

# Exhibit A: Findings of Fact Report

June 2024

Legislative amendments to the Comprehensive Plan goals, policies and map must be found to be consistent with the goals and policies of the Comprehensive Plan, Metro’s Urban Growth Management Functional Plan, the Statewide Planning Goals, and any relevant area plans adopted by City Council. (33.835.040 and 33.810.050).

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 Land Division Code Update project (LDCU) only makes text amendments to the zoning code and adds a reference map to Chapter 33.632 of the zoning code. It does not make any changes to Comprehensive Plan goals or policies, the Comprehensive Plan map, or the zoning map.
- 2. Finding:** The City Council has identified and addressed all relevant and applicable goals and policies and zoning code purpose statements relevant and applicable to zoning code text amendments in these additional findings of fact.
- 3. Finding:** As discussed in more detail below, the City Council has considered the public testimony on this matter and has weighed all applicable goals and policies and on balance has found the LDCU amendments are consistent with the goals and policies of the Comprehensive Plan, Metro Urban Growth Management Functional Plan, Statewide Planning Goals and other relevant city plans.

## 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 insures 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.
- 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 LDCU 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 LDCU amendments, requires the City to follow its established procedures for legislative amendments to the Zoning Code. The amendments comply with this goal because, as demonstrated by these findings, the 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.

Other government agencies received notice from the 35-day DLCD notice and the City's legislative notice. The City did not receive any requests from other government agencies to modify the LDCU 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. On the Bureau of Planning and Sustainability's website, the following link <https://www.portland.gov/bps/planning/land-division-code-update> provides access to a portion of the legislative record. This link was available to the public and City Council during the public hearing process. 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.

**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:** Goal 5 addresses open spaces, scenic resources, historic resources, and natural resources. Each category is addressed below:

**Open Spaces.** The LDCU amendments provide more clarity for when the requirements of Chapter 33.634 Required Recreation Areas apply. They offer more flexibility to incorporate required recreation areas, but do not reduce the required amount of open space when the requirements apply. Therefore, the LDCU amendments are consistent with the open space elements of Goal 5.

**Scenic Resources.** The City has designated scenic resources in an adopted inventory and protects them through an overlay zone (Chapter 33.480) which address landscaping, setbacks, screening, building facades and tree removal. The LDCU amendments do not change the scenic resource overlay mapping or regulations. Therefore, the LDCU amendments are consistent with the scenic elements of Goal 5.

**Historic Resources.** The LDCU amendments do not change the historic resource overlay mapping or regulations. Therefore, the LDCU amendments are consistent with the historic elements of Goal 5.

**Natural Resources.** The City protects natural resources by applying environmental zoning to significant natural resources that it identifies through a natural resources inventory. The amendments reduce the review procedure for two and three lot partitions that include environmental review; however the LDCU amendments do not change the environmental resource overlay mapping or regulations. Therefore, the LDCU amendments are consistent with the natural resource elements of Goal 5.

**Generally.** As noted below in the findings for the 2035 Comprehensive Plan, the LDCU 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) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. Therefore, the amendments are consistent with the requirements of 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), the Stormwater Management Manual and for the Environmental overlay zones will remain in effect and are applicable to future development. These other regulations are generally the mechanism used to assure compliance with this goal. The LDCU amendments include changes to clearing, grading and land suitability regulations to provide an alternative set of clear and objective standards. These standards address limiting excessive fill or export of soil, protecting water resources, and ensuring prior land uses commonly associated with potential soil contamination are examined more closely prior to approving a land division. As noted below in the findings for the 2035 Comprehensive Plan, the LDCU amendments are consistent with the goals and policies of Chapter 7 (Environment and Watershed Health) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. Therefore, the 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 specific requirements for complying with Statewide Planning Goal 7. The Buildable Land Inventory (BLI), which was adopted (Ordinance 187831) and

acknowledged by LCDC on April 25, 2017, included a development constraint analysis that identified parts of Portland that are subject to natural hazards. The City of Portland used several sources of information in its Comprehensive Plan to identify potential hazards:

- 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.

The LDCU amendments include updates to the Regulatory Potential Landslide Hazard Area map that is used to determine which land division sites are subject to the additional Landslide Hazard regulations. The previous map, created prior to the current Comprehensive Plan, has been updated using base data from DOGAMI IMS-22 and IMS-57, consistent with the Comprehensive Plan. These updates ensure that sites that have a greater risk of landslides as the result of additional infrastructure and development related to land divisions will be reviewed by appropriate geotechnical professionals.

The LDCU amendments, in conformance with State requirements for providing clear and objective standards for residential development, include limited pathways for sites in potential landslide areas or that contain floodplain to meet approval requirements. These requirements are in general more restrictive than the current approval criteria, in order to not expose people to additional hazards.

The LDCU 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 and ensure any new development will be done in a way to protect people and property from hazards.

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

**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 recreations 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 LDCU amendments provide more clarity for when the requirements of Chapter 33.634 Required Recreation Areas apply. They offer more flexibility to incorporate required recreation areas, but do not reduce the required amount of open space when the requirements apply. The amendments do not affect the Parks 2020 Vision document or any land designated as open space.

As noted below in the findings for the 2035 Comprehensive Plan, the LDCU 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, the 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 the 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. The LDCU 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. The LDCU amendments also do not affect the requirements that apply to industrial or employment zoned land divisions.

As noted below in the findings for the 2035 Comprehensive Plan, the LDCU amendments are consistent with the goals and policies of Chapter 6 (Economic Development) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. Therefore, the 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. Needed housing includes attached and detached single-family housing and multiple family housing for both owner and renter occupancy; government assisted housing, mobile home or manufactured dwelling parks; manufactured homes on individual lots; and housing for farmworkers.

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 LDCU amendments are in part a response to State rules and statutes that require clear and objective standards for residential development (Oregon Revised Statute 197A.400: Clear and Objective Approval Criteria Required; Alternative Approval Process, and Oregon Administrative Rule (OAR) 660-007-0015: Clear and Objective Approval Standards Required).

*“a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land. The standards, conditions and procedures may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay...a local government may*

*adopt and apply an optional alternative approval process for applications and permits for residential development based on approval criteria...if the alternative process authorizes a density at or above the density level authorized in the zone.”*

The LDCU project is consistent with Goal 10 in that it does not impact the underlying zoning that dictates the number of dwelling units or floor area that is allowed within each zone or plan district. The amendments include some changes to lot size requirements, but do not impact overall minimum or maximum densities, with one exception. For land divisions in the R2.5 zone, minimum density is calculated by dividing the site area by 5,000 square feet; however, to achieve consistency with how minimum densities are calculated in the other single-dwelling zones, the denominator for the R2.5 zone was changed to 2,500 square feet. This effectively doubles the required minimum lot density for land divisions in this zone but does not reduce housing capacity.

As noted below in the findings for the 2035 Comprehensive Plan, the LDCU 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 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 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.

Findings addressing water, sanitary sewage disposal, stormwater management, and school district capacity are found in findings in response to Comprehensive Plan Chapter 8 policies. Findings addressing transportation systems are in response to Chapter 9 policies. The findings in response to those goals and policies are incorporated by reference. Therefore, as described in these findings, the LDCU 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.



Goal 12 rules require coordination with the state and regional transportation plans (such as the Oregon Highway Plan and the Regional Transportation Plan), and with other transportation providers. OAR 660-012-0060 states that if an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would have a significant negative impact on an existing or planned transportation facility, then the local government must take mitigating action, or plan for additional facilities to accommodate the expected impact. Generally, a jurisdiction cannot take action that significantly increases traffic on a facility that is failing to meet state, regional, or local mobility standards.

The LDCU amendments include changes to Chapter 33.641 Transportation Impacts and Chapter 33.654 Rights-of-way. Chapter 33.641 evaluates proposed land divisions to determine safety or capacity upgrades that may be required to address potential traffic impacts. Chapter 33.654 implements Goal 12 (and associated OAR) connectivity requirements and applies the City's right of way design standards. The changes to 33.641 add a narrow standard to waive the requirement for submitting a traffic impact analysis when the proposed residentially zoned land division will result in insignificant levels of added vehicle trips, while transportation safety and access management will continue to be evaluated through Title 17 Public Improvements. Therefore, the amendments will not result in unmitigated significant negative impacts to transportation facilities. The changes to 33.654 provide a clear and objective connectivity standard that conforms to the Transportation Planning Rule and Regional Functional Plan but is less flexible in terms of when that standard may be waived, such as the presence of streams or topography. In those cases, the unchanged discretionary criteria apply. Consequently, these amendments are consistent with Goal 12.

As noted below and in the findings for the 2035 Comprehensive Plan, the LDCU 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 reference. Therefore, the amendments are consistent with the requirements of Statewide Planning 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 LDCU amendments delete Chapter 33.639 Solar Access. These rules were intended to create lots that were better suited for orienting development to take advantage of solar exposure. However, these rules were frequently found to be superseded by other land division requirements, or exempt due to the location of the land division site. In addition, the rules simply required lots to be wider or narrower based on their location on north/south or east/west oriented streets. The ability to place solar panels on a lot or building are not benefitted by these requirements. Additionally, with the introduction of attached houses (townhouses per state law definition) as required by HB2001 (2019), narrow lots are more likely to be developed with a single building envelope, and not separate buildings that permit light to permeate between them. Therefore, the solar access requirements were deemed obsolete and not fulfilling the goal of conserving energy, while potentially impeding housing production. Other aspects of the City and State regulations continue to promote energy conservation through reduced barriers for solar system installation and increased insulation requirements through the State building code.

**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.

The LDC amendments continue the City’s policies which are already consistent with the Urban Growth Management Functional Plan, to orderly divide and develop properties in the city and ensure provision of adequate public facilities and services.

Therefore, the LDCU amendments are consistent with the requirements of Statewide Planning 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 LDCU amendments do not affect the Greenway or River overlay zones regulations. Therefore, the amendments are consistent with Statewide Planning 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.

**Title 1. Housing Capacity**

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

**Title 3. Water Quality and Flood Management.**

**Title 4. Industrial and Other Employment Areas.**

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

**Title 6. Centers, Corridors, Station Communities and Main Streets.**

**Title 7. Housing Choice.**

**Title 8. Compliance Procedures.**

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

**Title 10. Functional Plan Definitions.**

**Title 11. Planning for New Urban Areas.**

**Title 12. Protection of Residential Neighborhoods.**

**Title 13. Nature in Neighborhoods.**

**Title 14. Urban Growth Management Plan.**

**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:** As discussed above under in Part 1, Goal 10, the LDCU amendments do not change the allowable housing capacity within the city. Nor does the LDCU project impact the underlying zoning that dictates the number of dwelling units or the amount of floor area that is allowed within each base zone or plan district. Therefore, the amendments are consistent with the applicable 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, 33.475, 33.510, 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. The LDCU amendments include changes to Chapters 33.631 Flood Hazard Areas. These changes allow residentially zoned land divisions to meet a set of clear an objective standards that are more restrictive than the alternative discretionary approval criteria, by strictly limiting the location of lots and utilities to areas outside the combined flood hazard area, whereas the criteria may allow lots to encroach provided there is adequate building area outside the combined flood hazard area. The LDCU amendments also include changes to 33.640 Streams, Springs, Seeps, and Wetlands, these changes restrict crossings over or through streams, springs, seeps, and wetlands unless certain criteria, which are unchanged, are met. Therefore, the amendments are consistent with the applicable requirements of Metro 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.

As discussed under Part I, Goal 9, the City's acknowledged EOA analyzed and demonstrated adequate growth capacity for a diverse range of employment uses. The LDCU 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.

Therefore, the LDCU 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, Hillsdale, Raleigh Hills, West Portland, Lents, and St. Johns town centers. The LDCU amendments help to achieve the Metro 2040 Growth Concept by providing for more streamlined review of land divisions, which can enable more housing development to occur near centers and corridors which in turn can support more commercial uses and transit in these areas. Therefore, the amendments are consistent with the applicable requirements of Metro Title 6.

**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, the zoning code includes inclusionary housing regulations within Chapter 33.245 that require affordable housing for buildings with more than 20 units.

**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 more than 35 days before the first evidentiary hearing on February 20, 2024. 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 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 LDCU 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.

**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 also provides interim protection for areas added to the UGB until city or county amendments to land use regulations to allow urbanization to become applicable to the areas.

**24. Finding:** The 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 LDCU amendments were originated by the City's legislative process, respond to locally identified needs and requirements of State law, and are not at the direction of Metro. The LDCU amendments include zoning code changes to encourage new housing development, streamline and speed up the residential land division review process, and reduce regulatory barriers and uncertainty, while providing beneficial outcomes for the community. The LDCU changes do not include amendments 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. 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 LDCU amendments do not change the mapped environmental, river, or greenway overlay zones, nor change the accompanying regulations. Title 17 stormwater and source control regulations are unchanged, as are the Title 10 erosion control requirements. The LDCU amendments include an alternative set of clear and objective standards for sites in flood hazard areas that is more restrictive than the current set of approval criteria. The amendments also include more clarity with regard to limiting crossings over or through streams, springs, seeps and wetlands. Additionally, the amendments increase the percentage of required tree preservation necessary to meet clear and objective standards.

Therefore, the amendments are consistent with the applicable requirements of Title 13.

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

**27. Finding:** The LDCU project does not amend the current regional urban growth boundary. This Title 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 LDCU 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 LDCU project.

### 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 amendments in LDCU 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 LDCU amendments to this principle is facilitating the land division process, which is often the first step in creating separate ownerships for developable properties. In turn this enables intensification of residential, commercial, and industrial development. The LDCU amendments also provide more clarity for how regulations can be met, which makes the process more approachable for non-professional applicants.

Therefore, the 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:** The LDCU amendments maintain requirements for land divisions to provide improved street and pedestrian connectivity to promote active transportation, remediate hazardous soil conditions when present, and include recreation areas for larger scale subdivisions.

Therefore, the amendments are consistent with the human health guiding principle.

**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, 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 LDCU amendments promote additional tree preservation, provide protections for streams, springs, seeps and wetlands, and maintain requirements for active and passive recreation areas which can be incorporated into environmental resource areas. Combined flood hazard areas are also more prone to be reserved in separate tracts which helps retain wildlife corridors through the city.

Therefore, the amendments are consistent with the environmental health guiding principle.

**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 ability to divide land is borne out of the privilege of owning that land. The roots of land ownership in this country have deeply inequitable origins. However, looking forward, these amendments enable property owners to more easily divide their properties through streamlined procedures, clear and objective standards, and reduced professional study submittal requirements in many cases. The creation of more smaller land holdings enables more individuals, including people of color, to participate in the real estate market, and benefit from generational wealth building.

Therefore, the amendments are consistent with the equity guiding principle.

**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 LDCU amendments promote this principle through requirements that seek to avoid or minimize the exposure of future development to flood and landslide risk. The amendments update the potential landslide risk map with more current data from the state Department of Geology and Mineral Industries to reflect better understanding of those risks, and better tools and technologies to locate areas of risk.

Therefore, the amendments are consistent with the resilience guiding principle.

## 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 LDCU 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 LDCU 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. Therefore, this goal is met.

**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 amendments from the 35-day DLCD notice and the City’s legislative notice. Therefore, this goal is met.

**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 LDCU 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, and are necessary to comply with state legislation directing that residential development be provided a clear and objective standards path to approval. The LDCU amendments also update a 20+ year old landslide risk map, and incorporate the map into the zoning code to all for more consistent updates in the future with other zoning code updates. Therefore, this goal is met.

**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 LDCU amendments strike a balance between certainty and clarity of regulations and offering flexibility when those clear standards cannot be met. By allowing applicants to choose which set of requirements is best tailored for their circumstances, the review can occur more efficiently, while still protecting the public’s interests. The City Council defines “flexibility” as a capability to adapt to new, different, or changing. Therefore, this goal is met.

**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:** As noted above, the findings show how the amendments are consistent with the guiding principles of the 2035 Comprehensive Plan. 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 LDCU amendments from the 35-day DLCD notice and the City’s legislative notice. Therefore, this goal is met.

## 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 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 LDCU amendments do not change the structure of these plan elements. This policy does not apply.

## 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)

- Buildable Lands Inventory (BLI)
  - Natural Resource Inventory (NRI)
  - Housing Needs Analysis (HNA)
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.
  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.*
  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.
41. **Finding:** The LDCU amendments do not change these supporting documents. The amendments to 33.651, 33.652, 33.653 reinforce the role of infrastructure engineering requirements as technical matters that are decided outside the land use context, but do not affect the PFP. The amendments to 33.654 continue to carry out the objectives of the TSP. Removal of 33.655, School Capacity, was discussed with David Douglas School District, who did not object. School capacity will continue to be coordinated for zoning projects that increase the residential capacity of an area, such as zone changes, and legislative projects that affect residential density. This change does not affect School Facility Plans.

### 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.*

42. **Finding:** The LDCU 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.

43. **Finding:** Title 33 is the adopted and effective zoning code tool for the city. The LDCU amendments maintain the zoning code tool, and incorporates varying regulations based on the already established zones, districts, uses, and development types. 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.

44. **Finding.** The LDCU amendments do not include any Zoning Map amendments. Therefore, this policy is not applicable. 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.

**45. 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 This policy is not relevant to the LDCU amendments because there are no changes being made to these coordination agreements.

**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.

**46. Finding:** The city has a process for incorporating urban and urbanizable land. The LDCU amendments do not include any annexations nor change current processes for incorporation of land. Therefore, this policy is not applicable.

**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.

**47. Finding:** The LDCU amendments do not include changes to existing, or any new urban renewal plans. Therefore, this policy is not applicable.

**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.

**48. Finding:** The LDCU amendments do not affect nor necessitate development agreements. Therefore, this policy is not applicable.

## **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.

**49. Finding.** 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 LDCU amendments are a legislative amendment to the Zoning Code. These findings identify how the 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 factual basis of the supporting documents is not changed by this ordinance.

The City Council has considered all applicable goals and policies to achieve an optimum outcome. Goals and policies are considered as factors which must be weighed, balanced and met on the whole, not as criteria that must be individually met. The overall purposes of the LDCU amendments are to This project proposes zoning code changes to encourage new housing development, streamline and speed up the residential land division review process, and reduce regulatory barriers and uncertainty, while providing beneficial outcomes for the community.

The Council found that the project particularly advances the following interjurisdictional guidance, goals and policies, and has weighed these policies heavily. The City Council finds that the LDCU amendments are more supportive of the Comprehensive Plan than the existing regulations with regard to the goals and policies as discussed below:

Goal 4.C. Human and Environmental Health; Goal 4.D. Urban Resilience; Goal 5.A. Housing Diversity; Goal 5.C. Healthy Connected City; Goal 6.B. Development; Goal 7.B.; Goal 8.C. Reliability and Resiliency; Goal 8.D. Public Rights of Way; Goal 8.E. Sanitary and Sewer Stormwater Systems; Goal 8.F. Flood Management; Goal 8.G. Water; Goal 8.H. Parks, Natural areas and recreation; Goal 9.E. Equitable transportation; and Goal 10.A. Land use designations and zoning.

**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.

**50. Finding:** As noted earlier in these findings, the LDCU amendments are consistent with and designed to further the applicable elements of the Metro Urban Growth Management Functional Plan. See findings in Part II, Metro Urban Growth Management Functional Plan, which demonstrate consistency. Therefore, this policy is met.

**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.

**51. Finding:** As noted earlier in these findings, the LDCU amendments are consistent with and designed to further the applicable elements of the Statewide Planning Goals. See findings in Part I, Statewide Planning Goals, which demonstrate consistency. Therefore, this policy is met.

**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.

**52. Finding:** The LDCU amendments were developed to be consistent with applicable state and federal regulations, including Oregon Revised Statute 197A.400: Clear and Objective Approval Criteria Required; Alternative Approval Process, and Oregon Administrative Rule (OAR) 660-007-0015: Clear and Objective Approval Standards Required, and do not amend any Zoning Code sections that are required by state or federal regulations, including FEMA flood regulations and state building code requirements. Therefore, this policy is met.

**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.

**53. 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. Moreover, the LDCU amendments do not increase the capacity for development above what it already allowed by the current zoning. Therefore, this policy is met.

**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.

**54. 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 LDCU amendments. In addition, the City sent a separate legislative notice to Multnomah County, adjacent cities, Metro and TriMet, and directly contacted the David Douglas School District. No government agencies raised issues or concerns with the LDCU amendments. Therefore, this policy is met.

**Policy 1.16. Planning Commission review.** Ensure the Planning Commission (PC) reviews and makes recommendations to the City Council on all proposed legislative amendments to Comprehensive Plan elements, supporting documents, and implementation tools. The PC 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 PC are described in the Zoning Code.

**55. Finding:** The PSC reviewed the LDCU amendments over the course of two meetings:

March 26, 2024 – PC briefing and hearing

April 23, 2024 – PC incorporation of amendments and recommendation vote

The PC fulfilled its responsibilities as outlined in this policy. Therefore, this policy is met.

**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.

**56. Finding:** The Citizen Involvement Committee (CIC) was appointed in June 2018 and reviews and advises the way City staff engage with the public in land use and transportation planning. Staff briefed the CIC on April 11, 2023. The Committee advised staff to take extra steps to break down this very highly technical and complicated topic into digestible and layperson terminology. Given the large amount of engagement on multiple city projects, and the somewhat limited project scope within the state legislative mandates, to utilize existing community forums and meetings to the extent possible, rather than hosting separate meetings.

The project’s community involvement program is detailed more in the findings for Chapter 2, Community Involvement.

The CIC fulfilled its responsibilities as outlined in this policy. Therefore, this policy is met.

**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.

**57. Finding:** This policy concerns quasi-judicial amendments to the Comprehensive Plan Map and is not applicable to this 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.

**58. Finding:** The LDCU amendments do not include or amend area specific plans. Therefore, this policy is not applicable.

## 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.

**59. Finding:** The City Council interprets the Chapter 2 goals and policies as calling for a broad range of meaningful community engagement approaches that complement the legally required public notices and meetings. The preparation of these amendments has provided numerous opportunities for meaningful community involvement consistent with Goals 2.A through 2.G. Refer to the Section VI: Public Involvement of the Staff report for additional details.

Therefore, this goal is met.

### 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.

**60. 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

**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.

**61. 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.

**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.

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

**62. Finding:** The 2035 Comprehensive Plan defines “ensure” to mean “to make sure that something will happen or be available”. Council interprets these policies to mean that plans and investments each contribute to the extension of community benefits, and elimination of disproportionate burdens, over the duration of the planning period.

The LDCU amendments streamline land division regulations, which can reduce the process and cost for property owners to gain value from their land, including property owners of color and lower income populations. The regulations continue to protect the public's interest, for example by providing well connected streets, minimizing the impacts from natural hazards, and ensuring adequate infrastructure serves new development. This minimizes the potential burdens of increased development impacts on communities of color and other underrepresented groups.

For the reasons above, the LDCU amendments are consistent with policies 2.3 and 2.4.

### **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.

**63. Finding:** These policies address broad approaches to educating community members and City staff about planning processes and are not applicable to this project given the project scope.

### **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.

**64. 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 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.

**65. 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 City used an on-line "Map App" database to receive, organize and respond to public testimony on the LDCU project. The database was viewable to the public, as well as the PSC and staff, through a web browser. In addition, the LDCU amendments

included post processing of state DOGAMI data, and included a detailed methodology in the staff report. Therefore, the amendments are consistent with these policies.

### **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.

**66. Finding:** As described in the findings above, the legislative process was clearly outlined in notices, documents and on the project website, including how to testify to influence the Proposed Draft at the PC and the Recommended Draft at City Council. The Recommended Draft was published with information about how to testify.

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. Findings on this outreach are included in this document.

During the review phases of the project, BPS staff presented at various community meetings to inform people of the proposed amendments. All meetings and events were open to the public and included opportunities for public comment. Therefore, the LDCU amendments are consistent with these policies.

### **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.

**67. Finding:** Policies 2.16 through 2.23 concern the City’s Community Involvement Program and are not applicable because the LDCU amendments do not change this 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.

**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.

**68. Finding:** Policies 2.24 through 2.37 address how the community involvement program is designed and developed to support planning and investment projects.

As described in the findings above, the legislative process was clearly outlined in notices, documents and on the project website, including how to testify to influence the Proposed Draft at the PC and the Recommended Draft at City Council. The Recommended Draft was published with information about how to testify.

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. Findings on this outreach are included in this document.

During the review phases of the project, BPS staff presented at various community meetings to inform people of the proposed amendments. All meetings and events were open to the public and included opportunities for public comment. Therefore, the LDCU amendments are consistent with these policies].

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## **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.

**69. Finding:** Consistent with Policies 2.38 through 2.41, and BPS community involvement practices, meetings, and all public meetings, described in more detail in the findings above, were noticed, and information was provided online. Information about accommodation and translation was provided on all notices. The City also sent a legislative notice on February 20, 2024 of the March 26, 2024 PC hearings 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 June 28, 2024 to interested parties, and others that participated in the PC hearings to inform them of the opportunity to testify at the July 17, 2024 Council public hearing. Therefore, the amendments are consistent with these policies.



## 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.

**70. 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 LDCU amendments are intended to facilitate and simplify the process of dividing land for additional development. This is critical within the single dwelling zones for achieving the planned and desired residential densities. This, in turn, enables more people to live in areas that are close to amenities and services, and helps to establish population centers that are sufficient to support areas businesses and transit. Therefore, this goal is met.

**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.

**71. Finding:** The LDCU amendments include regulations to steer development away from flood and landslide hazard risk. The amendments specifically include an updated Potential Landslide Hazard Area map, based on the most recent available state landslide hazard mapping, to flag sites that warrant additional study as part of the land division process. These steps promote development that is more resilient to the effects of climate change. Therefore, this goal is met.

**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.

**72. Finding:** The LDCU amendments do not change the zoning map for areas around centers, corridors or transit station areas, but do enable land divisions as well as separation of ownerships for additional development potential to help increase household and employment growth in these areas. Therefore, this goal is met.

**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.

**73. Finding:** No changes are proposed to transportation system classifications or multi-modal policies. The LDCU amendments continue to promote a well connected street system to facilitate access to centers and corridors. Therefore, this goal is met.

**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.

**74. Finding:** The LDCU amendments continue to promote a well connected street system to facilitate access to centers and corridors, increase the tree preservation standards to improve environmental health, and retain requirements for providing recreation areas within larger subdivisions to promote community interaction.. Therefore, this goal is met.

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

**75. Finding:** The LDCU amendments do not affect the zoning map for employment districts. Therefore, this goal is met.

**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.

**76. Finding:** The LDCU amendments do not change environmental resource overlay zones or regulations, or remove protections for streams, seeps, wetlands or streams that are outside these overlay zones. Therefore, this goal is met.

### **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.

**77. 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 amendments are focused primarily on process improvements for land divisions. Small changes to minimum lot dimension requirements are made to improve consistency and clarity, and are not significant enough to impact the overall built form. Therefore, the LDCU amendments are consistent with this policy.

**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.

**78. Finding:** This policy reflects the Comprehensive Plan preferred growth scenario which calls for roughly 30% of the housing growth in the Central City, centers and corridors accommodating about 50% of new housing units, while the single-family residential areas accounting for the remaining 20% of growth. The amendments do not change the zoning map, nor allow for increased densities above what is already enabled in current zoning regulations. The changes streamline and facilitate the process of dividing land, which in the case of single-family areas is the primary way to achieve

those planned and intended housing objectives. Therefore, the LDCU amendments are consistent with this policy.

**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.

**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.

**79. 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. The LDCU amendments do not include any new major public facilities. Therefore, the LDCU amendments are consistent with this policy.

**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.

**80. Finding:** Major investments in deficient public facility areas are outlined in the list of Significant Projects in the CSP. The LDCU amendments 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.

**81. Finding:** The LDCU amendments do not impact the City’s ability to use community benefit agreements or to encourage developers to engage directly with impacted communities. Therefore, this policy is not applicable.

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

**82. Finding:** The LDCU amendments do not impact the City’s ability to use community benefit agreements or to encourage developers to engage directly with impacted communities. Therefore, the LDCU amendments are consistent with this policy.

**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.

**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 decisions.

**83. 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 LDCU amendments affect Zoning Code regulations and do not include public facility plans or investments. Therefore, these policies are not applicable.

**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.

**84. Finding:** The LDCU amendments do not change the neighborhood contact requirements that currently apply to land division applications. Therefore, the LDCU amendments are consistent with this policy.

**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.

**85. Finding:** The City Council interprets this policy to be focused on creating a supportive built environment for children, the elderly, and people with disabilities. The LDCU amendments are about improving the process for dividing property for future development, and do not change the development regulations that pertain to the built environment. The amendments continue to require necessary public infrastructure to support the built environment and well-connected street systems to promote safe routes for people of all ages and abilities. Therefore, the amendments are consistent with this policy.

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

**86. Finding:** The LDCU amendments continue to require well-connected street systems to promote more efficient transportation routes. While the amendments remove the obsolescent solar lot orientation regulations, more recent state building code requirements will continue to support development that is energy and resource efficient. Therefore, the amendments are consistent with this policy.

**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.

**87. Finding:** The LDCU amendments do not propose investments, however they better-enable intensification of urban land through streamlined land division regulations, while retaining protections for environmental resources. Therefore, the amendments are consistent with this policy.

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

**88. Finding:** The LDCU amendments continue to apply BES' stormwater system requirements which already prioritize green infrastructure approaches. Therefore, the amendments are consistent with this policy.

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

**89. Finding:** The LDCU amendments are more focused on land division process improvements and do not directly impact building design or development regulations. Therefore, the amendments are consistent with this policy.

**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.

**90. Finding:** The focus of the process improvements for the LDCU amendments was to better enable smaller, less-impactful land divisions to be approved more quickly, and with less cost to applicants. This provides for more housing development sites at potentially lower cost while retaining impact mitigation requirements for larger more significant developments. Therefore, the amendments are consistent with this policy.

**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.

**91. Finding:** The LDCU amendments do not enable more urban development beyond the City limits than what is currently allowed. Therefore, the amendments are consistent with this policy.

**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
- 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

**92. Finding:** City Council interprets this policy as applying to prominent specific places, features and iconic structures. The LDCU amendments do not limit or require symbolic features or iconic

structures from being placed to celebrate significant places. Therefore, the amendments are consistent with this policy.

## 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.

**93. Finding:** Policies 3.12 through 3.20 provide guidance on how centers identified on the Comprehensive Plan map should evolve over time. The policies address investments, uses, the relationship of centers to transportation networks, design, and development. The LDCU amendments do not affect investments, uses, transportation system classes, or building design. 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, which calls for providing housing capacity within a half-mile of center cores to provide population to support services in centers. The LDCU amendments do not increase (or decrease) housing capacity in these areas. They facilitate more housing development in single dwelling zones, in order to achieve the planned capacity of those zones. Therefore, the amendments are consistent with these policies.

**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.

**94. Finding:** Policies 3.21 through 3.26 provide direction on the desired characteristics and functions of the Central City. The LDCU amendments are largely immaterial to the Central City, but there are areas within the Central City that are newly designated on the potential landslide hazard area map. This designation is merely a call to more closely evaluate potential landslide risk for sites in the central city that propose to divide, and to design the land division in order to minimize risk to onsite or offsite development. Therefore, the amendments are consistent with these policies.

### **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.

**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.

**95. Finding:** Policies 3.27 through 3.30 provide direction on the desired characteristics and functions of the Gateway Regional Center. The LDCU amendments include clarifications related to the open area requirements on the Gateway Plan District when land divisions are proposed in this area to reduce confusion and encourage investments and housing. The underlying requirements are unchanged. Therefore, the amendments are consistent with these policies. The LDCU amendments do not change the boundary of any of the Town Centers on the Urban Design Framework, or propose new transportation facilities or new public spaces, or include any policies or regulations that would impact the feasibility of such facilities in Town Centers. Policies 3.27 through 3.30 are therefore not applicable.

### **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.

**96. Finding:** Policies 3.31 through 3.34 provide the direction and function for Town Centers. The LDCU amendments do not change the boundary of any of the Town Centers on the Urban Design Framework, or propose new transportation facilities or new public spaces, or include any policies or regulations that would impact the feasibility of such facilities in Town Centers. Policies 3.31 through 3.34 are therefore not applicable.

### 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.

**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.

**97. Finding:** Policies 3.35 through 3.38 provide direction on the desired characteristics and functions of neighborhood centers. These policies are principally targeted at multi-dwelling and mixed-use zones. They address the types of uses that are expected in Neighborhood Centers, the intensity of housing, the presence of multimodal transportation options, and the need for public spaces. The LDCU project does not propose new transportation facilities or new public spaces or include any policies or regulations that would impact the feasibility of such facilities in Neighborhood Centers. Policies 3.37 and 3.38 are therefore not applicable.

### 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.

**98. Finding:** Policies 3.39 through 3.43 provide direction on the desired characteristics and functions of the Inner Ring Districts. These are the pre-automobile neighborhoods within short distance of the Central City. They include some of Portland's oldest neighborhoods, including Buckman, Albina, and Northwest Portland. In the mid-20<sup>th</sup>-century many older buildings in these neighborhoods were demolished to make way for transportation infrastructure and parking. These policies encourage infill development to re-establish the historic pedestrian-oriented urban form and acknowledge the close proximity of the Central City's array of services, jobs, and amenities. In the Urban Form Background Report with the 2035 Comprehensive Plan, the Inner Ring was described as having a consistent pattern of rectilinear blocks, typically 200'-deep; streets with sidewalks, planting strips, and street trees; a fine-grain pattern of development, based on lots commonly 50' x 100' street-oriented buildings; and a green-edge of front setbacks. The report noted several particularly distinctive places with unique street patterns, including Ladd's Addition, Laurelhurst, Alameda, and Woodlawn.

The LDCU project is consistent with these policies because the changes more readily enable lot confirmations in multi dwelling zones (frequently areas with surface parking that can be sold and redeveloped) while removing the need to demolish existing development in order to meet minimum density requirements. This allows for infill development to occur while preserving historic or character defining assets. The land division regulations also maintain regular lot and block patterns of the inner ring.

## 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.

**99. 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. Corridors are defined as part of the City’s Urban Design Framework in Figure 3-2 of the Comprehensive Plan. The LDCU amendments do not propose zoning map or transportation system plan changes, or changes to building development regulations. The amendments continue to apply infrastructure requirements that support land divisions, including BES’s stormwater management manual. Therefore, the amendments are consistent with 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.

**100. 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 and multi-dwelling zoning along the corridors mapped on the UDF. The LDCU amendments do not propose zoning map or transportation system plan changes, or changes to building development regulations. The amendments continue to apply infrastructure requirements that support land divisions. Therefore, the amendments are consistent with 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.

**101. Finding:** This policy provides direction on the desired characteristics and functions of 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 LDCU amendments do not propose zoning map or transportation system plan changes, or changes to building development regulations. The amendments continue to apply infrastructure requirements that support land divisions. Therefore, the amendments are consistent with this policy.

## 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.

**102. 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 LDCU amendments do not propose zoning map or transportation system plan changes, or changes to building development regulations. The amendments continue to apply infrastructure requirements that support land divisions. Therefore, the amendments are consistent with these policies.

## 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.

**103. 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. The LDCU amendments do not propose transportation system plan changes, or changes to public street design standards. The amendments continue to apply infrastructure requirements that support land divisions. Therefore, the amendments are consistent with 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.

**104. Finding:** Habitat corridors are mapped on Figure 3-6 of the Comprehensive Plan. 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 LDCU amendments do not amend either the NRI or the existing environmental zone regulations. Habitat corridors also include tree canopy. While the LDCU amendments do not change Title 11 tree preservation and tree density requirements that apply in development situations, the amendments do impose a higher preservation standard for trees in land divisions that are outside environmental resource overlays. Therefore, the amendments are consistent with these policies.

### **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.

**105. Finding:** Comprehensive Plan Figure 3-7 identifies four employment area geographies – Central City, industrial/employment, commercial, and institutional. The LDCU 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).

**106. 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 LDCU 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.

**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.

**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.

**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.

**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.

**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.

**107. Finding:** Policies 3.69 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 LDCU amendments do not affect areas along the rivers, therefore these policies are not applicable to the amendments.

### **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.

**108. Finding:** Policies 3.83 through 3.86 provide direction on the desired characteristics and functions of the Central City Pattern Area. The LDCU amendments are largely immaterial to the Central City, but there are areas within the Central City that are newly designated on the potential landslide hazard area map. This designation is merely a call to more closely evaluate potential landslide risk for sites in the central city that propose to divide, and to design the land division in order to minimize risk to onsite or offsite development. Therefore, the amendments are consistent with these policies.

### **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.

**109. Finding:** Policies 3.87 through 3.91 provide direction on the desired characteristics and functions of the Inner Neighborhoods Pattern Area. The Inner Neighborhoods were developed and shaped during the Streetcar Era of the late 19th and early 20th centuries. The Inner Neighborhoods are characterized by a regular pattern of neighborhood business districts located along former streetcar streets interspersed with residential areas. These policies express the overall design approach in Inner Neighborhoods. They address block patterns, infill development, building orientation and design, and active transportation. The LDCU amendments include very minor changes to lot dimensional standards for multi dwelling zones, to improve consistency and clarity. They do not change the zoning map, or uses, and require street connectivity consistent with inner pattern area blocks. Therefore, the amendments are consistent with these policies.

### **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.

**110. Finding:** Policies 3.92 through 3.97 provide direction on the desired characteristics and functions of the Eastern Neighborhoods Pattern Area. They address street patterns, site development, natural features, and active transportation. The LDCU amendments include clear and objective standards for street connectivity, which is a key transportation planning need in the eastern pattern area. These standards seek to extend existing street stubs, bisect long blocks with new connections, and provide for improved active transportation. The amendments maintain larger lot sizes for multi-dwelling development and structures to promote land aggregation in multi dwelling zones. Therefore, the amendments are consistent with these policies.

### **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.

- A. **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.
- B. **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.
- C. **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.
- D. **Filling gaps in connections.** Fill gaps in important access connections, including exploring traditional ROW acquisition and partnerships with other City bureaus.
- E. **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.

**111. Finding:** Policies 3.98 through 3.102 provide direction on the desired characteristics and functions of the Western Neighborhoods Pattern Area. The LDCU amendments include transportation impact standards that can utilize innovative transportation demand management strategies to reduce trip generation and meet the regulations. The LDCU amendments do not affect Forest Park, or planned transportation investments around centers and corridors. Transportation access and connections are evaluated with land division applications and improvements are required in conformance with the street design standards. Therefore, the amendments are consistent with these policies.



## 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.

**112. 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 LDCU amendments respond to state requirements to provide clear and objective standards for residential development. Standards, by their nature, are less able to respond to site specific contextual issues. Nevertheless, the amendments preserve the ability for land division designs to complement an area’s character by maintaining discretionary approval criteria as an available alternative to the standards. Other types of reviews, like plan developments, are another way for land divisions to respond to the site context. Therefore, this goal is met.

**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.

**113. 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.” The LDCU amendments do not add, remove, or modify any designated historic resources nor change the historic resource regulations. Therefore, this goal is met.

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

**114. 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. The LDCU amendments include updates to the Potential Landslide

Hazard Area map that reflect more current hazard data available from the State Department of Geology and Mineral Industries. The new standards that are applicable to flood hazard and landslide hazard area are intentionally limited to narrow circumstances to reduce the public's exposure to these risks. For example, where the criteria allow some portions of lots or services to encroach into the combined flood hazard area, the standards require that the entire flood hazard area be designated as a tract. For potential landslide risks, the standards are only available to low density (single dwelling) zones proposing only 2 lot partitions, where services and access requirements are also more limited. Therefore, this goal is met.

**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.

**115. 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. The new standards that are applicable to flood hazard and landslide hazard area are intentionally limited to narrow circumstances to reduce the public's exposure to these risks. For example, where the criteria allow some portions of lots or services to encroach into the combined flood hazard area, the standards require that the entire flood hazard area be designated as a tract. For potential landslide risks, the standards are only available to low density (single dwelling) zones proposing only 2 lot partitions, where services and access requirements are also more limited. This better ensures long term resilience to respond to changing climate. Therefore, this goal is met.

## 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.

**116. Finding:** Policies 4.1 through 4.3 provide direction on how the context of where development occurs should be considered in City implementation approaches – including how building and site design respect pattern areas and respond to the physical character-giving aspect of place and context. These policies are implemented by site and building development standards in the zoning code, and in some situations through design review guidelines. Therefore, the amendments are consistent with these policies.

**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.

**117. 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 amendments do not

affect any development/design standards or programs that implement this policy. This policy does not apply.

**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.

**118. Finding:** The LDCU amendments do not affect the design standards that apply to future development on the new lots. The amendments also do not affect the public street design standards. Minor changes are included for private streets to enable shared pedestrian/vehicular streets (“shared courts”) which are already allowed in multi dwelling zones to be allowed in single dwelling zones. These offer a safe, attractive and pleasant pedestrian experience for limited numbers of dwellings on a street. Pedestrian connection and common green standards have also been clarified to promote their integration into land division pedestrian circulation patterns. Therefore, the amendments are consistent with these policies.

**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.

**119. Finding:** The LDCU amendments do not affect the design standards that apply to future development on the new lots. THE amendments do include new minimum lot width requirements for attached houses in the RM3 and RM4 zone (10 feet) to better ensure that the relationship between the development and public realm is maintained. Therefore, the amendments are consistent with these policies.

**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.

**120. Finding:** The LDCU amendments do not affect the design standards that apply to future development on the new lots. Nor do the amendments affect the design standards for public streets. The amendments for private streets add clarity for the regulations, but do not substantively alter their outcome. Therefore, the amendments are consistent with these policies.

**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.

**121. Finding:** The LDCU amendments include a transportation impact standard that restricts access to non-local streets. In some cases, an alley may be provided from a side local street to accommodate vehicular access to lots that front on a non local street, as a means to meet this standard. Therefore, the amendments are consistent with these policies.

**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.

**122. 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 LDCU amendments do not affect temporary or permanent allowed uses. Therefore, this policy does not apply.

## 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.

**123. Finding:** Policies 4.10 through 4.14 provide direction on the promotion of health and safety in development. They address issues such as site planning, solar access, and design approaches that reduce crime or mitigate seismic hazards. The LDCU amendments do not affect the design standards that apply to future development on the new lots.

The LDCU amendments remove the solar lot orientation regulations (33.639); nevertheless, the amendments are consistent with these policies as follows. The solar lot regulations only apply to detached houses were intended to ensure that lots on the south side of east west oriented streets were “narrower” than lots on the north side of the street. This was intended to provide solar “permeability” between structures on the south side of the street. However, the shade cast from a 30 foot tall building during the winter solstice (lowest point of the noontime sun on the horizon) will stretch approximately 78 feet<sup>1</sup>. Fifty-foot typical rights of way plus 10 foot front setbacks means that only 8 feet of this shading would impact the building across the street. In addition to the relative lack of shading impact, the regulations themselves were frequently superseded by other land division regulations (31% of cases between July 2018 and December 2022) or not applicable due to the location of the land division site or type of development proposed (60% of cases between July 2018 and December 2022). Recent changes in state law ORS 197A.420 that require all lots to allow a duplex either meant that these standards be expanded to include middle housing types, or the lots would need to be conditioned to require something other than detached single dwelling development (should that be the basis for showing that the regulations did not apply). In order to preserve greater flexibility for housing choice, provide for greater simplicity in the land division review process, and focus on regulations that returned meaningful impact on the built environment, these solar lot orientation requirements were deleted. Solar access and energy efficiency are better addressed through building regulations (which is a function of the State building codes division, which preempts local building regulation), and removing zoning barriers that limit active solar systems (which the city has done previously, e.g. RICAP 5, Ordinance 183598).

## 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

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<sup>1</sup> Calculated using shadowcalculator.eu at latitude 45.519020535997925/longitude -122.58249464303954, December 22, 2024, at 12:02pm.

households over time. Allow adaptive reuse of existing buildings, the creation of accessory dwelling units, and other arrangements that bring housing diversity that is compatible with the general scale and patterns of residential areas.

**Policy 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.

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

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

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

**124. 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. Council interprets “compatible” to mean two things that are able to exist or occur together without conflict. The LDCU amendments encourage more housing choices by limiting the number of circumstances in the land division regulations where a particular housing type would need to be conditioned for new lots (for example, changing thresholds from numbers of units to numbers of lots). The LDCU amendments do not affect the design standards that apply to future development on the new lots. The amendments encourage more alternatives to demolition, first by simplifying the process to divide property with an existing house, and also through changes to where primary structures are allowed in 33.120.205 that no longer require minimum densities to be met for the site at time of ownership separation, but rather at time of development. The LDCU amendments are a key tool in enabling smaller resource efficient single family options by creating more parcels that are available for this type and scale of development. Therefore, the amendments are consistent with these policies.

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

**125. Finding:** Policies 4.20 through 4.29 address design and development in centers and along corridors. The policies provide guidance on development scale, streetscapes, gathering spaces, public art, and historic preservation. 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. 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 LDCU amendments do not affect the design standards that apply to future development on the new lots. Therefore, the amendments are consistent with these policies.

**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.

**126. 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. The LDCU amendments do not affect the design standards that apply to future development on the new lots, nor do they propose changes to the zoning map, or industrial use buffer overlays. Therefore, the amendments are consistent with these policies.

## 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 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.

**127. Finding:** Policies 4.33 through 4.40 generally address impacts 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. They are implemented through a variety of design and impact-related performance standards in the zoning code. Current base zone development standards address potential off-site impacts through existing setback requirements, tree density standards, limitations on commercial uses and signage. Offsite impacts are additionally addressed in Chapter 33.262. Existing regulations are unaffected by the LDCU amendments, therefore, these policies do not apply.

## 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.

**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.

**128. Finding:** The City has designated scenic resources in an adopted inventory and protects them through an overlay zone (Chapter 33.480) which addresses landscaping, setbacks, screening, building facades and tree removal. The LDCU amendments do not change this program, therefore, these policies do not apply.

### **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.

**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.

**Policy 4.48. Continuity with established patterns.** Encourage development that fills in vacant and underutilized gaps within the established urban fabric, while preserving and complementing historic resources.

**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.

**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.

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

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

**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.



**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.

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

**Policy 4.58. 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.

**129. Finding:** Policies 4.46 through 4.58 address historic and cultural resources. The City’s regulations for historic and cultural resource preservation are found in Chapter 33.445. No changes to these historic or cultural resource protections are proposed with the LDCU amendments; therefore, these policies do not apply.

### **Public art**

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

**130. Finding:** No changes to public art programs or new incentives are proposed with the LDCU project, therefore, 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.

**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.

**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.

**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.

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

**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.

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

**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.

**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.

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

**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.

**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.

**131. Finding:** Policies 4.60 through 4.72 address resource efficiency and resilience – primarily related to building design. This includes consideration of energy use, water use, use of recycled and healthy building materials, seismic standards, and adoptive re-use. The LDCU amendments do not change any existing design or development standards that have an impact on resource efficiency. The LDCU amendments also do not impact programs related to water or energy efficiency, recycling, or seismic resiliency, therefore, these policies do not apply. While the LDCU amendments remove the solar lot orientation regulations (33.639), the amendments are consistent because solar access and energy efficiency are better addressed through building regulations (which is a function of the State building codes division, which preempts local building regulation), and removing zoning barriers that limit active solar systems (which the city has done previously, e.g. RICAP 5, Ordinance 183598). Therefore, the amendments are still consistent with these policies.

## 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.

**132. Finding:** Policies 4.73 through 4.78 provide direction regarding the interface between development and natural features and functions. They address site and building design and access to nature. The LDCU amendments respond to requirements in State law (ORS 197A.400) to provide clear and objective development standards for residential development. While the amendments incorporate flexibility of approaches to respond to these standards, objective requirements are by their nature are less able to weigh or incorporate competing design objectives. However, the amendments overcome this constraint by enabling applicants to choose to use more flexible approval criteria in cases where that flexibility is both desired and would have a beneficial outcome. Therefore, the amendments are consistent with these policies.

### **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.

**133. Finding:** Policies 4.79 through 4.84 provide direction regarding the interface of development with natural hazards. The policies address climate, geology, disaster recovery, and reducing risks at harbor-related facilities. The LDCU amendments include updates to the Regulatory Potential Landslide Hazard Area map that is used to determine which land division sites are subject to the additional Landslide Hazard regulations. The previous map, created prior to the current Comprehensive Plan, has been updated using base data from DOGAMI IMS-22 and IMS-57, consistent with the Comprehensive Plan. These updates ensure that sites that have a greater risk of landslides as the result of additional infrastructure and development related to land divisions will be reviewed by appropriate geotechnical professionals. Therefore, the amendments are consistent with these policies.

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

Additional findings related to this topic are found in response to Comprehensive Plan policies 8.104 through 8.111, and state Goal 7.

## **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.

**134. Finding:** Policies 4.85 through 4.88 address ways that programs and land use plans can facilitate better access to healthy food. These policies do not apply because the LDCU amendments do not change any programs related to food access or change retail allowances or zoning that would directly affect food access.

## 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.

**135. 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. These background documents formed the policy direction that planning projects ensure that a variety of housing be provided to meet the needs of all Portlanders.

The LDCU amendments help support a key implementation tool in diversifying the types, tenures, and sizes of housing units in the City. Land divisions allow for more full utilization of larger single dwelling zoned lots to supply more housing units. In multi dwelling and mixed use zones, land divisions offer a means to create small lots for detached or attached smaller scale single dwelling development. In all cases, land divisions are necessary to enable an increased supply of lots for fee-simple ownership, whether for individual households, or larger multidwelling projects. One of the primary proposals in the LDCU amendments is the creation of clear and objective approval standards to streamline and facilitate the division of parcels for residential development, especially in single dwelling zoned areas, in order to further carry out this goal. Furthermore, the amendments do not change allowances for housing on the Zoning Map or reduce allowances for housing provided in the Zoning Code. As a result, the amendments do not decrease the amount or types of housing anticipated to be built under the supporting documents or the 2035 Comprehensive Plan. Therefore, this goal is met.

**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.

**136. 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 LDCU amendments apply across the city, in order to encourage additional housing production which in turn increases access to housing. The amendments do not change any existing design or development standards that have an impact on accessibility, nor do they affect programs designed to support housing access for people with disabilities, people of color, low-income households, diverse household types, and older adults. Therefore, the amendments are consistent with this goal.

**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.

**137. Finding:** This goal ensures that housing be provided in areas of the city that also have access to the goods and services needed by the residents on a daily basis, often defined as a Complete Neighborhood, as well as to ensure access to affordable transportation options. This goal is generally implemented through the base zones and plan districts that concentrate the greatest

amount of housing growth in the areas with the best access to services. The LDCU amendments do not change the zoning map but do impose a higher minimum density in the R2.5 zone which are generally in areas located Complete Neighborhoods. This helps maximize the number of lots available for housing when these sites are divided. The amendments continue to require a well-connected street system to encourage safe, convenient, and affordable multimodal transportation. Therefore, the amendments are consistent with this goal.

**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.

**138. 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 LDCU amendments do not change current zoning bonuses designed to require or incent regulated affordable housing units, nor do they affect programs designed to fund and build regulated affordable housing units. Therefore, the amendments are consistent with this goal.

**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.

**139. 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 amendments do not change any existing design or development standards that have an impact on building materials or waste management. The LDCU amendments do facilitate and streamline the process to create smaller parcels for development which in turn results in smaller envelopes for individual unit construction, thus reducing the per housing unit carbon footprint. Therefore, the amendments are consistent with this goal.

### **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.

**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).

**140. Finding:** Policies 5.1 and 5.2 ensure that Portland preserves enough land and development capacity to accommodate household growth projections and to continue to capture a significant proportion of future regionwide residential growth. These policies are generally implemented through the density allowances of the base zones and plan districts. The LDCU amendments do not change the zoning map or reduce density allowances. The amendments increase the minimum required density in the R2.5 zone to ensure better utilization of sites in these well-served locations. Additionally, minimum density may be reduced on sites located in the Potential Landslide Hazard area. The updates to that map remove approximately 10,000 lots from the map, and reduce the affected area on a net 4,800 additional single dwelling zoned lots. Therefore, the amendments are consistent with these policies.

**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.

**141. Finding:** The LDCU amendments do not change the zoning map or reduce density allowances thus the overall effect to housing capacity is unchanged. The amendments increase the minimum required density in the R2.5 zone to ensure better utilization of sites in these well-served locations. The amendments serve to streamline and facilitate the land division process, to help more fully achieve the zoned capacity within the city. Therefore, the amendments are consistent with these policies.

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

**142. Finding:** In general, the types of housing allowed are specified in the base zones. The amendments do not change any existing design or development standards that have an impact on housing types. Therefore, the amendments are consistent with these policies.

**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.

**143. Finding:** The LDCU amendments do not change the Zoning Map. Therefore, this policy does not apply.

**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.

**144. Finding;** Policies 5.5 and 5.6 address the implementation of different zoning to support a broad range of housing and housing types, whether within centers or in the areas of transition between centers and surrounding single family development. This is generally achieved through the application of different base zones or developing specific regulations as part of a plan district. The LDCU amendments do not change the Zoning Map but they do respond to the expanded types of middle housing that is allowed in several cases, by revising thresholds from units to lots, in order to keep the future development options for those lots more flexible. Therefore, the amendments are consistent with these policies.

**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.

**145. Finding:** The LDCU amendments do not change any existing design or development standards that have an impact on housing design; however, they will help facilitate the division of oversized properties when a property owner decides to sell off part of their holdings. This not only creates the opportunities for more households and different types of housing, but responds to the needs of existing households that choose to reduce their property obligations. Therefore, the amendments are consistent with these policies.

**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.

**146. Finding:** Policies 5.8 and 5.9 are intended to foster housing that is accessible to people of all physical abilities. In general, the regulations requiring accessibility are determined through the state building codes, which are preempted at the local level. These codes require a certain percentage of housing units to be accessible to those with disabilities. The LDCU amendments do not change any existing design or development standards that have an impact on housing accessibility; however, they will help facilitate the division of land to create opportunities for more households and different types of housing including accessible housing. Therefore, the amendments are consistent with these policies.

**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.

**147. Finding:** This policy encourages programs and projects to ensure neighborhoods provide for a wide diversity of people in terms of people in terms of race, ethnicity, gender, sexual orientation, socio-economic status, age, physical abilities, religious beliefs, political beliefs, or other characteristics. Generally, programs administered by the Housing Bureau, and regulations such as the Inclusionary Zoning requirements provide the opportunity to create developments that provide access to housing for people in a range of classes. The LDCU amendments do not change any existing programs or regulations that have an impact on affirmatively furthering fair housing. Therefore, the amendments are consistent with these policies.

## 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.

**148. Finding:** The LDCU amendments in large part respond to the City Council’s resolution #37593 which establishes key actions to increase affordable housing construction and support housing production including a directive that “BPS will collaborate with BDS and other infrastructure bureaus to bring a package of code amendments and operational improvements to Council in early 2024 to increase the clarity and efficiency of the residential land division process for small residential development.” The amendments do this through three key proposals:

1. Create clear and objective standards as an alternative to discretionary approval criteria. This offers applicants the option of meeting approval requirements with more certainty of what is required, while also allowing for the flexibility of discretionary approval criteria when such flexibility is needed or desired.
2. Update the Portland’s Potential Landslide Hazard Area Map. This adjusts the mapped landslide risk areas which is used to determine when additional professional reports and site evaluations are necessary with a land division application. The updated map significantly reduces the number of affected properties.
3. Recalibrate standards, thresholds, and review procedures. This includes changes to reduce review procedures for smaller 2 and 3 lot land divisions located in environmental zones when environmental review is required, in addition to removing obsolete or less effective



regulations. Moreover, for services, engineering design requirements have been clarified to be technical determinations, rather than land use decisions.

These actions in sum help to streamline the land division process and remove potential regulatory barriers to housing choice for type, tenure, and location. Therefore, the amendments are consistent with these policies.

**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.

**149. 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. 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 due to market pressure and decisions by landlords to redevelop property. The LDCU amendments do not change the zoning map or significantly affect the economic feasibility of dividing property. These amendments are focused on streamlining the process of dividing land, not increasing the allowed density. Therefore, the amendments are consistent with these policies.

**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.

**150. Finding:** This policy is not relevant because this ordinance amends the zoning code and land banking programs are not authorized or managed through the zoning code.

**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.

**151. Finding:** This policy is not relevant because this ordinance amends the zoning code and land programs for maintaining social and cultural connections are not authorized or managed through the zoning code.

**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.

**152. Finding:** The LDCU amendments do not change any existing design or development standards that have an impact on accessible housing design or supportive environments; however, they will help facilitate the division of oversized properties when a property owner decides to sell off part of their holdings. This not only creates the opportunities for more households and different types of housing, but responds to the needs of existing households that choose to reduce their property obligations, such as an older adult wishing to supplement savings or reduce property tax burdens. Therefore, the amendments are consistent with these policies.

### **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.

**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.

**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.

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

**Policy 5.24. 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.

**153. Finding:** The LDCU amendments do not change any existing housing programs, including regulated affordable housing programs or development. The amendments apply citywide and improve the process to divide land to create lots for additional development in opportunity areas, around centers and near schools.

The LDCU amendments remove the requirement for the David Douglas School District to sign off on land division applications. The amendments do not increase the capacity for residential development. Capacity is established by the underlying zoning and comprehensive plan designations. In single-dwelling zones, land divisions enable development up to the zoned capacity, but do not increase its capacity. In other zones, the division of land has no bearing on the amount of residential development allowed. The city coordinated and communicated this change with the school district, which did not object. Because the zoning map is not changing, and the allowed densities are not being increased, the amendments are consistent with these policies.

### **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 organizations.

**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.

**Policy 5.27. Funding plan.** Encourage development or financial or regulatory mechanisms to achieve the regulated affordable housing target set forth for 2035.

**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.

**Policy 5.29. Permanently-affordable housing.** Increase the supply of permanently-affordable housing, including both rental and homeownership opportunities.

**154. Finding:** Policies 5.25 through 5.29 promote the production and preservation of regulated affordable housing. In general, these policies are implemented through city programs administered by the Portland Housing Bureau. Within the zoning code, the inclusionary housing provisions require buildings with 20 units or more to provide to provide a percentage of the units at affordable rates. The LDCU amendments do not affect the PHB programs or the zoning code inclusionary housing regulations. Therefore, these policies are not applicable.

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

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

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

**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.

**155. Finding:** Policies 5.30 through 5.33 promote the placement of a mix of housing, focused on affordable housing in areas that have access to transit and services, especially in Centers and the Central City. The LDCU amendments facilitate land divisions to create more opportunities for fee-simple ownership in centers. The LDCU amendments have little to no effect on the Central City. Therefore, the amendments are consistent with this policy.

**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.

**156. Finding:** This policy does not apply because it concerns affordable housing funding sources and mechanisms, which are not addressed by zoning code regulations that are the focus of the LDCU amendments.

**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.

**157. Finding:** Inclusionary housing regulations were adopted in 2018. The LDCU amendments do not change that code or program, therefore this policy does not apply.

**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.

**158. Finding:** The LDCU amendments in large part respond to the City Council’s resolution #37593 which establishes key actions to increase affordable housing construction and support housing production including a directive that “BPS will collaborate with BDS and other infrastructure bureaus to bring a package of code amendments and operational improvements to Council in early 2024 to increase the clarity and efficiency of the residential land division process for small residential development.” The amendments do this through three key proposals:

1. Create clear and objective standards as an alternative to discretionary approval criteria. This offers applicants the option of meeting approval requirements with more certainty of what is required, while also allowing for the flexibility of discretionary approval criteria when such flexibility is needed or desired.
2. Update the Portland’s Potential Landslide Hazard Area Map. This adjusts the mapped landslide risk areas which is used to determine when additional professional reports and site evaluations are necessary with a land division application. The updated map significantly reduces the number of affected properties.
3. Recalibrate standards, thresholds, and review procedures. This includes changes to reduce review procedures for smaller 2 and 3 lot land divisions located in environmental zones when environmental review is required, in addition to removing obsolete or less effective regulations. Moreover, for services, engineering design requirements have been clarified to be technical determinations, rather than land use decisions.

These actions in sum help to streamline the land division process and remove potential regulatory barriers to housing development. Therefore, the amendments are consistent with these policies.

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

**159. Finding:** The LDCU amendments do not substantively affect mobile home parks within the MHP zone. Existing streamlined land division approval requirements for Manufactured Dwelling Parks in compliance with state law are not changed. The changes include 33.120, when primary structures are allowed, where larger lot sizes are required in the MHP zone consistent with the dimensional standards for land divisions in these zones (when not proposing lots for individual manufactured dwellings). This is to discourage separation of ownerships that would “break up” the park community. Also 33.670 Review of Land Divisions of Manufactured Dwelling Parks, where the application submittal requirements were clarified. Therefore, the amendments are consistent with this policy.

**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.

**160. Finding:** The LDCU amendments encourage development of additional housing supply that is available for fee-simple purchase, through streamlined land division regulations that enable larger properties to be divided into multiple separate ownerships for subsequent development. The amendments are not tied specifically to affordability targets, but smaller lot sizes developed with smaller units will tend to be less expensive than larger lots with larger units, in similarly situated locations and building quality. Therefore, the amendments are consistent with this policy.

**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.

**161. Finding:** The LDCU amendments enable larger properties to be divided into multiple separate ownerships for subsequent development of smaller more resource efficient single family homes in areas throughout the city. Land divisions are also a tool to separate and preserve existing more affordable single family homes from larger under-developed sites, to enable development of the remaining portion of the site. Because the LDCU amendments streamline and facilitate this land division process, the amendments are consistent with this policy.

**Policy 5.40. Employer-assisted housing.** Encourage employer-assisted affordable housing in conjunction with major employment development.

**162. Finding:** The LDCU amendments facilitate and streamline the land division process, which can be used by major employment development to create individual sites for housing development, when allowed by zoning regulations. The LDCU amendments do not affect regulatory or funding programs that impact homeownership. Therefore, the amendments are consistent with this policy.

**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.

**163. 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 Portlanders. These policies are primarily implemented through the work of the Housing Bureau. While the LDCU amendments facilitate and streamline the process for more conventional fee-ownership opportunities through land divisions, the LDCU amendments do not affect regulatory or funding programs that impact homeownership. Therefore, these policies do not apply.

**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.

**164. 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.

### **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.

**165. 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 LDCU amendments do not change, limit, or expand the types of housing that are allowed in the base 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.

**Policy 5.48 Housing safety.** Require safe and healthy housing free of hazardous materials such as lead, asbestos, and radon.

**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.

**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.

**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.

**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.

**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.

**166. Finding:** Policies 5.47 through 5.53 relate to the design of housing. The LDCU amendments do not change any development standards that regulate housing safety, quality, energy efficiency, pedestrian connections. As a result, these policies generally do not apply.

**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.

**167. Finding:** The LDCU amendments do not alter regulations establishing tenant protections including required relocation assistance when properties are sold and/or redeveloped (PCC 30.01.085). As a result, this policy does not apply.

## 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.

**168. Finding:** The LDCU amendments do not change the comprehensive plan designations of any currently designated employment land therefore the project does not reduce the supply of employment land.

### 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.

**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.

**169. Finding:** Policies 6.1 through 6.12 provide direction regarding economic and employment growth. Except as noted below in response to Policy 6.13, the LDCU amendments do not affect any land designated for industrial or employment uses. The amendments do not affect the base development capacity in the commercial mixed-use areas. Therefore, there is no impact to employment capacity.

## 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.

**170. Finding:** The LDCU amendments do not change the comprehensive plan designations of any currently designated employment lands. The amendments include updates to the Potential Landslide Hazard Area map, based on State DOGAMI mapping, that remove 152 employment or industrially zoned properties and adds 917 employment or industrially zoned properties, for a net addition of 765 properties. However, inclusion on the map does not materially affect the development capacity of these industrial sites. The map is only applicable to sites that are applying to divide. In those cases, the criterion seeks to locate “lots, buildings, services, and utilities on parts of the site that are suitable for development in a manner that reasonably limits the risk of a landslide...”. While the criteria may affect the layout of lots, or the proposed location

or design of buildings or services, they do not by themselves reduce development capacity. Furthermore, the BLI already incorporates this base landslide data. Therefore, there is no direct 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 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.

**171. Finding:** Policies 6.14 through 6.16 provide direction regarding development sites and regulations in employment areas. The LDCU amendments do not change the comprehensive plan designations or regulations affecting any currently designated employment lands. The 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.

**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.

**172. Finding:** Policies 6.17 through 6.19 ensure that the City maintains an adequate supply of employment lands, including lands that can be used for future corporate headquarters. The amendments include updates to the Potential Landslide Hazard Area map, that remove 152 employment or industrially zoned properties and adds 917 employment or industrially zoned properties, for a net addition of 765 properties. However, inclusion on the map does not materially affect the development capacity of these industrial sites. The map is only applicable to sites that are applying to divide. In those cases, the criterion seeks to locate “lots, buildings, services, and utilities on parts of the site that are suitable for development in a manner that

reasonably limits the risk of a landslide...”. While the criteria may affect the layout of lots, or the proposed location or design of buildings or services, they do not by themselves reduce development capacity. Furthermore, the BLI already incorporates this base landslide data. The LDCU does not impact the city’s buildable land inventory. Therefore, the amendments are consistent with these policies.

### **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.

**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.

**173. Finding:** Policies 6.20 through 6.26 address Portland’ traded sector competitiveness. The LDCU amendments do not impact the city and regional business climate as it relates to traded sector competitiveness. Therefore, these policies 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.

**Policy 6.28. East Portland job growth.** Improve opportunities for East Portland to grow as a business destination and source of living wage jobs.

**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.

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

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

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

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

**174. Finding:** Policies 6.27 and 6.28 address equitable household prosperity. The LDCU amendments streamline the land division process to simplify the application process, with the aim of encouraging the creation of more lots for residential development. This, in turn, will create more opportunities for homeownership and additional housing choice. The LDCU amendments do not impact City programs or regulations related to business development or urban renewal. Therefore, these policies do 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.

**175. Finding:** Policies 6.33 through 6.35 provide direction regarding economic development in the Central City. The LDCU amendments have no impact on Central City or Marquam Hill employment zones. Therefore, 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.

**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 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.

**176. Finding:** Policies 6.36 through 6.55 provide direction regarding industrial and employment districts. The LDCU amendments do not change the comprehensive plan designations or regulations affecting any currently designated industrial or employment lands. The amendments include updates to the Potential Landslide Hazard Area map, that remove 152 employment or industrially zoned properties and adds 917 employment or industrially zoned properties, for a net addition of 765 properties. However, inclusion on the map does not materially affect the development capacity of these industrial sites. The map is only applicable to sites that are applying to divide. In those cases, the criterion seeks to locate “lots, buildings, services, and utilities on parts of the site that are suitable for development in a manner that reasonably limits the risk of a landslide...”. While the criteria may affect the layout of lots, or the proposed location or design of buildings or services, they do not by themselves reduce development capacity. Furthermore, the BLI already incorporates this base landslide data. The LDCU does not impact the city’s buildable land inventory. 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.

**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.

**177. 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 LDCU. The amendments include updates to the Potential Landslide Hazard Area map, that remove 28 C11 or C12 zoned properties and adds 17 C11 or C12 zoned properties, for a net reduction of 11 properties. Inclusion on the map does not materially affect the development capacity of these Campus Institution sites. The map is only applicable to sites that are applying to divide. In those cases, the criterion seeks to locate “lots, buildings, services, and utilities on parts of the site that are suitable for development in a manner that reasonably limits the risk of a landslide...”. While the criteria may affect the layout of lots, or the proposed location or design of buildings or services, they do not by themselves reduce development capacity. Furthermore, the BLI already incorporates this base landslide data. The LDCU does not impact the city’s buildable land inventory. Therefore, the amendments are consistent with these policies.

### **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.

**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.

**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.

**178. Finding:** Policies 6.62 through 6.65 provide direction regarding neighborhood districts and smaller businesses. There are no mixed use zone land use designations impacted by LDCU. The amendments do not affect building design or development standards. The amendments include several streamlining changes that may facilitate commercial property land divisions, though the bulk of the amendments are tailored to facilitate residential development. These land divisions could open up opportunities for a broader range of commercial uses in Centers. The amendments continue to evaluate transportation impacts, and street connectivity as sites divide. The amendments include updates to the Potential Landslide Hazard Area map, that remove 507 mixed use zoned properties and adds 512 mixed use zoned properties, for a net addition of 5 properties. Inclusion on the map does not materially affect the development capacity of these mixed use sites. The map is only applicable to sites that are applying to divide. In those cases, the criterion seeks to locate “lots, buildings, services, and utilities on parts of the site that are suitable for development in a manner that reasonably limits the risk of a landslide...”. While the criteria may affect the layout of lots, or the proposed location or design of buildings or services, they do not by themselves reduce development capacity. Furthermore, the BLI already incorporates this base landslide data. The LDCU does not impact the city’s buildable land inventory. Therefore, the amendments are consistent with these policies. Therefore, these policies are met.

## Chapter 7: Environmental and Watershed Health

**Goal 7.A: Climate.** Carbon emissions are reduced to 50 percent below 1990 levels by 2035.

**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.

**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.

**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.

**Goal 7.E: Community stewardship.** Portlanders actively participate in efforts to maintain and improve the environment, including watershed health.

**179. Finding:** These goals focus on City programs and actions to improve environmental quality, watershed health, and resilience. They also provide direction regarding planning for natural resource protection, and provide a framework governing the City’s environmental overlay zones. There are also a number of watershed specific policies in this Chapter that provide additional guidance. The LDCU amendments do not include amendments to any programs or regulations that implement these goals.

### 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.

**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.

**Policy 7.3. Ecosystem services.** Consider the benefits provided by healthy ecosystems that contribute to the livability and economic health of the city.

**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.

**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.

**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 impervious surfaces, especially in areas with poorly-infiltrating soils and limited public stormwater discharge points, and encourage restoration of degraded hydrologic functions.

**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.

**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.

**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.

**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.

**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.

**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.

**Policy 7.14. Natural hazards.** Prevent development-related degradation of natural systems and associated increases in landslide, wildfire, flooding, and earthquake risks. Policy 7.14

**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.

**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.

**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.

**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.

**180. Finding:** Policies 7.1 through 7.18 are focused on City programs and actions to improve environmental quality and resilience. These policies address City actions, coordination, and in some cases regulatory systems related to development. They address environmental quality, equity, ecosystem services, climate, air and water, biodiversity and wildlife habitats, forests, invasive species, soils, hazards, stewardship and adaptive management. The LDCU amendments do not include amendments to any programs or regulations that implement these policies. Policy 7.11 addresses the health of the urban forest. The LDCU amendments separate the current tree preservation standards from the discretionary criteria, in order to comply with state law directing that residential development be offered a clear and objective path to approval. Currently, the approval criteria apply in conjunction with the tree preservation standards. Together they work to ensure that tree preservation is maximized and that the healthiest trees on the site are preserved. Decoupling the standards from the criteria could result in retention of less healthy trees, or trees that provide fewer benefits. To offset this, the amendments increase the percentage of total tree diameter required to be preserved in standard options 1 through 4 by 10 percent, in order to increase the *quantity* of trees preserved in light of not being able to evaluate the *quality* of those trees. In reviewing land divisions approved over the past 5 years, staff has found that out of 220

land divisions, 30 (13.6%) were unable to meet the current diameter thresholds, and 10 (4.5%) would be unable to meet the higher standards. In applying the proposed higher rates to required mitigation, the increase would have resulted in an average of 1-2 additional inches of trees (planted or paid for) per lot. Additional tree planting to meet Title 11 tree density standards would then be required as necessary at the time of development on the lots. Therefore the amendments help improve the urban forest.

Policy 7.14 addresses development impacts to natural hazards including flooding and landslide risk. The LDCU amendments include new objective standards for residential development as an alternative to current discretionary criteria, in conformance with state law. In the case of flood hazards, the standards offer a path to approval that is more restrictive than the discretionary criteria by restricting lots, buildings and services from being in the combined flood hazard area. In the case of landslide risk, the standards are only available to single dwelling zoned sites proposing no more than two lots. The standards defer to the applicant's geotechnical report to identify and address the risks, and restrict the use of onsite stormwater infiltration (which can exacerbate landslide risk). In addition to these regulatory changes, the Potential Landslide hazard Area map is being updated with the most recent data available to more accurately identify and respond to the risk in those areas. Therefore the amendments continue to protect natural hazard areas from being impacted by development.

### **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:

- 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.

**181. 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 LDCU amendments do not change these zones or regulations. The amendments do include minor technical corrections to consistently refer to the natural resource overlay zones throughout the land division regulations, but did not affect the regulations that apply in these overlay zones. 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 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.

**182. Finding:** 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 LDCU amendments do not change any of the environmental overlay regulations.

### **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.

**183. Finding:** Policies 7.27 through 7.29 provide direction regarding aggregate resources. The LDCU amendments 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.

**184. Finding:** Policies 7.30 through 7.32 provide direction regarding habitat and river-related uses in the Columbia River Watershed. The LDCU 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. The findings earlier in this chapter that apply to all of Portland’s watersheds are incorporated by reference.

### **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.

**Policy 7.42. Forest Park.** Enhance Forest Park as an anchor habitat and recreational resource.

**185. Finding:** Policies 7.33 through 7.42 provide direction regarding habitat and river-related uses in the Willamette River Watershed. The LDCU 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. The findings earlier in this chapter that apply to all of Portland's watersheds are incorporated by reference.

### **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.

**186. Finding:** Policies 7.43 through 7.49 provide direction regarding the environment and watershed health in the Columbia Slough Watershed. The LDCU amendments do not affect the environmental zones that apply in this area, or other regulations or programs related to habitat or watershed health. The findings earlier in this chapter that apply to all of Portland’s watersheds are incorporated by reference.

### **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.

**187. Finding:** Policies 7.50 through 7.52 provide direction regarding habitat and river-related uses in the Fanno and Tryon Creek Watersheds. The LDCU amendments do not affect the environmental zones that apply in this area, or other regulations or programs related to habitat or watershed health. The findings earlier in this chapter that apply to all of Portland’s watersheds are incorporated by reference.

### **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.

**188. Finding:** Policies 7.53 through 7.57 provide direction regarding habitat and river-related uses in the Johnson Creek Watersheds. The LDCU amendments do not affect the environmental zones that apply in this area, or other regulations or programs related to habitat or watershed health.

The findings earlier in this chapter that apply to all of Portland’s watersheds are incorporated by reference.

## 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.

**Goal 8.B: Multiple benefits.** Public facility and service investments improve equitable service provision, 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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**189. Finding:** The policies in this chapter, and these goals, generally address provision of public services, and adequacy of services as it relates to growth and development. 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. These goals and policies are not applicable because they guide public agencies that provide public facilities, on how those facilities should be provided. The LDCU amendments do not affect the CSP.

### **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.

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

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

**Policy 8.4. 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.

**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.

**190. Finding:** The City Council interprets policies 8.1 through 8.5 to provide direction on the provision of public facilities and services and the process of urbanization. The LDCU amendments do not change the zoning map or plan designations which would be used to urbanize any rural land, nor do they include new public facilities or infrastructure projects, or affect provision of planning services or public facility services. These policies do not apply.

## 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.

**191. Finding:** The City Council interprets policies 8.6 through 8.10 to provide 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 LDCU amendments do not include new public facility or infrastructure projects or amendments to public service coordination agreements. These policies do not apply. These agencies were, however, notified of the amendments pursuant to the City’s legislative procedures (33.740).

## 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.

**192. Finding:** The City Council interprets policies 8.11 through 8.19 to provide direction on extending public services. The LDCU amendments do not include new public facility or infrastructure projects or service extensions. The LDCU amendments do propose changes to the service chapters of the land division code (33.651, Water, 33.652 Sanitary Sewer, and 33.653 Stormwater) but these changes reinforce the technical decision making role for engineering review of preliminary infrastructure plans to serve proposed land divisions, they don't change or impose new or different requirements for service extensions.

## **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, 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.

**193. Finding:** The City Council interprets policies 8.20 through 8.26 to provide direction on investment priorities for public facilities. The LDCU 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.

**194. Finding:** The City Council interprets policies 8.27 through 8.30 to provide direction on funding public facilities and services within the City of Portland’s Urban Services Boundary. The LDCU amendments do not include new public facility or infrastructure projects. Cost sharing is addressed by the service bureaus in conjunction with individual land division proposals, based on site specific circumstances. The LDCU amendments do not affect those processes.

## 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.

**195. Finding:** The City Council interprets policies 8.31 through 8.38 to provide direction on the associated public benefits that should be considered in conjunction with investment in public facilities and services within the City of Portland’s Urban Services Boundary. The LDCU 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.

**Policy 8.44. Community uses.** Allow community use of rights-of-way for purposes such as public 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.

**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.

**Policy 8.50. Undergrounding.** Encourage undergrounding of electrical and telecommunications facilities within public rights-of-way, especially in centers and along Civic Corridors.

**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.

**196. Finding:** The City Council interprets policies 8.39 through 8.52 to apply to new public facilities, uses, or infrastructure projects in the right-of-way; and right of way vacations. The LDCU amendments do not include new public facility, uses, or infrastructure projects in the right-of-way. The LDCU amendments include changes to 33.654 that reinforce the technical nature of determining the appropriate width and design for transportation facilities within land division public rights of way which are specified in PBOTs development review manual. Therefore the LDCU amendments are consistent with these policies.

## 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.

**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.

**197. Finding:** The City Council interprets policies 8.53 through 8.60 to apply to designated trails. The LDCU amendments do not amend the designated trail alignments or regulations that implement designated trails.

## 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.

**Policy 8.62. Combined sewer overflows.** Provide adequate public facilities to limit combined sewer overflows to frequencies established by regulatory permits.

**Policy 8.63. Sanitary sewer overflows.** Provide adequate public facilities to prevent sewage releases to surface waters as consistent with regulatory permits.

**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.

**Policy 8.65. Sewer extensions.** Prioritize sewer system extensions to areas that are already developed at urban densities and where health hazards exist.

**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.

**Policy 8.67. Treatment.** Provide adequate wastewater treatment facilities to ensure compliance with effluent standards established in regulatory permits.

**198. Finding:** The City Council interprets policies 8.61 through 8.67 to apply to the provision of sanitary sewer facilities. The LDCU amendments do not impact any capital improvement projects related to sewer or sanitary systems. Policies 8.61 and 8.64 apply to development and are ensured through Title 25, Plumbing Regulations and verified at the time of development permit application. The LDCU amendments do not alter or affect Title 25 requirements. The LDCU amendments include changes to 33.652 that reinforce the technical nature of determining whether sewer service is or can be made available at the time the land division improvements are constructed. Additional clarification has been added to ensure that the creation of new lots will not result in the removal of sewer service to other properties. Therefore the LDCU amendments are consistent with these policies.

### **Stormwater Systems**

**Policy 8.68. Stormwater facilities.** Provide adequate stormwater facilities for conveyance, flow control, and pollution reduction.

**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.

**Policy 8.70. Natural systems.** Protect and enhance the stormwater management capacity of natural resources such as rivers, streams, creeks, drainageways, wetlands, and floodplains.

**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.

**Policy 8.72. Stormwater discharge.** Avoid or minimize the impact of stormwater discharges on the water and habitat quality of rivers and streams.

**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.

**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.

**199. Finding:** The City Council interprets policies 8.68 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.

Many of these policies are 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. Environmental Services evaluates development proposals that increase impervious area (including buildings and hardscape) against the SWMM and Source Control Manual to effectively comply with local, state and federal point and non-point pollution water quality mandates. The LDCU amendments do not affect the SWMM or Source Control Manual. Flood management. The LDCU amendments include changes to 33.653 that reinforce the technical nature of determining whether stormwater facilities are or can be made available at the time the land division improvements are constructed.

**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.

**200. Finding:** The City Council interprets policies 8.76 through 8.80 to apply to the management of floodplains. For sites in flood prone areas, the LDCU amendments do not amend the Environmental overlay maps, nor do they change Title 10 Erosion Control, and the balanced cut and fill requirements of Title 24 (City programs that regulate development in the floodplain). The LDCU amendments include changes to Chapters 33.631 Flood Hazard Areas. These changes allow residentially zoned land divisions to meet a set of clear an objective standards that are more restrictive than the alternative discretionary approval criteria, by strictly limiting the location of lots and utilities to areas outside the combined flood hazard area, whereas the criteria may allow lots to encroach provided there is adequate building area outside the combined flood hazard area. Therefore, the LDCU amendments are consistent with these policies.

## **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.

**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.

**Policy 8.91. Outside user contracts.** Coordinate long-term water supply planning and delivery with outside-city water purveyors through long-term wholesale contracts.

**201. Finding:** The City Council interprets policies 8.81 through 8.91 to apply to the provision of water service. Primarily these policies govern how the City manages its water system and are not applicable to development. 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. Implementation of these policies is unaffected by the LDCU amendments. The LDCU amendments include changes to 33.651 that reinforce the technical nature of determining whether water service, including water service for fire protection is or can be made available at the time the land division improvements are constructed. Additional clarification has been added to ensure that the creation of new lots will not result in the removal of water service to existing development. Therefore the LDCU amendments are consistent with these policies.

## **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 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.

**202. Finding:** The City Council interprets policies 8.92 through 8.103 to primarily address City-owned parks and natural areas and not development on private land. The LDCU amendments do not change current parks and recreation programs or change the supply of parks.

### **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.

**203. Finding:** The City Council interprets policies 8.104 through 8.111 to address the provision of public safety and emergency response services. LDCU does not impact the underlying zoning that determines where various public safety facilities can locate. These policies do not apply.

### **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.

**204. Finding:** The City Council interprets this policy to address the provision of waste management services. The changes being made by the LDCU project do not impact these waste management services. This policy does 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.

**205. Finding:** David Douglas School District (DDSD) is the only school district in Portland with an adopted school facility plan. Its enrollment boundary covers much of East Portland. The overall expectation for growth in East Portland is grounded in regional housing demand forecasts made by Metro, and those demand forecasts have not been altered by the changes made within the LDCU project. The LDCU amendments remove the school district capacity chapter from the land division regulations (33.655). Land divisions do not increase the *capacity* for residential development. Capacity is established by the underlying zoning and comprehensive plan designations. In single-dwelling zones, land divisions enable development up to the zoned capacity, but do not increase its capacity. In other zones, the division of land has no bearing on the amount of residential development allowed. BPS leadership coordinated with David Douglas School District superintendent regarding the removal of the school district sign off requirement for land divisions, and the District did not object.

**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.

**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.

**206. Finding:** The City Council interprets policies 8.114 through 8.122 to address school facilities and school sites. The LDCU amendments do not affect the zoning that determines where schools can locate.

### **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.

**207. Finding:** The City Council interprets policies 8.123 and 8.124 to address the provision technology and communication services. These policies do not apply.

### **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.



**Policy 8.126. Coordination.** Coordinate with energy providers to encourage investments that ensure reliable, equitable, efficient, and affordable energy for Portland residents and businesses.

**208. Finding:** The LDCU 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. While the LDCU amendments remove the solar lot orientation regulations (33.639), the amendments are consistent because solar access and energy efficiency are better addressed through building regulations (which is a function of the State building codes division, which preempts local building regulation), and removing zoning barriers that limit active solar systems (which the city has done previously, e.g. RICAP 5, Ordinance 183598). Therefore, the amendments are still consistent with these policies.

## 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.

**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.

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

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

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

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

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

**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.

**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.

**209. Finding:** The goals and the policies of Chapter 9 address transportation improvements, programming, funding priorities and maintenance and not development on private land. That said, there are several specific policies that address the intersection between land use and transportation, which are applicable to this ordinance. These policies are addressed individually below.

### 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.

**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.

**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.

**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.

**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.

**210. Finding:** Policies 9.1 through 9.4 provide direction regarding transportation system classifications and the Transportation System Plan. The LDCU 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.

**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.

**211. 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 or discourage the use of single occupant vehicles. Specific goals for mode share are stated in policy 9.49. The LDCU amendments include changes to 33.641, Transportation Impacts that create a clear and objective standard for residentially zoned land divisions that can be met by demonstrating the development will generate 250 vehicle trips per day or fewer through specific improvements or development parameters. The standards also are more favorable to proposals that do not propose vehicular access to the lots. Both of these thresholds are more favorable to modes that are more active and low carbon emitting (i.e. walking/bicycling). The changes to 33.654, Rights of Way include clear and objective standards that seek new street connections and extensions of existing pedestrian connections as part of land divisions located in areas with low street connectivity to provide alternative routes of travel and reduce out of direction travel, both of which reduce congestion and vehicle miles traveled. Therefore, the amendments are consistent with this policy.

**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.

**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.

**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.

**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.

**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.

**212. Finding:** Policies 9.6 through 9.10 provide direction regarding planning for the transportation system. These policies address the design and planning of transportation facilities and not development or uses on private or public land outside of the right of way. The LDCU amendments reinforce the technical decision-making role for engineering review of preliminary right of way design to serve proposed land divisions, they don't change or impose new or different design requirements. As the amendments do not affect the design or use of transportation infrastructure, 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.

**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.

**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.

**213. Finding:** Policies 9.11 through 9.13 address the relationship between land use and transportation planning – both at the citywide scale of urban form, and at the site and street level. Policy 9.12 does not apply because the LDCU amendments do not change the Comprehensive Plan Map, the Urban Design Framework, or the functional classification of any existing or proposed transportation facility, nor do they change the standards implementing a functional classification system.

Policy 9.13 addresses how development creates place and street environments at the block-by-block scale, which is influenced in part by the street connections that form blocks. The LDCU amendments continue to require street connectivity with either discretionary criteria or clear and objective standards, which conform to State Transportation Planning Rule (OAR 660-012) and the Metro Regional Transportation Functional Plan (3.08).

Policy 9.11 addresses the relationship at the street or corridor level. The LDCU amendments reinforce the technical decision-making role for engineering review of preliminary right of way design to serve proposed land divisions, but they don't change or impose new or different right of way design requirements.

Therefore the LDCU amendments are consistent with these policies.

## **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.

**214. Finding:** Policies 9.14 through 9.16 address the design and use of public streets and not development or uses on private or public land outside of the right of way. The LDCU amendments reinforce the technical decision-making role for engineering review of preliminary right of way design to serve proposed land divisions, they don't change or impose new or different design

requirements. As the amendments do not affect the design or use of transportation infrastructure, these policies do not apply.

## **Modal policies**

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

**Policy 9.18. Pedestrian networks.** Create more complete networks of pedestrian facilities, and improve the quality of the pedestrian environment.

**Policy 9.19. Pedestrian safety and accessibility.** Improve pedestrian safety, accessibility, and convenience for people of all ages and abilities.

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

**Policy 9.21. Accessible bicycle system.** Create a bicycle transportation system that is safe, comfortable, and accessible to people of all ages and abilities.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**Policy 9.29. Regional trafficways and transitways.** 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.

**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.

**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.

**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.

**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.

**Policy 9.35. Freight rail network.** Coordinate with stakeholders and regional partners to support continued reinvestment in, and modernization of, the freight rail network.

**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.

**Policy 9.37. Portland Heliport.** Maintain Portland’s Heliport functionality in the Central City.

**Policy 9.38. Automobile transportation.** Maintain acceptable levels of mobility and access for private automobiles while reducing overall vehicle miles traveled (VMT) and negative impacts of private automobiles on the environment and human health.

**Policy 9.39. 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.

**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.

**215. Findings:** Policies 9.17 through 9.40 primarily address the design and use of transportation infrastructure, and the goal of developing a more multimodal system. The LDCU amendments reinforce the technical decision-making role for engineering review of preliminary right of way design to serve proposed land divisions, they don't change or impose new or different design requirements. As the amendments do not affect the design or use of transportation infrastructure, these policies do not apply.

## **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.

**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.



**216. Finding:** Policies 9.41 through 9.44 provide policy direction related to Portland International Airport. The LDCU amendments do not change the Portland International Airport Plan District or have any impact on airport facilities. Therefore, 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.

**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.

**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 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.

**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.

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

**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.

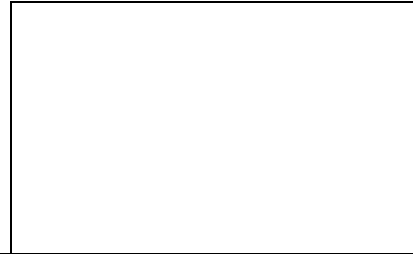
**9.49.k.**Maintain acceptable levels of performance on state facilities and the regional arterial and throughway network, consistent with the interim standard in Table 9.2, in the development and adoption of, and amendments to, the Transportation System Plan and in legislative amendments to the Comprehensive 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.



**9.49.m.** Develop performance measures to track progress in creating and maintaining the transportation system.

**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).

**217. Finding:** Policies 9.45 through 9.51 address the system-wide management of the City’s transportation system. LDCU does not address specific traffic improvements nor make changes to the city’s Transportation Systems Plan (TSP). Policy 9.48 focuses on vehicle and parking technology, but the focus is on the city’s transportation network and not on private development. The LDCU amendments do not affect the management of the city’s transportation network. These policies do 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.

**218. Finding:** Policies 9.52 through 9.54 provide direction regarding transportation demand management. The City has created TDM financial incentive programs but has elected to only require participation in those programs for larger developments (10 or more dwelling units). The LDCU amendments do not affect existing TDM regulations or outreach programs (e.g., requirements in Title 17, Smart Trips and Safe Routes to Schools).

## 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.

**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.

**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.

**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.

**Policy 9.59. Share space and resources.** Encourage the shared use of parking and vehicles to maximize the efficient use of limited urban space.

**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.

**219. Finding:** Policies 9.55 and 9.58 address parking management and off-street parking. These policies direct us to consider mode share objectives, promote compact and walkable urban form, and encourage lower rates of car ownership. The LDCU amendments include changes to 33.654, Rights of Way that include clear and objective standards that seek new street connections and extensions of existing pedestrian connections as part of land divisions located in areas with low street connectivity. The changes also expand the ability to use shared courts to serve compact development in single dwelling zones. These changes help promote a more walkable urban form. Therefore, the amendments are consistent with this policy. Policies 9.56, 9.57, 9.59 and 9.60 address the management of space within the right of way. These policies do not apply because the LDCU amendments do not change how the City manages the right of way.

**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.

**220. Finding:** This policy does not apply because this ordinance does 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.

**221. Finding:** This policy addresses the planning, funding, and design of the City’s transportation system. The LDCU amendments do not affect the planning, funding, or design of the transportation system, or existing coordination efforts. Therefore, this policy does not apply.

**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.

**222. Finding:** This policy requires projects to consider the impact of development on the transportation system, and to consider strategies to reduce the impact. The LDCU amendments do not amend the Zoning Map and continue to apply requirements for land divisions to assess transportation impacts when the trip generation is above a low (250 trip/ day) level, therefore, this policy does not apply.

**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.

**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.

**223. Finding:** Policies 9.64 through 9.67 address the funding and management of the City’s transportation system and programs and not development or uses on private or public land outside of the right of way. The HRCP amendments affect development of property located outside of the right-of-way. Therefore, these policies do not apply.

## **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.

**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.

**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.

- 224. Finding:** Policies 9.68 and 9.69 address the management of automated vehicles and not development or uses on private or public land outside of the right of way. These policies do 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.

**225. Finding:** The LDCU amendments do not change land use designations or the Zoning Map. The LDCU zoning code amendments are focused on improving the effectiveness and efficiency of the land division regulations by providing an alternative set of clear and objective approval standards for residentially zoned land division sites. These amendments are consistent with the policies in the 2035 Comprehensive Plan, as described in the findings throughout this report.

### 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 policies. The land use designations are shown on the adopted Land Use Map and on official Zoning Maps.

**226. Finding:** The LDCU amendments do not change land use designations or the Zoning Map. 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.

**227. Finding:** The LDCU does 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.

**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.

**228. Finding:** The LDCU does not apply or remove any base zones. This policy does not apply.

**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.

**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.

**229. Finding:** The LDCU recommendation amends the following chapters of the zoning code:

- 33.110 Single-dwelling Zones
- 33.120 Multi-Dwelling Zones
- 33.270 Planned Developments
- 33.418 Constrained Sites Overlay Zone
- 33.526 Gateway Plan District
- 33.563 Northwest Hills Plan District
- 33.610 Lots in RF through R5 Zones

- 33.611 Lots in R2.5 Zone
- 33.612 Lots in Multi-Dwelling Zones
- 33.614 Lots in Employment Zones
- 33.615 Lots in Industrial Zones
- 33.630 Tree Preservation
- 33.631 Sites in Flood Hazard Areas
- 33.632 Sites in Potential Landslide Hazard Areas
- 33.633 Phased Land Divisions and Staged Final Plats
- 33.634 Required Recreation Area
- 33.635 Clearing, Grading and Land Suitability
- 33.636 Tracts and Easements
- 33.639 Solar Access
- 33.640 Streams, Springs, Seeps, and Wetlands
- 33.641 Transportation Impacts
- 33.651 Water Service
- 33.652 Sanitary Sewer Disposal Service
- 33.653 Stormwater Management
- 33.654 Rights-of-Way
- 33.655 School District Enrollment Capacity
- 33.660 Review of Land Divisions in Open Space, Residential and IR zones
- 33.662 Review of Land Divisions in CI, Commercial/Mixed Use, E and I Zones
- 33.663 Final Plats
- 33.670 Review of Land Divisions of Manufactured Dwelling Parks
- 33.671 Review of Middle Housing Divisions
- 33.675 Replat
- 33.676 Lot Confirmation
- 33.677 Property Line Adjustment
- 33.730 Quasi-Judicial Procedures
- 33.854 Planned Development Review
- 33.930 Measurements

Section VII of the Recommended Draft presents the legislative amendments to the Zoning Code to implement the concepts presented in this ordinance. 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. Area-Specific Plans

As required by 2035 Comprehensive Plan Policy 1.19, the following area-specific plan provides additional policy direction that is relevant within the policy framework provided by the overall Comprehensive Plan.

**230. Finding:** Council finds that the amendments do not affect any area-specific plan.

## Part V. 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.

**231. Finding:** The findings in this exhibit demonstrate how the LDCU 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 of individual zoning code sections are provided below.

The Council interprets this criterion to require the ordinance to be consistent with the Comprehensive Plan. Council notes that the Comprehensive Plan 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.”

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 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.” Additional findings in response to Policy 1.10 describe how the Council interprets “equally or more supportive” are incorporated here by reference.

PCC 33.835.040.A requires Council to demonstrate that the LDCU amendments are consistent with, or adhere to, the entire Comprehensive Plan. PCC 33.835.040.A does not require Council to demonstrate that the amendments are consistent with, or adhere 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 LDCU amendments are consistent with all the individual goals and policies.

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 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 of individual goals and policies, but rather amendments must be equally or more supportive of the entire Comprehensive Plan. Therefore, 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. 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.

Applying both the Zoning Code criterion and Policy 1.10 together, as discussed above, Council finds that the ordinance is consistent and complies with the Comprehensive Plan.

Council also finds that this criterion requires Council to consider whether the LDCU amendments are consistent with the Urban Growth Management Functional Plan and Statewide Planning Goals. As discussed fully above, Council finds that the LDCU amendments are consistent with both the Urban Growth Management Functional Plan and the Statewide Planning Goals.

Finally, as discussed below, this ordinance is consistent with the applicable intent or purpose statement for the base zones, overlay zones, plan district, use and development standards where the amendments have been proposed. The amendments in LDCU focus on the Chapters that implement the Land Division regulations, generally the 600's series of chapters. This includes revising the Purpose Statement in several chapters, shown below. Other amended code sections are reviewed below against their purpose statements. In situations where the Purpose Statements are being amended, they are provided with the changes shown below.

For all of these reasons, Council finds that the LDCU 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.

No new plan district has been proposed, therefore the criteria in 33.500.050 do not apply. Additionally, Council finds that the proposed amendments are consistent with plans associated with the regulations, including area plans.

Several technical amendments are made to clarify wording or references within certain chapters to the Land Division regulations and procedures. These technical amendments are done to increase clarity in the use of the Zoning Code as stated in the findings for Chapter 10 of the Comprehensive Plan. These technical amendments include small changes throughout Title 33, as noted in Section VII of the Recommended Draft Report. They do not impact compliance with the Purpose Statement for these chapters.

### **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.

**232. Finding:** The changes to this chapter include the addition of shared court development standards, as these are allowed through changes to 33.654. Shared courts provide shared pedestrian/vehicular access to a limited number of lots with one or two dwellings, consistent and compatible with the scale of the single dwelling neighborhood.

### **33.120 Multi-Dwelling Zones**

#### **33.120.010 Purpose**

The multi-dwelling zones are intended to preserve land for urban housing and to provide opportunities for multi-dwelling housing.

**233. Finding:** The changes to this chapter include revisions to when lots are eligible for development. These changes provide consistency with the structure in the single dwelling zones, but incorporate different lot size thresholds that are generally consistent with the lot size standards for land divisions in multi dwelling zones. This will continue to preserve land for urban housing and multi dwelling housing, as the use and development standards are not changing. The other change moves shared court development standards into their own section and includes minor revisions to maintain consistency with similar standards in the single dwelling zones

### **33.610 Lots in RF through R5 Zones**

#### **33.611 Lots in R2.5 Zone**

##### **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.

**234. Finding.** These two chapters were combined for improved code efficiency and greater consistency. The purpose statement for Chapter 33.610 was modified to include reference to the R2.5 zones as a result. The remaining changes in 33.610 (that also affect the R2.5 zone) include the addition of a maximum lot size for cottage clusters, which is consistent with the base zone development standards for cottage clusters; revisions to remove minimum lot width criteria that acknowledge the new narrow lot dimension standards for attached houses; and the creation of clear an objective standards to supplement discretionary criteria for regular lot lines and vehicle access regulations. These changes do not affect the lot dimensional requirements that already applied.

### **33.612 Lots in Multi-Dwelling 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.

**235. Finding.** These changes add lot dimension standards for cottage clusters, which were previously omitted, but are consistent with lot dimension standards in the base zone. Additional lot dimensions were added for improved consistency with the desired character of the zones, while setting minimum dimensions that better ensure the lots will be able to support the allowed development and intensity of the zone.

### **33.630 Tree Preservation**

#### **33.630.010 Purpose**

The land division process provides the flexibility and opportunity to promote creative site design that considers multiple objectives, including integration of trees. The regulations of this chapter require that trees be considered early in the design process with the goal of preserving high value trees and mitigating for the loss of trees.

**236. Finding.** These changes separate the preservation standards from the supplementary criteria an enable them to function independently as “either/or” regulations. This change was made to conform to ORS 197A.400 requirements that residential development be subjected only to clear and objective standards, but that an alternative discretionary path may also be made available provided the criteria allow for the same or greater dwelling density. The changes to 33.630 also increased the preservation standard to offset the qualitative assessment that coincides with review discretion. These changes are consistent with the stated purpose, as they provide flexibility and promote creative site design that can better integrate trees, either through the standards or the review criteria.

### **33.631 Sites in Flood Hazard Areas**

#### **33.631.010 Purpose**

**237.** The regulations for lands subject to regular or periodic flooding will help minimize public and private losses from flooding. The standards and approval criteria limit the creation of lots on lands subject to flood in order to direct development away from hazardous areas. The standards and approval criteria promote the safety and well-being of citizens and protect property while preserving the natural function of floodplains.

**238. Finding.** The changes in this chapter serve to provide a set of clear and objective approval standards, in order to conform to ORS 197A.400 requirements that residential development be subjected only to clear and objective standards, but that an alternative discretionary path may also be made available provided the criteria allow for the same or greater dwelling density. The standards continue to limit the creation of lots in flood hazard areas, promote the safety of the public and protect property while maintaining natural functions of flood plains by restricting lots and development from encroaching into the combined flood hazard area.

### **33.632 Sites in Potential Landslide Hazard Areas**

#### **33.632.010 Purpose**

The regulations approval criterion for lands subject to landslide will help minimize public and private losses as a result of landslides. The regulations approval criterion limits the creation of lots on land subject to landslide hazard in order to direct development away from hazardous areas. The regulations approval criterion ensures that lots and development are located on a portion of the site that is suitable for development where the risk of a landslide is reasonably limited. In some cases, ~~the approval criterion will result in requirements to stabilize sites~~ will require stabilization through engineered solutions.

**239. Finding.** The changes in this chapter serve to provide a set of clear and objective approval standards, in order to conform to ORS 197A.400 requirements that residential development be subjected only to clear and objective standards, but that an alternative discretionary path may also be made available provided the criteria allow for the same or greater dwelling density. The standards are restricted to land division proposals in single dwelling zones proposing no more than 2 lots to limit the exposure of risk that is unable to be independently verified since such verification necessitates the use of professional judgment and discretion. The other paramount change to this chapter is the inclusion of an updated potential landslide hazard area map, using

the most recent data available through the State. While the map reflects better data and greater topographic accuracy, independent site verification is still necessary in order to consider the individualized soil, slope, and hydrologic characteristics. Nevertheless, the standards require a report from a qualified geotechnical engineer and engineering geologist to address site design and reasonably limit risk of landslides.

### **33.634 Required Recreation Area**

#### **33.634.010 Purpose**

Providing area for recreation ensures that the recreational needs of those who will live on the site will be accommodated. Large land divisions — ~~those that will create a minimum of 40 new dwelling units~~ — create a neighborhood that is big enough to warrant a recreation area that is accessible to all in the new community. Creating the space for recreation at the time of the land division is the most efficient way to ensure that the space is created. The land division process provides the opportunity to design the recreation area so that it relates to the lot and street pattern of the land division.

**240. Finding.** The purpose statement was amended to reflect the threshold change from numbers of units, which can now vary considerably on each lot with new infill options, as well as to remove specific regulatory thresholds from the purpose statement. The chapter will continue to apply to “large” land divisions (40 or more lots) but will not require that the lots be conditioned to specific development types, as the use of “units” may have required. The changes in this chapter serve to provide a set of clear and objective approval standards, in order to conform to ORS 197A.400 requirements that residential development be subjected only to clear and objective standards, but that an alternative discretionary path may also be made available provided the criteria allow for the same or greater dwelling density. In this case, discretionary elements of the former approval criteria were converted to clear standards instead, without significantly altering the basic recreation area requirements.

### **33.635 Clearing, Grading and Land Suitability**

#### **33.635.010 Purpose**

These ~~regulations~~ approval criteria:

- Ensure limits of disturbance are reasonable given infrastructure needs, site conditions, and tree preservation requirements;
- Limit impacts of erosion and sedimentation;
- Protect water quality and aquatic habitat;
- Allow some site development activities to occur before Final Plat approval; and
- Ensure that new lots can be safely developed.

**241. Finding.** The changes in this chapter serve to provide a set of clear and objective approval standards, in order to conform to ORS 197A.400 requirements that residential development be subjected only to clear and objective standards, but that an alternative discretionary path may also be made available provided the criteria allow for the same or greater dwelling density. The standards are restricted to land division proposals that do not include new vehicular streets or alleys, and include requirements that limit areas of disturbance, protect water quality and aquatic habitat, and ensure that lots do not include contamination or unsuitable soils in order so that they may safely develop.



### **33.640 Streams, Springs, Seeps, and Wetlands**

#### **33.640.010 Purpose**

The standards in this chapter ensure that important streams, springs, seeps, and wetlands that are not already protected by the Environmental, River Environmental, or Pleasant Valley Natural Resources overlay zones ~~Overlay Zones~~, are maintained in their natural state.

**242. Finding.** Minor changes to discretionary language in the approval standards were made to conform to ORS 197A.400 requirements that residential development be subjected only to clear and objective standards. The standards limit crossings, but offer an alternative discretionary review path when a crossing is necessary. These changes continue to protect streams, springs, seeps, and wetlands in their natural state.

### **33.641 Transportation Impacts**

#### **33.641.010 Purpose**

The regulations of this chapter allow the traffic impacts caused by dividing and then developing land to be identified, evaluated, and mitigated for if necessary. ~~Small land divisions involving only a few dwelling units may not require a formal transportation impact study, while it might be required for larger projects.~~ The purpose of a transportation impact study is to assess the effects of routing or volume of traffic in the vicinity of the site on traffic conditions, transit, and pedestrian and bicycle movement, ~~and neighborhood livability.~~

**243. Finding.** The purpose statement has been modified to align with changes made to the regulations in this chapter. Those changes serve to provide a set of clear and objective approval standards, in order to conform to ORS 197A.400 requirements that residential development be subjected only to clear and objective standards, but that an alternative discretionary path may also be made available provided the criteria allow for the same or greater dwelling density. The purpose statement noted that discretion could be applied to smaller land divisions “may not require” an impact study. The standards stipulate a threshold of 10 lots, below which an impact study is not required or 250 net new daily vehicular trips as demonstrated in an impact study. Projects that meet those standards are not required to apply the mitigation measures identified in the criteria. The changes continue to allow traffic impacts to be identified, but the changes enact greater clarity on when it is necessary to be evaluated and mitigate those impacts.

### **33.651 Water Service**

#### **33.651.010 Purpose**

Water service provides water for public health and emergency purpose, including fire suppression. These standards ensure that the public water system will serve each lot in the land division and, where appropriate, will extend through the land division to reach adjacent sites. They will result in an efficient, flexible water distribution system that can serve a variety of development configurations while minimizing overall development costs.

**244. Finding.** This chapter includes a technical determination of preliminary engineering design. It is already a clear and objective requirement. The change in this chapter is to reinforce that the creation of new lot lines may not eliminate the water service to existing development

### **33.652 Sanitary Sewer Disposal Service**

#### **33.652.010 Purpose**

The sanitary sewer disposal service standards protect the public health by providing for the safe and sanitary collection, treatment, and disposal of waste products from development in the land division.

These standards will result in an efficient, flexible sewer system that can serve a variety of development configurations within reasonable overall development costs.

**245.** Finding. This chapter includes a technical determination of preliminary engineering design. It is already a clear and objective requirement. The change in this chapter is to reinforce that the creation of new lot lines may not eliminate the sewer service to existing development

### 33.653 Stormwater Management

#### 33.653.010 Purpose

These regulations provide for the efficient and flexible placement of stormwater facilities serving a variety of development configurations. The standards and criteria of this chapter recognize that on-site stormwater facilities may be land intensive and site specific, consequently affecting the arrangement of lots and streets. These regulations ensure that the land division site has an adequate area and an appropriate location for stormwater facilities. ~~The approval criteria ensure that it is feasible to develop a stormwater system that will have adequate capacity for the developed site.~~

**246.** Finding. This chapter, which addresses engineering requirements for stormwater design, included discretionary criteria. These changes converted the chapter to a technical determination like the other service standards, and removed the discretionary criteria. Determinations are made in conformance with the City's Stormwater Management Manual. The revisions to the purpose statement simply reflect this change.

### 33.654 Rights-of-Way

#### 33.654.010 Purpose

Rights-of-way provide for movement and access to, within, and through a land division site by pedestrians, bicycles, and motor vehicles. These regulations ensure that the right-of-way system will serve each lot in the land division. Where possible, the system will extend through the land division to reach adjacent sites. Constraints, such as steep slopes or environmental zones on or near the site may influence the location or preclude connected rights-of-way. These regulations protect the public health and safety by ensuring safe movement and access for emergency and service vehicles.

**247.** Finding. This chapter includes a combination of technical determinations and land use decision making. The changes reinforce the technical determination of preliminary engineering right of way design. Those determinations are made in conformance with PBOT's Development Review Manual. Decisions about when street connectivity is required are land use decisions, and changes to the chapter were necessary in order to create a complimentary set of clear and objective standards in conformance with ORS 197A.400. The approach to those standards was to set the basic requirement for new street connections when existing through street spacing exceeded 530 feet, but allow the discretionary criteria to be used when the applicant chooses to factor in constraints to those connection requirements. In that way, the purpose of providing safe movement and access through the land division site is ensured, while constraints may continue to be considered.

### 33.660 Review of Land Divisions in Open Space, Residential and IR zones

#### 33.660.010 Purpose

These regulations ensure that land divisions in residential, open space, and IR zones will be processed with the appropriate level of city and public review. This chapter establishes clear procedures and approval criteria for the land division proposal.

**248.** Finding. The amendments to this chapter reassign 2 and 3 lot land divisions that require an environmental resource review on par with 2 and 3 lot land divisions that have other constraints such as landslide hazards. The amendments also clarify that River Environmental and Pleasant Valley natural resource reviews are considered to be environmental reviews. Additionally, the requirement for a Type III review for land divisions in the OS zone deleted. Going forward, the number of lots proposed and whether the site has constraints will determine the procedure level for a land division in the OS zone. OS zoned land isn't often subdivided or partitioned and there is no compelling reason to treat these land division requests with a higher procedural review than other residential land divisions in terms of procedure type.

### **33.662 Review of Land Divisions in CI, Commercial/Mixed Use, E and I Zones**

#### **33.662.010 Purpose**

These regulations ensure that land divisions in non-residential zones will be processed with the appropriate level of city and public review. This chapter establishes clear procedures and approval criteria for the land division proposal.

**249.** Finding. The amendments to this chapter reassign 2 and 3 lot land divisions that require an environmental resource review on par with 2 and 3 lot land divisions that have other constraints such as landslide hazards. The amendments also clarify that River Environmental and Pleasant Valley natural resource reviews are considered to be environmental reviews.

### **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.

**250.** Finding. There are a number of small technical changes for clarification and general administrative consistency. In addition, the changes include clarification related to the minimum lot size that applies to Employment and Industrial zones when the lots do not presently meet one of the minimum size standards. This is consistent with the purpose of ensuring that the property line adjustment does not result in properties that no longer meet the requirements of this Title.

--END --