

Exhibit A: Findings of Fact Report

May 2024

Findings on Statewide Planning Goals

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

- **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:
 - Provide a wide range of opportunities for involvement in planning and investment decisions.
 - Achieve greater equity in land use actions through setting priorities and making decisions with meaningful involvement of under-served and under-represented communities.
 - Meaningfully involve, in decision making, those who potentially will be adversely affected by the results of those decisions.
 - Provide this meaningful involvement throughout the phases of planning and investment projects - issue identification and project design through implementation, monitoring, evaluation, and enforcement.
 - Provide well-designed, relevant, responsive, and culturally responsive public involvement.
 - 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 RICAP 10 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.

2. 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.*

- **Finding:** 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 Commission and City Council that are incorporated in the record that provides the adequate factual basis for this decision. The Council legislative record specifically incorporates all materials linked on the project website, the reports, memos and presentations provided to the Planning and Sustainability Commission and City Council, the written and verbal testimony submitted to the Planning and Sustainability Commission and City Council, and notices sent to the public, and the RICAP 10 electronic box available at efiles.portlandoregon.gov/Record/16274006 that contains reports, documents, and information related to the project. On the Bureau of Planning and Sustainability's website, the

following link www.portland.gov/bps/planning/ricap10/documents 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.

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

- **Finding:** As noted below in the findings for the 2035 Comprehensive Plan, the RICAP 10 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.

RICAP 10 Items #25 through #31 address historic resources. Most are technical amendments that clarify or remove inconsistencies to the regulations for historic resources. Two minor policy changes (Items # 26 and #30), clarify rules for alterations to historic resources and in historic districts to make it easier for owners to implement upgrades while maintaining the integrity of the resource or district. Therefore, the RICAP 10 amendments are consistent with the historic elements of Goal 5.

4. 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.*

- **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. Item #76 proposes a change to certain lands in the River Industrial overlay zone to allow non-river dependent or river related uses on the upland portion of a site in that zone that is not adjacent to the Willamette River. The underlying industrial zoning will not change and the use will remain industrial. The change will allow underutilized industrial land in the River Industrial overlay zone to be put to better use by removing the river dependent requirement. The RICAP 10 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.

Key to understanding the scope of RICAP 10 is that it is one of an ongoing series of code maintenance projects. The issues addressed are intentionally small in scope, with a focus on simple technical amendments, clarifications, and refinements to the zoning code. It therefore follows that the impacts of individual items will be minor; however, the 80+ amendments cumulatively support a more efficient and better functioning zoning code. The RICAP 10 amendments were selected from a database with over 450 requests for code amendments. The selection process narrowed the list of amendments to include those that aligned with

three themes: housing production, economic development, and regulatory reduction. The 25 items within the economic development theme focus on clarifications and to refinements regulations for the Central City Plan District, home occupations, and temporary construction staging. Together, these amendments support business recovery and growth by streamlining regulations that make it easier for development both in the central city and beyond and also expanding the allowances for Portlanders to operate home-based businesses. These amendments are supportive of the creation of economic opportunities in Portland.

As noted below in the findings for the 2035 Comprehensive Plan, the RICAP 10 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.

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

- **Finding:** The City recently adopted an update to its Housing Needs Analysis (HNA) and Buildable Lands Inventory (BLI), through Ordinance 191547 on December 13, 2023, and are in the process of being acknowledge by LCDC. These documents provide an update on the state of the housing supply, housing affordability issues, the anticipated housing demand through 2045, and the supply of land available to provide the housing. These reports were adopted as supporting documents to the acknowledged 2035 Comprehensive Plan (Ordinance 187832). This demonstrated compliance with Statewide Land Use Goal 10. 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.

The RICAP 10 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. RICAP 10 supports Goal 10.

RICAP 10 is one of an ongoing series of code maintenance projects. The issues addressed are intentionally small in scope, with a focus on simple technical amendments, clarifications, and refinements to the zoning code. It therefore follows that the impacts of individual items will be minor; however, the 80+ amendments cumulatively support a more efficient and better functioning zoning code. The RICAP 10 amendments were selected from a database with over 450 requests for code amendments. The selection process narrowed the list of amendments to include those that aligned with three themes: housing production, economic development, and regulatory reduction. The 31 items within the housing production theme focus on clarifications to regulations for ground floor windows and street-facing facades, most of which impact multi-dwelling and mixed-use buildings, and also refinements to regulations in the Design overlay zone and for historic resources. Together, these amendments streamline regulations that make it easier for development of new housing and alterations to existing housing stock. These amendments are therefore supportive of producing housing in Portland.

As noted below in the findings for the 2035 Comprehensive Plan, the RICAP 10 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.

6. 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.*

- **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.

RICAP 10 contains two amendments that propose minor changes to the River overlay zones. Item #76 will allow non-river dependent or river relevant uses on a publicly owned site in the River Industrial zone. The current code contains a use restriction in the River Industrial overlay zone that limits uses on sites (all lots within an ownership) with river frontage to river-dependent or river-related uses. RICAP 10 includes a new exception that would allow non-river dependent and non-river dependent uses on an underutilized publicly-owned lot in the River Industrial overlay zone that does not have river frontage. With this amendment, the land in question would remain in industrial use and would maintain the economic quality of the land, and will optimize that use on an underutilized piece of land that is currently required to contain a river-dependent use despite the fact that the lot does not have river frontage and has not had a river-dependent use for over 20 years. For the purposes of the river dependency standard, the “site” this applies to is defined as the ownership of any contiguous lots. There is currently a river-dependent use on the lots within the site with river frontage. This change would only apply to the lots within the site that do not have river frontage. The change will allow the public agency to better utilize the site and maximize its economic qualities as an industrial site. As such, it is consistent with Goal 15.

Item #77 is a clarification to an exemption for improvements in a developed right-of-way located in the River Environmental zone. The current exemption narrowly applies to only public street and sidewalk improvements. This change would expand that to allow for other types of improvements in the developed right-of-way such as bike lanes or bioswales. This does not change the natural qualities of lands within the River Environmental zone since it only applies within an already developed right-of-way. Therefore, the amendment is consistent with Statewide Planning Goal 15.

Findings on Metro Functional Plan

- 7.** 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. Only the titles addressed below are relevant or applicable.
- 8. 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.
 - **Finding:** As discussed above under in the findings for Goal 10, the RICAP 10 amendments are simple technical changes and minor policy amendments, some of which focus on clarifying and

refining existing regulations that impact housing development. While these amendments may be in the realm of housing development, RICAP 10 is a zoning code maintenance project that does not include any major policy changes that would change the allowable housing capacity within the city. Nor does RICAP 10 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.

9. 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.

- **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 in the finding for Goal 9 above, the City's acknowledged EOA analyzed and demonstrated adequate growth capacity for a diverse range of employment uses. The RICAP 10 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.

10. 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.

- **Finding:** Required notice was provided to Metro on January 22, 2024. Title 8 also requires the City to provide findings of compliance with the Urban Growth Management Functional Plan. Council

considered all the metro urban growth management functional plan titles and finds that only Titles #1 and #4 are applicable. These findings meet this requirement. All applicable requirements of Title 8 have been met.

Findings on Portland's Comprehensive Plan

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

- **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 contributions of the RICAP 10 amendments to this principle are the 25 amendments in the economic development topic area that focus on zoning code amendments to support business recovery and business growth in Portland. The economic development amendments are divided into three bundles: Central City, Home occupations, and Temporary activities. The Central City items generally aim to clarify code in the Central City Plan District. The Home occupations bundle relaxes the rules for home-based businesses and aligns the zoning code with recent state legislation and rule changes regarding home-based childcare. Inconsistencies and implementation issues related to Accessory Short Term Rentals are also addressed. The Temporary activities bundle adds more flexibility for temporary construction activities for development sites. The amendments related to childcare are also supportive of household prosperity. The overall intent of the Economic Development amendments and of RICAP 10 in general is to support business growth, recovery, and resilience. It is, however, important to note that the RICAP 10 amendments are intentionally small in scope, with a focus on simple technical amendments, clarifications, and refinements to the zoning code. It therefore follows that the impact of individual items will be minor; however, the amendments cumulatively support a more efficient and better functioning zoning code.

Therefore, the RICAP 10 amendments are consistent with the economic prosperity guiding principle. See also findings for relevant policies in Chapters 5 and 6.

12. 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.

- **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. Some of the RICAP 10 amendments are specifically intended to address inequities in the zoning code. The relaxation of the rules for home-based businesses are targeted at small businesses, an

increasing number of which are owned by women of color. Minority-owned small businesses suffered disproportionately during the COVID-19 pandemic, and these amendments will make temporary relief measures for home-based businesses permanent. Easing the home occupation regulations was an action that was identified by the Spatial Justice Working Group (SJWG), a group of BIPOC Portlanders convened by BPS in 2020 to identify ways of using the zoning code to further racial justice. Another RICAP 10 amendment deletes from the zoning code the convenience store chapter, which targeted a single group of retail establishments—often including those managed or owned by underrepresented groups. The SJWG identified this chapter as imposing a disproportionate burden on environmental justice communities. Another technical amendment removes a phrase with racist roots from the zoning code.

Therefore, the RICAP 10 amendments are consistent with the equity guiding principle.

13. 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.

- **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.” RICAP 10 contains two zoning code amendments that could help Portland recover after natural hazards and disasters. One amendment to the Northwest Hills plan district revises the prohibitions on soil-exposing activities in the Balch Creek and Forest Park subdistricts to clarify where they apply and amends the exception to allow for emergency procedures, like landslide repair. Another amendment to the River Environmental overlay zone allows any type of improvement within a developed public right-of-way to be exempt from the overlay regulations. Currently, only street and sidewalk improvements are exempt. Both of these amendments will help increase Portland’s resilience after hazards and disasters.

Therefore, the RICAP 10 amendments are consistent with the resilience guiding principle.

14. 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.

- **Finding:** The Portland Zoning Code is one of the Comprehensive Plan’s implementation tools. RICAP 10 is one of an ongoing series of code maintenance projects. The issues addressed are intentionally small in scope, with a focus on simple technical amendments, clarifications, and refinements to the zoning code. It therefore follows that the impact of individual items will be minor; however, the amendments cumulatively support a more efficient, flexible, and better functioning zoning code. RICAP 10 contains 83 technical and minor policy zoning code amendments. The amendments clarify and refine existing zoning code regulations making them more predictable and fairer. The amendments contained in RICAP 10 were identified by city staff and the public as hindering desirable development. Together, the RICAP 10 amendments streamline regulations that make it easier for development both in the Central City and beyond. Therefore, this goal is met.

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

- **Finding:** Title 33 is the adopted and effective zoning code tool for the city. RICAP 10 is one of an ongoing series of code maintenance projects. The issues addressed are intentionally small in scope, with a focus on simple technical amendments, clarifications, and refinements to the zoning code. It therefore follows that the impact of individual items will be minor; however, the amendments cumulatively support a more efficient and better functioning zoning code. RICAP 10 contains 83 technical and minor policy zoning code amendments. The amendments clarify and refine existing zoning code regulations making them more predictable and fairer. The amendments contained in RICAP 10 were identified by city staff and the public as hindering desirable development. Together, these amendments streamline regulations that make it easier for development both in the Central City and beyond.

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

- **Finding.** RICAP 10 is one of an ongoing series of code maintenance projects. The issues addressed are intentionally small in scope, with a focus on simple technical amendments, clarifications, and refinements to the zoning code. It therefore follows that the impact of individual items will be minor; however, the amendments cumulatively support a more efficient and better functioning zoning code. One of the RICAP 10 amendments will update the Zoning Map to remove obsolete special street setbacks that no longer align with city policy. These setbacks apply to portions of six streets that are current or former state rights-of-way. The special setback standards were established by ordinances adopted between 1950 and 1981. Generally, these setbacks were a mechanism to give PBOT opportunities to ask for future dedications. However, other opportunities for PBOT to require street dedications with new development have been created since 1981, and these special setbacks are obsolete. The amendment will update the zoning quarter section maps to delete these special street setbacks.

17. 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.

- **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 RICAP 10 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.

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 purpose of the RICAP 10 amendments is to continue the ongoing series of regulatory improvements through minor technical updates, clarifications, and refinements to Portland’s zoning regulations.

City Council has considered all the Comprehensive Plan guiding principles, goals, and policies and has found that the following guiding principles, goals, and policies apply to the RICAP 10 Amendments:

- Guiding Principle, Economic Prosperity
- Guiding Principle, Equity
- Guiding Principle, Resilience
- Goal 1.D: Implementation tools
- Policy 1.4. Zoning Code
- Policy 1.5 Zoning Map
- Policy 1.10. Compliance with the Comprehensive Plan

- Policy 1.15. Intergovernmental coordination
- Goals 2.A through 2.G: Community involvement
- Policies 2.3 through 2.4. Environmental justice
- Policy 2.15. Documentation and feedback
- Policy 2.20. Review bodies
- Policies 2.24 through 2.37. Process design and evaluation
- Policies 2.38 through 2.41. Information design and notification
- GOAL 3.A: A city designed for people
- Policy 3.8. Leadership and innovation in design
- Policies 3.21 through 3.26. Central City
- Policies 3.27 through 3.30. Gateway Regional Center
- Policy 3.72 Industry and port facilities
- Policy 3.82. Willamette River Greenway
- Policies 3.92 through 3.97 Eastern Neighborhoods Pattern Area
- Goal 4.A: Context-sensitive design and development
- Goal 4.B: Historic and cultural resources
- Policy 4.1. Pattern areas
- Policy 4.3. Site and context
- Policy 4.6. Street orientation
- Policy 4.7. Development and public spaces
- Policy 4.11. Access to light and air
- Policies 4.15 through 4.19 Residential areas
- Policies 4.20 through 4.29 Design and development of centers and corridors
- Policies 4.41 through 4.45 Scenic resources
- Policies 4.46 through 4.58 Historic and cultural resources
- Policy 4.60. Rehabilitation and adaptive reuse
- Policy 4.61. Compact housing
- Policy 4.81. Disaster-resilient development
- Goal 5.A: Housing diversity
- Goal 5.B: Equitable access to housing
- Policy 5.1. Housing Supply
- Policy 5.2. Housing Growth
- Policy 5.3. Housing Potential
- Goals 6.A through 6.C: Economic development
- Policy 6.9. Small business development
- Policy 6.11. Sharing economy
- Policy 6.15. Regionally-competitive development sites
- Policy 6.16. Regulatory climate
- Policy 6.33. Central City
- Policy 6.39. Harbor access lands
- Policy 6.56 and 6.58. Campus institutions
- Policy 6.64. Small, independent businesses
- Policy 6.65. Home-based businesses
- Goals 9.A through 9.I. Transportation
- Policies 9.11 through 9.13. Land use, development, and placemaking

- Policy 9.36. Portland Harbor
- Policy 10.4. Amending the Zoning Code

Council finds that the remainder of the guiding principles, goals, and policies of the Comprehensive Plan are not applicable because they are not directly affected by the RICAP 10 Amendments. Council considered all of guiding principles, goals, and policies not identified here and determined they are not relevant and applicable here.

City Council finds that the RICAP 10 Amendments are equally or more supportive of the applicable Comprehensive Plan guiding principles, goals, and polices as discussed below.

18. 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.

- **Finding:** As demonstrated in the findings for Statewide Planning Goal 2, the City filed the required 35-day notice with the Oregon Department of Land Conservation and Development to notify other government agencies of the proposed RICAP 10 amendments. In addition, the City sent a separate legislative notice to Multnomah County, adjacent cities, Metro and TriMet. No government agencies raised issues or concerns with the RICAP 10 amendments. Therefore, this policy is met.

19. 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.

- **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 public engagement process provided opportunities for interested parties to comment on and influence the development of the RICAP 10 amendments, the Planning Commission Recommended Draft, and the final decision before City Council.

RICAP 10 is one of an ongoing series of code maintenance projects. The issues addressed are intentionally small in scope, with a focus on simple technical amendments, clarifications, and refinements to the zoning code. It therefore follows that the impact of individual items will be minor; however, the amendments cumulatively support a more efficient and better functioning zoning code. A commensurate community engagement plan was followed to inform the public of the proposed amendments and gather community input as described below.

Discussion Draft

In the spring and summer of 2023, project staff put together the In-House Draft proposal that was reviewed by BPS and other bureau staff. The feedback received then informed the Discussion Draft, published November 8, 2023. The Discussion Draft was sent to the project mailing list, which included interested members of the public, the district coalitions, and a broad range of NGO's and community groups, along with other interested stakeholders.

Proposed Draft and Planning Commission hearing

Staff then incorporated feedback on the Discussion draft into a Proposed Draft, which was released on January 31, 2024.

Mailed notice of the Proposed Draft was provided to a list of parties who request official notice of land use changes on January 22, 2024. Project staff reached out the City's district coalition offices and offered to meet with neighborhood representatives as well as public commissions to discuss the Proposed Draft. Several groups took up that offer and staff met with:

- North Portland Land Use and Transportation Group (North Portland Neighborhood Services and Northeast Coalition of Neighborhoods) – December 6, 2023
- Southeast Uplift – December 18, 2023
- Southwest Land Use and Transportation Forum – January 22, 2024
- Historic Landmarks Commission – February 12, 2024
- Design Commission – February 15, 2024
- Development Review Advisory Committee - February 15, 2024

The Planning Commission held a public hearing on the matter on February 27, 2024 and voted to recommend that City Council adopt the proposal on March 26, 2024.

Recommended Draft and City Council hearing

Project staff released the RICAP 10 Recommended Draft on May 13, 2024. Notice of the Recommended Draft was provided to all individuals who participated in the Planning Commission process and who requested project updates on May 13, 2024. The public was provided opportunities to comment and suggest amendments in front of the City Council. The City Council held a hybrid in-person/virtual public hearing on May 30, 2024 to accept oral testimony. The City Council considered the public testimony received on the Recommended Draft before voting to adopt the RICAP 10 zoning code amendments.

Therefore, these goals are met.

20. 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.

- **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.

RICAP 10 includes several amendments that extend the benefits or eliminate the burdens to environmental justice populations. The Home Occupations subgroup of amendments (Items #47-51) make permanent expanded allowances for home-based businesses that were enacted as a COVID response by City Council. Easing the home occupation regulations was an action that was identified by the Spatial Justice Working Group (SJWG), a group of BIPOC Portlanders convened by BPS in 2020 to identify ways of using the zoning code to further racial justice. The amendment allows home-based businesses to have more customers and/or employees onsite and also allows an ADU on a site with a home occupation (which previously was prohibited).

Item #76 will eliminate the Convenience Store chapter. This chapter contains special regulations that only apply to convenience store – the only Retail Sales and Service use to have special regulations. The SJWG identified this chapter as imposing a disproportionate burden on environmental justice communities since convenience stores are often owned by BIPOC or immigrant families.

Together, these amendments extend benefits and eliminate burdens of land use regulations on environmental justice communities to support the policies 2.3 and 2.4.

21. 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.

- **Finding:** As described in the findings above, the legislative process was clearly outlined in notices, documents, including how to testify to influence the Proposed Draft at the Planning Commission 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 RICAP 10 amendments are consistent with these policies.

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

- **Finding:** RICAP 10 dissolves the Adjustment Committee and turns its duties over to the Hearings Officer. Due to the purview of the Adjustment Committee being limited to a very narrow slice of land use review appeals, the committee met very infrequently – generally once or twice a year. With such limited engagement, it was difficult for committee members to develop leadership and expertise relevant to the committee purview. It was determined by staff to be an inefficient use of the committee member’s and staff’s time. It is therefore more appropriate and efficient for the Hearings Officer to include these appeals cases with its other caseload of appeals. Therefore, this amendment is consistent with this policy.

23. 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.

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

The RICAP 10 Proposed Draft was informed by targeted engagement that included meetings with several neighborhood groups.

A project website was updated with information about engagement opportunities and maintained throughout the legislative process. During the Proposed Draft phase, project staff provided informational briefing to the Planning Commission, which then held a public hearing on February 27, 2024.

During the Recommended Draft phase, project staff fielded questions from interested parties and offered additional briefings to neighborhood groups. The City Council held a public hearing on May 30, 2024.

The Planning Commission and City Council hearings were hybrid meetings, allowing the public to testify virtually using a telephone, mobile device, or computer or to testify in person. The hearings were also streamed on YouTube and televised. The RICAP 10 amendments are consistent with these policies.

24. 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.

- **Finding:** Consistent with Policies 2.38 through 2.41, and BPS community involvement practices, meetings, open house events, 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 January 22, 2024 of the February 27, 2024 Planning Commission hearing to interested parties, including neighborhood associations, community groups, other stakeholders, and those that have requested notice of proposed land use changes. The City sent a legislative notice on May 13, 2024 to interested parties, and others that participated in the Planning Commission hearings to inform them of the opportunity to testify at the May 30, 2024 City Council public hearing. Therefore, the amendments are consistent with these policies.

25. 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.

- **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.

RICAP is one of an ongoing series of technical and minor policy improvements to the City's land use regulations. RICAP addresses simpler technical matters, clarifications, and refinements to the zoning code. The RICAP 10 amendments—organized along the themes of housing production, economic development, and regulatory reduction—are intended to further prosperity and resilience while reducing disparities. By refining and clarifying the zoning code as proposed in RICAP 10, the amendments can better encourage new development, redevelopment, and public investments that help create a healthy connected city. Therefore, this goal is met.

26. 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.

- **Finding:** There are 31 amendments in the housing production topic area of RICAP 10 that generally affect development in the single dwelling, multi-dwelling, and mixed-use zones. The housing production topic area also includes code amendments that address implementation issues with recently-adopted code projects related to historic resources and the Design overlay zone. More specifically, the amendments clarify and revise design-related code standards related to ground floors, ground floor facades, windows, entrances, balconies, and other features of the built environment. The Historic Resources bundle includes amendments that remove conflicts, clarify exemptions, and fix inconsistencies. Additionally, RICAP 10 includes design-related amendments to address zoning code implementation issues in the Central City plan district—such as correcting where exterior display is allowed in the EX zone, clarifying where and when minor projections are allowed above base height limits, and deleting the Central City windows standard in favor of the base zone standard that is being updated to be consistent with the CX zone. Some of the amendments in the Miscellaneous regulatory clean-up bundle are also supportive of Policy 3.8. For example, removing obsolete special street setback standards from six major streets will allow more design flexibility, deleting the prohibition on housing in the Powell Boulevard Plan District and no longer regulating convenience stores different than other retail uses demonstrates the commitment to a more equitable city, and exempting cottage clusters from the Eastern Pattern Area special setbacks will encourage more innovative design solutions. Therefore, the amendments are consistent with this policy.

27. 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.

- **Finding:** Policies 3.21 through 3.26 provide direction on the desired characteristics and functions of the Central City. RICAP 10 includes at least 18 amendments related to the Central City—including 15 items in the Central City bundle of the Economic Development topic area—that are supportive of Policies 3.21 through 3.26. The Central City items generally aim to clarify the zoning code in the Central City Plan District, some of which clean-up implementation issues from code changes in the Central City 2035 Plan. Generally, the issues that RICAP 10 addresses are intentionally small in scope, with a focus on simple technical amendments, clarifications, and refinements to the zoning code. It therefore follows that the impact of individual items will be minor; however, the amendments cumulatively support a more efficient and better functioning zoning code that encourages the role and growth of the Central City. Therefore, the amendments are consistent with these policies.

28. 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.

- **Finding:** Policies 3.27 through 3.30 provide direction on the desired characteristics and functions of the Gateway Regional Center. RICAP 10 includes one zoning code amendment under the Housing Production topic area. The technical amendment clarifies how much area needs to be landscaped or hardscaped along enhanced pedestrian streets in the Gateway plan district. Although this change is small in scope, this amendment combined with all the RICAP 10 amendments support a more efficient and better functioning zoning code—including within the Gateway Regional Center. Therefore, the amendments are consistent with these policies.

29. 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 3.82. 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.

- **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 RICAP 10 amendments include one minor policy change regarding river industrial uses in the Greenway overlay zones. The amendment, under the Regulatory Reduction topic area, will allow non-river dependent uses on an upland lot owned by a public agency if the lot is adjacent to a riverfront lot owned by a public agency. This change will allow the Port of Portland to maintain maritime uses on the river frontage lot at Terminal 2 on the Willamette River and develop a new a housing manufacturing campus that will provide local manufacturing jobs on an adjacent upland lot. Therefore, the RICAP 10 amendments are consistent with Policy 3.72.

30. 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.

- **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. RICAP 10 includes a code amendment to the minimum rear building setback in the Eastern Neighborhoods Pattern Area. The amendment will exempt cottage clusters from a special minimum rear setback that applies to lots more than 100 feet deep

in the pattern area in order to allow for more flexibility in site design, while still requiring shared outdoor areas. Therefore, the RICAP 10 amendments are consistent with these policies.

31. 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.

- **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.

There are 31 amendments in the housing production topic area of RICAP 10 that generally affect development in the single dwelling, multi-dwelling, and mixed-use zones. The housing production topic area also includes code amendments that address implementation issues with recently-adopted code update projects related to historic resources and the Design overlay zone. More specifically, the amendments clarify and revise design-related code standards related to ground floors, ground floor facades, windows, entrances, balconies, and other features of the built environment. The Historic Resources bundle includes amendments that remove conflicts, clarify exemptions, and fix inconsistencies. Additionally, RICAP 10 includes design-related amendments to address zoning code implementation issues in the Central City plan district—such as correcting where exterior display is allowed in the EX zone, clarifying where and when minor projections are allowed above base height limits, and deleting the Central City windows standard in favor of the base zone standard that is being updated to be consistent with the CX zone. Some of the amendments in the Miscellaneous regulatory clean-up bundle are also supportive of Goal 4.A. For example, removing obsolete special street setback standards from six major streets will allow more design flexibility, and exempting cottage clusters from the Eastern Pattern Area special setbacks will encourage more innovative design solutions. Therefore, this goal is met.

32. 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.

- **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.”

RICAP 10 has 31 amendments in the housing production topic area that generally affect development in the single dwelling, multi-dwelling, and mixed-use zones. The housing production topic area also includes code amendments that address implementation issues with recently-adopted code update projects related to historic resources and the Design overlay zone. The Historic Resources Overlay Zone bundle includes 2 minor policy changes and 5 technical items. The changes related to historic resources are primarily to fix issues that arose during implementation of recently adopted zoning code projects, including the Historic Resources Code Project. The Central City bundle in the Economic Development topic area of RICAP 10 includes two amendments related to historic resources: one minor policy change and one technical item. These code amendments support Goal 4.B. by clarifying and adding more flexibility to the zoning code. Therefore, this goal is met.

33. 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 4.3. 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.

- **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. As mentioned above in the finding for Policies 3.92 through 3.97, RICAP 10 includes an amendment to the Eastern Neighborhoods Pattern Area that provides more flexibility in site designs while ensuring shared outdoor spaces and tree preservation is still required. Other code amendments relate to development standards that are site and context dependent, such as Item #3 that clarifies when the commercial zone height limit exception for tall ground floors can be used on a sloping site; and Item #37 that allows minor projections in historic districts in the Central City plan district where a view corridor exists if the minor projection does not interfere with the view corridor. The impact of these individual items will be minor, but the RICAP 10 amendments cumulatively support a more efficient and better functioning zoning code. Therefore, the RICAP 10 amendments are consistent with these policies.

34. 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.

- **Finding:** RICAP 10 includes several minor policy and technical code changes related to building and site design standards and the pedestrian experience. For example, the Ground floor and ground floor façade bundle within the Housing Production topic area has 11 code updates related to windows, entrances, and other ground floor design features of buildings. Most of these changes are clarifications of existing standards to make the zoning code easier to understand and implement. One minor policy change in the Central City bundle within the Economic Development topic area eliminates a confusing plan district windows above the ground floor standard in favor of an updated base zone standard—which is intended to streamline reviews. Therefore, the RICAP 10 amendments are consistent with this policy.

35. 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.

- **Finding:** RICAP 10 includes some code amendments related to development and public spaces. For example, a technical change to the Gateway plan district pedestrian standards will clarify how much area needs to be landscaped or hardscaped along enhanced pedestrian streets in the plan district. Another technical issue in the Central City bundle will correct an error on one of the plan district's base height maps to delete the shadow study requirement on O'Bryant Park itself. The shadow study requirement is supposed to apply to sites surrounding certain public open spaces, not the open spaces themselves, to ensure that the shadow cast by structures 100 feet or more in height do not cover more than 50% of the adjacent open space at a specific time of year. Therefore, the RICAP 10 amendments are consistent with this policy.

36. 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.

- **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. RICAP 10 includes some code amendments related to development standards for the height and mass of buildings. One technical issue in the Housing Production topic area will clarify when the commercial zone height limit exception for tall ground floors can be used on a sloping site. Another technical issue will delete some conflicting language for a height bonus in the CM2 zone to be used in historic and conservation districts. The Central City bundle in the Economic Development topic area contains multiple items related to height and mass of buildings in the plan district. Items # 36, 37, 38, 39, 45, and 46 are height-related amendments that primarily clarify or correct issues identified after adoption of the Central City 2035 Plan. Items # 33, 34, and 35 are mass-related amendments to floor area standards. One minor policy change will exempt Basic Utility uses from the minimum FAR requirements in the Central City plan district because such sites with mass transit stops and turnarounds or stormwater conveyance systems may be unable to meet the standard. The impact of these individual items will be minor, but the amendments cumulatively support a more efficient and better functioning zoning code. Therefore, the RICAP 10 amendments are consistent with this policy.

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

Policy 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.

- **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. RICAP 10 has 31 amendments in the housing production topic area that generally affect development in the single dwelling, multi-dwelling, and mixed-use zones. The housing production topic area also includes code amendments that address implementation issues with recently-adopted code update projects related to historic resources and the Design overlay zone. The code amendments in the historic resource bundle are supportive of adaptive reuse of existing buildings and help encourage alternatives to demolition of sound housing. Additionally, there are two items under the Regulatory Reduction topic area related to cottage clusters that will help bring more housing diversity and support compact single-family options. Therefore, the RICAP 10 amendments are consistent with these policies.

38. 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.

- **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.

RICAP 10 includes at least 18 amendments related to the Central City, Portland’s premier center for jobs, health and human services, tourism, entertainment and urban living. The amendments include 15 items in the Central City bundle of the Economic Development topic area—that are supportive of Policies 4.20 through 4.29. The Central City items generally aim to clarify the zoning code in the Central City Plan District, some of which clean-up implementation issues from code changes in the Central City 2035 Plan. RICAP 10 also includes one technical amendment in the plan district for Gateway Regional Center. RICAP 10 will also amend the Zoning Map to remove obsolete special street setbacks along six Neighborhood Corridors or Civic Corridors that were adopted between 1950 and 1981, which will increase flexible in site designs. Generally, the issues that RICAP 10 addresses are intentionally small in scope, with a focus on simple technical amendments, clarifications, and refinements to the zoning code. It therefore follows that the impact of individual items will be minor; however, the amendments cumulatively support a more efficient and better functioning zoning code that encourages the role and growth of the centers and corridors. Therefore, the RICAP 10 amendments are consistent with these policies.

39. 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.

- **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. RICAP 10 includes amendments related to scenic resources in the Central City plan district. Items # 36 and 37 provide added design flexibility for sites located within scenic view corridors, while continuing to protect and maintain established scenic view corridors in the Central City. These amendments are intended to address implementation issues that were identified after adoption of the Central City 2035 Scenic Resources Protection Plan. Therefore, the RICAP 10 amendments are consistent with these policies.

40. 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.

- **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. RICAP 10 has 31 amendments in the housing production topic area that generally affect development in the single dwelling, multi-dwelling, and mixed-use zones. The housing production topic area also includes code amendments that address implementation issues with recently-adopted code update projects related to historic resources and the Design overlay zone. The Historic Resources bundle includes 2 minor policy changes and 5 technical items. The changes related to historic resources are primarily to fix issues that arose during implementation of recently adopted zoning code projects, including the Historic Resources Code Project. The Central City bundle in the Economic Development topic area of RICAP 10 includes two amendments related to historic resources: one minor policy change and one technical item. These code amendments support Policies 4.46 through 4.58 by clarifying and adding more flexibility to the zoning code. Therefore, the RICAP 10 amendments are consistent with these policies.

41. 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.

- **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 adaptive re-use. RICAP 10 has code amendments in the historic resource bundle that are supportive of the rehabilitation and adaptive reuse of existing buildings. Additionally, there are two items under the Regulatory Reduction topic area related to cottage clusters that will help promote compact housing. A minor policy change under the Economic Development topic area will allow home occupations on a site with an accessory dwelling, and vice versa—which will make permanent a temporary measure approved as pandemic relief. Therefore, the RICAP 10 amendments are consistent with these policies.

42. 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.

- **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. RICAP 10 contains two zoning code amendments that could help Portland recover after natural hazards and disasters. One amendment to the Northwest Hills plan district revises the prohibitions on soil-exposing activities in the Balch Creek and Forest Park subdistricts to clarify where they apply and amends the exception to allow for emergency procedures, like landslide repair. Another amendment to the River Environmental overlay zone allows any type of improvement within a developed public right-of-way to be exempt from the overlay regulations. Currently, only street and sidewalk improvements are exempt. Both amendments will help encourage disaster-resilient development and improve the ability to withstand and recover from such events. Therefore, the RICAP 10 amendments are consistent with these policies.

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

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

- **Finding:** The City recently adopted an update to its Housing Needs Analysis (HNA) and Buildable Lands Inventory (BLI), through Ordinance 191547 on December 13, 2023, and are in the process of being acknowledge by LCDC. These documents provide an update on the state of the housing supply, housing affordability issues, the anticipated housing demand through 2045, and the supply of land available to provide the housing. These reports were adopted as supporting documents to the acknowledged 2035 Comprehensive Plan (Ordinance 187832). 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 RICAP 10 amendments do not change allowances for housing on the Zoning Map or reduce allowances for housing provided in the Zoning Code. RICAP 10 is one of an ongoing series of code maintenance projects. The issues addressed are intentionally small in scope, with a focus on simple technical amendments, clarifications, and refinements to the zoning code. It therefore follows that the impact of individual items will be minor; however, the amendments cumulatively support a more efficient and better functioning zoning code. RICAP 10 contains 83 technical and minor policy zoning code amendments. The amendments clarify and refine existing zoning code regulations making them more predictable and fairer. The amendments contained in RICAP 10 were identified by city staff and the public as hindering desirable development. The RICAP 10 amendments are consistent with the housing goals because they reduce regulatory burdens by making the zoning code easier to understand and implement. Furthermore, 31 of the 83 amendments specifically housing production in Portland by clarifying and refining regulations for ground floor standards, historic resources, and the Design overlay zone. Together, these amendments streamline regulations that make it easier for development both in the central city and beyond. These 25 amendments include:

- Amendments to address zoning code implementation issues for standards to the ground floor, street-facing facades and windows, which will result in easier to use development standards for homeowners and developers.

- Amendments to add flexibility in the “d’ overlay.
- Amendments for easier to implement rules for historic resources

Therefore, these goals are met.

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

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

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

- **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. RICAP 10 does not change density allowances; however, the amendments are consistent with policies to increase housing supply because they reduce regulatory burdens by making the zoning code easier to understand and implement. Therefore, the amendments are consistent with these policies.

45. 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.
- **Finding:** RICAP 10 is one of an ongoing series of zoning code maintenance projects. The issues addressed in RICAP projects are intentionally small in scope, with a focus on technical

amendments, clarifications, and minor refinements of existing zoning policy and regulation to ensure that implementation of the zoning code is predictable and consistent with legislative intent. As such, RICAP amendments remain consistent with the adopted findings, and the impact of any individual item is relatively minor. And, taken together, RICAP amendments cumulatively support a more efficient and better functioning zoning code.

RICAP 10 contains 83 technical and minor policy zoning code amendments. The amendments clarify and refine existing zoning code regulations making them more predictable and fairer. The amendments contained in RICAP 10 were identified by city staff and the public as hindering desirable development. All of the RICAP 10 amendments are consistent with the economic development goals because they reduce regulatory burdens by making the zoning code easier to understand and implement. Furthermore, 25 of the 83 amendments specifically support business recovery and business growth in Portland. Together, these amendments streamline regulations and streamline development in the central city and beyond. These 25 amendments include:

- Amendments to address zoning code implementation issues in the Central City plan district;
- Amendments to increase flexibility and certainty for home-based businesses including registered and certified childcare, accessory home occupations, and accessory short-term rentals;
- Clarification and expansion of temporary activities regulations that support construction activities; and
- Removing burdensome convenience store regulations that do not apply to other, similar retail sales and service uses.

46. 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.

- **Finding:** The RICAP 10 amendments supports the success and growth of businesses, including small businesses by clarifying unclear and confusing regulations, which in turn makes the zoning code more predictable and easier to understand and implement. In addition, several amendments are specifically targeted at clarifying and improving the regulations for small home-based businesses. These amendments include:
 - Increasing the number of customers and employees allowed per day on a site with an accessory home occupation;
 - Allowing an accessory dwelling unit on a site that also has an accessory home occupation; and
 - Clarifying and streamlining regulations for in-home childcare.

47. 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.

- **Finding:** RICAP 10 includes amendments intended to streamline and clarify regulations related to one type of sharing economy—Accessory Short-Term Rentals (ASTR). The ASTR regulations (33.207) allow a long-term resident of a dwelling unit to rent up to 5 bedrooms in their residence

on a short-term, or nightly, basis. In residential zones, the regulations do not allow short-term renting without a long-term tenant living in the dwelling. While allowing short-term rental of unused bedroom in a home is part of the sharing economy, the requirement to have a long-term resident ensures that long-term housing in residential zones is not converted to short-term commercial hotel use.

There are two RICAP 10 amendments that support this policy:

- Amendment #50 removes the requirement for a conditional use review for an ASTR that will rent 3 to 5 bedrooms in a zone that allows commercial retail uses (C, E and I zones). The conditional use review adds time and cost to permitting and, in this case, the review is not relevant or appropriate because the approval criteria are all related to allowing commercial uses in residential zones. In zones that allow commercial uses, a 3 to 5 bedroom ASTR can be regulated as a retail use rather than a residential use.
- Amendment #51 contains 4 individual amendments that facilitate the implementation and enforcement of the ASTR regulations. Two of the amendments simplify the permit application process by deleting the requirement for notarized signatures on the application form and the requirement to list the names and addresses of those who received the required notice. Amendment #51 also adds limitation on advertising of ASTRs. The amendment prohibits the advertising of more than the approved number of bedrooms or guests. This will give the BDS Compliance Division additional tools to try to rein in whole-house short-term rentals, which is not allowed in residential zones.

48. 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.

- **Finding:** Amendment #76 will help improve the competitiveness of one underutilized site in the Portland Harbor—the Port of Portland’s Terminal 2. Currently, non-river dependent uses are not allowed on riverfront sites in the River Industrial overlay zone without a greenway review, and the review must find that the site is unsuitable for river-dependent uses. Amendment #76 will allow non-river dependent uses on an upland lot owned by a public agency if the lot is adjacent to a river frontage lot that is also owned by a public agency. This change will allow the Port of Portland to maintain maritime uses on the river frontage lot at Terminal 2 and develop a new a housing manufacturing campus that will provide local manufacturing jobs on the adjacent upland lot.

49. 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.

- **Finding:** RICAP 10 contains 83 technical and minor policy zoning code amendments. The amendments improve the development review process by clarify confusing and hard to implements zoning code regulations making them more predictable and, therefore, fairer. The amendments contained in RICAP 10 were identified by city staff and the public as hindering desirable development. RICAP amendments cumulatively support a more efficient and better functioning zoning code. Additional findings related to improving regulations are found in response to Policy 10.4 and are incorporated here.

50. 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.

- **Finding:** Fifteen of the 83 RICAP 10 technical and minor policy zoning code amendments specifically support business recovery and business growth in the Central City. These amendments include clarifications of existing unclear code requirements, corrections to maximum height maps and the addition of an allowance for minor projects above maximum height limits, removal of an unclear Central City window standard in favor of the base zone window standards, and clarification of how preservation parking is regulated. The amendments refine existing zoning code regulations making them more predictable and easier to understand and implement, which can reduce the time and cost associated with development.

51. 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.

- **Finding:** The River Industrial overlay zone implements this policy by restricting uses on river frontage sites to river-dependent or river-related uses unless the site is found to be unsuitable for such uses through greenway review (33.440.100.B). Amendment #76 will allow non-river-dependent uses on the upland portion of one Willamette River frontage site in the River Industrial overlay zone. The site is Terminal 2, an underutilized marine terminal near downtown Portland owned by the Port of Portland. The site is comprised of two parcels—one parcel has river frontage, and one is an upland parcel that does not front the river. The River Industrial overlay zone use restriction applies to “sites with river frontage”, and the zoning code defines a site as an ownership, therefore, the river-dependent or river-related use restriction currently applies to the entire Port ownership that is Terminal 2. Amendment #76 is limited to Terminal 2, and the non-river-dependent use is limited to the upland portion of the site. This will allow the Port of Portland to maintain the existing river-dependent use on the parcel that has access to the river and develop a new a housing manufacturing campus that will provide local manufacturing jobs on the adjacent upland parcel. While the site is suitable for the existing river-dependent use—a docking facility for a United States Army Corp of Engineers—the entire Terminal 2 site is no longer suitable as a marine terminal. Terminal 2 became a public marine terminal after World War II. Operations included cargo handling of lumber, plywood, pulp, and steel, storage, and equipment maintenance, however, Terminal 2 is not large enough for contemporary marine industrial use and has been vacant for nearly 10 years. This amendment is consistent with Policy 6.39 because it maintains the river-dependent or river-related use limitation on the portion of the site with access

to the harbor, while also allowing the Port of Portland to establish a Manufacturing And Production use on the site consistent with the underlying Heavy Industrial base zoning.

52. 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 6.58. 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.

- **Finding:** Amendment #82 eliminates need for, and cost of, on-going conditional use reviews for development that is part of an allowed use on a site that also has development that requires a conditional use. Parks and Open Areas and College uses are allowed uses in the OS and CI zones; however, a conditional use review is required for certain aspects of the park or college development such as sports fields, parking areas and swimming pools. The intent of the conditional use review requirement for certain aspects of park or college campus development is to require a conditional use for the aspects of a Park And Open Area or College use that likely have off-site impacts or livability impacts on the surrounding neighborhood including lighting, noise and parking impacts. However, the conditional use regulations in 33.815.040.B do not clearly implement this intent, and the result has been that once one aspect of development on a park or college site has gone through a conditional use review, all future development on the site has the potential to trigger a new conditional use review even when the development is part of the allowed use on the site. This amendment clarifies that if the proposed development is part of the allowed use on the site (i.e., is not related to the development that triggered the conditional use to begin with), then a new conditional use review is not required. Therefore, Amendment #82 supports the growth of major campus institutions and continues to protect the livability of neighborhoods that surround campuses by ensuring that the conditional use review process is required for development that may impact surrounding neighborhoods without unduly burdening park or college growth with unnecessary land use review processes.

53. 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.

- **Finding:** The RICAP 10 amendments support the retention and growth of small businesses, including home-based businesses by clarifying unclear and confusing regulations, which in turn makes the zoning code more predictable and easier to understand and implement. In addition, several of the RICAP 10 amendments are specifically targeted at clarifying and improving the regulations for small home-based businesses. These amendments include:

- Increasing the number of customers and employees allowed per day on a site with an accessory home occupation;
- Allowing an accessory dwelling unit on a site that also has an accessory home occupation; and
- Clarifying and streamlining regulations for in-home childcare.

54. 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.

- **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 specific policies that address the intersection between land use and transportation. Applicable policies are addressed individually below.

55. 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.

- **Finding:** Policies 9.11 through 9.13 addresses the relationship between transportation planning and adjacent land uses. The RICAP 10 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. Item #75 does amend the Zoning Map to remove special street setbacks along six Neighborhood Corridors or Civic Corridors that were adopted between 1950 and 1981. Originally these setbacks were intended as a mechanism to give PBOT opportunities to ask for future dedication. However, other opportunities for PBOT to require street dedication with new development were created in 1981 and these setbacks are now obsolete.¹ The setbacks limit opportunities for pedestrian-oriented development by requiring it to be set back from the street. Removing the setback remove that limitation and allow for more opportunities to create a broader variety of street environments suitable to different types of streets. Therefore, RICAP is consistent with these policies.

56. 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.

- **Finding:** This policy primarily addresses the design and use of transportation infrastructure, and the goal of developing a more multimodal system. The RICAP 10 amendments do not affect the design or use of transportation infrastructure. Item #76, however, does make a change to the zoning for one riverfront site along Portland Harbor.

The site is located in the River Industrial overlay zone, which restricts uses on river frontage sites to river-dependent or river-related uses unless the site is found to be unsuitable for such uses through greenway review (33.440.100.B). Amendment #76 will allow non-river-dependent uses on the upland portion of one Portland Harbor frontage site in the River Industrial overlay zone. The site is Terminal 2, an underutilized marine terminal near downtown Portland owned by the Port of Portland. The site is comprised of two parcels—one parcel has river frontage, and one is an

¹ *Citywide Review of Street Setbacks*, Portland Bureau of Planning, June 1981.

upland parcel that does not front the river. The River Industrial overlay zone use restriction applies to “sites with river frontage”, and the zoning code defines a site as an ownership, therefore, the river-dependent or river-related use restriction currently applies to the entire Port ownership that is Terminal 2. Amendment #76 is limited to Terminal 2, and the non-river-dependent use is limited to the upland portion of the site. This will allow the Port of Portland to maintain the existing river-dependent use on the parcel that has access to the river and develop a new a housing manufacturing campus that will provide local manufacturing jobs on the adjacent upland parcel. While the site is suitable for the existing river-dependent use—a docking facility for a United States Army Corp of Engineers—the entire Terminal 2 site is no longer suitable as a marine terminal. Terminal 2 became a public marine terminal after World War II. Operations included cargo handling of lumber, plywood, pulp, and steel, storage, and equipment maintenance, however, Terminal 2 is not large enough for contemporary marine industrial use and has been vacant for nearly 10 years. This amendment is consistent with Policy 9.36 because it was crafted in coordination with the Port of Portland to allow for a more productive use on the upland portion of the site while also maintaining the river-dependent use along the harbor.

57. 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.

Finding: The RICAP 10 recommendation amends the following chapters of the zoning code:

- 33.10, Legal Framework and Relationships
- 33.110, Single-Dwelling Zones
- 33.120, Multi-Dwelling Zones
- 33.130, Commercial/Mixed Use Zones

- 33.140, Employment and Industrial Zones
- 33.150, Campus Institutional Zones
- 33.203, Accessory Home Occupations
- 33.205, Accessory Dwelling Units
- 33.207, Accessory Short-Term Rentals
- 33.218, Community Design Standards
- 33.219, Convenience Stores
- 33.245, Inclusionary Housing
- 33.251, Manufactured Homes and Manufactured Dwelling Parks
- 33.258, Nonconforming Situations
- 33.266, Parking, Loading, and Transportation and Parking Demand Management
- 33.284, Self-Storage
- 33.285, Short Term, Mass, and Outdoor Shelters
- 33.288, Special Street Setbacks
- 33.296, Temporary Activities
- 33.420, Design Overlay Zone
- 33.440, Greenway Overlay Zones
- 33.445, Historic Resource Overlay Zones
- 33.475, River Overlay Zones
- 33.510, Central City Plan District
- 33.526, Gateway Plan District
- 33.563, Northwest Hills Plan District
- 33.567, Powell Boulevard Plan District
- 33.663, Final Plats
- 33.700, Administration and Enforcement
- 33.710, Review Bodies
- 33.720, Assignment of Review Bodies
- 33.730, Quasi-Judicial Procedures
- 33.740, Legislative Procedures
- 33.805, Adjustments
- 33.815, Conditional Uses
- 33.820, Conditional Use Master Plans
- 33.825, Design Review
- 33.830, Extensions to Approved Land Use Reviews
- 33.910, Definitions
- 33.920, Description of Use Categories
- **Finding:** RICAP 10 is one of an ongoing series of legislative zoning code maintenance projects. The issues addressed in RICAP projects are intentionally small in scope, with a focus on technical amendments, clarifications, and minor refinements of existing zoning policy and regulation to ensure that implementation of the zoning code is predictable and consistent with legislative intent. RICAP amendments cumulatively support a more efficient and effective zoning code.

RICAP 10 contains 83 technical and minor policy zoning code amendments. The amendments contained in RICAP 10 were identified by city staff and the public as hindering desirable development and therefore address existing and potential land problems, and are, by definition, responding to regulatory improvement suggestions.

The purpose of RICAP projects in general is to improve the zoning code—RICAP standards for Regulatory Improvement Code Amendment Project. The amendments were drafted using as clear language as possible and maintains the organization of the zoning code. Therefore, the RICAP 10 amendments are consistent with Comprehensive Plan Policy 10.4.

Area-specific plans

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

Amendments to the zoning code

58. 33.835.040.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.

- **Findings:** As demonstrated by the findings in this ordinance, the amendments are consistent with relevant Comprehensive Plan, Urban Growth Management Functional Plan and the Statewide Planning Goals. The amendments do not affect the purpose statement for any base zone, overlay zone, plan district, use, development or land division regulation. The amendments also do not create a new plan district.

RICAP 10 is one of an ongoing series of code maintenance projects. The issues addressed are intentionally small in scope, with a focus on simple technical amendments, clarifications, and refinements to the zoning code. The amendments are refinements to existing regulations and do not change the purpose statements of any of the amended regulations, with two exceptions. Two chapters are being deleted, 33.219 Convenience Stores and 33.288 Special Street Setbacks, and therefore the purpose statements for those chapters are also being deleted. As noted in the findings for Guiding Principle 4 and Policies 2.3 and 2.4, the Convenience Store chapter is being deleted because Council finds it to be inconsistent with policies for equity and environmental justice. As discussed in the findings for Policies 9.11-9.13, the Special Street Setbacks chapter is being deleted because the requirements for the setbacks have become obsolete as PBOT has found new tools for requiring street dedication with new development.² Because of these facts, the purpose statements for these chapter are no longer relevant. Therefore, this criterion is met.

Amendments to the goals and policies of the Comprehensive Plan

59. 33.835.040.B, Amendments to the goals and policies of the Comprehensive Plan. Text amendments to the goals and policies of the Comprehensive Plan must be found to be consistent with the Comprehensive Plan, the Urban Growth Management Functional Plan, and with the Statewide Planning Goals.

- **Finding:** RICAP 10 is one of an ongoing series of code maintenance projects. The issues addressed are intentionally small in scope, with a focus on simple technical amendments, clarifications, and refinements to the zoning code. It therefore follows that the impact of individual items will be minor. RICAP 10 includes one amendment to the Comprehensive Plan:

² *Citywide Review of Street Setbacks*, Portland Bureau of Planning, June 1981.

reference to the Adjustment Committee is being removed from Policy 2.20. As discussed in the findings for Policy 2.20, the Adjustment Committee’s duties are being turned over to the Hearings Officer since the committee met too infrequently to provide committee members with the opportunity to gain expertise on the matters handled by the committee. It further was an unnecessary drain on staff resources due to the resulting inefficiency of the committee.

As demonstrated by the findings in this ordinance, the amendments are consistent with relevant Comprehensive Plan, Urban Growth Management Functional Plan and the Statewide Planning Goals. Therefore, this criterion is met.

Amendments to the Zoning Map

60. 33.855.060 Approval Criteria for Other Changes. In addition to the base zones and Comprehensive Plan designations, the Official Zoning Maps also show overlay zones, plan districts, and other items such as special setback lines, recreational trails, scenic viewpoints, and historic resources. Amendments to all of these except historic resources and the creation of plan districts are reviewed against the approval criteria stated in this section. Historic resources are reviewed as stated in Chapter 33.846, Historic Resource Reviews. The creation of a new plan district is subject to the approval criteria stated in 33.500.050. An amendment will be approved (either quasi-judicial or legislative) if the review body finds that all of the following approval criteria are met:

- A.** Where a designation is proposed to be added, the designation must be shown to be needed to address a specific situation. When a designation is proposed to be removed, it must be shown that the reason for applying the designation no longer exists or has been addressed through other means;
- **Finding:** As discussed in the findings for Policies 9.11 through 9.13, the Special Street Setbacks chapter is being deleted because the requirements for the setbacks have become obsolete. These setbacks are being removed from the Official Zoning Map.

The original reason for the setbacks was as a way for PBOT to acquire future street dedication if needed. Since 1981, PBOT has other tools for requiring street dedication with new development.³

- B.** The addition or removal is consistent with the purpose and adoption criteria of the regulation and any applicable goals and policies of the Comprehensive Plan and any area plans; and
- **Finding:** As discussed in the findings for Policies 9.11 through 9.13 and adopted by reference here, the Special Street Setbacks chapter is being deleted because the requirements for the setbacks have become obsolete. That chapter referenced special street setbacks as designated on the Official Zoning Maps. This includes setbacks along six neighborhood and civic corridors:
 - S Macadam Blvd.
 - SW Capitol Hwy.
 - SW Barbur Blvd.
 - SE Powell Blvd.
 - NE/SE 82nd Ave.
 - N/NE Killingsworth St.

This removal is consistent with the policies referenced above that address the coordination of land use adjacent to transportation corridors because they are vestigial regulations to set commercial and industrial structures back from major streets to better facilitate future street

³ *Citywide Review of Street Setbacks*, Portland Bureau of Planning, June 1981.

dedication. As noted in the findings above and in the 1981 report on the topic of special setbacks⁴, these are no longer necessary because PBOT has other tools for requiring street dedication and there are other setback requirements found in the base zone chapters.

- C. In the Marquam Hill plan district, relocation of a scenic viewpoint must be shown to result in a net benefit to the public, taking into consideration such factors as public access, the quality of the view, the breadth of the view, and the public amenities that are or will be available.
- **Finding:** There are no changes to scenic viewpoints as a result of the RICAP 10 amendments. This criterion does not apply.

⁴ *Citywide Review of Street Setbacks*, Portland Bureau of Planning, June 1981.