call on the City to provide and maintain urban levels of certain services. The 2035 Comprehensive Plan includes the Citywide Systems Plan (CSP), which was adopted (Ordinance 185657) and acknowledged by LCDC on April 25, 2017. The Citywide Systems Plan has been developed to meet a number of objectives. It is intended to:

- Guide and coordinate future public infrastructure investments to maintain existing systems, resolve existing deficiencies, serve new residential and employment growth, and meet long-term infrastructure needs.
- Reflect current practices and policies, as expressed in the Comprehensive Plan and system specific plans.
- Meet State planning requirements under the growth management act.
- Incorporate and respond to the community vision and goals highlighted in visionPDX and the Portland Plan.
- Provide policy recommendations and a list of significant projects for the Comprehensive Plan.

The RIP2 amendments provide for new types of housing (up to 4 units on most lots, and up to 6 units when meeting regulated affordability requirements, or up to 16 when meeting new cottage cluster standards). This change enables additional housing capacity on lots and alters the spatial distribution of previously forecasted allocation of these units. The findings in Statewide Goals 11 and 12, as well as Chapter 8 and 9 of the Comprehensive Plan demonstrate that the services and facilities identified in policies 8.3 and 8.4 will continue to be maintained and delivered as envisioned by the CSP. The RIP2 amendments do not require new public facility or services and do not amend or need to amend the list of significant projects identified in the Comprehensive Plan. As site development occurs, infrastructure necessary to serve the development will be required and is the responsibility of the property owner/developer to provide. The RIP2 amendments do not change Systems Development Charge structures or rates. For public right of way improvements, recent changes to the Local Transportation Improvement Charge (LTIC, Ord. No 190017, adopted June 24, 2020) will enable developers of these new types of housing on single dwelling zoned streets to pay into a fund for street improvements. The LTIC allows funds to be collected and applied in a more efficient, equitable, and cost-effective manner to ensure that streets are improved as development occurs. Therefore, these policies are met.

Policy 8.5. Planning service delivery. Provide planning, zoning, building, and subdivision control services within the boundaries of incorporation, and as otherwise provided by intergovernmental agreement within the City's Urban Services Boundary.

286. Finding: The City has adopted Title 33, Zoning including the land division regulations, and building services which are addressed by Title 24 (and other associated building regulations in Titles 25, 26, 27, 28 and 29) which are applicable within the incorporated city limits, as well as unincorporated areas within the City's Urban Services Boundary subject to such authority under intergovernmental agreement. While the RIP2 amendments codify a new subdivision type (middle

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housing land division) per the requirements of SB458, the RIP2 amendments do not change the administrative authority or change the provision of these services. Therefore, this policy is met.

Service coordination

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

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

Policy 8.7. Outside contracts. Coordinate with jurisdictions and agencies outside of Portland where the City provides services under agreement.

Policy 8.8. Public service coordination. Coordinate with the planning efforts of agencies providing public education, public health services, community centers, urban forest management, library services, justice services, energy, and technology and communications services.

Policy 8.9. Internal coordination. Coordinate planning and provision of public facilities and services, including land acquisition, among City agencies, including internal service bureaus.

Policy 8.10. Co-location. Encourage co-location of public facilities and services across providers where co-location improves service delivery efficiency and access for historically under-represented and under-served communities.

287. Finding: Policies 8.6 through 8.10 serve to reinforce the City’s coordination obligations under Statewide Goal 2, Land Use Planning by providing direction on coordination with neighboring jurisdictions and partner agencies that provide urban public facilities and services within the City of Portland’s Urban Services Boundary. The RIP2 amendments do not include new public facility or infrastructure projects or amendments to public service coordination agreements. Moreover, the RIP2 amendments are consistent with these policies, as other affected agencies were notified (DLCD notice and legislative notice) and were consulted. These policies are met.

Service extension

Policy 8.11. Annexation. Require annexation of unincorporated urbanizable areas within the City's Urban Services Boundary as a prerequisite to receive urban services.

Policy 8.12. Feasibility of service. Evaluate the physical feasibility and cost-effectiveness of extending urban public services to candidate annexation areas to ensure sensible investment and to set reasonable expectations.

Policy 8.13. Orderly service extension. Establish or improve urban public services in newly-annexed areas to serve designated land uses at established levels of service, as funds are available and as responsible engineering practice allows.

Policy 8.14. Coordination of service extension. Coordinate provision of urban public services to newly-annexed areas so that provision of any given service does not stimulate development that significantly hinders the City's ability to provide other urban services at uniform levels.

Policy 8.15. Services to unincorporated urban pockets. Plan for future delivery of urban services to urbanizable areas that are within the Urban Services Boundary but outside the city limits.

Policy 8.16. Orderly urbanization. Coordinate with counties, neighboring jurisdictions, and other special districts to ensure consistent management of annexation requests, and to establish rational and orderly process of urbanization that maximize efficient use of public funds.

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

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

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

288. Finding: The City Council interprets policies 8.11 through 8.19 provide direction on extending public services. The RIP2 amendments do not include new public facility or infrastructure projects or service extensions. These policies do not apply.

Public investment

Policy 8.20. Regulatory compliance. Ensure public facilities and services remain in compliance with state and federal regulations. Work toward cost-effective compliance with federal and state mandates through intergovernmental coordination and problem solving.

Policy 8.21. System capacity. Establish, improve, and maintain public facilities and services at levels appropriate to support land use patterns, densities, and anticipated residential and employment growth, as physically feasible and as sufficient funds are available.

Policy 8.22. Equitable service. Provide public facilities and services to alleviate service deficiencies and meet level-of-service standards for all Portlanders, including individuals, businesses, and property owners.

8.22.a. In places that are not expected to grow significantly but have existing deficiencies, invest to reduce disparity and improve livability.

8.22.b. In places that lack basic public facilities or services and also have significant growth potential,

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invest to enhance neighborhoods, fill gaps, maintain affordability, and accommodate growth.

8.22.c. In places that are not expected to grow significantly and already have access to complete public facilities and services, invest primarily to maintain existing facilities and retain livability.

8.22.d. In places that already have access to complete public facilities and services, but also have significant growth potential, invest to fill remaining gaps, maintain affordability, and accommodate growth.

Policy 8.23. Asset management. Improve and maintain public facility systems using asset management principles to optimize preventative maintenance, reduce unplanned reactive maintenance, achieve scheduled service delivery, and protect the quality, reliability, and adequacy of City services.

Policy 8.24. Risk management. Maintain and improve Portland’s public facilities to minimize or eliminate economic, social, public health and safety, and environmental risks.

Policy 8.25. Critical infrastructure. Increase the resilience of high-risk and critical infrastructure through monitoring, planning, maintenance, investment, adaptive technology, and continuity planning.

Policy 8.26. Capital programming. Maintain long-term capital improvement programs that balance acquisition and construction of new public facilities with maintenance and operations of existing facilities.

289. Finding: The City Council interprets policies 8.20 through 8.26 provide direction on investment priorities for public facilities. The RIP2 amendments do not include new public facility or infrastructure projects. These policies do not apply.

Funding

Policy 8.27. Cost-effectiveness. Establish, improve, and maintain the public facilities necessary to serve designated land uses in ways that cost-effectively provide desired levels of service, consider facilities’ lifecycle costs, and maintain the City’s long-term financial sustainability.

Policy 8.28. Shared costs. Ensure the costs of constructing and providing public facilities and services are equitably shared by those who benefit from the provision of those facilities and services.

Policy 8.29. System development. Require private or public entities whose prospective development or redevelopment actions contribute to the need for public facility improvements, extensions, or construction to bear a proportional share of the costs.

Policy 8.30. Partnerships. Maintain or establish public and private partnerships for the development, management, or stewardship of public facilities necessary to serve designated land uses, as appropriate.

290. Finding: The City Council interprets policies 8.27 through 8.30 provide direction on funding public facilities and services within the City of Portland’s Urban Services Boundary. The RIP2 amendments provide for new types of housing (up to 4 units on most lots, up to 6 units when meeting regulated affordability requirements and up to 16 units on sites that meet cottage cluster standards). This change enables additional housing capacity on lots and alters the spatial distribution of previously forecasted allocation of these units. The findings in Statewide Goals 11 and 12, as well as Chapter 8 and 9 of the Comprehensive Plan demonstrate that the services and facilities identified in policies 8.3 and 8.4 will continue to be maintained and delivered as envisioned by the CSP. The RIP2 amendments do not require new public facility or services and do not amend or need to amend the list of significant projects identified in the Comprehensive Plan, CSP or TSP. As site development occurs, infrastructure necessary to serve the development will be

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required and is the responsibility of the property owner/developer to provide. The RIP2 amendments do not change Systems Development Charge structures or rates.

Since Portland's founding, improvement of local streets has been the responsibility of the adjacent property owners. This has historically been achieved either by a single property owner through a public works permit or through a Local Improvement District (LID), which involves funding from multiple property owners. Improvements to other public facilities occur in conjunction with development or redevelopment through either payment of Systems Development Charges, or requirements to construct the actual improvement. Within the context of the RIP2 amendments, these policies apply to the degree that private development is required to upgrade and extend services when needed, dedicate requisite right of way to meet street design standards based on the roadway classification, and construct or install other improvements as necessary and proportionate to the level of impact from the development. The RIP2 amendments are consistent with these policies since new private development will be reviewed against water (Title 21), sanitary sewer and stormwater management (Title 17) standards to ensure those utility requirements are met prior to construction commencing. Council adopted changes to the Local Transportation Improvement Charge (LTIC) on June 24, 2020 (Ord. No 190017) which allows funds to be collected as development occurs on un- and under-improved local streets from the middle housing types in the RIP2 amendments. Collection of these funds allows improvements to occur in a holistic, efficient, and comprehensive project based on criteria that equitably provides infrastructure services throughout the city. The RIP2 amendments do not include changes to these other city titles and are therefore consistent with these policies.

Public benefits

Policy 8.31. Application of Guiding Principles. Plan and invest in public facilities in ways that promote and balance the Guiding Principles established in The Vision and Guiding Principles of this Comprehensive Plan.

Policy 8.32. Community benefit agreements. Encourage the use of negotiated community benefit agreements for large public facility projects as appropriate to address environmental justice policies in Chapter 2: Community Involvement.

Policy 8.33. Community knowledge and experience. Encourage public engagement processes and strategies for larger public facility projects to include community members in identifying potential impacts, mitigation measures and community benefits.

Policy 8.34. Resource efficiency. Reduce the energy and resource use, waste, and carbon emissions from facilities necessary to serve designated land uses to meet adopted City goals and targets.

Policy 8.35. Natural systems. Protect, enhance, and restore natural systems and features for their infrastructure service and other values.

Policy 8.36. Context-sensitive infrastructure. Design, improve, and maintain public rights-of-way and facilities in ways that are compatible with, and that minimize negative impacts on, their physical, environmental, and community context.

Policy 8.38. Age-friendly public facilities. Promote public facility designs that make Portland more age-friendly.

291. Finding: The City Council interprets policies 8.31 through 8.38 provide direction on the associated public benefits that should be considered in conjunction with investment in public facilities and

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services within the City of Portland’s Urban Services Boundary. The RIP2 amendments do not include new public facility or infrastructure projects. These policies do not apply.

Public rights-of-way

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

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

Policy 8.41. Utility function. Improve and maintain the right-of-way to support equitable distribution of utilities, including water, sanitary sewer, stormwater management, energy, and communications, as appropriate.

Policy 8.42. Stormwater management function. Improve rights-of-way to integrate green infrastructure and other stormwater management facilities to meet desired levels-of-service and economic, social, and environmental objectives.

Policy 8.43. Trees in rights-of-way. Integrate trees into public rights-of-way to support City canopy goals, transportation functions, and economic, social, and environmental objectives.

292. Finding: Policies 8.39 through 8.43 largely relate to the City’s role in establishing design standards for public improvements in and connectivity and management of the rights-of-way to ensure optimal utilization and achievement of multiple objectives for development in these spaces. Within the context of the RIP2 amendments, these policies apply to the degree that private development is required to upgrade and extend services when needed, dedicate requisite right of way to meet street design standards based on the roadway classification, and construct or install other improvements as necessary and proportionate to the level of impact from the development. The RIP2 amendments are consistent with these policies since new private development will be reviewed against water (Title 21), sanitary sewer and stormwater management (Title 17) standards to ensure those utility requirements are met prior to construction commencing. Title 11 requires that street trees are preserved and or planted as part of new development and major alterations (value greater than \$25,000). Moreover, new development is required to pay systems development charges which are collected to improve the capacity and function of the overall system.

Policy 8.40 seeks to improve and maintain a multi-modal transportation network. Since Portland’s founding, improvement of local streets has been the responsibility of the adjacent property owners. This has historically been achieved either by a single property owner through a public works permit or through a Local Improvement District (LID), which involves funding from multiple property owners. Council adopted changes to the Local Transportation Improvement Charge (LTIC) on June 24, 2020 (Ord. No 190017) which allows funds to be collected as development occurs on un- and under-improved local streets from the middle housing types in the RIP2 amendments (with the possible exception of cottage clusters and higher density attached houses which will be obligated to construct street improvements). Collection of these funds allows improvements to occur in a holistic, efficient, and comprehensive project based on criteria that equitably provides infrastructure services throughout the city. The RIP2 amendments do not necessitate changes to these other city titles as they relate to the rights of way, and are therefore consistent with these policies.

Policy 8.44. Community uses. Allow community use of rights-of-way for purposes such as public

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gathering space, events, or temporary festivals, if the community uses are integrated in ways that balance and minimize conflict with the designated through movement and access roles of rights-of-ways.

Policy 8.45. Pedestrian amenities. Encourage facilities that enhance pedestrian enjoyment, such as transit shelters, garbage containers, benches, etc. in the right-of-way.

Policy 8.46. Commercial uses. Accommodate allowable commercial uses of the rights-of-way for enhancing commercial vitality, if the commercial uses can be integrated in ways that balance and minimize conflict with the other functions of the right-of-way.

Policy 8.47. Flexible design. Allow flexibility in right-of-way design and development standards to appropriately reflect the pattern area and other relevant physical, community, and environmental contexts and local needs.

8.47.a. Use a variety of transportation resources in developing and designing projects for all City streets, such as the City of Portland’s Pedestrian Design Guide, Bicycle Master Plan-Appendix A, NACTO Urban Bikeway Design Guide, NACTO Urban Street Design Guide, Portland Parks and Recreation Trail Design Guidelines, Designing for Truck Movements and Other Large Vehicles, and City of Portland Green Street Policy, Stormwater Management Manual, Design Guide for Public Street Improvements, and Neighborhood Greenways. (TSP objective 8.1.e.).

Policy 8.48. Corridors and City Greenways. Ensure public facilities located along Civic Corridors, Neighborhood Corridors, and City Greenways support the multiple objectives established for these corridors.

293. Finding: Policies 8.44 through 8.48 largely relate to the City’s role in establishing design standards for public improvements in and management of the rights-of-way to ensure optimal utilization and achievement of multiple objectives for development in these spaces. Unlike the previous policies in which the city shares a role with adjacent property development, these policies are wholly the responsibility of the City as right of way manager. The RIP2 amendments do not include changes or new directives to how the city manages rights of way. These policies do not apply.

Policy 8.49. Coordination. Coordinate the planning, design, development, improvement, and maintenance of public rights-of-way among appropriate public agencies, private providers, and adjacent landowners.

8.49.a. Coordination efforts should include the public facilities necessary to support the uses and functions of rights-of-way, as established in policies 8.40 to 8.46.

8.49.b. Coordinate transportation and stormwater system plans and investments, especially in unimproved or substandard rights-of-way, to improve water quality, public safety, including for pedestrians and bicyclists, and neighborhood livability.

294. Finding: Policy 8.49 seeks to improve coordination to better optimize performance and efficiency while achieving multiple objectives in policies 8.40 through 8.46. Since Portland’s founding, improvement of local streets has been the responsibility of the adjacent property owners. This has historically been achieved either by a single property owner through a public works permit or through a Local Improvement District (LID), which involves funding from multiple property owners. Council adopted changes to the Local Transportation Improvement Charge (LTIC) on June 24, 2020 (Ord. No 190017) which allows funds to be collected as development occurs on un- and under-improved local streets from the middle housing types in the RIP2 amendments. Collection

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of these funds allows improvements to occur in a holistic, efficient, and comprehensive project based on criteria that equitably provides infrastructure services throughout the city. The RIP2 amendments do not include changes to LTIC or other city titles that regulate the planning, design, development, improvement, and maintenance of public rights-of-way, and are therefore consistent with these policies.

Policy 8.50. Undergrounding. Encourage undergrounding of electrical and telecommunications facilities within public rights-of-way, especially in centers and along Civic Corridors.

295. Finding: Policy 8.50 seeks to promote undergrounding of certain utilities. The focus of this policy is on Centers and Corridors of which the single dwelling zones comprise a very small amount. In addition, the conditions needed to underground utilities requires either a larger capital project, or very long site frontage, since undergrounding only a short segment would not reduce (and may actually increase) the number of utility poles. The RIP2 amendments do not include changes to utility undergrounding requirements. These policies do not apply.

Policy 8.51. Right-of-way vacations. Maintain rights-of-way if there is an established existing or future need for them, such as for transportation facilities or for other public functions established in policies 8.40 to 8.46.

Policy 8.52. Rail rights-of-way. Preserve existing and abandoned rail rights-of-way for future rail or public trail uses.

296. Finding: Policies 8.51 and 8.52 apply when considering vacating rights of way and reverting ownership to the adjacent landowners. The RIP2 amendments do not include or contemplate any right of way vacations. These policies do not apply.

Trails

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

Policy 8.54. Trail system connectivity. Plan, improve, and maintain the citywide trail system so that it connects and improves access to Portland's neighborhoods, commercial areas, employment centers, schools, parks, natural areas, recreational facilities, regional destinations, the regional trail system, and other key places that Portlanders access in their daily lives.

Policy 8.55. Trail coordination. Coordinate planning, design, improvement, and maintenance of the trail system among City agencies, other public agencies, non-governmental partners, and adjacent landowners.

Policy 8.56. Trail diversity. Allow a variety of trail types to reflect a trail's transportation and recreation roles, requirements, and physical context.

Policy 8.57. Public access requirements. Require public access and improvement of public trails along the future public trail alignments shown in Figure 8-2 — Future Public Trail Alignments.

Policy 8.58. Trail and City Greenway coordination. Coordinate the planning and improvement of trails as part of the City Greenways system.

Policy 8.59. Trail and Habitat Corridor coordination. Coordinate the planning and improvement of trails with the establishment, enhancement, preservation, and access to habitat corridors.

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Policy 8.60. Intertwine coordination. Coordinate with the Intertwine Alliance and its partners, including local and regional parks providers, to integrate Portland’s trail and active transportation network with the bi-state regional trail system.

297. Finding: The City Council interprets policies 8.53 through 8.60 to apply to designated trails. While designated trail alignments are included in public rights of way within single dwelling zones, the RIP2 amendments do not include any sites with designated trails. These policies do not apply.

Sanitary system

Policy 8.61. Sewer connections. Require all developments within the city limits to be connected to sanitary sewers unless the public sanitary system is not physically or legally available per City Code and state requirements; or the existing onsite septic system is functioning properly without failure or complaints per City Code and state requirements; and the system has all necessary state and county permits.

298. Finding: This policy is ensured through Title 25, Plumbing Regulations and verified at the time of development permit application. The RIP2 amendments do not alter or affect this Title’s requirements.

Policy 8.62. Combined sewer overflows. Provide adequate public facilities to limit combined sewer overflows to frequencies established by regulatory permits.

299. Finding: BES reviewed their combined systems in consideration of the RIP1 amendments and changes to forecasted household allocation and found that adequate capacity exists in the system to accommodate the level of anticipated development, in order to limit combined sewer overflows. For RIP2, the newly added R10 and R20 areas are located outside of the combined sewer areas, so there is no added impact to CSO areas from RIP2.

Policy 8.63. Sanitary sewer overflows. Provide adequate public facilities to prevent sewage releases to surface waters as consistent with regulatory permits.

300. Finding: BES reviewed their sanitary sewer systems in consideration of the RIP1 amendments and changes to forecasted household allocation and found that adequate capacity exists in the system to accommodate the level of anticipated development. For RIP2, an economic analysis was conducted to determine the potential for additional development in the R10 and R20 areas. Based on the predictive modeling, there was potential for as many as 4,300 units. However, the study did not include the application of the proposed ‘z’ overlay which removes roughly 80% of lots from additional housing allowances. The potential for roughly 1,100 units over nearly 8,000 acres was not deemed a substantive increase. Continued programs to limit stormwater inflow and infiltration will increase capacity where needed to prevent sewage releases.

Policy 8.64. Private sewage treatment systems. Adopt land use regulations that require any proposed private sewage treatment system to demonstrate that all necessary state and county permits are obtained.

301. Finding: With the Middle Housing Land Division amendments, private sewage treatment systems are prohibited unless the development type is a duplex. Even in that case, the review standards require that BDS has verified that the system meets “established service levels”. This includes the requirement to adhere to the County Sanitarian requirements for site suitability and any necessary permits are obtained as part of the development permit.

Policy 8.65. Sewer extensions. Prioritize sewer system extensions to areas that are already developed at urban densities and where health hazards exist.

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302. Finding: Council interprets this policy to apply to Capital Improvement Project prioritization and planning. The RIP2 amendments do not affect current capital project priorities. Much of the area lacking complete sewers is also included in the Constrained Sites 'z' Overlay Zone, which effectively limits development to what is presently allowed in the R10 and R20 zones, or what was previously allowed in the R2.5, R5 and R7 zones.

Policy 8.66. Pollution prevention. Reduce the need for wastewater treatment capacity through land use programs and public facility investments that manage pollution as close to its source as practical and that reduce the amount of pollution entering the sanitary system.

303. Finding: With regard to wastewater treatment, this policy is primarily geared toward commercial and industrial uses which can divert pollutants into the wastewater system. The RIP2 amendments increase the types of residential structure types available for development and don't have change allowed land uses in the single dwelling zones. This policy is not applicable.

Policy 8.67. Treatment. Provide adequate wastewater treatment facilities to ensure compliance with effluent standards established in regulatory permits.

304. Finding: The City has two wastewater treatment plants: Columbia Boulevard, which serves the majority of the city, and Tryon Creek which services about 3,000 acres in and around southwest Portland. Nearly the entire R10 and R20 zoned areas within the Tryon Creek catchment area are designated with the 'z' overlay, essentially limiting the development density to what is currently allowed in terms of number of units per lot. For the remaining areas of the city, total citywide household growth is determined by Metro allocations at the regional level. The RIP2 amendments do not affect the City's forecasted growth rate. This growth rate is an established allocation from Metro in its agency's role to coordinate land use planning for the region in accordance with Goal 2. Metro develops the forecast and allocates the forecasted growth to each of the jurisdictions within its boundaries. The lifting of restrictions on certain housing types creates greater opportunities for developing other compact housing types in the city which ultimately affect the types of units produced and the locations of where those units are produced but not the total demand on the treatment system.

Stormwater Systems

Policy 8.68. Stormwater facilities. Provide adequate stormwater facilities for conveyance, flow control, and pollution reduction.

305. Finding: "Adequate" is defined as satisfactory or acceptable in quality or quantity. In this regard, this policy seeks stormwater facilities that exist, that regulate flow, and reduce pollution. BES manages a complex network of pipes and ditches, streams and wetlands, engineered facilities, drainageways, and infrastructure to convey detain, and treat stormwater runoff. In areas that were developed prior to being annexed to the City of Portland, development standards and regulations were not as comprehensive as they are today. The result is stormwater systems that are fragmented, incomplete, and in some cases in poor condition.

The RIP2 amendments do not alter this underlying condition, and provisions such as maintaining current building coverage limits for most new housing types, and instituting new building size limits are elements that improve outcomes between the 2035 Comprehensive Plan zoning and RIP2. RIP2 further removes development incentives in the form of additional FAR and units in areas with landslide potential, flood plains, and natural resource areas which correlate with natural drainageways by applying a "z" Constrained Sites overlay. These measures further improve

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stormwater outcomes by avoiding increased development activity in areas that are difficult to improve the stormwater service condition.

BES continues to address the backlog of needed stormwater system improvements. This work is likely going to continue well past the 2035 planning period. Nevertheless, in consideration of this finding and the findings contained in Goal 8.E and State goal 12, the RIP2 amendments help reduce impacts from the current zoning allowances, and stormwater adequacy for conveyance, flow control, and pollution reduction will continue to be required as development and redevelopment occurs through the Stormwater Management Manual and Title 17.

Policy 8.69. Stormwater as a resource. Manage stormwater as a resource for watershed health and public use in ways that protect and restore the natural hydrology, water quality, and habitat of Portland's watersheds.

306. Finding: This policy is ensured through application of the City's Stormwater Management Manual. Stormwater management is critical to maintaining and enhancing the City's livability and improving watershed health. The Stormwater Management Manual (SWMM) allows the City of Portland to protect both watershed resources and infrastructure investments with every development or improvement. Implementing the requirements in this manual helps protect Portland's water resources, which in turn will provide great benefit to human health, fish and wildlife habitat, recreational resources, and drinking water. The RIP2 amendments do not change the applicability of the SWMM and projects built under the new zoning rules continue to be subject to those standards. As each project meets the requirements of this manual, it will contribute to achieving these important citywide goals.

Policy 8.70. Natural systems. Protect and enhance the stormwater management capacity of natural resources such as rivers, streams, creeks, drainageways, wetlands, and floodplains.

307. Finding: This policy is ensured through application of the City's Stormwater Management Manual as well as the City's environmental zoning program and regulations. The RIP2 amendments contribute to this policy by limiting the amount of development on sites with natural resources or floodplains through application of the 'z' overlay zone.

Policy 8.71. Green infrastructure. Promote the use of green infrastructure, such as natural areas, the urban forest, and landscaped stormwater facilities, to manage stormwater.

308. Finding: The City's Stormwater Management Manual uses green infrastructure and other bio-mimicry engineering solutions as a preferred way to manage stormwater. The RIP2 amendments do not change the applicability or hierarchy of the SWMM.

Policy 8.72. Stormwater discharge. Avoid or minimize the impact of stormwater discharges on the water and habitat quality of rivers and streams.

309. Finding: This policy is ensured through application of the City's Stormwater Management Manual. Stormwater management is critical to maintaining and enhancing the City's livability and improving watershed health. The Stormwater Management Manual (SWMM) allows the City of Portland to protect both watershed resources and infrastructure investments with every development or improvement including those allowed by these RIP2 amendments. City Council further incorporates the findings of Chapter 7 relating to watershed health and stormwater as relevant findings here.

Policy 8.73. On-site stormwater management. Encourage on-site stormwater management, or management as close to the source as practical, through land use decisions and public facility

investments.

310. Finding: This policy is ensured through application of the City’s Stormwater Management Manual. Stormwater management is critical to maintaining and enhancing the City’s livability and improving watershed health. The Stormwater Management Manual (SWMM) allows the City of Portland to protect both watershed resources and infrastructure investments with every development or improvement including those allowed by these RIP2 amendments and encourages on-site stormwater management, or management as close to the source as practical.

Policy 8.74. Pollution prevention. Coordinate policies, programs, and investments with partners to prevent pollutants from entering the stormwater system by managing point and non-point pollution sources through public and private facilities, local regulations, and education.

Policy 8.75. Stormwater partnerships. Provide stormwater management through coordinated public and private facilities, public-private partnerships, and community stewardship.

311. Finding: The City Council interprets policies 8.74 through 8.75 to apply to the provision of stormwater facilities. Stormwater is conveyed through the combined sewer system, pipes, ditches, or drainageways to streams and rivers. In some cases, stormwater is managed in detention facilities, other vegetated facilities, or allowed to infiltrate in natural areas. The Citywide Systems Plan includes projects to address facilities needed for conveyance, flow control and pollution reduction. Environmental Services evaluates development proposals that increase impervious area (including buildings and hardscape) against the 2015 Stormwater Management Manual (SWMM) and Source Control Manual to effectively comply with local, state and federal point and non-point pollution water quality mandates. BES additionally conducts watershed restoration projects in conjunction with other partner organizations and manages education programs designed to improve community stewardship. The RIP2 amendments do not amend SWMM or Source Control Manual requirements, nor change BES programs or projects. Therefore, these policies are met.

Flood management

Policy 8.76. Flood management. Improve and maintain the functions of natural and managed drainageways, wetlands, and floodplains to protect health, safety, and property, provide water conveyance and storage, improve water quality, and maintain and enhance fish and wildlife habitat.

Policy 8.77. Floodplain management. Manage floodplains to protect and restore associated natural resources and functions and to minimize the risks to life and property from flooding.

Policy 8.78. Flood management facilities. Establish, improve, and maintain flood management facilities to serve designated land uses through planning, investment and regulatory requirements.

Policy 8.79. Drainage district coordination. Coordinate with drainage districts that provide stormwater management, conveyance, and flood mitigation, protection, and control services within the City’s Urban Services Boundary.

Policy 8.80. Levee coordination. Coordinate plans and investments with special districts and agencies responsible for managing and maintaining certification of levees along the Columbia River.

312. Finding. The City Council interprets policies 8.76 through 8.80 to apply to the management of floodplains. The RIP2 amendments include a new Constrained Sites Overlay Zone (‘z’) which restrict additional housing types on sites located within the FEMA 100-year floodplain. This helps reduce the asset risk in flood prone areas by decreasing the maximum allowable FAR and limits the introduction of more households to these areas. Moreover, for sites in flood prone areas, the

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RIP2 amendments do not amend the environmental overlay maps, nor do they change City programs that regulate development in the floodplain (i.e., Title 33.631 Sites in Flood Hazard Areas; Title 10 Erosion Control, and the balanced cut and fill requirements of Title 24). In so doing, the amendments improve or maintain the functions of natural and managed drainageways, wetlands, and floodplains to protect health, safety, and property. They do not affect other regulations or projects that provide for flood water conveyance and storage, improve water quality, and maintain and enhance fish and wildlife habitat. City Council further incorporates the findings of Chapter 7 relating to stormwater hydrology, water quality, natural hazards and habitat as relevant findings here.

Water systems

Policy 8.81. Primary supply source. Protect the Bull Run watershed as the primary water supply source for Portland.

Policy 8.82. Bull Run protection. Maintain a source-protection program and practices to safeguard the Bull Run watershed as a drinking water supply.

Policy 8.83. Secondary supply sources. Protect, improve, and maintain the Columbia South Shore wellfield groundwater system, the Powell Valley wellfield groundwater system, and any other alternative water sources designated as secondary water supplies.

Policy 8.84. Groundwater wellfield protection. Maintain a groundwater protection program and practices to safeguard the Columbia South Shore wellfield and the Powell Valley wellfield as drinking water supplies.

Policy 8.85. Water quality. Maintain compliance with state and federal drinking water quality regulations.

313. Finding. Policies 8.81 through 8.85 are addressed through the requirements in Title 21 Water. Protections for the Bull Run watershed are enumerated in Chapter 21.36. Groundwater wellfield protections are ensured through regulations in Chapter 21.35. And water quality is locally regulated by Chapter 21.12, as well as Title 25 Plumbing Regulations, in addition to compliance mandates at the state and federal level. These policies are all unaffected by the RIP2 amendments.

Policy 8.86. Storage. Provide sufficient in-city water storage capacity to serve designated land uses, meet demand fluctuations, maintain system pressure, and ensure supply reliability.

Policy 8.87. Fire protection. Provide adequate water facilities to serve the fire protection needs of all Portlanders and businesses.

Policy 8.88. Water pressure. Provide adequate water facilities to maintain water pressure in order to protect water quality and provide for the needs of customers.

Policy 8.89. Water efficiency. Reduce the need for additional water facility capacity and maintain compliance with state water resource regulations by encouraging efficient use of water by customers within the city.

Policy 8.90. Service interruptions. Maintain and improve water facilities to limit interruptions in water service to customers.

314. Finding. The City Council interprets policies 8.86 through 8.90 to apply to the provision of water service. The R10 and R20 areas that are added with the RIP2 amendments were evaluated through

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a series of case studies⁶² to better identify and understand service deficiencies in these areas. The studies found that in isolated cases, some upgrading of water system services would be needed to develop the proposed middle housing. In these cases, it will be the responsibility of the applicant to ensure infrastructure services are sufficient, in accordance with HB2001. The Water Bureau engineering staff has evaluated the impact from these additional units and found that there was no measurable effect to water quality, capacity, fire protection or pressure. New development may be required to extend service where no service is presently available or upgrade water mains when development requires larger water meter sizes.

Policy 8.91. Outside user contracts. Coordinate long-term water supply planning and delivery with outside-city water purveyors through long-term wholesale contracts.

315. Policy 8.91 relates to wholesale contracts to other water districts. This policy is not impacted by the RIP2 amendments.

Parks and recreation

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

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

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

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

Policy 8.96. Recreational trails. Establish, improve, and maintain a complete and connected system of public recreational trails, consistent with Portland Parks & Recreation's trail strategy.

Policy 8.97. Natural resources. Preserve, enhance, and manage City-owned natural areas and resources to protect and improve their ecological health, in accordance with both the natural area acquisition and restoration strategies, and to provide compatible public access.

Policy 8.98. Urban forest management. Manage urban trees as green infrastructure with associated ecological, community, and economic functions, through planning, planting, and maintenance activities, education, and regulation.

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

Policy 8.100. Self-sustaining Portland International Raceway (PIR). Provide for financially self-sustaining operations of PIR, and broaden its programs and activities to appeal to families, diverse communities, and non-motorized sports such as biking and running.

Policy 8.101. Self-sustaining and inclusive golf facilities. Provide financially self-sustaining public golf course operations. Diversify these assets to attract new users, grow the game, provide more

⁶² Case Studies Recommendation Report, OTAK, May 2021

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introductory-level programming, and expand into other related recreational opportunities such as foot golf and disk golf.

Policy 8.102. Specialized recreational facilities. Establish and manage specialized facilities within the park system that take advantage of land assets and that respond to diverse, basic, and emerging recreational needs.

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

316. Finding: The City Council interprets policies 8.92 through 8.103 to address City-owned parks and natural areas and not development on private land. The RIP2 amendments do not change current parks and recreation programs. Therefore, these policies do not apply. Policy 8.98 relates to Urban Forest management including regulation. The RIP2 amendments do not change current Title 11 Tree Code rules, and development activities conducted in accordance with the RIP amendments will be subject to those existing rules.

Public safety and emergency response

Policy 8.104. Emergency preparedness, response, and recovery coordination. Coordinate land use plans and public facility investments between City bureaus, other public and jurisdictional agencies, businesses, community partners, and other emergency response providers, to ensure coordinated and comprehensive emergency and disaster risk reduction, preparedness, response, and recovery.

Policy 8.105. Emergency management facilities. Provide adequate public facilities – such as emergency coordination centers, communications infrastructure, and dispatch systems – to support emergency management, response, and recovery.

Policy 8.106. Police facilities. Improve and maintain police facilities to allow police personnel to efficiently and effectively respond to public safety needs and serve designated land uses.

Policy 8.107. Community safety centers. Establish, coordinate, and co-locate public safety and other community services in centers.

Policy 8.108. Fire facilities. Improve and maintain fire facilities to serve designated land uses, ensure equitable and reliable response, and provide fire and life safety protection that meets or exceeds minimum established service levels.

Policy 8.109. Mutual aid. Maintain mutual aid coordination with regional emergency response providers as appropriate to protect life and ensure safety.

Policy 8.110. Community preparedness. Enhance community preparedness and capacity to prevent, withstand, and recover from emergencies and natural disasters through land use decisions and public facility investments.

Policy 8.111. Continuity of operations. Maintain and enhance the City's ability to withstand and recover from natural disasters and human-made disruptions in order to minimize disruptions to public services.

317. Finding: The City Council interprets policies 8.104 through 8.111 to address the provision of public safety and emergency response services and facilities, and are addressed in Chapter 10 of the CSP. Under day-to-day circumstances, emergency response infrastructure is utilized by bureaus in the City's four-legged stool of emergency response – the Portland Police Bureau (PPB), Portland Fire and Rescue (PF&R), the Bureau of Emergency Communications (BOEC), and the Portland Bureau of Emergency Management (PBEM). This emergency response system places BOEC as the first point of contact for emergency calls, with dispatchers then directing incidents to PPB or PF&R

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depending on the situation. When incidents or events require the involvement of additional City bureaus, PBEM steps in to coordinate emergency response on a broader scale.

Disaster response and preparedness, including community preparedness, an assessment and planning for adequate emergency management facilities and continuity of operations for City services, is primarily handled through the coordination efforts of PBEM and are not affected by RIP2 amendments.

The Police Bureau is primarily responsible for Police and community safety center facilities. The RIP amendments provide for more capacity for housing closer to centers where community safety facilities are prioritized by Policy 8.107. Police response is handled through BOEC dispatch to patrols which already service the areas included in the RIP2 amendments and are thus not affected by these amendments.

The Fire Bureau is responsible for fire facilities planning and maintenance. The 2007 Portland Fire Code, which is based on the 2007 Oregon Fire Code and the International Fire Code (IFC), is implemented by the City of Portland Fire Marshall and provides development and design guidelines to reduce loss of life and property due to fire. The Fire Bureau reviews land use legislative changes to ensure that facilities planning and needs are adequately accounted for to ensure equitable and reliable response. The RIP2 amendments do not impact these Policies.

Solid waste management

Policy 8.112. Waste management. Ensure land use programs, rights-of-way regulations, and public facility investments allow the City to manage waste effectively and prioritize waste management in the following order: waste reduction, recycling, anaerobic digestion, composting, energy recovery, and then landfill.

318. Finding: The RIP2 amendments do not impact right of way regulations, facility investments, or prioritization of waste management. The changes to land use entitlements in the single dwelling zones are aligned with existing waste management services in these zones. The City Council interprets other aspects of this policy as addressing the provision of waste management services and not development on private land and therefore do not apply.

School facilities

Policy 8.113. School district capacity. Consider the overall enrollment capacity of a school district – as defined in an adopted school facility plan that meets the requirements of Oregon Revised Statute 195 – as a factor in land use decisions that increase capacity for residential development.

319. Finding: David Douglas School District has previously noted concerns with school capacity, but had also began to experience declining enrollment prior to the COVID-19 pandemic. OAR 660-046, the administrative rules for HB2001, do not provide means to exclude or limit middle housing in areas based on school capacity. Nevertheless, most R10 and R20 areas in the school district area are constrained by the 'z' overlay based on natural resources or hazards. Only 315 R10 zoned lots within the district can accommodate additional households.

Policy 8.114. Facilities Planning. Facilitate coordinated planning among school districts and City bureaus, including Portland Parks and Recreation, to accommodate school site/facility needs in response to most up-to-date growth forecasts.

320. Finding. BPS routinely coordinates with school districts and city bureaus and shares data pertaining to forecasted growth and actual development activity to facilitate coordinated

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planning. Staff provided updates and shared relevant data with affected school districts and the Parks Bureau during the project to ensure facility needs and planning remain coordinated.

Policy 8.115. Co-location. Encourage public school districts, Multnomah County, the City of Portland, and other providers to co-locate facilities and programs in ways that optimize service provision and intergenerational and intercultural use.

Policy 8.116. Community use. Encourage public use of public school grounds for community purposes while meeting educational and student safety needs and balancing impacts on surrounding neighborhoods.

Policy 8.117. Recreational use. Encourage publicly-available recreational amenities (e.g. athletic fields, green spaces, community gardens, and playgrounds) on public school grounds for public recreational use, particularly in neighborhoods with limited access to parks.

Policy 8.118. Schools as emergency aid centers. Encourage the use of seismically-safe school facilities as gathering and aid-distribution locations during natural disasters and other emergencies.

Policy 8.119. Facility adaptability. Ensure that public schools may be upgraded to flexibly accommodate multiple community-serving uses and adapt to changes in educational approaches, technology, and student needs over time.

Policy 8.120. Leverage public investment. Encourage City public facility investments that complement and leverage local public school districts' major capital investments.

Policy 8.121. School access. Encourage public school districts to consider the ability of students to safely walk and bike to school when making decisions about the site locations and attendance boundaries of schools.

Policy 8.122. Private institutions. Encourage collaboration with private schools and educational institutions to support community and recreational use of their facilities.

321. Finding: The City Council interprets policies 8.115 through 8.122 to address school facilities and not development on private land. These policies do not apply.

Technology and communications

Policy 8.123. Technology and communication systems. Maintain and enhance the City's technology and communication facilities to ensure public safety, facilitate access to information, and maintain City operations.

Policy 8.124. Equity, capacity, and reliability. Encourage plans and investments in technology and communication infrastructure to ensure access in all areas of the city, reduce disparities in capacity, and affordability, and to provide innovative high-performance, reliable service for Portland's residents and businesses.

322. Finding: The City Council interprets policies 8.123 and 8.124 to address the provision of technology and communication services. Chapter 10 of the Citywide Systems Plan includes "other essential systems and services" with a section dedicated to "Technology systems". Technology systems come in a multitude of forms, with a range encompassing computer hardware and software, voicemail systems, video systems, microwave radio systems and other radio equipment, and transmission towers. These systems have a direct impact upon nearly every City agency's ability to provide services ranging from routine correspondence to emergency response. They enable City agencies to operate more efficiently, with many bureaus relying on sophisticated modeling software, monitoring systems, and databases for construction permitting, land use

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planning, spatial analysis, and a variety of administrative processes. Reliable, innovative technology systems play a critical role in Portland’s status as a resilient, prosperous, modern city, with many predicting that the importance of these systems will only continue to increase throughout the Comprehensive Plan’s twenty-year planning horizon. For the City, these systems are primarily handled by the Bureau of Technology Services (BTS). The Bureau of Technology Services is tasked with providing management, policy setting, strategic planning, and leadership in the use of computer, radio, and telecommunications technologies for the City. The Bureau of Technology Services is not subject to State comprehensive planning requirements to meet any specific service levels. The Citywide Systems Plan identifies opportunities for on-going maintenance and enhancements, an integrated decision-making process, along with financial strategies. All of which are outside the scope of the RIP2 amendments and are not impacted by them.

Energy infrastructure

Policy 8.125. Energy efficiency. Promote efficient and sustainable production and use of energy resources by residents and businesses, including low-carbon renewable energy sources, district energy systems, and distributed generation, through land use plans, zoning, and other legislative land use decisions.

323. Finding: The RIP2 amendments do not amend the sections of the zoning code that regulate the production of energy or other types of energy infrastructure. The RIP2 amendments do reduce the total allowable amount of floor area on a small site within R10 and R20 zones. This has the potential effect of reducing shading and windbreak impacts on adjacent properties, which could further promote greater passive and active solar energy use and small-scale wind power generation. Moreover, the housing created through the RIP2 amendments will tend to include smaller or attached units. These smaller units require far less energy to heat and use than larger houses⁶³, which were allowed prior to the RIP2 amendments. This further promotes efficient use of energy resources by residents.

Policy 8.126. Coordination. Coordinate with energy providers to encourage investments that ensure reliable, equitable, efficient, and affordable energy for Portland residents and businesses.

324. Finding: The RIP2 amendments do not amend the sections of the zoning code that regulate the production of energy or other types of energy infrastructure and do not affect coordination efforts. This policy does not apply.

⁶³ A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, September 2010

Chapter 9 Transportation

GOAL 9.A: Safety. Transportation safety impacts the livability of a city and the comfort and security of those using City streets. Comprehensive efforts to improve transportation safety through engineering, education, enforcement and evaluation will be used to eliminate traffic-related fatalities and serious injuries from Portland’s transportation system.

325. Finding: PBOT is the bureau primarily charged with ensuring the improved safety of the City’s transportation network. PBOT works in conjunction with community partners and the Police Bureau to strengthen education efforts and enforce Title 16. PBOT has launched Vision Zero as a coordinated campaign with the intention of eliminating traffic related fatalities. Vision Zero is a strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, equitable mobility for all. The RIP2 amendments do not affect these efforts or programs. Therefore Goal 9.A continues to be met.

Goal 9.B: Multiple goals. Portland’s transportation system is funded and maintained to achieve multiple goals and measurable outcomes for people and the environment. The transportation system is safe, complete, interconnected, multimodal, and fulfills daily needs for people and businesses.

326. Finding: This goal is about transportation funding and maintenance priorities. The RIP2 amendments provide greater housing capacity in areas already served by a complete transportation system including active transportation options. Infill in these areas helps to reduce the burden of creating or extending the transportation network. Some R10 and R20 areas lack multimodal or fully connected facilities. As lots in these areas develop, either gaps will be filled through incremental frontage improvements, or a charge (LTIC) will be levied to be collected for completing the local street network. Therefore Goal 9.B continues to be met.

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.

327. Finding: This goal is about leveraging the design of the transportation system to enhance different types of places. These design classifications for these different street types are embedded in the TSP and remain unchanged by the RIP2 amendments. Therefore Goal 9.C continues to be met.

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.

328. Finding: This goal is about shifting the transportation network from a fossil fuel dependent model to a less carbon intensive, lower pollution source alternative. This means prioritizing active transportation when allocating space within rights of way, and shifting the vehicle fleet to electric vehicles and increasing ride-share and transit. The RIP2 amendments are supportive of these models by creating additional household capacity in areas close to centers and corridors where active transportation and transit networks already exist. Therefore Goal 9.D continues to be met.

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.

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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.

329. Finding: At the heart of 9.E through 9.H is equity, which the Comprehensive Plan defines as “when everyone has access to the opportunities necessary to satisfy their essential needs, advance their well-being, and achieve their full potential.” The RIP2 amendments enable this by removing zoning barriers in higher opportunity areas where good, services and jobs are more readily available within walking, biking or convenient transit distance. These changes allow for up to 16 detached units in the form of a cottage cluster, or higher density attached houses and divided plexes on these single dwelling zoned lots. This expands access to the opportunities Portlanders of different needs may be seeking based on their preferred mode of transport. The transportation system will continue to evolve to respond to the variety of community needs, but it is the ability to find housing in a certain location that determines what options will be available between their origin and destination. Therefore Goals 9.E through 9.G continue to be met.

GOAL 9.H. Cost Effectiveness. The City analyzes and prioritizes capital and operating investments to cost effectively achieve the above goals while responsibly managing and protecting our past investments in existing assets.

330. Finding: The State Transportation Planning Rule (TPR) requires each Transportation System Plan (TSP) to include a financing program. This financial plan is designed to meet the State requirements for a financing program, as well as to establish a financial framework for making investment choices in the City’s transportation system over the next 20 years.

The financial plan allows jurisdictions to assess the adequacy of existing and possible new funding mechanisms to improve elements of the transportation system. As required by the TPR, the financial plan is linked with the TSP’s transportation system improvements, which includes planned transportation projects and programs.

The TSP financial plan presents three financial scenarios that respond to a range of existing and potential new revenue sources and forecasts. The three scenarios provide a context for the cost and number of transportation improvements that may be implemented over the 20-year timeframe of the TSP.

Another principle guiding the financial plan is the importance of maintenance and system operations needs as well as capital improvement planning. Stewardship is one of the TSP’s themes. Stewardship means proactive management of Portland’s transportation system through the efficient use of resources, non-capital solutions to transportation needs, and innovative approaches to infrastructure management.

The RIP2 amendments do not significantly impact key facilities on the surrounding transportation system. Roughly 80 percent of R10 and R20 parcels will not be eligible for expanded middle housing options based on natural resource or land hazard constraints. The remaining 20 percent are further limited by minimum lot sizes or unmaintained streets. Additionally, the additional cost

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of development due to required infrastructure improvements, higher engineering costs to respond to soil conditions, and underlying land values will impede development in these areas in favor of inner and middle ring eastside neighborhoods. This was reflected in the RIP1 analysis that showed a draw of units from R10 and R20 areas to R2.5, R5, and R7 areas once additional capacity had been created. Increasing capacity in the R10 and R20 areas logically will not draw significant housing development to these areas. Even with the additional housing types allowed, houses and duplexes continued to be the favored housing type in these areas according to the economic analysis. The transportation impacts of the RIP1 amendments were evaluated by the Portland Bureau of Transportation (PBOT)⁶⁴. The analysis found that those amendments will add little traffic on to the roadways on the ODOT/PBOT list of “Hot Spot” transportation facilities identified in City’s 2035 Comprehensive Plan process. The RIP2 amendments do not alter or affect the TSP financial plan or scenarios nor add new capital projects, therefore Goal 9.H continues to be met.

GOAL 9.I. Airport Futures. Promote a sustainable airport (Portland International Airport [PDX]) by meeting the region’s air transportation needs without compromising livability and quality of life for future generations.

331. Finding: The goals 9.I applies to the Portland International Airport and is not affected by the RIP2 Amendments. Therefore, this Goal is not applicable

Designing and planning

Policy 9.1. Street design classifications. Maintain and implement street design classifications consistent with land use plans, environmental context, urban design pattern areas, and the Neighborhood Corridor and Civic Corridor Urban Design Framework designations.

332. Finding: The Transportation System Plan includes and implements the street design classifications consistent with planned land uses, environmental context, urban design pattern areas, and the Neighborhood Corridor and Civic Corridor Urban Design Framework designations. The RIP2 amendments do not change these classifications. More than 90% of the single dwelling zoned parcels are on local street designations. These streets are intended to distribute local traffic and provide access to local residences or commercial uses. The anticipated land use and development should discourage auto-oriented land uses from using Local Service Traffic Streets as their primary access. Auto oriented development is defined in the TSP as Development that is either: 1) auto-related (such as gas stations and auto repair shops) or 2) auto-accommodating (by its design attracts primarily customers and employees arriving by automobile, such as drive-in restaurants). The residential housing types allowed by the RIP2 amendments are not auto-oriented uses, and are therefore consistent with the street design classifications in the TSP.

Policy 9.2. Street policy classifications. Maintain and implement street policy classifications for pedestrian, bicycle, transit, freight, emergency vehicle, and automotive movement, while considering access for all modes, connectivity, adjacent planned land uses, and state and regional requirements.

9.2.a. Designate district classifications that emphasize freight mobility and access in industrial and employment areas serving high levels of truck traffic and to accommodate the needs of intermodal freight movement.

9.2.b. Designate district classifications that give priority to pedestrian access in areas where high levels of pedestrian activity exist or are planned, including the Central City, Gateway regional center, town centers, neighborhood centers, and transit station areas.

⁶⁴ PBOT Memorandum from Bob Kellett to Morgan Tracy, March 1, 2019

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9.2.c. Designate district classifications that give priority to bicycle access and mobility in areas where high levels of bicycle activity exist or are planned, including Downtown, the River District, Lloyd District, Gateway Regional Center, town centers, neighborhood centers, and transit station areas.

333. Finding: The Transportation System Plan includes and implements the street policy classifications for pedestrian, bicycle, transit, freight, emergency vehicle, and automotive movement, that consider access for all modes, connectivity, adjacent planned land uses, and state and regional requirements. The RIP2 amendments do not change these classifications.

Policy 9.3. Transportation System Plan. Maintain and implement the Transportation System Plan (TSP) as the decision-making tool for transportation-related projects, policies, programs, and street design.

334. Finding: The first update to the Transportation System Plan was completed and adopted by City Council on October 13, 2004 (effective date, November 12, 2004; Ordinance Nos. 178815 and 178826). The second update was completed and adopted by City Council on April 5, 2007 (effective date, May 5, 2007; Ordinance No 180871). While primarily technical in nature, this update also included new policy language to implement the City's Green Street Policy. Stage 1 TSP Update was a part of the City's Comprehensive Plan update process and a component of the State's Periodic Work Plan Task 4. It included Goals, Policies, Projects and Programs and a Financial Plan. It was adopted by City Council in June 2016. The Stage 2 TSP Update was a part of the City's Comprehensive Plan update and changes were made to implement the Comprehensive Plan, as well as reflect adopted plans and classification changes since the last update in 2007, Periodic Work Plan Task 5. It was adopted by City Council in December 2016. TSP Stage 3 TSP Update incorporated regional information; updated geographic policies and objectives; updated objectives; added a few policies; changed the street classification for traffic, transit and emergency response; modal plans; and other changes as identified.

The RIP2 amendments do not include changes to the TSP list of projects. Development and its related street improvements and right of way dedications will continue to be subject to the design requirements set forth in the TSP either directly as part of the building permit review process, or when LTIC funds are committed to local street improvement projects. Therefore Policy 9.3 continues to be met.

Policy 9.4. Use of classifications. Plan, develop, implement, and manage the transportation system in accordance with street design and policy classifications outlined in the Transportation System Plan.

9.4.a. Classification descriptions are used to describe how streets should function for each mode of travel, not necessarily how they are functioning at present.

335. Finding: The RIP2 amendments do not change the functional classification of any existing or proposed transportation facility, nor do they change the standards implementing a functional classification system, or amend the TSP. Subsequent development on single dwelling zoned parcels will be required to meet the development standards in Title 17 and its implementing rules which are developed in accordance with the TSP.

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

336. Finding: Council interprets this policy to mean reducing the share of single occupant motor vehicle trips through actions, investments, and plans that either encourage use of other modes, for

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example the Bicycle Parking Project, or discouraging the use of single occupant vehicle use. Specific goals for mode share are stated in policy 9.49. The Climate action plan seeks by 2030 to reduce single occupant commutes by 39 percent and reduce daily per capita vehicle miles traveled in Multnomah County by 30 percent from 2008 levels⁶⁵.

The RIP2 amendments include strategies to increase the share of trips made using active and low-carbon transportation modes. These serve to improve mode split performance and limit traffic impacts which were not able to be incorporated into the traffic analysis model. These strategies include:

- Requiring that development of 3 or more units occur on paved streets accepted for maintenance. These streets are generally closer to being more complete in terms of multi-modal design, to encourage the use of other modes (e.g. walking, biking or rolling) than unmaintained or gravel streets.
- Allowing for more compact development which can better support area businesses and transit use by reducing the distances required for travel to meet daily needs.
- Increasing development capacity in areas well-served by transit and existing and planned bike and pedestrian infrastructure.

Policy 9.6. Transportation strategy for people movement. Implement a prioritization of modes for people movement by making transportation system decisions per the following ordered list:

1. Walking
2. Bicycling
3. Transit
4. Fleets of electric, fully automated, multiple passenger vehicles
5. Other shared vehicles
6. Low or no occupancy vehicles, fossil-fueled non-transit vehicles

When implementing this prioritization ensure that:

- The needs and safety of each group of users are considered, and changes do not make existing conditions worse for the most vulnerable users higher on the ordered list.
- All users' needs are balanced with the intent of optimizing the right of way for multiple modes on the same street.
- When necessary to ensure safety, accommodate some users on parallel streets as part of multi-street corridors.
- Land use and system plans, network functionality for all modes, other street functions, and complete street policies, are maintained.
- Policy-based rationale is provided if modes lower in the ordered list are prioritized.

337. Finding: This policy seeks to prioritize modes through street design considerations. The RIP2 amendments do not propose new prioritizations or change implementation strategies relevant to this policy. Therefore, this policy is met.

Policy 9.7. Moving goods and delivering services. In tandem with people movement, maintain efficient and reliable movement of goods and services as a critical transportation system function. Prioritize freight system reliability improvements over single-occupancy vehicle mobility where there are solutions that distinctly address those different needs.

⁶⁵ 2015 Climate Action Plan, pgs 75, 78.

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338. Finding: This policy seeks to maintain the efficient movement of freight and services and prioritize freight mobility over single occupant vehicle mobility when being considered together. The RIP2 amendments increase housing capacity across the single dwelling zones. Certain areas will see more households and other areas will see fewer households in comparison to the Comprehensive Plan default zoning, but the total number of overall households forecasted for 2035 is not changed. It is assumed that fewer households in an area result in either the same or fewer trips and thus did not negatively affect congestion models. The RIP1 analysis identified that the overall added traffic from RIP on the citywide transportation network during the peak PM hour was not significant. As described in findings for Goal 9H, the R10 and R20 areas that are part of the RIP2 middle housing allowances are not expected to draw significant additional housing development as a result of the amendments based on economic feasibility analysis⁶⁶ and current permit data trends⁶⁷. Therefore, the small number of additional auto trips resulting from RIP2 can be readily incorporated into existing planned projects to maintain an efficient and reliable movement of goods and services.

Policy 9.8. Affordability. Improve and maintain the transportation system to increase access to convenient and affordable transportation options for all Portlanders, especially those who have traditionally been under-served or under-represented or have historically borne unequal burdens.

339. Finding: This policy addresses the design and planning of transportation facilities and not directly to development on private land. As noted in previous findings, the RIP2 amendments do not change the functional classification of any existing or proposed transportation facility, nor do they change the standards implementing a functional classification system, or amend the TSP. Subsequent development on single dwelling zoned parcels will be required to meet the development standards in Title 17 and its implementing rules that are developed in accordance with the TSP which Improves and maintains the transportation system to increase access to convenient and affordable transportation options for all Portlanders .

Policy 9.9. Accessible and age-friendly transportation system. Ensure that transportation facilities are accessible to people of all ages and abilities, and that all improvements to the transportation system (traffic, transit, bicycle, and pedestrian) in the public right-of-way comply with the Americans with Disabilities Act of 1990. Improve and adapt the transportation system to better meet the needs of the most vulnerable users, including the young, older adults, and people with different abilities.

340. Finding: Policy 9.9 speaks to ensuring that transportation facilities are accessible to people of all ages and abilities, and that all improvements to the transportation system (traffic, transit, bicycle, and pedestrian) in the public right-of-way comply with the Americans with Disabilities Act of 1990. The three-unit threshold aligns with new requirements for visitability, and maintained streets provide for greater multi-modal mobility (i.e. walking, rolling or biking) and are generally more ADA compliant than gravel or unimproved streets.

Policy 9.10. Geographic policies. Adopt geographically specific policies in the Transportation System Plan to ensure that transportation infrastructure reflects the unique topography, historic character, natural features, system gaps, economic needs, demographics, and land uses of each area. Use the Pattern Areas identified in Chapter 3: Urban Form as the basis for area policies.

9.10.a. Refer to adopted area plans for additional applicable geographic objectives related to transportation. Land use, development, and placemaking

⁶⁶ RIP2 Economic Analysis, Johnson Economics, July 2021

⁶⁷ RIP2 Appendix A, R10/R20 Existing Conditions Report, Urbsworks, June 2021

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341. Finding: Policy 9.10 provides direction regarding planning for the transportation system, and development/updates to the Transportation System Plan. These policies address the design and planning of transportation facilities and not directly to development on private land. These policies do not apply.

Land use, development, and placemaking

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

342. Finding: The RIP2 amendments expand the types of housing allowed in single dwelling zones. These changes build on the housing types enabled as part of RIP1 which allow duplexes, triplexes, fourplexes, affordable sixplexes and additional ADUs in the R2.7, R5 and R7 zones. RIP2 expands these allowed types to the R10 and R20 zones, and adds cottage clusters and higher density attached houses to the mix, in compliance with HB2001.

From the total 149,492 parcels in single dwelling zones, 18,738 parcels were excluded from the ability to have 3 or more units based on their location in the amended 'z' overlay. Another 4,384 parcels outside the 'z' overlay are excluded due to inadequate lot size. From the total remaining 126,370, a number of these are impractical to redevelop based on the land and existing improvement values, or development costs in relation to attainable sales or rents. Furthermore, lots in the R10 and R20 areas are unlikely to significantly increase housing production based on the increased development costs, and high land values.

The Portland Bureau of Transportation (PBOT) evaluated the distribution of forecasted units from the RIP1 amendments and found that peak PM hour traffic resulting was not significant; the added traffic is widely spread across the City; and expected housing types are consistent with the land uses anticipated within the context of the descriptions of the functional classifications of existing or planned transportation facilities⁶⁸. The RIP2 amendments create additional capacity for housing units in all single dwelling zones, but as stated previously, the projected household growth in the city is a fixed point, so the additional capacity added with RIP2 does not fundamentally alter the underlying previous housing allocation models.

Therefore, the RIP2 amendments have been coordinated with the long-range transportation plans.

Policy 9.12. Growth strategy. Use street design and policy classifications to support Goals 3A-3G in Chapter 3: Urban Form. Consider the different design contexts and transportation functions in Town Centers, Neighborhood Centers, Neighborhood Corridors, Employment Areas, Freight Corridors, Civic Corridors, Transit Station Areas, and Greenways.

343. Finding: Goals 3A-3G and the policies in Chapter 3 convey the City's intent to:

- Foster an equitable system of compact mixed use and commercial centers across the city to increase access to community services and businesses, and create more low carbon complete healthy connected neighborhoods.
- Improve Portland's major corridors so that they become vibrant urban places and key transportation connections.

⁶⁸ PBOT Memorandum from Bob Kellett to Morgan Tracy, March 1, 2019

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- Enhance Portland’s public realm, integrate nature into the city, and link people, places, and wildlife through active transportation facilities, green infrastructure investments, urban tree canopy, and habitat connections.
- Describe the city’s overall development pattern and area character to inform and guide future plans, investments, and development.

Chapter 3 of the Transportation System Plan includes street classifications for all of the streets within Portland based on the objectives laid out in the Comprehensive Plan including the urban design framework. Chapter 4 of the TSP include Master Street Plans that provide an additional level of design specificity for several particular areas including centers. Refinement Plan areas are also called out in Chapter 6 of the TSP, Implementation Strategies for additional projects that will need to consider the different design contexts of the Urban Design Framework as those projects are subsequently designed. The RIP2 amendments do not change the functional classification or planned investment strategies of any existing or proposed transportation facility, nor do they change the standards implementing a functional classification system. Therefore, this policy continues to be met.

Policy 9.13. Development and street design. Evaluate adjacent land uses to help inform street classifications in framing, shaping, and activating the public space of streets. Guide development and land use to create the kinds of places and street environments intended for different types of streets.

344. Finding: The RIP2 amendments do not change the functional classification of any existing or proposed transportation facility, nor do they change the standards implementing a functional classification system. More than 90% of the single dwelling zoned parcels are on local street designations. These streets are intended to distribute local traffic and provide access to local residences or commercial uses. The anticipated land use and development should discourage auto-oriented land uses from using Local Service Traffic Streets as their primary access. The housing types allowed by the RIP2 amendments are not auto-oriented uses, and are therefore consistent with the street design classifications in the TSP. The amendments ensure new development, including development of additional housing types is complementary in scale as land uses already permitted in single dwelling zones to guide development to create the kinds of places and street environments intended for these streets.

Streets as public spaces

Policy 9.14. Streets for transportation and public spaces. Integrate both placemaking and transportation functions when designing and managing streets by encouraging design, development, and operation of streets to enhance opportunities for them to serve as places for community interaction, environmental function, open space, tree canopy, recreation, and other community purposes.

Policy 9.15. Repurposing street space. Encourage repurposing street segments that are not critical for transportation connectivity to other community purposes.

Policy 9.16. Design with nature. Promote street alignments and designs that respond to topography and natural features, when feasible, and protect streams, wildlife habitat, and native trees.

345. Finding: Policies 9.14 through 9.16 address the design and use of public streets and not development on private land. These policies do not apply.

Modal policies

Policy 9.17. Pedestrian transportation. Encourage walking as the most attractive mode of

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transportation for most short trips, within and to centers, corridors, and major destinations, and as a means for accessing transit.

346. Finding: The RIP2 amendments help advance this policy by providing for more housing potential on sites where parking is not provided. FAR limits as well as open space requirements in cottage clusters create financial tradeoff considerations when building on site parking. In so doing, RIP2 projects are more likely to not provide onsite parking, which in turn encourages other modes of transportation including walking. Moreover, “The layout and design of land uses can affect the choice of mode of travel. Low density commercial and residential developments, often with big road setbacks, large lots, and low density, can discourage walking and bicycling. Buildings set far apart by vast parking areas, liberal landscaping and wide access roads discourage walking between uses.”⁶⁹

The RIP2 amendments include a requirement that sites with 3 or more units provide at least one visitable unit. Visitability requirements provide greater access to those with mobility issues, including pedestrians using mobility devices, and encourages walking as a more attractive option, since there are fewer barriers between the street and the home.

The RIP2 amendments also allow additional households to locate in more complete neighborhood areas characterized by higher walkability function (more complete sidewalk network, near transit and bikeways, and close to services and amenities). Provisions also limit sites with 3 or more units to lots located on streets that have been accepted for maintenance by the city to better ensure conditions are more suitable for walking.

Policy 9.18. Pedestrian networks. Create more complete networks of pedestrian facilities, and improve the quality of the pedestrian environment.

347. Finding: HB2001 generally requires cities to permit duplexes on any lot where houses are allowed. For other types of middle housing, these are only available for parcels in that are outside the ‘z’ overlay and that abut streets that have been accepted for maintenance by the City (i.e. improved/paved streets). This means that these streets generally have an improved paved surface. They may lack complete sidewalks; however, sidewalk improvements can be constructed with each development on these streets or funded through the LTIC program, eventually forming a series of sidewalk improvements.

The RIP2 amendments improve the quality of the pedestrian environment especially with regard to the cottage cluster standards. Cottage clusters are required to have an onsite pedestrian connection network to connect units to each other, to common areas, and to the street. Sidewalks in the right of way may function as part of that connection network to both lessen required impervious areas, as well as better activate the street. Units in the cluster that are near the street must orient to the street, while remaining units orient to the common area or pedestrian network, to ensure a more approachable and enhanced visual connection between the dwelling and the pedestrian realm. These “eyes on the street” can enhance the feeling of security for pedestrians.

Policy 9.19. Pedestrian safety and accessibility. Improve pedestrian safety, accessibility, and convenience for people of all ages and abilities.

348. Finding: The RIP2 amendments improve the quality of the pedestrian environment especially with regard to the cottage cluster standards. Cottage clusters are required to have an onsite pedestrian connection network to connect units to each other, to common areas, and to the street. Sidewalks

⁶⁹ Access Management: An Overview by Elizabeth Humstone & Julie Campoli, Planning Commissioners Journal, Winter 1998

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in the right of way may function as part of that connection network to both lessen required impervious areas, as well as better activate the street. Units in the cluster that are near the street must orient to the street, while remaining units orient to the common area or pedestrian network, to ensure a more approachable and enhanced visual connection between the dwelling and the pedestrian realm. These “eyes on the street” can enhance the feeling of security for pedestrians. Moreover, for sites with 3 or more units, one of the units is required to be visitable, including a no step entry requirement to provide greater access to people with mobility impairments.

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

349. Finding: The RIP2 amendments help facilitate a shift of preference that make bicycling a more attractive option than driving for most short trips. With more limited on-site parking available, and potentially more competition for on street parking spaces, using the car for short trips becomes a decision that must be weighed against convenience. Using a bike ensures that there will be available and convenient parking on both ends of the trip whereas the use of a car may be a quicker trip between points, but available parking at either end is more in question.

Changes to the Local Transportation Improvement Charge (LTIC) enable the additional housing types allowed through the RIP2 amendments to pay into the fund for cohesive street segment improvements. These improvements are designed holistically for the entire street segment including the modal priorities addressed in previous policies and the TSP. This approach provides for a system improvement that enhances bicycle user experience, as opposed to isolated lot by lot street improvements which leave a disjointed bicycle facility network.

Policy 9.21. Accessible bicycle system. Create a bicycle transportation system that is safe, comfortable, and accessible to people of all ages and abilities.

350. Finding: This policy addresses the design and use of public transportation infrastructure and not development on private land. The RIP2 amendments do contribute to a safer and more accessible bicycle transportation system by limiting middle housing types to streets that have been accepted for maintenance. This means that more households can be located where they will be connected to a street system of paved streets (as opposed to unmaintained gravel or unimproved streets).

Policy 9.22. Public transportation. Coordinate with public transit agencies to create conditions that make transit the preferred mode of travel for trips that are longer than 3 miles or shorter trips not made by walking or bicycling.

351. Finding: This policy is related to coordination with public transit agencies and not development on private land. This policy does not apply.

Policy 9.23. Transportation to job centers. Promote and enhance transit to be more convenient and economical than the automobile for people travelling more than three miles to and from the Central City and Gateway. Enhance regional access to the Central City and access from Portland to other regional job centers.

352. Finding: The RIP2 amendments provide additional housing capacity to areas that may lack sufficient ridership population to support system enhancements⁷⁰. About 90% of single dwelling zoned parcels that allow 3 or more units are located within a ¼ mile of existing transit service. With the additional density allowing for more potential riders, the system could be improved to better serve them (more stops, greater frequency, alternate routing). Areas farther from these

⁷⁰ Community Characteristics Promoting Transit and Walking Dr. John Holtzclaw, March 2007

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transit routes include the R10 and R20 areas, where significant additional households from the RIP2 changes are not anticipated, based on findings discussed above.

Policy 9.24. Transit service. In partnership with TriMet, develop a public transportation system that conveniently, safely, comfortably, and equitably serves residents and workers 24 hours a day, 7 days a week.

353. Finding: This policy is related to coordination with public transit agencies and not development on private land. This policy does not apply.

Policy 9.25. Transit equity. In partnership with TriMet, maintain and expand high-quality frequent transit service to all Town Centers, Civic Corridors, Neighborhood Centers, Neighborhood Corridors, and other major concentrations of employment, and improve service to areas with high concentrations of poverty and historically under-served and under-represented communities.

9.25.a. Support a public transit system and regional transportation that address the transportation needs of historically marginalized communities and provide increased mobility options and access.

354. Finding: This policy is related to coordination with public transit agencies and not development on private land. This policy does not apply.

Policy 9.26. Transit funding. Consider funding strategies and partnership opportunities that improve access to and equity in transit service, such as raising Metro-wide funding to improve service and decrease user fees/fares.

355. Finding: This policy is related to coordination with and funding for public transit agencies and not development on private land. This policy does not apply.

Policy 9.27. Transit service to centers and corridors. Use transit investments to shape the city's growth and increase transit use. In partnership with TriMet and Metro, maintain, expand, and enhance Portland Streetcar, frequent service bus, and high-capacity transit, to better serve centers and corridors with the highest intensity of potential employment and household growth.

9.27.a. Locate major park-and-ride lots only where transit ridership is increased significantly, vehicle miles traveled are reduced, transit-supportive development is not hampered, bus service is not available or is inadequate, and the surrounding area is not negatively impacted.

356. Finding: This policy is related to coordination with public transit agencies and service location decisions. This policy does not apply.

Policy 9.28. Intercity passenger service. Coordinate planning and project development to expand intercity passenger transportation services in the Willamette Valley, and from Portland to Seattle and Vancouver, BC.

357. Finding: Council interprets this policy as relating to coordination with intercity transportation agencies and not development on private land. This policy does not apply.

Policy 9.29. Regional trafficways and transitways. Maintain capacity of regional transitways and existing regional trafficways to accommodate through-traffic.

358. Finding: The RIP1 amendments have been reviewed by PBOT which found that the overall impact to the transportation system from those changes was not significant. There are several "hot spot" areas where future congestion is anticipated under the 2035 Comprehensive Plan. None of the impacts were identified on Regional Transitways. Two Regional Trafficways (99E at Ross Island Bridge, NE Killingsworth between NE Portland Hwy and 82nd Ave) experience 27 and 24 additional

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PM peak trips respectively⁷¹. These corridors already include projects identified in the TSP that can be refined to address this minor addition of traffic. Therefore, with the implementation of projects already planned for in the TSP, capacity of these corridors to accommodate through traffic will be maintained over the course of the planning period.

The RIP2 amendments expand the types of housing allowed in single dwelling zones. These changes build on the housing types enabled as part of RIP1 which allow duplexes, triplexes, fourplexes, affordable sixplexes and additional ADUs in the R2.7, R5 and R7 zones. RIP2 expands these allowed types to the R10 and R20 zones, and adds cottage clusters and higher density attached houses to the mix, in compliance with HB2001.

From the total 149,492 parcels in single dwelling zones, 18,738 parcels were excluded from the ability to have 3 or more units based on their location in the amended 'z' overlay. Another 4,384 parcels outside the 'z' overlay are excluded due to inadequate lot size. From the total remaining 126,370, a number of these are impractical to redevelop based on the land and existing improvement values, or development costs in relation to attainable sales or rents. Furthermore, lots in the R10 and R20 areas are unlikely to significantly increase housing production based on the increased development costs, and high land values.

The Portland Bureau of Transportation (PBOT) evaluated the distribution of forecasted units from the RIP1 amendments and found that peak PM hour traffic resulting was not significant; the added traffic is widely spread across the City; and expected housing types are consistent with the land uses anticipated within the context of the descriptions of the functional classifications of existing or planned transportation facilities⁷². The RIP2 amendments create additional capacity for housing units in all single dwelling zones, but as stated previously, the projected household growth in the city is a fixed point, so the additional capacity added with RIP2 does not fundamentally alter the underlying previous housing allocation models. Consequently, the RIP2 amendments continue to maintain capacity of regional transitways and existing regional trafficways to accommodate through-traffic.

Policy 9.30. Multimodal goods movement. Develop, maintain, and enhance a multimodal freight transportation system for the safe, reliable, sustainable, and efficient movement of goods within and through the city.

359. Finding: This policy addresses the design and use of freight transportation infrastructure and not development on private land. This policy does not apply.

Policy 9.31. Economic development and industrial lands. Ensure that the transportation system supports traded sector economic development plans and full utilization of prime industrial land, including brownfield redevelopment.

360. Finding: This policy addresses transportation infrastructure is available to support prime industrial land and brownfields and does not relate to development on private land. The RIP2 amendments do not affect the ability of prime industrial land to be fully utilized. In fact, the amendments expand the 'z' overlay to encompass Goal 9 industrial sanctuary lands that are currently zoned residential, but are intended for future industrial land conversion. This policy does not apply.

Policy 9.32. Multimodal system and hub. Maintain Portland's role as a multimodal hub for global and regional movement of goods. Enhance Portland's network of multimodal freight corridors.

⁷¹ PBOT Memorandum from Bob Kellett to Morgan Tracy, March 1, 2019

⁷² PBOT Memorandum from Bob Kellett to Morgan Tracy, March 1, 2019

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Policy 9.33. Freight network. Develop, manage, and maintain a safe, efficient, and reliable freight street network to provide freight access to and from intermodal freight facilities, industrial and commercial districts, and the regional transportation system. Invest to accommodate forecasted growth of interregional freight volumes and provide access to truck, marine, rail, and air transportation systems. Ensure designated routes and facilities are adequate for over-dimensional trucks and emergency equipment.

361. Finding: Policies 9.32 and 9.33 seek to enhance and develop, manage, maintain the safety, efficiency and reliability of the freight network. The RIP2 amendments do not impact the forecast growth of interregional freight volumes. They may result in a slight redistribution of allocated households within Portland, but the total number of overall households forecasted for 2035 is not changed. Access to transportation systems and route designs are unchanged as a result of RIP2.

Policy 9.34. Sustainable freight system. Support the efficient delivery of goods and services to businesses and neighborhoods, while also reducing environmental and neighborhood impacts. Encourage the use of energy efficient and clean delivery vehicles and manage on- and off-street loading spaces to ensure adequate access for deliveries to businesses, while maintaining access to homes and businesses.

362. Finding: The RIP2 amendments do not affect the freight system, or relate to freight delivery vehicles. The middle housing types have similar delivery needs and requirements as other single dwelling houses. Therefore, the RIP2 amendments continue to support efficient delivery of goods and services.

Policy 9.35. Freight rail network. Coordinate with stakeholders and regional partners to support continued reinvestment in, and modernization of, the freight rail network.

363. Finding: Policy 9.35 is about coordination for freight rail investments and are not relevant to the RIP amendments. These policies do not apply.

Policy 9.36. Portland Harbor. Coordinate with the Port of Portland, private stakeholders, and regional partners to improve and maintain access to marine terminals and related river dependent uses in Portland Harbor.

9.36.a. Support continued reinvestment in, and modernization of, marine terminals in Portland Harbor.

9.36.b. Facilitate continued maintenance of the shipping channels in Portland Harbor and the Columbia River.

9.36.c. Support more long-distance, high-volume movement of goods to river and oceangoing ships and rail.

364. Finding: The RIP2 amendments do not apply to or impact the Portland Harbor. This policy does not apply.

Policy 9.37. Portland Heliport. Maintain Portland's Heliport functionality in the Central City.

365. Finding: The RIP2 amendments do not apply to the Central City. This policy does not apply.

Policy 9.38. Automobile transportation. Maintain acceptable levels of mobility and access for private automobiles while reducing overall vehicle miles traveled (VMT) and negative impacts of private automobiles on the environment and human health.

366. Finding: The RIP2 amendments provide more capacity for housing to be located near services, jobs, schools and amenities to promote use of alternate modes of transport to reduce VMT and

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improve overall mobility. The changes to the overall system as a result of the RIP2 amendments are deemed insignificant in comparison to the changes already evaluated with RIP1.

Policy 9.39. Automobile efficiency. Coordinate land use and transportation plans and programs with other public and private stakeholders to encourage vehicle technology innovation, shifts toward electric and other cleaner, more energy-efficient vehicles and fuels, integration of smart vehicle technology with intelligent transportation systems, and greater use of options such as car-share, carpool, and taxi.

367. Finding: The RIP2 amendments do not include proposals that address smart vehicle technology or other automobile specific efficiency measures.

Policy 9.40. Emergency response. Maintain a network of accessible emergency response streets to facilitate safe and expedient emergency response and evacuation. Ensure that police, fire, ambulance, and other emergency providers can reach their destinations in a timely fashion, without negatively impacting traffic calming and other measures intended to reduce crashes and improve safety.

368. Finding: Policy 9.40 address the design and use of public transportation infrastructure and not development on private land. These policies do not apply.

As part of the consideration of RIP2 amendments, wildfire risk was introduced as a constraint for parcels in the R10 and R20 areas. While wildfire risk areas are present in R2.5, R5, and R7 areas, the R10 and R20 areas are more frequently characterized by disconnected, narrow, steep and/or substandard street systems. This can complicate evacuation and delay emergency response. The requirement that a parcel abut a street that has been accepted into maintenance helps to mitigate for this condition, when other alternate routes are available. Even dead-end streets are serviceable where street width permits a fire truck to navigate. The Assistant Fire Marshall has indicated that without an adequate turn-around, it makes it more difficult to get fire equipment turned-around once at the end of a dead-end road, but this does not mean it negatively impacts their ability to respond to an incident on a dead-end road. Of greater concern is when residents are attempting to evacuate en masse as emergency crews are attempting to respond to an incident. For these reasons, the wildfire risk areas were incorporated into the 'z' overlay in the R10 and R20 zones, to lessen the potential increased household load on these streets and ensure **that** police, fire, ambulance, and other emergency providers can reach their destinations in a timely fashion. Additionally, the RIP2 amendments do not amend the TSP designated streets for emergency response, nor change the design standards for improving and maintaining these streets to facilitate safe and expedient emergency response and evacuation.

Airport Futures

Policy 9.41. Portland International Airport. Maintain the Portland International Airport as an important regional, national, and international transportation hub serving the bi-state economy.

Policy 9.42. Airport regulations. Implement the Airport Futures Plan through the implementation of the Portland International Airport Plan District.

9.42.a. Prohibit the development of a potential third parallel runway at PDX unless need for its construction is established through a transparent, thorough, and regional planning process.

9.42.b. Support implementation of the Aircraft Landing Zone to provide safer operating conditions for aircraft in the vicinity of Portland International Airport by limiting the height of structures, vegetation, and construction equipment.

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9.42.c. Support the Port of Portland’s Wildlife Hazard Management Plan by implementing airport-specific landscaping requirements in the Portland International Airport Plan District to reduce conflicts between wildlife and aircraft.

Policy 9.43. Airport partnerships. Partner with the Port of Portland and the regional community to address the critical interconnection between economic development, environmental stewardship, and social responsibility. Support an ongoing public advisory committee for PDX to:

9.43.a. Support meaningful and collaborative public dialogue and engagement on airport related planning and development.

9.43.b. Provide an opportunity for the community to inform the decision-making related to the airport of the Port, the City of Portland, and other jurisdictions/organizations in the region.

9.43.c. Raise public knowledge about PDX and impacted communities.

Policy 9.44. Airport investments. Ensure that new development and redevelopment of airport facilities supports the City’s and the Port’s sustainability goals and policies, and is in accordance with Figure 9-3 — Portland International Airport. Allow the Port flexibility in configuring airport facilities to preserve future development options, minimize environmental impacts, use land resources efficiently, maximize operational efficiency, ensure development can be effectively phased, and address Federal Aviation Administration’s airport design criteria.

369. Finding: Policies 9.41 through 9.44 provide policy direction related to Portland International Airport and are not relevant to the single-dwelling zones and other regulations that are the focus of the RIP2 amendments. The amendments also do not change the Portland International Airport Plan District. These policies do not apply.

System management

Policy 9.45. System Management. Give preference to transportation improvements that use existing roadway capacity efficiently and that improve the safety of the system for all users.

9.45.a. Support regional equity measures for transportation system evaluation.

370. Finding: The RIP2 amendments do not propose specific transportation improvements. Projects within the TSP that have been identified to address future roadway congestion in areas that may potentially be affected by RIP2 amendments are projects to create added capacity to improve the safety of the system for all users.

Policy 9.46. Traffic management. Evaluate and encourage traffic speed and volume to be consistent with street classifications and desired land uses to improve safety, preserve and enhance neighborhood livability, and meet system goals of calming vehicle traffic through a combination of enforcement, engineering, and education efforts.

9.46.a. Use traffic calming tools, traffic diversion and other available tools and methods to create and maintain sufficiently low automotive volumes and speeds on neighborhood greenways to ensure comfortable cycling environment on the street.

371. Finding: This policy is about traffic speed and road design to ensure the classifications and hierarchies within the TSP are maintained consistent with the anticipated land uses. The RIP2 amendments allow additional housing types within single dwelling zones. More than 90% of single dwelling zoned parcels are on local street designations. These streets are intended to distribute local traffic and provide access to local residences or commercial uses. The anticipated land use and development should discourage auto-oriented land uses from using Local Service Traffic

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Streets as their primary access. Auto oriented development is defined in the TSP as development that is either: 1) auto-related (such as gas stations and auto repair shops) or 2) auto-accommodating (by its design attracts primarily customers and employees arriving by automobile, such as drive-in restaurants). The housing types allowed by the RIP amendments (2 units on all lots in single dwelling zones, up to 4 units in most other lots in single dwelling zones, up to 6 units when certain affordability requirements are met, and up to 16 units when cottage cluster standards are met) are not auto-oriented uses, and therefore complement the street design classifications in the TSP. While a localized increase of traffic volumes may occur on a street with the increase in units, there is no evidence to suggest that middle housing residents in drive any differently than residents in a single-dwelling house. Therefore, the roadway designs and speed designations are unaffected by the RIP2 amendments.

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

9.47.a. Develop conceptual master street plans for areas of the City that have significant amounts of vacant or underdeveloped land and where the street network does not meet City and Metro connectivity guidelines.

9.47.b. As areas with adopted Street Plans develop, provide connectivity for all modes by developing the streets and accessways as shown on the Master Street Plan Maps in the Comprehensive Plan.

9.47.c. Continue to provide connectivity in areas with adopted Street Plans for all modes of travel by developing public and private streets as shown on the Master Street Plan Maps in the Comprehensive Plan.

9.47.d. Provide street connections with spacing of no more than 530 feet between connections except where prevented by barriers such as topography, railroads, freeways, or environmental constraints. Where streets must cross over protected water features, provide crossings at an average spacing of 800 to 1000 feet, unless exceptional habitat quality of length of crossing prevents a full street connection.

9.47.e Provide bike and pedestrian connections at approximately 330 feet intervals on public easements or rights-of-way when full street connections are not possible, except where prevented by barriers s such as topography, railroads, freeways, or environmental constraints. Bike and pedestrian connections that cross protected water features should have an average spacing of no more than 530 feet, unless exceptional habitat quality or length of connection prevents a connection.

372. Finding: The RIP2 amendments do not propose specific transportation improvements, do not amend district street plans in the TSP, and do not affect the ability to establish an interconnected system. This policy does not apply.

Policy 9.48 Technology. Encourage the use of emerging vehicle and parking technology to improve real-time management of the transportation network and to manage and allocate parking supply and demand.

373. Finding: The RIP2 amendments do not include changes related to emerging vehicle and parking technology. This policy does not apply

Policy 9.49 Performance measures. Establish multimodal performance measures and measures of

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

- 9.49.a.** Eliminate deaths and serious injuries for all who share Portland streets by 2025.
- 9.49.b.** Maintain or decrease the number of peak period non-freight motor vehicle trips, system-wide and within each mobility corridor to reduce or manage congestion.
- 9.49.c.** By 2035, reduce the number of miles Portlanders travel by car to 11 miles per day or less, on average.
- 9.49.d.** Establish mode split targets in 2040 Growth Concept areas within the City, consistent with Metro’s targets for these areas.
- 9.49.e.** By 2035, increase the mode share of daily non-drive alone trips to 70 percent citywide, and to the following in the five pattern areas:

Pattern Area	2035 daily target mode share
Central City	85%
Inner Neighborhoods	70%
Western Neighborhoods	65%
Eastern Neighborhoods	65%
Industrial and River	55%

- 9.49.f.** By 2035, 70 percent of commuters walk, bike, take transit, carpool, or work from home at approximately the following rates:

Mode	Mode Share
Walk	7.5%
Bicycle	25%
Transit	25%
Carpool	10%
Single Occupant Vehicle (SOV)	30% or less
Work at home	10% below the line (calculated outside of the modal targets above)

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9.49.g. By 2035, reduce Portland’s transportation-related carbon emissions to 50% below 1990 levels, at approximately 934,000 metric tons.

9.49.h. By 2025, increase the percentage of new mixed use zone building households not owning an automobile from approximately 13% (2014) to 25%, and reduce the percentage of households owning two automobiles from approximately 24% to 10%.

9.49.i. Develop and use alternatives to the level-of-service measure to improve safety, encourage multimodal transportation, and to evaluate and mitigate maintenance and new trip impacts from new development.

9.49.j. Use level-of-service, consistent with Table 9.1, as one measure to evaluate the adequacy of transportation facilities in the vicinity of sites subject to land use review.

9.49.k. Maintain acceptable levels of performance on state facilities and the regional arterial and throughway network, consistent with the interim standard in Table 9.2, in the development and adoption of, and amendments to, the Transportation System Plan and in legislative amendments to the Comprehensive Plan Map.

9.49.l. In areas identified by Metro that exceed the level-of-service in Table 9.2 and are planned to, but do not currently meet the alternative performance criteria, establish an action plan that does the following:

- Anticipates growth and future impacts of motor vehicle traffic on multimodal travel in the area
- Establishes strategies for mitigating the future impacts of motor vehicles
- Establishes performance standards for monitoring and implementing the action plan.

Location	Standards		
	Mid-Day One-Hour Peak *	PM 2-Hour Peak *	
		1st Hour	2nd Hour
Central City, Gateway, Town Centers, Neighborhood Centers, Station Areas	0.99	1.1	0.99
I-84 (from I-5 to I-205), I-5 North (from Marquam Bridge to Interstate Bridge, OR 99- E (from Lincoln St. to OR 224), US 26 (from I-405 to Sylvan Interchange), I-405	0.99	1.1	0.99
Other Principal Arterial Routes	0.90	0.99	0.99
*The demand-to-capacity ratios in the table are for the highest two consecutive hours of the weekday traffic volumes. The mid-day peak hour is the highest 60-minute period between the hours of 9 a.m. and 3 p.m. The 2nd hour is defined as the single 60-minute period, either before or after the peak 60-minute period, whichever is highest.			

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9.49.m. Develop performance measures to track progress in creating and maintaining the transportation system.

374. Finding: The TSP established multimodal performance measures and measures of system completeness. RIP2 amendments do not propose changes to these measures or action plans. Therefore, this policy is not affected.

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

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

Policy 9.51. Multimodal Mixed-Use Area. Manage Central City Plan amendments in accordance with the designated Central City Multimodal Mixed-Use Area (MMA) in the geography indicated in Figure 9-2. The MMA renders congestion / mobility standards inapplicable to any proposed plan amendments under OAR 660-0012-0060(10).

375. Finding: The Multimodal mixed use area is specific to the Central City, where there are no RIP2 zones. Policy 9.51 does not apply.

Transportation Demand Management

Policy 9.52. Outreach. Create and maintain TDM outreach programs that work with Transportation Management Associations (TMA), residents, employers, and employees that increase the modal share of walking, bicycling, and shared vehicle trips while reducing private vehicle ownership, parking demand, and drive-alone trips, especially during peak periods.

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

Policy 9.54. Projects and programs. Integrate TDM information into transportation project and program development and implementation to increase use of new multimodal transportation projects and services.

376. Finding. Policies 9.52 through 9.54 provide direction regarding transportation demand management. When City Council adopted regulatory changes as part of the 2035 Comprehensive Plan Update Task 5 Early Implementation Project, they determined that only buildings with 10 or more units would be required to meet TDM plan requirements (payment of a fee per unit at ~\$1,100 per unit, and building owners must distribute transportation options to new tenants and complete an annual transportation survey for the first four years after the project is completed). None of the RIP2 middle housing types meet this threshold for requiring these TDM measures, and Council has not chosen to revise the threshold as part of these amendments. Beyond these regulatory requirements, PBOTs TDM programs include Safe Routes to Schools, Smart Trips, Sunday Parkways, Area Parking Permit Program, Metered Parking and the Transportation Wallet which pairs parking pricing with financial incentives for alternative modes of transportation. The RIP2 amendments do not affect these existing TDM outreach programs and new households that locate in the additional housing types in single dwelling zones may still benefit from these programs (such as new residents being provided with transportation options information and incentives) and as improvements are made along nearby school routes.

Parking management

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

377. Finding: This policy calls for reduced parking demand and parking supply management that help to maintain optimal parking utilization. There are several ways to effectively manage parking supply including unbundling parking, improving walkability, shared parking and Smart Growth and Location Efficient Development to reduce reliance on automotive trips. Minimum parking requirements were removed for residential uses in single dwelling zones as part of RIP1. Providing more housing capacity in areas located close to services, amenities, and jobs as well as near transit and in walkable, bikeable areas as RIP2 does also helps reduce the need for private vehicles.

Policy 9.56. Curb Zone. Recognize that the Curb Zone is a public space, a physical and spatial asset that has value and cost. Evaluate whether, when, and where parking is the highest and best use of this public space in support of broad City policy goals and local land use context. Establish thresholds to utilize parking management and pricing tools in areas with high parking demand to ensure adequate on-street parking supply during peak periods.

378. Finding: The RIP2 amendments do not propose thresholds for or specific parking management or pricing tools. This policy does not apply.

Policy 9.57. On-street parking. Manage parking and loading demand, supply, and operations in the public right of way to achieve mode share objectives, and to encourage safety, economic vitality, and livability. Use transportation demand management and pricing of parking in areas with high parking demand.

379. Finding: The Transportation Planning Rule points to the designation of residential on-street parking districts as a tool that local governments within an MPO can use to reduce reliance on automobile trips (660-012-0045). Portland has had an Area Parking Permit Program in effect since 1981. In recent years, this program has expanded to include 17 zones with neighborhoods and businesses collaborating with PBOT to create the rules for their zone. Per City Council ordinance, the Area Parking Permit Program can impose a surcharge on parking permits. The money raised from the surcharge can then be used to fund Transportation Demand Management strategies that reduce automobile trips. While only developments of 10 or more units are required to meet TDM plan requirements (payment of a fee per unit at ~\$1,100/ea, distribute transportation options to new tenants for first four years, and complete an annual transportation survey for the first four years) other aspects of PBOTs TDM programs can continue to benefit occupants in non-qualifying developments such as the Transportation Wallet program where participants can receive significantly reduced transit, bike share, and other mobility passes in exchange for forgoing an on-street parking permit. PBOT will continue to seek opportunities to work with neighborhoods to expand the Area Parking Permit Program to address areas where traffic and parking congestion are increasing. The RIP2 amendments do not propose any changes to those programs.

Policy 9.58. Off-street parking. Limit the development of new parking spaces to achieve land use, transportation, and environmental goals, especially in locations with frequent transit service. Regulate off-street parking to achieve mode share objectives, promote compact and walkable urban form, encourage lower rates of car ownership, and promote the vitality of commercial and employment areas. Use transportation demand management and pricing of parking in areas with high parking demand.

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380. Finding: Minimum parking requirements for residential uses have been removed in single dwelling zones. This in combination with RIP1 and RIP2 limits on floor area encourages limited application of on-site parking. As noted previously City Council has already established the threshold for transportation demand management programs for buildings with 10 units or more, which are not part of these amendments.

Policy 9.59. Share space and resources. Encourage the shared use of parking and vehicles to maximize the efficient use of limited urban space.

381. Finding: The RIP2 amendments allow multiple households to co-locate on a single site, and due to infill site size constraints, are less likely to provide dedicated parking for each dwelling unit. This better encourages the use of shared parking and shared vehicles.

Policy 9.60. Cost and price. Recognize the high public and private cost of parking by encouraging prices that reflect the cost of providing parking and balance demand and supply. Discourage employee and resident parking subsidies.

382. Finding: This policy addresses the management of the City's transportation system and not development on private land. The RIP2 amendments do not change the price of parking in the City's garages or for parking permits. These policies do not apply.

Policy 9.61. Bicycle parking. Promote the development of new bicycle parking facilities including dedicated bike parking in the public right-of-way. Provide sufficient bicycle parking at high-capacity transit stations to enhance bicycle connection opportunities. Require provision of adequate off-street bicycle parking for new development and redevelopment. Encourage the provision of parking for different types of bicycles. In establishing the standards for long-term bicycle parking, consider the needs of persons with different levels of ability.

383. Finding: The RIP2 amendments do not include any changes to the bicycle parking regulations.

Finance, programs, and coordination

Policy 9.62. Coordination. Coordinate with state and federal agencies, local and regional governments, special districts, other City bureaus, and providers of transportation services when planning for, developing, and funding transportation facilities and services.

384. Finding: These policies address the planning, funding, and design of the City's transportation system and services. The RIP amendments do not change the transportation facilities or services. ODOT and TriMet were both notified as part of the legislative notice but did not submit comments.

Policy 9.63. New development impacts. Prevent, reduce, and mitigate the impacts of new development and redevelopment on the transportation system. Utilize strategies including transportation and parking demand management, transportation system analysis, and system and local impact mitigation improvements and fees.

385. Finding: The impacts on the transportation system from the RIP1 amendments were analyzed. The changes to household allocation due to the housing types and areas included with the RIP2 amendments are not seen as significant. Where streets have not been accepted for maintenance by the City or State (generally in an unimproved condition) 3 or more units on a site is not allowed in single dwelling zones. This helps prevent impacts of redevelopment on these substandard streets, until such streets are improved. In addition, redevelopment that increase the number of dwelling units will be subject to paying systems development charges that help support improvements to the overall transportation system.

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Policy 9.64. Education and encouragement. Create, maintain, and coordinate educational and encouragement programs that support multimodal transportation and that emphasize safety for all modes of transportation. Ensure that these programs are accessible to historically under-served and under-represented populations.

Policy 9.65. Telecommuting. Promote telecommuting and the use of communications technology to reduce travel demand.

Policy 9.66. Project and program selection criteria. Establish transportation project and program selection criteria consistent with goals 9A through 9I, to cost-effectively achieve access, placemaking, sustainability, equity, health, prosperity, and safety goals.

386. Finding: Policies 9.64 through 9.66 address the funding and management of the City’s transportation system and programs and not development on private land. These policies do not apply.

Policy 9.67. Funding. Encourage the development of a range of stable transportation funding sources that provide adequate resources to build and maintain an equitable and sustainable transportation system.

387. Finding: Policy 9.67 doesn’t apply to the RIP2 amendments because they do not address, or make recommendations related to, funding for building or maintaining the transportation system. The RIP project amends the zoning code to comply with state legislative mandates and encourage middle housing on private land, not address or amend the funding sources for the transportation system.

Connected and Automated Vehicles

Policy 9.68 New mobility priorities and outcomes. Facilitate new mobility vehicles and services with the lowest climate and congestion impacts and greatest equity benefits; with priority to vehicles that are fleet/shared ownership, fully automated, electric and, for passenger vehicles, shared by multiple passengers (known by the acronym FAVES). Develop and implement strategies for each following topic.

9.68.a. Ensure that all new mobility vehicles and services and levels of automated vehicles advance Vision Zero by operating safely for all users, especially for vulnerable road users. Require adequate insurance coverage for operators, customers, and the public-at-large by providers of new mobility vehicles and services.

9.68.b. Ensure that new mobility vehicles and services improve active transportation and shared ride travel time reliability and system efficiency by:

1. maintaining or reducing the number of vehicle trips during peak congestion periods;
2. reducing low occupancy vehicle trips during peak congestion periods;
3. paying for use of, and impact on, Portland’s transportation system including factors such as congestion level, carbon footprint, vehicle miles traveled, vehicle occupancy, and vehicle energy efficiency; and
4. supporting and encouraging use of public transportation.

9.68.c. Cut vehicle carbon pollution by reducing low occupancy “empty miles” traveled by passenger vehicles with zero or one passengers. Prioritize vehicles and services with the least climate pollution, and electric and other zero direct emission vehicles operated by fleets and carrying multiple passengers.

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9.68.d. Make the benefits of new mobility available on an equitable basis to all segments of the community while ensuring traditionally disadvantaged communities are not disproportionately hurt by new mobility vehicles and services. This includes people with disabilities, as well as communities of color, women, and geographically underserved communities.

9.68.e Identify, prevent, and mitigate potential adverse impacts from new mobility vehicles and services.

388. Finding: Policies 9.68 addresses the provisions for and management of mobility vehicles and call for the development of implementation strategies relating to the use and design of rights of way. The RIP2 amendments do not relate to mobility vehicles, specifically the use or design of rights of way. These policies do not apply.

Policy 9.69 New mobility tools. Use a full range of tools to ensure that new mobility vehicles and services and private data communications devices installed in the City right of way contribute to achieving Comprehensive Plan and Transportation System Plan goals and policies.

9.69.a. Maintain City authority to identify and develop appropriate data sharing requirements to inform and support safe, efficient, and effective management of the transportation system. Ensure that when new mobility vehicles and services use City rights-of-way or when vehicles connect with smart infrastructure within the City they share information including, but not limited to, vehicle type, occupancy, speed, travel routes, and travel times, crashes and citations, with appropriate privacy controls. Ensure that private data communications devices installed in the City right of way are required to share anonymized transportation data.

9.69.b. Design and manage the mobility zone, curb/flex zone, and traffic control devices, e.g. to limit speeds to increase safety, to minimize cut-through traffic, evaluate future demand for pick-up and drop-off zones, and to prioritize automated electric vehicles carrying more passengers in congested times and locations;

9.69.c. Evaluate the public cost and benefit of investments in wayside communication systems serving new mobility vehicles and services.

9.69.d. Develop sustainable user-pays funding mechanisms to support new mobility vehicle infrastructure and service investments, transportation system maintenance, and efficient system management.

9.69.e. Ensure that new mobility vehicles and vehicles that connect to smart City infrastructure, and private data communications devices installed in the City right of way, help pay for infrastructure and service investments, and support system reliability and efficiency. Develop a tiered pricing structure that reflects vehicle and service impacts on the transportation system, including factors such as congestion level, carbon footprint, vehicle miles traveled, vehicle occupancy, and vehicle energy efficiency.

389. Finding: This policy addresses mobility vehicles and services and private data communications devices installed in the City right of way and not development on private land. The RIP2 amendments do not relate to mobility vehicles, and do not impact the use or design of rights of way. This policy does not apply.

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.

390. Finding: The RIP2 amendments to the zoning code, zoning map, and Comprehensive Plan background reports are necessary for the City of Portland to be in compliance with HB2001 and SB458. HB2001 requires that all cities in the Portland metro area expand housing allowances in their zoning codes. This means that for lots zoned for residential uses, including lots currently limited to single-dwelling development, more types of residential structures must be allowed. Specifically, duplexes are required to be allowed on any lot where a single house is allowed, and triplexes, fourplexes, townhouses and cottage clusters are required in areas zoned for residential use. Whereas duplexes must be allowed on all lots where houses are permitted, the other types of housing may be limited in some areas. In Portland, the area where the limitations apply consist of natural resource areas and natural hazards, including flood, landslide, and wildfire hazards, as well as areas designated as industrial sanctuary on the City's comprehensive plan map and areas within the Portland Airport Noise overlay that exceed 68 decibels of Day-Night Average Sound Level (DNL). SB458 requires that cities subject to HB2001 allow middle housing developments, like duplexes, triplexes, fourplexes and cottage clusters, to be divided through an expedited land division process.

Specifically, the RIP2 amendments include:

- Application of the Residential Infill Project Part 1 zoning code amendments, which increased dwelling unit densities and housing type allowances in compliance with HB2001 within the R7 through R2.5 zones, to lots in the R10 and R20 zones;
- Amendments to the zoning code to address the requirements of HB2001 related to cottage clusters and townhouses in the single-dwelling and the RM1 zones;
- Updates to the methodology for applying, and application of the Constrained Sites overlay zone, in the single-dwelling zones. The Constrained Sites overlay zone limits dwelling unit density and housing types within natural resource and hazard areas in conformance with HB2001;
- Amendments to the zoning code to create a middle housing land division process to implement the requirements of SB458:
- Updates to the Comprehensive Plan background documents to include the landslide hazard data that is used as one of the factors in the updated methodology for application of the Constrained Sites overlay zone.

The RIP2 amendments are consistent with the policies in the 2035 Comprehensive Plan, as described in the findings throughout this report.

For the reasons cited in these findings, council finds that on balance, the RIP amendments more effectively and efficiently carry out the goals and policies of the Comprehensive Plan through the land use designations, Zoning Map, and the Zoning Code.

Land use designations

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

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policies. The land use designations are shown on the adopted Land Use Map and on official Zoning Maps.

391. Finding. The RIP2 amendments do not change any base zone land use designations. This policy does not apply.

The Zoning Map and the Zoning Code

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 per 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.

392. Finding: The RIP2 amendments do not apply or remove any base zones. This policy does not apply.

Policy 10.3. Amending the Zoning Map.

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

10.3.b. When amending a base zone quasi-judicially, the amendment must be to a corresponding zone (see Figure 10-1 — Corresponding and Allowed Zones for Each Land Use Designation). When a designation has more than one corresponding zone, the most appropriate zone, based on the purpose of the zone and the zoning and general land uses of surrounding lands, will be applied.

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 (see Figure 10-1 — Corresponding and Allowed Zones for each Land Use Designation for zones that are 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 can support 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.

393. Finding: The RIP2 amendments do not apply or remove any base zones. These policies do not apply.

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.

394. Finding: The RIP2 amendments amend the methodology for applying the Constrained Sites overlay zone and apply the Constrained Sites overlay zone to the single-dwelling zones in accordance with the methodology. The purpose of the Constrained Sites overlay is to reduce

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the development potential on lots with specific types of development constraints and is in accordance with the provisions of HB2001. A constraints analysis was used to establish areas that would not be able to utilize additional housing types, and thus restrict the introduction of additional households into areas of higher relative risk. in. Specifically, the overlay zone applies to:

- Special flood hazard area (Land area covered by the floodwaters of the base flood, as shown on the Federal Emergency Management Agency (FEMA) maps in effect on November 26, 2010);
- Floodway (The active flowing channel during a flood, as designated on the flood maps adopted under authority of Title 24 of the Portland City Code.
- 1996 Flood Inundation area (A record peak flow in February of 1996 caused the Willamette River and its major tributaries to flood. This map was created to delineate the inundated areas near the mainstem and major tributaries of the Willamette River)
- Potential Rapidly Moving Landslide Hazard Zones (as shown in the DOGAMI IMS-22 publication)
- Deep landslide—High Susceptibility or Landslide Deposit or Scarp as shown in the DOGAMI IMS-57 publication
- Sites in the R10 and R20 zones with a cumulative hazard value of 5 or more as shown on the 1998 City of Portland Wildfire Hazard Zone map;
- Sites in the R10 and R20 zones with a high or extreme risk rating as shown on the 2001 Multnomah County Community Wildfire Protection Plan map 13B that are not also included in the 1998 City of Portland Wildfire Hazard Zone map;
- Land within an industrial sanctuary comprehensive plan designation;
- Land within the Portland International Airport Noise Impact overlay zone with a 68DNL or higher noise contour.

Policy 10.4. Amending the Zoning Code. Amendments to the zoning regulations must be done legislatively and should be clear, concise, and applicable to a broad range of development situations faced by a growing city. Amendments should:

10.4.a. Promote good planning:

- Effectively and efficiently implement the Comprehensive Plan.
- Address existing and potential land use problems.
- Balance the benefits of regulations against the costs of implementation and compliance.
- Maintain Portland’s competitiveness with other jurisdictions as a location in which to live, invest, and do business.

10.4.b. Ensure good administration of land use regulations:

- Keep regulations as simple as possible.
- Use clear and objective standards wherever possible.
- Maintain consistent procedures and limit their number.
- Establish specific approval criteria for land use reviews.
- Establish application requirements that are as reasonable as possible, and ensure they are directly tied to approval criteria.
- Emphasize administrative procedures for land use reviews.
- Avoid overlapping reviews.

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10.4.c. Strive to improve the code document:

- Use clear language.
- Maintain a clear and logical organization.
- Use a format and layout that enables use of the document by lay people as well as professionals.
- Use tables and drawings to clarify and shorten the document.
- Identify and act on regulatory improvement suggestions.

395. Finding: Volume 2 of the RIP2 Recommended Draft presents the legislative amendments to the Zoning Code to implement the proposals presented in Volume 1 of this ordinance. These amendments are necessary for the City of Portland to be in compliance with HB2001 and SB458. Specifically, the amendments:

- Apply the increased dwelling unit densities and housing type allowances zoning code that was adopted as part of the RIP1 and currently applies in the R7 through R2.5 zones to lots in the R10 and R20 zones;
- Amend the methodology for applying the Constrained Sites overlay zone to include lots in the R10 and R20 zones with a high level of wildfire hazard, and all single-dwelling zoned lots that have an industrial sanctuary Comprehensive Plan designation or are subject to the density limitations within the Airport Noise Impact overlay zone;
- Address the requirements of HB2001 related to cottage clusters and townhouses in all single-dwelling and the RM1 zones;
- Create the middle housing land division process to implement the requirements of SB458.

In all cases, the Zoning Code amendments are presented in as clear and objective of a way possible to ensure the intended users will be able understand and utilize the Zoning Code as it applies to their development proposals, land use, and properties, consistent with Comprehensive Plan Policy 10.4.

Part IV. Comprehensive Plan and Zoning Code Text Amendment Criteria

33.835.040 Approval Criteria

- A. Amendments to the zoning code.** Text amendments to the zoning code must be found to be consistent with the Comprehensive Plan, Urban Growth Management Functional Plan, and the Statewide Planning Goals. In addition, the amendments must be consistent with the intent or purpose statement for the base zone, overlay zone, plan district, use and development, or land division regulation where the amendment is proposed, and any plan associated with the regulations. The creation of a new plan district is subject to the approval criteria stated in 33.500.050.

396. Finding: The findings in this exhibit demonstrate how the RIP zoning code amendments are consistent with the 2035 Comprehensive Plan, the Urban Growth Management Functional Plan, and the Statewide Planning Goals. Findings showing consistency with the purpose statements are provided for each applicable purpose statement below.

The Council interprets this criterion to require the ordinance to be consistent with the Comprehensive Plan, Urban Growth Management Plan and Statewide Planning Goals. The City Council interprets this criterion to require the RIP2 amendments show consistency on balance. Council finds that the dictionary defines “consistent” to mean “marked by harmony.” Council notes that Comprehensive Plan also defines the phrase “consistent with” to mean “the subject meets the requirements of, satisfies, or adheres to the regulations, mandate, or plan listed in the goal or policy.” Council finds that the Comprehensive Plan’s definition applies to the term as used in the Comprehensive Plan, not the Zoning Code. However, Council interprets that for the purposes of considering consistency with the Comprehensive Plan, “consistent with” requires that an ordinance adheres to the Comprehensive Plan.

The City Council has considered all applicable policies, and the findings in this exhibit demonstrate how the amendments to the zoning code are consistent with the 2035 Comprehensive Plan, the Urban Growth Management Functional Plan, and with the Statewide Planning Goals.

Council finds that PCC 33.835.040.A requires Council to demonstrate that the RIP2 Amendments are on balance consistent with, or adhere to, the entire Comprehensive Plan. Council finds that PCC 33.835.040.A does not require Council to demonstrate that the RIP2 Amendments are consistent with, or adheres to, individual goals and policies but rather the entire plan. Regardless, as demonstrated in this exhibit, Council has considered all applicable goals and policies and finds that the RIP2 amendments are consistent with all the individual goals and policies.

Council further finds this criterion operates in conjunction with Comprehensive Plan Policy 1.10 which requires that amendments to the comprehensive Plan’s supporting documents, such as the Zoning Code, must “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.” Council finds that a proposed amendment is equally supportive when it is on its face directly supported by goals and policies in the Plan. The City Council finds that an amendment is more supportive of the Comprehensive Plan when the amendment will further advance goals and policies, particularly those that are aspirational in nature. The City Council finds that the policy requires consideration as to

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whether amendments are equally or more supportive of the Plan as a whole. The City Council finds that amendments do not need to be equally or more supportive of individual goals and policies, but rather amendments must be equally or more supportive of the entire Comprehensive Plan. Therefore, the Council finds that there may be instances where specific goals and policies are not supported by the amendments but still the amendment is equally or more supportive of the entire Comprehensive Plan when considered cumulatively. The Council finds that there is no precise mathematical equation for determining when the Plan as a whole is supported but rather such consideration requires Council discretion in evaluating the competing interests and objectives of the plan. Council finds that the RIP2 Amendments equally advance most of the Comprehensive Plan policies.

Finally, as discussed below, Council finds that this ordinance is consistent with the applicable intent or purpose statement for the base zones, overlay zones, plan district, use and development where amendments have been proposed.

No new plan district has been proposed, therefore the criteria in 33.500.050 do not apply.

For all of these reasons, Council finds that the RIP2 amendments are consistent and comply with each applicable policy in the Comprehensive Plan and the amendments are consistent with the Urban Growth Management Functional Plan, the Statewide Planning Goals and relevant purpose statements.

33.110 SINGLE DWELLING ZONES

33.110.010 Purpose

The single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing and provide options for infill housing that is compatible with the scale of the single dwelling neighborhood.

- A. Use regulations.** The use regulations are intended to create, maintain and promote single-dwelling neighborhoods. They allow for some non-household living uses but not to such an extent as to sacrifice the overall image and character of the single-dwelling neighborhood.
- B. Development standards.** The development standards preserve the character of neighborhoods by providing six different zones with different densities and development standards. The development standards work together to promote desirable residential areas by addressing aesthetically pleasing environments, safety, privacy, energy conservation, and recreational opportunities. The site development standards allow for flexibility of development while maintaining compatibility within the City's various neighborhoods. In addition, the regulations provide certainty to property owners, developers, and neighbors about the limits of what is allowed. The development standards are generally written for houses on flat, regularly shaped lots. Other situations are addressed through special regulations or exceptions.

397. Finding: The RIP amendments include changes to this chapter that allow increased infill options in the single-dwelling zones. The amendments specifically allow duplexes, triplexes, fourplexes, attached houses, affordable five-and six-plexes, and cottage clusters in the R10 and R20 zones, and allow attached houses and cottage clusters in the R7 through R2.5 zones. The amendments apply floor area ratio (FAR) limits to small lots in the R10 and R20 zones for consistency purposes and to ensure that new development at the higher densities in these zones is a compatible scale with what already exists, or is smaller than what is currently allowed, in those zones. The RIP2 amendments do not change the uses that are allowed but do increase the range of residential

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structure types. In some cases, development standards have also been amended to address these other housing types.

The RIP2 amendments are intended to bring the City into compliance with HB2001 and they are aimed at providing options for infill housing that is compatible with the scale of the single dwelling neighborhood. Therefore, the RIP2 amendments to 33.110 are consistent with the purpose statement.

33.205 ACCESSORY DWELLING UNITS

33.205.010 Purpose

Accessory dwelling units are allowed in certain situations to:

- Create new housing units while respecting the look and scale of single-dwelling development;
- Increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives;
- Allow more efficient use of existing housing stock and infrastructure;
- Provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and
- Provide a broader range of accessible and more affordable housing.

398. Finding: The RIP amendments are consistent with the purpose of 33.205 development standards because they expand the number of ADUs allowed per site in the R10 and R20 zones, and reduces the lot size threshold for the second ADU on a site with a house or the first ADU on a site with a duplex in the R7 through R5 zones. Both of these amendments have the potential to increase housing stock in existing neighborhoods.

33.251 MANUFACTURED HOMES AND MANUFACTURED DWELLING PARKS

33.251.010 Purpose

This chapter provides standards which will allow the placement of manufactured homes, mobile homes and manufactured dwelling parks in residential areas without changing the character of existing neighborhoods. These regulations promote additional housing options and provide locational opportunities for manufactured dwellings.

399. Finding: The RIP2 amendments are consistent with the purpose of 33.251 as they remove regulatory barriers that restrict placement of some manufactured homes in historic districts and increase the ability for manufactured homes to be used within cottage clusters which promote additional housing options. These manufactured homes will continue to be subject to the same development standards that apply to conventional home construction, thereby maintaining the character of existing neighborhoods.

33.266 PARKING, LOADING, AND TRANSPORTATION AND PARKING DEMAND MANAGEMENT

33.266.130 Development Standards for All Other Development

- A. Purpose.** The development standards promote vehicle areas that are safe and attractive for motorists and pedestrians. Vehicle area locations are restricted in some zones to promote the desired character of those zones.

Together with the transit street building setback standards in the base zone chapters, the vehicle area location regulations:

Provide pedestrian access that is protected from auto traffic;

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- Create an environment that is inviting to pedestrians and transit users, especially on transit streets and in Pedestrian Districts;
- Limit the prominence of vehicle areas along street frontages and create a strong relationship between buildings and the sidewalk;
- Create a sense of enclosure on transit and pedestrian street frontages; and
- Limit the size of paved parking area and the type of paving material allowed in order to limit increases in temperature associated with asphalt and reduce impacts from urban heat islands.

The parking area layout standards are intended to promote safe circulation within the parking area, provide for the effective management of stormwater runoff from vehicle areas, and provide for convenient entry and exit of vehicles. The setback and landscaping standards:

- Improve and soften the appearance of parking areas;
- Reduce the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones;
- Provide flexibility to reduce the visual impacts of small residential parking lots;
- Direct traffic in parking areas;
- Shade and cool parking areas;
- Reduce the amount and rate of stormwater runoff from vehicle areas;
- Reduce pollution and temperature of stormwater runoff from vehicle areas; and
- Decrease airborne and waterborne pollution.

400. Finding: The RIP2 amendments extend the vehicle area frontage limitation standard to the R10 and R20 zones. With additional middle housing types being allowed in the R10 and R20 zoned, and the potential desire to create more off-street parking, these standards prevent the front yard from being dominated by vehicle paving on sites with the higher intensity uses. The amendment is consistent with the purpose statement because it reduces the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones and limits the prominence of vehicle areas along street frontages and create a strong relationship between buildings and the sidewalk. Therefore, the RIP2 amendments to 33.266.130 are consistent with the purpose.

33.270 PLANNED DEVELOPMENTS

33.270.010 Purpose

The Planned Development regulations provide an opportunity for innovative and creative development. Planned Development provides a master planning mechanism for allowing additional housing types and uses, the transfer of density and floor area to different portions of a site, and across internal zoning boundaries, and bonus floor area and increased height on large sites in commercial/mixed use zones. In this case, the flexibility is allowed when the development includes features that provide public benefits.

These regulations allow flexibility, and in some cases increased intensity of development, beyond that allowed by other chapters of this Title, if the proposed development is well-designed and can be successfully integrated into the neighborhood and provides public benefits. Overall, a Planned Development is intended to promote:

- High quality design that is integrated into the broader urban fabric, and complements existing character within the site and adjacent to the site;
- Development that is pedestrian-oriented, with a strong orientation towards transit and multimodal transportation alternatives;

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- Building bulk, height, and orientation that ensures that light and air is accessible within the public realm, and that public view corridors are protected;
- A safe and vibrant public realm, with buildings and uses that are oriented to activate key public gathering spaces, be they public open space, transit stations, or the Willamette River;
- Open space areas that include gathering spaces and passive and/or active recreation opportunities;
- Affordable housing; and
- Energy efficient development.

401. Finding: The RIP2 amendments are consistent with the purpose of the chapter. They include new density calculations for sites in RIP zones that are outside of the 'z' overlay zone. These changes in density calculations provide parity between the new density allowances in the base zone through residential infill options and planned development sites located outside the 'z' constrained sites overlay zone. By ensuring parity in density, an applicant is offered more flexibility whether or not to pursue a planned development, that by definition allows for more innovation and creativity in site and building design.

33.418 CONSTRAINED SITES OVERLAY ZONE

33.418.010 Purpose

Under some circumstances, up to four dwelling units is allowed per lot in the R7, R5 and R2.5 zones. The Constrained Sites overlay zone reduces that development potential on lots that have certain development constraints. The constraints make the lots unsuitable for three or more dwelling units.

402. Finding: The RIP2 amendments update the circumstances under which the Constrained Sites overlay zone is applied. Specifically, the amendments:

- Apply the overlay zone only to identified and protected Goal 5 natural resources. RIP1 applied the overlay zone to sites that contained inventoried natural resources. The subsequent state rulemaking clarified that only resources that have been both identified *and* protected can be excluded from the higher density middle housing allowances.
- Apply the overlay zone to parcels in the R10 and R20 zones that have high levels of wildfire risk. The R20 and R10 zones are heavily impacted by wildfire risk because these zones are located at wildland urban interface and may be more likely to lack infrastructure systems, including a reduced street network, to support emergency services and access.
- Apply the overlay zone to portions of the Airport Noise Impact Zone where noise levels are above 68DNL limit residential densities. This only affect R10 and R20 zones.
- Apply the overlay zone to residential land that has an Industrial Sanctuary Comprehensive Plan designation. These areas are intended for employment and industrial uses in conformance with the City's Goal 9 obligations, and increased residential densities are incompatible with that future land use.

The Constrained Sites overlay zone is implements the components of HB2001 that allow for limitations on the increased density. The RIP2 amendments bring the methodology for applying the overlay zone into conformance with the Oregon administrative rules that implement HB2001. Therefore, the RIP2 amendments to 33.418 are consistent with the purpose.

33.430 ENVIRONMENTAL OVERLAY ZONES

33.430.010 Purpose

Environmental zones protect resources and functional values that have been identified by the City as providing benefits to the public. The environmental regulations encourage flexibility and innovation in site planning and provide for development that is carefully designed to be sensitive to the site's protected resources. These regulations also help meet other City goals, along with other regional, state, and federal goals and regulations. The environmental regulations also carry out Comprehensive Plan policies and objectives.

403. Finding: The RIP2 amendments to 33.430 are technical in nature. They clarify how middle housing land divisions are addressed in the Environmental zones, and clarify that 225 inches of trees per lot rather than per dwelling unit are allowed to be removed as part of a land division or planned development. The first amendment is necessary because SB458 does not allow middle housing land divisions to be subject to “procedures, ordinance, or regulations” adopted to implement state statutes related to subdivisions and partitions. The latter amendment is necessary as a result of the RIP1 and RIP2 amendments that allow more than one dwelling unit per lot. The standard was originally implemented prior to the RIP projects at a time when only one dwelling unit was allowed per lot. While a middle housing land division will not be subject to standards or approval criteria for land divisions in the zones, the construction of middle housing on a middle housing land division site will be subject to the applicable standards or approval criteria in this chapter. Therefore, the amendments to 33.430 are consistent with the purpose.

33.465 PLEASANT VALLEY NATURAL RESOURCE OVERLAY ZONE

33.465.010 Purpose

The purpose of the Pleasant Valley Natural Resources overlay zone is to:

- Protect and conserve significant natural resources in Pleasant Valley, recognizing that existing houses and other existing uses will continue and limited new development will occur in the zone;
- Facilitate restoration and enhancement of stream corridors, wetlands, and forests within Pleasant Valley;
- Maintain streams and riparian areas as a natural area amenity for the community of Pleasant Valley;
- Protect existing floodplains and wetlands, and restore these areas for improved hydrology, flood protection, aquifer recharge, and habitat functions;
- Protect upland habitats and enhance connections between upland and riparian habitats within Pleasant Valley and between Pleasant Valley and the nearby habitats of Powell and Clatsop Buttes and Butler Ridge;
- Maintain and enhance water quality and control erosion and sedimentation through revegetation of disturbed sites and through limits on construction, impervious surfaces, and pollutant discharges in the zone; and
- Conserve the scenic, recreational, and educational values of significant natural resources in the zone.

404. Finding: The RIP2 amendment to 33.465 is technical in nature. It clarifies how middle housing land divisions are addressed in the Pleasant Valley overlay zone. The amendment is necessary because SB458 does not allow middle housing land divisions to be subject to “procedures, ordinance, or regulations” adopted to implement state statutes related to subdivisions and partitions. While a middle housing land division will not be subject to standards or approval

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criteria for land divisions in the zone, the construction of middle housing on a middle housing land division site will be subject to the applicable standards or approval criteria in this chapter. Therefore, the amendments to 33.465 are consistent with the purpose.

33.475 RIVER OVERLAY ZONES

33.475.010 Purpose

The River Overlay zones generally promote the protection, conservation, restoration, enhancement and maintenance of the economic, natural, scenic, historical, and recreational qualities of lands along the Central and South reaches of the Willamette River. This purpose is achieved by applying regulations that control development of land, change of use and intensification of use. The regulations reflect the desired character of the Central and South reaches of the Willamette River — a character that includes:

- A healthy river, floodplain, and watershed;
- A thriving riverfront with regional gathering spaces, active and passive recreational uses, maritime and commercial activities, and a welcoming mixed-use community; and
- Access to, along and in the river.

The River Overlay Zones also implement the City’s responsibilities under ORS 390.310 to 390.368.

405. Finding: The RIP2 amendment to 33.475 is technical in nature. It clarifies how middle housing land divisions are addressed in the River overlay zones. The amendment is necessary because SB458 does not allow middle housing land divisions to be subject to “procedures, ordinance, or regulations” adopted to implement state statutes related to subdivisions and partitions. While a middle housing land division will not be subject to standards or approval criteria for land divisions in the overlay zones, the construction of middle housing on a middle housing land division site will be subject to the applicable standards or approval criteria in this chapter. Therefore, the amendments to 33.475 are consistent with the purpose.

33.505 ALBINA COMMUNITY PLAN DISTRICT

33.505.010 Purpose

The Albina Community plan district implements the Albina Community Plan. The plan district’s provisions are intended to provide additional opportunities for owner-occupied housing that can serve as less expensive alternatives to lower-density houses and that do not involve demolition of existing sound housing.

406. Finding: HB2001 defines attached houses as middle housing and specifies that cities cannot apply regulations that discourage middle housing through unreasonable cost or delay. In this case, the requirement that a lot remain vacant for 5 years could be seen as an unreasonable delay. In addition, HB2001 specifies density allowances for attached houses that exceed those prescribed here. The updated allowances for attached houses in the single-dwelling base zones are intended to encourage homeownership and the increased density for all middle housing is intended to encourage housing that is less expensive. Therefore, the amendments to 33.505 are consistent with the purpose.

33.521 EAST CORRIDOR PLAN DISTRICT

33.521.010 Purpose

The East Corridor plan district includes three light rail stations and three Pedestrian Districts. The area is targeted to receive a significant share of the city’s growth. It is envisioned that future development will transform the areas surrounding the light rail stations into vibrant mixed-use areas of retail, office, and housing with a high level of pedestrian amenities. Lower density residential and commercial development will continue to surround the Pedestrian Districts.

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These regulations:

- Encourage new housing and mixed use development and expansions of existing development to promote the corridor's growth and light rail transit ridership;
- Promote compatibility between private and public investments along the light rail system through enhanced building design and site layout standards;
- Implement the objectives of the City's Pedestrian Districts to enhance the pedestrian experience and access to and from light rail service; and
- Encourage connectivity for vehicles, bicycles, and pedestrians on large sites.

407. Finding: The amendment to 33.521 deletes regulations that, at the time they were adopted, allowed attached houses in the R5 and R7 zones at the higher R2.5 density. The provision was intended to promote new housing at higher densities near light rail. As a result of the amendments to the single-dwelling zones to implement the HB2001 requirements for attached houses, the base zones now allow attached houses a higher density than the provision in the East Corridor plan district allows. Therefore, the RIP2 amendments are consistent with the purpose of 33.521.

33.530 GLENDOVEER PLAN DISTRICT

33.530.010 Purpose

The regulations of the Glendoveer plan district are intended to ensure that the special development patterns fostered by Ascot zoning and succeeding zoning provisions established by Multnomah County are protected and continued under City zoning regulations following annexation.

408. Finding: The RIP2 amendment to the Glendoveer plan district are necessary because HB2001 requires cities to allow at least a duplex on all lots in the city, and allow attached houses at a much higher density and on much smaller lots than the Glendoveer plan district regulations currently allow. The amendments are not consistent with the purpose of the Glendoveer plan district, which is to preserve the development pattern fostered by zoning that was established by Multnomah County before 1987 when the area was annexed to the City of Portland. Nevertheless, to the extent that the RIP2 amendments could be read as inconsistent with the purpose of the plan district, Council finds that the amendments are required by HB 2001 and are consistent with the comprehensive plan. New lots for houses and duplexes will continue to require at least 7,500 square feet per lot, which remains consistent with the purpose of the plan district.

33.561 NORTH INTERSTATE PLAN DISTRICT

33.561.010 Purpose

The North Interstate plan district provides for an urban level of mixed-use development to support the MAX line and the surrounding neighborhoods by encouraging development that increases neighborhood economic vitality, amenities, and services and successfully accommodates additional density. These standards:

- Implement urban design concepts of the North Interstate Corridor Plan;
- Help ease transitions between new high-density development and the existing, low-density neighborhoods; and
- Enhance the pedestrian experience.

409. Finding: The RIP2 amendment deletes the supplemental compatibility standards that currently apply to duplexes and attached houses in the R2.5 zones because HB2001 doesn't allow cities to treat those middle housing types any differently than detached houses. The purpose of the North Interstate plan district is to promote development near light rail and to encourage development

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that increases neighborhood vitality. Deleting the supplemental compatibility standards for attached houses and duplexes does not undermine this purpose and ensures consistency for development throughout the R2.5 zones. Therefore, the amendments to 33.561 are consistent with the purpose.

33.563 NORTHWEST HILLS PLAN DISTRICT

33.563.010 Purpose

The Northwest Hills plan district protects sites with sensitive and highly valued resources and functional values. The portions of the plan district that include the Balch Creek Watershed and the Forest Park Subdistrict contain unique, high quality resources and functional values that require additional protection beyond that of the Environmental overlay zone. The Linnton Hillside subarea within the Forest Park subdistrict contains a residential area that is constrained by natural conditions and limited existing infrastructure. The development standards for this subarea are intended to protect the public health and safety by limiting the potential number of new housing units consistent with these constraints. The plan district also promotes the orderly development of the Skyline subdistrict while assuring that adequate services are available to support development. These regulations provide the higher level of protection necessary for the plan district area. The transfer of development rights option reduces development pressure on protected sites while containing safeguards to protect receiving sites.

410. Finding: The RIP2 amendments are required for compliance with SB 534, which requires that at least one dwelling unit be allowed on each platted lot unless the City determines the lot is constrained by steep slopes, natural resources, hazards, or lack of infrastructure. The RIP2 amendments direct that lots and adjusted lots (i.e. platted lots) are subject to the regulations in 33.110.202, which were adopted with RIP1 and comply with SB534. Lots of record and lot remnants will continue to be subject to the Linnton Hillside subarea standards. A purpose of the Northwest Hills plan district is to protect public health and safety by limiting the potential number of new housing units in areas of constraints. The regulations for development on lots and adjusted lots in the Linnton Hillside subarea will continue to be consistent with this purpose because the regulations they will be subject to as a result of this amendment (33.110.202) limit development in constrained areas consistent with the requirements of SB534. Therefore, the amendments to 33.563 are consistent with the purpose.

33.564 PLEASANT VALLEY PLAN DISTRICT

33.564.010 Purpose

The Pleasant Valley plan district implements the Comprehensive Plan’s goals, policies and action measures for Pleasant Valley; creates an urban community as defined by the Comprehensive Plan; and, furthers the Pleasant Valley vision to integrate land use, transportation, and natural resources. Pleasant Valley as a whole is intended to be a community made up of neighborhoods, a town center, neighborhood centers, employment districts, parks and schools, open spaces and trails, a range of transportation choices, and extensive protection, restoration and enhancement of the natural resources. Portions of the Pleasant Valley area will be in the City of Portland and portions will be in the City of Gresham. The purpose of the Pleasant Valley plan district includes integrating the significant natural resources into a new, urban community.

411. Finding: The RIP2 amendments are required for compliance with HB2001. HB2001 requires the city to allow “middle housing” on all residentially zones lots. The Pleasant Valley plan district currently restricts attached houses and duplexes in a way that is inconsistent with HB2001. The purpose of the Pleasant Valley plan district is to create an urban community consistent with Comprehensive Plan goals and policies and integrate land use, transportation and the environment. City Council finds that the RIP2 amendments are consistent with the Comprehensive

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Plan and RIP2 amendments further the purpose of developing an urban community because they promote more housing. Therefore, the amendments to 33.564 are consistent with the purpose.

33.610 LOTS IN RF THROUGH R5

33.610.010 Purpose

This chapter contains the density and lot dimension requirements for approval of a Preliminary Plan for a land division in the RF through R5 zones. These requirements ensure that lots are consistent with the desired character of each zone while allowing lots to vary in size and shape provided the planned intensity of each zone is respected. This chapter works in conjunction with other chapters of this Title to ensure that land divisions create lots that can support appropriate uses and development.

412. Finding: The RIP2 amendments incorporate the HB2001 attached house density and lot size requirements into the land division chapter that spells out density and lot dimensions for the RF through R5 base zones. The amendments are consistent with the purpose of chapter 33.610 because they reflect the desired character of the RF through R5 base zones post HB2001.

33.611 LOTS IN THE R2.5 ZONE

33.611.010 Purpose

This chapter contains the density and lot dimension requirements for approval of a Preliminary Plan for a land division in the R2.5 zone. These requirements ensure that lots are consistent with the desired character of the zone while allowing lots to vary in size and shape provided the planned intensity of the zone is respected. This chapter works in conjunction with other chapters of this Title to ensure that land divisions create lots that can support appropriate structures in accordance with the planned intensity of the R2.5 zone.

413. Finding: The RIP2 amendments incorporate the HB2001 attached house density and lot size requirements into the land division chapter that spells out density and lot dimensions in the R2.5 base zone. The amendments are consistent with the purpose of chapter 33.610 because they reflect the desired character of the R2.5 base zones post HB2001.

33.612 LOTS IN MULTI-DWELLING AND IR ZONES

33.612.010 Purpose

This chapter contains the density and lot dimension standards for approval of a Preliminary Plan for a land division in the multi-dwelling and IR zones. These standards ensure that lots are consistent with the desired character of each zone. This chapter works in conjunction with other chapters of this Title to ensure that land divisions create lots that can support appropriate development and uses in accordance with the planned intensity of the zone.

414. Finding: The RIP2 amendments to this chapter clarify how minimum density is implemented for triplexes and fourplexes and ensure that the minimum lot size for attached houses in the RM1 zone comply with HB2001. The minimum density amendment is a technical amendment that is necessary because prior to the Residential Infill projects, triplexes and fourplexes were captured under the definition of multi-dwelling structure. The amendments to 33.612 are consistent with the purpose because they reflect the desired character of the multi-dwelling zones.

33.663 FINAL PLATS

33.663.010 Purpose

These regulations ensure that Final Plats are processed with the appropriate level of city review. This chapter contains clear procedures and approval standards for Final Plats.

415. Finding: The RIP2 amendments address the final plat needs of the new middle housing land divisions. The address the specific timeline established by SB458 and provide flexibility for changes

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to the final plat that may be needed as a result of construction issues in the field. The amendments are consistent with the purpose of 33.663 because they are clear and do not change the level of city review.

33.675 LOT REPLAT

33.675.010 Purpose

This chapter states the procedures and regulations for removing or reconfiguring lot lines within a site to combine into one to three lots. The regulations ensure that the replat does not circumvent other requirements of this Title, and that lots and sites continue to meet development standards and conditions of land use approvals.

416. Finding: The Lot Replat chapter was adopted with RIP1. The RIP2 amendments address two issues that became apparent after implementation. The amendments do not substantively change city policy on lot replats and the amended code continues to be consistent with the purpose of 33.675.

33.677 PROPERTY LINE ADJUSTMENT

33.677.010 Purpose

This chapter states the procedures and regulations for property line adjustments. A Property Line Adjustment (PLA) is the relocation of a common property line between two abutting properties. A Property Line Adjustment does not create lots. The regulations ensure that:

- A Property Line Adjustment does not result in properties that no longer meet the requirements of this Title;
- A Property Line Adjustment does not alter the availability of existing services to a site;
- A Property Line Adjustment does not result in properties that no longer meet conditions of approval; and
- A Property Line Adjustment does not make it difficult to delineate property boundaries or apply use and development standards predictably and uniformly.

417. Finding: The RIP2 amendment fixes a problem created with changes adopted with RIP1. It is fairly common for two narrow rectangular platted lots on a corner to be reconfigured as two square lots. A regulation that was added with RIP1 prevented this type of configuration and that was not the intent. The RIP2 amendment corrects the problem. Therefore, the RIP2 amendment to 33.677 is consistent with the purpose.

33.720 ASSIGNMENT OF REVIEW BODIES

33.720.010 Purpose

This chapter assigns a review body to all land use reviews. It also specifies the procedure when more than one review is requested simultaneously.

418. Finding: As part of RIP2, the City is incorporating the specifics of ORS 197.365 through .380 (Expedited Land Divisions) into the zoning code. The RIP2 amendment to 33.720 assigns and expedited land division to the Hearings Officer. The amendment is technical in nature and is consistent with the purpose of 33.720.

33.730 QUASI-JUDICIAL PROCEDURES

33.730.010 Purpose

This chapter states the procedures and requirements for quasi-judicial reviews. It contains the step-by-step processing requirements. The chapter also describes the rules of conduct for all people involved in the quasi-judicial review process. The assignment of procedures to specific reviews is done in the

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chapter that establishes the review. The assignment of the review body is done in Chapter 33.720, Assignment of Review Bodies.

The regulations provide standardized methods for processing quasi-judicial land use reviews. The requirements provide clear and consistent rules to ensure that the legal rights of individual property owners and the public are protected. The rules implement state law, including the requirement that most quasi-judicial reviews must be completed within 120 days of filing a complete application. The Type II, Type IIx, Type III, and Type IV procedures, with their varying levels of review, provide the City with options when assigning procedures to each quasi-judicial review in this Title. The Type I and Type Ix procedures are administrative procedures.

The Type I and Ix procedures, or limited land use review, allows local decisions to be made administratively for such reviews as minor design and historic resource cases. The Type II procedure is the shortest and simplest of the other three quasi-judicial reviews. It is intended for reviews which involve lesser amounts of discretion, lower potential impacts, or both. The Type IIx procedure is used primarily for land divisions. It provides more time to make the administrative decision than the Type II procedure. The Type III procedure is a longer and more in-depth review. It is intended for reviews which involve substantial discretion or high impacts. The Type IV procedure is used to review proposals to demolish certain significant historic resources.

419. Finding: As part of RIP2, the City is incorporating the specifics of ORS 197.365 through .380 (Expedited Land Divisions) into the zoning code. The RIP2 amendment to 33.730 spell out all of the procedural steps for an expedited land division. In addition, the RIP2 amendments address procedural steps for a middle housing land division. Because the amendments spell out procedural steps in a clear way, they are consistent with the purpose of 33.730.

Part V. Zoning Map Amendment Criteria

33.855.060 Approval Criteria for Other Changes

In addition to the base zones and Comprehensive Plan designations, the Zoning Map also shows overlay zones. An amendment will be approved (either quasi-judicial or legislative) if the review body finds that all of the following approval criteria are met:

- B.** 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 addressed through other means;

420. Finding: The RIP2 amendments remove the Constrained Sites overlay zone from 3,054 R2.5, R5 and R7 zoned parcels where low value natural resources existed but were not protected by environmental zoning. The RIP2 amendments add a new Constrained Sites overlay zone to 12,717 parcels in R10 and R20 areas where constraints exist. In total, there are 18,738 parcels in the R20 through R2.5 zones that have either natural resources or natural hazards present that make those parcels unsuitable for additional density allowed by the RIP1 and RIP2 amendments. The RIP2 increased density and housing type allowances are necessary for the City of Portland to be in compliance with HB2001. The State Administrative Rules that implement HB2001 provide that cities may limit the development of middle housing to comply with protective measures adopted and acknowledged pursuant to statewide land use planning goals. The Constrained Sites overlay zone addresses this situation and specifically applies to:

Residential Infill Project
Exhibit A Findings of Fact Report

- Environmental conservation, environmental protection, and Pleasant Valley Natural Resource overlay areas;
- Special flood hazard area (Land area covered by the floodwaters of the base flood, as shown on the Federal Emergency Management Agency (FEMA) maps in effect on November 26, 2010);
- Floodway (The active flowing channel during a flood, as designated on the flood maps adopted under authority of Title 24 of the Portland City Code.
- 1996 Flood Inundation area (A record peak flow in February of 1996 caused the Willamette River and its major tributaries to flood. This map was created to delineate the inundated areas near the mainstem and major tributaries of the Willamette River)
- Potential Rapidly Moving Landslide Hazard Zones (as shown in the DOGAMI IMS-22 publication)
- Deep landslide—High Susceptibility or Landslide Deposit or Scarp as shown in the DOGAMI IMS-57 publication
- Sites in the R10 and R20 zones with a cumulative hazard value of 5 or more as shown on the 1998 City of Portland Wildfire Hazard Zone map;
- Sites in the R10 and R20 zones with a high or extreme risk rating as shown on the 2001 Multnomah County Community Wildfire Protection Plan map 13B that are not also included in the 1998 City of Portland Wildfire Hazard Zone map;
- Land within an industrial sanctuary comprehensive plan designation;
- Land within the Portland International Airport Noise Impact overlay zone with a 68DNL or higher noise contour.

C. 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

421. Finding: The introduction of the Constrained Sites overlay zone is consistent with several policies in the Comprehensive Plan including polies 4.79-4.81, and 5.47 which seek to limit development of housing in hazard prone areas and Goal 3.G which preserves natural resources within a system of ecosystem services.

D. 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.

422. Finding: There are no changes to scenic viewpoints as a result of the RIP2 amendments. This criterion does not apply.

- END -