

# Exhibit A:

## Findings of Fact Report

### July 2020

#### **Introduction and Summary of the Residential Infill Project (RIP) amendments.**

The Residential Infill Project (RIP) addresses increased access to multiple types of housing in all Portland neighborhoods by allowing more units on each lot, while also reducing the overall size of each building. The project is essential to reach the City's goals for climate resiliency, compact development and equitable access to more housing choices including smaller, but still family-sized, units in more neighborhoods.

Key components of the RIP amendments include:

#### *Housing Options and Scale:*

- Allow a greater range of housing types including duplexes, triplexes and fourplexes on lots in the R2.5, R5, and R7 zones (referred to herein collectively as "RIP zones"), except where natural resources or hazards are present or where streets are not maintained by the city.
- Increase the number of accessory dwelling units (ADUs) by allowing two ADUs on a lot with a house or one ADU on a lot with a duplex.
- Institute new caps on building floor area (FAR) in the single dwelling zones that effectively reduce the maximum allowable size of dwellings by  $\frac{1}{3}$  to  $\frac{1}{2}$  from what can be built under today's rules.
- Provide bonuses for affordable housing, including additional FAR and up to six total units when providing "deeply affordable" units (income restricted to families earning up to 60% of the median family income).
- Create more age-friendly housing by requiring visitable units that reduce barriers for people with mobility impairments.
- Reduce underutilization of vacant, oversized residential lots by requiring at least two units on double-sized and larger lots when new development occurs.
- Create more "fee-simple" homeownership opportunities by allowing historically narrow lots to be built with attached houses and rezoning areas with historically narrow lots from R5 to R2.5.
- Provide incentives to retain existing houses including providing for additional FAR for conversions and creating more flexible flag lot rules when keeping an existing house, allowing larger basement ADUs in older homes, and allowing small building additions/remodels to exceed the FAR size caps.
- Institute restrictions that limit redevelopment options when historic resources are demolished without first receiving demolition review approval.
- Reduce cost and delay for more flexible and innovative housing through planned developments with lower review thresholds that continue to apply enhanced design scrutiny to ensure they complement neighborhoods.

#### *Building Design:*

- Revise how height is measured to more accurately reflect a building's apparent height and reduce opportunities to manipulate measurement reference points.
- Improve the relationship between the dwelling and the public realm by keeping the front door closer to the ground.

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- Improve the design of buildings by allowing for larger eave projections into the setback.
- Prioritize the importance of greenspaces and lower housing costs over vehicle storage by eliminating parking requirements and emphasizing the use of existing alleys.
- Require pairs of attached houses on lots that are 25 feet wide and narrower to better reflect the pattern of wider houses on wider lots, increase useable backyard space, and improve energy efficiency.

### General.

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

The Comprehensive Plan requires that amendments to its elements, supporting documents, and implementation tools comply with the plan itself. "Comply" means that the amendments must be evaluated against the comprehensive plan's applicable goals and policies and on balance be equally or more supportive of the Comprehensive Plan as a whole than the existing language or designation. (Policy 1.10)

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

Legislative zoning map amendments must be found to comply with the Comprehensive Plan Map with a zone change to a corresponding zone of the Comprehensive Plan Map. The change also must demonstrate that there are adequate public services capable of supporting the uses allowed by the zone. In addition, the school district(s) within which the sites are located must have adequate enrollment capacity to accommodate any projected increase in student population over the number that would result from development in the existing zone. This criterion applies only to sites that are within the David Douglas School District, which has an adopted school facility plan that has been acknowledged by the City of Portland. (33.855.050)

1. **Finding:** The City Council has identified and addressed all relevant and applicable goals and policies in this document.
2. **Finding:** As discussed in more detail below, the City Council has considered the public testimony on this matter and considered all applicable goals and policies and on balance, or as a whole, has found the Residential Infill Project amendments (RIP amendments) are consistent with and comply with the goals and policies of the Comprehensive Plan, Metro Urban Growth Management Functional Plan, Statewide Planning Goals and other relevant city plans.

## Part I. Statewide Planning Goals

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

**The Statewide Planning Goals that apply to Portland are:**

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

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

- Goal 3 Agricultural Lands
- Goal 4 Forest Lands

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

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

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

3. **Finding:** Portland adopted a Community Involvement Program on June 15, 2016. The Community Involvement Program serves as a framework to carry out policies from Chapter 2 — Community Involvement, of the 2035 Comprehensive Plan, and applies to legislative land use and transportation projects initiated by the City. Among the commitments that the City is asked to make in the Comprehensive Plan are the following:
- To provide a wide range of opportunities for involvement in planning and investment decisions.
  - To achieve greater equity in land use actions through setting priorities and making decisions with meaningful involvement of under-served and under-represented communities.
  - To meaningfully involve, in decision making, those who potentially will be adversely affected by the results of those decisions.
  - To provide this meaningful involvement throughout the phases of planning and investment projects - issue identification and project design through implementation, monitoring, evaluation

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and enforcement.

- To provide well-designed, relevant, responsive and culturally responsive public involvement.
- To build community capacity for meaningful participation and leadership in planning and investment decisions.

A Community Involvement Committee was appointed in June 2018 to oversee implementation of the program.

The findings for Goal 2 of the 2035 Comprehensive Plan demonstrate how that Community Involvement process followed the City's program requirements and meets the requirements of Statewide Goal 1. Therefore, Council finds that community members were afforded opportunities to be involved in all phases of the planning process.

**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.

4. **Finding:** Goal 2, as it applies to the RIP amendments, requires the City to follow its established procedures for legislative amendments to the Comprehensive Plan policies, the Comprehensive Plan map, the Zoning Code, and the Zoning Map. The amendments comply with this goal because, as demonstrated by findings below, the RIP amendments were developed consistent with the Statewide Planning Goals, the Metro Urban Growth Management Functional Plan, 2035 Comprehensive Plan and Portland Zoning Code, as detailed in this ordinance.

Additionally, consistent with Goal 2, other government agencies received notice from the 35-day DLCD notice and the City's legislative notice. Following the Planning and Sustainability Commission's recommendations to City Council, the City did not receive any requests from other government agencies to modify the RIP amendments.

The City Council's decision is based on the findings in this document, and the findings are based on the evidence presented to the Planning and Sustainability Commission and City Council that are incorporated in the record that provides the adequate factual basis for this decision.

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

5. **Finding:**

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

The RIP amendments are consistent with Statewide Planning Goal 5 related to natural resources because they do not amend any of the existing environmental zones and do not amend any of the zoning regulations associated with the environmental zones (33.430, 33.465, 33.475). In addition, as part of the City's original application of the environmental overlay zones, the ESEE analyses that were conducted considered single dwellings, ADUs and duplexes as permitted uses in the single dwelling

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zones. The City's adopted and acknowledged NRI identifies additional resources that have yet to be addressed through a Goal 5 process. The City has initiated a separate legislative process to update the environmental overlay zones based on the recently adopted NRI. The RIP amendments prohibit three or more units on lots that have identified natural resources, including areas within current environmental overlay zones and resource areas that are inventoried but not yet protected by environmental zones. Since the code currently permits two dwelling units now, and the RIP amendments prohibit any additional density in these areas, the RIP amendments do not establish any new conflicting use.

Furthermore, the RIP amendments reduce overall building square footage and encourage private property owners to reduce impervious area associated with paved parking by eliminating minimum parking requirements, both of which have the potential to reduce the impacts of existing allowed development in environmental zones.

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

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

**Historic Resources.** Historic resources are located throughout the City including in single-dwelling zones that are affected by the RIP amendments (R2.5, R5 and R7 zones). Identified historic resources (individual landmarks and districts) are conserved by the City's Historic Resources overlay zone. The RIP amendments do not identify new or remove any existing designated historic resources and the amendments do not affect any of the Historic Resource overlay zone regulations (Chapter 33.445). Furthermore, the RIP amendments support the preservation of identified historic resources by providing a disincentive to demolition. The amendments include a new zoning code regulation (PCC 33.110.265.E and F.; PCC 33.205.020.B.2 and B.3.) that prohibits three or more units on single dwelling zoned lots where a historic resource was demolished within the previous 10 years without receiving demolition review approval. This is especially relevant for conservation resources which presently lack a discretionary demolition review process. The provision is intended to remove financial motive to demolish these resources and maximize achievable units and FAR, until such time that a discretionary review process can be established (as part of a subsequent project) to review such proposals. Pursuant to OAR 660-023-0200, when local governments choose to amend acknowledged historic preservation plans and regulations, the standard Goal 5 process applies. The RIP amendments do not amend such plans or the historic resource regulations contained in PCC 33.445 and 33.846. Further, local governments are not required to apply the Economic, Social, Environmental, and Energy (ESEE) analysis in order to determine a program to protect historic resources. For this reason, the RIP amendments are consistent with Statewide Planning Goal 5.

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

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

**6. Finding:** Goal 6 requires the maintenance and improvement of the quality of air, water, and land resources. The State has not yet adopted administrative rules for complying with Statewide Planning

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Goal 6. The City is in compliance with federal and state environmental standards and statutes, including the federal Clean Water Act and Clean Air Act. Existing City regulations including Title 10 (Erosion Control) and the Stormwater Management Manual will remain in effect and are applicable to future development. Chapter 7 (Environment and Watershed Health) of the 2035 Comprehensive Plan furthers Statewide Planning Goal 6. As shown below in the findings for the 2035 Comprehensive Plan, the RIP amendments are consistent with the goals and policies of Chapter 7 (Environment and Watershed Health) and the findings in response to those goals and policies are incorporated here by reference. Therefore, RIP amendments are consistent with the requirements of Statewide Planning Goal 6.

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

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

- Special flood hazard area (Land area covered by the floodwaters of the base flood, as shown on the Federal Emergency Management Agency (FEMA) maps in effect on November 26, 2010);
- Floodway (The active flowing channel during a flood, as designated on the flood maps adopted under authority of Title 24 of the Portland City Code);
- 1996 Flood Inundation area (A record peak flow in February of 1996 caused the Willamette River and its major tributaries to flood. This map was created to delineate the inundated areas near the mainstem and major tributaries of the Willamette River);
- Potential Rapidly Moving Landslide Hazard Zones (as shown in the DOGAMI IMS-22 publication); and
- Deep landslide—High Susceptibility or Landslide Deposit or Scarp as shown in the DOGAMI IMS-57 publication

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

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

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

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

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

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

The City of Portland has a robust and diverse system of parks, recreation areas and open spaces. The City's Parks 2020 Vision documents the City's long-term plan to provide a wide variety of high-quality park and recreation services and opportunities for all residents. The Parks 2020 Vision identifies a goal that 100% of Portlanders are within ½ mile of a Park or Natural Area. As of 2016, 81% of all the City's households are within ½ mile of a park or natural area, whereas 99% of parcels in the zones affected by the RIP amendments (i.e. the R2.5, R5 and R7 single-dwelling zones) already meet this standard. Providing additional opportunities for future households to locate in these areas will continue to contribute towards fulfillment of this goal.

The RIP amendments do not affect any land designated as open space. In addition, city code require household uses in the RIP affected zones to provide a minimum of 250 square feet of outdoor area per lot, which can supplement the recreational needs of residents.

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

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

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

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

The City's acknowledged EOA analyzed and demonstrated adequate growth capacity for a diverse range of employment uses, which are organized into different geographies that represent a distinct mix of business sectors and building types. In each of the geographies, the City analyzed the future employment growth and the developable land supply to accommodate that growth.

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The additional housing types are allowed in zones that are exclusively residential and not factored into the EOA, except as opportunities for home occupation businesses. Providing for additional households in these zones provides even more home-based business opportunities, not fewer, which can support household prosperity. The RIP amendments do not amend the mixed use commercial or industrial and employment base zones and do not include map amendments to apply those zones that would reduce the employment capacity of the city's employment land.

Chapter 6 (Economic Development) of the 2035 Comprehensive Plan furthers Statewide Planning Goal 9. As noted below in the findings for the 2035 Comprehensive Plan, the RIP 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, with the RIP amendments, the City of Portland continues to provide adequate opportunities for a variety of economic activities, consistent with the requirements of Statewide Planning Goal 9.

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

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

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

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

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

The adopted *2035 Comprehensive Plan* conducted city-wide analysis to demonstrate compliance with Goal 10. The City's Housing Needs Analysis, which was adopted (Ordinance 185657) and acknowledged by LCDC on June 11, 2014, consists of five distinct reports that analyzed the state of housing supply, housing affordability issues and the City's ability to meet projected housing demand. The Buildable Land Inventory (BLI), which was adopted (Ordinance 187831) and acknowledged by LCDC on April 25, 2017, identified the supply of land available to provide this needed housing.

Goal 10 mandates that local jurisdictions ensure adequate capacity, and provides a "floor" for such measure, but does not restrict or prevent jurisdictions from increasing housing capacity above a set "ceiling". In other words, just because the City has shown that it meets the number of requisite units to accommodate the forecast growth, Goal 10 does not prevent the City from increasing the



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capacity, and especially so when such increases help improve the housing target performance in other areas of the goal (type, tenure and affordability).

The RIP amendments include modifications to zoning allowances that increase both the range of allowed housing types, as well as the overall capacity for housing units to be created. These amendments are in part to improve the performance of the Comprehensive Plan housing policies, as well as alleviate competitive pressure for housing development more ubiquitously across the city.

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

The discussion below makes distinctions between zoned *capacity* for housing, and *allocation* of households by location or zone. The housing *capacity* is determined through the City's adopted BLI growth model<sup>1</sup> which identifies vacant and underutilized sites and then applies a number of development constraints including regulatory, environmental and infrastructure to estimate the feasibility of realized development on those sites. The result is a sum total of likely maximum development within the city's zones. For the RIP amendments, a similar modeling methodology was followed, with several adjustments to reflect the proposed housing types and new FAR limits<sup>2</sup>.

Household *allocation* is a more confined number of likely development within the Comprehensive Plan period, which is informed by the city's obligations under Statewide Goal 2, and more specifically OAR 660-32-0020 (A local government within the Metro boundary shall apply the Metro forecast described in OAR 660-0032-0030 when changing a regional framework plan, comprehensive plan or land use regulation of the local government, when the change is based on or requires the use of a population forecast.) As part of the adopting of the 2035 Comprehensive Plan, Metro forecasts Portland to receive 123,000 additional households by 2035.

This is an important distinction because while the RIP amendments increase capacity for development in RIP zones, they do not affect population or household allocation forecasts. In other words, the housing effect of these changes allows for a redistribution of allocated households within the City by creating opportunities for additional development in different areas where zoned capacity was previously overutilized, but do not increase total numbers of expected households citywide.

**Housing Supply and Demand.** The City's adopted BLI estimates Portland has the capacity for 201,000 additional housing units, more than the estimated need to accommodate the City's forecasted future growth of 123,000 units by 2035. The RIP changes rezone approximately 782 acres from R5 to R2.5, effectively increasing the supply of residential small lots for fee-simple homeownership. According to the RIP capacity and growth allocation model, the changes that allow additional units on lots in R2.5, R5 and R7 zones increase the *capacity* for residential household growth by roughly 25,000 units (from 30,000 to 55,000) and these changes are anticipated to reallocate roughly 3,900 units from other zones to the R2.5, R5, and R7 zones within the Comprehensive Planning period (an *allocation* increase in RIP zones from 16,200 to 20,100 with a corresponding decrease of units in the other zones). While the baseline comprehensive growth strategy adequately addressed zoning *capacity* citywide for the planning period, the Growth

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<sup>1</sup> Buildable Lands Inventory and Growth Allocation GIS Model, BPS April 2016

<sup>2</sup> Residential Infill Project Capacity and Growth Allocation Modeling Methodology, BPS January 2020

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Scenarios Report<sup>3</sup> did identify ways to improve performance of this strategy with regard to housing affordability and choice. In short, the 2035 Comprehensive Plan provides adequate zoning for *numbers* of units; however, it noted a shortfall in the range of *types* and variety of *locations* to meet the broader market demand. Specifically, the Growth Scenarios Report found a sufficient mix of three broad housing types – single family residential, neighborhood and corridor apartments, and mid- to high-rise units. However, within these broad classes there was some predicted scarcity within the middle range (attached houses and plexes), while the low end of the spectrum (detached houses) and high end of the spectrum (apartments) would dominate the housing type mix.

**Housing Affordability.** The Housing Affordability Background Report<sup>4</sup> cited recommendations to address declining housing affordability. “Given that public resources to subsidize affordable housing are limited and likely inadequate, the construction of new unsubsidized housing affordable to low and moderate income should be promoted. This could include development of more reasonably-priced rental housing units such as smaller units with no parking...and allowing the creation of more than one accessory rental in large homes in single-family zones.” (p.7) Also recommended: “Provide incentives to the private market to construct affordably priced housing units both rental and owner-occupied.” (p.7) As described in the Economic Analysis (Volume 3, Appendix A), the average cost of the housing types provided for in the RIP changes as compared to the default scenario of continued new single dwelling development was 56 percent less, bringing these units into the reach of more first-time homebuyers and rentals that are competitive with larger multiplex apartments. RIP also provides two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI.

Council heard public testimony questioning the affordability of the RIP housing types<sup>5</sup>. A common refrain among such testimony is that the most affordable house is the house that exists today, in essence arguing that a newly constructed home is more costly than an older home. As a general statement of a point in time comparison all-other things being equal (e.g. home size, location, quality of construction) Council is not disputing this generalization. However, Council finds that infill and redevelopment are critical to maintaining sound housing while addressing housing affordability.

Portland’s population is increasing, and at the same time, household formation size is decreasing. Both of these facts translate into a need for more housing units. According to tax assessment records<sup>6</sup>, only 2.2% of the parcels in RIP zones are vacant. The City’s zoned capacity figures from the BLI anticipate some level of redevelopment will be necessary to achieve housing targets. Restricting the supply of new housing while the demand continues to increase inevitably leads to the conclusion that the fixed number of existing homes will continue to get further and further out of the affordability range of most buyers. Second, the sales price of existing houses, especially those that are redeveloped is often reflective of substandard condition resulting from deferred maintenance. The cost to rehabilitate an existing structure to bring it up to modern systems and energy enhancements comparable to new construction will frequently be as much as or more than the cost of new construction<sup>7</sup>.

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<sup>3</sup> Growth Scenarios Background Report, BPS July 2015

<sup>4</sup> Portland Plan: Housing Affordability Background Report, BPS 2009

<sup>5</sup> For example, see testimony from Tyler Lyon, May 6, 2020 and Teresa McGrath, May 6, 2020

<sup>6</sup> RIP zone parcels ad Geographic stats, BPS December 2019

<sup>7</sup> Internal Conversion Report, DECA Architects, October 2016

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In Mr. Lyons Testimony he cites a house that sold for \$400,000 and was demolished for two new homes in its place, roughly 1,660 s.f. and \$624,000 each. While the price of each of these homes is more than the existing house, other examples in the area paint some context. Behind the redeveloped site in question is a home built in 1928, is 2,320 s.f. and sold for \$664,000 in 2018 and has a current Zillow estimate of \$711,000. The average Zillow estimate for single family home values on the block, excluding the new units is \$603,000. What these comparisons demonstrate is that the new homes were sold at around average rates for existing houses in this area. However, apart from the requirements tied to affordability incentives, the RIP amendments do not dictate what prices dwelling units can sell for. Nevertheless, in addition to the size caps on units that result in smaller individual units when there are multiple units on site, the market will continue to favor (and price accordingly) detached single units. Over time, these additional housing types should continue to be priced more competitively than their counterpart single detached dwellings. Taylor Smiley Wolfe of Home Forward shared in her June 10, 2020 testimony that “16 percent of all Home Forward voucher holders lived in a duplex, triplex, or quad in 2019 and see rents on average that are 22 percent lower than those in a single-family home. We estimated that the difference between using those 1,100 vouchers in a duplex, triplex, or quad instead of a single-family home is a cost savings equivalent to serving an additional 585 households.” Increasing the supply of units, at smaller sizes, will enable greater income diversity within neighborhoods, especially as the vintage of these units age.

Additional testimony from Michael Andersen< January 17, 2020 included links to several studies and cites “there is extensive academic evidence that underbuilding in growing metro areas drives up housing cost burdens, and that construction reduces prices at the regional and maybe even the neighborhood level.” One especially persuasive study is the Effect of New Market Rate housing Construction on the Low-Income Housing Market by Evan Mast at the Upjohn Institute, July 2019.

House Bill 2001, signed into law on August 8, 2019, affects a number of provisions relating to housing and housing needs analyses, but the portions of that bill relevant to the RIP amendments and legislative action relate to requirements that cities allow specified middle housing types where detached single dwellings are allowed. Further, the bill directs local governments to “consider ways to increase the affordability of middle housing” by considering ordinances and policies that include but are not limited to waiving or deferring system development charges; adopting or amending criteria for property tax exemptions or freezes; or assessing a construction tax.

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

The Residential Infill Project also includes measures that increase the affordability of market rate middle housing especially in comparison to detached single dwellings through the imposition of a sliding FAR scale (33.110.210). According to the econometric analysis in Volume 3, Appendix A, average rents at the citywide level are decreased by 56 percent from the default zoning code by applying these size limitations and allowing multiple units to share land costs. The following

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example uses a midrange market level of \$278/sf achievable pricing to illustrate the sales point levels for four housing types in the R5 zone on a 5,000 sf lot. While some variability is to be expected within smaller multiplex housing types due to potentially higher construction and design requirements related to meeting Oregon State Structural Code requirements, the following basic parameters generally still follow:

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

Minimum required parking has also been eliminated for residential structures in the single dwelling zones. According to Donald Shoup<sup>8</sup> average costs in Portland in 2011 for a parking space range from \$26,000 (aboveground structure) to \$35,000 (underground) per space. Removing these requirements further reduces the costs associated with providing middle housing.

Therefore, City Council has adequately considered and adopted measures to increase the affordability of middle housing.

**Housing Choice.** The Comprehensive Plan Update Growth Scenarios Report found that the preferred growth scenario provided a sufficient mix of three broad housing types – single family residential, neighborhood and corridor apartments, and mid- to high-rise units. However, within these broad classes there was some predicted scarcity within the middle range (attached houses and plexes), while the low end of the spectrum (detached houses) and high end of the spectrum (apartments) would dominate the housing type mix. The Comprehensive Plan Update Growth Scenarios Report identifies options for improving performance:

- Create a Wide Range of Housing Choices: Producing a diverse supply of housing creates diverse communities with the opportunity for households to remain in their neighborhood as their lifestyles and housing needs change, especially in allowing older adults to remain within their community. (p.53)
- Support Development of New and Innovative Housing Types: Changing household needs and preferences will create demand for new and different housing types. (p.53)

The RIP amendments are specifically tailored to broaden the range of allowed housing types in single-dwelling residential zones by increasing the areas where duplex, triplex, fourplex, and additional Accessory Dwelling Units (ADUs) are allowed, consistent with the recommendations in the Comprehensive Plan Background Reports. Furthermore, provisions to allow up to 6 units when at least half of the units are income restricted allows for even more types of housing and ensures these units remain affordable to families earning up to 60% of the median family income.

The Metropolitan Housing Rule (OAR 660-007-0035) states that cities “*must provide for an overall density of ten or more dwelling units per net buildable acre*”. The adopted comprehensive plan provides for 31 units per acre overall<sup>9</sup>. RIP requires that new development on double-sized lots in the R2.5-R7 zones provide for at least 2 units, where only a single unit was previously required. The amendments also increase the potential number of units on a lot from 2 to 6 in many locations. The

<sup>8</sup> Donald Shoup, “[The High Cost of Minimum Parking Requirements](#),” in *Parking: Issues and Policies*, edited by Corinne Mulley and Stephen Ison, Bingley, UK: Emerald Group Publishing, 2014, pp. 87–113.

<sup>9</sup> City of Portland, Ord. 188177, Vol. 1.1.A, page 40

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amendments do not change minimum density requirements or remove current housing type allowances. Therefore, with the RIP amendments, the city continues to provide for more than ten housing units per net buildable acre across the city.

ORS 197.307(4) requires that jurisdictions “may apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable lands” ...and these provisions... “may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.” The RIP amendments provide clear and objective standards for houses, duplexes, triplexes, fourplexes and ADUs. Similarly objective development standards apply to the bonus units allowed (6 units total), however, these additional units are predicated on meeting certain affordability standards.

As noted below in the findings for the 2035 Comprehensive Plan, the RIP 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, RIP amendments are consistent with the requirements of Statewide Planning Goal 10.

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

**11. Finding:** Statewide Planning Goal 11, Public Facilities, requires cities to adopt and update public facilities plans. Public facilities plans ensure that urban development is guided and supported by types and levels of water, sewer and transportation facilities appropriate for the needs and requirements of the urban areas to be serviced, and that those facilities and services are provided in a timely, orderly and efficient arrangement.

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

The BLI constraint analysis is the basis of a geographic evaluation of the RIP amendments to ensure that public facilities are planned to support the potential development resulting from these amendments.

The RIP changes increase the capacity for number of households on certain qualifying lots in the affected zones from 2 (house plus ADU, corner lot duplex) to 6 units. However, not all lots are likely to develop at this density over the CSP 20-year planning period. Household growth is determined by Metro allocations at the regional level. The RIP amendments do not affect the City’s forecasted growth rate. This growth rate is an established allocation from Metro in its agency’s role to coordinate land use planning for the region in accordance with Goal 2. Metro develops the forecast and allocates the forecasted growth to each of the jurisdictions within its boundaries. Each local jurisdiction is responsible for determining how to best manage and direct that growth within its boundaries. The lifting of restrictions on certain housing types creates greater opportunities for developing other compact housing types in the city which ultimately affect the types of units produced and the locations of where those units are produced.

The Buildable Lands Inventory considers other development constraints to determine the overall increase in available capacity, and then assigns growth based on household forecasts, housing type

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demand and development trends. The RIP capacity and growth allocation model determined that there would be approximately 3,900 additional households reallocated to areas within the affected zones when compared against the baseline 2035 Comprehensive Plan. The number of total households citywide is confined by the city's obligations under Statewide Goal 2, and more specifically OAR 660-32-0020 to apply the Metro population forecast when changing a land use regulation. There is no evidence to suggest that allowing for additional units in single dwelling zones will increase the rate or amount of population growth in the city. In other words, these are not additional households above the 2035 Comprehensive Plan total for the planning period, but rather households that shift from one or more zones that are not within the scope of Residential Infill (for example lower density single dwelling zones). Based on the model's attributes, these reallocated households are not equally distributed, allocating them to some areas more than others. In some areas, household development was reduced from the Comprehensive Plan zoning scenario, while other areas saw commensurate increases. Impacts to city systems were evaluated based on the net change of development impact between the 2035 Comprehensive Plan zoning and the RIP changes as well as the location of where increased household development was forecast.

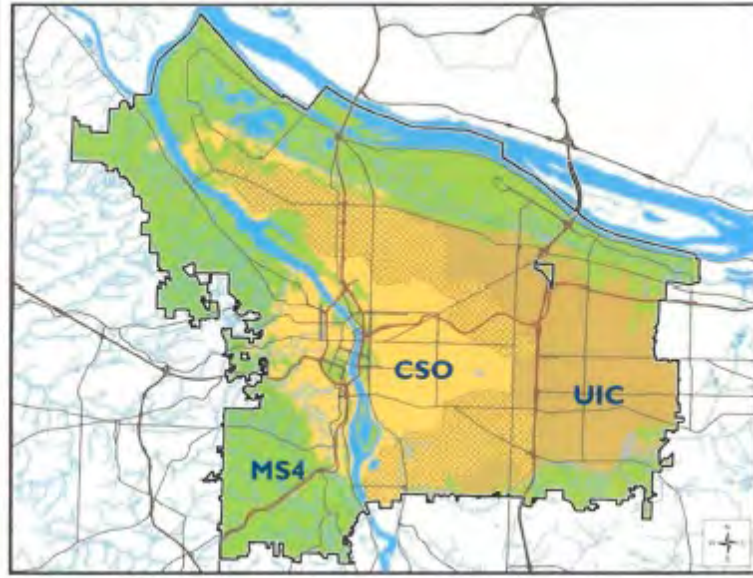
For areas included in the additional housing allowances provided by the RIP changes, development standards and regulations are in place to ensure sewer, water, and stormwater needs are met and impacts are addressed. Where there are existing constraints on public facilities, proposed development could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

The RIP capacity and growth allocation model shows reductions of household allocation in the West Hills and relatively even allocation differences in inner neighborhoods compared to the 2035 Comprehensive Plan. The areas that see increases are middle ring neighborhoods in southeast and northeast along the 82<sup>nd</sup> avenue/ I-205 corridor, outer east areas along Division Street, and areas of north Portland. Services were evaluated based on existing and planned service capacity.

#### Sanitary Sewer

The east, west, and north portions of the city are served by separated sanitary and storm sewer systems (green shaded areas). The central portions of the city are generally served by combined sanitary and storm sewers (tan shaded areas). Large portions of the city on the east side of the Willamette River utilize Underground Injection Control (UIC, brown shaded areas) systems to infiltrate stormwater into the ground, thereby reducing runoff. The cross-hatched areas are served by both combined and UIC systems. The Bureau of Environmental Services evaluated the impacts of RIP amendments against the 2035 Comprehensive Plan zoning for each system<sup>10</sup>.

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*Combined System.*

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

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

*Separated System.*

Most of the properties zoned R7, R5, and R2.5 in the separated area are served by sanitary sewers. Currently there are minimal capacity issues in these sewers, except for areas where the City experiences stormwater inflow or infiltration (I&I) into the sanitary system. BES manages a program to reduce I&I to reduce the need for wastewater treatment capacity and limit pollution entering the sanitary system. As infill occurs, BES will monitor sanitary flows, identify necessary conveyance improvements, and implement capital projects to adequately respond to infrastructure needs and prevent sewage releases to surface waters, consistent with State and Federal regulations. Therefore, with these ongoing improvements already identified in the adopted CSP, Council finds that sanitary sewer infrastructure is adequate or will be adequate as development occurs.

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#### Stormwater

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

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

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

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

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

Other factors that create challenges for the stormwater system are areas susceptible to landslides, areas within mapped or observed floodplains, and areas of high-value natural resources. BES has worked closely with BPS to analyze and define the impacts that the RIP could potentially have on these conditions or resources. The new 'z' overlay addresses these issues (landslides, natural resources, and floodplains) by limiting lots in these areas to no more than two units. HB2001 and SB 1051 prevents further density limitations in that it requires cities to allow duplexes or ADU's wherever houses are allowed. Moreover, current zoning already allows duplexes on corner lots or a house with an accessory dwelling unit.

Many of the neighborhoods with challenging soils and topography are located on Portland's west side. However, RIP models project a decrease in likely residential development on the west side. The 2035 Comprehensive Plan BLI allocated 4,172 units to single family zones in the western neighborhoods. The RIP household allocation model predicts 2,509 units, a difference of 1,663 units or about a 40% reduction of households. About 1200 of the units are removed from lower density residential zones on the west side (R10, R20, RF) where stormwater and sewer services are even more challenging, and roughly 400 of the units are removed from RIP zones. These reductions



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are offset by increased households in inner and eastern neighborhoods, where stormwater systems are adequate (see Figure 5).

In addition, because RIP allows for multiple units to be constructed on a single lot (up to four, or six when providing regulated affordable units) instead of the single house allowed by current 2035 Comprehensive Plan zoning, the net redevelopment activity in the western district is further reduced. Building coverage limits are unchanged from current allowances and total allowable building size is reduced through caps on floor area (FAR). While triplexes, and fourplexes up to sixplexes will be able to utilize more FAR than houses or duplexes, they are still smaller than what is permissible under the current zoning rules for a single house. These FARs work in conjunction with building coverage limits to encourage more multi-story buildings, which reduces effective building coverage. Moreover, onsite parking is now optional, providing more opportunities to leave more of the site permeable.

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

#### Water

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

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

The City of Portland provides water to retail customers within the city limits, as well as a significant number of large wholesale customers. Average daily demand for retail customers in 2012 was 62 million gallons per day (MGD). This is expected to grow to approximately 70 MGD by 2030. While this is not a huge growth rate within the City, it is something that needs to be addressed in the planning of infrastructure.

The RIP amendments do not affect the City’s projected growth rate. This forecasted growth is an established allocation from Metro in its agency’s role to coordinate land use planning for the region in accordance with Goal 2. Therefore, the RIP amendments will have no significant impact on the overall water supply. PWB’s supply and water distribution system is sized to meet City fire suppression needs which far surpass the day-to-day demand from residential customers. The real change is the distribution of where those households are and the type and intensity of

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development. Up to six units are allowed on most R2.5, R5, and R7 lots as part of the RIP. The overall structure size is capped under RIP to less than what was previously permissible. While the demand in certain locations is increased from additional residents, the demand for irrigation should remain the same or decrease.

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

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

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

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

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

- 12. Finding:** The RIP amendments do not amend the City's adopted Transportation System Plan, therefore the City continues to plan for public infrastructure investments to maintain and strengthen the multimodal transportation infrastructure in the residential areas where RIP zones are located to provide and encourage a safe, convenient and economic transportation system, as further demonstrated in the following discussion and 2035 Comprehensive Plan, Chapter 9 findings.

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

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by new development...On sites with frontage on maintained but unimproved streets which are largely characterized by having pavement but may lack curbs, sidewalks and/or other road improvements, requiring partial street improvements with development can be disproportionately costly and can leave ineffective and incomplete infrastructure systems.” The LTIC allows funds to be collected and applied in a more efficient, equitable, and cost-effective manner to ensure that streets are improved as development occurs.

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

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

Senate Bill 534, which also passed in the 2019 legislative session, requires that cities allow development of at least one dwelling unit on each platted lot and provides that “a local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility when amending the local government’s comprehensive plan or land use regulations to comply with ...this 2019 act.” Therefore, the R2.5 rezones for corresponding historically narrow platted lots and related changes to permit development on other substandard sized platted lots are not required to consider the transportation impacts under this goal.

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

The introduction of up to six units (when meeting certain affordability requirements) was not contemplated by the RIP household allocation model, however, it is reasonable to conclude that the low utilization rate will have had a de minimus impact on the overall distribution of units across the City’s transportation network. While this provision allows for two more units on a lot than HB2001 enables, the corresponding affordability requirement severely affects the feasibility of such units being constructed<sup>11</sup>. Based on this analysis, the units from these proposals represent a minor contribution to the housing allocation. This analysis showed that it was largely infeasible to construct affordable five and sixplexes without bringing additional funding, subsidy, or waivers to the project. Certain non-profit and CDC development models may be able to develop a funding

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<sup>11</sup> Memorandum from Tom Armstrong and Andrea Pastor to RIP Project Team, March 2020

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package to deliver affordable 4, 5, or 6 plexes, but would compete against funding units in larger projects in higher density zones where such projects are permissible. Based on input from non-profit housing providers<sup>12</sup>, staff estimates up to 4 such sixplexes may be realized per year. To evaluate the transportation impact of such few units at a system-wide scale is not possible within the construct of the transportation model and would not produce markedly different results than the original transportation analysis, as the overall allocation of households would remain largely unchanged.

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

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

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

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

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

The RIP amendments increase the maximum household density from 1-2 households to 6 households on approximately 100,000 residential lots. Simultaneously, the RIP amendments reduce maximum building entitlements (FAR) by approximately  $\frac{1}{8}$  to  $\frac{1}{2}$  compared to current zoning allowances. The transportation impact of the RIP amendments was evaluated by the Portland Bureau of Transportation (PBOT) and summarized in a memorandum<sup>13</sup>. The analysis is based on the

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<sup>12</sup> Testimony from Steve Messinetti, Habitat for Humanity of Portland, March 2, 2020 and Diane Linn, Proud Ground, March 3, 2020.

<sup>13</sup> PBOT Memorandum from Bob Kellett to Morgan Tracy, March 1, 2019

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City’s adopted Buildable Lands Inventory model, which was modified to account for new housing types allowed in the three RIP affected zones<sup>14</sup>. The BLI determines total household capacity and uses that in conjunction with development trends to predict the allocation of housing units to all areas of the city. This predictive model is fixed to a 2035 growth forecast, meaning that the changes in zoning allowances were not assumed to affect population forecasts and total household growth over the planning period. The net effect is a relative redistribution of households from other zones and locations in the city.

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

On 10% of the affected streets, the added traffic is between 15 and 50 vehicles in the PM peak hour. On the remainder of the affected streets, the added traffic is fewer than 15 vehicles, or less than 1% of the projected base traffic in 2035. With the exception of several “hot spot” streets of concern described below, this additional traffic is not expected to degrade the performance of existing or planned transportation facilities such that they would not meet the performance standards in the TSP. Therefore, the amendments do not have a significant effect under (B).

As part of the 2035 Comprehensive Plan process, PBOT and ODOT identified a list of streets of concern where future congestion may make it difficult for jurisdictional standards to be met. Of the 60 citywide miles of roadways on the concern list, almost all will see added traffic under RIP. This includes 20% of the streets of concern (by length) that are projected to be congested in the future base traffic in 2035.

The additional projected automobile traffic from RIP causes the link Vehicle/Capacity (v/c) ratio to increase by 0.02 at 11 roadway segments on a total of 7 roads. This does not meet the Transportation Planning Rule objective to not “degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.” The roadways of greatest concern with the potential added traffic from RIP are both PBOT and ODOT facilities. These include the following roadway segments:

Roadway Segment	Average additional RIP trips during PM Peak Hour per roadway segment
SW Broadway at I-405	10
SE Powell Blvd from the Ross Island Bridge to SE 26th Ave	21
99E at Ross Island Bridge	27
NE Killingsworth St west of 82nd Ave	24
N Lombard St and St Johns Bridge	27
SE Powell Blvd east of I-205	12
Morrison Bridge east bound on ramp from Naito Parkway.	11

The scale of the added traffic is projected to be 10-27 added automobile trips during the 2035 PM peak hour period. These added trips could degrade the performance of these facilities. However,

<sup>14</sup> Residential Infill Project Capacity and Growth Allocation Modeling Methodology, BPS January 2020

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Council finds these added trips will not degrade the performance of the facilities because of mitigating factors and strategies described below that will reduce the impact of these changes:

This is a high-level analysis of a high growth scenario that does not factor in redistribution of growth nor does it reassign traffic that might be diverted to other less congested streets. These refinements to the analysis could result in lower added traffic to these segments:

1. The RIP amendments include mitigating strategies that serve to improve mode split performance and limit traffic impacts which were not able to be incorporated into the analysis model. First, minimum parking requirements have been removed for residential uses in single dwelling zones. RIP further promotes a walkable form through regulations on the amount of building façade that can be occupied with garages and prohibiting off-street parking between the building and the street and promoting more compact development. In addition, the additional housing types included in RIP are not available for parcels that do not abut improved/paved streets. This provides a market incentive for infrastructure improvements that can help complete street networks, while reducing trip generation in areas without improved streets.

#### 2. Transportation Demand Management Strategies

The Transportation Planning Rule defines Transportation Demand Management as: “actions which are designed to change travel behavior to improve performance of transportation facilities and to reduce need for additional road capacity.” Reducing demand for automobile trips is a key strategy for offsetting potential transportation impacts from RIP.

- Off-street Parking Management. A key tool in transportation demand management, as identified in the Transportation Planning Rule, is parking management. To reduce reliance on automobiles, the Transportation Planning Rule requires local governments within an MPO to achieve a 10 percent reduction in the number of parking spaces per capita over a planning period (660-012-0045). The reductions in minimum parking requirements and changes to achieve greater walkable form described above serve to achieve these aims.
- On-street parking management. The Transportation Planning Rule points to the designation of residential on-street parking districts as a tool that local governments within an MPO can use to reduce reliance on automobile trips (660-012-0045). Portland has had an Area Parking Permit Program in effect since 1981. In recent years, this program has expanded to include 17 zones with neighborhoods and businesses collaborating with PBOT to create the rules for their zone. Per City Council ordinance, the Area Parking Permit Program can impose a surcharge on parking permits. The money raised from the surcharge can then be used to fund Transportation Demand Management strategies that reduce automobile trips. This includes a Transportation Wallet program where participants can receive significantly reduced transit, bike share, and other mobility passes in exchange for forgoing an on-street parking permit. PBOT will continue to seek opportunities to work with neighborhoods to expand the Area Parking Permit Program to address areas where traffic and parking congestion are increasing.
- “Smart Trips” education and outreach. Another proven transportation demand management strategy is the provision of transportation options information and encouragement. Portland has been a national leader in this field through its Smart Trips program. Smart Trips incorporates an innovative and highly effective individualized marketing methodology, which hand-delivers packets and personalized emails to residents

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who wish to learn more about all their transportation options. Key components feature biking and walking maps, robust and sophisticated online, digital and paper resources, and organized activities which get people out in their neighborhoods or places of employment to shop, work, and discover how many trips they can easily, conveniently and safely make without using a car. Evaluations over the past 15 years show that Smart Trips reduces drive alone trips by about 9%. In recent years, Smart Trips has targeted people that are new to Portland and those who are moving within the city to new homes. Research shows that this is often the most effective time to encourage people to try new ways of getting around.

- Safe Routes to Schools program. Like Smart Trips, Portland’s Safe Routes to Schools program reduces automobile trips through information, encouragement, and investments in infrastructure that make it safe for students to walk and bike to school. In 2018, the program reported that citywide 42% of K-5th grade trips and 40% of 6th-8th grade trips utilized active transportation. This program, which is an important tool for reducing auto trips during peak hours, will continue citywide under RIP. PBOT will continue to evaluate targeted Safe Routes to Schools programming in TAZs expected to see increased growth through the RIP amendments.
- Bicycle parking improvements (other zones). An additional citywide transportation demand strategy is the provision of bicycle parking (Transportation Planning Rule 660-012-0045 3(a)). Research has shown that the lack of a safe and secure place to park a bicycle is a key barrier for bicycling as transportation. Portland’s previous bicycle parking code (Portland City Code Chapter 33.266.200) was primarily written in 1996. The updated code, which was adopted on December 4, 2019 (Ord. No. 189784), updates the minimum required amount of short- and long-term parking, enhances security standards to help prevent bike theft, and accommodates a greater variety of bicycles. While these regulations do not apply to RIP zones, they are anticipated to remove some automobile trips from the transportation network.
- Financial TDM incentives for larger apartments (other zones). Portland City Council adopted an initial package of TDM measures with the 2035 Comprehensive Plan in 2016. These measures mandate certain multimodal financial incentives with new mixed-use buildings with more than 10 dwelling units (Portland City Code Chapter 17.107). This regulation is under consideration for expansion to other residential zones, specifically as part of the Better Housing by Design’s update to multi-dwelling zones (R3, R2, R1 and RH) outside the Central City. While these residential zones are not part of RIP, they include multimodal financial incentives as a tool for reducing auto demand on the overall transportation network.

### 3. Planned Capital Projects

The impacts of added auto trips from RIP are expected to be on identified hot spots on both PBOT and ODOT managed facilities. Through the process of adopting the 2035 Comprehensive Plan and the 2035 Transportation System Plan, PBOT and ODOT agreed to perform refinement planning in areas identified with potential safety and/or projected capacity issues. See Projected ODOT “Hot Spots” Refinement Plan and Other Agency Common Priority Projects, (TSP Chapter 6, page 281). Major refinement plans are necessary when a transportation need exists, but the mode, function, and general location of a transportation improvement have not been determined, and a range of actions must be considered before identifying a specific project or projects. These refinement plans are

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still pending, therefore, mitigating the increased traffic from the RIP amendments can be incorporated into that planning process.

Also, the additional auto trips from RIP can be analyzed, and to the extent possible, mitigated during the planning, design, and implementation of future planned capital projects in roadway segments identified as areas of concern (previously identified in the TSP as locations that may fail to meet mobility standards in 2035). The adopted TSP Project List identifies several improvement projects on or near the impacted facilities that could incorporate future measures to mitigate these minor effects.

<b>Portland TSP projects on top congested RIP impacted streets</b>					
<b>TSP ID</b>	<b>Lead Agency</b>	<b>Project Name</b>	<b>Project Description</b>	<b>Estimated Cost (\$2014)</b>	<b>Financially Constrained Timeframe</b>
20050	Portland	Southern Triangle Circulation Improvements	Improve local street network and regional access routes	\$ 4,051,163	Years 1 - 10
20070	Portland	NW Naito Safety Improvements	Construct multimodal safety improvements	\$ 4,559,750	Years 1 - 10
20108	Portland	SW Broadway Bikeway and Streetscape Improvements	Enhance the existing protected bikeway and sidewalks	\$ 1,244,573	Years 11 - 20
20116	Portland	I-405 Safety and Operational Improvements	Improve pedestrian and bike access	\$ 2,240,094	Years 1 - 10
20123	Portland / ODOT	SW Broadway Traffic Improvements	Reduce the vehicle queue on the I-405 SB Exit Ramp	\$ 2,000,000	Years 11 - 20
20136	Portland	Morrison Bridgehead Pedestrian Improvements	Add missing crosswalks and improve pedestrian crossing safety.	\$100,000	Years 1 - 10
20168	Portland	SW 6th Ave & I-405 Multimodal Improvements	Restripe to direct two lanes onto the freeway on-ramp. Provide a signalized pedestrian crossing. Build a bus platform Extend bike lanes and implement a bikeway.	\$ 2,000,000	Years 11 - 20
30028	Portland	Killingsworth Street Improvements	Improve pedestrian connections and establish a main street character	\$ 3,728,869	Years 1 - 10
30035	Portland	Lombard St ITS	Communications infrastructure for remote monitoring and control of traffic flow	\$ 673,440	Years 11 - 20
40007	Portland	NE 42nd/47th Ave Bridge & Corridor Improvements	Replace the weight-restricted bridge and add pedestrian and bicycle facilities	\$ 10,000,000	Years 11 - 20
40053	Portland	NE Killingsworth Safety Improvements	Design and implement traffic calming and pedestrian crossing improvements.	\$ 900,000	Years 1 - 10
70045	Portland	Inner Powell Blvd Corridor Improvements	Retrofit existing street with multimodal safety improvements	\$ 7,997,100	Years 11 - 20



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70046	Portland	Inner Powell Bikeway	Design and implement bicycle facilities.	\$ 4,767,667	Years 11 - 20
80015	ODOT/Portland	Outer Powell Blvd Corridor Improvements, Phase 1	Widen street to three lanes. Add enhanced pedestrian and bike crossings.	\$ 24,000,000	Years 1 - 10
80032	ODOT/Portland	Outer Powell Blvd Corridor Improvements, Phase 2	Widen street to three lanes. Add enhanced pedestrian and bike crossings.	\$ 67,000,000	Years 11 - 20
80037	TriMet	Powell-Division Safety and Access to Transit	Construct improvements for safety, access to transit, and transit operations	\$ 2,800,000	Years 1 - 10
80039	TriMet	Powell/Division HCT--Project Development	ROW acquisition/early construction for High Capacity Transit project	\$ 75,000,000	Years 1 - 10
90060	Portland	South Portland Corridor Improvements	Reconstruct Naito Pkwy near Ross Island bridgehead	\$ 39,695,079	Years 11 - 20

The modelling shows that the overall impact of RIP on the citywide transportation system is not significant. It does, however, result in localized impacts on road segments that have previously been identified as areas of concern. Council finds these added trips will not degrade the performance of an existing or planned transportation facility because of mitigating factors and strategies described above that will reduce the impact of these changes. Therefore, the amendments do not have a significant effect under (C).

Furthermore, as noted below in the findings for the 2035 Comprehensive Plan, the RIP amendments are consistent with the goals and policies of Chapter 9 (Transportation) of the 2035 Comprehensive Plan and the findings in response to those goals and policies are incorporated by reference. Therefore, the RIP amendments are consistent with the requirements of Statewide Planning Goal 12.

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

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

**Goal 13. Energy Conservation. To conserve energy.**

**13. Finding:** The State has not adopted specific rules for complying with Statewide Planning Goal 13. Goal 13 generally requires that land use plans contribute to energy conservation.

The RIP amendments do not adopt or amend a local energy policy or implementing provisions.

However, the RIP amendments generally support this goal by encouraging smaller units and more attached units. According to a report<sup>15</sup> for the State DEQ, “Reducing home size is among the best tier of options for reducing waste generation in the Oregon housing sector, while simultaneously achieving a large environmental benefit across many categories of impact...Reduction in home size is a significant leverage point for impact reduction [including non-renewable energy use] and may be a more effective measure than achieving minimum levels of ‘green certification’”

<sup>15</sup> A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, September 2010

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Attached housing is also more energy efficient than detached forms of housing. According to a report<sup>16</sup> prepared for HUD, DOT and the EPA, “fairly substantial differences are seen in detached versus attached homes [approximately 17.5% improved efficiency], but the most striking difference is the variation in energy use between single-family detached homes and multifamily homes [50% improved efficiency], due to the inherent efficiencies from more compact size and shared walls among units.”

Therefore, Council finds that the RIP amendments are consistent with the requirements of Statewide Land Use Goal 13 by limiting home size and allowing for increased types of housing that consist of smaller, compact units, and attached housing.

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

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

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

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

**15. Finding:** Statewide Planning Goal 15 requires cities to adopt local greenway plans, along with criteria for new development, new uses, and the increase of uses along the river. The City implements Statewide Planning Goal 15 through application of the Greenway and River overlay zones. The RIP amendments do not affect the extent of or regulations within the Greenway or River overlay zones. The RIP amendments allow additional density on lots in the R2.5, R5 and R7 single-dwelling zones (up to 6 dwelling units per lot). There are three small areas of R5 zoning that fall inside the Willamette River Greenway (SW Miles, Sellwood Bluff, North Portland). However, all the parcels in these areas are excluded from the RIP additional density based on the presence of flood plain or natural resources. Moreover, the reductions in allowable building size apply to all parcels in the three affected zones, including the R5 zoned parcels inside the Greenway. A reduced building size means less development pressure and reduced visual impact than existing building entitlements, while still providing reasonable economic use of those properties, as demonstrated in the economic analysis (Volume 3, Appendix A). Furthermore, no changes to existing protections afforded through the greenway overlay zones are proposed.

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<sup>16</sup> Location Efficiency and Housing Type, prepared by Jonathan Rose Companies, March 2011

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Therefore, RIP amendments are consistent with the requirements of Statewide Land Use Goal 15 because they either do not apply or they improve the protections to affected lands within the Willamette River Greenway.

## Part II. Metro Urban Growth Management Functional Plan

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

In Metro's June 2011 update to its 2010 compliance report Metro found, "The City of Portland is in compliance with all Urban Growth Management Functional Plan requirements in effect on December 15, 2010, except for Title 13, Nature in Neighborhoods. On January 16, 2013 the City received a letter from Metro stating that Portland had achieved compliance with Title 13.

**Title 1. Housing Capacity.** 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.

**16. Finding:** The RIP amendments do not reduce housing potential in any part of the City. Where houses, accessory dwelling units, and duplexes are currently allowed, they will continue to be allowed. In the affected zones (R7, R5, R2.5) for specific unconstrained parcels, on lots of a certain minimum size, the housing unit capacity is increased to four (in a fourplex). Moreover, the RIP amendments require that on double sized lots in R7, R5, and R2.5 zones a minimum of two housing units are required, where the current minimum is one house regardless of the size of the lot.

As reflected in the RIP household allocation and capacity model, housing capacity is increased by approximately 25,000 units. Therefore, the RIP amendments are consistent with the requirements of Metro Title 1.

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

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

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

Furthermore, the RIP amendments that allow additional density (up to 6 dwelling units per lot) in the R7, R5, and R2.5 single-dwelling zones do not apply to lots identified as have natural resources in the City's adopted Citywide Natural Resources Inventory, and do not apply to lots that are within the 100-year floodplain. The City has chosen to limit the additional development allowed in these flood-prone areas in order to limit the potential for additional development to negatively impact water quality

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resources and to limit the number of households that could be threatened or displaced during a flood event. Therefore, the amendments are consistent with Title 3.

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

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

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

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

**Title 6. Centers, Corridors, Station Communities and Main Streets.** The Regional Framework Plan identifies Centers, Corridors, Main Streets and Station Communities throughout the region and recognizes them as the principal centers of urban life in the region. Title 6 calls for actions and investments by cities and counties, complemented by regional investments, to enhance this role. A regional investment is an investment in a new high-capacity transit line or designated a regional investment in a grant or funding program administered by Metro or subject to Metro's approval.

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

Metro has designated the areas that may qualify for these regional incentives, including transit stations, the Central City, Gateway regional center, along with Hollywood, Hillsdale, Raleigh Hills, West Portland, Lents, and St. Johns town centers. The RIP amendments help to achieve Metro 2040 Growth Concept by increasing the zoned capacity on 5,475 acres within these growth concept areas. The RIP amendments also require that lots in these zones that are at least twice the base zone density must be developed with at least two units, where only a single unit is permissible on these double sized and larger lots today. While the minimum density is largely unchanged, the increases in maximum capacity can contribute towards achieving the activity level targets in 2040 places enhancing their role as principle centers of urban life in the region. These parcels, when developed with housing types not previously allowed will also continue to contribute to a mix of needed housing types to be vibrant and successful Centers, Corridors, Station Communities and

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Main Streets as called for in 3.07.640.C.; including attached and detached single family housing, and multiple family housing for both owner and renter occupancy, and additional accessory dwelling units.

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

20. **Finding:** Title 7 addresses housing choice. Metro adopted voluntary affordable housing goals for each city and county in the region for the years 2001 to 2006, but never updated them. Therefore, Title 7 does not apply. Nevertheless, the recently adopted *2035 Comprehensive Plan* includes city-wide affordable housing production goals that greatly exceed those adopted by the outdated Title 7 (Ordinance 178832). The RIP amendments support the production of affordable housing by creating two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI.

**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.

21. **Finding:** Required notice was provided to Metro. Metro submitted a letter in support of the project (dated May 18, 2018) and did not identify non-compliance with the UGMFP. Title 8 also requires the City to provide findings of compliance with the *Urban Growth Management Functional Plan*. These findings meet this requirement. All applicable requirements of Title 8 have been met.

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

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

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

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

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

**Title 12. Protection of Residential Neighborhoods.** Existing neighborhoods are essential to the success of the 2040 Growth Concept. The intent of Title 12 of the Urban Growth Management

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Functional Plan is to protect the region's residential neighborhoods. The purpose of Title 12 is to help implement the policy of the Regional Framework Plan to protect existing residential neighborhoods from air and water pollution, noise, and crime and to provide adequate levels of public services.

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

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

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

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

The RIP amendments do not affect the environmental overlay zones or their corresponding zoning regulations. Furthermore, the RIP amendments do not expand allowed uses in these areas. Existing code allows a house with an ADU, and duplexes (on corner lots). Pursuant to HB2001, a duplex will be permissible on any lot. The RIP additional housing types that result in 3 or more units on a lot are restricted on lots located within an environmental overlay zone, or on lots that have identified natural resources as shown in the NRI but do not yet have environmental overlay zoning. The City is currently working on a separate project to update the environmental overlay zones and to address unprotected resources. Therefore, the RIP amendments are consistent with the requirements of Title 13.

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

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

### **Summary, Urban Growth Management Functional Plan Findings**

**27. Finding:** The Metro Title 10 definition of comply or compliance means "substantial" rather than absolute compliance. "Substantial compliance" means city comprehensive plans and implementing ordinances, on the whole, conform with the purposes of the performance standards in the

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functional plan and any failure to meet individual performance standard requirements is technical or minor in nature.

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

### Part III. Portland's Comprehensive Plan

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

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

#### Guiding Principles

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

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

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

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

The manner in which the RIP amendments equitably distribute household prosperity is built into the economics of type, amount and size of housing it allows on land that currently can only be used for single houses. These amendments allow duplex, triplex, fourplex, additional ADUs on what previously would contain single or possibly two residential units. The zoning amendments limit the maximum size of these residential buildings by zone, lot size and number of units. It thereby creates

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opportunity and economic incentive to build more smaller units on the same amount of land. Smaller units, even new construction, cost less than larger units in similar locations and conditions. Multi-unit housing configurations add tenure can be rental or ownership thereby increasing less expensive housing options.

This variety of housing options allows more households to seek out a housing solution that better meets their needs. With more lower cost options available<sup>17</sup>, this translates to spending less of their income on housing and more on the local goods and services, or to create additional savings. The Residential Infill amendments make this diversity of housing possible not just along select corridors, but broadly throughout many areas of the city, which also allows households to seek housing closer to the amenities and necessities they prioritize, be it a job, daycare, school, or recreation. Proximity reduces transportation costs through less vehicle miles travelled or more transit/bike/pedestrian travel all of which means lower carbon emissions. Furthermore, the Residential Infill amendments do not reduce or convert any lands zoned for employment. Therefore, the Residential Infill amendments are consistent with the economic prosperity guiding principle. See also findings for relevant policies in Chapters 5 and 6.

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

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

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

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

However, environmental justice also includes a directive that potential benefits of land use changes are also equitably shared. Within the context of these amendments, Residential Infill zones encompass nearly every neighborhood in the City including vulnerable neighborhoods. Vulnerable neighborhoods are census tracts with higher than average shares of people that are vulnerable to economic displacement: low income households, communities of color, adults without a four-year

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<sup>17</sup> Economic Analysis of Proposed Changes to the Infill Development Standards, Johnson Economics, November 2018



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college degree, and renters. Initial proposals removed the most vulnerable neighborhoods out of a concern for increased displacement pressure. However, during extensive public outreach, participants including non-profit housing providers and anti-displacement community organizations testified that the omission of these areas would create more spatial disparity and deprive residents the infill opportunities being offered to other parts of the city. The Planning and Sustainability Commission concurred and moved to expand the map more broadly to improve opportunities more equitably.

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

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

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

Specifically, the Residential Infill amendments reduce the allowable size of residential buildings in single dwelling zones while keeping current building coverage limits. The amendments remove parking requirements and discourage driveways and garages. This reduces the amount of land needed for paving to store vehicles. The amendments also call for attaching homes on lots that are very narrow thereby increasing contiguous backyard area.

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

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

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

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**32. 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.

Development of the Residential Infill amendments included analysis of how the proposal affects housing supply and cost. Analysis was also done to estimate the impact Residential Infill related redevelopment could have on displacement of low-income households and people of color. The analysis shows fewer low-income renter households would be displaced in the city overall.

With the Residential Infill amendments, displacement of low-income renters in single family houses across the city is reduced by approximately 28% compared to current zoning<sup>18</sup>. In areas experiencing gentrification where higher shares of vulnerable households are located, displacement was reduced by 21%. This was also true for census tracts with more residents of color<sup>19</sup>.

Low-income renter households in single-family homes potentially displaced by 2035			
	Citywide	Census Tracts w/ higher vulnerable	Census Tracts w/ more households of color
<b>Current zoning</b>	950	606	525
<b>Residential infill</b>	680	481	441
<b>Percent change</b>	-28%	-21%	-16%

The benefits of Residential Infill include slowing the growth of housing costs citywide, including in East Portland. When land resources are scarce and city continues to grow, the price of single-family lots and homes increases due to market competition. By increasing the number of options for new housing – number of lots and units, types of units and range of locations – existing housing is less prone to market speculation because there are more choices available on the market. Having more housing options in inner neighborhoods benefits more people by putting more and smaller housing in service rich locations<sup>20</sup>. This suggests that cost pressure on housing in outer neighborhoods like East Portland will also be reduced, which has a greater proportion of underrepresented population than the city as a whole.

In terms of engagement with communities of color and other under-represented groups in development of the RIP amendments, the process included outreach activities (notices, helpline, canvassing, and meeting locations) to engage under-served and under-represented populations in the decision-making process. As noted in the findings for Statewide Planning Goal 1 (Citizen

<sup>18</sup> Exhibit B, Vol. 3, Appendix B: Displacement Risk and Mitigation, February 2019

<sup>19</sup> Supplement to Displacement Risk Analysis with focus on households of color, December 2019

<sup>20</sup> The Effect of New Market-Rate Housing Construction on the Low-Income Housing Market, Upjohn Institute, 2019 and Are Private Markets and Filtering a Viable Source of Low-Income housing, Rosenthal; American Economic Review, February 2014

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Involvement) and Chapter 2 (Community Involvement) of the 2035 Comprehensive Plan the project included extensive engagement; the findings in response to those goals and policies are incorporated by reference. The RIP amendments are consistent with the principle to create a robust and more inclusive community involvement process.

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

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

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

In terms of natural hazards, the RIP amendments restrict additional households from locating in the 100-year floodplain, floodway, and 1996 flood inundation area. Exemptions from main entrance standards are included to permit houses that are already allowed to locate in these areas to have their main entrance elevated out of the base flood elevation. The amendments also restrict additional households from being in potential rapidly moving landslide hazard zones, high landslide susceptibility areas and landslide deposits or scarps. Furthermore, the provisions of 33.631 (Sites in Flood Hazard Areas) along with City programs for flood management, and erosion and sediment control (Title 10 Erosion Control and the balanced cut and fill requirements of City Title 24), are unchanged by these amendments.

## Chapter 1: The Plan

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

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

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

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

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

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

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

**Finding:** The RIP amendments include changes to the Zoning Code and Zoning Map, which are primary implementation tools. The map amendments provide more certainty for future development by matching some areas with historically narrow lots which are typically substandard in size for the R5 zone with a conforming R2.5 designation. They also provide a clear indication where additional housing types (3+ units) are not allowed, with the constrained sites ‘z’ overlay zone.

The City Council defines “flexibility” as a capability to adapt to new, different, or changing requirements and “innovation” as the introduction of something new. The code amendments provide flexibility for a variety of building styles within more certain development parameters (FAR,

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height, etc), while simultaneously promoting innovation through the introduction of newly allowed housing types in single dwelling zones and other zones where additional ADU's will now be allowed.

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

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

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

**37. Finding:** The RIP amendments are an amendment to the 2035 Comprehensive Plan. RIP amendments include Comprehensive Plan policy amendments (renamed land use designations and removing a term from the glossary), Comprehensive Plan Map amendments, Zoning Code amendments, and Zoning Map amendments. As noted above, RIP amendments are consistent with the guiding principles of the 2035 Comprehensive Plan.

The findings in this exhibit demonstrate how the RIP amendments are consistent with the 2035 Comprehensive Plan including advancing multiple goals, and utilizing regulatory implementation tools that promote current and future interests (including addressing shifting demographic and changing housing needs), provide certainty in terms of development entitlements while allowing for innovation by removing prescriptive design standards. The findings additionally show how the amendments are consistent with the Urban Growth Management Functional Plan, and the Statewide Planning Goals. Metro, TriMet, and other state agencies received notice of the proposed RIP amendments from the 35-day DLCD notice and the City's legislative notice. TriMet submitted comments supportive of the RIP amendments. The Planning and Sustainability Commission received feedback from Metro that maximum building sizes should be increased to make duplex and triplex types more feasible, as well as expanding the area where these additional types would be allowed. The PSC recommended both of these changes be incorporated into the RIP amendments. Following the Planning and Sustainability Commission's recommendations to City Council, the City did not receive any requests from other government agencies to modify the RIP amendments.

## The Comprehensive Plan

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

- **Vision and Guiding Principles.** The Vision is a statement of where the City aspires to be in 2035. The Guiding Principles call for decisions that meet multiple goals to ensure Portland is prosperous, healthy, equitable, and resilient.

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- **Goals and policies.** The goals and policies of the Comprehensive Plan, including the Urban Design Framework, provide the long-range planning direction for the development and redevelopment of the city.
- **Comprehensive Plan Map.** The Comprehensive Plan Map is the official long-range planning guide for spatially defining the desired land uses and development in Portland. The Comprehensive Plan Map is a series of maps, which together show the boundaries of municipal incorporation, the Urban Service Boundary, land use designations, and the recognized boundaries of the Central City, Gateway regional center, town centers, and neighborhood centers.
- **List of Significant Projects.** The List of Significant Projects identifies the public facility projects needed to serve designated land uses through 2035 including expected new housing and jobs. It is based on the framework provided by a supporting Public Facilities Plan (PFP). The Citywide Systems Plan (CSP) is the City’s public facilities plan. The Transportation System Plan (TSP) includes the transportation-related list of significant projects. The list element of the TSP is also an element of the Comprehensive Plan.
- **Transportation policies, street classifications, and street plans.** The policies, street classifications, and street plan maps contained in the Transportation System Plan (TSP) are an element of the Comprehensive Plan. Other parts of the TSP function as a supporting document, as described in Policy 1.2.

38. **Finding:** The verb “maintain” is defined in the 2035 Comprehensive Plan as to keep what you have, conserve, continue. The City Council interprets this policy to mean that the City retains all the elements of the comprehensive plan. The RIP amendments maintain the 2035 Comprehensive Plan while simultaneously addressing emerging issues and include an amendment removing a glossary term that is not needed in light of more recent state law related to accessory dwelling units (ADUs) and renaming the single dwelling land use designations (R20-R2.5) to reflect both the new additional house types allowed through the RIP amendments (triplexes, fourplexes, and multiple ADUs) as well as the additional house types that have been allowed in these zones since 1991 (corner lot duplexes) and 1981 (ADUs). The amendments also include corresponding amendments to the Comprehensive Plan Map to align proposed zone changes in some areas from R5 to R2.5. The RIP amendments do not include changes to guiding principles, goals or policies, or the List of Significant Projects, nor do they change policies, street classifications, or street plan maps contained in the Transportation System Plan (TSP).

## Supporting Documents

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

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

39. **Finding:** The RIP amendments were developed consistent with the supporting documents of the adopted 2035 Comprehensive Plan. The RIP amendments do not impact the EOA employment

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development capacity as no designated employment areas are proposed to be rezoned and are not affected by the amendments. Existing allowances for home-based business are also maintained.

The RIP amendments do not change the NRI, and areas that are included in the adopted NRI have been excluded from additional housing allowances pursuant to PCC 33.418, Constrained Sites Overlay Zone, so no updates to that inventory are required as a result.

The adopted Buildable Lands Inventory was utilized as the baseline to assess net impacts to housing capacity and growth allocation from the proposed regulatory changes. The housing *capacity* is determined through the City's adopted BLI growth model which identifies vacant and underutilized sites and then applies a number of development constraints including regulatory, environmental and infrastructure to estimate the feasibility of realized development on those sites. The RIP amendments include modifications to zoning allowances that increase both the range of allowed housing types, as well as the overall capacity for housing units to be created. The RIP amendments do not reduce zoning allowances for housing on any lot, but do reduce the maximum permissible size of housing units based on application of FAR. According to the RIP capacity and growth allocation model, the changes that allow additional units on lots in R2.5, R5 and R7 zones increase the *capacity* for residential household growth in RIP zones by roughly 25,000 units (from 30,000 to 55,000).

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

These amendments are in part to improve the performance of the Comprehensive Plan housing policies, as well as alleviate competitive pressure for housing development more ubiquitously across the city. The RIP amendments do not affect the Metro growth allocation. Therefore, no development is required to accommodate that growth. However, the location of that development and the types of units produced will differ from the comprehensive plan baseline strategy. Future updates to the Buildable Lands Inventory during periodic review will reflect household capacity and allocation forecast impacts as a result of the RIP amendments.

The RIP amendments respond to the Housing Needs Analysis by providing for increased capacity for residential development in three of the single dwelling residential zones (R2.5, R5 and R7 zones representing approximately 30% of the city's land area). The amendments increase the potential for a variety of housing types that are identified in the growth scenarios report as underrepresented in the city's current and future housing mix under the adopted comprehensive plan growth strategy. Future updates to the HNA will incorporate middle housing created as a result of the RIP amendments. The city is required to update the HNA with each periodic review or six years as stated in ORS 197.296.

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

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

The service limitations identified in the CSP have been incorporated into the adopted BLI development constraint analysis that identified parts of Portland that lack needed urban infrastructure. In some cases, development could face increased cost to extend infrastructure, which may make it infeasible to develop in specific locations. The BLI constraint analysis is also included in the RIP capacity and growth allocation model as the basis of a geographic evaluation of the units created through the RIP amendments to ensure that public facilities are planned to support any potential development that could result. As noted in Statewide Goal 8 findings, the RIP amendments do not affect the Metro growth allocation (123,000 households). However, the location of that development and the types of units produced will differ from the comprehensive plan baseline strategy. For example, roughly 3,900 additional housing units are shown allocated to RIP zones, with commensurate reductions of units in lower density residential zones (-2,150) and non-single dwelling zones (-1,750).

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

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

**41. Finding:** As demonstrated in the findings for Statewide Planning Goal 12 (Transportation) and the goals and policies of Chapter 9 (Transportation), the RIP amendments do not allow for new incompatible land uses, and allowances for additional residential density have been evaluated and limited to ensure that these changes do not impact the transportation system. The RIP amendments are consistent with and do not amend the Transportation System Plan, therefore the City continues to plan for public infrastructure investments to maintain and strengthen the multimodal transportation infrastructure in neighborhoods where RIP zones are located.

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

**42. Finding:** It is the responsibility of individual School Districts to develop school facility plans in consultation with the City that meet the requirements of ORS 195. David Douglas School District (DDSD) is currently the only school district in Portland with an adopted school facility plan that meets this policy. Comparing the default Comprehensive Plan zoning household allocation with the



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RIP household allocation, the net change in the David Douglas School District is a reduction of 132 units (roughly a 1% decrease from the 12,000 household default). The David Douglas School District has indicated that it can accommodate these changes into their future forecasting for their facility plan. Therefore, these changes will not impact school facility plans.

### Implementation tools

**Policy 1.3. Implementation tools subject to the Comprehensive Plan.** Maintain Comprehensive Plan implementation tools that are derived from, and comply with, the Comprehensive Plan.

*Implementation tools include those identified in policies 1.4 through 1.9.*

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

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

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

The RIP amendments include Zoning Code amendments intended to implement the policy framework of the *2035 Comprehensive Plan*. These changes primarily affect R2.5, R5, R7 zones, by increasing the allowable residential development types in those zones. Within each zone, different development regulations are tailored for the various development types, including minimum lot size distinctions, differing floor area requirements, and supplemental development standards for narrow lots. The ability to construct triplexes, fourplexes, and additional ADU's within these zones is consistent with the Comprehensive Plan designation of the zones that establish single dwellings to be the primary development type, see findings under Policy 10.1. These amendments provide specific parameters that effectively are differentiated from other zoning districts like mixed use, employment and open space zones. Particular distinctions are drawn between single dwelling zones and multi-dwelling zones through the application of differing densities, building scale and applicable development standards, and range of "by-right" housing types.

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

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

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

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

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

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

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

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

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

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

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

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

## Administration

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

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

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

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

50. **Finding:**

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

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

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

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

In developing the scope of the project, BPS identified a number of Comprehensive Plan policies that could be advanced (see Appendix A of the Revised Proposed Draft<sup>21</sup>) Council finds that RIP advances those policies. In particular Council finds that RIP is more supportive of the Comprehensive Plan with regard to the goals and policies cited below.

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

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<sup>21</sup> See Revised Proposed Draft, “Appendix A, Guidance from the Comprehensive Plan” BPS staff, April 2018

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efficiency, Policy 4.19 Resource efficient and healthy residential design and development, Policy 4.74 Flexible development options, Policy 7.14 Natural hazards, Policy 9.58 Off-street parking.

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

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

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

Additionally, Council finds that Policy 1.10b requires that amendments are based on the factual basis established in supportive documents. The RIP amendments are a legislative amendment to the Zoning Code, Zoning Map, Comprehensive Plan Map, and terms and land use designation descriptions within Comprehensive Plan. These findings and the discussion in the Revised Proposed Draft Appendix A identify how the RIP amendments comply with the Comprehensive Plan. That is, the amendments are evaluated against the Comprehensive Plan's Guiding Principles, goals, and policies, as detailed throughout this set of findings.

As described in the finding for Policy 1.2, the factual basis of the supporting documents is not changed by this ordinance.

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

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

For the reasons stated in these findings, the City Council concludes that the RIP amendments are on balance, or on the whole, more supportive of the goals and policies of the Comprehensive Plan than the current regulations. The City Council has considered all applicable goals and policies to achieve an optimum outcome. The purposes of the RIP amendments are to enhance public health and safety and protect the environment. The City council considered the applicable goals and policies and concludes that, on the whole, continuing to restrict residential structure types to houses, corner lot duplexes, and triplexes in a limited area of R2.5 zoning, continue to mandate car-oriented development, while also permitting the continuance of out of scale development would be less supportive of the Comprehensive Plan than adopting the RIP amendments.

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

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

**51. Finding:** Providing for additional residential capacity supports Metro’s plan for a tight urban growth boundary by reducing pressure to develop housing in new greenfield areas. While the Comprehensive Plan adopted BLI demonstrated that there was sufficient capacity within the single dwelling zones for the 20-year planning period, much of that capacity was projected to be utilized. When available land becomes more scarce, while demand remains strong, price for that land increases which impacts a builder’s ability to develop housing feasibly<sup>22</sup>. The additional capacity created through the RIP amendments doesn’t affect the total projected household growth for the City, but it does provide significant capacity headroom to reduce the pressure exerted against a more fixed supply of land. Put another way, with more options available on more lots, scarcity is reduced and development becomes more feasible, reducing the need to add more land within the UGB. See also findings in Part II, Metro Urban Growth Management Functional Plan.

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

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

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

**53. Finding:** The RIP amendments were developed to be consistent with applicable state and federal regulations, including FEMA flood regulations and state building code requirements. Compliance with recent state legislation directly applicable to this project is demonstrated in the memo to Council (“Residential Infill Project Amendments for Consideration”), dated May 15, 2020.

**Policy 1.14. Public facility adequacy.** Consider impacts on the existing and future availability and capacity of urban public facilities and services when amending Comprehensive Plan elements and

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<sup>22</sup> Why Have Housing Prices Gone Up? National Bureau of Economic Research, Feb 2005

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implementation tools. Urban public facilities and services include those provided by the City, neighboring jurisdictions, and partners within Portland’s urban services boundaries, as established by Policies 8.2 and 8.6.

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

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

**55. Finding:** As demonstrated in the findings for Statewide Planning Goal 2, the City filed the required 35-day notice with Oregon Department of Land Conservation and Development to notify other government agencies of the proposed RIP amendments. In addition, the City sent a separate legislative notice to Multnomah County, adjacent cities, Metro and TriMet. The City also coordinated with the David Douglas School District to consider how these amendments may address school enrollment. The Planning and Sustainability Commission received feedback from Metro that maximum building sizes should be increased to make duplex and triplex types more feasible, as well as expanding the area where these additional types would be allowed. The PSC recommended both of these changes be incorporated into the RIP amendments. Following the Planning and Sustainability Commission’s recommendations to City Council, the City did not receive any requests from other government agencies to further modify the RIP amendments. The City’s fiscal impact statement notes that while the reduction in maximum building size may affect individual investment decisions, the amendments will not reduce the number of feasible residential units and creates more capacity for additional units, which is also further substantiated in the Economic Analysis (Volume 3, Appendix A).

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

**56. Finding:** The PSC thoroughly reviewed and was briefed on the RIP amendments:

- February 13, 2018 – PSC briefing on housing trends and RIP economic background
- February 27, 2018 – PSC briefing on RIP issues/background
- March 13, 2018 – PSC briefing on social equity and displacement risk analysis
- April 24, 2018 – PSC briefing on RIP proposals
- May 8 and 15, 2018 – Public hearings and testimony
- May 22, 2018 – PSC work session on goals, residential zone comparison, economic Q&A
- June 7, 2018 – PSC work session on scale proposals
- June 26 and July 10, 2018 – PSC work session on housing choice proposals
- July 10, 2018 – PSC work session on scale and housing choice
- August 14, 2018 – PSC work session on narrow lot proposals
- August 28, 2018 – PSC work session on cottage cluster proposals
- September 11, 2018 – PSC work session on tentative direction for revised proposal
- December 11, 2018 – PSC briefing on revised economic analysis
- February 12, 2019 – PSC briefing on Revised Proposed Draft

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February 26, 2019 – PSC work session on Revised Proposed Draft  
March 12, 2019 – PSC recommendation vote to City Council

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

**57. Finding:** The Citizen Involvement Committee was appointed in June 2018 and reviews and advises the way City staff engage with the public in land use and transportation planning. The Residential Infill Project was initiated in 2015 and was in deliberations with the Planning and Sustainability Commission during the time the CIC was created, so the CIC was unable to consult on the community involvement program that informed the initial proposal. The project complied with the community involvement requirements applicable at its initiation from the previous comprehensive plan in effect at the time, which included encouraging citizen involvement by actively coordinating with relevant community organizations, publishing timely reports to residents and businesses, and providing notice of official hearings to neighborhood associations, business groups affected individuals and the general public. Furthermore, the City Council determines that RIP was undertaken in compliance with community involvement goals and policies, as indicated in the findings for Comprehensive Plan Chapter 2 (Community Involvement).

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

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

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

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

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

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

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

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**1.19.c** Community, area, neighborhood, and other area-specific plans that were adopted by ordinance prior to January 1, 2018 are still in effect. However, the elements of this Comprehensive Plan supersede any goals or policies of a community, area, or neighborhood plan that are inconsistent with this Plan.

**59. Finding:** The RIP amendments do not include or amend area specific plans. Policy 1.19 directs that existing area-specific plans be used to provide additional detail or refinements at a smaller geographic scale, like centers or corridors. The RIP amendments are applicable at a citywide geography, with some changes affecting all zones (e.g. revised height calculation method), some affecting large portions of RIP zones across much of the city (e.g. additional housing types), and some affecting specific areas of historically narrow lots (e.g. rezones). At the citywide scale, the findings included herein demonstrate that the amendments are consistent with the 2035 comprehensive plan.

Area and community plans that include RIP zones have been reviewed for relevant policy guidance. Responses to these policies are contained in Part IV: Area-Specific Plans



## Chapter 2: Community Involvement

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

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

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

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

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

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

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

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

**Concept Phase.** Prior to the initiation of the legislative project, the public was engaged as part of the development of the project concepts. In September 2015, former Mayor Charlie Hales appointed a Stakeholder Advisory Committee (SAC) composed of nominees from each of the District Coalition Offices, the Planning and Sustainability Commission, East Portland Action Plan, Home Builders Association of Metropolitan Portland, United Neighborhoods for Reform and the Immigrant and Refugee Community Organization. In addition, project staff selected 13 members-at-large to ensure the committee was well-balanced among individuals representing neighborhood

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interests, the development community and those who bring a different perspective related to single-dwelling housing issues, such as anti-displacement, aging and disability, and historic preservation advocates. Project staff also sought a balance in terms of gender composition and geographic distribution in addition to members who exhibited strong community networks while forming the SAC. The SAC met 14 times between September 2015 and October 2016. Staff created a Facebook group to provide a publicly visible forum for SAC members to share and discuss issues and articles related to their work on the project. Members of the public could view all postings, links and uploads to this group page. All SAC meetings were open to the public with time for public comments (oral and written) during the meetings, which were also incorporated into minutes of the meetings. In addition to regular meetings, the public was invited to an open house after the SAC design workshop in January 2016. Announcements of upcoming meetings and summary notes of each meeting were included in e-updates and blog posts. In addition, all SAC meeting agendas, summaries and meeting materials are posted on the project website.

Other public engagement efforts included regular project updates, an online open house and questionnaire, public events and City Council hearings in December of 2016. Public input helped formulate the recommendations in the Residential Infill Project Concept Report.

**Project Updates:** Updates on the project were shared by staff in several ways: e-updates sent to the project mailing list, blog posts for news and updates, BPS E-newsletters and BPS social media sites (Facebook, NextDoor and Twitter).

**Online Questionnaire:** Staff received over 7,000 online questionnaire responses between December 9, 2015 and January 12, 2016. The questionnaire asked participants to prioritize the residential infill issues that are most important to them. Staff used the results to help identify key community values for regulating development in single-dwelling zones. Concepts were developed for community review in the spring. In addition to the many voices and opinions that were shared, the demographic results also helped pinpoint where additional targeted outreach was needed to gain additional input from those not well-represented in this survey. Results, including key findings, methodology, demographic information, responses by geographic areas and demographic groups, and open-ended comments summarized by topic areas were posted on the project website and shared with the SAC.

The public review period for the Residential Infill Project Concept Report and Draft Proposals occurred from June 15, 2016 through August 15, 2016. Opportunities for the public to learn more about the project and give staff feedback included:

- An online open house and second questionnaire that offered the public a chance to learn about the project and provide comments on the concept proposals;
- A series of 5 open houses around the city to learn about the project, review the proposals, ask questions and share feedback;
- Meetings in collaboration with community members including Oregon Opportunity Network's public forum on the Residential Infill Concept Report and Draft Proposals and a special meeting for older adults and people with disabilities; and
- Meetings with organizations to gather feedback and help distribute information about the draft proposal to their members, such as Anti-Displacement PDX, REACH CDC and the Portland Housing Center, among others.

During the eight-week public review period, over 700 people attended an open house or meeting where the proposals of the project were presented, 8,604 people visited the online open house and

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staff collected more than 1,500 public comments from the online questionnaire, comment forms, chart pack notes at open houses, emails and letters.

Staff used the feedback to refine the concepts in the Recommended Concept Report to City Council published on October 17, 2016.

The project received much attention from several news outlets. Stories appeared in several neighborhood newspapers, in addition to *The Oregonian*, *Portland Tribune*, *Willamette Week* and *Portland Mercury*. Staff appearances on OPB, KBOO, KGW, KPTV and KATU helped to disseminate information and publicize upcoming City Council hearings.

At the request of former Mayor Charlie Hales, staff brought the concepts directly to City Council so that he would be able to provide input prior to the end of his term. City Council held public hearings on November 9 and November 16, 2016. Nearly 120 people testified in person; Council also received approximately 550 letters and emails during their review. In December 2016 Council passed several amendments to the concepts and passed a non-binding resolution (Resolution No. 37252) directing staff to develop Zoning Code and mapping amendments to implement the concepts. Staff began the code development and map amendment process in early 2017.

**Discussion Draft.** The public review period for the Residential Infill Project *Discussion Draft* was from October 3 to November 30, 2017. During this time the public had opportunities to learn about the proposals at a kick-off meeting and six drop-in events throughout the city. Staff also presented the proposals at various community meetings and had numerous conversations with groups and individuals through email and phone inquiries. In addition, an interactive online Map App was available that showed parcel-specific information about how the proposals would affect specific properties.

- 433 people submitted 3,425 comments through the online and paper comment forms
- 249 emails were sent by the public to project staff
- Staff received 46 letters from organizations or groups which included nonprofits and advocacy groups, public-sector agencies and commissions, coalitions of for-profit housing developers, business interests and neighborhood associations and district coalitions.
- 36 comments were written on a lobby exhibit in the 1900 Development Services Building

Information and publicizing:

- News blogs featured on the Residential Infill Project website
- Monthly email updates were sent to the project mailing list (over 1,000 email addresses as of January 2018) to provide project updates and public input opportunities.
- BPS and Bureau of Development Services E-newsletters
- Posts by BPS on NextDoor, Twitter, and Facebook (many of which were shared by others)
- Articles in local newspapers (including *The Oregonian*, *Daily Journal of Commerce* and *Portland Tribune*)
- Media coverage on local TV news stations and local radio programs
- BPS project staff provided updates to neighborhood associations and other community groups

**Proposed Draft.** On April 2, 2018 — 5 weeks before the PSC's first of two public hearings — the City published the Proposed Draft of RIP amendments in preparation for the Planning and Sustainability Commission (PSC) review and recommendation. In support of this process, the BPS website had a project page dedicated to this project, a Map App page for submitting testimony, and telephone

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helpline to learn about the plan effort and numerous ways to comment on the plan. As part of the Proposed Draft publication and legislative process requirements, the following legal notices were also sent:

- Form 1 Notice  
Sent to the Department of Land Conservation and Development (DLCD)
- Legislative Notice (~1,000 notices)  
Sent to interested parties, recognized organizations, affected bureaus, TriMet, Metro and ODOT and published in the Daily Journal of Commerce
- Measure 56 Notice (136,652 notices)  
Required by Ballot Measure 56, this mailed notice was sent to owners of each lot or parcel of property where there is a proposed change to the base zoning of the property or where there are limits or prohibition of land uses previously allowed in the affected zone.

In addition to these legal requirements, information about the PSC hearings was featured in blog posts on the project website, e-updates to project mailing list (totaling over 1,400 people by October 2019), media releases and posts by BPS on NextDoor, Twitter and Facebook. Moreover, staff engaged directly with the public during one-on-one “office hours” in 6 libraries in various parts of town to answer property-specific questions.

The PSC held a public hearing on May 8 and May 15, 2018. 134 people testified at the hearings and more than 1,200 written testimonials were received.

The PSC discussed the proposals over 8 subsequent work sessions culminating in direction to staff to amend the Proposed Draft. This became the Revised Proposed Draft.

On March 12, 2019, the Commission deliberated on the Revised Proposed Draft and made further specific amendments to the proposal and voted to recommend the changes to City Council.

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

**Recommended Draft.** On August 1, 2019 the Recommended Draft of the Residential Infill Project was published presenting the PSC’s recommendations to City Council. On December 12, 2019, the City sent a legislative notice of the City Council Hearing to interested parties and anyone who testified to the PSC on the proposed draft and supplied contact information. City Council held a public hearing on January 15 and 16, 2020, to receive testimony on the Recommended Draft.

City Council heard oral testimony from 130 people in addition to receiving over 561 written pieces of testimony. In response to this testimony, staff held open and transparent work sessions with Council on January 29 and February 12 to identify possible revisions to the proposals. Staff published the amendment concepts that council had directed staff to further develop on February 13. Specific amendment language was published on March 9, 2020 in advance of an additional public hearing that was originally scheduled for March 12 but was cancelled due to the COVID-19 pandemic. Governor Brown has issued a series of executive orders that impact local governments. Notably, on March 8, 2020, Governor Brown issued Executive Order 20-03 declaring a state of emergency due to COVID-19. Later, on March 23, Governor Brown issued Executive Order 20-12 declaring that non-essential gatherings outside of the home or place of residence are prohibited immediately, regardless of size.

On April 15, Governor Brown issued Executive Order No. 20-16 due to the COVID-19 pandemic requiring local governments to conduct public meetings by telephone, video, or other electronic means whenever possible. In order to move forward with city operations, the directive laid out

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instructions to conduct business virtually during this time. The Bureau of Planning and Sustainability proceeded to resend public notice of the rescheduled hearing on amendments to the proposals following the guidelines outlined in the order, providing ample time for public input and participation.

A public notice was sent on May 13, 2020 for a City Council public hearing on the project amendments to: parties that received notice of Council's initial hearing on the RIP Amendments; the City's legislative list; and, people on the Residential Infill Project mailing list.

The record was held open from February 12, 2020 and ultimately closed June 18, 2020 allowing more than 4 months for the public to review the proposed amendments on the project website and submit testimony via the MapApp tool on the project website or by mail to the City Council Clerk.

On June 3, 2020, the Portland City Council held a virtual public hearing and received written testimony regarding the amendments. The virtual public meeting was held using the Zoom platform. It was free to participants and it allowed them to provide testimony by phone or computer. Participants were given 2 minutes to testify. Participants could also watch the hearing on YouTube with closed caption accommodations.

At the June 3, 2020 hearing, 53 people testified and the hearing was continued to June 18, where the remaining 22 people were given the opportunity to testify. By the close of record on June 18, 2020, 285 written pieces of testimony had been received regarding the amendments. The findings have been amended in response.

On August 5, 2020, City Council voted to approve these amended findings and the amended elements of the Residential Infill Project.

Testimony received in opposition to the proposed plan expressed that action on the RIP amendments should be delayed considering COVID-19 and the potential for future pandemics. Barriers to accessing the public hearing process through the zoom platform were also alleged. There were also suggestions that a new approach to urban planning be adopted that results in less dense development.

Further, there were suggestions that the Council should delay voting until after the Department of Land Conservation and Development (DLCD) has promulgated its rules for HB2001.

However, other testimony supported quicker action by Council in order to set in motion the process to adopt these rules sooner rather than later, which will continue to delay the ability to deliver more housing options, while the status quo of single dwelling development continues. In addition to introductory remarks made by Director Andrea Durbin (BPS), testimony in response to assertions that density exacerbated the COVID-19 situation was also introduced<sup>23</sup>, which Council found to be compelling. City Council finds that cities can be dense and still provide places for people to isolate and be physically distant. Council also finds that it acted in conformance with the Governor's executive order regarding conducting public hearings during the pandemic and mitigated for potential obstacles in participation by allowing for phone-in testimony, in addition to the zoom platform, and ultimately through extended timelines for submitting written testimony by US mail.

Testimony from DLCD stated in response to its rulemaking role: "Even though LCDC will not adopt a model code and minimum standards for middle housing until later this year, we encourage you to move forward and adopt the RIP without delay. The RIP is almost fully compliant with the standards

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<sup>23</sup> Testimony from Mary Vogel, April 30, 2020 "Facts don't support 'density is dangerous narrative'"

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set forth in HB 2001, and will require only some adjustments by the city to come into full compliance with the provisions of this legislation.<sup>24</sup> Council finds that further delay in adopting the RIP amendments could exacerbate this delay of projects that are sorely needed within the city.

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

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

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

In conjunction with publishing the Proposed Draft, the legally required Measure 56 notices were sent to all property owners within R2.5, R5 and R7 zones.

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

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

The RIP outreach and engagement process utilized various methods and forums to interact and solicit input from a wide variety of perspectives as noted above. In conjunction with open public meetings with the Stakeholder Advisory Group, two on-line questionnaires were hosted. The first solicited prioritization of values prior to initial concept development. The second asked participants to respond to general concept proposals. Following publication of the discussion draft, staff attended various events (like Sunday parkways, and the Fix-It Fair) as well as scheduled open house events in each quadrant of the City. The Proposed Draft to the Planning Commission was accompanied by a Measure 56 notice to all property owners and accompanied by a series of one-on-one conversations with the public at various locations throughout the city. A specific accessibility and age-friendly focused forum was also held in conjunction with Elders in Action. Direct engagement with affordable housing providers through Housing Oregon and coalitions like Anti-displacement PDX enhanced engagement efforts to underserved and under-represented communities. More than 130 events were held throughout the course of the project, see the Project Communication Log.

## Partners in decision making

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

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<sup>24</sup> Testimony from Jim Rue, Director DLCD, January 15, 2020

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**2.1.a** Individual community members.

**2.1.b** Communities of color, low-income populations, Limited English Proficient (LEP) communities, Native American communities, and other under-served and under-represented communities.

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

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

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

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

**61. Finding:** This policy directs the City to maintain partnerships and coordinate community engagement on a programmatic level and is not specific to a particular legislative project. Therefore, this policy is not applicable. Nevertheless, these partnerships were engaged and maintained throughout this process. Staff conducted on-going communication and responded to requests for additional information from neighborhood associations, coalitions, community-based organizations, under-represented communities as well as individuals among others.

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

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

## Environmental justice

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

**63. Finding:** The 2035 Comprehensive Plan defines “ensure” to mean “to make sure that something will happen or be available”. The RIP amendments address a number of issues that had been identified as particular burdens for low-income populations and communities of color, including housing affordability, and access to more neighborhoods. New incentives for creating regulated affordable housing in these zones affords more options for lower income households, who are disproportionately represented in under-served and under-represented groups. BPS used neighborhood vulnerability data to identify neighborhoods (Census tracts) with higher than average shares of people that are vulnerable to economic displacement: renters, communities of color,

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adults without a four-year college degree and low-income households. According to the Displacement Risk Analysis, the RIP amendments reduce redevelopment-induced displacement potential by 28%. When limiting this analysis to those census tracts that have specifically higher shares of vulnerable populations, displacement potential was reduced by 21%. The RIP amendments continue to allow additional investments in all areas of the city but reduce the potential windfall from allowing multiple units by instituting FAR size limits, as indicated by the economic feasibility analysis. The amendments also include provisions intended to assist existing homeowners to self-invest by being able to add accessory dwelling units incrementally as well as provisions that make it easier to reconfigure lot lines and convey portions of their unused lots (flag lot provisions for existing houses). Beyond the benefits to existing residents and homeowners, new residents will have greater access to well-situated neighborhoods through lower cost housing options. Moreover, partnerships between the City and non-profit CDC's will help deliver permanently affordable housing in more areas of the city. These benefits are equitably distributed and are extended to communities of color, low income communities, and other under-served and under-represented groups. On-going partnerships with groups identified in Policies 2.1 and 2.2 will help ensure that the long term economic, cultural, political and environmental benefits of the RIP amendments are maximized through continued communication.

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

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

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

Factors that lead to displacement are much broader and multi-faceted than just zoning and land use, although these tools do have the power to weaponize and exacerbate displacement potential. Conversely, it is not possible within the scope of a zoning change to completely eradicate decades and generations of displacement. The RIP amendments have been evaluated for their potential to displace low income renters as a result from redevelopment activity associated with the zoning and regulatory changes. This analysis found an improved condition when compared against the baseline comprehensive plan, with a 28% net reduction in such displacement citywide, a 21% reduction when looking specifically at census tracts with higher shares of vulnerable communities (higher combined quintiles of renters, low-income, people of color, and individuals without a college degree), and a 16% reduction when focused solely on census tracts with higher shares of people of color. The analysis also examined proposed rezone areas to determine whether any particular race/ethnicity was disproportionately over or under-represented and found the demographics to be relatively consistent with the citywide average.

One of Council's amendments to the plan was the addition of the "deeper affordability amendment". Council cited the importance of this mitigating provision, with Commissioner Eudaly noting "this amendment will allow affordable housing developers to be more competitive in RIP zones. While it won't on its own prevent displacement or ensure affordable housing at the levels



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we need it, it will help.” Therefore, this plan is contributing to the elimination of disproportionate burdens and minimizes and partially mitigates for the historical zoning actions that have led to the conditions that are causing involuntary displacement today.

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

- 65. Finding:** The RIP amendments address a number of issues that had been identified as particular burdens for low-income populations and communities of color, including housing affordability and increased housing options in more areas of the city. In addition, removing minimum parking requirements reduce cost burdens for households that disproportionately lack private vehicles. Per the 2015 American Community Survey data<sup>25</sup>, black households in Portland are more than twice as likely to not have a car (30.8% of households) than white households (13.8%), and households of color consistently are more likely to not have cars compared to white households.

Neighborhoods across the city are experiencing rising housing costs, with few remaining areas where low-income households can afford to purchase housing. The RIP amendments include incentives designed to leverage partnerships in affordable housing producers to provide a greater number of regulated affordable units within RIP zones. This expands the reach of potential affordability beyond mixed use and multi-dwelling zones. BPS used a vulnerability analysis to identify neighborhoods (Census tracts) with higher than average shares of people that are vulnerable to economic displacement: renters, communities of color, adults without a four-year college degree and renters. Volume 3, Appendix B summarizes an analysis of displacement risk in RIP zoned areas, which reinforced the need to address housing affordability.

## Invest in education and training

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

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

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

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

## Community assessment

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

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<sup>25</sup> National Equity Atlas: Percent of households without a vehicle by race/ethnicity: Portland City, OR, 2015

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**67. Finding:** The City Council interprets this policy to create the opportunity for the community and advisory committees to have opportunities to communicate their issues and concerns to the PSC and City Council outside of the formal legislative process. These changes are a legislative process with formal opportunities to testify to communicate directly with City Council. Therefore, this policy does not apply.

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

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

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

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

### Transparency and accountability

**Policy 2.12. Roles and responsibilities.** Establish clear roles, rights, and responsibilities for participants and decision makers in planning and investment processes. Address roles of City bureaus, elected officials, and participants, including community and neighborhood leadership, business, organizations, and individuals.

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

**Policy 2.14. Community influence.** At each stage of the process, identify which elements of a planning and investment process can be influenced or changed through community involvement. Clarify the extent to which those elements can be influenced or changed.

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

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**69. Finding:** Policies 2.12 through 2.15 provide direction regarding roles, responsibilities, feedback opportunities, and documentation for participants and decision makers. Roles and responsibilities of participants and decision makers were identified in the Residential Infill Project Public Involvement Plan, April 2016, Amended March 2018. The project scope was developed and solidified during the Stakeholder Advisory Committee phase of the project. As described in the findings for Statewide Planning Goal 1 (Citizen Involvement), the legislative process was clearly outlined in notices, documents and on the project website as to how to testify to influence the Proposed Draft at the PSC, which amended the proposal. Then the Recommended Draft was published with the opportunity to testify at the City Council’s public hearing.

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

The RIP amendments were informed by a broad range of individuals and groups, see the Project Communication Log. During the review of the RIP amendments, BPS staff attended community meetings to inform people of the proposed amendments. All meetings and events were open to the public and included opportunities for public comment. These meetings included those held with neighborhood associations, the East Portland Action Plan Housing subcommittee, and other City advisory groups (e.g. Portland Housing Advisory Committee, Urban Forestry Policy Committee) not directly involved in the decision-making process.

The public was provided meaningful opportunities to participate by expressing support as well as concerns and suggesting amendments in front of both the PSC and City Council. Public meetings were well advertised, open and accessible to the public and videotaped and broadcast to increase transparency of the decision-making process. Two public hearing dates were provided before the Planning and Sustainability Commission, and likewise, two hearing dates were offered before City Council. City Council considered testimony received and discussed, deliberated, and incorporated several amendments that were developed in direct response to this testimony at two public meeting work sessions. Council then held an additional public hearing specific to these amendments to ensure an open and transparent discussion and feedback process.

## Community involvement program

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

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

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

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

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

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specialized topic areas.

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

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

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

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

### Process design and evaluation

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

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

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

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

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

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

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

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**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.

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

The formation of a Stakeholder Advisory Committee was based on an application process designed to include a broad range of perspectives, experience, and geographic representation. The application process included anonymous demographic information. The Stakeholder Advisory Committee included self-selected neighborhood association representation from each of the neighborhood district coalitions as well as participation from the East Portland Action Plan group. Several topic specific interests were also represented: historic preservation, energy conservation, architecture, small scale builder, large scale builder, affordable housing provider, remodeler, anti-displacement, diversity in civic leadership representation, land use, and neighborhood advocate, tenant advocates, neighborhood residents, and age-friendly advocates.

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

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development trends throughout single dwelling zones. Development of the amendments was informed by a range of previous projects that involved a diversity of community members, including the Infill Design Toolkit, and the Residential Development and Compatibility Policy Expert Group Summary Recommendations Memo. In addition, two focus groups were conducted to advance strategies to increase visitability in housing, see Volume 3, Appendix D. Community feedback was also obtained during community walks in inner southeast, north, east and southwest Portland.

Staff engaged with property owners through direct notification, replying to email and phone calls, and meeting with the business community, housing and tenant advocates, and representatives of the home building industry including architects, contractors, and consultants. Staff also engaged with local media outlets to publicize the proposals and gain interest from a wider audience. To date, over 500 articles and news reports have been published about the project. BPS staff also sent 136,652 measure 56 notices tailored to specific zoning changes on a parcel by parcel basis.

To support these notices, the BPS website had a project page with the available documents; a Map App page with a testimony function; BPS staff created a dedicated help phone line; BPS staff attended a series of individual one on one “office hour” sessions across the city to answer property specific questions prior to the PSC hearing to provide additional opportunities to learn about the Proposed Draft and offer numerous ways to comment.

Project staff worked with the BPS equity specialist to develop appropriately tailored engagement processes, and adapted the engagement approach and informational materials based on community feedback during engagement efforts, including scheduling a variety of event locations, times, days and formats, including interactive Q&A forums, one on one conversations, on line formats, tabling at events with wider participant attendance (such as Sunday Parkways and the Fix It Fair). Staff deployed innovative engagement methods, including a Map App (online interactive web-based map application) page with a testimony function; a dedicated help phone line; and several engagement formats including open houses, an online open house, one on one consultations, and smaller group settings. Staff added a regular “e-update” mailing to interested parties which provided enhanced two-way communication between staff and the public to provide frequently requested information or responses, and timely updates. Demographic information was collected from online survey submittals. Additionally, BPS staff met with specific advocacy and interest groups, neighborhood associations and district coalitions as resources allowed.

Accommodations were made available for people with disabilities and those that were non-English speaking stakeholders to participate in events and access materials. All project public events hosted by the city were held in locations that accommodated people with disabilities. Events were held both downtown and across the city in the evenings with one open house (Sellwood) on the weekend in the daytime. Other events, like Housing Oregon (formerly OregonON) forum were held also in the daytime. Another event hosted by Elders in Action was held downtown, during the daytime with a particular focus on people with disabilities. Real time closed captioning and transcription services were employed at this event. Spanish-speaking staff members were also on hand during larger events.

The Discussion Draft was crafted in response to these discussions. In turn, comments on the Discussion Draft informed changes that were incorporated in the Proposed Draft. A large number of people testified at both the PSC and City Council public hearings, which resulted in further amendments to the final regulations, including addressing several issues that were outside the initial project scope including regulated affordable housing, historic preservation, and parking mandates.

## Information design and development

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

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

**Policy 2.40. Tools for effective participation.** Provide clear and easy access to information about administrative, quasi-judicial, and legislative land use decisions in multiple formats and through technological advancements and other ways.

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

**72. Finding:** Consistent with Policies 2.38 – 2.41 and BPS community involvement practices, meetings, open house events, and all public meetings, described in more detail in the findings for Statewide Goal 1, were held at locations that could accommodate people with disabilities, meetings were noticed, information on the plan was provided to meeting participants as well as online. An open house event specifically for people with disabilities was hosted with closed-captioning and transcription services. Accommodations were made to allow LEP individuals to learn about and comment on the plan. Written material was made available for translation and Spanish speaking planners accompanied staff during several outreach events. As part of staff's on-going project communications, an email contact list was maintained with nearly 1,500 addresses. Emails were sent on a roughly monthly basis, or as updated information was available.

The City mailed the required Measure 56 notice in three installments on April 4, April 9, and April 11, 2018 to all owners of R2.5-R7 single dwelling zoned properties (136,652) when it published the Proposed Draft prior to the May 8 and 15<sup>th</sup> PSC hearings. The City also sent a legislative notice to interested parties, including neighborhood associations, business associations, and other affected jurisdictions, that have requested notice of proposed land use changes.

The City sent a legislative notice on December 12, 2019 to interested parties, and others that participated in the PSC hearings to inform them of the opportunity to testify at the January 15 and 16<sup>th</sup>, 2020 City Council public hearing.

## Chapter 3: Urban Form

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

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

The RIP amendments are consistent with this goal in that they will reduce disparities in access to housing by allowing more types of housing in single-dwelling zones that are less expensive than similarly situated single-family houses and more affordable for a broader range of Portlanders. As of 2018, the median home sale price exceeded \$475,000 (which is only affordable to households earning 130% to 160% of the median area income). Based on an economic analysis (Volume 3, Appendix A), the RIP allowances for smaller unit types, such as triplexes and fourplexes, will result in a decrease in average rents per unit by over 50% compared to current single-dwelling zoning. The RIP amendments reduce disparities in access to housing and encourage social interaction by expanding the range of housing choices available to Portlanders both in terms of comparatively lower cost housing, but also in terms of building form and more accessible choices. New visitability standards will help increase the number of units that will or are readily adaptable to meet the needs of our aging and disabled communities. New incentives are included for building affordable housing units. While these zoning changes will not in themselves serve the needs of all Portlanders, they do effectively increase the diversity of housing potentially available to *more* Portlanders, and better serve this goal than the current zoning. The increased access to housing provided by the RIP amendments also contributes to the health, prosperity, and equity components of this goal, as housing is essential for households to remain healthy, access jobs, and for children to have stable access to education.

The RIP amendments are also consistent with the social interactions component of this goal because the small-scale multi-unit housing development allowed by the RIP amendments fosters and promotes social interaction by providing for private independent household living with semi private communal yard space threaded into the fabric of the surrounding residential area. Allowing a broader range of housing options in existing neighborhoods will also strengthen social



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connections by allowing more Portlanders to afford to live in the neighborhoods where their social networks exist.

The RIP amendments also contribute to the access to transportation that healthy connected neighborhoods provide in that 114,000 parcels (94%) in RIP single-dwelling zones are located within ¼ mile of transit, and 104,000 (86%) are located within ½ mile of frequent bus and/or fixed rail transit.

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

**74. Finding:** City Council interprets this goal as identifying the reduction of carbon emissions, reduction of natural hazard risks, and resilience to the effects of climate change as a basis for how the City of Portland will guide the built environment. This goal is achieved when development contributes to a compact urban form – such as development focused around the Central City, centers and corridors; through sustainable development practices – such as energy-efficient development; through green infrastructure – such as stormwater planters and ecoroofs; and through active transportation – such as walking, bicycling, and transit. The RIP amendments are consistent with this goal in that they promote compact and more energy-efficient development by allowing multiple units on a single lot (up to four or six when providing regulated affordable housing). This enables established neighborhoods to continue expanding and diversifying their populations while reducing pressure for extra-territorial development in harder to serve and longer to commute to places. The RIP amendments are also consistent with this goal by keeping development in the single-dwelling zones relatively small in scale and limiting development to buildings with no more than 6 units, leaving large-scale development to the commercial and multi-dwelling zones located in the Central City and in centers and corridors. The RIP amendments also contribute to active transportation in that 114,000 parcels (94%) in RIP single-dwelling zones are located within ¼ mile of transit and most RIP zoned parcels are within a 3-mile bicycling distance of the Central City, centers, or corridors. The amendments eliminate minimum off-street parking requirements which helps to encourage use of alternate transportation modes like transit and active transportation according to a number of studies<sup>26</sup>. The RIP allowances facilitate new development of additional housing types, which support sustainability and resiliency to hazards, as newer buildings are designed with greater energy efficiency and can better withstand earthquake and other natural disasters. Also, the new ‘z’ overlay restricts additional units from being in landslide or flood prone areas, including the 1996 flood inundation area which reflects the increased flood risk from climate change, thereby improving climate and natural hazard resiliency.

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

**75. Finding:** This goal reflects the 2035 Comprehensive Plan’s preferred growth scenario<sup>27</sup> which calls for 30% of the growth in the Central City, with Centers and Corridors accommodating 50% of new housing units, while the single-family residential areas account for the remaining 20% of growth. The City Council interprets this goal to mean that implementing land use strategies should

<sup>26</sup> Estimating Parking Utilization in Multi-Family Residential Buildings in Washington D.C., November 2015

<sup>27</sup> Growth Scenarios Report, BPS July 2015

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contribute to meeting these growth percentages, and that the relative stability of single-family areas is achieved by retaining these area's low-rise scale and limiting development to buildings with small numbers of units.

Although the RIP amendments allow more units on RIP single-dwelling zone lots, the RIP growth allocation model continues to project that the vast majority (79.5%) of the 2035 forecast housing units will be located in the Central City, centers and corridors, with a shift of approximately 3,900 units to the RIP zones (2,152 of these units are pulled from lower density single dwelling zones, and 1,781 units from centers and corridors largely from the Eastern pattern area<sup>28</sup>). This represents a net shift of 1.6% of units from center and corridor zones in outer pattern areas; however,, compared to the Comprehensive Plan BLI growth allocation, the RIP allocation model generally moves housing unit growth in the single-dwelling zones closer to the Central City by increasing capacity in close-in areas that were previously over-allocated from the Comprehensive Plan model.<sup>29</sup> This plan, and other pending and recently approved zone changes will be incorporated in a future update to the City's BLI as part of its next periodic review, in accordance with ORS 197.040.

City Council interprets "relatively stable" to mean that in comparison to areas that will experience high amounts of growth and development/redevelopment, these areas will see significantly less development and that this development will consist of low density, small-scale residential buildings. Additionally, the development that is allowed through the RIP amendments has contemporary examples (corner lot duplexes, triplexes in the 'a' overlay zone, attached houses, and accessory dwelling units) and historical examples of 4 to 6 unit buildings already present in the City's single family areas. The RIP zoned areas will continue to remain relatively stable with an incremental addition of units and additional housing types into the neighborhoods. In contrast to the commercial/mixed use and multi-dwelling zones, which allow large buildings with 100 or more units, the RIP amendments – while allowing a broader range of housing types – limit development in the RIP single-dwelling zones to a maximum of four units (or six units when providing regulated affordable units) in a building.

It should be noted that State House Bill 2001 generally requires cities to allow duplexes on all lots where detached single dwellings are allowed. According to the RIP household allocation, rather than the current projection of 16,200 detached houses being built, the RIP amendments will result in 20,100 units in a variety of housing types. The RIP amendments create more housing capacity by allowing for more units to be realized in each development instance. In other words, rather than 16,200 single house development sites, the RIP housing types can achieve 20,100 units in 10,050 duplex development sites, or 5,025 fourplex development sites, with the likely scenario being some mixture of housing types. The outcome of such a shift is a 25% net increase in housing units in single dwelling areas with a concomitant 37% to 69% net reduction in development sites required to achieve such housing. This net reduction in redevelopment is consistent with this goal in that it contributes to the relative stability of single-dwelling zones.

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

**76. Finding:** City Council interprets this goal as identifying the intended role of the interconnected system of designated centers and corridors as central to the organization of Portland's urban form

<sup>28</sup> RIP Growth Allocation Comparison, Comp Plan and RIP Recommended Draft, BPS January 2020

<sup>29</sup> Residential Infill Project Capacity and Growth Allocation Modeling Methodology, BPS Memorandum, January 2020

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and transportation networks. The Centers and Corridors envisioned by the Urban Design chapter and framework continue to be supported by the RIP amendments. As outlined in the findings for Goal 3.C, these areas will continue to serve as the focus for employment and higher density housing and a majority of the household growth, while the RIP amendments will enhance the roles of adjacent single-family neighborhoods in contributing to growth around centers and corridors by virtue of allowing a broader range smaller scale housing options. In addition, these housing types and additional households will benefit from their proximity to jobs, services, transportation options and other amenities that accompany the centers and corridors areas. More than half of the zoning within a half mile of designated centers is single-dwelling zoning. RIP amendments allowing a broader range of housing types that are built at the same or smaller scale as development already allowed in single-dwelling zones will thus be consistent with this goal by contributing to the diversity of housing options around centers, while allowing for more people to live close to centers and corridors and to be able to use and support services in these areas.

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

**77. Finding:** The City of Portland currently includes a diverse network of parks, streets, City Greenways, and other public spaces that provide connections and support community interaction. Projects in the TSP and CSP will continue to improve upon this network as those project designs are undertaken. Current Zoning Code requirements for land divisions in the single-dwelling zones include requirements for new streets, which provide opportunities for expanding the City's system of streets and connections. The RIP amendments do not change these plans and requirements for street improvements and extensions. However, RIP amendments are consistent with this goal by eliminating requirements for off-street parking and limiting front garages and driveways, which will limit interruptions to sidewalks and planting strips and allow for more opportunities for street trees and stormwater facilities in street rights-of-way, which will contribute to the role of streets in incorporating green elements and addressing environmental health. RIP amendments are also consistent with this goal and support the role of streets as places for community interaction and pedestrian activity by limiting front driveways and garages. These changes will improve the pedestrian relationship between buildings and the public realm by increasing the visual connection between buildings and adjacent sidewalks and will reduce conflicts between pedestrians on sidewalks and vehicles using driveways.

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

**78. Finding:** This goal relates to employment districts, which the RIP amendments do not affect. This goal does not apply.

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

**79. Finding:** This goal relates to achieving a system of habitat corridors, which include protected open space such as Forest Park, habitat areas such as stream corridors, and swaths of tree canopy, the concept for which is shown in Comprehensive Plan Figure 3-6 (Urban Habitat Corridors). The City has an adopted Natural Resources Inventory (NRI) that provides a basis for establishing future habitat corridors and enhancing connectivity. The City's environmental overlay zone regulations are the implementing regulatory tools to preserve natural resources and their ecosystem services, particularly in relationship habitat areas. The RIP amendments do not amend either the NRI or the

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existing environmental zone regulations. Habitat corridors also include tree canopy. The RIP amendments support retaining or including trees as part of development by eliminating requirements for off-street parking, which – in combination with limits on the percentage of site area that can be covered by buildings – allows more site area to be used for trees.

### Citywide design and development

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

**80. Finding:** The UDF provides guidance on the built and natural form of Portland, providing in Comprehensive Plan Figure 3-1 a diagrammatic arrangement of centers, corridors, city greenways, urban habitat corridors, and pattern areas. The UDF figure text notes that detailed boundaries for these items will be defined in supporting plans or future planning projects. RIP amendments do not establish or change specific boundaries in the UDF. The UDF identifies centers and corridors where the majority of commercial and housing development is intended to be concentrated. City Council interprets the RIP amendments as being consistent with the UDF and this policy because the amendments do not significantly affect the UDF concepts of growth focused in centers and corridors. The RIP growth allocation model continues to project that the vast majority (80%) of units will be located in the centers (including the Central City) and corridors. The RIP amendments, while providing flexibility for additional units in the RIP single-dwelling zones, limit development to being low-rise and small scale, with development generally limited to buildings with no more than 4 units (or up to six units when providing regulated affordable units) and limited in height to no more than 2 or 3 stories. The remaining policies in Chapter 3 provide additional direction on the desired characteristics and functions of the places identified in the UDF and are addressed below.

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

**81. Finding:** This policy reflects the Comprehensive Plan preferred growth scenario which calls for roughly 30% of the growth in the Central City, centers and corridors accommodating about 50% of new housing units, while the single-family residential areas accounting for the remaining 20% of growth. Although the RIP amendments allow more units on RIP single-dwelling zone lots, the RIP growth allocation model continues to project that the vast majority (79.5%) of units will be located in the Central City, centers and corridors, with a shift of approximately 3,900 units to the RIP zones (2,152 of these units are pulled from lower density single dwelling zones, and 1,781 units from centers and corridors largely from the Eastern pattern area<sup>30</sup>). This represents a net shift of 1.6% of units from center and corridor zones in outer pattern areas; however, compared to the Comprehensive Plan BLI growth allocation, the RIP allocation model generally moves housing unit growth in the single-dwelling zones closer to the Central City by increasing capacity in close-in areas that were previously over-allocated from the Comprehensive Plan model. City Council interprets the ~80% of growth allocated to the Central City, centers, and corridors in the original Comprehensive Plan growth scenario and in the RIP growth allocation model as meeting intent of this policy to direct most growth and change to these areas. City Council finds that the reallocation of less than 2,000 units from other zones out of the 105,794 unit total does not adversely affect the

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<sup>30</sup> RIP Growth Allocation Comparison, Comp Plan and RIP Recommended Draft, BPS January 2020

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intent of this policy, and that most growth and change continues to be directed to centers, corridors, and transit station areas.

City Council interprets “continuation of the scale and characteristics of Portland’s residential neighborhoods” to mean that in comparison to the centers and corridors that will experience high amounts of growth and development/redevelopment, single-dwelling zone residential areas should remain places with relatively small-scale development and retain characteristics of residential neighborhoods, such green street edges created by front yards and gardens. The RIP amendments are consistent with this policy by limiting development in the single-dwelling zones to small-scale buildings on relatively small lots, consistent with the low-rise development on residential lots that currently predominate in these residential zones. In contrast to the commercial/mixed use and multi-dwelling zones, which allow large buildings with 100 or more units, the RIP amendments – while allowing a broader range of housing types – limit development in the RIP single-dwelling zones to small buildings, with a maximum of four units (or up to six units when providing regulated affordable units). The RIP amendments also are consistent with this policy by reducing the maximum permissible building scale in RIP zones with the application of new floor area limits, while maintaining current setback and building coverage requirements. Together with refinements to height measurement methodology that will have the effect of reducing allowed building height and other modifications to building design standards, such as reducing front garages and front parking – which will allow for greater continuity with established residential neighborhood characteristics of front yards and gardens – these changes will allow for the continued scale and character of residential areas while simultaneously allowing for more types of housing to be available.

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

**82. Finding:** “Guide” is defined in the Comprehensive Plan as to “shape or direct actions over time to achieve certain outcomes,” and that “this verb is used when the City has a role in shaping outcomes but implementation involves multiple other implementers and actions taking place over a long period of time.” City Council interprets policy as calling for a range of approaches, related to both development and public facilities, to achieve more equitable development outcomes that reduce disparities and expand equitable access to opportunities. The RIP amendments are consistent with this policy in that they will reduce disparities in access to housing by allowing more types of housing in single-dwelling zones that are less expensive than single-family houses and more affordable for a broader range of Portlanders. As of 2018, the median home sale price exceeded \$475,000 (which is only affordable to households earning 130% to 160% of the median area income). Based on an economic analysis (Volume 3, Appendix A), the RIP allowances for smaller unit types, such as triplexes and fourplexes, will result in a decrease in average rents per unit by over 50% compared to current single-dwelling zoning. New incentives, provide additional floor area, are also included for building affordable housing units, affordable to households earning no more than 80% of area median income. While these zoning changes will not in themselves serve the needs of all Portlanders, they do effectively increase the diversity of housing potentially available to *more* Portlanders, and better serve this policy than current single-dwelling zoning. The RIP amendments are also consistent with this policy by reducing disparities in access to housing by including new visitability standards, required when development includes three or more units, that will help increase the number of units that will or are readily adaptable to meet the needs of our aging and disabled communities. Currently, development in the single-dwelling zones includes no requirements for physically-accessible housing, and most housing development in the single-

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dwelling zones feature stairs that are not accessible or present challenges for people with mobility limitations.

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

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

The policy similarly calls for such identification and mitigation of potential impacts from changes to development allowances provided by the zoning code. Consistent with this policy, the RIP project undertook a Displacement Risk Analysis that focused on evaluating potential impacts from redevelopment actions affecting low income renters in existing single-family structures in single dwelling zones (Volume 3, Appendix H). The analysis looked both at the citywide scale as well as in areas with elevated displacement risk based on higher shares of vulnerable populations. Vulnerable populations are identified by census tracts with higher cumulative quintile scores of people of color, renters, low income individuals, and people without a college degree. This analysis showed that the RIP amendments reduced the displacement risk compared to the Comprehensive Plan baseline respective to both geographies. In specific census tracts where displacement impacts were increased, the racial demographics in these areas was generally consistent with the citywide average, meaning that the impacts are not expected to be disparate or inequitable. As the RIP amendments are anticipated overall to reduce displacement in areas with higher portions of vulnerable populations, the amendments are consistent with this policy.

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

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

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

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mitigate displacement and housing affordability impacts.

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

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

**86. Finding:** This policy calls for incorporating requirements for public and community benefits in conjunction with increases to development allowances. City Council interprets public and community benefits to include providing additional supply of housing, encouraging the retention of existing housing stock, encouraging the construction of affordable housing, and providing physically-accessible units. The RIP amendments are consistent with this policy by linking the provision of additional building floor area to the provision of these benefits. These include RIP amendments that provide additional floor area for construction of more than a single house; provision of bonus FAR for keeping an existing house; providing bonus FAR for projects that include a housing unit affordable to households earning no more than 80% MFI; the deeper affordability bonus allowing up to six units for projects in which at least half of units are affordable at 60% MFI level; and by requiring at least one visitable unit providing barrier-free access for projects with three or more units.

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

**87. Finding:** Property value is affected by RIP in two key ways: increasing the potential number of units allowed on lots in the R2.5, R5, and R7 zones (when located on improved streets, meet minimum lot size standards, and are located outside the ‘z’ overlay zone) and decreasing the overall buildable square footage allowed. The RIP economic analysis (Appendix C) shows that the changes retain economic feasibility for development, but do not result in a significant increase in value compared to the development allowances in the current base zones. In addition, the City charges a 1% affordable housing construction excise tax on new residential development and additions that are valued above \$100,000 including development within RIP zones. This tax pays for affordable housing programs, including production and preservation of housing for people with incomes at or below 60% (MFI), incentives for inclusionary zoning, and State of Oregon homeownership programs.

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

**88. Finding:** City Council interprets an “integrated community development approach” as one that moves out of traditional policy silos and approaches community development related issues in a more holistic manner, with partners from multiple sectors working and investing together by using money from a mix of funding streams and to increase impact. Council finds that the RIP amendments are supportive of this policy because the RIP project is part of the three-pronged Housing Opportunity Initiative that is designed to increase housing opportunity and address

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displacement across Portland. The Housing Opportunity initiative consists of the Better Housing by Design project which addresses housing choice and more attainable housing options for the multi-dwelling zones, the Residential Infill Project which expands the permissible housing choices while ensuring compatible and appropriate scale development in single dwelling zones, and the Anti-Displacement Action Strategy which is a community-led long-term effort to evaluate and enact a variety of tools as appropriate to stabilize communities and stem involuntary displacement. The RIP amendments contribute to this broader effort by expanding allowances for additional housing types in predominantly single dwelling neighborhoods to provide a greater range of housing choices at different sizes and price points. This helps reduce disparities by creating redevelopment and investment alternatives other than one large house or remodeling an existing house into a more expensive house, as shown in the economic analysis. These alternatives result in smaller individual units which, when holding location, time of sale, land and living area, and other amenities constant, are comparatively less expensive than larger units. Furthermore, the addition of a deeper affordability bonus provides non-profit affordable housing providers a competitive edge in the market through additional unit and building size limit bonuses. In so doing, the RIP amendments provide a more attainable housing type to a broader segment of the population, reducing the wide disparity of housing available between income strata, and can reduce the subsidy gap to bring affordable housing units online.

A displacement risk analysis (Volume 3 Appendix B) was conducted to evaluate potential displacement of low-income renters resulting from the RIP amendments when compared to the baseline zoning. The analysis found that citywide about 28% fewer vulnerable households would be impacted, and in areas with higher shares of vulnerable populations, displacement pressures were reduced by 21 percent.

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

**89. Finding:** The verb “encourage”, which is defined in the 2035 Comprehensive Plan, means to promote or foster using some combination of voluntary approaches, regulations, or incentives. City Council determined as part of its legislative adoption process, the appropriate triggers for new Neighborhood Contact requirements which became effective on December 2, 2019. Council established that only certain projects that were more likely to result in potential impacts should be subject to these rules. Council found that land divisions of more than 4 lots, and building additions or new development over 10,000 square feet were appropriate triggers. The scale of development allowed by the RIP amendments is less than current zoning allows in single dwelling zones, and will in most cases be limited well below the thresholds established by Council for neighborhood contact requirements. The RIP amendments do not change the neighborhood contact process or thresholds.

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

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



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people of a variety of abilities, including those with mobility limitation. The RIP amendments are consistent with this policy by retaining requirements for outdoor space for residents and by incorporating requirements to increase the availability of “visitable” dwelling units. The amendments will require projects with three or more units to provide at least one visitable unit with a barrier free entry and living space and a bathroom on the ground floor. While not considered fully “accessible” they remove key economic obstacles to retrofitting homes for the purposes of providing accommodations for specific disabilities and offer benefits to people of all ages and abilities, for example parents with strollers, children with bicycles, or older adults with mobility impairments.

The RIP amendments are also consistent with this policy by supporting pedestrian activity and safety by limiting front garages and front parking to create a more attractive environment for pedestrians and reducing the number of curb cuts, which improves the safety for sidewalk users.

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

**91. Findings:** “Support” is defined in the Comprehensive Plan as “to aid the cause of.” The RIP amendments are consistent with this policy by encouraging compact housing forms that provide energy efficiency benefits and by improving land resource conservation by increasing housing capacity within RIP zones in areas with existing infrastructure capacity. This increase in capacity is also supportive of this policy by enabling more households to live closer to transit, jobs, and centers of commerce, recreation and education. This will help reduce commute distances and lessen congestion through the region. Requirements for attached housing on narrow lots, along with allowing smaller attached units in duplex, triplex and fourplex building forms will be more energy efficient than current zoning allowances. According to a study conducted for the EPA<sup>31</sup> “A home’s location relative to transportation choices has a large impact on energy consumption. People who live in a more compact, transit-accessible area have more housing and transportation choices compared to those who live in spread-out developments where few or no transportation options exist besides driving. Choosing to live in an area with transportation options not only reduces energy consumption, it also can result in significant savings on home energy and transportation costs.” Furthermore, the study finds “Housing type also has a major impact on energy consumption and household costs. Residents in multifamily and single family attached homes in higher density neighborhoods usually use less electricity per unit and drive less than residents of low-density areas. Multifamily and single family attached homes generally have smaller square footage per unit and shared walls, thus requiring less energy for heating and cooling than their detached counterparts.”

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

**92. Findings:** The RIP amendments are consistent with this policy by providing incentives for infill development that allow for more efficient use of urban land, while limiting environmental impacts. The RIP amendments achieve this by providing additional floor area when additional units are included on a lot and thus provides additional incentive to accommodate two to four units on a lot (or 6 when providing regulated affordable units) as opposed to just one. Building coverage limits are remaining unchanged and the buildings themselves will be limited in size to less than what can

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<sup>31</sup> Location Efficiency and Housing Type, Jonathan Rose Companies, March 2011

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be built today, which – in combination with amendments eliminating requirements for off-street parking and allowing for less impervious surface, will allow for less environmental impact and provide more space for trees than current zoning allowances. Even when excluding areas with natural resource and hazard constraints, and in consideration of other infrastructure and regulatory constraints, the RIP growth capacity model shows that the RIP amendments increase the residential development capacity from roughly 22,000 units to 56,000 units in the RIP zones, thereby allowing for the intensification of scarce urban land, while simultaneously avoiding impacts to environmental quality.

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

**93. Findings:** The RIP amendments are consistent with this policy because they work in conjunction with existing regulations affecting development in the single-dwelling zones to provide and expand opportunities for natural elements such as trees and green infrastructure, such as vegetated stormwater management facilities. The RIP amendments help achieve this by retaining regulations that limit the amount of site area that can be covered by buildings to 50% or less, which – in combination with amendments eliminating requirements for off-street parking and allowing for less impervious surface, will allow more space for trees and landscaping compared to existing regulations. These limitations and amendments also work in conjunction with Stormwater Management Manual requirements administered by the Bureau of Environmental Services to facilitate vegetated stormwater management facilities and other green infrastructure approaches, by allowing for less site area to be covered by buildings and paved vehicle areas. RIP amendments are also consistent with this goal by limiting front garages and driveways, which will serve to limit interruptions to sidewalks and planting strips and allow for more opportunities for street trees and stormwater facilities in street rights-of-way.

#### **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.**

**94. Finding:** The verb “encourage”, which is defined in the 2035 Comprehensive Plan, means to “promote or foster using some combination of voluntary approaches, regulations, or incentives.” City Council interprets this policy as calling for encouraging innovative design in the built environment that contributes to meeting the range of design-related policies in chapters 3 and 4 of the Comprehensive Plan, such as those related to supporting pedestrian-oriented places, response to context, integrating nature and green infrastructure, sustainable development, and more equitable places. RIP amendments are consistent with this policy by providing new flexibility for additional housing types and configurations, including options that contribute to equity by allowing for less expensive housing that is affordable to more Portlanders. Amendments are also supportive of this policy by providing additional design flexibility to respond to unique site and context issues through changes to reduce the review procedure type and costs associated with Planned Developments (PDs). As alternatives to base zone regulations, PDs allow a wide range of design solutions that can be tailored specifically to a site and the context of the surrounding neighborhood. In exchange for greater flexibility to allow innovative and experimental housing types, building siting and design, PD discretionary review criteria are applied to evaluate the proposed site and building design to ensure compatibility. Moreover, the RIP amendments create the conditions for experimentation and innovation in developing duplex, triplex and fourplex designs with flexibility for building form, providing opportunities for innovation that can utilize the

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resource-efficiency benefits of compact attached housing, while avoiding prescriptive standards related to architecture or style.

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

**95. Finding:** This policy calls for evaluation of impacts to the physical characteristics neighborhoods and impacts to residents, especially underserved communities subject to displacement and affordability impacts. The RIP project and its amendments are consistent with this policy in that development standards, such as those related to development scale and building design, were created with consideration of the characteristics of residential neighborhoods; and potential impacts to affordability and displacement were evaluated. Limitations on building height and scale took into consideration the general characteristics of residential neighborhoods. The amendments do not create standards that lock in time the existing scale of residential neighborhoods. Instead, they are reflective of current zoning allowances in single dwelling zones and limit development to a low-rise scale of no more than two- to three-stories that – compared to larger scale allowed in the multi-dwelling and mixed use zones – keeps development scale closer to the scale of residential neighborhoods where houses and other small-scale housing predominates. The RIP amendments reduce the building scale permitted under current zoning allowances both through the imposition of new floor-to-area requirements (FAR) as well as changes in measuring methodology for building height. In so doing, development that results from these changes is not considered significant. The additional housing types provided for in the RIP amendments already exist in many of Portland’s single dwelling neighborhoods (largely as non-conforming artifacts of pre-war zoning) and are an important part of the diversity of those neighborhoods both in terms of the buildings as well as their occupants. RIP amendments limiting front garages and requiring parking access from existing alleys were also created to integrate new development with the characteristics of residential neighborhoods, where street frontages are characterized by front yards and gardens.

Consistent with this policy, a displacement risk analysis (Volume 3 Appendix B) was conducted to evaluate potential displacement of low-income renters resulting from the RIP amendments. The analysis found that citywide about 28 percent fewer low-income renter households would be impacted, and in areas with higher shares of vulnerable populations, displacement was reduced by 21 percent from current zoning. City Council interprets this reduction of displacement of households to be consistent with this policy because it reduces impacts to residents compared existing regulations. Also consistent with this policy, the RIP project evaluated potential impacts of the amendments on housing affordability (see Volume 3, Appendix A). As of 2018, the median home sale price exceeded \$475,000 (which is only affordable to households earning 130% to 160% of the median area income). Based on the economic analysis, the RIP allowances for smaller unit types, such as triplexes and fourplexes, will result in a decrease in average rents per unit by over 50% compared to current single-dwelling zoning. New incentives, provide additional floor area, are also included for building affordable housing units, affordable to households earning no more than 80% of area median income.

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

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

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

- High-visibility intersections
- Attractions
- Schools, libraries, parks, and other civic places
- Bridges
- Rivers
- Viewpoints and view corridor locations
- Historically or culturally significant places
- Connections to volcanic buttes and other geologic and natural landscape features
- Neighborhood boundaries and transitions

97. **Finding:** City Council interprets this policy as applying to prominent specific places, features and iconic structures. The RIP amendments apply broadly in the RIP single-dwelling zones and do not impact symbolic features or iconic structures. No changes to historic resource protections are made with these amendments, although the amendments facilitate additional adaptive reuse possibilities that can support historic preservation. For example, conversions of historic homes to add more units or conversions of accessory structures into ADUs can be proposed, and the continued historic or cultural significance is ensured through responsive discretionary historic resource review criteria. In addition, the additional housing types provide allowances for a more gradual density transition between higher intensity multi-dwelling or mixed-use zones and the single dwelling zoned areas, while the limits on scale help reinforce where those distinguishing boundaries are located.

## Centers

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

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

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

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

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

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

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

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

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

**98. Finding:** Policies 3.12 through 3.20 provide direction on the desired characteristics and functions of centers. City Council interprets most of these policies as applying to the commercial/mixed use and multi-dwelling zones within the mapped boundaries of centers. The exception to this is policy 3.14, which calls for providing housing capacity within a half-mile of center cores to provide population to support services in centers. RIP zones comprise approximately 4% of the area within the mapped boundaries of Neighborhood and Town Centers and are not a primary zone for commercial and public services. However, while primarily located outside center boundaries, single-dwelling zones comprise the majority of land within a half-mile of the cores of most centers (see Centers Analysis Map and Table). The RIP amendments are consistent with policy 3.14 by increasing the number of housing units that can be accommodated on properties in single-dwelling zones. The RIP amendments include rezoning approximately 7,000 parcels that are located around centers and near corridors from R5 to R2.5 to increase the development of higher-density single-dwelling housing types, such as attached townhouses, in these locations. Other RIP zoned parcels that are near these centers also have increased ability to add units, either through conversion of existing houses or developing new duplexes, triplexes, and fourplexes which in turn will provide diverse housing options and housing capacity in these areas, which is consistent with Policy 3.14. This policy also calls for focusing higher-density housing within a half-mile of the core of centers. The Comprehensive Plan defines “high-density housing” as referring to “housing that is mid- to high-rise in building scale,” and furthermore defines “mid-rise” as a building between five and seven stories in height. The RIP amendments do not affect zoning for high-density housing in centers, and the RIP single-dwelling zones do not allow high-density or mid-rise housing. The mixed-use and multi-dwelling zones in centers implement policies for higher-density housing in centers. The RIP amendments – while allowing a broader range of housing types in single-dwelling zones – are consistent with this policy’s call for focusing higher-density development within a half-mile of centers, because the amendments limit multi-unit development in the RIP single-dwelling zones primarily to middle housing types, which City Council interprets as not constituting high-density housing. City Council interprets the phrase “middle housing” to be consistent with Section 2 of HB 2001 (2019), which includes the following definitions of “middle housing”:

- (A) Duplexes;
- (B) Triplexes;
- (C) Quadplexes [fourplexes];
- (D) Cottage clusters [means groupings of no fewer than four detached housing units per acre with a footprint of less than 900 square feet each and that include a common courtyard.]; and
- (E) Townhouses [means a dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit].

The exception to this range of housing types in the RIP zones is an allowance provided by the deeper affordability bonus, which will allow up to six units for projects in which at least half of the

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units are affordable to households earning no more than 60% of area median income. This allowance will help implement policies calling for expanding affordable housing options and will likely only be utilized by affordable housing developers because this percentage and level of affordability will likely require financial subsidies to be economically feasible. City Council interprets this allowance as remaining consistent with Policy 3.14 because such development is limited to a low-rise scale of no more than three stories and the majority of higher-density housing around centers will remain focused in the mixed-use and multi-dwelling zoning in designated centers.

## Central City

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

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

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

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

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

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

**99. Finding:** Policies 3.12 through 3.20 provide direction on the desired characteristics and functions of centers. There are no RIP zones in the Central City. These policies are not applicable.

## Gateway Regional Center

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

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

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

**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.

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**100.Finding:** Policies 3.27 through 3.30 provide direction on the desired characteristics and functions of the Gateway Regional Center. The RIP amendments do not change the regional center boundary on the Urban Design Framework. There is one 11.33 acre R5 zoned parcel in the Gateway Regional Center. It is the site of Floyd Light Middle School. There are no plans to develop the site with non-school uses in the near term. If subdivided to R5 standards, potentially 79 lots could be developed. Were that to be the case, the RIP amendments would provide opportunities for a wider ranging variety of housing types, and more potential households that can better enhance Gateway's role as a transit hub, create more housing, and encourage more growth and investment.

## Town Centers

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

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

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

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

**101.Finding:** Policies 3.31 through 3.34 provide direction on the desired characteristics and functions of the Town Centers. The RIP amendments do not change the boundary any of the designated Town Centers. City Council interprets most of these policies as applying to the commercial/mixed use and multi-dwelling zones within the mapped boundaries of Town Centers. The exception to this is policy 3.32, which calls for providing housing capacity for 7,000 households within a half-mile of town centers. While primarily located outside center boundaries, single-dwelling zones comprise the majority of land within a half-mile of most Town Centers (see Centers Analysis Map and Table). The RIP amendments are consistent with policy 3.32 by increasing the number of housing units that can be accommodated on properties in single-dwelling zones, including areas close to Town Centers. The RIP amendments provide RIP single-dwelling zoned parcels an increased ability to add units, either through conversion of existing houses or developing new duplexes, triplexes, and fourplexes, which will increase housing diversity and capacity in these areas, consistent with Policy 3.32. Also, there are small number of RIP single-dwelling zoned parcels (118 parcels) within Town Center boundaries throughout the city. For these parcels, the RIP amendments are also consistent with Policy 3.32 because they will increase the maximum number of households and housing types allowed on each property.

## Neighborhood Centers

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

**Policy 3.36 Housing.** Provide for a wide range of housing types in Neighborhood Centers, which are intended to generally be larger in scale than the surrounding residential areas, but smaller than Town

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Centers. There should be sufficient zoning capacity within a half-mile walking distance of a Neighborhood Center to accommodate 3,500 households.

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

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

**102.Finding:** Policies 3.35 through 3.38 provide direction on the desired characteristics and functions of Neighborhood Centers. The RIP amendments do not change any designated Neighborhood Center boundaries. City Council interprets most of these policies as applying to the commercial/mixed use and multi-dwelling zones within the mapped boundaries of Neighborhood Centers. The exception to this is policy 3.36, which calls for providing housing capacity for 3,500 households within a half-mile of Neighborhood Centers. While primarily located outside center boundaries, single-dwelling zones comprise the majority of land within a half-mile of most Neighborhood Centers<sup>32</sup>. The RIP amendments are consistent with policy 3.36 by increasing the number of housing units that can be accommodated on properties in single-dwelling zones, including areas close to Neighborhood Centers<sup>33</sup>. The RIP amendments provide parcels in RIP zones an increased ability to add units, either through conversion of existing houses or developing new duplexes, triplexes, and fourplexes, or up to 6 units when providing regulated affordable units which will increase housing diversity and capacity in these areas, consistent with Policy 3.36. Also, there are small number of single-dwelling zoned parcels (161 parcels) within Neighborhood Center boundaries that are impacted by RIP. For these parcels, the RIP amendments are also consistent with Policy 3.36 because they will increase the maximum number of households and housing types allowed on each property.

### Inner Ring Districts

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

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

**Policy 3.41 Distinct identities.** Maintain and enhance the distinct identities of the Inner Ring Districts and their corridors. Use and expand existing historic preservation and design review tools to accommodate growth in ways that identify and preserve historic resources and enhance the distinctive characteristics of the Inner Ring Districts, especially in areas experiencing significant development.

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

**Policy 3.43 Active transportation.** Enhance the role of the Inner Ring Districts' extensive transit,

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<sup>32</sup> Centers Analysis Map and Table, BPS April 2013

<sup>33</sup> See map: "Residential Infill Centers Household Capacity" BPS, April 24, 2020



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

**103.Finding:** Policies 3.39 through 3.43 provide direction on the desired characteristics and functions of the Inner Ring Districts. Policies 3.39 and 3.42 call for expanding the range and diversity of housing opportunities in the Inner Ring Districts, which include areas of single-dwelling zoning between the districts' corridors. The RIP amendments are consistent with these policies in expanding the range of previously allowed housing opportunities from houses and corner lot duplexes to allow duplexes, triplexes and fourplexes. Additionally, two accessory dwelling units with a house or one accessory dwelling unit with a duplex is allowed. The amendments also include incentives to retain existing houses with greater ADU flexibility, higher floor area limits, and in the case where narrow lots are present, allowing flag lots through property line adjustments. Consistent with Policy 3.41, which calls for maintaining and enhancing the distinct identities of the Inner Ring Districts, RIP amendments reinforce the established characteristics in the single dwelling zones in these areas through retaining the pattern on residential lots of primary and accessory building forms, setbacks, heights, building coverage, new limits on floor area, and through additional standards for street facing facades, main entrances, and parking and garages. RIP amendments are also consistent with the historic preservation components of policies 3.41 and 3.42 by limiting the ability to develop triplexes or fourplexes on sites where historic resources have been demolished. The RIP amendments are consistent with Policy 3.43, which calls for allowing for more people to be able to use the area's extensive active transportation networks, by allowing more housing to be built on single-dwelling zone lots in this area. The RIP amendments, by creating additional housing capacity in these areas and removing parking minimum requirements, this affords more households the ability and encouragement to utilize the extensive transit, bicycle and pedestrian networks.

## Corridors

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

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

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

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

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

## Civic Corridors

**Policy 3.48. Integrated land use and mobility.** Enhance Civic Corridors as distinctive places that are models of ecological urban design, with transit-supportive densities of housing and employment,

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prominent street trees and other green features, and high-quality transit service and pedestrian and bicycle facilities.

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

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

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

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

### Neighborhood Corridors

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

**106.Finding:** This policy provides direction on the desired characteristics and functions of Neighborhood Corridors as well as street design and future land use changes. This policy is primarily implemented by the Bureau of Transportation through the Transportation System Plan and by higher-density mixed-use and multi-dwelling zoning along the corridors mapped on the UDF. The RIP amendments do not affect these implementation tools. However, the RIP proposals are consistent with this policy by increasing opportunities for housing along Neighborhood Corridors, as there are a total of 1,812 RIP zoned parcels abutting Neighborhood corridors accounting for 11% of the zoned land in these areas. The RIP amendments provide more opportunity to develop additional housing on these parcels where only single units were previously allowed.

### Transit Station Areas

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

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

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

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

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

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

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

**107.Finding:** Policies 3.53 through 3.59 provide direction on the desired characteristics and functions of transit station areas. These policies are implemented by higher-density mixed-use, employment, and multi-dwelling zoning in designated transit station areas, as well as through transportation improvements providing connections to transit stations. The RIP amendments do not affect the implementation of these policies. However, the RIP amendments are supportive of these policies by allowing for more units on single-dwelling zone properties, which make up a large portion of land located near most transit stations (see Station Areas Analysis).

### City Greenways

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

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

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

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

**108.Finding:** Policies 3.60 through 3.63 primarily relate to the design and construction of improvements for City Greenways within rights-of-way and not to the development requirements for lots that abut them, which is what will be regulated by the RIP Zoning Code amendments. Nevertheless, the RIP amendments contribute to fulfilling these policies when single-dwelling zoning is located along City Greenways by eliminating minimum parking requirements and limiting front garages, which helps reduce points of conflict between bicyclists and pedestrians where driveways otherwise intersect the streets and sidewalks. Also, the RIP amendments, by reducing the need for curb cuts associated with off-street parking, provide more opportunities for street trees and stormwater facilities within street rights-of-way, which supports the green design elements called for in these policies for City Greenways.

### Urban habitat corridors

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

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

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

**109.Finding:** Policies 3.64 through 3.66 provide direction on the desired characteristics and functions of urban habitat corridors. These policies call for achieving a system of habitat corridors, which include protected open space such as Forest Park, habitat areas such as stream corridors, and swaths of tree canopy, the concept for which is shown in Comprehensive Plan Figure 3-6 (Urban Habitat Corridors). The City has an adopted Natural Resources Inventory (NRI) that provides a basis for establishing future habitat corridors and enhancing connectivity. The City’s environmental overlay zone regulations are the implementing regulatory tools to preserve natural resources and their ecosystem services, particularly in relationship habitat areas. The RIP amendments do not amend either the NRI or the existing environmental zone regulations. Habitat corridors also include tree canopy. The RIP amendments do not change Title 11 tree preservation and tree density requirements that apply in development situations. However, the RIP amendments are supportive of policy by expanding opportunities for trees, as the amendments reduce allowable building size, more effectively limit building height, and eliminate requirements for off-street parking, which allows for more space for trees. Also, the RIP FAR changes and requirements for attached houses can provide more room for larger canopy trees and additional landscaping as shown in Volume 1 staff report. Minimum front yard landscaping requirements are also added for narrow lots which also provide opportunities for tree planting and landscaping that can help implement the habitat corridor policies.

## Employment areas

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

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

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

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

## Rivers Pattern Area

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

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

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

**113.Finding:** The verb “recognize” is defined in the 2035 Comprehensive Plan as to acknowledge and treat as valid. The City Council interprets the verb “enhance”, which is not defined in the 2035 Comprehensive Plan, to mean to intensify or improve. The City Council interprets this policy to acknowledge the role that the rivers play in our transportation system and to take steps to improve those functions. The RIP amendments do not allow for new incompatible land uses, therefore, these changes will continue to provide the same opportunities for public and private transportation functions on the Willamette and Columbia rivers.

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

**114.Finding:** There are 15 RIP zoned parcels that have frontage on the Willamette River. These parcels also have the ‘z’ overlay designation which limits the types of additional housing allowed to what is presently permissible. These amendments do not change any plans for recreation sites on the Willamette and Columbia rivers, therefore this policy does not apply.

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

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

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

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

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

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

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

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

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

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

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

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

**116.Finding:** Policies 3.73 through 3.82 provide direction on the desired characteristics and functions of the Rivers Pattern Area, which includes areas along the Willamette and Columbia Rivers. The RIP zones are largely located outside areas along the Willamette and Columbia Rivers, with a few exceptions. The 15 parcels on SW Miles Place and N Crawford are small pockets of R5 zoning adjacent to the Willamette River. Existing rules for Willamette River Greenway and the Macadam Plan District, which provide river-related regulations that implement these policies, are not affected by the RIP amendments. There is also a small pocket of R7 zoning located on the shores of Hayden Island. The Hayden Island Plan District, which implements the river-related policies of the Columbia River, is likewise not affected. Additionally, the ‘z’ overlay has been applied to these lots which limits the extent of changes proposed by the RIP amendments.

### Central City Pattern Area

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

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

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

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

**117.Finding:** There are no RIP zones in the Central City. These policies are not applicable.

### Inner Neighborhoods Pattern Area

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

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

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

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

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

**118.Finding:** Policies 3.87 through 3.91 provide direction on the desired characteristics and functions of the Inner Neighborhoods Pattern Area. The RIP amendments support these policies by facilitating infill development in the single-dwelling zones that continue established patterns in the Inner Neighborhood Pattern Area. There are over 84,000 RIP zoned parcels in the Inner Neighborhoods Pattern Area. While most of the policies are more applicable to street layout and design, the RIP amendments are consistent with policy 3.89 by creating more options for infill development to occur and fill gaps in the urban fabric in a manner that is compatible in scale with existing residential development. As shown in RIP Volume 1, the RIP amendments were modeled based on the 5,000 square foot lot patterns that predominate in the Inner Neighborhood Pattern Area, and are oriented to continuing these patterns, including provisions that continue the area’s patterns of a primary structure and a secondary, smaller structure. These policies also encourage adoptive reuse of historic buildings and preserving the area’s urban fabric, with RIP amendments support by allowing and providing FAR incentives for adding ADUs or internally converting existing structures to add more units. RIP amendments also support Policy 3.91, which calls for continuing the area’s patterns of streets lined by planting strips and street trees. The RIP amendments help achieve this by eliminating requirements for off-street parking, requiring parking access from existing alleys, and limiting front garages, which will serve to limit driveway curb cuts and allow for fewer disruptions to the area’s planting streets and allow for more street trees.

### Eastern Neighborhoods Pattern Area

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

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

**Policy 3.93 Eastern Neighborhoods site development.** Require that land be aggregated into larger

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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.

**119.Finding:** Policies 3.92 through 3.97 provide direction on the desired characteristics and functions of the Eastern Neighborhoods Pattern Area. There are nearly 30,000 RIP zoned parcels in the eastern pattern area. Policies 3.92 and 3.93 relate to larger site development and land divisions, which are not within the scope of the RIP amendments. However, RIP amendments are supportive of Policy 3.92.B, which promotes the improvement of alleys, in that the amendments limit front garages and require the use of alleys when they exist. Some of these policies relate to trees and are implemented in part by Title 11 tree preservation standards, which are not being changed by the RIP amendments. However, the RIP amendments are consistent with the tree preservation components of these policies, as the amendments institute new limits on building scale which, when combined with building coverage limits and new allowances for no off-street parking, encourages smaller footprint structures and less paved site area, providing more opportunities to retain trees, including the Douglas fir trees that are characteristic of the Eastern Portland Pattern Area. In areas with major streets and higher density RIP zones, narrow lots have new landscaping requirements that apply to the front yard and will be consistent with Policy 3.96's call for landscaped building setbacks along major streets.

Policy 3.97 speaks to a prioritization of active transportation network enhancements that improve access to centers, jobs and other key destinations. Street improvements along corridors (collectors and other non-local streets) are generally funded through transportation Systems Development Charges. The RIP amendments do not change the rates or collection of these SDCs. For the local streets, in the past, the city has required partial street improvements along the frontage of developing parcels when the costs could be justified by the relative impact (use intensification) of the development. According to PBOT "this approach results in partial solutions, leaving some areas with a collection of unconnected half-street improvements and sidewalks that are intermittent and piecemeal that only marginally benefit residents and the transportation system. This is a costly and inefficient approach to infrastructure development."<sup>34</sup> This system also does not focus on completing secondary networks to destinations where the need is the greatest to address safety and where pedestrian, bicycle and vehicle use is highest. In 2016, the City adopted the Local Transportation Improvement Charge (LTIC) which is a charge that is collected from house and duplex development that occurs in single dwelling zones where the street improvements are not complete. The LTIC is collected by PBOT and used to construct a system of improvements on

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<sup>34</sup> Memorandum from PBOT to Morgan Tracy, March 11, 2020



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unimproved local streets. LTIC revenue is allocated based on the city's adopted methodology found in LTIC Administrative Rules (TRN-1.26) as follows:

- 1: Equity: Areas with high concentrations of under-served populations to ensure everyone has access to opportunities necessary to satisfy their essential needs, advance their well-being, and achieve their full potential.
- 2: Effectiveness & Connectivity: Projects that support connectivity and fill critical gaps in the City's transportation and stormwater infrastructure.
- 3: Project Readiness: Projects that are consistent with adopted plans, informed by the results of previous community involvement efforts, cognizant of other related improvements occurring in the City, and that make efficient use of limited City resources by leveraging other funds.

The LTIC ensures that instead of piecemeal and incomplete active transportation improvements occurring on a lot by lot basis, funds are collected and applied more efficiently and effectively to complete these networks in alignment with the LTIC allocation criteria, including filling critical gaps in the City's transportation infrastructure. Recently approved changes to the LTIC ordinance (Ord. No. 190017, adopted by Council on June 24, 2020) expand the types of housing within single dwelling zones that are eligible to pay this charge so that triplexes, fourplexes and up to 6 plexes may now qualify. Therefore, the RIP amendments continue to enhance access by helping to fund additional secondary connections on local streets that provide low-stress pedestrian and bicycle access.

## Western Neighborhoods Pattern Area

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

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

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

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

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

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

- A. **TDM strategies.** Explore and emphasize Transportation Demand Management strategies and tools, that function in spite of unique topographic conditions of the West Hills, to provide effective options for commuters while reducing carbon emissions, improving neighborhood livability and cycling safety, and protecting important natural resources.

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- B. **Forest Park natural resources.** Protect the ecological quality and function of natural Forest Park’s natural resources in the design and development of transportation projects in or near the park and avoid, minimize, then mitigate adverse impacts to wildlife, habitat, and riparian corridors.
- C. **Focus for active transportation.** Primarily focus sidewalk and bicycle route improvements in (and in close proximity to) the designated Centers and Corridors of the Comp Plan.
- D. **Filling gaps in connections.** Fill gaps in important access connections, including exploring traditional ROW acquisition and partnerships with other City bureaus.
- E. **Accessible routes.** Improve accessibility/create parallel routes in some cases (for motor vehicles, bicycles and pedestrians, and/or both). Explore what existing facilities and connections most merit upgrades or secondary accessible routes.

**120.Finding:** Policies 3.98 through 3.102 provide direction on the desired characteristics and functions of the Western Neighborhoods Pattern Area. There are over 15,000 RIP zoned parcels in the Western Neighborhoods Pattern Area. Most of these policies related to right-of-way connections and trails, which are implemented by the City’s street and trail programs and are not impacted by the RIP amendments. Other policies relate to limiting impacts to the area’s natural features and riparian corridors, which are implemented through the environmental zones that apply in this pattern area or through stormwater management requirements, which are not being affected by the RIP amendments. Policy 3.98, which calls for expanding opportunities for more people to live close to the area area’s commercial districts, is supported by RIP amendments that increase the number of units households on RIP-zoned parcels in the single-dwelling zones, which comprise the majority of land around the area’s commercial districts. Habitat areas and streams are mostly captured within the ‘z’ constrained sites overlay which restricts the allowable housing types and further limits the associated allowable FAR. This further serves to reduce impacts to streams and tree canopy.

Policy 3.99 directs that the City provide safe and accessible pedestrian and bicycle connections to residential neighborhoods. In the Western Pattern area, many streets lack pedestrian and bicycle facilities. Of the roughly 16,400 RIP zoned lots in the western pattern area, about 5,000 are on unimproved or underimproved streets. For local un- and under-improved streets, in the past, the city has required partial street improvements along the frontage of developing parcels when the costs could be justified by the relative impact (use intensification) of the development. According to PBOT “this approach results in partial solutions, leaving some areas with a collection of unconnected half-street improvements and sidewalks that are intermittent and piecemeal that only marginally benefit residents and the transportation system. This is a costly and inefficient approach to infrastructure development.” In 2016, the City adopted the Local Transportation Improvement Charge (LTIC) which is a charge that is collected from house and duplex development that occurs in single dwelling zones where the street improvements are not complete. The LTIC is collected by PBOT and used to construct a system of improvements on un- and under-improved local streets. LTIC revenue is allocated based on the city’s adopted methodology found in LTIC Administrative Rules (TRN-1.26) as follows:

- 1: Equity: Areas with high concentrations of under-served populations to ensure everyone has access to opportunities necessary to satisfy their essential needs, advance their well-being, and achieve their full potential.

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- 2: Effectiveness & Connectivity: Projects that support connectivity and fill critical gaps in the City's transportation and stormwater infrastructure.
- 3: Project Readiness: Projects that are consistent with adopted plans, informed by the results of previous community involvement efforts, cognizant of other related improvements occurring in the City, and that make efficient use of limited City resources by leveraging other funds.

The LTIC ensures that instead of piecemeal and incomplete active transportation improvements occurring on a lot by lot basis, funds are collected and applied more efficiently and effectively to complete these networks in alignment with the LTIC allocation criteria, including filling critical gaps in the City's transportation infrastructure. Recently approved changes to the LTIC ordinance expand the types of housing within single dwelling zones that are eligible to pay this charge so that triplexes, fourplexes and up to 6 plexes may now qualify. Therefore, the RIP amendments continue to enhance access by helping to fund safe and accessible pedestrian and bicycle connections to residential neighborhoods.

## Chapter 4: Design and Development

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

**121.Finding:** The Design and Development chapter focuses on the specifics of the built environment. City Council interprets this goal as calling for the design of new development to consider and respond to the context where the development is taking place. This context includes physical characteristics, as well as the history and culture of places. Zoning and development standards are only one of many ingredients that define a neighborhood's context. In addition to the architecture of its homes and the people who inhabit them, the context of a neighborhood also concerns the spaces in between – the natural environment, open space, plants, access to sunlight, and more. Street layout, topography, existing vegetation and mix of residential, commercial and open space also have a strong influence. In addition, a neighborhood's historical narrative, such as influences from major infrastructure or institutional investments or changing socio-economic compositions, also define the distinct attributes of different neighborhoods. City Council interprets response to context to not be about replicating what exists, but for development and the regulations that shape this development to be informed by context. The RIP amendments are consistent with this goal in that development standards, such as those related to development scale and building design, were created with consideration of the characteristics of Portland's residential neighborhoods. Limitations on building height and scale took into consideration the general characteristics of residential neighborhoods. The amendments do not create standards that lock in time the existing scale of residential neighborhoods. Instead, they are reflective of current zoning allowances in single dwelling zones and limit development to a low-rise scale of no more than two- to three-stories that – compared to larger scale allowed in the multi-dwelling and mixed use zones – keeps development scale closer to the scale of residential neighborhoods where houses and other small-scale housing predominates. The RIP amendments reduce the building scale permitted under current zoning allowances both through the imposition of new floor-to-area requirements (FAR) as well as changes in measuring methodology for building height. In so doing, development that results from these changes is not considered significant as it can be no larger than what current zoning allows, and in most cases with the imposition of floor area maximums will in fact be smaller than what is presently allowed. The additional housing types provided for in the RIP amendments already exist in many of Portland's single dwelling neighborhoods (largely as non-conforming artifacts of pre-war zoning) and are an important part of the diversity of those neighborhoods both in terms of the buildings as well as their occupants. RIP amendments limiting front garages and requiring parking access from existing alleys were also created to integrate new development with the characteristics of residential neighborhoods, where street frontages are characterized by front yards and gardens. The RIP amendments include new development standards for flag lots, narrow lots, and residential infill options (duplexes, triplexes, fourplexes). Additionally, the amendments include new restrictions on building scale (FAR) that differ by zone and relate proportionately to lot size. The FARs help promote context sensitive design by reducing current entitlements that were originally created for flexibility in building siting but did not anticipate the trending upward size of houses. These FARs help limit new development to be more consistent with existing houses. The RIP amendments include building FAR limits that vary by zone (R7, R5, R2.5), so that allowed scale varies by the locations where these zones are mapped. FARs (and thus building size) are largest in the R2.5 zone, which is generally mapped in areas near centers and corridors, and are lowest in the R7 zone, which is generally mapped in areas with a lower-density context, including large portions

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of the Western and Eastern neighborhood pattern areas. This variability in FAR levels allows building scale to be regulated to vary by zone and place. New allowances for larger eave projections into setbacks helps new homes be more consistent with older traditional houses that have larger eaves. Changes to how building height is measured are designed to better ensure houses do not exceed 2½ stories in most single-dwelling zones. Bonus provisions for providing deeply affordable units increase height limits in the R5 and R7 zones from 30 to 35 feet. Council finds this increase in keeping with the scale of single dwelling development while allowing for a full sized third floor to more feasibly create the additional units authorized by the bonus provision. Limitations on street facing garages and location of vehicle areas are also established to provide greater consistency with historic development forms.

**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.

**122.Finding:** City Council interprets this goal as recognizing that Portland’s built environment will and should continue 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.” RIP amendments are consistent with this goal because they include provisions intended to promote preservation of historic resources. Amendments limit the ability to building triplexes or fourplexes on a site where a historic structure has been demolished in order to discourage demolitions of historic resources. The RIP amendments are also consistent with this goal because they work in conjunction with historic resource regulations by allowing for internal conversions of homes to create additional units, or to create detached accessory dwelling units while leaving the original house unaltered. This provides for additional adaptive reuse potential while still relying on existing historic recourse protections and reviews to ensure subsequent changes are consistent with the historic and cultural context.

**Goal 4.C: Human and environmental health.** Neighborhoods and development are efficiently designed and built to enhance human and environmental health: they protect safety and livability; support local access to healthy food; limit negative impacts on water, hydrology, and air quality; reduce carbon emissions; encourage active and sustainable design; protect wildlife; address urban heat islands; and integrate nature and the built environment.

**123.Finding:** City Council interprets this goal as calling for the protection and enhancement of human and environmental health as objectives that should guide City actions related to the built environment. City Council interprets development that is “efficiently designed” to refer to designed to be resource- and cost-efficient. RIP amendments are consistent with this goal because they allow for more compact development, such as duplexes, triplexes, and fourplexes, in single-dwelling zones that use less energy and resources. Studies indicate that smaller, attached units are associated with significantly greater energy efficiency than detached houses<sup>35</sup>. RIP amendments allowing three and four units on previously restricted lots allows for greater efficiency, while other amendments reduce building scale and required parking, which allows for more of the site to

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<sup>35</sup>Location Efficiency and Housing Type, Johnathan Rose Companies, March 2011; and A Life Cycle Approach to Priorizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, DEQ September 2010.

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remain permeable and landscaped. This in turn provides positive returns on hydrology, air quality, shade and habitat, and reduces urban heat island impacts<sup>36</sup>.

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

**124.Finding:** “Resilience” is defined in the Comprehensive Plan as the “capability to anticipate, prepare for, respond to, and recover from significant multi-hazard threats with minimum damage to social well-being, the economy, and the environment.” Plans and proposals are consistent with this goal when they contribute to this resilience and are responsive to changing demographics. The RIP amendments are consistent with this goal as they facilitate new development of additional housing types, which support resiliency to hazards, as newer buildings are designed to better withstand earthquake and other natural disasters. Also, the new ‘z’ overlay restricts additional units from being in landslide or flood prone areas, including the 1996 flood inundation area which reflects the increased flood risk from climate change, thereby improving climate and natural hazard resiliency. The RIP amendments are also consistent with this goal by allowing new housing that is responsive to changing demographics, such as smaller households and an aging population. This is achieved by amendments that allow increased adaptability of sites, both in terms of the types of living arrangements (duplex, triplex, fourplex, ADUs) but also in terms of physical design (visitability requirements). Additionally, provisions include the ability to add 250 square feet to existing structures every 5 years, which enables kitchen or bath expansions or the addition of a bedroom as family composition changes or to respond to culturally specific living arrangements.

## Context

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

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

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

**125.Finding:** Policies 4.1 through 4.3 provide direction on how the context of where development occurs should be considered in City implementation approaches. The RIP amendments are consistent with these policies as they include a range of approaches that guide development to integrate with the context of residential neighborhoods. These include several new standards related to measuring building height, floor area limits, main entrance requirements, street facing facades, setback projections, garages and parking, and narrow lot and flag lot development that are designed to be responsive to the characteristics of residential neighborhoods. As described in RIP Volume 1, these standards are intended to result in development that is more consistent with existing patterns of houses and other small-scale housing in residential neighborhoods. The RIP amendments include building FAR limits that vary by zone (R7, R5, R2.5), so that allowed scale varies by the locations where these zones are mapped. FARs (and thus building size) are largest in the R2.5 zone, which is generally mapped in areas near centers and corridors, and are lowest in the

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<sup>36</sup> Urban Stormwater Toxic Pollutants: Assessment, Sources and Treatability, EPA August 2005;

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R7 zone, which is generally mapped in areas with a lower-density context, including large portions of the Western and Eastern neighborhood pattern areas. This variability in FAR levels allows building scale to be regulated to vary by zone and place. Other amendments include changes to lower the review type for some planned developments as an optional discretionary review track that facilitates site- and context-specific innovative site design that positively responds to the site and its context.

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

**126.Finding:** This policy calls for including natural elements, such as trees, and green infrastructure, such as ecoroofs and vegetated stormwater facilities, as part of the urban environment – both as part of development projects and within public spaces, such as streets. The RIP amendments are consistent with this policy because they work in conjunction with existing regulations affecting development in the single-dwelling zones to provide and expand opportunities for natural elements such as trees, and green infrastructure. The RIP amendments help achieve this by retaining regulations that limit the amount of site area that can be covered by buildings to 50% or less, which – in combination with amendments eliminating requirements for off-street parking and allowing for less impervious surface, will allow more space for trees and landscaping compared to existing regulations. These limitations and amendments also work in conjunction with Stormwater Management Manual<sup>37</sup> requirements administered by the Bureau of Environmental Services to facilitate vegetated stormwater management facilities and other green infrastructure approaches by allowing for less site area to be covered by buildings and paved vehicle areas. RIP amendments are also consistent with this goal by limiting front garages and driveways, which will serve to limit interruptions to sidewalks and planting strips and allow for more opportunities for street trees and stormwater facilities in street rights-of-way.

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

**127.Finding:** City Council interprets “enhance” in the context of this policy as calling for new development and public infrastructure to contribute to improving the environment experienced by people using pedestrian facilities. The RIP amendments are consistent with this policy by reducing on-site parking requirements and limiting front parking areas and garages to improve the relationship between buildings and the public realm of streets. These amendments will contribute to creating pedestrian-friendly street environments by improving pedestrian connections between buildings and streets, reducing the predominance of blank walls and garages along streets, while reducing conflicts between pedestrians on sidewalks and vehicles using driveways. The RIP amendments are also consistent with this policy by requiring visitable, physically-accessible housing units as part of the development of three or more units, which will expand housing options for people with mobility limitations and help create communities where people with a range of abilities can live and get around.

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

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<sup>37</sup> Portland Policy Document, ENB-4.01, BES July 2019

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street environment.

**128.Finding:** The Comprehensive Plan defines “promote” as “further the progress of, advance, or raise.” The RIP amendments are consistent with this policy by including regulations that promote pedestrian-oriented design in new residential development in the RIP zones. In combination with existing requirements for street-oriented windows, this is achieved by RIP amendments that reduce on-site parking requirements and limit driveways and garages to improve the pedestrian relationship between the buildings and the public realm of streets, and through design-related standards for street-facing façades and main entrance standards that will enhance connections to the street environment.

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

**129.Finding:** “Guide” is defined in the Comprehensive Plan as “shape or direct actions over time to achieve certain outcomes. This verb is used when the City has a role in shaping outcomes but implementation involves multiple other implementers and actions taking place over a long period of time.” City Council interprets this policy to mean that there will be a number of approaches to implementing this policy, which include Zoning Code regulations that affect private development adjacent to public spaces, but also street and park improvements. The RIP amendments are consistent with this policy through a number of regulations that improve the relationship between buildings and the public space of streets. These include amendments that reduce on-site parking requirements and limits on front parking and garages to improve the visual and pedestrian connections between buildings and streets and will reduce conflicts between pedestrians on sidewalks and vehicles using driveways. Limiting front garages and associated driveway curb cuts also improve street environments by expanding opportunities for street trees and provide a more continuous pedestrian environment. Street trees can help frame and shape the public space of streets and complement urban park canopy.

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

**130.Finding:** The Comprehensive Plan defines “encourage” as “promote or foster using some combination of voluntary approaches, regulations, or incentives.” The RIP amendments address this policy through regulations that require that houses, duplexes, triplexes, and fourplexes developed on lots that abut alleys must take parking access from the alley, when parking is provided. Additionally, provisions that enable the creation of additional ADUs, including allowing detached ADUs in conjunction with duplexes, could expand the number of alley-facing accessory dwelling units.

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

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

## Health and safety

**Policy 4.10. Design for active living.** Encourage development and building and site design that



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promotes a healthy level of physical activity in daily life.

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

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

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

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

**132.Finding:** Policies 4.10 through 4.14 provide direction regarding the promotion of health and safety in development. The RIP amendments help implement these policies through a range of approaches. Several of the RIP amendments support active living by supporting a pedestrian-oriented street environment, such as by limiting front parking garages that negatively impact the pedestrian environment of streets and by standards that improve pedestrian connections between residences and public sidewalks. RIP amendments are also consistent with these policies through provisions that place new limits on building scale through FAR and a new height measurement methodology. These amendments help ensure building mass and height are better controlled to improve privacy and access to light and air, while still permitting for urban development that is consistent with the established character of single dwelling zones. Amendments that limit front garages in combination with requirements for street-oriented windows and doors, provide opportunities for natural surveillance of streets that can help prevent crime. Existing standards restrict tall front yard fences and require minimum window glazing on the front façade to also help facilitate implementation of crime prevention through environmental design (CPTED) principles. New construction and remodels will be required to meet modern building codes to ensure fire prevention and reduce seismic risks.

City Council heard testimony expressing concerns over fire safety and response on dead end streets that lack modern turn around requirements. Policy 4.14 is specific to building and site design and not the design of streets (which are addressed in other policies, see for example Policy 9.14). The state fire and building codes specify the requirements for building and site design with regard to fire prevention, safety and seismic risks. In the case where new development or intensification of existing development occurs on streets that do not meet current fire access standards, the fire marshal is authorized to require other measures to increase fire safety. For example, a triplex or fourplex that is built to the townhouse code does not need to install fire sprinklers, but the fire marshal (who lacks the authority to otherwise require sprinklers) may impose such a requirement when the street access is deficient. Therefore, existing codes which are unchanged by the RIP amendments encourage building and site design that improve fire safety and reduce seismic risk.

### Residential areas

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

**133.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-

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dwelling zones that are affected by the RIP amendments. Council interprets “compatible” to mean two things that are able to exist or occur together without conflict. For the purposes of this policy, Council does not interpret "compatible" to only require Council to consider the existing built environment but rather the policy also requires Council consider whether the new housing types are compatible, or can exist without conflict, with the pattern of development that is currently allowed. Policy 4.15 calls for a variety of housing choices in these residential areas that accommodate a range of household types and abilities, while keeping to a scale that is compatible with the general scale and patterns of the residential areas.

The urban environment is composed of several ‘building blocks’ that together give the city’s districts and neighborhoods their shape and built character. These include block structure and street patterns, street design, lot patterns and building placement, building forms and landscaping, vegetation and natural features. Council finds that the general scale and pattern of residential areas for the purposes of these amendments is established by the zoning development standards that determine the built environment in each of the single dwelling zones, and since the new housing types that are allowed will be generally within the scale and follow the pattern of development that is currently allowed, this diversity of housing is compatible and will not conflict with these residential areas. Several additional context sensitive standards were contemplated in the concept phase of the project, and a context related setback standard was proposed in the draft report to the Planning and Sustainability Commission, but through that process, these standards were deleted in favor of greater regulatory predictability which reduces housing costs associated with necessary site by site customization. Furthermore, a strict application of contextual standards as some testimony has proposed (such as FAR limits that vary by neighborhood) could exert negative disparate impacts on lower income neighborhoods by providing higher FAR limits for neighborhoods characterized by larger homes (generally correlated with higher land values) and lower FAR limits for neighborhoods with smaller homes (generally correlated with lower land values) For example, neighborhoods like Eastmoreland and Laurelhurst have existing average FAR’s that are around .40-.43, whereas Brentwood-Darlington or St. Johns average around .23-.27 respectively.

The inclusion of an amendment to allow a deeper affordability bonus (up to 6 units in a building of up to 35 feet in height and an FAR of 1.2 when at least 50% of the units are regulated affordable units), could result in buildings that are taller than other buildings in the R5 and R7 zoning districts are allowed to be. Nevertheless, Council unanimously chose to include this amendment, given the importance of furthering their goals for providing more affordable housing units. As noted elsewhere in these findings (e.g. Goal 4.A) this height increase is in keeping with the scale of single dwelling development, and necessary to feasibly accommodate the additional units envisioned through the bonus.

The RIP amendments are consistent with this policy by allowing for more housing choices in single dwelling zones for a variety of types of households and that are responsive to changing demographics and needs. The amendments achieve this by providing new allowances for duplexes, triplexes, fourplexes, and up to six units when providing regulated affordable housing, in addition to new allowances for accessory dwelling units (ADUs), including the ability to add a second ADU to a house or an ADU to a duplex. This diversity in unit type, size and configuration is better positioned to accommodate this wider diversity and changing needs of households than the current one-size approach of single dwelling housing.

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These added housing types are allowed both as new development and through adaptive reuse of existing buildings. The RIP amendments not only allow for the adaptive reuse of existing buildings, but actively promote it, through FAR bonuses when adding units while retaining the existing house, and removing limitations on ADU sizes when converting basement space in an existing house and removing other regulatory design limitations such as ADU front door orientation which can help facilitate conversion of attached garages, and exemptions from visitability standards when converting existing buildings due to the increased complexity of such retrofits.

The RIP amendments are also consistent with this policy by allowing for diversity of housing that is affordable at a range of income levels. Based on an economic analysis (Volume 3, Appendix A), the RIP allowances for smaller unit types, such as triplexes and fourplexes, will result in a decrease in average rents per unit by over 50% compared to the detached houses that are the predominant housing types currently allowed in most single-dwelling zones. The amendments also support the creation of affordable units through a development bonuses for projects that include a unit affordable to households earning no more than 80% of area median income, and through a deeper affordability bonus that allows additional units when at least half the units are affordable at 60% or area median income. In two zones, R5 and R7, this bonus also includes an increased height limit (from 30 to 35 feet). This height increase matches what is allowed in the R2.5 zone, and while it is taller than otherwise permitted, the small degree of increase is still reflective of the general scale of development in these zones, and is mitigated in part through RIP revisions to how height is measured in the single dwelling zones.

Finally, the RIP amendments are also consistent with this policy through providing new visitability standards applicable to new development resulting in 3 or more units that will help increase the number of units that will or are readily adaptable to meet the needs of our aging and disabled communities. The RIP amendments are further consistent with this policy by accompanying these allowances for greater housing diversity with amendments that limit building size and require street-oriented design features that provide continuity with the general scale and patterns of residential areas, as outlined in the findings to Policy 4.16.

**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.

**134.Finding:** The Comprehensive Plan defines “encourage” as “promote or foster using some combination of voluntary approaches, regulations, or incentives.” The RIP amendments are consistent with this policy by including regulations that shape new development to provide continuity with the scale and characteristics of residential areas with single-dwelling zoning. The amendments address building scale through regulations that reduce the maximum permissible building scale in RIP zones by applying new floor area limits and changes to building height measurement methodology that will have the effect of reducing allowed building height. An exception to these reductions in allowed building scale is that the deeper affordability bonus provides five feet of additional building height in the R5 and R7 zones, allowing for up to 35 feet (three stories), which is the same height allowed by the R2.5 single-dwelling zone. City Council interprets this height as being compatible with the low-rise scale of residential areas with single-dwelling zoning, where residential structures typically range in scale from one to two-and-a-half stories. Other amendments, in combination with continuing current front setback, outdoor area, and building coverage requirements, continue the patterns and characteristics of residential areas.

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These include amendments that place limitations on front garages and front parking, which in combination with requirements for street-oriented windows and entrances, which will allow for greater continuity with established residential neighborhood characteristics of front yards and gardens and street-oriented buildings. The RIP amendments include building FAR limits that vary by zone (R7, R5, R2.5), so that allowed scale varies by the locations where these zones are mapped. FARs (and thus building size) are largest in the R2.5 zone, which is generally mapped in areas near centers and corridors, and are lowest in the R7 zone, which is generally mapped in areas with a lower-density context, including large portions of the Western and Eastern neighborhood pattern areas. This variability in FAR levels allows building scale to be regulated to vary by zone and place. While the RIP amendments ensure that the general scale and patterns of residential areas is maintained, consistent with this policy, the amendments do not include requirements for specific architectural styles, providing flexibility for a broad 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.

**135.Finding:** The Comprehensive Plan defines “encourage” to mean “promote or foster using some combination of voluntary approaches, regulations or incentives.” The RIP amendments encourage alternatives to demolition with regulatory incentives to retain existing houses. These include: additional floor area allowance for adding units to a site with an existing house including internal conversions, additions, and detached ADUs; larger allowed basement ADU in existing houses; a 250 square foot building addition in each 5 year period that is not limited by FAR for existing houses, exemptions from attached housing requirements on sites surrounded by existing houses, and flexibility to use a property line adjustment to create a flag lot when an existing house is retained. Also consistent with this policy are amendments that limit the ability to building triplexes or fourplexes on a site where a historic structure has been demolished in order to discourage demolitions such demolitions, while allowing instead for internal conversions to add units.

**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.

**136.Finding:** The RIP amendments are consistent with this policy by providing options for multiple detached houses, such as cottage clusters, on a property through planned development review. This is achieved by RIP amendments that streamline and align entitlements (density and FAR) for Planned Developments (PDs), which include options for multiple detached, attached, or clustered units on a single development site without a land division. The ability to add more ADU’s to a site provides more options to develop small resource efficient homes, while simultaneously allowing for the preservation of the existing home on the site. The application of FAR limits for single-family homes also helps reduce one for one demolitions and replacement with a single larger house, as noted in the economic analysis. Lot confirmation rules, together with rezoned areas of R5 zoning will permit the development of attached and detached homes on smaller lots, which in turn in combination with FAR limits help provide for the development of small, resource efficient and lower cost housing in more areas of the City.

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

**137.Finding:** RIP amendments are consistent with this goal because they allow for more compact development, such as duplexes, triplexes, and fourplexes, in single-dwelling zones that use less energy and resources. Studies indicate that smaller, attached units are associated with significantly

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greater energy efficiency than detached houses<sup>38</sup>. The ability to accommodate multiple households on a single residential lot within a building envelope that is less than the size allowed for a single house also supports both land and resource efficient development. Fewer materials are needed to construct these smaller dwellings and accommodating four households on a single lot reduces demand for extra territorial expansion and growth. The amendments also retain requirements for on-site open space, which – in combination with eliminating requirements for on-site parking, expands opportunities for outdoor space and landscaping, thereby improving health outcomes.

### Design and development of centers and corridors

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

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

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

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

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

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

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

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

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

**Policy 4.29. Public art.** Encourage new development and public places to include design elements and public art that contribute to the distinct identities of centers and corridors, and that highlight the history and diverse cultures of neighborhoods.

**138.Finding:** Policies 4.20 through 4.29 provide direction on design and development in centers and along corridors. City Council interprets these policies as applying to the higher-density commercial/mixed use, multi-dwelling, and employment zones within the mapped boundaries of centers and along designated civic and neighborhood corridors, and as not applying to single-dwelling zones. Comprehensive Plan text accompanying these policies indicates that “centers and corridors are places where large numbers of people live, work, and visit.” This describes the higher-

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<sup>38</sup> Location Efficiency and Housing Type, prepared by Jonathan Rose Companies, March 2011

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density mixed-use, multi-dwelling, and employment zones in centers and corridors that are the focus of these policies. The Comprehensive Plan defines “high-density housing” as referring to “housing that is mid- to high-rise in building scale,” and furthermore defines “mid-rise” as a building between five and seven stories in height. The RIP amendments therefore do not affect the higher-density zones in centers. The RIP amendments limit multi-unit development in the RIP single-dwelling zones primarily to houses and middle housing types, which City Council interprets as not constituting high-density housing.

### Transitions

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

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

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

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

### Off-site impacts

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

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

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

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

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

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

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

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

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

## Scenic resources

**Policy 4.41. Scenic resources.** Enhance and celebrate Portland's scenic resources to reinforce local identity, histories, and cultures and contribute toward way-finding throughout the city. Consider views of mountains, hills, buttes, rivers, streams, wetlands, parks, bridges, the Central City skyline, buildings, roads, art, landmarks, or other elements valued for their aesthetic appearance or symbolism.

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

**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.

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**141.Finding:** Policies 4.30 through 4.32 provide direction regarding Portland’s designated scenic resources. The RIP amendments do not affect management of designated scenic resources. View corridors are protected through the establishment of specified height limits that supersede base zone height limits. Scenic corridors are protected through the establishment of a setback (20’ in RIP zones) that supersede the base zone front or street side setback in addition to other development standards that apply in addition to the base zone regulations. Since the RIP amendments do not change these standards, and they continue to supersede base zone standards in cases of conflict, scenic resource protection is unaffected.

## Historic and cultural resources

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

**142.Finding:** This policy calls for protecting and encouraging the restoration of historic resources that contribute to the “distinctive character and history of Portland’s evolving urban environment.” City Council interprets “distinctive character” to refer to the physical environment of Portland, of which historic resources such as buildings and districts are distinctive components, while their contribution to “history” refers to the role of historic resources as being more than physical objects, but reminders of the city’s past, including its social and cultural legacies. This policy’s reference to “Portland’s evolving urban environment” places historic resources in the context of being part of a city that continues to grow and change. City Council interprets this to mean that this and other historic and cultural resource policies are part of a balancing act of protecting distinctive historic and cultural resources, while continuing to accommodate a changing urban environment that meets new needs and uses for buildings.

“Protect” is defined in the Comprehensive Plan as “to defend or guard against loss, injury, or destructions,” which can be accomplished through a variety of regulatory and non-regulatory approaches. This component of this policy is supported by RIP amendments that prevent triplexes and fourplexes from being built on sites where a historic building has been demolished. This demolition limitation is especially oriented to discouraging demolitions of locally-designated historic resources, as it prevents these allowances from being used on sites where there have been demolitions of historic resources in Conservation Districts or locally-designated historic landmarks, for which there are currently no demolition review procedures and are thus more vulnerable to redevelopment pressures.

“Encourage” is defined in the Comprehensive Plan as “promote or foster using some combination of voluntary approaches, regulations, or incentives.” RIP amendments are consistent with this policy as they work in conjunction with existing historic resource regulations by allowing for internal conversions of homes to create additional units, or to create detached accessory dwelling units while leaving the original house unaltered. This provides for additional adaptive reuse potential while still relying on existing historic resource protections and reviews to ensure subsequent changes are consistent with the historic and cultural context. FAR limits for new development and additional FAR bonuses for retaining historic structures is also helpful to the economic viability of historic preservation by providing an additional means to gain value for the preservation of historic buildings, especially when those structures already exceed maximum allowable FAR.

**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.



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**143.Finding:** The RIP amendments do not include state or federal policy advocacy. This policy does not apply.

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

**144.Finding:** The City Council interprets terms as follows:

**“Encourage”** means to promote or foster using some combination of voluntary approaches, regulations, or incentives.

**“Vacant and underutilized gaps”** means sites identified on the Buildable Lands Inventory, sites that include no buildings, and sites that include buildings with significantly less development in terms of square feet than allowed by current and proposed zoning entitlements. “Vacant and underutilized gaps” does not include Historic and Conservation Landmarks or contributing resources in Historic and Conservation Districts.

**“Established urban fabric”** means characteristics of the existing and historic built environment of a district or place including, but not limited to, block pattern, arrangement and design of streets and pedestrian realm, street wall, street-level activity, building use, construction type, architectural style, exterior materials, design details, massing, and height.

**“Preserve”** means to save from significant change or loss and reserve for a special purpose.

**“Complement”** means to add to, enhance, or improve.

**“Historic resource”** means a structure, place, or object that has a relationship to events or conditions of the human past. Historic resources may be significant for architectural, historical, and cultural reasons. Examples 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. Rank I, II, and III structures, places, and objects that are included in historic inventories are historic resources.

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

City Council interprets this policy to be implemented by the development review processes and provisions described in the findings for Policy 4.46. In Historic and Conservation Districts, this includes the review of new development to add to, enhance, or improve characteristics of the established urban fabric that relate to the historic significance of the district. City Council also finds this policy is implemented by new development because it supports and increases economic opportunities for the preservation, restoration and reuse of historic resources. The businesses, residents, and other uses provided by new development can be critical to preserving or

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resuscitating the economic and social vitality and sustainability of individual Landmarks, contributing resources in districts, and even districts as a whole.

City Council finds that RIP balances the policy's two objectives to 1) encourage development and 2) preserve and complement historic resources in the following ways:

1. **Encouraging development that fills in vacant and underutilized gaps within the established urban fabric.** The City Council finds that the RIP amendments encourage development that will fill in the vacant and underutilized gaps by maximizing the public's significant investment in infrastructure through encouraging development that increases the achievable density of housing in RIP zones.

City Council's application of the first part of Policy 4.48 is informed both by existing development and by the fact that the RIP amendments are intended to guide new development and growth across RIP zones. Policies such as 5.21 Access to opportunities, 5.22 New development in opportunity areas, and 5.23 Higher Density Housing support increasing the concentration of housing near transit, jobs, high quality schools and other amenities and encourage infill redevelopment generally across the RIP zones. Concurrently, the RIP amendments include new limits on maximum building scale (FAR) which better relates the overall size of the structure to the size of the lot, better ensuring infill will integrate with the established urban fabric.

With the exception of historic resources that are subject to demolition protections, the RIP amendments are not explicitly intended to prevent redevelopment of vacant and underutilized sites. This approach extends to non-contributing sites in historic districts, as explained further below. However, several incentives are included to encourage adaptive reuse of sound housing in alignment with Policy 4.17, Demolitions. Further, provisions within the RIP amendments limit redevelopment options and FAR on contributing sites in Conservation Districts and for Conservation Landmarks when those resources are demolished without receiving prior demolition review approval.

Across the RIP zones, City Council expects that redevelopment of vacant and underutilized sites may not be identical to the existing physical characteristics of the surrounding existing buildings. Chapters 33.110, 33.218, 33.445, and other applicable approval criteria supports a variety of approaches to infill, resulting in buildings that complement existing historic resources. This variety of new development allows provides for growth, density, innovation, the ability to meet the needs of a diversity of uses and people, and the ability for urban form and sense of place to appropriately evolve over time.

The RIP amendments do not have any effect on block structure, street characteristics, or lot patterns as these are already either an existing condition or reviewed through land division or major capital improvement projects. Other elements such as vegetation, building placement, and building forms and types are contemplated and addressed through development standards affected by these amendments. Building placement is determined through the application of setbacks which vary by zone, and to some degree location within a plan district or overlay zone. Consequently, no changes to existing setback requirements are made. There are largely no specific landscape requirements for the single dwelling zones, apart from a tree planting or preservation requirement in Title 11, and requirements specific to environmental and scenic overlay zones. These requirements are also unchanged by RIP amendments.

The most relevant potential influence on the urban fabric building blocks from the RIP amendments pertains to building forms and types. The RIP amendments provide for infill

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opportunities that can provide for a wider variety of housing types to better blend with existing historic examples and resources. New limits on building scale through FAR limits helps ensure that infill works in conjunction with historic resource regulations by allowing for internal conversions of homes to create additional units, or to create detached accessory dwelling units while leaving the original house unaltered. RIP amendments include development standards intended to complement the established characteristics of residential neighborhoods, including those in historic districts, through retaining the pattern on residential lots of primary and accessory building forms, setbacks, heights, building coverage, new limits on floor area, and through additional standards for street facing facades, main entrances, and parking and garages. RIP amendments include new standards for narrow lots development that requires pairs of attached houses in order to better reflect the existing patterns of wider lot development. The RIP amendments only regulate the allowed scale and basic characteristics of development. Other regulatory tools, particularly Historic Resource Review, address the design details of development in historic districts to ensure they are compatible with their specific context.

#### **The role of housing types and FAR allowances in encouraging development of vacant and underutilized sites in RIP zones.**

Building size in RIP zones was previously regulated primarily by two development standards; building coverage and height. The combination of these two creates a 3-dimensional “box” that determines the maximum allowable size of development on a site. The introduction of FAR to these zones adds a new limitation within the existing “box”. FAR limits were established generally above the average existing building size in affected zones to 1) reduce non-conforming development situations, 2) to provide flexibility for existing properties to expand, and 3) to create further incentives for creating additional units on a site.

FARs are notably much lower than the previously achievable “box”. For example, on a 5,000 s.f. R5 zoned lot, the maximum square footage was previously 6,750 s.f. for a house with or without an ADU. Now, the maximum allowable floor area is 2,500 s.f. for a house, 3,000 s.f. for two units, and 3,500 s.f. for 3 or 4 units. Only the deeper affordability bonus provides an FAR that comes close to previous allowances at 6,000 s.f., but again is less than the previous maximum size allowed.

Council heard testimony supporting much lower FAR’s based on average home sizes by neighborhood. Council found that application of these neighborhood specific FARs would be problematic for several reasons, including impacts to the financial feasibility of new development when considering the findings from the initial economic feasibility analysis<sup>39</sup> which found a lower universal FAR would not result in significant interest in creating additional housing units and would impede progress toward filling in vacant and underutilized gaps within the established urban fabric. Moreover, the approach would be largely inequitable, perpetuating a zoning scheme that rewarded more affluent neighborhoods with greater building entitlements while penalizing lower income neighborhoods characterized by smaller houses.

2. **Preserving historic resources.** City Council finds that the RIP amendments do not remove existing Zoning Code provisions that protect historic resources citywide. Additionally, Council amended

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<sup>39</sup> Economic Analysis of Proposed Changes to the Infill Development Standards, Appendix B - Proposed Draft, Johnson Economics, April 2018

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the proposals to include additional limitations on housing units and associated FAR for contributing sites in conservation districts and for conservation landmarks when a designated conservation resource is demolished without receiving demolition review approval. These sites are currently only protected via a 120-day delay on demolition. These provisions are described in the findings for Policy 4.46.

3. **Encouraging development that complements individually listed historic resources.** The City Council finds that the RIP amendments encourage development of vacant and underutilized sites that will complement Historic and Conservation Landmarks by increasing the economic viability of preservation, rehabilitation, and reuse.

The City Council finds that this policy, outside of Historic and Conservation Landmark and District boundaries, does not require the design of development adjacent to and nearby historic resources to relate to the physical features of those resources. However, within the boundaries of Historic and Conservation Landmarks and Districts, alterations, additions, and new construction are subject to Historic Resource Review.

The City Council finds that, within Historic and Conservation Landmark and District boundaries, Historic Resource Review ensures new development activities will complement the physical characteristics of those resources. For sites outside of Historic and Conservation Landmark and District boundaries, the City Council finds that the new development may depart from the physical characteristics of the adjacent and nearby historic resources.

4. **Encouraging development that complements Historic and Conservation Districts.** The City Council finds that the RIP amendments encourage development of vacant and underutilized sites in Historic and Conservation Districts that will complement contributing resources by increasing the economic viability of preserving, rehabilitating, and reusing those resources.

The City Council further finds that the RIP amendments encourage development of vacant and underutilized sites in Historic and Conservation Districts that will complement the established urban fabric found in those districts. The City Council finds that this policy does not require development adjacent to and nearby Historic and Conservation Districts to complement the physical features found in those districts, except as required of any Design Overlay standards or approval criteria that may apply to the site.

Policy 4.49 describes Historic Districts as “unique.” The City Council therefore finds that established urban fabric—and the relative importance of the characteristics of that fabric—differs district-by-district. The established urban fabric found in Historic and Conservation Districts includes characteristics of the built environment present during the historic period of significance, as well as those present today. This fabric may include, but is not limited to, block pattern, arrangement and design of streets and pedestrian realm, street wall, street-level activity, building use, construction type, architectural style, exterior materials, design details, massing, and height. Information about the established urban fabric found in a Historic or Conservation District can be found in the nomination for historic designation, the district design guidelines, and the built environment today.

**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.

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**145.Finding:** The first part of Policy 4.49 provides direction on adopting and updating design guidelines for historic districts, which are not part of the scope of the RIP project. The City creates and updates such guidelines through projects with a specific focus on historic district guidelines. The RIP amendments are not rezoning any areas within historic districts. The RIP amendments are also consistent with this policy in reducing the building scale permitted under current zoning allowances, both through the imposition of new floor-to-area requirements (FAR) as well as changes in measuring methodology for building height, which will help address compatibility with historic resources in single-dwelling zones. The changes to broaden allowed housing types is consistent with existing historic preservation incentives in 33.445.610.C.2. which state “Additional density in Single-Dwelling zones. Landmarks in Single-Dwelling zones may be used as multi-dwelling structures, up to a maximum of one dwelling unit for each 1,000 square feet of site area.” The RIP amendments do not affect the current historic resource review procedures that consider the character of the historic district during specific proposals to alter the resource.

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

**146.Finding:** “Protect” is defined in the Comprehensive Plan as “to defend or guard against loss, injury, or destructions,” which can be accomplished through a variety of regulatory and non-regulatory approaches. Historic resources include Historic Landmarks and districts, Conservation Landmarks and districts, contributing structures within those districts, and structures identified in the city’s historic resource inventory. Contributing structures in Historic Districts, Historic Landmarks and historic resources with protective covenants are protected through a demolition review process (33.445). Other resources are subject to 120-day delay to allow time for consideration of alternatives to demolition, such as restoration, relocation, or architectural salvage. The RIP amendments include a number of incentives designed to encourage existing house retention, and adaptive reuse of existing properties, both designated historic and otherwise.

The RIP amendments additionally support this policy by preventing triplexes and fourplexes from being built on sites where a historic building has been demolished. This demolition limitation is especially oriented to discouraging demolitions of locally-designated historic resources, as it prevents these allowances from being used on sites where there have been demolitions of historic resources in Conservation Districts or locally-designated conservation landmarks, for which there are currently no demolition review procedures and are thus potentially more vulnerable to redevelopment pressures. A fair amount of testimony centered around this provision, with historic resource advocates like the Portland Landmarks Commission and Restore Oregon<sup>40</sup> testifying in support of the additional protections, while others were in opposition citing the barriers to providing additional housing and reinforcing past ‘exclusionary’ zoning practices. Some members of Council shared concerns that the provisions may hamper new housing opportunities in Conservation Districts, but ultimately supported the provision knowing that the issue of historic resources and their protections will be reviewed by council more holistically in a pending project, the Historic Resources Code Project. Additionally, the disincentive does not prevent new housing types on non-contributing and vacant sites within these districts, and also does not restrict internal conversions, building additions that add units or adding ADU’s to sites with existing resources that are not demolished.

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<sup>40</sup> See testimony from Peggy Morretti (Restore Oregon) June 10, 2020 and Kristin Minor (PHLC) June 18, 2020

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

**147.Finding:** The RIP amendments do not affect the maintenance of any City-owned historic resources.

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

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

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

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

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

**149.Finding:** Policies 4.53, 4.54 and 4.55 address implementation approaches related to expanding historic preservation efforts involving diverse communities and areas. These are the major focus of another pending project: the Historic Resources Code Amendment Project as well as other City efforts, including current work by the Bureau of Planning and Sustainability in partnership with community partners to document African-American historic resources and provide a framework for their preservation. The RIP amendments include limitations on newly constructed 3 or more units on lots where a historic resource has been demolished without obtaining approval through demolition review. This demolition limitation is especially oriented to discouraging demolitions of locally-designated conservation resources, as it prevents these allowances from being used on sites where there have been demolitions of historic resources in Conservation Districts or locally-designated conservation landmarks, for which there are currently no demolition review procedures and are thus potentially more vulnerable to redevelopment pressures. Conservation districts all exist within the Albina Community Plan Area, an area largely under represented and underserved with regard to previous historic resource efforts. This limitation still allows for the conversion of existing houses into multiple units but serves as a protective measure until more holistic decisions about conservation district resource protections are rendered through the Historic Resources Code Amendment Project.

Furthermore, the RIP amendments allow for and encourage adaptive reuse of historic places by permitting internal conversions or building additions to add more units and granting bonus FAR when doing so. The standards also provide for a small increment (250 square feet) of additional building square footage to be added to existing buildings even when exceeding FAR limits, as well as remove maximum size limits for basement ADU conversions in existing houses for increased flexibility. While these measures are not exclusive to designated historic resources, they do provide additional tools for both protected designated resources in addition to other resources that may not yet be so designated.

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**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.

**150.Finding:** The RIP amendments do not propose any changes to current historic resource protections, historic preservation incentives (33.445) or non-conforming use regulations (33.258). Historic community structures, such as places of worship, exist in single-dwelling zones. The Historic Resources Code Project, currently in progress, will be updating regulations for these and other historic resources.

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

**151.Finding:** The RIP amendments are consistent with this policy by providing for a wider variety of housing types and more options to add units to a site through additional accessory dwelling units. The combination of these allowances provides varying means to adapt existing historic resources by either internally converting to add units or leaving the structure intact and adding detached accessory units. Additional FAR is awarded to sites that retain the existing structure as a regulatory incentive. Existing historic resource protections and reviews ensure subsequent changes will be consistent with the historic and cultural context.

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

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

### Public art

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

**153.Finding:** Not applicable. No changes or incentives are proposed by the RIP amendments to the City's public art incentives.

### Resource-efficient design and development

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

**154.Finding:** The RIP amendments are consistent with this policy as they permit existing buildings to be converted to add up to four total dwelling units, which supports adaptive reuse of existing buildings. No changes to historic resource protections are made with these amendments. For these resources, conversions that add units can be proposed that will either be reviewed against historic resource criteria or required to meet design standards. Provisions are also included to provide bonus FAR for adding units to sites while retaining existing buildings. These amendments allow owners to reinvest and rehabilitate existing buildings. These RIP allowances for additional units or FAR as part of adaptive reuse of existing buildings are part of the City's efforts to demonstrate stewardship of the built environment, in that these amendments – in conjunction with other regulations and historic preservation approaches – are part of strategies to intentionally guide the

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future of Portland's built environment to achieve a wide range of community and policy objectives, such as those related to sustainable development and the preservation of historic resources.

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

**155.Finding:** RIP amendments are consistent with this policy because they allow for more compact development, such as duplexes, triplexes, and fourplexes, in single-dwelling zones that use less energy and resources. Studies indicate that smaller, attached units are associated with significantly greater energy efficiency than detached houses<sup>41</sup>. The ability to accommodate multiple households on a single residential lot within a building envelope that is less than the size allowed for a single house also supports both land and resource efficient development. Fewer materials are needed to construct these smaller dwellings and accommodating four households on a single lot reduces demand for extra territorial expansion and growth. The RIP amendments also support this policy by reducing the building scale permitted under current zoning allowances both through the imposition of new floor-to-area requirements (FAR) as well as changes in measuring methodology for building height. Provisions are also included to encourage additional accessory dwelling units, which are limited in size and could either be internal or small detached homes. New standards for small flag lot sin the R5 zone also limit the detached house size to 1,000 square feet.

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

**156.Finding:** The RIP amendments support this policy as they promote retrofits of existing buildings through conversions to add additional units. These RIP provisions include incentives for basement ADU conversions (by eliminating size limits on the ADU provided it is located entirely in a basement of a house that is at least five years old). Allowances and incentives (providing additional FAR) are also offered to convert existing houses into duplexes, triplexes or fourplexes. When these conversions occur, seismic and energy retrofits are frequently included as part of the required building code compliance.

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

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

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

**158.Finding:** The RIP amendments do not change existing deconstruction requirements.

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

**159.Finding:** The RIP amendments do not require or incentivize specific materials or building practices beyond current building code standards. This policy is implemented by other City programs that

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<sup>41</sup>Location Efficiency and Housing Type, Johnathan Rose Companies, March 2011



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promote green building approaches.

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

**160.Finding:** The RIP amendments do not change existing stormwater management manual requirements or specify explicit water efficiency measures. However, with the reduced building size allowances, smaller footprint structures are more likely, which increases area available for stormwater infiltration.

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

**161.Finding:** This policy is implemented primarily by programmatic implementation approaches related to evaluating and strategically optimizing benefits of resource-efficient design, such as through the Commercial Building Energy program, Home Energy Score requirements, Sustainability at Work, and the Portland Clean Energy Community Benefits Fund. The RIP amendments compliment these implementation efforts through new limitations on building size that promote resource efficiency and that are designed to be flexible to suit specific site conditions and optimize benefits. The floor to area regulations allow either a smaller footprint building to be taller, and thus take up less area on the lot, providing more room for tree canopy, or lower and spread out, providing more rooftop area for solar and ecoroofs.

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

**162.Finding:** The RIP amendments do not mandate energy standards beyond the building code but do allow for and promote smaller attached units which by their design are more energy efficient than larger homes built to higher energy standards.

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

**163.Finding:** The RIP amendments allow for more households to locate in smaller buildings closer to centers and corridors. The amendments eliminate the on-site parking requirement for household living uses in single-dwelling zones. This is cited in the Climate Action Plan as part of a near term strategy to link parking requirements to mode share targets. By developing parking management policies and programs, including shared parking, this reduces vehicle miles traveled and promotes successful density within centers and along corridors, which in turn helps minimize carbon emissions from reduced commute travel needs and less building construction material<sup>42</sup>. This has the potential to reduce vehicle miles travelled because, according to a UCLA study, “the presence of bundled parking (*i.e. an on-site parking space*) is associated with a 27 percent increase in vehicle miles traveled. Bundled households drive approximately 3,800 miles more, spend nearly \$580 more on gasoline, and emit 14.47 more metric tons of carbon dioxide per year. Bundled parking is also negatively correlated to transit use, and households with unbundled parking are significantly more likely to be frequent transit users”<sup>43</sup>. Studies indicate that the combination of smaller, attached units and location close to transit result in significantly less energy use and associated carbon

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<sup>42</sup> Portland Climate Action Plan, June 2015

<sup>43</sup> Does Bundled Parking Influence Travel Behavior, Pinski, UCLA, 2018

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emissions compared to detached houses,<sup>44,45 46</sup>

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

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

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

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

**165.Finding:** “Encourage” is defined in the Comprehensive Plan as “promote or foster using some combination of voluntary approaches, regulations, or incentives.” Other City efforts utilize non-regulatory approaches to promote development that uses renewable resources, and existing Zoning Code regulations accommodate solar panels and small wind turbines through provisions such as exceptions to building height limits. The RIP amendments support this policy indirectly through new building size limitations and revisions to height measurement methods that will help reduce conflicts between solar and wind systems and new adjacent infill development. This encourages the use of these renewable resources by reducing the investment risk that these systems will be obstructed by new development.

### Designing with nature

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

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

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

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

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

**Policy 4.78. Access to nature.** Promote equitable, safe, and well-designed physical and visual access to

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<sup>44</sup>Location Efficiency and Housing Type, Johnathan Rose Companies, March 2011

<sup>45</sup>Drew et al. (2015). The Environmental Impact of Tall vs Small: A Comparative Study. International Journal of High-Rise Buildings, June 2015, Vol 4, No 2, 109-116.

<sup>46</sup> Smart Growth and Transportation, EPA January 2017

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nature for all Portlanders, while also maintaining the functions and values of significant natural resources, fish, and wildlife. Provide access to major natural features, including:

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

**166.Finding.** Policies 4.73 through 4.78 provide direction regarding the interface between development and natural features and functions. The RIP amendments address the designing with nature policies in a variety of ways. Amendments limit maximum building size through FAR which can reduce building footprints, providing more space for tree preservation and/ or planting and other green elements. While the amendments allow more units on single-dwelling sites, they retain current Title 11 requirements for overall tree density. Amendments eliminate minimum parking requirements, which will help limit urban heat islands, allow for less impervious surface, and provide more opportunities for green spaces. Regulations for three or more units on a lot (e.g. triplexes and fourplexes) also help implement these policies, as the location of the new ‘constrained sites’ ‘z’ overlay which restricts these additional units (and corresponding larger FAR) encompasses all sensitive environmental areas (low, medium and high value NRI).

### Hazard-resilient design

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

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

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

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

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

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

**167.Finding:** Policies 4.79 through 4.84 provide direction regarding the interface of development with natural hazards. RIP amendments allowing for more efficient use of single-dwelling zoned land help implement these policies, as the location of land where three or more units on a lot (e.g. triplexes and fourplexes) are allowed is restricted on sites with the new ‘constrained sites’ ‘z’ overlay which encompasses special flood hazard areas; floodways; the 1996 Flood Inundation area; Potential Rapidly Moving Landslide Hazard Zones as shown in the DOGAMI IMS-22 publication; and Deep landslide—High Susceptibility or Landslide Deposit or Scarp as shown in the DOGAMI IMS-57 publication. Generally, duplexes are required to be allowed on all lots pursuant to House Bill 2001.

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Urban heat islands are generally found to be associated with non-RIP zones, where large expanses of parking and lower tree canopy are present. The RIP amendments remove minimum parking requirements and limit structure sizes in RIP zones to less than what is permissible today, allowing for reduced amounts of impervious surfaces and increasing the ability to maintain and increase tree canopy.

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

## Healthy food

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

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

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

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

**168.Finding:** Policies 4.85 through 4.88 provide direction regarding the role of development in contributing to access to healthy foods. Increasing the number of households that can locate in an area increases the market capture for grocery stores, improving their viability in the surrounding area. The RIP amendments do not change retail allowances or zoning that would directly affect food access. However, more than half of RIP zoned parcels are already located within complete neighborhoods (areas with higher access to food and other amenities), so that allowing more units on RIP zoned parcels will allow for more households to live in areas with access to groceries and other food sources. Additionally, the small-scale low-density buildings allowed by these changes with maximum limits on building coverage that do not exceed 50 percent provide an alternative housing type than larger taller and higher density multi-unit buildings with little ground space for growing food.

## Chapter 5: Housing

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

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

The RIP amendments expand the types of housing available in the R2.5, R5 and R7 zones, which comprise nearly 30% of the City's total area. There are essentially five basic housing types that are enabled or expanded through these changes:

Accessory Dwelling Units (ADU). New allowances for up to two ADUs with a house or one ADU with a duplex.

Duplexes. Under current regulations, duplexes are allowed on corner lots. The RIP amendments allow duplexes on all lots in the RIP zones, consistent with mandates in HB2001.

Triplexes. Under current regulations, triplexes are only allowed in the R2.5 zone within the Alternative Design Density 'a' overlay zone and not allowed in the other RIP zones. The RIP amendments will allow triplexes on most lots (outside of the 'z' overlay) throughout Portland.

Fourplexes. Under current regulations, fourplexes are not allowed in the RIP zones. The RIP amendments will allow fourplexes on most lots (outside of the 'z' overlay) throughout Portland.

Multi-dwelling buildings with 5 or 6 units. Under current regulations, multi-dwelling buildings are not allowed in the RIP zones. The RIP amendments will allow these units (outside of the 'z' overlay) when certain levels of regulated affordable housing units are provided.

Under the previous zoning, the 2035 Comprehensive Plan anticipated roughly 16,200 single dwellings to be built in RIP zones in the planning period. The additional housing types enabled through the RIP amendments are expected to result in roughly 20,100 projected housing units within the RIP zones<sup>47</sup>. While this represents only a net increase of 3,900 units, the larger distinction is that instead of 16,200 single dwelling units, the RIP amendments provide options for all 20,100 of those projected units to be accommodated in a variety of housing types, described above. This helps diversify Portland's housing stock to suit a wider range of housing needs, preferences, and financial capabilities.

Currently, there are over 119,000 single dwelling houses in the RIP zones representing over 91% of the housing types in these zones. The projected 20,100 units in a mix of houses, duplexes, triplexes and fourplexes will provide an increased range of more variable unit types, from smaller family size three- and four-bedroom duplexes to one- and two-bedroom fourplexes and two-bedroom 6-unit buildings. The changes also include requirements that in cases where more than two units are proposed, some portion of the units on the site must be visitable for people with mobility impairments. These units are more easily adapted for reasonable accommodation requests per the federal fair housing requirements.

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<sup>47</sup> Household projection comparison - Comp Plan to RIP, BPS, January 2020

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The Comprehensive Plan uses two definitions for “affordable housing” and both are relevant to the RIP amendments. The first definition relates to housing that serves extremely low, very low- and low-income households. City Council interprets these household types as below 30%, below 60%, and 80% of the median family incomes respectively. The second definition cites the HUD definition of “affordable” as housing that costs no more than 30 percent of a household’s monthly income. In terms of affordability, the smaller size units provide lower unit cost options (both rent and sales) than comparative larger single houses on single lots<sup>48</sup>. These units provide more variety and available options for households that may be above 80% MFI but are seeking housing that fits below the 30% of their household income level. The RIP amendments also provide two incentives for the creation of regulated affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows up to six units at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. This FAR generally provides for 2-bedroom units. For these deeper affordable units, two visitable units will be required.

Also, in terms of housing affordability and stability, the additional, second ADU can supplement an owner’s income and offset mortgage expenses. Similarly, owner-occupied duplexes, triplexes and fourplexes can be purchased through normal residential Federal Housing Administration (FHA) loans, Veterans Affairs loans, or conventional financing, with rents being used to help qualify for lending.<sup>49</sup>

In terms of tenure, there are no zoning regulations that require the expanded housing types to be ownership or rental units. According to the Johnson Economic feasibility analysis, these types of units will more frequently be available as rental units, though ownership of individual units through a condominium arrangement may be possible. Expanded development options for narrow lots also offer more housing options. These lots can be developed with pairs of attached houses, with each half able to be owned independently of the other. Alternatively, through a property line adjustment, an existing house can be retained, and a new flag lot created for a small detached house in the back. These houses will tend to be more modest first-time homebuyer options.

By expanding the palette of available housing types and unit sizes that can be built in nearly a third of the city’s land area, Portlanders will have increased access to high-quality affordable housing that accommodates their needs, preferences, and financial capabilities.

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

**171.Finding:** City Council defines “equitable access to housing” as a goal to create housing that is accessible and affordable to a wide range of households, including people with disabilities, people of color, low-income households, diverse household types, and older adults. The RIP amendments are consistent with this goal because they include requirements for visitable units that are intended to offer more options and remove access barriers for people with disabilities and older adults. The RIP amendments also provide two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. The increased range of housing types

<sup>48</sup> Exhibit B, Volume 3, Appendix A, Johnson Economics *Economic Analysis of Proposed Changes to the Infill Development Standards*, Nov. 2018

<sup>49</sup> How to finance a Duplex or Multifamily Home, Bankrate.com, January 2019

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enabled through the RIP amendments also broadens the diversity of housing to suit different household types and compositions in many more areas of the city, including multigenerational households, cottage clusters and cohousing. Opening up more opportunities for first time homebuyers by allowing for smaller, less expensive units can ensure more equitable access in more neighborhoods. Additional provisions for ADUs also offer more opportunities for older adults who wish to downsize either on their own lot, in the same neighborhood, or with extended family.

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

**172.Finding:** City Council interprets this goal as to encourage the development of a wide range of housing units in and around complete neighborhoods that have access to transit, bikeways and sidewalks (see Human Health Guiding Principle). Roughly half (~66,000) of all parcels in the RIP zones are in areas that are complete neighborhoods. Restrictions on roughly 9,000 lots due to presence of natural hazards and/or resources (in the new 'z' overlay zone) helps ensure additional households are not located in less suitable locations. 114,000 parcels (94%) in RIP zones are located within ¼ mile of transit, and 104,000 (86%) are located within ½ mile of frequent bus and/or fixed rail transit. Moreover, many of these areas are additionally served by sidewalks, trails, and or bikeways<sup>50</sup>.

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

**173.Finding:** City Council interprets this goal as to encourage the development of regulated affordable housing that provides long-term stability to low-income households. The rising cost of housing is a top concern across the city, as more people are finding it difficult to afford housing — whether they are buying or renting<sup>51</sup>. Between 2011 and 2018, the median home sale price citywide rose 60 percent — or more than \$150,000. And as of 2018, the median home sale price exceeded \$475,000 in more than half the neighborhoods in the city. In fact, to afford the median price home in Portland today, families must earn 130% to 160% of the median area income. By comparison, in 2011 a family earning 80% of the median area income could afford a median priced 2-bedroom home.

The RIP amendments also provide two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows up to six units at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. Moreover, based on the economic analysis (Volume 3, Appendix A), the average rents per unit is decreased by over 50% compared to the default development scenario. Further, testimony by Housing Oregon, a statewide association of affordable housing community development corporations (CDCs) that serve low-income households, states that the deeper affordability bonus will enable affordable housing developers to provide more housing options and increased density that translates to serving more households with less subsidy.

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

<sup>50</sup> See map "RIP Active Transportation" April 22, 2020

<sup>51</sup> Portland Housing Bureau, State of Housing Report 2018

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**174.Finding:** City Council defines “high-performance housing” to include housing that is developed with a lighter environmental impact (smaller carbon footprint, eco-friendly materials, longevity of construction, reducing waste, recycling). The RIP amendments include requirements for visitable units that are intended to offer more options and remove access barriers for people with disabilities. Incentives are included to encourage development of affordable units available to households earning 80% or less of the median area income. These units will be required to meet building code standards for energy efficiency. New limits on building size reduce the maximum size of buildings in RIP zones between  $\frac{1}{3}$  and  $\frac{1}{2}$  of current entitlements. According to a study published by Oregon DEQ *A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon*<sup>52</sup>, of 30 different material reduction and reuse practices evaluated, reducing home size and multi-family living achieved the largest greenhouse gas reductions along with significant reductions in other impact categories. Reducing home size by 50 percent results in a projected 36 percent reduction in lifecycle greenhouse gas emissions. Reducing home size is a significant leverage point for environmental impact reduction and may be equivalent to achieving minimum levels of “green” certification.

### Diverse and expanding housing supply

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

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

The RIP amendments include modifications to zoning allowances that increase both the range of allowed housing types, as well as the overall capacity for housing units to be created in RIP zones. These amendments are in part to improve the performance of the Comprehensive Plan housing policies, as well as alleviate competitive pressure for housing development more ubiquitously across the city. The City Council finds that increasing development capacity beyond what is needed is desired to provide capacity over a longer planning horizon; as well as to improve locational and housing type choice. The RIP capacity and growth allocation model projects that residential development *capacity* is increased in RIP zones from 30,000 to 55,000 units.

While the RIP changes increase the capacity for number of households on certain qualifying lots in the affected zones from 2 (house plus ADU, corner lot duplex) to 6 units; not all lots are likely to develop at this density over the 20-year planning period. Household growth is determined by Metro forecasts at the regional level. The RIP amendments do not affect the City’s forecasted growth rate of 123,000 households (between 2015-2035). This growth rate is an established allocation from Metro in its agency’s role to coordinate land use planning for the region in accordance with Goal 2. Metro develops the forecast and allocates the forecasted growth to each of the jurisdictions within its boundaries. Accordingly, while the RIP amendments are projected to

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<sup>52</sup> A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, September 29, 2010



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reallocate roughly 3,900 units from other zones to RIP zones, the overall number of households is not changed.

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

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

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

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

**177.** The RIP amendments increase overall housing capacity by 25,000 units. They are also anticipated to increase the housing unit allocation in RIP zones from 16,200 single dwellings to 20,100 units in various housing types. This reallocation does not represent a net increase in total households forecasted for the planning period, but rather a shift in the type and location of such units. Most of the reallocated units (~2,150) are from lower density zones farther from the central city and employment centers, generally in lower opportunity neighborhoods. These would be single homes on larger lots with generally higher transportation costs. These are less suitable options for low- and moderate-income households.

The RIP amendments are specifically tailored to broaden the range of allowed housing types in the R7, R5, and R2.5 zones (RIP zones). For example, currently on a 5,000 square foot lot in the R5 zone, the maximum density standard typically results in one large house, and in some cases an added accessory dwelling unit. With the RIP amendments, a lot in the RIP zones could be developed with up to four smaller units; which because of their relative size can be less expensive than the single larger house, as shown in Volume 3, Appendix A. The RIP amendments allow increased development potential on historically narrow lots, which their combination of smaller lot size and FAR limits will produce smaller homes more suited for first time homebuyers. These changes are expected to increase housing opportunities smaller units, which are more affordable/less expensive for lower- and moderate-income households.

Finally, the RIP amendments also provide two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI.

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

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

Furthermore, the Comprehensive Plan defines “expand” as to “make something that already exists more extensive.” The RIP amendments “expand” housing choice by increasing the palette of allowed residential structure types from a single house, and corner lot duplexes, to allow duplexes, triplexes fourplexes (and in some cases structures with 5 or 6 units when at least 3 of the units are affordable at 60% area median income levels). Council interprets “expand housing choices in all neighborhoods” to mean increase housing choices throughout the City as a whole. Council does not interpret this to mean that every single zone must allow for all housing types but rather Council interprets this policy to ensure that the city-wide there is a variety of housing types and within a variety of neighborhoods. “Neighborhoods” are defined to include broad areas of the city that typically include residential, commercial, and mixed-use areas. Neighborhood is not limited to the specific RIP zones, but RIP zones often comprise a majority of the larger neighborhood area.

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

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

**179.Finding:** The RIP amendments include rezoning some areas within designated centers from R5 to R2.5. This will enable an even greater range of housing types including rowhouses, and small lot houses in addition to the additional ADU’s, duplexes, triplexes, and fourplexes that are allowed in all RIP zones. Floor area (FAR) maximums have been calibrated by zone to also encourage a greater diversity of housing types including larger and smaller unit sizes to accommodate multiple bedroom and living arrangements. The following example shows the range of unit sizes for four allowed housing types in the R5 zone on a 5,000 sf lot.

Housing Type	Allowed FAR	Total size	Average unit size	Typical # of bedrooms
House	0.5	2,500 sf	2,500 sf	4-5
Duplex	0.6	3,000 sf	1,500 sf	3-4
Triplex	0.7	3,500 sf	1,167 sf	2-3
Fourplex	0.7	3,500 sf	875 sf	1-2
Sixplex	1.2	6,000 sf	850 sf*	2

\* the average unit size reflects a loss of ~15% for internal common use stair and hallways.

The Council interprets “family friendly housing” to include housing units that contain multiple bedrooms and include additional features critical for families, i.e., spaces where family members

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can gather for meals and other activities, and where children can play and engage in other activities such as homework; and have easy access to outdoor play and recreation space. The RIP amendments include larger minimum lot sizes for three or more units to ensure that when developed in combination with limits on FAR, units will be of an adequate size to provide for at least 2 bedrooms in most cases, in addition to living/dining, cooking, and bathing/sanitation areas. These housing types are also similar in their layout on a site as single houses, which can provide for outdoor yard space to play.

**Policy 5.6. Middle housing.** Enable and encourage development of middle housing. This includes multi-unit or clustered residential buildings that provide relatively smaller, less expensive units; more units; and a scale transition between the core of the mixed use center and surrounding single family areas. Where appropriate, apply zoning that would allow this within a quarter mile of designated centers, corridors with frequent service transit, high capacity transit stations, and within the Inner Ring around the Central City.

**180.Finding:** The Comprehensive Plan defines “enable” to mean supply with the means, knowledge or opportunity, make able. “Encourage” means promote, or foster using some combination of voluntary approaches, regulations, or incentives. For application to the RIP zones, City Council interprets the phrase “middle housing” to mean housing in the range between single-family houses and units in larger multi-family or mixed-use buildings, as discussed in Council’s findings in Ordinance 187832 adopting Policy 5.6. It includes multi-unit or clustered housing types that are compatible in scale with single-family homes. Consistent with Section 2 of HB 2001 (2019), Council’s interpretation of middle housing includes, but is not limited to, the following types of middle housing:

- (A) Duplexes;
- (B) Triplexes;
- (C) Quadplexes [fourplexes];
- (D) Cottage clusters [means groupings of no fewer than four detached housing units per acre with a footprint of less than 900 square feet each and that include a common courtyard.]; and
- (E) Townhouses [means a dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit].

City Council acknowledges that Policy 5.6 could be narrowly interpreted to only apply the RIP amendments to within a quarter mile of designated centers, corridors with frequent service transit, high capacity transit stations, and within the Inner Ring around the Central City. However, such a narrow interpretation of the policy is not compelled by its text and Council finds that a broader interpretation is more consistent with the overall requirement to enable and encourage middle housing. In adopting the RIP amendments with a broader application, City Council takes further direction from HB 2001 (2019) that requires all middle housing types listed above in areas zoned for residential use that allow for the development of detached single-family dwellings. In taking this direction, Council is responding to both the Planning and Sustainability Commission’s recommendation and testimony received calling for a much more broad and equitable distribution of the benefits of these middle housing types. Several aspects of the RIP amendments ensure that in this broader application of zoning, these middle housing types are appropriately located beyond the quarter mile geography. These measures include FAR limits on the maximum size of structures that are generally less than current zoning allowances (as much as 50% less). Also, larger minimum

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lot size requirements are required than for a single unit to ensure that in combination with setbacks, FAR, and building coverage limits, resulting unit sizes provide options for families and development that can be reasonably accommodated on the site. Moreover, additional housing type restrictions pertaining to natural resource and hazards are embodied in the application of the 'z' constrained sites overlay zone. And finally, middle housing types (beyond two units) are restricted from streets that have not been accepted for maintenance by the city, an indication that they are either unpaved, or do not meet certain levels of engineering standards. Service bureaus have evaluated infrastructure demands based on shifts in household allocations from RIP amendments and found that adequate public facility services will continue to be provided, see Statewide Goals 11 and 12.

Townhouses, as the state bill defines them, are already allowed in the R2.5-R20 single-dwelling zones (33.110.200). Duplexes are currently allowed on most corner lots in these zones as well as on transitional sites (33.110.240). The RIP amendments enable and encourage, as those terms are defined, additional middle housing. Duplexes, triplexes and fourplexes are three types of moderate density middle housing that generally reflect the scale and form of single dwellings. In compliance with HB 2001, duplexes will be allowed on all lots in RIP zones where detached houses are allowed. Triplexes and fourplexes will be allowed on all lots within these zones when the lot has frontage on a city-maintained street (or state-maintained highway), meets minimum lot size requirements, and does not have the 'z' overlay zone applied. Beyond the HB2001 required middle housing types, up to six units could be allowed on these lots when 50% of the units meet regulated affordability requirements. The Growth Scenarios report categorizes many middle housing types including duplexes, triplexes, and shared courtyard units as "single family residences" or "single family residential." Moreover, development limitations on maximum building size, along with standards that address street facing facades, main entrances, parking placement and garage design all support more compatible infill and produce a scale transition from the mixed-use core to the single dwelling areas.

**Policy 5.7. Adaptable housing.** Encourage adaption of existing housing and the development of new housing that can be adapted in the future to accommodate the changing variety of household types.

**181.Finding:** The RIP amendments include several features to encourage adaptation of existing housing. This includes FAR bonuses for adding units to sites with an existing house, the ability to convert existing basements to ADU's regardless of the size of the basement, and the allowance of a 250 square foot addition (regardless of FAR caps) in each 5 year period to enable the ongoing adaptation to better suit current and future residents' needs.

The RIP amendments also include a visitability standard when developing three or more units on a site which addresses the more costly aspects of future adaptations for mobility impairment needs. Subsequent changes may still be necessary for full utility, but can be tailored to the particular need, while the key features of access (entry width, bathroom maneuverability and availability and general living space) will have been addressed for these units.

**Policy 5.8. Physically-accessible housing.** Allow and support a robust and diverse supply of affordable, accessible housing to meet the needs of older adults and people with disabilities, especially in centers, station areas, and other places that are proximate to services and transit.

**Policy 5.9. Accessible design for all.** Encourage new construction and retrofitting to create physically-accessible housing, extending from the individual unit to the community, using Universal Design Principles.

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**182.Finding.** Policies 5.8 and 5.9 are addressed and supported by the RIP amendments by including new requirements for visitable units when 3 or more units are developed on a site. These requirements will offer more options and remove access barriers for people with disabilities. These requirements apply to building types not presently addressed by accessibility standards and will apply to sites where three or more units are proposed.

**Policy 5.10. Coordinate with fair housing programs.** Foster inclusive communities, overcome disparities in access to community assets, and enhance housing choice for people in protected classes throughout the city by coordinating plans and investments to affirmatively further fair housing.

**183.Finding:** The Comprehensive Plan defines “foster” to mean “encourage or guide the incremental development of something over a long period of time.” City Council interprets the phrase “inclusive communities” to mean communities that have a diversity of people in terms of race, ethnicity, gender, sexual orientation, socio-economic status, age, physical abilities, religious beliefs, political beliefs, or other characteristics. The 2011 Analysis of Impediments to Fair Housing<sup>53</sup> identified a shortage of affordable, accessible units, especially for people with disabilities, larger families, and households below 30% of Median Family Income and that low-income and vulnerable populations with restricted ability to exercise housing choice. The RIP amendments encourage and enhance housing choice by removing regulatory barriers that prohibit alternatives to single family housing in RIP zones and offer incentives for developing affordable housing. Due to historical disparities in access to homeownership, households of color occupy single-dwelling housing at lower rates than the city as a whole (single family homeownership is 18 percent households of color versus representing 30 percent of the population overall, see Volume 3, Appendix B). In 2015 homeownership rates for households of color for all types of housing was 20% lower than it was for white households.<sup>54</sup> While discriminatory lending practices continue to linger, a larger impediment to homeownership in Portland is the income/housing cost gap. By allowing land costs to be shared across 2, 3, or 4 units significantly reduces price drivers per unit. The RIP amendments include affordable housing incentives intended to be utilized by affordable housing providers and CDC’s that can lower their overall costs to deliver units to their constituency. These affordable units will also be regulated by Portland Housing Bureau rules to ensure fair housing requirements are met.

The 2011 Analysis of Impediments to Fair Housing also identified unequal access to opportunity, which is defined as basic commercial and public amenities such as transit, schools, grocery stores, and sidewalks. The analysis indicates that this inequity in access disproportionately affects those with disabilities, low-incomes, communities of color and immigrant and refugee communities. The RIP amendments encourage and enhance housing choice in high opportunity areas by removing regulatory barriers that prohibit alternatives to single family housing in RIP zones and offer incentives for developing affordable housing.

Therefore, the RIP amendments foster inclusive communities by reducing some of the harmful regulatory obstacles that segregated people’s housing by income which frequently serves as a proxy for race.

## Housing access

**Policy 5.11. Remove barriers.** Remove potential regulatory barriers to housing choice for people in protected classes to ensure freedom of choice in housing type, tenure, and location.

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<sup>53</sup> City of Portland, City of Gresham and Multnomah County; Fair Housing Plan 2011

<sup>54</sup> National Equity Atlas: Homeownership by Race/Ethnicity in Portland, 2015

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**184.Finding:** The City Council interprets the intent of this policy is to ensure housing choices for residents in all neighborhoods, not the development options on a single parcel. The RIP amendments remove regulatory barriers to providing up to 4 dwellings on most lots throughout the city, encompassing nearly a third of the land area in the city. [RIP zones comprise 68% of the single dwelling zones which account for 43% of the city's land area.] Without these changes, these triplex and fourplex housing types are only possible in multi-dwelling (7% of the city land area) and mixed use zones (8%), which are predominantly along major corridors or located in city centers. These changes increase the range of type, tenure, and location of housing options for all Portlanders, including those in protected classes.

**Policy 5.12. Impact analysis.** Evaluate plans and investments, significant new infrastructure, and significant new development to identify potential disparate impacts on housing choice, access, and affordability for protected classes and low-income households. Identify and implement strategies to mitigate the anticipated impacts.

**Policy 5.13. Housing stability.** Coordinate plans and investments with programs that prevent avoidable, involuntary evictions and foreclosures.

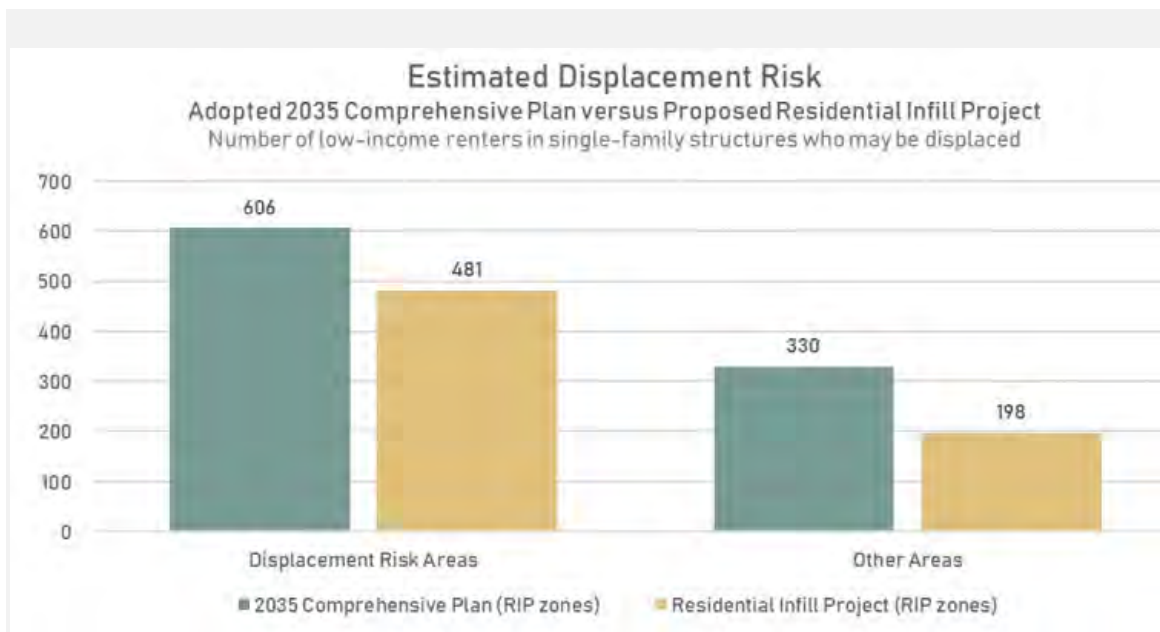
**Policy 5.14. Preserve communities.** Encourage plans and investments to protect and/or restore the socioeconomic diversity and cultural stability of established communities.

**Policy 5.15. Gentrification/displacement risk.** Evaluate plans and investments, significant new infrastructure, and significant new development for the potential to increase housing costs for, or cause displacement of communities of color, low- and moderate-income households, and renters. Identify and implement strategies to mitigate the anticipated impacts.

**Policy 5.16. Involuntary displacement.** When plans and investments are expected to create neighborhood change, limit the involuntary displacement of those who are under-served and under-represented. Use public investments and programs, and coordinate with nonprofit housing organizations (such as land trusts and housing providers) to create permanently affordable housing and to mitigate the impacts of market pressures that cause involuntary displacement.

**185.Finding:** The City Council interprets Policies 5.12 to 5.16 as requiring evaluation and analysis as to who will benefit and who will be burdened by a planning decision, including amendments to the Comprehensive Plan, the Comprehensive Plan Map, the Zoning Code, and the Zoning Map. For the RIP amendments, the Council interprets "involuntary displacement" to occur when a resident is forced to relocate due to factors that are beyond the resident's control including but not limited to increased rents, and decisions by landlords to redevelop property. A detailed quantitative risk analysis was performed (Volume 3, Appendix 3, Displacement Risk Analysis) that compared the default comprehensive plan displacement risk against risk spurred through the RIP amendments. The analysis showed that across the city, there was a 28% reduction in risk in RIP zones. BPS used a vulnerability analysis to identify neighborhoods (Census tracts) with higher than average shares of people that are vulnerable to economic displacement: low income individuals, communities of color, adults without a four-year college degree and renters. The gentrification typologies used in this analysis were developed by Dr. Lisa Bates in the 2013 Gentrification and Displacement Neighborhood Typology Assessment. The combined risk in these areas was found to be reduced by 21% compared to the baseline Comprehensive Plan scenario.

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There were three areas where the displacement risk increased above the default baseline. These include census tracts around Brentwood Darlington (+24 additional households), Lents (+39 additional households), and Montavilla (+12 additional households), all in early stages of gentrifying. When these are low numbers are distributed across the 20-year planning period, the displacement averages 1 to 2 additional households per year per area. Nevertheless, the analysis is a signal of the market and potential for other induced displacement in the area, beyond the direct causes of the RIP amendments. Understanding this dynamic will be helpful as the Housing Bureau coordinates programs that prevent avoidable, involuntary evictions and foreclosures.

The RIP amendments also provide two incentives for the creation of affordable units to mitigate the potential displacement impacts; protect and/or restore the socioeconomic diversity and cultural stability of established communities; and to create permanently affordable housing. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows a up to six units at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. Testimony by the Welcome Home Coalition indicates that the deeper affordability bonus is one critical way in which affordable housing developers could help mitigate the risk of further displacement.

In addition to the FAR bonuses for voluntarily providing affordable units, the city already collects a construction excise tax to fund affordable housing programs. The tax is calculated as 1% of the permit valuation on residential and commercial building projects with improvements valued at \$100,000 or more. This helps to mitigate for indirect displacement caused by redevelopment activity overall. Additionally, the city has a mandatory relocation assistance rule that restricts no-cause evictions unless relocation payments are made to the displaced tenant. While this doesn't prevent evictions from occurring, it helps to provide greater housing stability and slows the pace of this change.

**Policy 5.17. Land banking.** Support and coordinate with community organizations to hold land in reserve for affordable housing, as an anti-displacement tool, and for other community development purposes.

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**186.Finding:** This policy is not applicable because this programmatic response is not part of the scope of the RIP amendments. However, the RIP amendments support the creation of more affordable housing units (with bonus FAR incentives) on sites that are currently held or are acquired in the future for affordable housing development.

**Policy 5.18. Rebuild communities.** Coordinate plans and investments with programs that enable communities impacted by involuntary displacement to maintain social and cultural connections, and re-establish a stable presence and participation in the impacted neighborhoods.

**187.Finding:** This ordinance does not establish new programs. The RIP amendments create the opportunity for increased housing opportunities, including affordable housing, on the RIP zoned parcels in the impacted neighborhoods that are included the Portland Housing Bureau's North/Northeast Preference Policy, which gives priority placement to people who were displaced, are at risk of displacement, or who are descendants of households that were displaced due to urban renewal in North and Northeast Portland, and can serve as models for other neighborhoods where displacement is occurring.

The RIP displacement impact analysis identified three neighborhoods that were expected to see marginal increases in displacement in comparison to the baseline comprehensive plan scenario. The total impact for all three neighborhoods was estimated to be 75 additional households over the 20-year planning period. When looking at the proportion of impact by neighborhood, this equated to between 0.7-1% of total households by neighborhood<sup>55</sup>. This, by itself, is insufficient to interrupt social and cultural connections, or to be a destabilizing force in the neighborhood. The displacement impact analysis also did not attempt to quantify the supply side effect of reducing demand pressure in affected neighborhoods, but did examine relative rent levels for new units built under RIP amendments compared to current rents for single family units and found that "average rents in the three neighborhoods are around 90% MFI, which is at or near the average predicted rents for triplex and fourplex units under the economic feasibility analysis".

**Policy 5.19. Aging in place.** Encourage a range of housing options and supportive environments to enable older adults to remain in their communities as their needs change.

**188.Finding:** The RIP amendments include requirements for visitable units that are intended to offer more options and remove access barriers for people with disabilities, more common in older adults. Incentives are included to encourage development of affordable units available to households earning 80% or less of the median area income, which is important for seniors on fixed incomes. The increased range of housing types enabled through the RIP amendments also broadens the diversity of housing to suit different household types and compositions in many more areas of the city, including multigenerational households, cottage clusters and cohousing to provide for a diversity of options available to older adults as they choose to transition from larger single detached houses. Finally, additional provisions for Accessory Dwelling Units offer more opportunities for older adults who wish to downsize either on their own lot, in the same neighborhood, or with extended family.

## Housing location

**Policy 5.20. Coordinate housing needs in high-poverty areas.** Meet the housing needs of under-served and under-represented populations living in high-poverty areas by coordinating plans and

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<sup>55</sup> 2012-2016 American Community Survey: Montavilla (Tract 1602) 1,724 total households, Lents (Tracts 601 and 602) 3,872 total households, Brentwood Darlington (Tracts 8700 and 8800) 3,381 total households



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investments with housing programs.

**189.Finding:** The Census Bureau uses a set of income thresholds that vary by family size and composition to determine who classifies as impoverished. If a family's total income is less than the family's threshold than that family and every individual in it is considered to be living in poverty. High poverty areas are interpreted to mean areas with more than 25% poverty rate. According to US HUD, census tracts around Cully, Portsmouth, Wilkes, Centennial, Powelhurst-Gilbert, Lents, Montavilla, Buckman, Elliot, and the Central City have these higher poverty rates. Housing needs are coordinated as these high poverty areas are also the areas that qualify for the Low-Income Housing Tax Credit, a tool that is frequently used in combination with other city-incentives including CET and SDC waivers to produce regulated affordable housing units. These high poverty areas have residential areas with RIP zones. The RIP amendments remove regulatory barriers by providing for a wider range of housing types in the RIP zones throughout the city. The RIP amendments allow increased development potential on historically narrow lots, which their combination of smaller lot size and FAR limits will produce smaller homes more suited for first time homebuyers. These changes are expected to increase housing opportunities smaller units, which are more affordable/less expensive for lower- and moderate-income households.

The RIP amendments also provide two incentives for the creation of affordable units to mitigate the potential displacement impacts; protect and/or restore the socioeconomic diversity and cultural stability of established communities; and to create permanently affordable housing. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI.

Testimony by Housing Oregon, a statewide association of affordable housing community development corporations (CDCs) that serve low-income households, states that the deeper affordability bonus will enable affordable housing developers to provide more housing options and increased density that translates to serving more households with less subsidy.

**Policy 5.21. Access to opportunities.** Improve equitable access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities in areas with high concentrations of under-served and under-represented populations and an existing supply of affordable housing.

**190.Finding:** The City Council interprets this policy to provide guidance to public investment decisions to improve access to opportunity as part of meeting goals to enhance more neighborhoods to become "complete neighborhoods". As described in the 2035 Comprehensive Plan (page I-15), complete neighborhoods are places where people have safe and convenient access to the goods and services needed in daily life. RIP zones account for over 96% of the areas designated as having medium to high levels of completeness. Increasing the capacity to accommodate additional households makes better use of existing investments. Allowing for more units, smaller units, and less expensive units improves the equitable access within these areas.

**Policy 5.22. New development in opportunity areas.** Locate new affordable housing in areas that have high/medium levels of opportunity in terms of access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities.

**191.Finding:** This policy is intended to ensure that affordable housing is not concentrated in areas where land values are the lowest, which often correspond to lower opportunities, but is created in areas with better access to those ingredients that help support prosperity. In making changes to

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the zoning code, Council interprets this policy to apply to regulated affordable housing, that is housing that is subject to affordable housing rules of the housing bureau.

Nearly 96 percent of all land within neighborhoods with high/medium levels of opportunity<sup>56</sup> is comprised of RIP zones. Currently there are no affordable housing incentives provided within these zones, and inclusionary zoning mandates are only applicable for buildings with 20 or more units. The RIP amendments provide two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. As noted in testimony received by Habitat for Humanity, Partners for Affordable Housing, Home Forward, Hacienda CDC, Welcome Home Coalition, and Housing Oregon, this provision along with the ability to construct multiple units enables nonprofit builders to provide more affordable units across a much wider geographic area within areas of higher levels of opportunity.

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

**192.Finding:** City Council interprets the phrase “higher-density housing” to mean housing types that are at a scale that is greater than single-dwelling housing types, such as multi-dwelling apartments, mid-rise and high-rise mixed-use buildings. Most of these centers areas are already zoned for higher-density housing, in support of this policy.

There are very few RIP zoned parcels located within centers (750 such parcels in all 26 neighborhood and town centers). While this policy is specific to higher density housing and zones, the RIP amendments continue to support the intent of this policy by rezoning approximately 7,000 parcels that are located around centers and near corridors from R5 to R2.5 to increase the development of attached townhouses. Other RIP zoned parcels that are near these centers also have increased ability to add units, either through conversion of existing houses or developing new duplexes, triplexes, fourplexes or up to 6 units when providing regulated affordable units which in turn will provide diverse housing options in these areas, in proximity to the transit and multimodal connections that these centers and corridors provide.

**Policy 5.24. Impact of housing on schools.** Evaluate plans and investments for the effect of housing development on school enrollment, financial stability, and student mobility. Coordinate with school districts to ensure plans are aligned with school facility plans.

**193.Finding:** David Douglas School District (DDSD) is the only school district in Portland with an adopted school facility plan. The Buildable Lands Inventory calculates available development capacity and predicts where new households will be allocated over the planning period. Comparing the default Comprehensive Plan zoning with the RIP amendments, the net change to households in the David Douglas School District is a reduction of 132 units (roughly a 1% decrease from 12,000). The David

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<sup>56</sup> The 2035 Comprehensive Plan and the Portland Plan’s Healthy Connected City provide guidance to expand opportunities for Portlanders to live in complete communities offering a mix of desirable services and opportunities. Affordable housing that is located in a walkable neighborhood near active transportation, employment centers, open spaces, high-quality schools, and various services and amenities enhances the general quality of life for its residents. The Opportunity Map categorizes Portland neighborhoods into varying levels of opportunity, scored Low to High, with market-rate housing in high-opportunity neighborhoods tending to be expensive compared to more affordable housing in areas that offer fewer opportunities. <https://www.portlandoregon.gov/phb/article/746071>

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Douglas School District has indicated that it can accommodate these changes into their future forecasting for their facility plan.

The RIP amendments will provide for increased options for families seeking lower priced units throughout the city. This enables more households to relocate within the boundaries of their current school catchment area enhancing stability and addressing student mobility, especially for middle income households.

## Housing affordability

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

**194.Finding:** The Comprehensive Plan uses two definitions for “affordable housing” and both are relevant to the RIP amendments. The first definition relates to housing that serves extremely low-, very low- and low-income households. City Council interprets these household types as below 30%, below 60%, and 80% of the median family incomes respectively. The second definition cites the HUD definition of “affordable” as housing that costs no more than 30 percent of a household’s monthly income.

Project staff worked closely with Housing Development Center, a consortium of affordable housing providers to develop and modify proposals to be better utilized by those organizations. Testimony from the Housing Development Center (a nonprofit group to develop and sustain affordable housing); the Portland Housing Center (offer education, counseling, and financial services for aspiring first time home buyers), Rose CDC and PCRI (affordable housing developers) was supportive of the recommendations from the Planning and Sustainability Commission indicating the amendments will help these groups produce needed affordable housing.

With regard to addressing the general affordability needs of Portlanders, Home Forward, the Housing Authority for Multnomah county wrote:

“Our strategic plan states that: ‘We’ll work tirelessly to add more affordable housing in our community, regardless of our role or ownership stake...’ and the Residential Infill Project will add more affordable housing to our community. We support this proposal because it will increase the supply of both affordable and market rate housing. I am sure you will hear from many community members in opposition to this proposal who will testify that if it only allowed homes that were 100 percent affordable, they would support it. As a representative of the largest affordable housing provider in the state, I want to push back on that argument. We need subsidized middle housing, but the key to creating subsidized homes is not banning middle-priced homes. It is subsidy. Home Forward’s data shows that market-rate middle housing lets our subsidies go further, enabling us to serve more families earning low-incomes in Multnomah County. The largest affordable housing subsidy in the country is the Housing Choice Voucher program, which we administer in Multnomah County. In 2019, 16 percent of all Home Forward voucher holders lived in a duplex, triplex, or quad. That is over 1,100 families and 3,610 people. We analyzed the average rents of homes that voucher holders were living in by housing type and found that average rents were significantly lower for duplexes, triplexes, and quads compared to single-family homes. While voucher holders pay a percentage of their income towards rent, this is important because it allows us to pay less per household served, so we can serve more households earning low incomes. For example, the average rent of a duplex, triplex, or quad was 22 percent less than a single-family home in 2019. We estimate that the difference between using those 1,100 vouchers in a duplex, triplex, or quad instead of a single-family home is a cost savings equivalent to serving an additional

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585 households.” Council found such testimony persuasive, understanding that absent direct subsidy, the level of proposed entitlements in the RIP amendments are generally insufficient to leverage affordability mandates (like what is required under the inclusionary zoning rules for buildings with 20 or more units). Council finds that in addition to the incentives offered in the RIP amendments for regulated affordable housing, the other allowed housing types (duplexes, triplexes, and fourplexes) even when not regulated as affordable units, are likely to be produced at rent levels significantly lower when compared to single-family homes.

With regard to meeting specific affordability targets for low- and very low-income households, the RIP amendments provide affordable housing developers and providers with greater flexibility to reduce per unit costs, by spreading land costs across multiple units as opposed to just a single unit. Also, sites that are already within affordable housing providers’ portfolios in RIP zones can be supplemented with additional affordable units.

During the City Council hearings, Council heard significant testimony from non-profit housing providers, community organizations and individuals calling for a “deeper affordability bonus”. While the PSC’s recommendation provided for an option and a slight incentive (an increase of 0.1 FAR) for 80% MFI affordable units, the community called on council to offer additional incentives to get at 60% affordability rates.

Housing Oregon testified that “While the currently proposed bonuses will undoubtedly play a key role in Affordable Housing developers’ ability to provide more housing options, we are also in support of a proposal from Portland: Neighbors Welcome, which outlines a ‘Deeper Affordability Bonus’. The metrics for this bonus were vetted with and based on actual numbers from several of our members. While the proposed increases have a variety of benefits to it, we’d particularly like to highlight that increased density translates to serving more households with less subsidy and/or serving households at lower incomes.” Council relied on such testimony to determine the appropriateness and feasibility of such a bonus for affordable housing providers.

This deeper affordability bonus was introduced as an amendment to the PSC’s recommended draft and approved by Council. It stipulates that up to 6 units be allowed with up to 1.2 FAR, and a 35 foot height limit, when at least 50% of the units meet the affordability requirements of Title 30. These requirements ensure that dwelling units for sale shall remain affordable for a period of at least 10 years and be available to households earning 80 percent or less of median income, and dwelling units for rent shall remain affordable for a period of 99 years and be available to households earning 60 percent or less of median income.

These actions and packages of incentives serve to preserve and produce affordable housing to meet needs that are not met by the private market through well coordinating plans and investments.

**Policy 5.26. Regulated affordable housing target.** Strive to produce at least 10,000 new regulated affordable housing units citywide by 2035 that will be affordable to households in the 0-80 percent MFI bracket.

**195.Finding:** The Comprehensive Plan defines “strive” as to devote serious effort or energy to; work to achieve over time. The RIP amendments support the voluntary production of affordable housing by creating two incentives for the creation of affordable units. The first creates incentives for providing units affordable to households earning no more than 80% of the median family income (MFI). In this case, an additional 0.1 FAR is offered when the units meet the 80% MFI threshold and the additional requirements of the Housing Bureau and Title 30. The second incentive is a deeper affordability bonus that allows up to six units with a small increment of added height (35 foot

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building height) and 1.2 FAR when at least 50 percent of the units and meet the affordability requirements of Title 30 These requirements ensure that dwelling units for sale shall remain affordable for a period of at least 10 years and be available to households earning 80 percent or less of median income, and dwelling units for rent shall remain affordable for a period of 99 years and be available to households earning 60 percent or less of median income.

While the feasibility analysis<sup>57</sup> indicates that the housing market generally cannot profitably deliver these affordable units under these bonuses, they do provide a more competitive edge for non-profit housing providers to deliver more units when sites are secured. These tools are a beneficial asset toward meeting the 10,000 affordable unit goal, by providing greater location and construction type options to diversify housing project portfolios. Moreover, based on the economic analysis (Volume 3, Appendix A), average rents per unit is decreased by over 50% from the default zoning and development. While not regulated affordable housing, this analysis also indicates a reduced financial feasibility gap between market produced housing and regulated affordable housing, which in turn enables limited housing dollars to go farther in producing more regulated units.

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

**196.Finding:** As of August 1, 2016, new residential development and additions that are valued above \$100,000 are required to pay a one-percent affordable housing construction excise tax. This tax pays for affordable housing programs, including: production and preservation of housing for people with incomes at or below 60% (MFI), incentives for inclusionary zoning, and State of Oregon homeownership programs. The RIP amendments also include regulatory mechanisms design to encourage the development of regulated affordable units in the form of FAR and unit bonuses.

**Policy 5.28. Inventory of regulated affordable housing.** Coordinate periodic inventories of the supply of regulated affordable housing in the four-county (Clackamas, Clark, Multnomah and Washington) region with Metro.

**197.Finding:** City Council interprets this policy to apply to ongoing intergovernmental coordination, and not a directive to be applied with each land use plan amendment. This policy is not applicable.

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

**198.Finding:** The 2035 Comprehensive Plan defines permanently-affordable housing as units that will remain affordable to a low-income household, such as housing that is owned and maintained by a public agency or a nonprofit organization. The RIP amendments support the voluntary production of affordable housing by creating two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. The housing types enabled by these amendments create opportunities for both rental (duplex, triplex, fourplex, ADU), ownership of these units through condominium arrangements, as well as fee simple ownership options (narrow lot development and small flag lot development of historically narrow lots).

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<sup>57</sup> Memorandum from Tom Armstrong and Andrea Pastor to RIP Project Team, March 2020

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Testimony by Housing Oregon, a statewide association of affordable housing community development corporations (CDCs) that serve low-income households, states that the deeper affordability bonus will enable affordable housing developers to provide more housing options and increased density that translates to serving more households with less subsidy.

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

**199.Finding:** The RIP amendments allow for housing types, which by being smaller in size and sharing land costs over multiple units, results in less expensive housing and reduced housing costs. An economic analysis prepared by Johnson Economics found that the RIP amendments produced overall units that were 56% lower sales/rent levels than allowed under current zoning (\$1,800/month versus \$4,100/month).

The RIP amendments generally support reduced utility cost by encouraging smaller units and more attached units. According to studies conducted by the State DEQ, “Reducing home size is among the best tier of options for reducing waste generation in the Oregon housing sector, while simultaneously achieving a large environmental benefit across many categories of impact...Reduction in home size is a significant leverage point for impact reduction [including non-renewable energy use] and may be a more effective measure than achieving minimum levels of ‘green certification’”<sup>58</sup>.

Of the nearly 120,000 parcels in RIP zones where additional housing types are allowed, 86 percent (103,000) are within a half mile of a frequent bus line, max or streetcar station, while 94 percent (114,000) are located within a quarter mile of less frequent bus routes. Reducing the need to rely on a personal vehicle can significantly reduce household costs. The average annual cost to own and drive a vehicle in 2018 ranged from \$7,531 to \$10,213, according to AAA. That is the equivalent of \$625 to \$850 per month<sup>59</sup>. Moreover, Portland’s overall rate of households without a car is higher than the state or nation average.<sup>60</sup> Providing additional housing options close to transit further supports this trend by improving the likelihood that residents will use transit<sup>61</sup> and also helps alleviate the cost of personal transportation.

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

**200.Finding:** The RIP amendments expand the variety of types of affordable housing allowed in RIP zones from houses, corner lot duplexes and single ADU’s to a wider variety of tenure and housing type options including triplexes, fourplexes, interior lot duplexes, additional ADU’s and sixplexes. These housing types, which by being smaller in size and sharing land costs over multiple units, results in less expensive housing and reduced housing costs. In addition, the RIP amendments support the voluntary production of affordable housing by creating two incentives for the creation of affordable units. The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% MFI. The second incentive is a deeper affordability bonus

<sup>58</sup> “A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon” – Department of Environmental Quality, Sept. 29, 2010

<sup>59</sup> Your driving costs, 2018 American Automobile Association

<sup>60</sup> Car\_access, National Equity Atlas, 2018

<sup>61</sup> Urban Densities and Transit: A Multi-dimensional Perspective, Robert Cervero and Erick Guerra, 2011

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that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI. These housing types are allowed within 96% of the area comprising complete neighborhoods, areas with the highest access to employment, education, and training opportunities, and are well served by transit. Of the nearly 120,000 parcels in RIP zones where additional housing types are allowed, 86 percent (103,000) are within a half mile of a frequent bus line, max or streetcar station, while 94 percent are located within a quarter mile of less frequent bus routes.

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

**201.Finding:** RIP zoned parcels account for just 4% of the land area in Centers, so this policy is largely reliant on mixed use and multi-dwelling zones. City Council interprets the phrase “around centers” to be the area within ½-mile of the boundary of a designated town or neighborhood center. 103,000 lots (77 percent) in the RIP zones are within ½-mile of a town or neighborhood center. For the areas around centers, the RIP amendments provide more options for an increased supply of other housing types, smaller housing units, and less expensive units than the baseline single dwelling zoning as demonstrated in the Economic Analysis. These units also provide options for both ownership and rental tenures.

**Policy 5.33. Central City affordable housing.** Encourage the preservation and production of affordable housing in the Central City to take advantage of the area’s unique concentration of active transportation access, jobs, open spaces, and supportive services and amenities.

**202.Finding:** There are no RIP zones in the Central City. This policy does not apply.

**Policy 5.34. Affordable housing resources.** Pursue a variety of funding sources and mechanisms including new financial and regulatory tools to preserve and develop housing units and various assistance programs for households whose needs are not met by the private market.

**203.Finding:** This ordinance does not include new funding sources or financial tools. Regulatory incentives are included to encourage the development of regulated affordable housing to develop housing units at the 60% and 80% AMI levels for households whose needs are not met by the private market.

Testimony by Home Forward states that their analysis of their Housing Choice Voucher program, finds that the average rents of homes that voucher holders were living in were significantly lower for duplexes, triplexes, and quads compared to single-family homes, which lets their subsidies go further and enables them to serve more low-income families.

**Policy 5.35. Inclusionary housing.** Use inclusionary zoning and other regulatory tools to effectively link the production of affordable housing to the production of market-rate housing.

**204.Finding:** Inclusionary housing does not apply to RIP amendments because the requirement only applies to buildings with more than 20 dwelling units. The RIP amendments link production of affordable housing to market rate housing through two affordable housing bonuses. New market rate housing also provides funds towards affordable housing through payment of a 1% construction excise tax.

**Policy 5.36. Impact of regulations on affordability.** Evaluate how existing and new regulations affect private development of affordable housing, and minimize negative impacts where possible. Avoid regulations that facilitate economically-exclusive neighborhoods.

**205.Finding:** The RIP amendments allow for duplex, triplex and fourplex housing types, and avoid prescriptive standards related to architecture or style that can increase the cost of housing. The

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variability in housing types and unit sizes provides a greater range of dwellings at a variety of price points, which helps diversify the socio-economic profile of neighborhoods. Additionally, there is a positive correlation between the effect of producing market rate housing on the low-income housing market.<sup>62</sup> The RIP amendments also include changes to reduce the review procedure type and associated cost with proposed Planned Developments (PDs) which can be used to develop single site clusters of affordable units. The amendments include removing minimum parking requirements which also serve to reduce the cost of providing housing. The RIP amendments did not apply differentiated FAR limits to specific neighborhoods in part to provide a more egalitarian set of rules that are intended to not favor economically-exclusive neighborhoods. The amendments that allow for additional housing types are also broadly applied across the city and are only excluded from particular areas based on natural resource, natural hazard, small lots size or infrastructure issues.

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

**206.Finding:** Existing mobile home parks have been rezoned to RMP (Residential Manufactured Dwelling Park) and are no longer in the three RIP zones. Therefore, this policy does not apply to the RIP amendments.

**Policy 5.38. Workforce housing.** Encourage private development of a robust supply of housing that is affordable to moderate-income households located near convenient multimodal transportation that provides access to education and training opportunities, the Central City, industrial districts, and other employment areas.

**207.Finding:** The RIP amendments expand the available types of housing allowed in RIP zones from houses, corner lot duplexes and single ADU's to a wider variety of tenure and housing type options including triplexes, fourplexes, interior lot duplexes, and additional ADU's. These types when combined with FAR size limits provides for a greater range of unit sizes. An economic analysis (Volume 3, Appendix A) found that the RIP amendments produced overall units that were 56% lower rent levels than the default zoning scenario (\$1,800/month versus \$4,100/month). This provides the opportunity for more housing available to families in the 80% to 120% MFI range. These housing types are allowed within 96% of the area comprising complete neighborhoods, areas with the highest access to employment, education, and training opportunities, and are well served by transit. Of the nearly 120,000 parcels in RIP zones where additional housing types are allowed, 86 percent (103,000) are within a half mile of a frequent bus line, max or streetcar station, while 94 percent are located within a quarter mile of less frequent bus routes.

**Policy 5.39. Compact single-family options.** Encourage development and preservation of small resource-efficient and affordable single-family homes in all areas of the city.

**208.Finding:** While the RIP amendments expand the types of housing that is allowed to be built in three single dwelling zones, they also encourage the development and preservation of small resource-efficient and affordable single-family homes in these zones as well. The RIP amendments include

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<sup>62</sup> The Effect of New Market-Rate Housing Construction on the Low-Income Housing Market, Mast, Evan, *W.E. Upjohn Institute*, 2019



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new FAR limits for single houses that are nearly  $\frac{2}{3}$  of the scale that is allowed for houses under current codes. These smaller sized homes use less material and even built to standard building code energy standards are more energy efficient than their predecessors. Furthermore, because the size of new construction is limited, the residual land value (the amount of money one can pay to acquire a piece of property and redevelop) is lower. This, in combination with the ability to meet housing demand with other middle housing types on fewer redevelopment sites overall means that fewer existing homes are redeveloped.

The RIP amendments rezone approximately 7,000 lots with underlying historically narrow platted lots to increase the potential for more fee-simple smaller and less expensive single family options. Concurrent with this rezone, new provisions are included that allow for property line adjustments to create flag lots on these narrow lots to facilitate the retention of existing housing, by allowing new housing to be built behind the existing house. The RIP amendments also include changes to reduce the review procedure type and associated cost with proposed Planned Developments (PDs) which can be used throughout the city to develop single site clusters of single-family homes.

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

**209.Finding:** The RIP amendments do not change employment development regulations.

**Policy 5.41 Affordable homeownership.** Align plans and investments to support improving homeownership rates and locational choice for people of color and other groups who have been historically under-served and under-represented.

**Policy 5.42 Homeownership retention.** Support opportunities for homeownership retention for people of color and other groups who have been historically under-served and under-represented.

**Policy 5.43 Variety in homeownership opportunities.** Encourage a variety of ownership opportunities and choices by allowing and supporting including but not limited to condominiums, cooperatives, mutual housing associations, limited equity cooperatives, land trusts, and sweat equity.

**210.Finding:** Council finds that Policies 5.41 through 5.43 all aim to support opportunities for homeownership for all Portlanders, including historically under-served and under-represented Portlanders. These policies are primarily implemented through the work of the Housing Bureau. The types of housing units offered made available in RIP zones offer lower-cost ownership opportunities where the units have been converted through condominium process. These small-plexes may also be suitable candidates for cooperatives, mutual housing associations, and limited equity cooperatives. Provisions that allow for internal conversions or adding accessory dwelling units to sites with existing houses offer homeowners more potential to reinvest and develop alternate means of income from rental units.

Testimony by Housing Oregon, a statewide association of affordable housing community development corporations (CDCs) that serve low-income households. Testimony by Housing Oregon, a statewide association of affordable housing community development corporations (CDCs) that serve low-income households, states that middle housing types allowed by the RIP amendments fit into their existing affordable homeownership models and will provide opportunities for family-sized homes. Their example is a four-plex on a 5,000 SF R2.5 lot, and with the affordable housing FAR bonus, would translate to an average unit size of 1,250 SF – a size that

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is reflective of 2- and 3-bedroom homes currently being developed by organizations such as Habitat for Humanity and PCRI.

Therefore, the RIP amendments promote a lower cost housing type that has the potential to offer a path towards home ownership.

**Policy 5.44 Regional cooperation.** Facilitate opportunities for greater regional cooperation in addressing housing needs in the Portland Metropolitan area, especially for the homeless, low- and moderate-income households, and historically under-served and under-represented communities.

**Policy 5.45 Regional balance.** Encourage development of a “regional balance” strategy to secure greater regional participation to address the housing needs of homeless people and communities of color, low- and moderate-income households, and historically under-served and under-represented communities throughout the region.

**211.Finding:** Council finds that Policies 5.44 through 5.45 address how the City engages with Metro and other jurisdictions in the Portland region on housing issues and do not apply to this legislative project. The RIP amendments are one strategy to maintain lower-cost market-rate housing in Portland that will help Portland meet its housing needs and serve as an example for other jurisdictions in the region.

## Homelessness

**Policy 5.46. Housing continuum.** Prevent homelessness and reduce the time spent being homeless by ensuring that a continuum of safe and affordable housing opportunities and related supportive services are allowed, including but not limited to Permanent Supportive Housing, transitional housing, self-built micro housing communities, emergency shelters, temporary shelters such as warming centers, and transitional campgrounds.

**212.Finding:** City Council defines permanent supportive housing as affordable housing combined with supportive services to help individuals and families lead more stable lives. City Council interprets this policy to provide direction to provide a range of housing types, especially types that may not be considered traditional housing (detached single-dwellings, multi-dwelling buildings, manufactured dwelling parks). The RIP amendments do not affect the group living or community service regulations in the single-dwelling zones. Therefore, this policy does not apply.

## Health, safety, and well-being

**Policy 5.47 Healthy housing.** Encourage development and maintenance of all housing, especially multi-dwelling housing, that protects the health and safety of residents and encourages healthy lifestyles and active living.

**213.Finding:** The RIP amendments allow smaller scale additional housing types in higher opportunity neighborhoods. Nearly  $\frac{2}{3}$  of RIP zoned parcels are in complete neighborhoods. These neighborhoods generally have greater transportation mode options, together with nearby amenities, and learning and employment options to encourage more walking and rolling and active living. These housing types also share yard space which fosters greater social interaction which improves both the health and safety of residents.

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

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**214.Finding:** The RIP amendments provide pathways for currently non-conforming or potentially illegal duplex, triplex or fourplexes in RIP zones to become conforming and enable homeowners to reinvest and improve living conditions in these units. Allowances that encourage more ADUs, including basement ADUs, can also help remediate hazardous conditions as these spaces are improved to current building code standards.

**Policy 5.49. Housing quality.** Encourage housing that provides high indoor air quality, access to sunlight and outdoor spaces, and is protected from excessive noise, pests, and hazardous environmental conditions.

**215.Finding:** The RIP amendments do not change Title 29 provisions which address pest and other hazardous environmental conditions. All new housing is subject to compliance with the state uniform building code standards to ensure high indoor air quality, access to sunlight spaces, and that the residents are protected from excessive noise. The RIP amendments include a minimum outdoor yard space requirement to ensure access to outdoor area.

**Policy 5.50. High-performance housing.** Encourage energy efficiency, green building practices, materials, and design to produce healthy, efficient, durable, and adaptable homes that are affordable or reasonably priced.

**216.Finding:** The RIP amendments encourage smaller units and more attached units which results in improved energy efficiency and is consistent with the policy of creating high-performance housing. According to studies conducted by the State DEQ, “Reducing home size is among the best tier of options for reducing waste generation in the Oregon housing sector, while simultaneously achieving a large environmental benefit across many categories of impact...Reduction in home size is a significant leverage point for impact reduction [including non-renewable energy use] and may be a more effective measure than achieving minimum levels of ‘green certification’”<sup>63</sup>

Attached housing is also more energy efficient than detached forms of housing. According to the EPA, “fairly substantial differences are seen in detached versus attached homes [approximately 17.5% improved efficiency], but the most striking difference is the variation in energy use between single-family detached homes and multifamily homes [50% improved efficiency], due to the inherent efficiencies from more compact size and shared walls among units.”<sup>64</sup>

**Policy 5.51. Healthy and active living.** Encourage housing that provides features supportive of healthy eating and active living such as useable open areas, recreation areas, community gardens, crime-preventive design, and community kitchens in multifamily housing.

**217.Finding:** The RIP amendments allow for four units or up to 6 units when meeting certain affordability requirements in RIP zones. This housing is consistent with Policy 5.51 as it provides for required outdoor areas which can be utilized for community gardening or recreation. This housing is also more limited in building coverage than multidwelling and mixed use zones, and is not required to have on site parking thereby offering additional outdoor area opportunities. Crime preventative design is encouraged through street facing window requirements, limits on large blank garage doors, and standards for front door orientation to the street.

**Policy 5.52. Walkable surroundings.** Encourage active transportation in residential areas through the development of pathways, sidewalks, and high-quality onsite amenities such as secure bicycle parking.

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<sup>63</sup> A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, September 2010

<sup>64</sup> [Location Efficiency and Housing Type, Jonathan Rose Companies, March 2011](#)

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**218.Finding:** New residential development and conversions or additions that add dwelling units must either build street improvements or pay into the Local Transportation Improvement Charge (LTIC) when streets are not sufficiently improved. Recent changes to the LTIC rules have enabled other middle housing types (up to six units) to pay into LTIC. These payments are collected and applied toward the construction of full street improvements, instead of the partial “orphaned” sidewalk improvements that otherwise occur and do not fulfill complete network connections. The LTIC program ensures that additional households will be connected to the street networks holistically over time. RIP amendments require use of alleys for parking access, when alleys are available, in order to reduce conflicts between sidewalk users and vehicles. The RIP amendments also include new requirements for internal pathway circulation routes in planned developments to encourage more walkability within sites. The bicycle parking code amendments adopted on December 4, 2019 (Ord. No. 189784), enhances security standards to help prevent bike theft, which council determined are applicable to household living uses with 5 or more units on site.

**Policy 5.53. Responding to social isolation.** Encourage site designs and relationship to adjacent developments that reduce social isolation for groups that often experience it, such as older adults, people with disabilities, communities of color, and immigrant communities.

**219.Finding:** The RIP amendments create allowances for duplexes, triplexes, fourplexes and up to six units when meeting regulated affordability requirements. These can create conditions that enhance symbiosis with neighbors in the same building. Allowing for additional accessory dwelling units also provides more opportunities for residents that share a single property to interact or create multigenerational housing. The amendments also reduce review thresholds that shorten review times and reduce costs for planned developments to encourage their development. These can be built to suit particular demographic needs, such as clusters of semi-independent cottages, or congregate care facilities combined with family friendly housing that encourages generational interaction.

**Policy 5.54 Renter protections.** Enhance renter health, safety, and stability through education, expansion of enhanced inspections, and support of regulations and incentives that protect tenants and prevent involuntary displacement.

**220.Finding:** The RIP amendments do not alter regulations establishing tenant protections including required relocation assistance when properties are sold and/or redeveloped (PCC 30.01.085). Further, as demonstrated in the displacement risk analysis, the risk of involuntary displacement of low-income renters as a result of redevelopment is reduced through the implementation of the RIP amendments, thereby increase stability and prevent involuntary displacement.

## Chapter 6: Economic Development

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

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

**Goal 6.B: Development.** Portland supports an attractive environment for industrial, commercial, and institutional job growth and development by: 1) maintaining an adequate land supply; 2) a local development review system that is nimble, predictable, and fair; and 3) high-quality public facilities and services.

**Goal 6.C: Business district vitality.** Portland implements land use policy and investments to:

- Ensure that commercial, institutional, and industrial districts support business retention and expansion.
- Encourage the growth of districts that support productive and creative synergies among local businesses.
- Provide convenient access to goods, services, and markets.
- Take advantage of our location and quality of life advantages as a gateway to world-class natural landscapes in Northwest Oregon, Southwest Washington, and the Columbia River Basin, and a robust interconnected system of natural landscapes within the region's Urban Growth Boundary.

**221.Finding:** The RIP amendments do not change the comprehensive plan designations of any currently designated employment lands. The RIP amendments do not affect the base development capacity in the commercial mixed-use areas. Therefore, there is no impact to employment capacity. The amendments help support business district vitality by allowing for more households to locate closer to goods, services, and markets. The City Council finds that the RIP amendments are consistent with economic development goals and policies, especially those that support neighborhood business districts.

### Diverse, expanding city economy

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

**Policy 6.2. Diverse and expanding economy.** Align plans and investments to maintain the diversity of Portland's economy and status as Oregon's largest job center with growth across all sectors (commercial, industrial, creative, and institutional) and across all parts of the city.

**Policy 6.3. Employment growth.** Strive to capture at least 25 percent of the seven-county region's employment growth (Multnomah, Washington, Clackamas, Yamhill, Columbia, Clark, and Skamania counties).

**Policy 6.4. Fiscally-stable city.** Promote a high citywide jobs-to-households ratio that supports tax revenue growth at pace with residential demand for municipal services.

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

**Policy 6.6. Low-carbon and renewable energy economy.** Align plans and investments with efforts to improve energy efficiency and reduce lifecycle carbon emissions from business operations. Promote employment opportunities associated with energy efficiency projects, waste reduction, production of more durable goods, and recycling.

**Policy 6.7. Competitive advantages.** Maintain and strengthen the city’s comparative economic advantages including access to a high-quality workforce, business diversity, competitive business climate, and multimodal transportation infrastructure.

**Policy 6.8. Business environment.** Use plans and investments to help create a positive business environment in the city and provide strategic assistance to retain, expand, and attract businesses.

**Policy 6.9. Small business development.** Facilitate the success and growth of small businesses and coordinate plans and investments with programs that provide technical and financial assistance to promote sustainable operating practices.

**Policy 6.10. Business innovation.** Encourage innovation, research, development, and commercialization of new technologies, products, and services through responsive regulations and public sector approaches.

**Policy 6.11. Sharing economy.** Encourage mechanisms that enable individuals, corporations, non-profits, and government to market, distribute, share, and reuse excess capacity in goods and services. This includes peer-to-peer transactions, crowd funding platforms, and a variety of business models to facilitate borrowing and renting unused resources.

**Policy 6.12. Economic role of livability and ecosystem services.** Conserve and enhance Portland’s cultural, historic, recreational, educational, food-related, and ecosystem assets and services for their contribution to the local economy and their importance for retention and attraction of skilled workers and businesses.

**222.Finding:** Policies 6.1 through 6.12 provide direction regarding economic and employment growth. The RIP map amendments do not affect any land designated for industrial or employment uses. The RIP map amendments do not affect the base development capacity in the commercial mixed-use areas. Therefore, there is no impact to employment capacity. Providing a wider variety of housing to suit a broader segment of the population will help retain and attract skilled workers.

## Land development

**Policy 6.13. Land supply.** Provide supplies of employment land that are sufficient to meet the long-term and short-term employment growth forecasts, adequate in terms of amounts and types of sites, available and practical for development and intended uses. Types of sites are distinguished primarily by employment geographies identified in the Economic Opportunities Analysis, although capacity needs for building types with similar site characteristics can be met in other employment geographies.

**223.Finding:** The RIP amendments do not change the comprehensive plan designations of any currently designated employment lands. Therefore, there is no impact to employment capacity.

**Policy 6.14. Brownfield redevelopment.** Overcome financial-feasibility gaps to cleanup and redevelop 60 percent of brownfield acreage by 2035.

**Policy 6.15. Regionally-competitive development sites.** Improve the competitiveness of vacant and

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underutilized sites located in Portland’s employment areas using incentives, and regional and state assistance for needed infrastructure and site readiness improvements.

**Policy 6.16. Regulatory climate.** Improve development review processes and regulations to encourage predictability and support local and equitable employment growth and encourage business retention, including:

**6.16.a.** Assess and understand cumulative regulatory costs to promote Portland’s financial competitiveness with other comparable cities.

**6.16.b.** Promote certainty for new development through appropriate allowed uses and “clear and objective” standards to permit typical development types without a discretionary review.

**6.16.c.** Allow discretionary-review to facilitate flexible and innovative approaches to meet requirements.

**6.16.d.** Design and monitor development review processes to avoid unnecessary delays.

**6.16.e.** Promote cost effective compliance with federal and state mandates, productive intergovernmental coordination, and efficient, well-coordinated development review and permitting procedures.

**224. Finding:** Policies 6.14 through 6.16 provide direction regarding development sites and regulations in employment areas. The RIP amendments do not change the comprehensive plan designations or regulations affecting any currently designated employment lands. The RIP amendments do not change the development standards or requirements for designated employment lands. Therefore, these policies are not applicable.

**Policy 6.17. Short-term land supply.** Provide for a competitive supply of development-ready sites with different site sizes and types, to meet five-year demand for employment growth in the Central City, industrial areas, campus institutions, and neighborhood business districts.

**225. Finding:** The RIP amendments do not change the development standards or requirements for designated employment lands. Therefore, this policy is not applicable.

**Policy 6.18. Evaluate land needs.** Update the Economic Opportunities Analysis and short-term land supply strategies every five to seven years.

**Policy 6.19. Corporate headquarters.** Provide land opportunities for development of corporate headquarters campuses in locations with suitable transportation facilities.

**226. Finding:** Policies 6.17 through 6.19 provide direction regarding land supply and corporate headquarters in employment areas. The RIP amendments do not change the comprehensive plan designations of any currently designated employment lands. Therefore, there is no adverse impact to employment land supply.

## Traded sector competitiveness

**Policy 6.20. Traded sector competitiveness.** Align plans and investments with efforts to improve the city and regional business environment for traded sector and export growth. Participate in regional and statewide initiatives.

**Policy 6.21. Traded sector diversity.** Encourage partnerships to foster the growth, small business vitality, and diversity of traded sectors.

**Policy 6.22. Clusters.** Align plans and investments with efforts that direct strategic business development resources to enhance the competitiveness of businesses in traded sector clusters.

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**Policy 6.23. Trade and freight hub.** Encourage investment in transportation systems and services that will retain and expand Portland’s competitive position as a West Coast trade gateway and freight distribution hub.

**Policy 6.24. Traded sector land supply.** Foster traded sector retention, growth, and competitive advantages in industrial districts and the Central City. Recognize the concentration of traded-sector businesses in these districts.

**Policy 6.25. Import substitution.** Encourage local goods production and service delivery that substitute for imports and help keep the money Portlanders earn in the local economy.

**Policy 6.26. Business opportunities in urban innovation.** Strive to have Portland’s built environment, businesses, and infrastructure systems showcase examples of best practices of innovation and sustainability.

**227.Finding:** The RIP amendments address housing and do not adversely impact the city and regional business climate. Policies 6.20 through 6.26 do not apply.

### Equitable household prosperity

**Policy 6.27. Income self-sufficiency.** Expand access to self-sufficient wage levels and career ladders for low-income people by maintaining an adequate and viable supply of employment land and public facilities to support and expand opportunities in Portland for middle- and high-wage jobs that do not require a 4-year college degree.

**6.27.a.** Support the role of industrial districts as a leading source of middle-wage jobs that do not require a 4-year college degree and as a major source of wage-disparity reduction for under-served and under-represented communities.

**6.27.b.** Evaluate and limit negative impacts of plans and investments on middle and high wage job creation and retention.

**228.Finding:** The RIP amendments address housing and do not adversely impact employment land or public facilities. Policy 6.27 does not apply.

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

**229. Finding:** The RIP amendments address the single-dwelling zones and do not impact employment land or job growth in East Portland. Policy 6.28 does not apply.

**Policy 6.29. Poverty reduction.** Encourage investment in, and alignment of, poverty-reduction efforts that address economic development, land use, transportation, housing, social services, public health, community development, and workforce development.

**230.Finding:** By increasing the range of permissible housing types in RIP zones, the production of market rate housing together with incentives for providing affordable units, housing units are available at a wider spectrum of prices across a broader geographic reach of the city. Reducing housing costs and having more households able to reside closer to active transportation options improves public health outcomes, increases household stability, and offers households greater means to accumulate savings. Therefore, the RIP amendments encourage poverty reduction efforts through land use, transportation, housing and economic and community development, and do not affect efforts related to social services, public health and workforce development.

**Policy 6.30. Disparity reduction.** Encourage investment in, and alignment of, public efforts to reduce



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racial, ethnic, and disability-related disparities in income and employment opportunity.

### **Policy 6.31. Minority-owned, woman-owned and emerging small business (MWESB) assistance.**

Ensure that plans and investments improve access to contracting opportunities for minority-owned, woman-owned, and emerging small businesses.

**231. Finding:** Policies 6.30 and 6.31 provide direction regarding equity-related approaches to employment and small business development. The RIP amendments address housing and do not adversely impact employment or business development. These policies do not apply.

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

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

**232. Finding:** The RIP amendments do not address or amend urban renewal plans. This policy does not apply.

## Central City

**Policy 6.33. Central City.** Improve the Central City's regional share of employment and continue its growth as the unique center of both the city and the region for innovation and exchange through commerce, employment, arts, culture, entertainment, tourism, education, and government.

**Policy 6.34. Central City industrial districts.** Protect and facilitate the long-term success of Central City industrial districts, while supporting their evolution into places with a broad mix of businesses with high employment densities.

**Policy 6.35. Innovation districts.** Provide for expanding campus institutions in the Central City and Marquam Hill, and encourage business development that builds on their research and development strengths.

**233. Finding:** Policies 6.33 through 6.35 provide direction regarding economic development in the Central City. There are no RIP zones in the Central City. These policies do not apply.

## Industrial and employment districts

**Policy 6.36. Industrial land.** Provide industrial land that encourages industrial business retention, growth, and traded sector competitiveness as a West Coast trade and freight hub, a regional center of diverse manufacturing, and a widely-accessible base of family-wage jobs, particularly for under-served and under-represented people.

**Policy 6.37. Industrial sanctuaries.** Protect industrial land as industrial sanctuaries identified on the Comprehensive Plan Map primarily for manufacturing and distribution uses and to encourage the growth of industrial activities in the city.

**Policy 6.38. Prime industrial land retention.** Protect the multimodal freight-hub industrial districts at the Portland Harbor, Columbia Corridor, and Brooklyn Yard as prime industrial land that is prioritized for long-term retention.

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**6.38.a.** Protect prime industrial lands from quasi-judicial Comprehensive Plan Map amendments that convert prime industrial land to non-industrial uses, and consider the potential for other map amendments to otherwise diminish the economic competitiveness or viability of prime industrial land.

**6.38.b.** Limit conversion of prime industrial land through land use plans, regulations, or public land acquisition for non-industrial uses, especially land that can be used by river-dependent and river-related industrial uses.

**6.38.c.** Limit regulatory impacts on the capacity, affordability, and viability of industrial uses in the prime industrial area while ensuring environmental resources are also protected.

**6.38.d.** Strive to offset the reduction of development capacity as needed, with additional prime industrial capacity that includes consideration of comparable site characteristics. Offsets may include but are not limited to additional brownfield remediation, industrial use intensification, strategic investments, and other innovative tools and partnerships that increase industrial utilization of industrial land.

**6.38.e.** Protect prime industrial land for siting of parks, schools, large-format places of assembly, and large-format retail sales.

**6.38.f.** Promote efficient use of freight hub infrastructure and prime industrial land by limiting non-industrial uses that do not need to be in the prime industrial area.

**Policy 6.39. Harbor access lands.** Limit use of harbor access lands to river- or rail-dependent or related industrial land uses due to the unique and necessary infrastructure and site characteristics of harbor access lands for river-dependent industrial uses.

**Policy 6.40. Portland Harbor Superfund Site.** Take a leadership role to facilitate a cleanup of the Portland Harbor that moves forward as quickly as possible and that allocates cleanup costs fairly and equitably. Encourage a science-based and cost-effective cleanup solution that facilitates re-use of land for river- or rail-dependent or related industrial uses.

**Policy 6.41. Multimodal freight corridors.** Encourage freight-oriented industrial development to locate where it can maximize the use of and support reinvestment in multimodal freight corridors.

**Policy 6.42. Columbia East.** Provide a mix of industrial and limited business park development in Columbia East (east of 82nd Avenue) that expand employment opportunities supported by proximity to Portland International Airport and multimodal freight access.

**Policy 6.43. Dispersed employment areas.** Provide small, dispersed employment areas for a flexible and affordable mix of office, creative services, small-scale manufacturing, traded sector and distribution, and other small-format light industrial and commercial uses with access to nearby freeways or truck streets.

**Policy 6.44. Industrial land use intensification.** Encourage reinvestment in, and intensification of, industrial land use, as measured by output and throughput per acre.

**Policy 6.45. Industrial brownfield redevelopment.** Provide incentives, investments, technical assistance and other direct support to overcome financial-feasibility gaps to enable remediation and redevelopment of brownfields for industrial growth.

**Policy 6.46. Impact analysis.** Evaluate and monitor the impacts on industrial land capacity that may result from land use plans, regulations, public land acquisition, public facility development, and other public actions to protect and preserve existing industrial lands.

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**Policy 6.47. Clean, safe, and green.** Encourage improvements to the cleanliness, safety, and ecological performance of industrial development and freight corridors by facilitating adoption of market feasible new technology and design.

**Policy 6.48. Fossil fuel distribution.** Limit fossil fuels distribution and storage facilities to those necessary to serve the regional market.

**Policy 6.49. Industrial growth and watershed health.** Facilitate concurrent strategies to protect and improve industrial capacity and watershed health in the Portland Harbor and Columbia Corridor areas.

**Policy 6.50. District expansion.** Provide opportunities for expansion of industrial areas based on evaluation of forecasted need and the ability to meet environmental, social, economic, and other goals.

**Policy 6.51. Golf course reuse and redevelopment.** Facilitate a mix of industrial, natural resource, and public open space uses on privately-owned golf course sites in the Columbia Corridor that property owners make available for reuse.

**Policy 6.52. Residential and commercial reuse.** Facilitate compatible industrial or employment redevelopment on residential or commercial sites that become available for reuse if the site is in or near prime industrial areas, and near a freeway or on a freight street.

**Policy 6.55. Neighborhood park use.** Allow neighborhood park development within industrial zones where needed to provide adequate park service within one-half mile of every resident.

234. **Finding:** Policies 6.36 through 6.55 provide direction regarding industrial and employment districts. The RIP amendments do not change the comprehensive plan designations or regulations affecting any currently designated industrial or employment lands. Therefore, there is no impact to the development capacity of the City's industrial and employment districts.

## Campus institutions

**Policy 6.56. Campus institutions.** Provide for the stability and growth of Portland's major campus institutions as essential service providers, centers of innovation, workforce development resources, and major employers.

**Policy 6.57. Campus land use.** Provide for major campus institutions as a type of employment land, allowing uses typically associated with health care and higher education institutions. Coordinate with institutions in changing campus zoning to provide land supply that is practical for development and intended uses.

**Policy 6.58. Development impacts.** Protect the livability of surrounding neighborhoods through adequate infrastructure and campus development standards that foster suitable density and attractive campus design. Minimize off-site impacts in collaboration with institutions and neighbors, especially to reduce automobile traffic and parking impacts.

**Policy 6.59. Community amenities and services.** Encourage campus development that provides amenities and services to surrounding neighborhoods, emphasizing the role of campuses as centers of community activity.

**Policy 6.60. Campus edges.** Provide for context-sensitive, transitional uses, and development at the edges of campus institutions to enhance their integration into surrounding neighborhoods, including mixed-use and neighborhood-serving commercial uses where appropriate.

**Policy 6.61. Satellite facilities.** Encourage opportunities for expansion of uses, not integral to campus

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functions, to locate in centers and corridors to support their economic vitality.

**235.Finding.** Policies 6.56 through 6.61 provide direction regarding campus institutions. There are no RIP zones with a campus institution land use designation. These policies do not apply.

### Neighborhood business districts

**Policy 6.62. Neighborhood business districts.** Provide for the growth, economic equity, and vitality of neighborhood business districts.

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

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

**236.Finding.** Policies 6.62 through 6.64 provide direction regarding neighborhood districts, which primarily have commercial/mixed use zoning. The RIP map amendments do not affect the base land uses or development capacity in the commercial/mixed-use zones. Home occupations, presently allowed in RIP zones, are unaffected by these amendments. The RIP amendments provide for a wider variety and increased capacity of housing in RIP zones which are frequently found near neighborhood business districts. The increased density can result in a greater number and diversity of consumers, which helps increase the vitality and resulting growth of neighborhood business districts.

**Policy 6.65. Home-based businesses.** Encourage and expand allowances for small, low-impact home based businesses in residential areas, including office or personal service uses with infrequent or by-appointment customer or client visits to the site. Allow a limited number of employees, within the scale of activity typical in residential areas. Allow home-based businesses on sites with accessory dwelling units.

**Policy 6.66. Neighborhood-serving business.** Provide for neighborhood business districts and small commercial nodes in areas between centers to expand local access to goods and services. Allow nodes of small-scale neighborhood-serving commercial uses in large planned developments and as a ground floor use in high density residential areas.

**Policy 6.67. Retail development.** Provide for a competitive supply of retail sites that support the wide range of consumer needs for convenience, affordability, accessibility, and diversity of goods and services, especially in under-served areas of Portland.

**Policy 6.68. Investment priority.** Prioritize commercial revitalization investments in neighborhoods that serve communities with limited access to goods and services.

**Policy 6.69. Non-conforming neighborhood business uses.** Limit non-conforming uses to reduce adverse impacts on nearby residential uses while avoiding displacement of existing neighborhood businesses.

**Policy 6.70. Involuntary commercial displacement.** Evaluate plans and investments for their impact on existing businesses.

**6.70.a.** Limit involuntary commercial displacement in areas at risk of gentrification, and incorporate tools to reduce the cost burden of rapid neighborhood change on small business owners vulnerable to displacement.

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**6.70.b.** Encourage the preservation and creation of affordable neighborhood commercial space to support a broad range of small business owners.

**Policy 6.71. Temporary and informal markets and structures.** Acknowledge and support the role that temporary markets (farmer’s markets, craft markets, flea markets, etc.) and other temporary or mobile-vending structures play in enabling startup business activity. Also, acknowledge that temporary uses may ultimately be replaced by more permanent development and uses.

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

**6.72.a.** Encourage broad-based community coalitions to implement land use and economic development objectives and programs.

**6.72.b.** Enhance opportunities for cooperation and partnerships between public and private entities that promote economic vitality in communities most disconnected from the regional economy.

**6.72.c.** Encourage cooperative efforts by area businesses, Business Associations, and Neighborhood Associations to work together on commercial revitalization efforts, sustainability initiatives, and transportation demand management.

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

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

**6.73.b.** Encourage the retention and further development of grocery stores and local markets as essential elements of centers.

**6.73.c.** Enhance opportunities for services and activities in centers that are responsive to the needs of the populations and cultural groups of the surrounding area.

**6.73.d.** Require ground-level building spaces in core areas of centers accommodate commercial or other street-activating uses and services.

**6.73.e.** Encourage employment opportunities as a key function of centers, including connections between centers, institutions, and other major employers to reinforce their roles as vibrant centers of activity.

**237.Finding:** Policies 6.65 through 6.73 provide direction regarding neighborhood districts, which primarily have commercial/mixed use zoning. The RIP map amendments do not change commercial revitalization priorities, or affect the base land uses, non-conforming rules, or development capacity in the commercial/mixed-use zones. The RIP zoning code amendments do not affect opportunities for home-based businesses. In addition, providing a wider variety of housing to suit a broader segment of the population will help retain and attract skilled workers. The RIP amendments do not change the comprehensive plan designations or regulations affecting any lands designated Mixed Use Commercial. Therefore, these policies do not apply.

## Chapter 7: Environmental and Watershed Health

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

**238.Finding:** The City’s adopted Climate Action Plan (CAP) identifies objectives and actions for reducing carbon emissions and one of the objectives is to reduce emissions related to transportation. Several actions related to reducing emissions (including actions 4O and 4Q) call for reducing emissions by focusing on “concentrating growth and density in areas with access to transit services, bike and pedestrian infrastructure...to reduce transportation fuel use. Such development patterns have helped reduce total gasoline sales in Multnomah County by 29 percent per person below 1990.”<sup>65</sup> The RIP amendments increase the number of dwelling units allowed (i.e. increase density) on roughly 120,000 single-dwelling zoned lots. Ninety-four percent of those lots (114,000) are located within a quarter mile of transit service. The RIP amendments increase the potential for density to be located near transit, which the CAP identifies as a good strategy for reducing carbon emissions, and therefore, the RIP amendments are consistent with Goal 7.A.

Reducing vehicle miles travelled as a way to reduce carbon emissions is also an objective of the CAP (Objective 4). The RIP amendments eliminate the on-site parking requirement for household living uses in single-dwelling zones. This has the potential to reduce vehicle miles travelled because, according to a UCLA study, “the presence of bundled parking (*i.e. an on-site parking space*) is associated with a 27 percent increase in vehicle miles traveled. Bundled households drive approximately 3,800 miles more, spend nearly \$580 more on gasoline, and emit 14.47 more metric tons of carbon dioxide per year. Bundled parking is also negatively correlated to transit use, and households with unbundled parking are significantly more likely to be frequent transit users”<sup>66</sup>. For this reason, the RIP amendments are also consistent with Goal 7.A.

The CAP also identifies solid waste as a source of carbon emissions. Objective 2 includes actions aimed at reducing the carbon emissions associated with buildings, and Objective 10 includes actions focused on reducing solid waste by 33%. According to a study conducted by the State DEQ “Reducing home size is among the best tier of options for reducing waste generation in the Oregon housing sector...”<sup>67</sup>. The RIP amendments add a maximum floor area ratio (FAR) to the set of development standards that apply to all structures in single-dwelling zones. The RIP amendments are consistent with Goal 7.A because the maximum FAR standard will reduce the maximum allowable size of a house in a single-dwelling zone by as much as 50%<sup>68</sup> thereby reducing waste.

**Goal 7.B: Healthy watersheds and environment.** Ecosystem services and ecosystem functions are maintained and watershed conditions have improved over time, supporting public health and safety, environmental quality, fish and wildlife, cultural values, economic prosperity, and the intrinsic value of nature.

**239.Finding:** The primary tool in the zoning code to protect resources and functional values that have been identified by the City as providing benefits to the public is environmental overlay zoning. RIP does not amend any of the City’s existing environmental overlay zones and thus, the existing ecosystem services and functions within those zones are maintained. RIP further helps to maintain ecosystem service and function by prohibiting the additional density allowed by the RIP amendments (up to 6 dwelling units per lot) on sites that contain natural resources ranked low, medium, or high in

<sup>65</sup> Climate Action Plan, City of Portland, Oregon and Multnomah County, pg. 77, June 30, 2015

<sup>66</sup> Does Bundled Parking Influence Travel Behavior, Pinski, UCLA, 2018

<sup>67</sup> Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, Quantis, Earth Advantage, and Oregon Home Builders Association, September 29, 2010

<sup>68</sup> Residential Infill Project—As-Amended Draft, commentary associated with Title 33 Table 110-4, April 2020

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the adopted Citywide Natural Resources Inventory, and other areas with floodplain or landslide risk that are not currently protected by environmental overlay zones.

The RIP amendments also reduce the potential for development to negatively impact the ecosystem service and functions within these areas by eliminating the requirement for lots to have an off-street paved parking space and reducing the allowed building size, both of which may result in reduced impervious area. As described in the Citywide Natural Resources Inventory, impervious surfaces have negative impacts on streams related to increased runoff and storm flows<sup>69</sup>. For these reasons, the RIP amendments are consistent with this Goal.

#### **Goal 7.C: Resilience.** Portland’s built and natural environments function in complementary ways and are resilient in the face of climate change and natural hazards.

**240.Finding:** The Comprehensive Plan defines “resilience” as the capability to anticipate, prepare for, respond to, and recover from significant multi-hazard threats with minimum damage to social well-being, the economy, and the environment. The city’s adopted Climate Action Plan (CAP) also addresses resiliency and includes specific strategies and actions that can be taken to support and improve resiliency.

The CAP identifies reducing risks and impacts from flooding and landslides as a key strategy to address climate change preparedness (CAP Objective 15). Action 15C calls for encouraging or requiring private property owners and developers to implement climate change preparation measures, including limiting or reducing impervious area<sup>70</sup>. The RIP amendments encourage the reduction of impervious surface by eliminating the requirement for lots to have an off-street, paved parking space and by reducing the allowed building size. Eliminating the requirement for parking encourages property owners and developers to eliminate existing paved on-site parking and to not build on-site paved parking going forward. Reducing the allowed size of buildings means that in some cases the footprint of the building will be smaller. As described in the CAP, reducing impervious surface can help to make the built environment more resilient in the face of climate change and natural hazards and thus, the RIP amendments are consistent with this Goal.

The CAP actions related to climate change preparedness also call for protecting floodplains, managing stormwater naturally and managing landslide risk (Actions 15A, 15B, 15F). The RIP amendments support these actions by increasing density near transit (see findings for Goal 7A) and away from natural resources and hazard areas. The RIP amendments also help to protect floodplain and manage landslide risk by prohibiting the additional dwelling units on lots that have low, medium, or high ranked resources (as identified in the City’s adopted Citywide Natural Resources Inventory), on lots in the floodplain, and on lots that have elevated landslide risk. In addition, the RIP amendments do not change City programs for flood management, and erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24). For these reasons, the RIP amendments are consistent with this Goal.

#### **Goal 7.D: Environmental equity.** All Portlanders have access to clean air and water, can experience nature in their daily lives, and benefit from development designed to lessen the impacts of natural hazards and environmental contamination.

**241.Finding:** The RIP supports this policy by implementing amendments that encourage the reduction of impervious surface (e.g. eliminating the requirement for on-site parking, limiting overall building size)

<sup>69</sup> City of Portland Natural Resources Inventory, pg. 16, October 2012

<sup>70</sup> Climate Action Plan, City of Portland, Oregon and Multnomah County, pg. 115, June 30, 2015

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and, as shown in the findings for Goals 7.B and 7.C above, reducing impervious surface can reduce impacts from flooding and landslides. In addition, as shown in the findings for Goal 7.A, locating density near transit is a key strategy for reducing carbon emissions. The RIP amendments allow multiple dwelling units on single-dwelling zoned lots (up to 6 dwelling unit per lot). Ninety-four percent of the single-dwelling zoned lots that will allow the opportunity for this increased density are located within 1/4 mile of transit service thus expanding options for the development of energy-efficient compact housing in locations supportive of low-carbon transportation options (such as transit, walking, and bicycling). Therefore, the RIP amendments support reduced carbon emissions and clean air and water.

Furthermore, the City's Parks 2020 Vision calls for providing "a basic, developed Neighborhood Park facility within a half-mile (approximately 10 to 15 minute walk) of every Portland resident..."<sup>71</sup> Ninety-six percent of the lots in the single-dwelling zones where the RIP amendments will increase density (up to 6 dwelling units per lot) are within 1/2 mile of a park or natural area thus increasing the potential number of households able with access to nature in their daily lives.

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

**242.Finding:** This goal is focused on actions that have the potential to activate Portland's residents on behalf of the environment and watershed health. RIP amends zoning regulations and designations. The RIP amendments do not affect non-regulatory, environmental public involvement programs or actions. Therefore, this goal does not apply

## Improving environmental quality and resilience

**Policy 7.1. Environmental quality.** Protect or support efforts to protect air, water, and soil quality, and associated benefits to public and ecological health and safety, through plans and investments.

**243.Finding:** The RIP amendments are consistent with this policy because they do several things to support the protection of air, water, and soil quality:

- The amendments encourage the reduction of impervious surface on lots in the single-dwelling zones by eliminating the requirement for on-site parking and reducing the allowed building size. As shown in the findings for Goals 7.B and 7.C above, reducing impervious surface can reduce impacts from flooding and landslides, thus helping to protect water and soil quality.
- The City protects identified natural resources and associated benefits to the public and ecological health through the application of environmental overlay zones. The RIP amendments increase the number of dwelling units that can be built on lots in the single-dwelling zones, however the additional density will not be allowed on lots that have environmental zoning in addition to lots that are not yet protected by environmental overlay zone but have high, medium, or low ranked resources as identified in the adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk.
- As shown in the findings for Goal 7.A above, increasing density near transit and eliminating the requirement for on-site parking has the potential to reduce vehicle miles travelled and therefore

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<sup>71</sup> Parks 2020 Vision, Portland Parks and Recreation, pg. 29, 1990



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carbon emissions. The City's adopted Climate Action Plan identifies this urban form as beneficial for reducing toxic air pollutants and improving air quality.<sup>72</sup>

- The RIP amendments do not affect City programs for flood management, and erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24).

**Policy 7.2. Environmental equity.** Prevent or reduce adverse environment-related disparities affecting under-served and under-represented communities through plans and investments. This includes addressing disparities relating to air and water quality, natural hazards, contamination, climate change, and access to nature.

**244.Finding:** The RIP amendments have the potential to improve air and water quality, reduce impacts from natural hazards, address climate change and improve access to nature as described in the findings for Goals 7.A, 7.B, 7.C and 7.D, and Policy 7.1 above. As part of the background work for this project, staff identified census tracts with a higher proportion of vulnerable populations. For the purposes of this project, areas with vulnerable populations are defined as areas with a higher percentage of people of color, people with lower educational attainment, renters, and/or low-income residents.<sup>73</sup> The census tracts identified as containing vulnerable populations are scattered throughout the city, predominately east of the Willamette River. Many of the tracts are in single-dwelling zoned areas that will be affected by the RIP amendments, and as a result, the populations within those tracts have the potential benefit from the improvements that the RIP proposals stand to create.

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

**245.Finding:** This Comprehensive plan defines ecosystem services as including, among other things, climate regulation, flood mitigation, stormwater management, and clean air and water. The RIP amendments are consistent with this policy because, as shown in the findings for Goals 7.A, 7.B, 7.C, 7.D and Policy 7.1, they have the potential to reduce carbon emissions and impervious surfaces thus improving air and water quality, reducing stormwater runoff and mitigating floods.

The RIP amendments are also consistent with this policy because they protect the ecosystem services provided by identified natural resources. According to the adopted Citywide Natural Resources Inventory, Portland's identified natural resource "provide important ecosystem services that can protect public health, safety and property, and reduce local infrastructure costs. For example, although the city has developed an elaborate stormwater pipe system, local rivers, streams, wetlands and floodplains still provide critical water storage and conveyance capacity throughout Portland's watersheds. Trees, shrubs and groundcover help reduce the impacts of stormwater runoff by intercepting precipitation and filtering out pollutants. Vegetation also helps prevent erosion and landslides by stabilizing streambanks and steep slopes. Trees and vegetation help maintain healthful air quality and reduce energy demand and discharge of greenhouse gases, particularly carbon dioxide which contributes to global warming".<sup>74</sup> The RIP amendments increase the number of dwelling units allowed on single-dwelling zoned lots in Portland. However, the RIP proposals do not allow the increased density on lots that have high, medium, or low ranked natural resources as identified in the

<sup>72</sup> Climate Action Plan, City of Portland, Oregon and Multnomah County, pgs. 80-81, June 30, 2015

<sup>73</sup> Residential Infill Project: Displacement Risk and Mitigation, pg. 5, February 2019

<sup>74</sup> City of Portland Natural Resources Inventory, pg. 3, October 2012

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adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk thus taking the ecosystem services provided by the resources into consideration.

**Policy 7.4. Climate change.** Update and implement strategies to reduce carbon emissions and impacts and increase resilience through plans and investments and public education.

**7.4.a. Carbon sequestration.** Enhance the capacity of Portland’s urban forest, soils, wetlands, and other water bodies to serve as carbon reserves.

**7.4.b. Climate adaptation and resilience.** Enhance the ability of rivers, streams, wetlands, floodplains, urban forest, habitats, and wildlife to limit and adapt to climate-exacerbated flooding, landslides, wildfire, and urban heat island effects.

**246.Finding:** The RIP amendments are consistent with this policy and subpolicies because, as shown in in the findings for Goals 7.A, 7.B, 7.C and 7.D, and Policy 7.1 above, they have the potential to reduce carbon emissions and increase resilience.

**Policy 7.5. Air quality.** Improve, or support efforts to improve, air quality through plans and investments, including reducing exposure to air toxics, criteria pollutants, and urban heat island effects. Consider the impacts of air quality on the health of all Portlanders.

**247.Finding:** The RIP amendments are consistent with this policy because, as shown in in the findings for Goals 7.A and Policy 7.1 above, they have the potential to reduce carbon emissions and improve air quality. In addition, Council considered the impacts of air quality on the health of all Portlanders by adopting the RIP amendments that encourage the reduction of on-site impervious surface (e.g. eliminating the requirement for on-site parking, and limiting the overall amount of floor area allowed on a lot) combined with the existing maximum building coverage limitations in single-dwelling zones. These actions may result in more lot area remaining open or unbuilt, which increases space with a lot for trees and other vegetation to be planted. Increasing the number of trees and vegetation enhances the urban forest and mitigates urban heat island effects<sup>75</sup>. Moreover, reducing impervious area that is used for vehicle parking can reduce the sources of toxics entering stormwater and eventually streams<sup>76</sup>.

**Policy 7.6. Hydrology.** Through plans and investments, improve or support efforts to improve watershed hydrology to achieve more natural flow and enhance conveyance and storage capacity in rivers, streams, floodplains, wetlands, and aquifers. Minimize impacts from development and associated impervious surfaces, especially in areas with poorly-infiltrating soils and limited public stormwater discharge points, and encourage restoration of degraded hydrologic functions.

**248.Finding:** The RIP amendments support this policy because, as shown in the findings for Goals 7.B and 7.C and policy 7.1, the amendments have the potential to reduce impervious surfaces in single-dwelling zones, and reducing impervious surfaces can have positive effects on ecosystem services including stream flow, and hydrology. In addition, the RIP amendments prohibit the additional dwelling units allowed in single-dwelling zones from lots with identified natural resources, floodplain or landslide risk thereby limiting the impact from additional development in these areas. Several of the areas where the additional density will not be allowed overlap with areas identified by BES as having “less ability to infiltrate stormwater to the groundwater aquifer due to less permeable soils, steeper topography and geologic factors such as landslide susceptibility and

<sup>75</sup> Reducing Urban Heat Islands: Compendium of Strategies—Trees and Vegetation, US EPA, 2008

<sup>76</sup> Pitt, R., R Field\*, M. Lalor, AND M. Brown\*\*. URBAN STORMWATER TOXIC POLLUTANTS: ASSESSMENT, SOURCES, AND TREATABILITY. 10.2175/106143095X13, WATER ENVIRONMENT RESEARCH. WEF, Alexandria, VA, 67(3):260-275, (1995).

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shallow confining soil layers.”<sup>77</sup> For these reasons, the RIP amendments are consistent with this policy.

**Policy 7.7. Water quality.** Improve, or support efforts to improve, water quality in rivers, streams, floodplains, groundwater, and wetlands through land use plans and investments, to address water quality issues including toxics, bacteria, temperature, metals, and sediment pollution. Consider the impacts of water quality on the health of all Portlanders.

**249.Finding:** The RIP amendments support this policy because, as shown in the findings for goals 7.B and 7.C and policies 7.1, 7.5 and 7.6, the amendments have the potential to reduce impervious surfaces in single-dwelling zones, and reducing impervious surfaces is one key strategy for improving water quality in urbanized areas. According to the US EPA, impervious (nonporous) surfaces like roads, parking lots, and rooftops prevent rain and snowmelt from infiltrating, or soaking, into the ground.<sup>78</sup> Instead of infiltrating, the water runs off rapidly, degrading the banks of streams and other waterways. In addition, the rapidly moving water picks up pollutants from the impervious areas, depositing them in the streams and other waterways<sup>79</sup>. Increased run off can also lead to increased flooding<sup>80</sup>.

**Policy 7.8. Biodiversity. Strive to achieve and** maintain self-sustaining populations of native species, including native plants, native resident and migratory fish and wildlife species, at-risk species, and beneficial insects (such as pollinators) through plans and investments.

**250.Finding:** The RIP amendments are consistent with this policy because, as shown in the findings for 7.B and 7.C and policies 7.1, 7.3, 7.5 and 7.6, the amendments maintain the City’s existing regulatory protection of identified natural resources (i.e. Title 33 environmental overlay zones, Title 10, Erosion Control, Title 24 balanced cut and fill requirements), limit impacts for additional development in and near protected natural resource areas, encourage property owners to reduce impervious surfaces and increase trees and vegetation. Reducing impervious areas and increasing trees and vegetation can positively impact air and water quality and the urban forest. Native plants, animals and insects rely on healthy watersheds that include healthy water and habitat. To the extent that the RIP amendments maintain the existing natural resources and encourage the improvement or creation of new natural resource areas, the amendments are consistent with this policy.

**Policy 7.9. Habitat and biological communities.** Ensure that plans and investments are consistent with and advance efforts to improve, or support efforts to improve fish and wildlife habitat and biological communities. Use plans and investments to enhance the diversity, quantity, and quality of habitats habitat corridors, and especially habitats that:

- Are rare or declining.
- Support at-risk plant and animal species and communities.
- Support recovery of species under the Endangered Species Act, and prevent new listings.
- Provide culturally important food sources, including those associated with Native American fishing rights.

<sup>77</sup> Memorandum from Fred MacGregor, et. al., BES to Morgan Tracy, RIP Project Manager, March 6, 2020

<sup>78</sup> Protecting Water Quality from Urban Runoff, US EPA, February 2003

<sup>79</sup> Pitt, R., R Field\*, M. Lalor, AND M. Brown\*\*. URBAN STORMWATER TOXIC POLLUTANTS: ASSESSMENT, SOURCES, AND TREATABILITY. 10.2175/106143095X13, WATER ENVIRONMENT RESEARCH. WEF, Alexandria, VA, 67(3):260-275, (1995)

<sup>80</sup> Stormwater Management Manual, BES 2016

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**251.Finding:** The RIP amendments are consistent with this policy because, as shown in the findings for goals 7.B and 7.C and policies 7.1, 7.3, 7.5 and 7.6, the amendments support efforts to improve habitat and biological communities by maintaining City’s existing regulatory protection of identified natural resources, which include fish and wildlife habitat<sup>81</sup>, limit impacts from additional development in and near protected natural resource areas, and encourage property owners to reduce impervious surfaces and increase trees and vegetation. Protecting existing natural resources, reducing impervious areas and increasing trees and vegetation are key strategies for improving fish and wildlife habitat.<sup>82</sup> To the extent that the RIP amendments maintain the existing natural resources and encourage the improvement or creation of new natural resource areas, the amendments are consistent with this policy.

**Policy 7.10. Habitat connectivity.** Improve or support efforts to improve terrestrial and aquatic habitat connectivity for fish and wildlife by using plans and investments, to:

- Prevent and repair habitat fragmentation.
- Improve habitat quality.
- Weave habitat into sites as new development occurs.
- Enhance or create habitat corridors that allow fish and wildlife to safely access and move through and between habitat areas.
- Promote restoration and protection of floodplains.

**252.Finding:** The RIP amendments are consistent with this policy because, as shown in the findings for 7.B and 7.C and policies 7.1, 7.3, 7.5 and 7.6, the amendments support efforts to improve terrestrial and aquatic habitat connectivity for fish and wildlife by maintaining City’s existing regulatory protection of identified natural resources, which include fish and wildlife habitat<sup>83</sup>, limit impacts from additional development in and near protected natural resource areas, and encourage property owners to reduce impervious surfaces and increase trees and vegetation. Protecting existing natural resources, reducing impervious areas and increasing trees and vegetation are key strategies for improving fish and wildlife habitat.<sup>84</sup> To the extent that the RIP amendments maintain the existing natural resources and encourage the improvement or creation of new natural resource areas, the amendments are consistent with this policy.

**Policy 7.11. Urban forest.** Improve, or support efforts to improve the quantity, quality, and equitable distribution of Portland’s urban forest through plans and investments.

**7.11.a. Tree preservation.** Require or encourage preservation of large healthy trees, native trees and vegetation, tree groves, and forested areas.

**7.11.b. Urban forest diversity.** Coordinate plans and investments with efforts to improve tree species diversity and age diversity.

**7.11.c. Tree canopy.** Support progress toward meeting City tree canopy targets.

**7.11.d. Tree planting.** Invest in tree planting and maintenance, especially in low-canopy areas, neighborhoods with under-served or under-represented communities, and within and near urban habitat corridors.

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<sup>81</sup> City of Portland Natural Resources Inventory, pg. 33, October 2012

<sup>82</sup> City of Portland Natural Resources Inventory, pg. 97, October 2012

<sup>83</sup> City of Portland Natural Resources Inventory, pg. 33, October 2012

<sup>84</sup> City of Portland Natural Resources Inventory, pg. 97, October 2012

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**7.11.e. Vegetation in natural resource areas.** Require native trees and vegetation in significant natural resource areas.

**7.11.f. Resilient urban forest.** Encourage planting of Pacific Northwest hardy and climate change resilient native trees and vegetation generally, and especially in urban habitat corridors.

**7.11.g. Trees in land use planning.** Identify priority areas for tree preservation and planting in land use plans.

**7.11.h. Managing wildfire risk. Address wildfire hazard risks and management priorities through plans and investments.**

253. The RIP amendments are consistent with this policy and subpolicies 7.11.a, 7.11.b, 7.11.c, 7.11.f and 7.11.h because the amendments support efforts to improve Portland's urban forest by encouraging the reduction of on-site impervious surface and building size (i.e. eliminating the requirement for on-site parking, and limiting the overall amount of floor area allowed on a lot). Reducing impervious area on a lot can provide opportunities to preserve existing trees and vegetation or plant additional trees and vegetation. As described in the findings for policy 7.5, planting additional trees and vegetation enhances the urban forest which has positive impacts on air quality. Preserving trees and planting trees also has the potential to improve tree diversity, enhance tree canopy. The amendments also maintain the existing City regulatory programs related to protection of natural resources (i.e. Title 33 environmental overlay zones, Title 10, Erosion Control, Title 24 balanced cut and fill requirements), which is supportive of Portland's urban forest. Subpolicies 7.11d., 7.11.e and 7.11.g are not applicable because they call for investments (identify and fund priority tree planting areas) that are not within the scope of this project. The City is already in conformance with subpolicy 7.11.e because the 33.430, Environmental Overlay Zone, standards currently require native trees and vegetation in the resource area of environmental overlay zones.

**Policy 7.12. Invasive species.** Prevent the spread of invasive plants, and support efforts to reduce the impacts of invasive plants, animals, and insects, through plans, investments, and education.

**Policy 7.13. Soils.** Coordinate plans and investments with programs that address human-induced soil loss, erosion, contamination, or other impairments to soil quality and function.

254. **Finding:** Policies 7.12 and 7.13 are not applicable to the RIP amendments because the amendments do not change, affect or propose any City program or regulation related to invasive plants or animals, flood management, or erosion and sediment control (Title 10 Erosion Control and the balanced cut and fill requirements of City Title 24).

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

255. **Finding:** The RIP amendments are consistent with this policy. The RIP amendments prevent development-related degradation of natural systems by limiting additional density to the extent allowed by HB2001 in areas with identified natural resources, elevated landslide risk, and within the 100-year floodplain. The amendments also reduce the allowed building size in single-dwelling zones and eliminate the requirement for on-site paved parking. These amendments in combination with the existing limit on overall building coverage per lot have the potential to reduce impervious surfaces in single-dwelling zones, and as shown in the findings for goals 7.B and 7.C and policies 7.1, 7.5 and 7.6, reducing impervious surfaces reduces stormwater runoff. Stormwater runoff contributes negatively to landslide and flooding risk. Furthermore, when development occurs, it is subject to City programs

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for flood management, and erosion and sediment control (Title 10 Erosion Control and the balanced cut and fill requirements of City Title 24), which are unchanged by these amendments.

**Policy 7.15. Brownfield remediation.** Improve environmental quality and watershed health by promoting and facilitating brownfield remediation and redevelopment that incorporates ecological site design and resource enhancement.

**256.Finding:** This policy does not apply to the RIP project. The RIP project amends the City's single-dwelling zones to allow additional middle housing types. None of the identified brownfields in the city are within single-dwelling zones.

**Policy 7.16. Adaptive management.** Evaluate trends in watershed and environmental health using current monitoring data and information to guide and support improvements in the effectiveness of City plans and investments.

**257.Finding:** This policy directs ongoing monitoring of watershed and environmental health as a basis for reviewing the effectiveness or impact of plans and investments. This policy does not apply to proposed changes in zoning regulations.

**Policy 7.17. Restoration partnerships.** Coordinate plans and investments with other jurisdictions, air and water quality regulators, watershed councils, soil and water conservation districts, Sovereign nations, and community organizations and groups including under-served and under-represented communities, to optimize the benefits, distribution, and cost-effectiveness of watershed restoration and enhancement efforts.

**258.Finding:** Policy 7.17 guides the development and review of City plans and investments that address watershed and environmental health. The policy does not apply because the RIP project does not change or affect any City watershed or environmental health plan or investment.

**Policy 7.18. Community stewardship.** Encourage voluntary cooperation between property owners, community organizations, and public agencies to restore or re-create habitat on their property, including removing invasive plants and planting native species.

**259.Finding:** This policy is focused on programs to improve public and agency participation in habitat restoration and enhancement. The RIP project does not affect, change or propose habitat restoration programs.

## Planning for natural resource protection

**Policy 7.19. Natural resource protection.** Protect the quantity, quality, and function of significant natural resources identified in the City's natural resource inventory, including:

- Rivers, streams, sloughs, and drainageways.
- Floodplains.
- Riparian corridors.
- Wetlands.
- Groundwater.
- Native and other beneficial vegetation species and communities.
- Aquatic and terrestrial habitats, including special habitats or habitats of concern, large anchor habitats, habitat complexes and corridors, rare and declining habitats such as wetlands, native oak, bottomland hardwood forest, grassland habitat, shallow water habitat, and habitats that support special-status or at-risk plant and wildlife species.

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- Other resources identified in natural resource inventories.

**260.Finding:** The City protects identified natural resources by applying environmental zoning (i.e. the environmental, river, and pleasant valley overlay zones) to significant natural resources. As shown in the findings for policy 7.1, the RIP amendments are consistent with this policy because they protect identified significant natural resources by:

- Encouraging the reduction of impervious surface on lots in the single-dwelling zones, including lots that have environmental zoning, by eliminating the requirement for on-site parking and limiting the allowed building size. Reducing impervious surface helps to protect water and soil quality by reducing runoff which protects streams and other water bodies.
- Limiting the impacts from additional development in the environmental zones by prohibiting the additional density allowed by RIP on lots that have environmental zoning and by prohibiting the additional density on lots that have identified natural resources but do not yet have environmental zoning (i.e. high, medium, or low ranked resources as identified in the adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk).

The RIP amendments also do not affect City programs for flood management, and erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24).

**Policy 7.20. Natural resource inventory.** Maintain an up-to-date inventory by identifying the location and evaluating the relative quantity and quality of natural resources.

**261.Finding:** The City's most recent natural resource inventory (NRI) was adopted as part of the *2035 Comprehensive Plan* (Ordinance 185657) and was acknowledged by LCDC on June 13, 2014. The NRI identified the location, quantity, and quality of all significant natural resources as required by the inventory provisions of Statewide Planning Goal 5. From the set of all significant resources, high and medium quality resources, ranked primarily from riparian corridor and wildlife habitat considerations, were identified to comply with the inventory requirements of Title 13 of Metro's Urban Growth Management Functional Plan. The RIP amendments do not amend or affect the City's adopted NRI. For this reason, the RIP amendments are consistent with this policy.

**Policy 7.21. Environmental plans and regulations.** Maintain up-to-date environmental protection plans and regulations that specify the significant natural resources to be protected and the types of protections to be applied, based on the best data and science available and on an evaluation of cumulative environmental, social, and economic impacts and tradeoffs. *See Figure 7-2 — Adopted Environmental Plans.*

**7.21.a.** Improve the effectiveness of environmental protection plans and regulations to protect and encourage enhancement of ecological functions and ecosystem services.

**262.Finding:** The City protects identified significant natural resource through environmental zoning (i.e. environment, river, and pleasant valley overlay zones). The environmental zones have implemented through a series natural resource protection plan (see figure 7-2 of the *2035 Comprehensive Plan*). Each protection plan evaluated the economic, social, environmental and energy impacts of regulating development within resource areas, as required by Statewide Planning Goal 5. The evaluation and application of environmental zoning is done based on the most recent data science available as described in the NRI and the protection plans. The RIP project does not amend any of the existing protection plans or any of the City's environmental zoning. And, as described in goals 7.B and 7.C and policy 7.1, the RIP amendments support protection of identified natural resources

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both within and outside of existing environmental zones. For these reasons, the RIP amendments are consistent with this policy.

**Policy 7.22. Land acquisition priorities and coordination.** Maintain a land acquisition program as a tool to protect and support natural resources and their functions. Coordinate land acquisition with the programs of City bureaus and other agencies and organizations.

**263.Finding:** This policy does not apply to the RIP project because the RIP amendments do not affect any of the City's land acquisition programs.

### Protecting natural resources in development situations

**Policy 7.23. Impact evaluation.** Evaluate the potential adverse impacts of proposed development on significant natural resources, their functions, and the ecosystem services they provide to inform and guide development design and mitigation consistent with policies 7.24-7.26. and other relevant Comprehensive Plan policies.

**Policy 7.24. Regulatory hierarchy: avoid, minimize, mitigate.** Maintain regulations requiring that the potential adverse impacts of new development on significant natural resources and their functions first be avoided where practicable, then minimized, then lastly, mitigated.

**Policy 7.25. Mitigation effectiveness.** Require that mitigation approaches compensate fully for adverse impacts on locally and regionally significant natural resources and functions. Require mitigation to be located as close to the impact as possible. Mitigation must also take place within the same watershed or portion of the watershed that is within the Portland Urban Services Boundary, unless mitigating outside of these areas will provide a greater local ecological benefit. Mitigation will be subject to the following preference hierarchy:

1. On the site of the resource subject to impact with the same kind of resource; if that is not possible, then
2. Off-site with the same kind of resource; if that is not possible, then
3. On-site with a different kind of resource; if that is not possible, then
4. Off-site with a different kind of resource.

**Policy 7.26. Improving environmental conditions through development.** Encourage ecological site design, site enhancement, or other tools to improve ecological functions and ecosystem services in conjunction with new development and alterations to existing development.

**264.** Policies 7.23 through 7.26 provide guidance for land use regulations that address the protection of significant natural resources in development situations. The City protects identified natural resources by applying environmental zoning (i.e. the environmental, river, and pleasant valley overlay zones) to significant natural resources. The City's environmental zones are the regulations that control development in order to protect the resources and functional values within the areas, while allowing environmentally sensitive urban development. The RIP amendments are consistent with these policies because they do not amend any of the existing environmental zoning regulations and furthermore by:

- Encouraging the reduction of impervious surface on lots in the single-dwelling zones, including lots that have environmental zoning, by eliminating the requirement for on-site parking and limiting the allowed building size. Reducing impervious surface helps to protect water and soil quality by reducing runoff which protects streams and other water bodies.



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- Limiting the impacts from additional development in the environmental zones by prohibiting the additional density allowed by RIP on lots that have environmental zoning and by prohibiting the additional density on lots that have identified natural resources but do not yet have environmental zoning (i.e. high, medium, or low ranked resources as identified in the adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk).

The RIP amendments also do not affect City programs for flood management, or erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24).

### Aggregate resources

**Policy 7.27. Aggregate resource protection.** Protect aggregate resource sites for current and future use where there are no major conflicts with urban needs, or where these conflicts may be resolved.

**Policy 7.28. Aggregate resource development.** When aggregate resources are developed, ensure that development minimizes adverse environmental impacts and impacts on adjacent land uses.

**Policy 7.29. Mining site reclamation.** Ensure that the reclamation of mining sites protects public health and safety, protects fish and wildlife (including at-risk species), enhances or restores habitat (including rare and declining habitat types), restores adequate watershed conditions and functions on the site, and is compatible with the surrounding land uses and conditions of nearby land.

**265.Finding:** Policies 7.27 through 7.29 provide direction regarding aggregate resources. The RIP amendments address housing and do not impact aggregate resources or mine sites. These policies do not apply.

### Columbia River Watershed

**Policy 7.30. In-water habitat.** Enhance in-water habitat for native fish and wildlife, particularly in the Oregon Slough and near-shore environments along the Columbia River.

**Policy 7.31. Sensitive habitats.** Enhance grassland, beach, riverbanks, wetlands, bottomland forests, shallow water habitats, and other key habitats for wildlife traveling along the Columbia River migratory corridor, while continuing to manage the levees and floodplain for flood control.

**266.Finding:** Policies 7.30 and 7.31 augment the citywide environment and watershed health policies by providing additional guidance on watershed specific characteristics. The RIP amendments are consistent with these policies because, as shown in the findings for goals 7.B and 7.C and policies 7.1, 7.5- 7.11, the amendments support protection of identified natural resources, including the habitat characteristics specific to the Columbia River Watershed, by:

- Encouraging the reduction of impervious surface on lots in the single-dwelling zones, including lots that have identified natural resources, by eliminating the requirement for on-site parking and limiting the allowed building size. Reducing impervious surface helps to protect water and soil quality by reducing runoff which protects streams and other water bodies.
- Limiting the impacts from additional development on identified natural resources by prohibiting the additional density allowed by RIP on lots that have environmental zoning and by prohibiting the additional density on lots that have identified natural resources but do not yet have environmental zoning (i.e. high, medium, or low ranked resources as identified in the adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk).

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Furthermore, the RIP amendments do not affect or change City programs aimed as enhancing watershed health, they do not amend the City's natural resource protection zoning regulations, and they do not affect or change City programs for flood management, or erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24).

**Policy 7.32. River-dependent and river-related uses.** Maintain plans and regulations that recognize the needs of river-dependent and river-related uses while also supporting ecologically-sensitive site design and practices.

**267.Finding:** The RIP amendments are consistent with this policy because they do not affect the regulation of river-dependent or river-related uses.

### Willamette River Watershed

**Policy 7.33. Fish habitat.** Provide adequate intervals of ecologically-functional shallow-water habitat for native fish along the entire length of the Willamette River within the city, and at the confluences of its tributaries.

**Policy 7.34. Stream connectivity.** Improve stream connectivity between the Willamette River and its tributaries.

**Policy 7.35. River bank conditions.** Preserve existing river bank habitat and encourage the rehabilitation of river bank sections that have been significantly altered due to development with more fish and wildlife friendly riverbank conditions.

**Policy 7.36. South Reach ecological complex.** Enhance habitat quality and connections between Ross Island, Oaks Bottom, and riverfront parks and natural areas south of the Central City, to enhance the area as a functioning ecological complex.

**Policy 7.37. Contaminated sites.** Promote and support programs that facilitate the cleanup, reuse, and restoration of the Portland Harbor Superfund site and other contaminated upland sites.

**Policy 7.38. Sensitive habitats.** Protect and enhance grasslands, beaches, floodplains, wetlands, remnant native oak, bottomland hardwood forest, and other key habitats for native wildlife including shorebirds, waterfowl, and species that migrate along the Pacific Flyway and the Willamette River corridor.

**Policy 7.39. Riparian corridors.** Increase the width and quality of vegetated riparian buffers along the Willamette River.

**Policy 7.40. Connected upland and river habitats.** Enhance habitat quality and connectivity between the Willamette riverfront, the Willamette's floodplain, and upland natural resource areas.

**268.Finding:** Policies 7.33 through 7.40 augment the citywide environment and watershed health policies by providing additional guidance on watershed specific characteristics. The RIP amendments are consistent with these policies because, as shown in the findings for goals 7.B and 7.C and policies 7.1, 7.5- 7.11, the amendments support protection of identified natural resources, including the habitat characteristics specific to the Willamette River Watershed, by:

- Encouraging the reduction of impervious surface on lots in the single-dwelling zones, including lots that have identified natural resources, by eliminating the requirement for on-site parking and limiting the allowed building size. Reducing impervious surface helps to protect water and soil quality by reducing runoff which protects streams and other water bodies.

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- Limiting the impacts from additional development on identified natural resources by prohibiting the additional density allowed by RIP on lots that have environmental zoning and by prohibiting the additional density on lots that have identified natural resources but do not yet have environmental zoning (i.e. high, medium, or low ranked resources as identified in the adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk).

Furthermore, the RIP amendments do not affect or change City programs aimed as enhancing watershed health, they do not amend the City's natural resource protection zoning regulations, and they do not affect or change City programs for flood management, or erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24).

**Policy 7.41. River-dependent and river-related uses.** Develop and maintain plans and regulations that recognize the needs of river-dependent and river-related uses, while also supporting ecologically-sensitive site design and practices.

**269.Finding:** The RIP amendments are consistent with this policy because they do not affect the regulation of river-dependent or river-related uses.

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

**270.Finding:** Forest Park is zoned Open Space (OS). The RIP amendments do not affect the OS zone and these zones are outside the project scope, therefore this policy is not applicable.

## Columbia Slough Watershed

**Policy 7.43. Fish passage.** Restore in-stream habitat and improve fish passage within the Columbia Slough, including for salmonids in the lower slough.

**Policy 7.44. Flow constriction removal.** Reduce constriction, such as culverts, in the slough channels, to improve the flow of water and water quality.

**Policy 7.45. Riparian corridors.** Increase the width, quality, and native plant diversity of vegetated riparian buffers along Columbia Slough channels and other drainageways within the watershed, while also managing the slough for flood control.

**Policy 7.46. Sensitive habitats.** Enhance grasslands and wetland habitats in the Columbia Slough, such as those found in the Smith and Bybee Lakes and at the St. Johns Landfill site, to provide habitat for sensitive species, and for wildlife traveling along the Columbia and Willamette river migratory corridors.

**Policy 7.47. Connected rivers habitats.** Enhance upland habitat connections to the Willamette and Columbia rivers.

**Policy 7.48. Contaminated sites.** Ensure that plans and investments are consistent with and advance programs that facilitate the cleanup, reuse, and restoration of contaminated sites that are adjacent, or that discharge stormwater, to the Columbia Slough.

**Policy 7.49. Portland International Airport.** Protect, restore, and enhance natural resources and functions in the Portland International Airport plan district, as identified in Portland International Airport/Middle Columbia Slough Natural Resources Inventory. Accomplish this through regulations, voluntary strategies, and the implementation of special development standards.

**271.Finding:** Policies 7.43 through 7.49 augment the citywide environment and watershed health policies by providing additional guidance on watershed specific characteristics. The RIP amendments are consistent with these policies because, as shown in the findings for goals 7.B and

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7.C and policies 7.1, 7.5- 7.11, the amendments support protection of identified natural resources, including the habitat characteristics specific to the Columbia Slough Watershed, by

- Encouraging the reduction of impervious surface on lots in the single-dwelling zones, including lots that have identified natural resources, by eliminating the requirement for on-site parking and limiting the allowed building size. Reducing impervious surface helps to protect water and soil quality by reducing runoff which protects streams and other water bodies.
- Limiting the impacts from additional development on identified natural resources by prohibiting the additional density allowed by RIP on lots that have environmental zoning and by prohibiting the additional density on lots that have identified natural resources but do not yet have environmental zoning (i.e. high, medium, or low ranked resources as identified in the adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk).

Furthermore, the RIP amendments do not affect or change City programs aimed at enhancing watershed health, they do not amend the City's natural resource protection zoning regulations, and they do not affect or change City programs for flood management, or erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24).

### Fanno and Tryon Creek Watersheds

**Policy 7.50. Stream connectivity.** Encourage the daylighting of piped portions of Tryon and Fanno creeks and their tributaries.

**Policy 7.51. Riparian and habitat corridors.** Protect and enhance riparian habitat quality and connectivity along Tryon and Fanno creeks and their tributaries. Enhance connections between riparian areas, parks, anchor habitats, and areas with significant tree canopy. Enhance in-stream and upland habitat connections between Tryon Creek State Natural Area and the Willamette River.

**Policy 7.52. Reduced hazard risks.** Reduce the risks of landslides and streambank erosion by protecting trees and vegetation that absorb stormwater, especially in areas with steep slopes or limited access to stormwater infrastructure.

**272.Finding:** Policies 7.50 through 7.52 augment the citywide environment and watershed health policies by providing additional guidance on watershed specific characteristics. The RIP amendments are consistent with these policies because, as shown in the findings for goals 7.B and 7.C and policies 7.1, 7.5- 7.11, the amendments support protection of identified natural resources, including the habitat characteristics specific to the Fanno and Tryon Creek watersheds, by

- Encouraging the reduction of impervious surface on lots in the single-dwelling zones, including lots that have identified natural resources, by eliminating the requirement for on-site parking and limiting the allowed building size. Reducing impervious surface helps to protect water and soil quality by reducing runoff which protects streams and other water bodies.
- Limiting the impacts from additional development on identified natural resources by prohibiting the additional density allowed by RIP on lots that have environmental zoning and by prohibiting the additional density on lots that have identified natural resources but do not yet have environmental zoning (i.e. high, medium, or low ranked resources as identified in the adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk).

Furthermore, the RIP amendments do not affect or change City programs aimed as enhancing watershed health, they do not amend the City's natural resource protection zoning regulations, and

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they do not affect or change City programs for flood management, or erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24).

### Johnson Creek Watershed

**Policy 7.53. In-stream and riparian habitat.** Enhance in-stream and riparian habitat and improve fish passage for salmonids along Johnson Creek and its tributaries.

**Policy 7.54. Floodplain restoration.** Enhance Johnson Creek floodplain functions to increase flood-storage capacity, improve water quality, and enhance fish and wildlife habitat.

**Policy 7.55. Connected floodplains, springs, and wetlands.** Enhance hydrologic and habitat connectivity between the Johnson Creek floodplain and its springs and wetlands.

**Policy 7.56. Reduced natural hazards.** Reduce the risks of landslides, streambank erosion and downstream flooding by protecting seeps, springs, trees, vegetation, and soils that absorb stormwater in the East Buttes.

**Policy 7.57. Greenspace network.** Enhance the network of parks, trails, and natural areas near the Springwater Corridor Trail and the East Buttes to enhance habitat connectivity and nature-based recreation in East Portland.

**273.Finding:** Policies 7.53 through 7.57 augment the citywide environment and watershed health policies by providing additional guidance on watershed specific characteristics. The RIP amendments are consistent with these policies because, as shown in the findings for goals 7.B and 7.C and policies 7.1, 7.5- 7.11, the amendments support protection of identified natural resources, including the habitat characteristics specific to the Johnson Creek Watershed, by

- Encouraging the reduction of impervious surface on lots in the single-dwelling zones, including lots that have identified natural resources, by eliminating the requirement for on-site parking and limiting the allowed building size. Reducing impervious surface helps to protect water and soil quality by reducing runoff which protects streams and other water bodies.
- Limiting the impacts from additional development on identified natural resources by prohibiting the additional density allowed by RIP on lots that have environmental zoning and by prohibiting the additional density on lots that have identified natural resources but do not yet have environmental zoning (i.e. high, medium, or low ranked resources as identified in the adopted Citywide Natural Resources Inventory, lots within the floodplain, and lots with elevated landslide risk).

Furthermore, the RIP amendments do not affect or change City programs aimed as enhancing watershed health, they do not amend the City's natural resource protection zoning regulations, and they do not affect or change City programs for flood management, or erosion and sediment control (i.e., City Title 10 Erosion Control, and the balanced cut and fill requirements of City Title 24).

## Chapter 8: Public Facilities and Services

**Goal 8.A: Quality public facilities and services.** High-quality public facilities and services provide Portlanders with optimal levels of service throughout the city, based on system needs and community goals, and in compliance with regulatory mandates.

**274.Finding:** Council interprets this Goal to mean that public infrastructure and services are adequately planned, funded, built and maintained over time at a level commensurate with the growth and needs of an area and to meet regulatory obligations. The RIP amendments provide for optimal levels of service throughout the city based on system needs and community goals by largely directing future households to areas with current and planned levels of urban infrastructure and away from areas that are more difficult to serve, as noted in the RIP household allocation model and individual service findings noted below. This is largely due to the creation of additional household capacity in areas that previously were projected to reach their zoned allocation capacity and where these services already exist and are more proximate to public facilities. It is also reflective of the increased cost to develop in areas that lack such services, and are therefore both more expensive to develop and less able to cover those costs due to lower consumer demand from lower access to services and amenities.

The adopted 2035 Comprehensive Plan includes the Citywide Systems Plan (CSP), which was adopted (Ordinance 185657) and acknowledged by LCDC on April 25, 2017. The CSP includes the Public Facilities Plan with information on current and future transportation, water, sanitary sewer, and stormwater infrastructure needs and projects.

In addition, the service limitations identified in the CSP have been incorporated into the adopted BLI development constraint analysis that identified parts of Portland that lack needed urban infrastructure. The BLI constraint analysis is the basis of a geographic evaluation of the RIP zones to ensure that public facilities are planned to support any potential development that could result from these amendments.

The additional housing types allowed in RIP zones increase the effective maximum density of dwelling units on a parcel from two to six<sup>85</sup>. However, a number of parcels are ineligible for the additional housing types (included in the 'z' constrained sites overlay, are not adequately sized, or are located on a street that has not been accepted for maintenance). Additionally, the BLI considers other constraints on development such as cultural resources, hazards, and infrastructure to establish a capacity level for additional development<sup>86</sup>. Based on the RIP capacity and growth allocation model, the zoned capacity in RIP zones is increased from roughly 30,000 units to 55,000 units.

However, not all lots are likely to develop at this density over the CSP 20-year planning period. Household growth is determined by Metro allocations at the regional level. Household *allocation* is a more confined number of likely development within the Comprehensive Plan period, which is informed by the city's obligations under Statewide Goal 2, and more specifically OAR 660-32-0020. As part of the adopting of the 2035 Comprehensive Plan, Metro forecasts Portland to receive 123,000 additional households between 2015 and 2035.

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<sup>85</sup> Prior zoning rules allowed a house plus one Accessory Dwelling Unit on any parcel, and duplexes on most corner lots. Further, HB2001 requires that cities shall "allow the development of a duplex on each lot or parcel zoned for residential use that allow for the development of detached single-family dwellings." Section 2(2)(b)

<sup>86</sup> Buildable Lands Inventory and Growth Allocation GIS model, BPS, April 2016

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This is an important distinction because while the RIP amendments increase capacity for development in RIP zones, they do not affect population or household allocation forecasts for the City overall. In other words, the housing effect of these changes allows for a redistribution of allocated households within the City by creating opportunities for additional development in different areas where zoned capacity was previously overutilized, but do not increase total numbers of expected households citywide.

Therefore, the model then uses the population forecast required by ORS 195.036 to determine where new housing units are likely to be allocated. The RIP capacity and growth allocation model shows changes to the spatial distribution of housing units between all zones. This data was then evaluated by infrastructure bureaus at specific geographies that correspond with their systems planning to determine system and service adequacy. The evaluation results from BES and the water bureau and the additional findings in Chapter 8 demonstrate the RIP amendments continue to ensure that high-quality public facilities and services will provide Portlanders with optimal levels of service throughout the city, based on system needs and community goals, and in compliance with regulatory mandates

**Goal 8.B: Multiple benefits.** Public facility and service investments improve equitable service provision, support economic prosperity, and enhance human and environmental health.

**275.Finding:** The RIP amendments do not alter public facility and service investments identified in the CSP which were previously found to support economic prosperity, and enhance human and environmental health.

**Goal 8.C: Reliability and resiliency.** Public facilities and services are reliable, able to withstand or recover from catastrophic natural and manmade events, and are adaptable and resilient in the face of long-term changes in the climate, economy, and technology.

**276.Finding:** The Citywide Systems Plan (CSP), which was adopted (Ordinance 185657) and acknowledged by LCDC on April 25, 2017. The CSP includes the Public Facilities Plan with information on current and future transportation, water, sanitary sewer, and stormwater infrastructure needs and projects, consistent with the requirements of Statewide Planning Goal 11. Considering the impacts of climate change and identifying the vulnerabilities and risks of those impacts enables the City to make more informed infrastructure investment decisions to better prepare and adapt for climate change and improve the resiliency of critical infrastructure. Climate change vulnerabilities are highlighted and incorporated into the risks of failure of the City's built and green infrastructure so assets can be appropriately maintained, designed, and replaced to improve the resiliency of systems to natural and manmade events and technological changes. Moreover the CSP includes recommended improvements, investment strategies, and projects and programs to respond to these needs. As noted previously, the RIP amendments do not affect the household growth forecast for the planning period. Changes to the location of these households have been evaluated by the affected service bureaus and have been found to not add, change or affect the Citywide Systems Plan projects to improve service reliability and resiliency.

**Goal 8.D: Public rights-of-way.** Public rights-of-way enhance the public realm and provide a multi-purpose, connected, safe, and healthy physical space for movement and travel, public and private utilities, and other appropriate public functions and uses.

**277.Finding:** The RIP amendments include several provisions to enhance the public realm of the right of way such as removing parking requirements which increase room for street trees and reduce pedestrian vehicle conflicts at driveways, instituting new limits on the location and configuration of parking when it is provided to emphasize a more pedestrian scale, and lowering the main entrance

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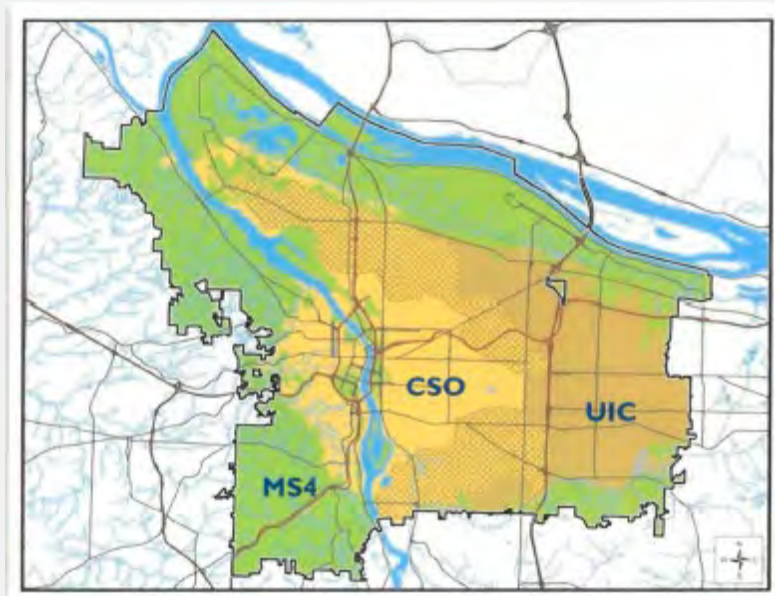
to ensure a stronger visual connection between residents and the public street. Three or more units will only be allowed on sites that have maintained street access to ensure greater multi-modal mobility for residents.

**Goal 8.E: Sanitary and stormwater systems.** Wastewater and stormwater are managed, conveyed, and/or treated to protect public health, safety, and the environment, and to meet the needs of the community on an equitable, efficient, and sustainable basis.

**278.Finding:** The public health and safety, as well as the environment continue to be protected by adequate stormwater and sanitary systems as noted below. Future investments and ongoing risk management will continue to follow the policies set forth in the investment strategies described in Chapter 2 of the Citywide Systems Plan to ensure the needs of the community are met on an equitable, efficient, and sustainable basis.

### Sanitary Sewer

The east, west, and north portions of the city are served by separated sanitary and storm sewer systems (green shaded areas). The central portions of the city are generally served by combined sanitary and storm sewers (tan shaded areas). Large portions of the city on the east side of the Willamette River utilize Underground Injection Control (UIC, brown shaded areas) systems to infiltrate stormwater into the ground, thereby reducing runoff. The cross-hatched areas are served by both combined and UIC systems. The Bureau of Environmental Services evaluated the impacts of RIP amendments against the 2035 Comprehensive Plan zoning for each system<sup>87</sup>.



### Combined System.

Within the combined service area BES notes that the 2035 Comprehensive Plan Citywide Systems Plan (CSP) identified that some areas in the combined system are affected by localized hydraulic capacity limitations that increase the risk of basement sewer backups and/or street flooding. These areas are concentrated close in on the east side with scattered areas in other parts of the system. A number of projects to address this hydraulic deficiency were included in the proposed

<sup>87</sup> Memorandum from Fred MacGregor, et. al., BES to Morgan Tracy, RIP Project Manager, March 6, 2020



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Investment Strategy in the CSP. There is no evidence that the RIP proposal will cause an increase in the combined sewer hydraulic capacity limitations identified in the CSP. Sanitary flow is a minor component in the combined system when compared to stormwater flows, and much of the projected infill is within the UIC boundary where the sewers and wastewater treatment facilities tend to have excess capacity, and stormwater runoff from future development can be infiltrated into the soil.

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

#### Separated System.

Most of the properties zoned R7, R5, and R2.5 in the separated area are served by sanitary sewers. Currently there are minimal capacity issues in these sewers, except for areas where the City experiences stormwater inflow or infiltration (I&I) into the sanitary system. BES manages a program to reduce I&I to reduce the need for wastewater treatment capacity and limit pollution entering the sanitary system. As infill occurs, BES will monitor sanitary flows, identify necessary conveyance improvements, and implement capital projects to adequately respond to infrastructure needs and prevent sewage releases to surface waters, consistent with State and Federal regulations. Therefore, with these ongoing improvements already identified in the adopted CSP, sanitary sewer infrastructure is adequate or will be adequate as development occurs to ensure the needs of the community are met on an equitable, efficient, and sustainable basis.

#### Stormwater

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

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

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

In areas west of the Willamette River, there is less ability to infiltrate stormwater to the groundwater aquifer due to less permeable soils, steeper topography and geologic factors such

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as landslide susceptibility and shallow confining soil layers. Without the ability to infiltrate, the cost of mitigating the effects of building coverage and impervious area and reduced vegetative cover increases, are greater especially in areas where stormwater system deficiencies already exist.

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

Other factors that create challenges for the stormwater system are areas susceptible to landslides, areas within mapped or observed floodplains, and areas of high-value natural resources. BES has worked closely with BPS to analyze and define the impacts that the RIP could potentially have on these conditions or resources. The new 'z' overlay addresses these issues (landslides, natural resources, and floodplains) by limiting lots in these areas to no more than the two units currently allowed (existing zoning already allowed duplexes on corner lots or a house with an accessory dwelling unit). HB2001 prevents further density limitations in that it requires cities to allow duplexes wherever houses are allowed.

Many of the neighborhoods with challenging soils and topography are located on Portland's west side. However, RIP models project a decrease in likely residential development on the west side. The 2035 Comprehensive Plan BLI allocated 4,172 units to single family zones in the western neighborhoods. The RIP household allocation model predicts 2,509 units, a difference of 1,663 units or about a 40% reduction of households. About 1,200 of the units are removed from lower density residential zones on the west side (R10, R20, RF) where stormwater and sewer services are even more challenging, and roughly 400 of the units are removed from RIP zones in these areas. These reductions are offset by increased households in RIP zones in inner and eastern neighborhoods, where stormwater systems are already adequate (see Figure 5).

In addition, because RIP allows for multiple units to be constructed on a single lot (up to four, or six when providing regulated affordable units) instead of the single house allowed by current 2035 Comprehensive Plan zoning, the net redevelopment activity in the western district is further reduced. Building coverage limits are unchanged from current allowances and total allowable building size is reduced through caps on floor area (FAR). While triplexes, and fourplexes up to sixplexes will utilize more FAR than houses or duplexes, they are still smaller than what is permissible under the current zoning rules for a single house. These FARs work in conjunction with building coverage limits to encourage more multi-story buildings, which reduces effective building coverage. Moreover, onsite parking is now optional, providing more opportunities to leave more of the site permeable and retain vegetative cover.

In summary, the RIP amendments limit the number of units in landslide and flood susceptible areas where stormwater conveyance is most challenging, project a reduction of net development activity in stormwater service challenged areas, do not increase allowable building coverage (an indicator of stormwater conveyance demand), reduce requirements for parking and associated impervious area, and reduce the overall size of structures which can lessen the amount of utilized building coverage. All these taken together, Council finds that the RIP amendments do not increase, and more likely decrease stormwater impacts compared to existing regulations. Any

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localized deficiencies will be addressed at the time of development or through capital projects already identified in the adopted CSP. These changes help ensure a more efficient delivery of service, reduce costs of service extensions which help further the CSP asset management strategies to ensure the needs of the community are met on an equitable, efficient, and sustainable basis.

**Goal 8.F: Flood management.** Flood management systems and facilities support watershed health and manage flooding to reduce adverse impacts on Portlanders' health, safety, and property.

**279.Finding:** The RIP amendments do not directly affect flood management systems or facilities; however, they improve flood management through asset risk reduction. They remove sites within flood plains from consideration for 3 or more units by application of the 'z' overlay. The amendments provide for more housing options to locate outside these flood-prone areas and reduce or at least maintain the number of potential households at risk in these areas (Two units are not similarly restricted within the 'z' overlay because HB2001 (2019) generally requires that duplexes be allowed on any lot where detached houses are allowed and SB1051 (2017) generally requires an ADU be allowed on any lot with a detached house)). The amendments also include exceptions to newly instituted main entrance height limitations that apply outside flood zones; within flood zones the first floor may be elevated out of the flood level, in accordance with Title 24 requirements.

**Goal 8.G: Water.** Reliable and adequate water supply and delivery systems provide sufficient quantities of high-quality water at adequate pressures to meet the needs of the community on an equitable, efficient, and sustainable basis.

**280.Finding:** Water demand forecasts developed by the Water Bureau anticipate that while per capita water demands will continue to decline somewhat over time, the overall demands on the Portland water system will increase due to population growth. The Portland Water Bureau has not experienced any major supply deficiencies in the last 10 years. The supply and water distribution system is sized to meet City fire suppression needs which far surpass the day-to day demand from residential customers. The demand from additional dwelling units on individual properties are unlikely to affect the water system

There are three water service areas that have been identified with service deficiencies and that see higher allocations of households under RIP than the 2035 Comprehensive Plan. These include Bertha (54 units), Stephenson Pump (51 units), and Vernon (20 units). The Water Bureau has reviewed the available and 2035 projected water service capacity and finds that the small number of added households will not adversely affect water system delivery in these areas

In some cases, parcels may be located adjacent to streets that lack water service. Other areas may only be served by a 2-inch water main which can only accommodate a 1-inch water meter. A 1-inch meter size is sufficient for up to 89 fixture units which can reasonably accommodate four units, each containing a clothes washer, dishwasher, kitchen sink, and two full bathrooms (shower or tub), and exterior hose bib<sup>88</sup>. New development will be required to extend service where no service is presently available or upgrade water mains when development requires larger water meter sizes.

**Goal 8.H: Parks, natural areas, and recreation.** All Portlanders have safe, convenient, and equitable access to high-quality parks, natural areas, trails, and recreational opportunities in their daily lives,

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<sup>88</sup> Residential Water Service Application, Water Meter Sizing Worksheet, Portland Water Bureau, June 2019

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which contribute to their health and well-being. The City manages its natural areas and urban forest to protect unique urban habitats and offer Portlanders an opportunity to connect with nature.

**281.Finding:** The Portland Parks bureau is charged with ensuring Portlanders have safe convenient and equitable access to high-quality parks, natural areas, trails, and recreational opportunities. The RIP amendments do not affect park capital project priorities, programs or management. What the RIP amendments do provide are additional housing options in a greater variety of unit types and sizes on sites located in close proximity to a park or natural area. The Parks 2020 vision establishes a goal of all Portlanders living within a ½ mile of a park or natural area. 96% of parcels in RIP zones already meet this goal. See also related findings under statewide planning Goal 8, Recreational Needs.

**Goal 8.I: Public safety and emergency response.** Portland is a safe, resilient, and peaceful community where public safety, emergency response, and emergency management facilities and services are coordinated and able to effectively and efficiently meet community needs.

**282.Finding:** Chapter 10 of the CSP addresses “Other Essential Facilities and Systems”, including civic facilities, technology systems, and emergency response to make sure that the full set of services and facilities necessary to support a prosperous, thriving and sustainable city are included in long-term planning conversations and inform future investments in these facilities to maintain existing systems, resolve identified deficiencies, serve new population growth, and address other long-term community needs. City Council heard testimony expressing concerns over fire safety and response on dead end streets that lack modern turn around requirements. There are other factors that determine Fire’s ability to navigate the streets to move and operate necessary equipment in response to an emergency incident, such as vertical clearance, road width and grade. While the lack of an adequate turn-around could make it more difficult to get fire apparatus equipment turned-around once at the end of a dead-end road, this does not mean it will negatively impact the Fire Bureau’s ability to respond to an incident on a dead-end road. Generally speaking, fire sprinkler protection, Class A roof coverings, and/or non-combustible sidings are required in-lieu of meeting all fire department access requirements in new structures via the Fire Code Appeals process<sup>89</sup>. Pre-existing development on these substandard streets may not be built with these measures in place. The RIP amendments and residential fire code requirements are only applicable to new development and alterations that generally require a building permit. However, the RIP amendments do not increase fire susceptibility for existing structures or change or worsen the existing access conditions on these streets, and overall with the application of FAR limits, the amendments reduce total allowable building size for new structures thus lowering potential maximum building fire fuel loads on these streets. Therefore, Council finds that these existing codes which are unchanged by the RIP amendments provide coordinated public safety and emergency response.

**Goal 8.J: Solid waste management.** Residents and businesses have access to waste management services and are encouraged to be thoughtful consumers to minimize upstream impacts and avoid generating waste destined for the landfill. Solid waste — including food, yard debris, recyclables, electronics, and construction and demolition debris — is managed, recycled, and composted to ensure the highest and best use of materials.

**283.Finding:** The RIP amendments do not affect resident or business access to waste management services. The housing types largely align with existing single family waste collection services, which apply to sites with 1-4 units. The exception is the Deeper Affordability Bonus which allows for a 6-plex. In these cases, a commercial hauler will service these sites. The Bureau of Planning and

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<sup>89</sup> Letter from Nate Takara, Assistant Fire Marshall to Morgan Tracy, BPS, January 24, 2020

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Sustainability will continue to encourage by way of information campaigns and programs that avoid and minimize waste to the landfill.

The RIP amendments also reduce waste in general through new limits on building size. According to the DEQ Life Cycle Analysis<sup>90</sup>, for Climate Change Impact, the use of the home contributes about 86% of the total impact due to energy use (space and water heating, electricity consumption); materials production contributes 14%; followed by the construction, maintenance, and demolition phases which contribute a combined 2%. Across all categories, the environmental impact of the extra small home (1149 sq ft) are reduced between 20% and 40% that of the Medium Standard Home (2262 sqft), suggesting that home size is among the most important determinants of environmental impact.

**Goal 8.K: School facilities.** Public schools are honored places of learning as well as multifunctional neighborhood anchors serving Portlanders of all ages, abilities, and cultures.

**284.Finding:** The RIP amendments do not directly affect school facilities, but they do provide for a broader range of available housing types in school catchment areas to suit more types of family housing needs and price ranges. Testimony from Safe Routes Partnership (a national non-profit that works to advance safe walking and bicycling to and from schools, to improve the health and wellbeing of kids of all races, income levels, and abilities, and to foster the creation of healthy communities for everyone) notes “We support the Residential Infill Project because Safe Routes to School works best when families live close to their neighborhood school, and the Residential Infill Project will translate into more affordable housing for families within in walking and biking distance from schools.” Moreover, Dani Ledezma, Senior Advisor on Racial Equity and Social Justice for Portland Public Schools during a Council worksession on the RIP amendments (December 11, 2019) noted “Housing matters in education...Student populations of our schools are a direct reflection of the housing options that are available in the surrounding neighborhood. As a result access to those schools is limited by the families’ ability to afford a home in that neighborhood. And we know that limit is often racialized in our city. Why is the population of one PPS school 14% white, and another school 3 miles away 79% white? One reason is because of exclusionary single family zoning.” By offering more types of housing with a greater range of unit prices, more students of differing incomes (and by extension cultures) have a higher likelihood for finding housing within the school of their choosing, rather than being limited to schools in geographic areas of higher shares of multi-family zoning.

**Goal 8.L: Technology and communications.** All Portland residences, businesses, and institutions have access to universal, affordable, and reliable state-of-the-art communication and technology services.

**285.Finding:** The RIP amendments do not directly affect technology and communication services, and do not impede the City’s progress toward providing universal, affordable, and reliable state-of-the-art communication access for all Portland residences, businesses, and institutions.

**Goal 8.M: Energy infrastructure and services.** Residents, businesses, and institutions are served by reliable energy infrastructure that provides efficient, low-carbon, affordable energy through decision-making based on integrated resource planning.

**286.Finding.** Integrated resource planning (IRP) is a roadmap that large utilities use to plan generational acquisitions over five, 10, or 20 years (or more). Many utilities use integrated resource plans for coal, natural gas, and smart grid energy. IRPs examine foreseeable future resources with regard to

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<sup>90</sup> A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, Phase 2 Report, September 29, 2010

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transmission lines, substations, power plants, end users, and the utilities and operators responsible for taking care of the transmission and distribution of electricity. The RIP amendments do not affect the total forecasted population or household growth over the planning period. Moreover, one of the biggest efficiency gains in terms of energy use is a shift toward more attached units, and smaller units<sup>91 92</sup>. The size limits imposed through the RIP amendments and the attached housing types that are now permissible in most RIP zoned areas will likely reduce the overall energy demand from these households in comparison to Comprehensive Plan zoning. Therefore, the RIP amendments do not affect or require a reevaluation of the utilities' IRP.

## Service provision and urbanization

**Policy 8.1. Urban services boundary.** Maintain an Urban Services Boundary for the City of Portland that is consistent with the regional urban growth policy, in cooperation with neighboring jurisdictions. The Urban Services Boundary is shown on the Comprehensive Plan Map.

**Policy 8.2. Rural, urbanizable, and urban public facility needs.** Recognize the different public facility needs in rural, urbanizable and urban land as defined by the Regional Urban Growth Boundary, the City Urban Services Boundary, and the City Boundaries of Municipal Incorporation. See Figure 8-1 — Urban, Urbanizable, and Rural Lands.

**287.Finding:** The City Council interprets policies 8.1 through 8.3 as providing direction on the orderly provision of public facilities and urban services. The RIP amendments do not change the Urban Services Boundary, or designations of rural/urban areas. All of the RIP zoned areas are within the current urban services boundary. These policies do not apply.

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

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

**Policy 8.4. Supporting facilities and systems.** Maintain supporting facilities and systems, including public buildings, technology, fleet, and internal service infrastructure, to enable the provision of public facilities and services.

**288.Finding:** Policies 8.3 and 8.4 call on the City to provide and maintain urban levels of certain services. The 2035 Comprehensive Plan includes the Citywide Systems Plan (CSP), which was adopted

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<sup>91</sup> A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, September 2010

<sup>92</sup> [Location Efficiency and Housing Type, Jonathan Rose Companies, March 2011](#)

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(Ordinance 185657) and acknowledged by LCDC on April 25, 2017. The Citywide Systems Plan has been developed to meet a number of objectives. It is intended to:

- Guide and coordinate future public infrastructure investments to maintain existing systems, resolve existing deficiencies, serve new residential and employment growth, and meet long-term infrastructure needs.
- Reflect current practices and policies, as expressed in the Comprehensive Plan and system specific plans.
- Meet State planning requirements under the growth management act.
- Incorporate and respond to the community vision and goals highlighted in visionPDX and the Portland Plan.
- Provide policy recommendations and a list of significant projects for the Comprehensive Plan.

The RIP amendments provide for new types of housing (up to 4 units on most lots, and up to 6 units when meeting regulated affordability requirements). This change enables additional housing capacity on lots and alters the spatial distribution of previously forecasted allocation of these units. The findings in Statewide Goals 11 and 12, as well as Chapter 8 and 9 of the Comprehensive Plan demonstrate that the services and facilities identified in policies 8.3 and 8.4 will continue to be maintained and delivered as envisioned by the CSP. The RIP amendments do not require new public facility or services and do not amend or need to amend the list of significant projects identified in the Comprehensive Plan. As site development occurs, infrastructure necessary to serve the development will be required and is the responsibility of the property owner/developer to provide. The RIP amendments do not change Systems Development Charge structures or rates. For public right of way improvements, recent changes to the Local Transportation Improvement Charge (LTIC, Ord. No 190017, adopted June 24, 2020) will enable developers of these new types of housing on single dwelling zoned streets to pay into a fund for street improvements. The LTIC allows funds to be collected and applied in a more efficient, equitable, and cost-effective manner to ensure that streets are improved as development occurs. Therefore, these policies are met.

**Policy 8.5. Planning service delivery.** Provide planning, zoning, building, and subdivision control services within the boundaries of incorporation, and as otherwise provided by intergovernmental agreement within the City’s Urban Services Boundary.

**289.Finding:** The City has adopted Title 33, Zoning including the land division regulations, and building services which are addressed by Title 24 (and other associated building regulations in Titles 25, 26, 27, 28 and 29) which are applicable within the incorporated city limits, as well as unincorporated areas within the City’s Urban Services Boundary subject to such authority under intergovernmental agreement. The RIP amendments do not change this administrative authority or change the provision of these services. Therefore, this policy is met.

### Service coordination

**Policy 8.6. Interagency coordination.** Maintain interagency coordination agreements with neighboring jurisdictions and partner agencies that provide urban public facilities and services within the City of Portland’s Urban Services Boundary to ensure effective and efficient service delivery. See Policy 8.3 for the list of services included. Such jurisdictions and agencies include, but may not be limited to:

- Multnomah County for transportation facilities and public safety.
- State of Oregon for transportation and parks facilities and services.

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- TriMet for public transit facilities and services.
- Port of Portland for air and marine facilities and services.
- Metro for regional parks and natural areas, and for solid waste, composting, and recycling facilities and transfer stations.
- Gresham, Milwaukie, Clackamas County Service District #1, and Clean Water Services for sanitary sewer conveyance and treatment.
- Multnomah County Drainage District No. 1, Peninsula Drainage District No 1, and Peninsula Drainage District No. 2 for stormwater management and conveyance, and for flood mitigation, protection, and control.
- Rockwood People’s Utility District; Sunrise Water Authority; and the Burlington, Tualatin Valley, Valley View, West Slope, Palatine Hill, Alto Park, and Clackamas River Water Districts for water distribution.
- Portland Public Schools and the David Douglas, Parkrose, Reynolds, Centennial, and Riverdale school districts for public education, park, trail, and recreational facilities.

**Policy 8.7. Outside contracts.** Coordinate with jurisdictions and agencies outside of Portland where the City provides services under agreement.

**Policy 8.8. Public service coordination.** Coordinate with the planning efforts of agencies providing public education, public health services, community centers, urban forest management, library services, justice services, energy, and technology and communications services.

**Policy 8.9. Internal coordination.** Coordinate planning and provision of public facilities and services, including land acquisition, among City agencies, including internal service bureaus.

**Policy 8.10. Co-location.** Encourage co-location of public facilities and services across providers where co-location improves service delivery efficiency and access for historically under-represented and under-served communities.

**290.Finding:** Policies 8.6 through 8.10 serve to reinforce the City’s coordination obligations under Statewide Goal 2, Land Use Planning by providing direction on coordination with neighboring jurisdictions and partner agencies that provide urban public facilities and services within the City of Portland’s Urban Services Boundary. The RIP amendments do not include new public facility or infrastructure projects or amendments to public service coordination agreements. Moreover, the RIP amendments are consistent with these policies, as other affected agencies were notified (DLCD notice and legislative notice) and were consulted (both TriMet and Metro were represented in the Technical Advisory Group and the school districts were additionally kept apprised during the project of anticipated changes to household forecasts in each district). These policies are met.

### Service extension

**Policy 8.11. Annexation.** Require annexation of unincorporated urbanizable areas within the City’s Urban Services Boundary as a prerequisite to receive urban services.

**Policy 8.12. Feasibility of service.** Evaluate the physical feasibility and cost-effectiveness of extending urban public services to candidate annexation areas to ensure sensible investment and to set reasonable expectations.

**Policy 8.13. Orderly service extension.** Establish or improve urban public services in newly-annexed areas to serve designated land uses at established levels of service, as funds are available and as



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responsible engineering practice allows.

**Policy 8.14. Coordination of service extension.** Coordinate provision of urban public services to newly-annexed areas so that provision of any given service does not stimulate development that significantly hinders the City’s ability to provide other urban services at uniform levels.

**Policy 8.15. Services to unincorporated urban pockets.** Plan for future delivery of urban services to urbanizable areas that are within the Urban Services Boundary but outside the city limits.

**Policy 8.16. Orderly urbanization.** Coordinate with counties, neighboring jurisdictions, and other special districts to ensure consistent management of annexation requests, and to establish rational and orderly process of urbanization that maximize efficient use of public funds.

**Policy 8.17. Services outside the city limits.** Prohibit City provision of new urban services, or expansion of the capacity of existing services, in areas outside city limits, except in cases where the City has agreements or contracts in place.

**Policy 8.18. Service district expansion.** Prohibit service district expansion or creation within the City’s Urban Services Boundary without the City’s expressed consent.

**Policy 8.19. Rural service delivery.** Provide the public facilities and services identified in Policy 8.3 in rural areas only at levels necessary to support designated rural residential land uses and protect public health and safety. Prohibit sanitary sewer extensions into rural land and limit other urban services.

**291.Finding:** The City Council interprets policies 8.11 through 8.19 provide direction on extending public services. The RIP amendments do not include new public facility or infrastructure projects or service extensions. These policies do not apply.

## Public investment

**Policy 8.20. Regulatory compliance.** Ensure public facilities and services remain in compliance with state and federal regulations. Work toward cost-effective compliance with federal and state mandates through intergovernmental coordination and problem solving.

**Policy 8.21. System capacity.** Establish, improve, and maintain public facilities and services at levels appropriate to support land use patterns, densities, and anticipated residential and employment growth, as physically feasible and as sufficient funds are available.

**Policy 8.22. Equitable service.** Provide public facilities and services to alleviate service deficiencies and meet level-of-service standards for all Portlanders, including individuals, businesses, and property owners.

**8.22.a.** In places that are not expected to grow significantly but have existing deficiencies, invest to reduce disparity and improve livability.

**8.22.b.** In places that lack basic public facilities or services and also have significant growth potential, invest to enhance neighborhoods, fill gaps, maintain affordability, and accommodate growth.

**8.22.c.** In places that are not expected to grow significantly and already have access to complete public facilities and services, invest primarily to maintain existing facilities and retain livability.

**8.22.d.** In places that already have access to complete public facilities and services, but also have significant growth potential, invest to fill remaining gaps, maintain affordability, and accommodate growth.

**Policy 8.23. Asset management.** Improve and maintain public facility systems using asset

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management principles to optimize preventative maintenance, reduce unplanned reactive maintenance, achieve scheduled service delivery, and protect the quality, reliability, and adequacy of City services.

**Policy 8.24. Risk management.** Maintain and improve Portland’s public facilities to minimize or eliminate economic, social, public health and safety, and environmental risks.

**Policy 8.25. Critical infrastructure.** Increase the resilience of high-risk and critical infrastructure through monitoring, planning, maintenance, investment, adaptive technology, and continuity planning.

**Policy 8.26. Capital programming.** Maintain long-term capital improvement programs that balance acquisition and construction of new public facilities with maintenance and operations of existing facilities.

**292.Finding:** The City Council interprets policies 8.20 through 8.26 provide direction on investment priorities for public facilities. The RIP amendments do not include new public facility or infrastructure projects. These policies do not apply.

### Funding

**Policy 8.27. Cost-effectiveness.** Establish, improve, and maintain the public facilities necessary to serve designated land uses in ways that cost-effectively provide desired levels of service, consider facilities’ lifecycle costs, and maintain the City’s long-term financial sustainability.

**Policy 8.28. Shared costs.** Ensure the costs of constructing and providing public facilities and services are equitably shared by those who benefit from the provision of those facilities and services.

**Policy 8.29. System development.** Require private or public entities whose prospective development or redevelopment actions contribute to the need for public facility improvements, extensions, or construction to bear a proportional share of the costs.

**Policy 8.30. Partnerships.** Maintain or establish public and private partnerships for the development, management, or stewardship of public facilities necessary to serve designated land uses, as appropriate.

**293.Finding:** The City Council interprets policies 8.27 through 8.30 provide direction on funding public facilities and services within the City of Portland’s Urban Services Boundary. The RIP amendments provide for new types of housing (up to 4 units on most lots, and up to 6 units when meeting regulated affordability requirements). This change enables additional housing capacity on lots and alters the spatial distribution of previously forecasted allocation of these units. The findings in Statewide Goals 11 and 12, as well as Chapter 8 and 9 of the Comprehensive Plan demonstrate that the services and facilities identified in policies 8.3 and 8.4 will continue to be maintained and delivered as envisioned by the CSP. The RIP amendments do not require new public facility or services and do not amend or need to amend the list of significant projects identified in the Comprehensive Plan, CSP or TSP. As site development occurs, infrastructure necessary to serve the development will be required and is the responsibility of the property owner/developer to provide. The RIP amendments do not change Systems Development Charge structures or rates.

Since Portland’s founding, improvement of local streets has been the responsibility of the adjacent property owners. This has historically been achieved either by a single property owner through a public works permit or through a Local Improvement District (LID), which involves funding from multiple property owners. Improvements to other public facilities occur in conjunction with

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development or redevelopment through either payment of Systems Development Charges, or requirements to construct the actual improvement. Within the context of the RIP amendments, these policies apply to the degree that private development is required to upgrade and extend services when needed, dedicate requisite right of way to meet street design standards based on the roadway classification, and construct or install other improvements as necessary and proportionate to the level of impact from the development. The RIP amendments are consistent with these policies since new private development will be reviewed against water (Title 21), sanitary sewer and stormwater management (Title 17) standards to ensure those utility requirements are met prior to construction commencing. Council adopted changes to the Local Transportation Improvement Charge (LTIC) on June 24, 2020 (Ord. No 190017) which allows funds to be collected as development occurs on un- and under-improved local streets from the middle housing types in the RIP amendments. Collection of these funds allows improvements to occur in a holistic, efficient, and comprehensive project based on criteria that equitably provides infrastructure services throughout the city. The RIP amendments do not include changes to these other city titles and are therefore consistent with these policies.

### Public benefits

**Policy 8.31. Application of Guiding Principles.** Plan and invest in public facilities in ways that promote and balance the Guiding Principles established in The Vision and Guiding Principles of this Comprehensive Plan.

**Policy 8.32. Community benefit agreements.** Encourage the use of negotiated community benefit agreements for large public facility projects as appropriate to address environmental justice policies in Chapter 2: Community Involvement.

**Policy 8.33. Community knowledge and experience.** Encourage public engagement processes and strategies for larger public facility projects to include community members in identifying potential impacts, mitigation measures and community benefits.

**Policy 8.34. Resource efficiency.** Reduce the energy and resource use, waste, and carbon emissions from facilities necessary to serve designated land uses to meet adopted City goals and targets.

**Policy 8.35. Natural systems.** Protect, enhance, and restore natural systems and features for their infrastructure service and other values.

**Policy 8.36. Context-sensitive infrastructure.** Design, improve, and maintain public rights-of-way and facilities in ways that are compatible with, and that minimize negative impacts on, their physical, environmental, and community context.

**Policy 8.38. Age-friendly public facilities.** Promote public facility designs that make Portland more age-friendly.

**294.Finding:** The City Council interprets policies 8.31 through 8.38 provide direction on the associated public benefits that should be considered in conjunction with investment in public facilities and services within the City of Portland's Urban Services Boundary. The RIP amendments do not include new public facility or infrastructure projects. These policies do not apply.

### Public rights-of-way

**Policy 8.39. Interconnected network.** Establish a safe and connected rights-of-way system that equitably provides infrastructure services throughout the city.

**Policy 8.40. Transportation function.** Improve and maintain the right-of-way to support multimodal

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transportation mobility and access to goods and services as is consistent with the designated street classification.

**Policy 8.41. Utility function.** Improve and maintain the right-of-way to support equitable distribution of utilities, including water, sanitary sewer, stormwater management, energy, and communications, as appropriate.

**Policy 8.42. Stormwater management function.** Improve rights-of-way to integrate green infrastructure and other stormwater management facilities to meet desired levels-of-service and economic, social, and environmental objectives.

**Policy 8.43. Trees in rights-of-way.** Integrate trees into public rights-of-way to support City canopy goals, transportation functions, and economic, social, and environmental objectives.

**295. Finding:** Policies 8.39 through 8.43 largely relate to the City’s role in establishing design standards for public improvements in and connectivity and management of the rights-of-way to ensure optimal utilization and achievement of multiple objectives for development in these spaces. Within the context of the RIP amendments, these policies apply to the degree that private development is required to upgrade and extend services when needed, dedicate requisite right of way to meet street design standards based on the roadway classification, and construct or install other improvements as necessary and proportionate to the level of impact from the development. The RIP amendments are consistent with these policies since new private development will be reviewed against water (Title 21), sanitary sewer and stormwater management (Title 17) standards to ensure those utility requirements are met prior to construction commencing. Title 11 requires that street trees are preserved and or planted as part of new development and major alterations (value greater than \$25,000). Moreover, new development is required to pay systems development charges which are collected to improve the capacity and function of the overall system.

Policy 8.40 seeks to improve and maintain a multi-modal transportation network. Since Portland’s founding, improvement of local streets has been the responsibility of the adjacent property owners. This has historically been achieved either by a single property owner through a public works permit or through a Local Improvement District (LID), which involves funding from multiple property owners. Council adopted changes to the Local Transportation Improvement Charge (LTIC) on June 24, 2020 (Ord. No 190017) which allows funds to be collected as development occurs on un- and under-improved local streets from the middle housing types in the RIP amendments. Collection of these funds allows improvements to occur in a holistic, efficient, and comprehensive project based on criteria that equitably provides infrastructure services throughout the city. The RIP amendments do not include changes to these other city titles, and are therefore consistent with these policies.

**Policy 8.44. Community uses.** Allow community use of rights-of-way for purposes such as public gathering space, events, or temporary festivals, if the community uses are integrated in ways that balance and minimize conflict with the designated through movement and access roles of rights-of-ways.

**Policy 8.45. Pedestrian amenities.** Encourage facilities that enhance pedestrian enjoyment, such as transit shelters, garbage containers, benches, etc. in the right-of-way.

**Policy 8.46. Commercial uses.** Accommodate allowable commercial uses of the rights-of-way for enhancing commercial vitality, if the commercial uses can be integrated in ways that balance and minimize conflict with the other functions of the right-of-way.

**Policy 8.47. Flexible design.** Allow flexibility in right-of-way design and development standards to

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appropriately reflect the pattern area and other relevant physical, community, and environmental contexts and local needs.

**8.47.a.** Use a variety of transportation resources in developing and designing projects for all City streets, such as the City of Portland’s Pedestrian Design Guide, Bicycle Master Plan- Appendix A, NACTO Urban Bikeway Design Guide, NACTO Urban Street Design Guide, Portland Parks and Recreation Trail Design Guidelines, Designing for Truck Movements and Other Large Vehicles, and City of Portland Green Street Policy, Stormwater Management Manual, Design Guide for Public Street Improvements, and Neighborhood Greenways. (TSP objective 8.1.e.).

**Policy 8.48. Corridors and City Greenways.** Ensure public facilities located along Civic Corridors, Neighborhood Corridors, and City Greenways support the multiple objectives established for these corridors.

**296. Finding:** Policies 8.44 through 8.48 largely relate to the City’s role in establishing design standards for public improvements in and management of the rights-of-way to ensure optimal utilization and achievement of multiple objectives for development in these spaces. Unlike the previous policies in which the city shares a role with adjacent property development, these policies are wholly the responsibility of the City as right of way manager. The RIP amendments do not include changes or new directives to how the city manages rights of way. These policies do not apply.

**Policy 8.49. Coordination.** Coordinate the planning, design, development, improvement, and maintenance of public rights-of-way among appropriate public agencies, private providers, and adjacent landowners.

**8.49.a.** Coordination efforts should include the public facilities necessary to support the uses and functions of rights-of-way, as established in policies 8.40 to 8.46.

**8.49.b.** Coordinate transportation and stormwater system plans and investments, especially in unimproved or substandard rights-of-way, to improve water quality, public safety, including for pedestrians and bicyclists, and neighborhood livability.

**297. Finding:** Policy 8.49 seeks to improve coordination to better optimize performance and efficiency while achieving multiple objectives in policies 8.40 through 8.46. Since Portland’s founding, improvement of local streets has been the responsibility of the adjacent property owners. This has historically been achieved either by a single property owner through a public works permit or through a Local Improvement District (LID), which involves funding from multiple property owners. Council adopted changes to the Local Transportation Improvement Charge (LTIC) on June 24, 2020 (Ord. No 190017) which allows funds to be collected as development occurs on un- and under-improved local streets from the middle housing types in the RIP amendments. Collection of these funds allows improvements to occur in a holistic, efficient, and comprehensive project based on criteria that equitably provides infrastructure services throughout the city. The RIP amendments do not include changes to LTIC or other city titles that regulate the planning, design, development, improvement, and maintenance of public rights-of-way, and are therefore consistent with these policies.

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

**298. Finding:** Policy 8.50 seeks to promote undergrounding of certain utilities. The focus of this policy is on Centers and Corridors of which the RIP zones comprise a very small amount (6% and 14%

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respectively). In addition, the conditions needed to underground utilities requires either a larger capital project, or very long site frontage, since undergrounding only a short segment would not reduce (and may actually increase) the number of utility poles. The RIP amendments do not include changes to utility undergrounding requirements. These policies do not apply.

**Policy 8.51. Right-of-way vacations.** Maintain rights-of-way if there is an established existing or future need for them, such as for transportation facilities or for other public functions established in policies 8.40 to 8.46.

**Policy 8.52. Rail rights-of-way.** Preserve existing and abandoned rail rights-of-way for future rail or public trail uses.

**299.Finding:** Policies 8.51 and 8.52 apply when considering vacating rights of way and reverting ownership to the adjacent landowners. The RIP amendments do not include or contemplate any right of way vacations. These policies do not apply.

## Trails

**Policy 8.53. Public trails.** Establish, improve, and maintain a citywide system of public trails that provide transportation and/or recreation options and are a component of larger network of facilities for bicyclists, pedestrians, and recreational users.

**Policy 8.54. Trail system connectivity.** Plan, improve, and maintain the citywide trail system so that it connects and improves access to Portland's neighborhoods, commercial areas, employment centers, schools, parks, natural areas, recreational facilities, regional destinations, the regional trail system, and other key places that Portlanders access in their daily lives.

**Policy 8.55. Trail coordination.** Coordinate planning, design, improvement, and maintenance of the trail system among City agencies, other public agencies, non-governmental partners, and adjacent landowners.

**Policy 8.56. Trail diversity.** Allow a variety of trail types to reflect a trail's transportation and recreation roles, requirements, and physical context.

**Policy 8.57. Public access requirements.** Require public access and improvement of public trails along the future public trail alignments shown in Figure 8-2 — Future Public Trail Alignments.

**Policy 8.58. Trail and City Greenway coordination.** Coordinate the planning and improvement of trails as part of the City Greenways system.

**Policy 8.59. Trail and Habitat Corridor coordination.** Coordinate the planning and improvement of trails with the establishment, enhancement, preservation, and access to habitat corridors.

**Policy 8.60. Intertwine coordination.** Coordinate with the Intertwine Alliance and its partners, including local and regional parks providers, to integrate Portland's trail and active transportation network with the bi-state regional trail system.

**300.Finding:** The City Council interprets policies 8.53 through 8.60 to apply to designated trails. While designated trail alignments are included in public rights of way within RIP zones, the RIP amendments do not include any sites with designated trails. These policies do not apply.

## Sanitary system

**Policy 8.61. Sewer connections.** Require all developments within the city limits to be connected to sanitary sewers unless the public sanitary system is not physically or legally available per City Code and state requirements; or the existing onsite septic system is functioning properly without failure or

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complaints per City Code and state requirements; and the system has all necessary state and county permits.

**301.Finding:** This policy is ensured through Title 25, Plumbing Regulations and verified at the time of development permit application. The RIP amendments do not alter or affect this Title's requirements.

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

**302.Finding:** BES reviewed their combined systems in consideration of the RIP amendments and changes to forecasted household allocation and found that adequate capacity exists in the system to accommodate the level of anticipated development, in order to limit combined sewer overflows.<sup>93</sup>

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

**303.Finding:** BES reviewed their sanitary sewer systems in consideration of the RIP amendments and changes to forecasted household allocation and found that adequate capacity exists in the system to accommodate the level of anticipated development. Continued programs to limit stormwater inflow and infiltration will increase capacity where needed to prevent sewage releases.

**Policy 8.64. Private sewage treatment systems.** Adopt land use regulations that require any proposed private sewage treatment system to demonstrate that all necessary state and county permits are obtained.

**304.Finding:** No private sewage treatment systems are proposed, or anticipated with the RIP amendments. Should such facility be proposed or required, existing land use regulations for conditional uses applicable in the single-dwelling zones would apply to require such permits are obtained.

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

**305.Finding:** Council interprets this policy to apply to Capital Improvement Project prioritization and planning. The RIP amendments do not affect current capital project priorities, but are consistent with development in already developed areas with urban levels of densities, rather than directing development to areas that are largely unserved.

**Policy 8.66. Pollution prevention.** Reduce the need for wastewater treatment capacity through land use programs and public facility investments that manage pollution as close to its source as practical and that reduce the amount of pollution entering the sanitary system.

**306.Finding:** BES reviewed their sanitary sewer systems in consideration of the RIP amendments and changes to forecasted household allocation and found that adequate capacity exists in the system to accommodate the level of anticipated development. Continued programs to limit stormwater inflow and infiltration will increase capacity where needed to reduce the need for wastewater treatment capacity.

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

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<sup>93</sup> Memorandum from Fred MacGregor, et. al., BES to Morgan Tracy, RIP Project Manager, March 6, 2020

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**307.Finding:** BES reviewed their sanitary sewer systems in consideration of the RIP amendments and changes to forecasted household allocation and found that adequate capacity exists in the system to accommodate the level of anticipated development without the need to expand the wastewater treatment facilities beyond what is already included in the Citywide Systems Plan in support of the 2035 Comprehensive Plan.

The City has two wastewater treatment plants: Columbia Boulevard, which serves the majority of the city, and Tryon Creek which services about 3,000 acres in and around southwest Portland. An October 2, 1979 rezoning study was introduced into the record that identifies the Tryon Creek interceptor as the limiting link in the provision of sanitary sewers for the area East of SW 45<sup>th</sup>. At the time, sewers were not available in this area but were being planned. Since then several additional studies have been conducted, including the most recent May 3, 2010 Tryon Basin Study Area Sewer Hydraulics Characterization technical memo. The memo concludes that the peak wet weather instantaneous flow to the TCWTP appears to be at or above plant capacity under current conditions. If infiltration/inflow (I/I) reduction is the best option to reduce flow to the TCTWP, a comprehensive flow monitoring plan is recommended to develop a better understanding of the I/I distribution in the ADK812 FE Catchment and the Tryon Interceptor. The analysis should include a review of the permanent depth monitor data at ADK812 and additional temporary monitoring along the Interceptor. Monitoring should occur during the wet season (October to March). Any I/I reduction plan should include post project monitoring to determine the effectiveness of I/I reduction projects. Moreover, the adopted Citywide Systems Plan includes a number of recommendations including strategies to increase the designed capacity of the TCTWP from 37.5 million gallons/day to 50 million gallons per day to address the forecasted growth.

## Stormwater Systems

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

**308.Finding:** “Adequate” is defined as satisfactory or acceptable in quality or quantity. In this regard, this policy seeks stormwater facilities that exist, that regulate flow, and reduce pollution. BES manages a complex network of pipes and ditches, streams and wetlands, engineered facilities, drainageways, and infrastructure to convey, detain, and treat stormwater runoff. In areas that were developed prior to being annexed to the City of Portland, development standards and regulations were not as comprehensive as they are today. The result is stormwater systems that are fragmented, incomplete, and in some cases in poor condition.

The RIP amendments do not alter this underlying condition, and provisions such as maintaining current building coverage limits, instituting new building size limits, and removing parking mandates are all elements that improve outcomes between the 2035 Comprehensive Plan zoning and RIP. RIP further removes development incentives in the form of additional FAR and units in areas with landslide potential, flood plains, and natural resource areas which correlate with natural drainageways by applying a “z” Constrained Sites overlay. These measures further improve stormwater outcomes by avoiding increased development activity in areas that are difficult to improve the stormwater service condition. RIP additionally directs more future growth to areas with stormwater infrastructure already intact with roughly 2,000 fewer households locating in the west hills, where stormwater infrastructure systems are more fragmented.

BES continues to address the backlog of needed stormwater system improvements. This work is likely going to continue well past the 2035 planning period. Nevertheless, in consideration of this finding and the findings contained in Goal 8.E and State goal 12, the RIP amendments help reduce



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impacts from the current zoning allowances, and stormwater adequacy for conveyance, flow control, and pollution reduction will continue to be required as development and redevelopment occurs through the Stormwater Management Manual and Title 17.

**Policy 8.69. Stormwater as a resource.** Manage stormwater as a resource for watershed health and public use in ways that protect and restore the natural hydrology, water quality, and habitat of Portland's watersheds.

**309.Finding:** This policy is ensured through application of the City's Stormwater Management Manual. Stormwater management is critical to maintaining and enhancing the City's livability and improving watershed health. The Stormwater Management Manual (SWMM) allows the City of Portland to protect both watershed resources and infrastructure investments with every development or improvement. Implementing the requirements in this manual helps protect Portland's water resources, which in turn will provide great benefit to human health, fish and wildlife habitat, recreational resources, and drinking water. The RIP amendments do not change the applicability of the SWMM and projects built under the new zoning rules continue to be subject to those standards. As each project meets the requirements of this manual, it will contribute to achieving these important citywide goals. City Council further incorporates the findings of Chapter 7 relating to watershed health and stormwater as relevant findings here.

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

**310.Finding:** This policy is ensured through application of the City's Stormwater Management Manual as well as the City's environmental zoning program and regulations. The RIP amendments contribute to this policy by limiting the amount of development on sites with natural resources through application of the 'z' overlay zone.

**Policy 8.71. Green infrastructure.** Promote the use of green infrastructure, such as natural areas, the urban forest, and landscaped stormwater facilities, to manage stormwater.

**311.Finding:** The City's Stormwater Management Manual uses green infrastructure and other bio-mimicry engineering solutions as a preferred way to manage stormwater. The RIP amendments do not change the applicability or hierarchy of the SWMM.

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

**312.Finding:** This policy is ensured through application of the City's Stormwater Management Manual. Stormwater management is critical to maintaining and enhancing the City's livability and improving watershed health. The Stormwater Management Manual (SWMM) allows the City of Portland to protect both watershed resources and infrastructure investments with every development or improvement including those allowed by these RIP amendments. City Council further incorporates the findings of Chapter 7 relating to watershed health and stormwater as relevant findings here.

**Policy 8.73. On-site stormwater management. Encourage on-site stormwater management, or management as close to the source as practical, through land use decisions and public facility investments.**

**313.Finding:** This policy is ensured through application of the City's Stormwater Management Manual. Stormwater management is critical to maintaining and enhancing the City's livability and improving watershed health. The Stormwater Management Manual (SWMM) allows the City of Portland to protect both watershed resources and infrastructure investments with every development or

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improvement including those allowed by these RIP amendments and encourages on-site stormwater management, or management as close to the source as practical.

**Policy 8.74. Pollution prevention.** Coordinate policies, programs, and investments with partners to prevent pollutants from entering the stormwater system by managing point and non-point pollution sources through public and private facilities, local regulations, and education.

**Policy 8.75. Stormwater partnerships.** Provide stormwater management through coordinated public and private facilities, public-private partnerships, and community stewardship.

**314.Finding:** The City Council interprets policies 8.74 through 8.75 to apply to the provision of stormwater facilities. Stormwater is conveyed through the combined sewer system, pipes, ditches, or drainageways to streams and rivers. In some cases, stormwater is managed in detention facilities, other vegetated facilities, or allowed to infiltrate in natural areas. The Citywide Systems Plan includes projects to address facilities needed for conveyance, flow control and pollution reduction. Environmental Services evaluates development proposals that increase impervious area (including buildings and hardscape) against the 2015 Stormwater Management Manual (SWMM) and Source Control Manual to effectively comply with local, state and federal point and non-point pollution water quality mandates. BES additionally conducts watershed restoration projects in conjunction with other partner organizations and manages education programs designed to improve community stewardship. The RIP amendments do not amend SWMM or Source Control Manual requirements, nor change BES programs or projects. Therefore, these policies are met.

### Flood management

**Policy 8.76. Flood management.** Improve and maintain the functions of natural and managed drainageways, wetlands, and floodplains to protect health, safety, and property, provide water conveyance and storage, improve water quality, and maintain and enhance fish and wildlife habitat.

**Policy 8.77. Floodplain management.** Manage floodplains to protect and restore associated natural resources and functions and to minimize the risks to life and property from flooding.

**Policy 8.78. Flood management facilities.** Establish, improve, and maintain flood management facilities to serve designated land uses through planning, investment and regulatory requirements.

**Policy 8.79. Drainage district coordination.** Coordinate with drainage districts that provide stormwater management, conveyance, and flood mitigation, protection, and control services within the City's Urban Services Boundary.

**Policy 8.80. Levee coordination.** Coordinate plans and investments with special districts and agencies responsible for managing and maintaining certification of levees along the Columbia River.

**315.Finding.** The City Council interprets policies 8.76 through 8.80 to apply to the management of floodplains. The RIP amendments include a new Constrained Sites Overlay Zone ('z') which restrict additional housing types on sites located within the FEMA 100-year floodplain. This helps reduce the asset risk in flood prone areas by decreasing the maximum allowable FAR and limits the introduction of more households to these areas. Moreover, for sites in flood prone areas, the RIP amendments do not amend the environmental overlay maps, nor do they change City programs that regulate development in the floodplain (i.e., Title 33.631 Sites in Flood Hazard Areas; Title 10 Erosion Control, and the balanced cut and fill requirements of Title 24). In so doing, the amendments improve or maintain the functions of natural and managed drainageways, wetlands, and floodplains to protect health, safety, and property. They do not affect other regulations or projects that provide for flood water conveyance and storage, improve water quality, and maintain

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and enhance fish and wildlife habitat. City Council further incorporates the findings of Chapter 7 relating to stormwater hydrology, water quality, natural hazards and habitat as relevant findings here.

### **Water systems**

**Policy 8.81. Primary supply source.** Protect the Bull Run watershed as the primary water supply source for Portland.

**Policy 8.82. Bull Run protection.** Maintain a source-protection program and practices to safeguard the Bull Run watershed as a drinking water supply.

**Policy 8.83. Secondary supply sources.** Protect, improve, and maintain the Columbia South Shore wellfield groundwater system, the Powell Valley wellfield groundwater system, and any other alternative water sources designated as secondary water supplies.

**Policy 8.84. Groundwater wellfield protection.** Maintain a groundwater protection program and practices to safeguard the Columbia South Shore wellfield and the Powell Valley wellfield as drinking water supplies.

**Policy 8.85. Water quality.** Maintain compliance with state and federal drinking water quality regulations.

**316. Finding.** Policies 8.81 through 8.85 are addressed through the requirements in Title 21 Water. Protections for the Bull Run watershed are enumerated in Chapter 21.36. Groundwater wellfield protections are ensured through regulations in Chapter 21.35. And water quality is locally regulated by Chapter 21.12, as well as Title 25 Plumbing Regulations, in addition to compliance mandates at the state and federal level. These policies are all unaffected by the RIP amendments.

**Policy 8.86. Storage.** Provide sufficient in-city water storage capacity to serve designated land uses, meet demand fluctuations, maintain system pressure, and ensure supply reliability.

**Policy 8.87. Fire protection.** Provide adequate water facilities to serve the fire protection needs of all Portlanders and businesses.

**Policy 8.88. Water pressure.** Provide adequate water facilities to maintain water pressure in order to protect water quality and provide for the needs of customers.

**Policy 8.89. Water efficiency.** Reduce the need for additional water facility capacity and maintain compliance with state water resource regulations by encouraging efficient use of water by customers within the city.

**Policy 8.90. Service interruptions.** Maintain and improve water facilities to limit interruptions in water service to customers.

**317. Finding.** The City Council interprets policies 8.86 through 8.90 to apply to the provision of water service. As shown in the RIP capacity and growth allocation model, the RIP amendments affect the spatial distribution of where new households will locate. Growth is largely anticipated in service areas that can serve the projected increase. Three service areas where deficiencies were noted in the CSP were found to have increases in households (between 20 and 54 added units). The Water Bureau engineering staff has evaluated the impact from these additional units and found that there was no measurable effect to water quality, capacity, fire protection or pressure<sup>94</sup>. New

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<sup>94</sup> Memorandum from Mike Saling, PWB to Morgan Tracy, RIP Project Manager, December 3, 2019

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development may be required to extend service where no service is presently available or upgrade water mains when development requires larger water meter sizes.

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

318. Policy 8.91 relates to wholesale contracts to other water districts. This policy is not impacted by the RIP amendments.

## Parks and recreation

**Policy 8.92. Acquisition, development, and maintenance.** Provide and maintain an adequate supply and variety of parkland and recreational facilities to serve the city's current and future population based on identified level-of-service standards and community needs.

**Policy 8.93. Service equity.** Invest in acquisition and development of parks and recreation facilities in areas where service-level deficiencies exist.

**Policy 8.94. Capital programming.** Maintain a long-range park capital improvement program, with criteria that considers acquisition, development, and operations; provides opportunities for public input; and emphasizes creative and flexible financing strategies.

**Policy 8.95. Park planning.** Improve parks, recreational facilities, natural areas, and the urban forest in accordance with current master plans, management plans, or adopted strategies that reflect user group needs, development priorities, development and maintenance costs, program opportunities, financing strategies, and community input.

**Policy 8.96. Recreational trails.** Establish, improve, and maintain a complete and connected system of public recreational trails, consistent with Portland Parks & Recreation's trail strategy.

**Policy 8.97. Natural resources.** Preserve, enhance, and manage City-owned natural areas and resources to protect and improve their ecological health, in accordance with both the natural area acquisition and restoration strategies, and to provide compatible public access.

**Policy 8.98. Urban forest management.** Manage urban trees as green infrastructure with associated ecological, community, and economic functions, through planning, planting, and maintenance activities, education, and regulation.

**Policy 8.99. Recreational facilities.** Provide a variety of recreational facilities and services that contribute to the health and well-being of Portlanders of all ages and abilities.

**Policy 8.100. Self-sustaining Portland International Raceway (PIR).** Provide for financially self-sustaining operations of PIR, and broaden its programs and activities to appeal to families, diverse communities, and non-motorized sports such as biking and running.

**Policy 8.101. Self-sustaining and inclusive golf facilities.** Provide financially self-sustaining public golf course operations. Diversify these assets to attract new users, grow the game, provide more introductory-level programming, and expand into other related recreational opportunities such as foot golf and disk golf.

**Policy 8.102. Specialized recreational facilities.** Establish and manage specialized facilities within the park system that take advantage of land assets and that respond to diverse, basic, and emerging recreational needs.

**Policy 8.103. Public-private partnerships.** Encourage public-private partnerships to develop and operate publicly-accessible recreational facilities that meet identified public needs.

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**319.Finding:** The City Council interprets policies 8.92 through 8.103 to address City-owned parks and natural areas and not development on private land. The RIP amendments do not change current parks and recreation programs. Therefore, these policies do not apply. Testimony was received suggesting that the RIP amendments would lead to overcrowding and overuse of park facilities, though no specific park or service deficiency was identified. Portland Parks & Recreation strives to serve all Portlanders, and the park system needs to respond to population growth and recreational trends. While the park system needs to have the capacity to continue serving the large number of Portlanders using parks and recreation programs, Portland Parks & Recreation is also working to deliver equitable access to parks and recreation facilities geographically across the city. These level of service goals are outlined in the Portland Parks & Recreation Vision 2020 and include the goals to have 100% of households within ½ mile walk of a park or natural area. Roughly 96% of RIP zoned lots meet this goal currently. Therefore, providing for additional housing opportunities within these existing lots is one way to achieve this service goal more efficiently. The Citywide systems plan identifies a number of strategies and plans that the Portland Parks Bureau will undertake within the planning period to address current and projected park user demands. The City assesses a Park Systems Development Charge (SDC) on new residential and commercial construction to partially offset the costs associated with providing park services to new development. The RIP amendments provide more opportunities for additional ADU creation which could impact the collection of SDC's, but Council through its adoption of these waivers has already determined that the provision of lower cost long-term residences has greater benefits and value than collection of SDC's in these cases. Other housing types allowed by the RIP amendments will continue to be subject to SDC collection.

Policy 8.98 relates to Urban Forest management including regulation. The RIP amendments do not change current Title 11 Tree Code rules, and development activities conducted in accordance with the RIP amendments will be subject to those existing rules.

### **Public safety and emergency response**

**Policy 8.104. Emergency preparedness, response, and recovery coordination.** Coordinate land use plans and public facility investments between City bureaus, other public and jurisdictional agencies, businesses, community partners, and other emergency response providers, to ensure coordinated and comprehensive emergency and disaster risk reduction, preparedness, response, and recovery.

**Policy 8.105. Emergency management facilities.** Provide adequate public facilities – such as emergency coordination centers, communications infrastructure, and dispatch systems – to support emergency management, response, and recovery.

**Policy 8.106. Police facilities.** Improve and maintain police facilities to allow police personnel to efficiently and effectively respond to public safety needs and serve designated land uses.

**Policy 8.107. Community safety centers.** Establish, coordinate, and co-locate public safety and other community services in centers.

**Policy 8.108. Fire facilities.** Improve and maintain fire facilities to serve designated land uses, ensure equitable and reliable response, and provide fire and life safety protection that meets or exceeds minimum established service levels.

**Policy 8.109. Mutual aid.** Maintain mutual aid coordination with regional emergency response providers as appropriate to protect life and ensure safety.

**Policy 8.110. Community preparedness.** Enhance community preparedness and capacity to prevent, withstand, and recover from emergencies and natural disasters through land use decisions and public

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facility investments.

**Policy 8.111. Continuity of operations.** Maintain and enhance the City's ability to withstand and recover from natural disasters and human-made disruptions in order to minimize disruptions to public services.

**320.Finding:** The City Council interprets policies 8.104 through 8.111 to address the provision of public safety and emergency response services and facilities, and are addressed in Chapter 10 of the CSP. Under day-to-day circumstances, emergency response infrastructure is utilized by bureaus in the City's four-legged stool of emergency response – the Portland Police Bureau (PPB), Portland Fire and Rescue (PF&R), the Bureau of Emergency Communications (BOEC), and the Portland Bureau of Emergency Management (PBEM). This emergency response system places BOEC as the first point of contact for emergency calls, with dispatchers then directing incidents to PPB or PF&R depending on the situation. When incidents or events require the involvement of additional City bureaus, PBEM steps in to coordinate emergency response on a broader scale.

Disaster response and preparedness, including community preparedness, an assessment and planning for adequate emergency management facilities and continuity of operations for City services, is primarily handled through the coordination efforts of PBEM and are not affected by RIP amendments.

The Police Bureau is primarily responsible for Police and community safety center facilities. The RIP amendments provide for more capacity for housing closer to centers where community safety facilities are prioritized by Policy 8.107. Police response is handled through BOEC dispatch to patrols which already service the areas included in the RIP amendments and are thus not affected by these amendments.

The Fire Bureau is responsible for fire facilities planning and maintenance. The 2007 Portland Fire Code, which is based on the 2007 Oregon Fire Code and the International Fire Code (IFC), is implemented by the City of Portland Fire Marshall and provides development and design guidelines to reduce loss of life and property due to fire. The Fire Bureau reviews land use legislative changes to ensure that facilities planning and needs are adequately accounted for to ensure equitable and reliable response. The Fire Bureau has provided feedback related to the RIP amendments in response to emergency access, which was addressed previously in Goal 8.I. Therefore the RIP amendments do not impact these Policies.

### **Solid waste management**

**Policy 8.112. Waste management.** Ensure land use programs, rights-of-way regulations, and public facility investments allow the City to manage waste effectively and prioritize waste management in the following order: waste reduction, recycling, anaerobic digestion, composting, energy recovery, and then landfill.

**321.Finding:** The RIP amendments help advance this policy by prioritizing waste reduction over the life cycle of a home. According to the DEQ Life Cycle Analysis, for Climate Change Impact, the use of the home contributes about 86% of the total impact due to energy use (space and water heating, electricity consumption); materials production contributes 14%; followed by the construction, maintenance, and demolition phases which contribute a combined 2%. Although the environmental benefits of the practices evaluated appear to be waste related, much of the environmental benefit from many of these practices are gained not through the avoidance of needing to manage waste, but rather through avoided manufacturing and production of materials and/or the potential that some such practices may also reduce energy used by the home. It is therefore essential to consider benefits that may occur over the entire life cycle of residential homes and of the materials they

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contain. The City Council interprets other aspects of this policy as addressing the provision of waste management services and not development on private land and therefore do not apply.

### School facilities

**Policy 8.113. School district capacity.** Consider the overall enrollment capacity of a school district – as defined in an adopted school facility plan that meets the requirements of Oregon Revised Statute 195 – as a factor in land use decisions that increase capacity for residential development.

**322.Finding:** David Douglas School District (DDSD) is the only school district in Portland with an adopted school facility plan. The Buildable Lands Inventory calculates available development capacity and predicts where new households will be allocated over the planning period. Comparing the default Comprehensive Plan zoning with the RIP capacity and growth allocation model, the net change to households in the David Douglas School District is a reduction of 132 units (roughly a 1% decrease from 12,000). The David Douglas School District has indicated that it can accommodate these changes into their future forecasting for their facility plan.

**Policy 8.114. Facilities Planning.** Facilitate coordinated planning among school districts and City bureaus, including Portland Parks and Recreation, to accommodate school site/facility needs in response to most up-to-date growth forecasts.

**323.Finding.** BPS routinely coordinates with school districts and city bureaus and shares data pertaining to forecasted growth and actual development activity to facilitate coordinated planning. Staff provided updates and shared relevant data with affected school districts and the Parks Bureau during the project to ensure facility needs and planning remain coordinated.

**Policy 8.115. Co-location.** Encourage public school districts, Multnomah County, the City of Portland, and other providers to co-locate facilities and programs in ways that optimize service provision and intergenerational and intercultural use.

**Policy 8.116. Community use.** Encourage public use of public school grounds for community purposes while meeting educational and student safety needs and balancing impacts on surrounding neighborhoods.

**Policy 8.117. Recreational use.** Encourage publicly-available recreational amenities (e.g. athletic fields, green spaces, community gardens, and playgrounds) on public school grounds for public recreational use, particularly in neighborhoods with limited access to parks.

**Policy 8.118. Schools as emergency aid centers.** Encourage the use of seismically-safe school facilities as gathering and aid-distribution locations during natural disasters and other emergencies.

**Policy 8.119. Facility adaptability.** Ensure that public schools may be upgraded to flexibly accommodate multiple community-serving uses and adapt to changes in educational approaches, technology, and student needs over time.

**Policy 8.120. Leverage public investment.** Encourage City public facility investments that complement and leverage local public school districts' major capital investments.

**Policy 8.121. School access.** Encourage public school districts to consider the ability of students to safely walk and bike to school when making decisions about the site locations and attendance boundaries of schools.

**Policy 8.122. Private institutions.** Encourage collaboration with private schools and educational institutions to support community and recreational use of their facilities.

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**324.Finding:** The City Council interprets policies 8.115 through 8.122 to address school facilities and not development on private land. These policies do not apply.

## Technology and communications

**Policy 8.123. Technology and communication systems.** Maintain and enhance the City’s technology and communication facilities to ensure public safety, facilitate access to information, and maintain City operations.

**Policy 8.124. Equity, capacity, and reliability.** Encourage plans and investments in technology and communication infrastructure to ensure access in all areas of the city, reduce disparities in capacity, and affordability, and to provide innovative high-performance, reliable service for Portland’s residents and businesses.

**325.Finding:** The City Council interprets policies 8.123 and 8.124 to address the provision of technology and communication services. Chapter 10 of the Citywide Systems Plan includes “other essential systems and services” with a section dedicated to “Technology systems”. Technology systems come in a multitude of forms, with a range encompassing computer hardware and software, voicemail systems, video systems, microwave radio systems and other radio equipment, and transmission towers. These systems have a direct impact upon nearly every City agency’s ability to provide services ranging from routine correspondence to emergency response. They enable City agencies to operate more efficiently, with many bureaus relying on sophisticated modeling software, monitoring systems, and databases for construction permitting, land use planning, spatial analysis, and a variety of administrative processes. Reliable, innovative technology systems play a critical role in Portland’s status as a resilient, prosperous, modern city, with many predicting that the importance of these systems will only continue to increase throughout the Comprehensive Plan’s twenty-year planning horizon. For the City, these systems are primarily handled by the Bureau of Technology Services (BTS). The Bureau of Technology Services is tasked with providing management, policy setting, strategic planning, and leadership in the use of computer, radio, and telecommunications technologies for the City. The Bureau of Technology Services is not subject to State comprehensive planning requirements to meet any specific service levels. The Citywide Systems Plan identifies opportunities for on-going maintenance and enhancements, an integrated decision-making process, along with financial strategies. All of which are outside the scope of the RIP amendments and are not impacted by them.

## Energy infrastructure

**Policy 8.125. Energy efficiency.** Promote efficient and sustainable production and use of energy resources by residents and businesses, including low-carbon renewable energy sources, district energy systems, and distributed generation, through land use plans, zoning, and other legislative land use decisions.

**326.Finding:** The RIP amendments do not amend the sections of the zoning code that regulate the production of energy or other types of energy infrastructure. The RIP amendments do reduce the total allowable amount of floor area on a site within RIP zones. This has the potential effect of reducing shading and windbreak impacts on adjacent properties, which could further promote greater passive and active solar energy use and small-scale wind power generation. Moreover, the housing created through the RIP amendments will tend to include smaller attached units which. These smaller units require far less energy to heat and use than larger houses<sup>95</sup>, which were

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<sup>95</sup> A Life Cycle Approach to Prioritizing Methods of Preventing Waste from the Residential Construction Sector in the State of Oregon, September 2010



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allowed prior to the RIP amendments. This further promotes efficient use of energy resources by residents.

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

**327.Finding:** The RIP amendments do not amend the sections of the zoning code that regulate the production of energy or other types of energy infrastructure and do not affect coordination efforts. This policy does not apply.

## Chapter 9 Transportation

**GOAL 9.A: Safety.** Transportation safety impacts the livability of a city and the comfort and security of those using City streets. Comprehensive efforts to improve transportation safety through engineering, education, enforcement and evaluation will be used to eliminate traffic-related fatalities and serious injuries from Portland’s transportation system.

**328.Finding:** PBOT is the bureau primarily charged with ensuring the improved safety of the City’s transportation network. PBOT works in conjunction with community partners and the Police Bureau to strengthen education efforts and enforce Title 16. PBOT has recently launched a new campaign, Vision Zero to eliminate traffic related fatalities. Vision Zero is a strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, equitable mobility for all. The RIP amendments do not affect these efforts or programs. Therefore Goal 9.A continues to be met.

**Goal 9.B: Multiple goals.** Portland’s transportation system is funded and maintained to achieve multiple goals and measurable outcomes for people and the environment. The transportation system is safe, complete, interconnected, multimodal, and fulfills daily needs for people and businesses.

**329.Finding:** This goal is about transportation funding and maintenance priorities. The RIP amendments provide greater housing capacity in areas already served by a complete transportation system including active transportation options<sup>96</sup>. Infill in these areas helps to reduce the burden of creating or extending the transportation network. Some areas of RIP zones currently lack multimodal or fully connected facilities. As lots in these areas develop, either gaps will be filled through incremental frontage improvements, or a charge (LTIC) will be levied to be collected for completing the local street network. Therefore Goal 9.B continues to be met.

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

**330.Finding:** This goal is about leveraging the design of the transportation system to enhance different types of places. These design classifications for these different street types are embedded in the TSP and remain unchanged by the RIP amendments. Therefore Goal 9.C continues to be met.

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

**331.Finding:** This goal is about shifting the transportation network from a fossil fuel dependent model to a less carbon intensive, lower pollution source alternative. This means prioritizing active transportation when allocating space within rights of way, and shifting the vehicle fleet and increasing ride-share and transit. The RIP amendments are supportive of these models by creating additional household capacity in areas close to centers and corridors where active transportation and transit networks already exist. The amendments also help create conditions where investments to extend these networks to currently underserved areas or fill in where the networks are fragmented can be more cost-effective by serving more households.

Council heard testimony expressing concern that removing minimum parking requirements could hamper efforts to switch to more electric vehicles. However, this is untrue for several reasons. Most notably, the RIP amendments remove the minimum parking requirement, but do not prohibit

<sup>96</sup> See map “RIP Active Transportation” April 22, 2020

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parking, and as shown in the project staff report and code commentary, different versions of parking solutions under the RIP amendments do exist. Other alternatives exist and are presently practiced by current owners of electric vehicles that do not have an on-site parking space. Charging stations in the right of way, at work destinations, or public charging stations all remain viable options<sup>97</sup>. These include parking garages, retail parking lots, at hotels, new-car dealerships, and even curbside in areas having a higher concentration of EV ownership. Tesla has established an extensive “Supercharger” network of stations at its dealerships and other locations for its own EV owners. Therefore Goal 9.D continues to be met.

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

**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.

**332.Finding:** At the heart of 9.E through 9.H is equity, which the Comprehensive Plan defines as “when everyone has access to the opportunities necessary to satisfy their essential needs, advance their well-being, and achieve their full potential.” The RIP amendments enable this by removing zoning barriers from RIP zoned lots that currently restrict housing choice to only allow single family houses. By providing for duplexes, triplexes, fourplexes, additional ADU’s and up to 6 units when meeting regulated affordability requirements expands access to the opportunities Portlanders of different needs may be seeking based on their preferred mode of transport. The transportation system will continue to evolve to respond to the variety of community needs, but it is the ability to find housing in a certain location that determines what options will be available between their origin and destination. RIP does not change planned transportation investments, but does help increase equitable access to those transportation modes. Therefore Goals 9.E through 9.G continue to be met.

**GOAL 9.H. Cost Effectiveness.** The City analyzes and prioritizes capital and operating investments to cost effectively achieve the above goals while responsibly managing and protecting our past investments in existing assets.

**333.Finding:** The State Transportation Planning Rule (TPR) requires each Transportation System Plan (TSP) to include a financing program. This financial plan is designed to meet the State requirements for a financing program, as well as to establish a financial framework for making investment choices in the City’s transportation system over the next 20 years.

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<sup>97</sup> “What If You Want to Drive an Electric Vehicle But Don’t Have a Garage?”, Jim Gorzelany, EV Magazine, April 2019.

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The financial plan allows jurisdictions to assess the adequacy of existing and possible new funding mechanisms to improve elements of the transportation system. As required by the TPR, the financial plan is linked with the TSP's transportation system improvements, which includes planned transportation projects and programs.

The TSP financial plan presents three financial scenarios that respond to a range of existing and potential new revenue sources and forecasts. The three scenarios provide a context for the cost and number of transportation improvements that may be implemented over the 20-year timeframe of the TSP.

Another principle guiding the financial plan is the importance of maintenance and system operations needs as well as capital improvement planning. Stewardship is one of the TSP's themes. Stewardship means proactive management of Portland's transportation system through the efficient use of resources, non-capital solutions to transportation needs, and innovative approaches to infrastructure management.

As demonstrated in the findings for Statewide Planning Goal 12 (Transportation) the RIP amendments do not significantly impact key facilities on the surrounding transportation system. The transportation impacts of the RIP amendments were evaluated by the Portland Bureau of Transportation (PBOT)<sup>98</sup>. The analysis found that the RIP amendments will add little traffic on to the roadways on the ODOT/PBOT list of "Hot Spot" transportation facilities identified in City's 2035 Comprehensive Plan process. The RIP amendments also create more zoning capacity in areas with greater access to jobs, high-quality schools, parks and other amenities, reducing the need to drive and increasing use of less-costly active transportation modes. The RIP amendments do not alter or affect the TSP financial plan or scenarios nor add new capital projects, therefore Goal 9.H continues to be met.

**GOAL 9.I. Airport Futures.** Promote a sustainable airport (Portland International Airport [PDX]) by meeting the region's air transportation needs without compromising livability and quality of life for future generations.

**334.Finding:** The goals 9.I applies to the Portland International Airport and is not affected by the RIP Amendments. Therefore, this Goal is not applicable

## Designing and planning

**Policy 9.1. Street design classifications.** Maintain and implement street design classifications consistent with land use plans, environmental context, urban design pattern areas, and the Neighborhood Corridor and Civic Corridor Urban Design Framework designations.

**335.Finding:** The Transportation System Plan includes and implements the street design classifications consistent with planned land uses, environmental context, urban design pattern areas, and the Neighborhood Corridor and Civic Corridor Urban Design Framework designations. The RIP amendments do not change these classifications. Approximately 92% of the RIP zoned parcels are on local street designations. These streets are intended to distribute local traffic and provide access to local residences or commercial uses. The anticipated land use and development should discourage auto-oriented land uses from using Local Service Traffic Streets as their primary access. Auto oriented development is defined in the TSP as Development that is either: 1) auto-related (such as gas stations and auto repair shops) or 2) auto-accommodating (by its design attracts primarily customers and employees arriving by automobile, such as drive-in restaurants). The

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<sup>98</sup> PBOT Memorandum from Bob Kellett to Morgan Tracy, March 1, 2019

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housing types allowed by the RIP amendments are not auto-oriented uses, and are therefore consistent with the street design classifications in the TSP.

**Policy 9.2. Street policy classifications.** Maintain and implement street policy classifications for pedestrian, bicycle, transit, freight, emergency vehicle, and automotive movement, while considering access for all modes, connectivity, adjacent planned land uses, and state and regional requirements.

**9.2.a.** Designate district classifications that emphasize freight mobility and access in industrial and employment areas serving high levels of truck traffic and to accommodate the needs of intermodal freight movement.

**9.2.b.** Designate district classifications that give priority to pedestrian access in areas where high levels of pedestrian activity exist or are planned, including the Central City, Gateway regional center, town centers, neighborhood centers, and transit station areas.

**9.2.c.** Designate district classifications that give priority to bicycle access and mobility in areas where high levels of bicycle activity exist or are planned, including Downtown, the River District, Lloyd District, Gateway Regional Center, town centers, neighborhood centers, and transit station areas.

**336.Finding:** The Transportation System Plan includes and implements the street policy classifications for pedestrian, bicycle, transit, freight, emergency vehicle, and automotive movement, that consider access for all modes, connectivity, adjacent planned land uses, and state and regional requirements. The RIP amendments do not change these classifications.

**Policy 9.3. Transportation System Plan.** Maintain and implement the Transportation System Plan (TSP) as the decision-making tool for transportation-related projects, policies, programs, and street design.

**337.Finding:** The first update to the Transportation System Plan was completed and adopted by City Council on October 13, 2004 (effective date, November 12, 2004; Ordinance Nos. 178815 and 178826). The second update was completed and adopted by City Council on April 5, 2007 (effective date, May 5, 2007; Ordinance No 180871). While primarily technical in nature, this update also included new policy language to implement the City's Green Street Policy. Stage 1 TSP Update was a part of the City's Comprehensive Plan update process and a component of the State's Periodic Work Plan Task 4. It included Goals, Policies, Projects and Programs and a Financial Plan. It was adopted by City Council in June 2016. The Stage 2 TSP Update was a part of the City's Comprehensive Plan update and changes were made to implement the Comprehensive Plan, as well as reflect adopted plans and classification changes since the last update in 2007, Periodic Work Plan Task 5. It was adopted by City Council in December 2016. TSP Stage 3 TSP Update incorporated regional information; updated geographic policies and objectives; updated objectives; added a few policies; changed the street classification for traffic, transit and emergency response; modal plans; and other changes as identified.

The RIP amendments do not include changes to the TSP list of projects. Development and its related street improvements and right of way dedications will continue to be subject to the design requirements set forth in the TSP either directly as part of the building permit review process, or when LTIC funds are committed to local street improvement projects. Therefore Policy 9.3 continues to be met.

**Policy 9.4. Use of classifications.** Plan, develop, implement, and manage the transportation system in

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accordance with street design and policy classifications outlined in the Transportation System Plan.

**9.4.a.** Classification descriptions are used to describe how streets should function for each mode of travel, not necessarily how they are functioning at present.

**338.Finding:** The RIP amendments do not change the functional classification of any existing or proposed transportation facility, nor do they change the standards implementing a functional classification system, or amend the TSP. Subsequent development on RIP zoned parcels will be required to meet the development standards in Title 17 and its implementing rules which are developed in accordance with the TSP.

**Policy 9.5. Mode share goals and Vehicle Miles Travelled (VMT) reduction.** Increase the share of trips made using active and low-carbon transportation modes. Reduce VMT to achieve targets set in the most current Climate Action Plan and Transportation System Plan and meet or exceed Metro’s mode share and VMT targets.

**339.Finding:** Council interprets this policy to mean reducing the share of single occupant motor vehicle trips through actions, investments, and plans that either encourage use of other modes, for example the Bicycle Parking Project, or discouraging the use of single occupant vehicle use. Specific goals for mode share are stated in policy 9.49. The Climate action plan seeks by 2030 to reduce single occupant commutes by 39 percent and reduce daily per capita vehicle miles traveled in Multnomah County by 30 percent from 2008 levels<sup>99</sup>.

The RIP amendments include strategies to increase the share of trips made using active and low-carbon transportation modes. These serve to improve mode split performance and limit traffic impacts which were not able to be incorporated into the traffic analysis model. These strategies include:

- Eliminating minimum off-street parking requirements for residential uses in single dwelling zones, a recognized transportation demand management strategy in the Transportation Planning Rule<sup>100</sup>.
- Limiting garages and parking through siting and design regulations, which deprioritize private automobile convenience and use, making other modes potentially more attractive.
- Requiring that development of 3 or more units occur on paved streets accepted for maintenance. These streets are generally closer to being more complete in terms of multi-modal design, to encourage the use of other modes (e.g. walking, biking or rolling) than unmaintained gravel streets.
- Allowing for more compact development which can better support area businesses and transit use by reducing the distances required for travel to meet daily needs.
- Increasing development capacity in areas well-served by transit and existing and planned bike and pedestrian infrastructure. 94 percent of the parcels in RIP zones that allow 3 or more units are located within ¼ mile of transit. Most areas are in close proximity to neighborhood greenways as well.<sup>101</sup>

**Policy 9.6. Transportation strategy for people movement.** Implement a prioritization of modes for people movement by making transportation system decisions per the following ordered list:

1. Walking
2. Bicycling
3. Transit

<sup>99</sup> 2015 Climate Action Plan, pgs 75, 78.

<sup>100</sup> Definition of “Demand Management” OAR 660-012-0005

<sup>101</sup> See map “RIP Active Transportation” April 22, 2020

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4. Fleets of electric, fully automated, multiple passenger vehicles
5. Other shared vehicles
6. Low or no occupancy vehicles, fossil-fueled non-transit vehicles

When implementing this prioritization ensure that:

- The needs and safety of each group of users are considered, and changes do not make existing conditions worse for the most vulnerable users higher on the ordered list.
- All users' needs are balanced with the intent of optimizing the right of way for multiple modes on the same street.
- When necessary to ensure safety, accommodate some users on parallel streets as part of multi-street corridors.
- Land use and system plans, network functionality for all modes, other street functions, and complete street policies, are maintained.
- Policy-based rationale is provided if modes lower in the ordered list are prioritized.

**340.Finding:** This policy seeks to prioritize modes through street design considerations. The RIP amendments do not propose new prioritizations or change implementation strategies relevant to this policy. Therefore, this policy is met.

**Policy 9.7. Moving goods and delivering services.** In tandem with people movement, maintain efficient and reliable movement of goods and services as a critical transportation system function. Prioritize freight system reliability improvements over single-occupancy vehicle mobility where there are solutions that distinctly address those different needs.

**341.Finding:** This policy seeks to maintain the efficient movement of freight and services and prioritize freight mobility over single occupant vehicle mobility when being considered together. The RIP amendments result in a general redistribution of allocated households within Portland. Certain areas will see more households and other areas will see fewer households in comparison to the Comprehensive Plan zoning, but the total number of overall households forecasted for 2035 is not changed. PBOT evaluated this redistribution and focused its analysis on the areas where increased households were expected. It is assumed that fewer households resulted in either the same or fewer trips and thus did not negatively affect congestion models. The analysis identified that the overall added traffic from RIP on the citywide transportation network during the peak PM hour is not significant. The added automobile trips do, however, impact some roadway segments that were identified in the 2035 Comprehensive Plan and 2035 Transportation System Plan as areas of concern for future capacity and safety. These roadway segments are also classified as freight routes. These hot spot areas are identified in the TSP and have projects identified to address them. As these projects are planned, designed and implemented, the small number of additional auto trips resulting from RIP can be readily incorporated into the project to maintain an efficient and reliable movement of goods and services.

**Policy 9.8. Affordability.** Improve and maintain the transportation system to increase access to convenient and affordable transportation options for all Portlanders, especially those who have traditionally been under-served or under-represented or have historically borne unequal burdens.

**342.Finding:** This policy addresses the design and planning of transportation facilities and not directly to development on private land. As noted in previous findings, the RIP amendments do not change the functional classification of any existing or proposed transportation facility, nor do they change the standards implementing a functional classification system, or amend the TSP. Subsequent development on RIP zoned parcels will be required to meet the development standards in Title 17

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and its implementing rules which are developed in accordance with the TSP which Improves and maintains the transportation system to increase access to convenient and affordable transportation options for all Portlanders .

**Policy 9.9. Accessible and age-friendly transportation system.** Ensure that transportation facilities are accessible to people of all ages and abilities, and that all improvements to the transportation system (traffic, transit, bicycle, and pedestrian) in the public right-of-way comply with the Americans with Disabilities Act of 1990. Improve and adapt the transportation system to better meet the needs of the most vulnerable users, including the young, older adults, and people with different abilities.

**343.Finding:** Policy 9.9 speaks to ensuring that transportation facilities are accessible to people of all ages and abilities, and that all improvements to the transportation system (traffic, transit, bicycle, and pedestrian) in the public right-of-way comply with the Americans with Disabilities Act of 1990. The three-unit threshold aligns with new requirements for visitability, and paved streets provide for greater multi-modal mobility (i.e. walking, rolling or biking) and are generally more ADA compliant than gravel or unimproved streets.

**Policy 9.10. Geographic policies.** Adopt geographically specific policies in the Transportation System Plan to ensure that transportation infrastructure reflects the unique topography, historic character, natural features, system gaps, economic needs, demographics, and land uses of each area. Use the Pattern Areas identified in Chapter 3: Urban Form as the basis for area policies.

**9.10.a.** Refer to adopted area plans for additional applicable geographic objectives related to transportation. Land use, development, and placemaking

**344.Finding:** Policy 9.10 provides direction regarding planning for the transportation system, and development/updates to the Transportation System Plan. These policies address the design and planning of transportation facilities and not directly to development on private land. These policies do not apply.

### Land use, development, and placemaking

**Policy 9.11. Land use and transportation coordination.** Implement the Comprehensive Plan Map and the Urban Design Framework through coordinated long-range transportation and land use planning. Ensure that street policy and design classifications and land uses complement one another.

**345.Finding:** The RIP amendments expand the types of housing allowed in RIP zones (R2.5, R5 and R7) which make up 68 percent of the acreage and 89 percent of the parcels within all single-dwelling zones. The change to allow duplexes, triplexes, fourplexes, affordable sixplexes and additional ADUs provides greater flexibility for how many units are allowed on a parcel enabling a wider range of smaller housing types and sizes.

From the total 133,497 parcels in RIP zones, a number of parcels were excluded from the ability to provide 3 or more units either based on the lot size was not large enough (-17,780), the lot size was large enough but located in the proposed 'z' overlay (-8,011), or the lot size was large enough and outside the 'z' overlay but did not have frontage on a street that had been accepted for maintenance by the city (-1,601). These factors were included in the RIP household allocation model.

The Portland Bureau of Transportation (PBOT) evaluated the distribution of forecasted units from the RIP amendments and found that peak PM hour traffic resulting was not significant; the added traffic is widely spread across the City; and expected housing types are consistent with the land uses anticipated within the context of the descriptions of the functional classifications of existing or



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planned transportation facilities<sup>102</sup>. Therefore, the RIP amendments have been coordinated with the long-range transportation plans.

Approximately 92% of the RIP zoned parcels are on local street designations. These streets are intended to distribute local traffic and provide access to local residences or commercial uses. The anticipated land use and development should discourage auto-oriented land uses from using Local Service Traffic Streets as their primary access. Auto oriented development is defined in the TSP as Development that is either: 1) auto-related (such as gas stations and auto repair shops) or 2) auto-accommodating (by its design attracts primarily customers and employees arriving by automobile, such as drive-in restaurants). The housing types allowed by the RIP amendments are not auto-oriented uses, and are therefore complement the street design classifications in the TSP.

**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.

**346.Finding:** Goals 3A-3G and the policies in Chapter 3 convey the City's intent to:

- Foster an equitable system of compact mixed use and commercial centers across the city to increase access to community services and businesses, and create more low carbon complete healthy connected neighborhoods.
- Improve Portland's major corridors so that they become vibrant urban places and key transportation connections.
- Enhance Portland's public realm, integrate nature into the city, and link people, places, and wildlife through active transportation facilities, green infrastructure investments, urban tree canopy, and habitat connections.
- Describe the city's overall development pattern and area character to inform and guide future plans, investments, and development.

Chapter 3 of the Transportation System Plan includes street classifications for all of the streets within Portland based on the objectives laid out in the Comprehensive Plan including the urban design framework. Chapter 4 of the TSP include Master Street Plans that provide an additional level of design specificity for several particular areas including centers. Refinement Plan areas are also called out in Chapter 6 of the TSP, Implementation Strategies for additional projects that will need to consider the different design contexts of the Urban Design Framework as those projects are subsequently designed. The RIP amendments do not change the functional classification or planned investment strategies of any existing or proposed transportation facility, nor do they change the standards implementing a functional classification system. Therefore, this policy continues to be met.

**Policy 9.13. Development and street design.** Evaluate adjacent land uses to help inform street classifications in framing, shaping, and activating the public space of streets. Guide development and land use to create the kinds of places and street environments intended for different types of streets.

**347.Finding:** The RIP amendments do not change the functional classification of any existing or proposed transportation facility, nor do they change the standards implementing a functional classification system. Approximately 92% of the RIP zoned parcels are on local street designations.

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<sup>102</sup> PBOT Memorandum from Bob Kellett to Morgan Tracy, March 1, 2019

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These streets are intended to distribute local traffic and provide access to local residences or commercial uses. The anticipated land use and development should discourage auto-oriented land uses from using Local Service Traffic Streets as their primary access. The housing types allowed by the RIP amendments are not auto-oriented uses, and are therefore consistent with the street design classifications in the TSP. The amendments ensure new development, including development of additional housing types is complementary in scale as land uses already permitted in RIP zones to guide development to create the kinds of places and street environments intended for these streets.

### Streets as public spaces

**Policy 9.14. Streets for transportation and public spaces.** Integrate both placemaking and transportation functions when designing and managing streets by encouraging design, development, and operation of streets to enhance opportunities for them to serve as places for community interaction, environmental function, open space, tree canopy, recreation, and other community purposes.

**Policy 9.15. Repurposing street space.** Encourage repurposing street segments that are not critical for transportation connectivity to other community purposes.

**Policy 9.16. Design with nature.** Promote street alignments and designs that respond to topography and natural features, when feasible, and protect streams, wildlife habitat, and native trees.

**348.Finding:** Policies 9.14 through 9.16 address the design and use of public streets and not development on private land. These policies do not apply. Nevertheless, the RIP amendments support these policies by eliminating on site parking requirements and limiting the location of parking areas and garages on narrow lots and vehicle access on lots with alleys. These changes encourage a more uninterrupted pedestrian sidewalk with fewer curb cuts and driveways that create potential points of conflict between sidewalk users and vehicles, which improves the safety and usability of the sidewalk and increases community interaction and active recreation. This also increases area available for street tree canopy.

### Modal policies

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

**349.Finding:** The RIP amendments help advance this policy by eliminating minimum parking requirements for residential uses in single dwelling zones, placing additional restrictions on parking locations, and limiting the size and location of garages. While onsite parking is still allowed, removing the parking requirement de-emphasizes private vehicle use as the most convenient option. Also, reducing the number of curb cuts for driveways reduces points of conflict between pedestrians, bicyclists and vehicles. "The layout and design of land uses can affect the choice of mode of travel. Low density commercial and residential developments, often with big road setbacks, large lots, and low density, can discourage walking and bicycling. Buildings set far apart by vast parking areas, liberal landscaping and wide access roads discourage walking between uses."<sup>103</sup>

The RIP amendments include a requirement that sites with 3 or more units provide at least one visitable unit. Visitability requirements provide greater access to those with mobility issues,

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<sup>103</sup> Access Management: An Overview by Elizabeth Humstone & Julie Campoli, Planning Commissioners Journal, Winter 1998

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including pedestrians using mobility devices, and encourages walking as a more attractive option, since there are fewer barriers between the street and the home.

The RIP amendments also allow additional households to locate in more complete neighborhood areas characterized by higher walkability function (more complete sidewalk network, near transit and bikeways, and close to services and amenities). Provisions also limit sites with 3 or more units to lots located on streets that have been accepted for maintenance by the city to better ensure conditions are more suitable for walking.

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

**350.Finding:** HB2001 generally requires cities to permit duplexes on any lot where houses are allowed. Where the city has more discretion for the additional housing types included in RIP (for 3 or more units), these are only available for parcels in RIP zones that are outside the 'z' overlay (areas with natural resources or hazards) and that abut streets that have been accepted for maintenance by the City (i.e. improved/paved streets). This means that these streets generally have an improved paved surface. They may lack complete sidewalks; however, sidewalk improvements can be constructed with each development on these streets, eventually forming a series of sidewalk improvements.

The RIP amendments improve the quality of the pedestrian environment through regulations on the amount of building façade that can be occupied with garages and prohibiting off-street parking between the building and the street, as well as changes to building height calculation to reduce the perceived height from the street on sloped lots. Main entrance standards also limit how far above grade the front door can be, to ensure a more approachable and enhanced visual connection between the dwelling and the street. These “eyes on the street” can enhance the feeling of security for pedestrians. Moreover, for sites with 3 or more units, one of the units is required to be visitable, including a no step entry requirement to provide greater access to people with mobility impairments.

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

**351.Finding:** The RIP amendments improve pedestrian safety by eliminating minimum parking requirements which provides more options for sites to forego onsite parking and the related curb cut and driveway. Alley access requirements for parking also reduces curb cuts and driveways along the street. Driveways present additional conflict points for pedestrians and sidewalk users. RIP further promotes a walkable form through regulations on the amount of building façade that can be occupied with garages and prohibiting off-street parking between the building and the street. Moreover, for sites with 3 or more units, one of the units is required to be visitable, including a no step entry requirement to provide greater access to people with mobility impairments.

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

**352.Finding:** The RIP amendments remove minimum parking requirements and place design restrictions on garages and parking locations. Moreover, with new limits on floor area it is more cost effective to develop storage space for bikes than cars, as more floor area can be used for living space as opposed to vehicle storage. These changes help facilitate a shift of preference that make bicycling a more attractive option than driving for most short trips. With more limited on-site parking available, and potentially more competition for on street parking spaces, using the car for short

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trips becomes a decision that must be weighed against convenience. Using a bike ensures that there will be available and convenient parking on both ends of the trip whereas the use of a car may be a quicker trip between points, but available parking at either end is more in question.

Recent changes to the Local Transportation Improvement Charge (LTIC) will enable the additional housing types allowed through the RIP amendments to pay into the fund for cohesive street segment improvements. These improvements are designed holistically for the entire street segment including the modal priorities addressed in previous policies and the TSP. This approach provides for a system improvement that enhances bicycle user experience, as opposed to isolated lot by lot street improvements which leave a disjointed bicycle facility network.

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

**353.Finding:** This policy addresses the design and use of public transportation infrastructure and not development on private land. The RIP amendments do contribute to increased opportunities for a safer more comfortable bicycle transportation system for all ages and abilities by eliminating minimum parking requirements providing more options for sites to forego onsite parking and the related curb cut and driveway. Alley access requirements for parking also reduce curb cuts and driveways along the street. Additionally, the visitability standards that apply to sites with 3 or more units also benefit bicycle users with a no step entry (as opposed to hoisting bikes up stairs), wider hallways and doors which makes it easier to get bikes inside, and a living area space on the visitable floor that could be utilized for bike parking.

**Policy 9.22. Public transportation.** Coordinate with public transit agencies to create conditions that make transit the preferred mode of travel for trips that are longer than 3 miles or shorter trips not made by walking or bicycling.

**354.Finding:** This policy is related to coordination with public transit agencies and not development on private land. This policy does not apply.

**Policy 9.23. Transportation to job centers.** Promote and enhance transit to be more convenient and economical than the automobile for people travelling more than three miles to and from the Central City and Gateway. Enhance regional access to the Central City and access from Portland to other regional job centers.

**355.Finding:** The RIP amendments provide additional housing capacity to areas that may lack sufficient ridership population to support system enhancements<sup>104</sup>. About 94% of RIP zoned parcels that allow 3 or more units are already located within a ¼ mile of existing transit service. With the additional density allowing for more potential riders, the system could be improved to better serve them (more stops, greater frequency, alternate routing). The changes also remove minimum parking requirements which helps de-emphasize the automobile as a more convenient transportation option than other active transportation alternatives

**Policy 9.24. Transit service.** In partnership with TriMet, develop a public transportation system that conveniently, safely, comfortably, and equitably serves residents and workers 24 hours a day, 7 days a week.

**356.Finding:** This policy is related to coordination with public transit agencies and not development on private land. This policy does not apply.

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<sup>104</sup> Community Characteristics Promoting Transit and Walking Dr. John Holtzclaw, March 2007

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**Policy 9.25. Transit equity.** In partnership with TriMet, maintain and expand high-quality frequent transit service to all Town Centers, Civic Corridors, Neighborhood Centers, Neighborhood Corridors, and other major concentrations of employment, and improve service to areas with high concentrations of poverty and historically under-served and under-represented communities.

**9.25.a.** Support a public transit system and regional transportation that address the transportation needs of historically marginalized communities and provide increased mobility options and access.

**357.Finding:** This policy is related to coordination with public transit agencies and not development on private land. This policy does not apply.

**Policy 9.26. Transit funding.** Consider funding strategies and partnership opportunities that improve access to and equity in transit service, such as raising Metro-wide funding to improve service and decrease user fees/fares.

**358.Finding:** This policy is related to coordination with and funding for public transit agencies and not development on private land. This policy does not apply.

**Policy 9.27. Transit service to centers and corridors.** Use transit investments to shape the city's growth and increase transit use. In partnership with TriMet and Metro, maintain, expand, and enhance Portland Streetcar, frequent service bus, and high-capacity transit, to better serve centers and corridors with the highest intensity of potential employment and household growth.

**9.27.a.** Locate major park-and-ride lots only where transit ridership is increased significantly, vehicle miles traveled are reduced, transit-supportive development is not hampered, bus service is not available or is inadequate, and the surrounding area is not negatively impacted.

**359.Finding:** This policy is related to coordination with public transit agencies and service location decisions. The RIP amendments provide for additional housing capacity in areas that may have lower potential riders. Per the RIP capacity and growth allocation model the allocation of units for centers and corridors are not projected to be significantly altered. The RIP amendments do not include any park and ride facilities. This policy does not apply.

**Policy 9.28. Intercity passenger service.** Coordinate planning and project development to expand intercity passenger transportation services in the Willamette Valley, and from Portland to Seattle and Vancouver, BC.

**360.Finding:** Council interprets this policy as relating to coordination with intercity transportation agencies and not development on private land. This policy does not apply.

**Policy 9.29. Regional trafficways and transitways.** Maintain capacity of regional transitways and existing regional trafficways to accommodate through-traffic.

**361.Finding:** The RIP amendments have been reviewed by PBOT which found that the overall impact to the transportation system from these changes was not significant. There are several "hot spot" areas where future congestion is anticipated under the 2035 Comprehensive Plan. None of the impacts were identified on Regional Transitways. Two Regional Trafficways (99E at Ross Island Bridge, NE Killingsworth between NE Portland Hwy and 82<sup>nd</sup> Ave) experience 27 and 24 additional PM peak trips respectively<sup>105</sup>. These corridors already include projects identified in the TSP that can be refined to address this minor addition of traffic. Therefore, with the implementation of projects

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<sup>105</sup> PBOT Memorandum from Bob Kellett to Morgan Tracy, March 1, 2019

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already planned for in the TSP, capacity of these corridors to accommodate through traffic will be maintained over the course of the planning period.

**Policy 9.30. Multimodal goods movement.** Develop, maintain, and enhance a multimodal freight transportation system for the safe, reliable, sustainable, and efficient movement of goods within and through the city.

**362.Finding:** This policy addresses the design and use of freight transportation infrastructure and not development on private land. This policy does not apply.

**Policy 9.31. Economic development and industrial lands.** Ensure that the transportation system supports traded sector economic development plans and full utilization of prime industrial land, including brownfield redevelopment.

**363.Finding:** This policy addresses transportation infrastructure is available to support prime industrial land and brownfields and does not relate to development on private land. The RIP amendments do not affect the ability of prime industrial land to be fully utilized. This policy does not apply.

**Policy 9.32. Multimodal system and hub.** Maintain Portland's role as a multimodal hub for global and regional movement of goods. Enhance Portland's network of multimodal freight corridors.

**Policy 9.33. Freight network.** Develop, manage, and maintain a safe, efficient, and reliable freight street network to provide freight access to and from intermodal freight facilities, industrial and commercial districts, and the regional transportation system. Invest to accommodate forecasted growth of interregional freight volumes and provide access to truck, marine, rail, and air transportation systems. Ensure designated routes and facilities are adequate for over-dimensional trucks and emergency equipment.

**364.Finding:** Policies 9.32 and 9.33 seek to enhance and develop, manage, maintain the safety, efficiency and reliability of the freight network. The RIP amendments result in a general redistribution of allocated households within Portland. Certain areas will see more likely households and other areas will see fewer households, but the total number of overall households forecasted for 2035 is not changed. PBOT evaluated this household redistribution and focused its analysis on the areas where increased households were expected<sup>105</sup>. It is assumed that fewer households within a traffic analysis zone (TAZ) resulted in either the same or fewer trips and thus did not negatively affect congestion models. This high-level system wide analysis model did not incorporate the effects or reduced traffic from these other areas, nor was it able to incorporate trip reduction effects of transportation demand management measures (TDM). Even so, the analysis identified that the overall added traffic from RIP on the citywide transportation network during the peak PM hour is not significant.

The model showed that added automobile trips do, however, impact some roadway segments that were identified in the 2035 Comprehensive Plan and 2035 Transportation System Plan as areas of concern for future capacity and safety. These roadway segments are also classified as freight routes. These hot spot areas are identified in the TSP and have projects identified to address them to manage, and maintain a safe, efficient, and reliable freight street network.

**Policy 9.34. Sustainable freight system.** Support the efficient delivery of goods and services to businesses and neighborhoods, while also reducing environmental and neighborhood impacts. Encourage the use of energy efficient and clean delivery vehicles and manage on- and off-street loading spaces to ensure adequate access for deliveries to businesses, while maintaining access to homes and businesses.

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**365.Finding:** Policy 9.34 in part calls for supporting efficient delivery of goods and services. As noted in the findings for Statewide Goal 12, the impacts to the overall transportation system for RIP amendments is not significant and contributes a very small amount of additional PM vehicle trips to a few road segments that are forecasted to be at or above capacity in 2035. These hot spot areas are identified in the TSP and have projects identified to address them. Off-street loading is required for buildings with 20 or more units, which is far in excess of what is allowed by the RIP amendments. Therefore, the RIP amendments will not impede the efficient delivery of goods through the city.

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

**366.Finding:** Policy 9.35 is about coordination for freight rail investments and are not relevant to the RIP amendments. These policies do not apply.

**Policy 9.36. Portland Harbor.** Coordinate with the Port of Portland, private stakeholders, and regional partners to improve and maintain access to marine terminals and related river dependent uses in Portland Harbor.

**9.36.a.** Support continued reinvestment in, and modernization of, marine terminals in Portland Harbor.

**9.36.b.** Facilitate continued maintenance of the shipping channels in Portland Harbor and the Columbia River.

**9.36.c.** Support more long-distance, high-volume movement of goods to river and oceangoing ships and rail.

**367.Finding:** The RIP amendments do not apply to or impact the Portland Harbor. This policy does not apply.

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

**368.Finding:** The RIP amendments do not apply to the Central City. This policy does not apply.

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

**369.Finding:** The RIP amendments provide more opportunities for housing to be located near services, jobs, schools and amenities to promote use of alternate modes of transport to reduce VMT and improve overall mobility. The overall system was evaluated for congestion related impacts and the overall affect was found to be not significant and able to be ameliorated through minor refinements in already planned capital projects along with strategies already incorporated in RIP or other recently passed amendments (Better housing by Design and Bicycle Parking).

**Policy 9.39. Automobile efficiency.** Coordinate land use and transportation plans and programs with other public and private stakeholders to encourage vehicle technology innovation, shifts toward electric and other cleaner, more energy-efficient vehicles and fuels, integration of smart vehicle technology with intelligent transportation systems, and greater use of options such as car-share, carpool, and taxi.

**370.Finding:** The RIP amendments do not include proposals that address smart vehicle technology or other automobile specific efficiency measures. However, the elimination of parking requirements supports a future vision where privately held vehicles are not a necessity, and that tailored

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transportation options that utilize these technologies are readily supported by future land uses. In other words, these technologies can supplement the suite of other transportation alternatives that are more convenient than the cost and burdens of owning, sheltering, and maintaining a private vehicle, and the RIP amendments help achieve this by removing the mandates for on-site vehicle storage.

Council heard testimony that off street parking and garages were a necessary component of ensuring recharging infrastructure to support electric vehicles could be provided. Council largely rejected this theory. Electric vehicles currently do need stations to recharge, and require extended stopovers to fully charge. However, while a private dedicated charging station would be more convenient (just as having one's own gas pump in one's driveway would be) other options remain readily available and provide more shared use potential<sup>106</sup>. Charging stations at the workplace, grocery store, in parking garages, etc all provide EV owners these options. Moreover, on-street charging stations are also becoming more available. It is also important to recognize that the RIP amendments do not prohibit on site parking, they simply remove the requirement for it. In other words, Council finds that removing the on-site parking requirement provides more flexibility and options to encourage greater vehicle technology innovation.

**Policy 9.40. Emergency response.** Maintain a network of accessible emergency response streets to facilitate safe and expedient emergency response and evacuation. Ensure that police, fire, ambulance, and other emergency providers can reach their destinations in a timely fashion, without negatively impacting traffic calming and other measures intended to reduce crashes and improve safety.

**371. Finding:** Policies 9.39 and 9.40 address the design and use of public transportation infrastructure and not development on private land. These policies do not apply.

Council received testimony requesting that a portion of SE Henry Street be removed from the area where 3 or more units would be allowed on a lot. The testimony notes that this segment of SE Henry is 475 feet in length, contains 35 dwelling units, and is non-compliant with PCC 33.654.120 and 33.654.110.B.2. PCC 33.654.020 states that the regulations of Chapter 33.654 apply to all land divisions. These regulations ensure provision of efficient access to as many lots as possible, and enhance direct movement by pedestrians, bicycles, and motor vehicles between destinations. They are not preconditions for development on existing lots.

Testimony additionally cites provisions in the Fire Code (Section 503.2.3 Dead ends). The City of Portland is designated by the Oregon Fire Marshal as an exempt jurisdiction, and thus responsible for administering fire regulations within its jurisdictional boundaries. This code section includes minimum dimensional criteria for fire access roads, which are reviewed with development applications. Section 503 provides: "the fire code official is authorized to modify Sections 503.2 and 503.2 where any of the following applies: (1) The building is equipped throughout with an approved automatic sprinkler system..." Section 503.2.2 additionally provides: "The fire code official shall have the authority to modify the dimensions specified in Section 503.2.1. Dimensions."

The Assistant Fire Marshall indicated that without an adequate turn-around, it makes it more difficult to get fire equipment turned-around once at the end of a dead-end road. Yet this does not mean it negatively impacts their ability to respond to an incident on a dead-end road. When residential and commercial properties are proposed to be developed on these preexisting streets, Fire works with the applicant to ensure Fire can to respond to the location if an incident does occur. Generally, fire sprinkler protection, Class A roof coverings, and/or non-combustible sidings are required in-lieu of

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<sup>106</sup> "What If You Want to Drive an Electric Vehicle But Don't Have a Garage?", Jim Gorzelany, EV Magazine, April 2019.



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meeting all fire department access requirements in new structures via the Fire Code Appeals process<sup>107</sup>. Council finds the Assistant Fire Marshall's testimony to be persuasive. Further, the RIP amendments do not amend the TSP designated streets for emergency response, nor change the design standards for improving and maintaining these streets to facilitate safe and expedient emergency response and evacuation.

## Airport Futures

**Policy 9.41. Portland International Airport.** Maintain the Portland International Airport as an important regional, national, and international transportation hub serving the bi-state economy.

**Policy 9.42. Airport regulations.** Implement the Airport Futures Plan through the implementation of the Portland International Airport Plan District.

**9.42.a.** Prohibit the development of a potential third parallel runway at PDX unless need for its construction is established through a transparent, thorough, and regional planning process.

**9.42.b.** Support implementation of the Aircraft Landing Zone to provide safer operating conditions for aircraft in the vicinity of Portland International Airport by limiting the height of structures, vegetation, and construction equipment.

**9.42.c.** Support the Port of Portland's Wildlife Hazard Management Plan by implementing airport-specific landscaping requirements in the Portland International Airport Plan District to reduce conflicts between wildlife and aircraft.

**Policy 9.43. Airport partnerships.** Partner with the Port of Portland and the regional community to address the critical interconnection between economic development, environmental stewardship, and social responsibility. Support an ongoing public advisory committee for PDX to:

**9.43.a.** Support meaningful and collaborative public dialogue and engagement on airport related planning and development.

**9.43.b.** Provide an opportunity for the community to inform the decision-making related to the airport of the Port, the City of Portland, and other jurisdictions/organizations in the region.

**9.43.c.** Raise public knowledge about PDX and impacted communities.

**Policy 9.44. Airport investments.** Ensure that new development and redevelopment of airport facilities supports the City's and the Port's sustainability goals and policies, and is in accordance with Figure 9-3 — Portland International Airport. Allow the Port flexibility in configuring airport facilities to preserve future development options, minimize environmental impacts, use land resources efficiently, maximize operational efficiency, ensure development can be effectively phased, and address Federal Aviation Administration's airport design criteria.

**372.Finding:** Policies 9.41 through 9.44 provide policy direction related to Portland International Airport and are not relevant to the single-dwelling zones and other regulations that are the focus of the RIP amendments. The amendments also do not change the Portland International Airport Plan District. These policies do not apply.

## System management

**Policy 9.45. System Management.** Give preference to transportation improvements that use existing roadway capacity efficiently and that improve the safety of the system for all users.

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<sup>107</sup> Letter from Nate Takara, Assistant Fire Marshall to Morgan Tracy, BPS, January 24, 2020

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**9.45.a.** Support regional equity measures for transportation system evaluation.

**373.Finding:** The RIP amendments do not propose specific transportation improvements. Projects within the TSP that have been identified to address future roadway congestion in areas that may potentially be affected by RIP amendments are projects to create added capacity to improve the safety of the system for all users.

**Policy 9.46. Traffic management.** Evaluate and encourage traffic speed and volume to be consistent with street classifications and desired land uses to improve safety, preserve and enhance neighborhood livability, and meet system goals of calming vehicle traffic through a combination of enforcement, engineering, and education efforts.

**9.46.a.** Use traffic calming tools, traffic diversion and other available tools and methods to create and maintain sufficiently low automotive volumes and speeds on neighborhood greenways to ensure comfortable cycling environment on the street.

**374.Finding:** This policy is about traffic speed and road design to ensure the classifications and hierarchies within the TSP are maintained consistent with the anticipated land uses. The RIP amendments allow additional housing types within single dwelling zones. Approximately 92% of the RIP zoned parcels are on local street designations. These streets are intended to distribute local traffic and provide access to local residences or commercial uses. The anticipated land use and development should discourage auto-oriented land uses from using Local Service Traffic Streets as their primary access. Auto oriented development is defined in the TSP as development that is either: 1) auto-related (such as gas stations and auto repair shops) or 2) auto-accommodating (by its design attracts primarily customers and employees arriving by automobile, such as drive-in restaurants). The housing types allowed by the RIP amendments (2 units on all lots in RIP zones, up to 4 units in most other lots in RIP zones and up to 6 units when certain affordability requirements are met) are not auto-oriented uses, and therefore complement the street design classifications in the TSP. While a localized increase of traffic volumes may occur on a street with the increase in units, there is no evidence to suggest that residents in a duplex, triplex, fourplex, or multi dwelling building with up to 6 units drive any differently than residents in a single-dwelling house. Therefore, the roadway designs and speed designations are unaffected by the RIP amendments.

**Policy 9.47. Connectivity.** Establish an interconnected, multimodal transportation system to serve centers and other significant locations. Promote a logical, direct, and connected street system through street spacing guidelines and district-specific street plans found in the Transportation System Plan, and prioritize access to specific places by certain modes in accordance with policies 9.6 and 9.7.

**9.47.a.** Develop conceptual master street plans for areas of the City that have significant amounts of vacant or underdeveloped land and where the street network does not meet City and Metro connectivity guidelines.

**9.47.b.** As areas with adopted Street Plans develop, provide connectivity for all modes by developing the streets and accessways as shown on the Master Street Plan Maps in the Comprehensive Plan.

**9.47.c.** Continue to provide connectivity in areas with adopted Street Plans for all modes of travel by developing public and private streets as shown on the Master Street Plan Maps in the Comprehensive Plan.

**9.47.d.** Provide street connections with spacing of no more than 530 feet between connections except where prevented by barriers such as topography, railroads, freeways, or environmental constraints. Where streets must cross over protected water features, provide crossings at an

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average spacing of 800 to 1000 feet, unless exceptional habitat quality of length of crossing prevents a full street connection.

**9.47.e** Provide bike and pedestrian connections at approximately 330 feet intervals on public easements or rights-of-way when full street connections are not possible, except where prevented by barriers such as topography, railroads, freeways, or environmental constraints. Bike and pedestrian connections that cross protected water features should have an average spacing of no more than 530 feet, unless exceptional habitat quality or length of connection prevents a connection.

**375.Finding:** The RIP amendments do not propose specific transportation improvements, do not amend district street plans in the TSP, and do not affect the ability to establish an interconnected system. This policy does not apply.

**Policy 9.48 Technology.** Encourage the use of emerging vehicle and parking technology to improve real-time management of the transportation network and to manage and allocate parking supply and demand.

**376.Finding:** The RIP amendments remove minimum onsite parking requirements. While the combination of RIP amendments de-emphasize private car use/storage and improve the attractiveness of alternate modes of transport, with the addition of roughly 105,000 households citywide by 2035, even with fewer households opting to drive, there is likely to be more competition for on-street parking and demand for other uses of the curb lane. In so doing, these amendments create conditions that are favorable to innovation and developing technical solutions to better allocate parking supply and demand, both onsite and on street.

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

**9.49.a.** Eliminate deaths and serious injuries for all who share Portland streets by 2025.

**9.49.b.** Maintain or decrease the number of peak period non-freight motor vehicle trips, system-wide and within each mobility corridor to reduce or manage congestion.

**9.49.c.** By 2035, reduce the number of miles Portlanders travel by car to 11 miles per day or less, on average.

**9.49.d.** Establish mode split targets in 2040 Growth Concept areas within the City, consistent with Metro’s targets for these areas.

**9.49.e.** By 2035, increase the mode share of daily non-drive alone trips to 70 percent citywide, and to the following in the five pattern areas:

Pattern Area	2035 daily target mode share
Central City	85%
Inner Neighborhoods	70%

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Western Neighborhoods	65%
Eastern Neighborhoods	65%
Industrial and River	55%

**9.49.f.** By 2035, 70 percent of commuters walk, bike, take transit, carpool, or work from home at approximately the following rates:

Mode	Mode Share
Walk	7.5%
Bicycle	25%
Transit	25%
Carpool	10%
Single Occupant Vehicle (SOV)	30% or less
Work at home	10% below the line (calculated outside of the modal targets above)

**9.49.g.** By 2035, reduce Portland’s transportation-related carbon emissions to 50% below 1990 levels, at approximately 934,000 metric tons.

**9.49.h.** By 2025, increase the percentage of new mixed use zone building households not owning an automobile from approximately 13% (2014) to 25%, and reduce the percentage of households owning two automobiles from approximately 24% to 10%.

**9.49.i.** Develop and use alternatives to the level-of-service measure to improve safety, encourage multimodal transportation, and to evaluate and mitigate maintenance and new trip impacts from new development.

**9.49.j.** Use level-of-service, consistent with Table 9.1, as one measure to evaluate the adequacy of transportation facilities in the vicinity of sites subject to land use review.

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

**9.49.l.** In areas identified by Metro that exceed the level-of-service in Table 9.2 and are planned to, but do not currently meet the alternative performance criteria, establish an action plan that does the following:

- Anticipates growth and future impacts of motor vehicle traffic on multimodal travel in the area

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- Establishes strategies for mitigating the future impacts of motor vehicles
- Establishes performance standards for monitoring and implementing the action plan.

Location	Standards		
	Mid-Day One-Hour Peak *	PM 2-Hour Peak *	
		1st Hour	2nd Hour
Central City, Gateway, Town Centers, Neighborhood Centers, Station Areas	0.99	1.1	0.99
I-84 (from I-5 to I-205), I-5 North (from Marquam Bridge to Interstate Bridge, OR 99- E (from Lincoln St. to OR 224), US 26 (from I-405 to Sylvan Interchange), I-405	0.99	1.1	0.99
Other Principal Arterial Routes	0.90	0.99	0.99
*The demand-to-capacity ratios in the table are for the highest two consecutive hours of the weekday traffic volumes. The mid-day peak hour is the highest 60-minute period between the hours of 9 a.m. and 3 p.m. The 2nd hour is defined as the single 60-minute period, either before or after the peak 60-minute period, whichever is highest.			

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

Finding: The TSP established multimodal performance measures and measures of system completeness. RIP amendments do not propose changes to these measures or action plans. These measures were used to evaluate overall system performance as part of the transportation impact analysis described in the findings for statewide Goal 12. The results of that analysis found that traffic from the reallocated households resulting from the RIP amendments is not significant. The added traffic is widely spread across the City. The current and proposed housing types are consistent land uses within the context of the descriptions of the functional classifications of existing or planned transportation facilities.

On 10% of the affected streets, the added traffic is between 15 and 50 vehicles in the PM peak hour. On the remainder of the affected streets, the added traffic is fewer than 15 vehicles, or less than 1% of the projected base traffic in 2035. With the exception of several “hot spot” streets of concern described below, this additional traffic is not expected to degrade the performance of existing or planned transportation facilities such that they would not meet the performance standards in the TSP.

As part of the 2035 Comprehensive Plan process, PBOT and ODOT identified a list of “hot spot” streets of concern where future congestion may make it difficult for jurisdictional standards to be met. Of the 60 citywide miles of roadways on the concern list, almost all will see added traffic under

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RIP. This includes 20% of the streets of concern (by length) that are projected to be congested in the future base traffic in 2035.

The additional projected automobile traffic from RIP causes the link Vehicle/Capacity (v/c) to increase by 0.02 points at 11 roadway segments on a total of 7 roads. This level of impact can be readily addressed by existing planned projects and programs, and does not change investment priorities. Therefore, this policy is not affected.

**Policy 9.50 Regional congestion management.** Coordinate with Metro to establish new regional multimodal mobility standards that prioritize transit, freight, and system completeness.

**9.50.a.** Create a regional congestion management approach, including a market-based system, to price or charge for auto trips and parking, better account for the cost of auto trips, and to more efficiently manage the regional system.

**Policy 9.51. Multimodal Mixed-Use Area.** Manage Central City Plan amendments in accordance with the designated Central City Multimodal Mixed-Use Area (MMA) in the geography indicated in Figure 9-2. The MMA renders congestion / mobility standards inapplicable to any proposed plan amendments under OAR 660-0012-0060(10).

**377.Finding:** The Multimodal mixed use area is specific to the Central City, where there are no RIP zones. Policy 9.51 does not apply.

## Transportation Demand Management

**Policy 9.52. Outreach.** Create and maintain TDM outreach programs that work with Transportation Management Associations (TMA), residents, employers, and employees that increase the modal share of walking, bicycling, and shared vehicle trips while reducing private vehicle ownership, parking demand, and drive-alone trips, especially during peak periods.

**Policy 9.53. New development.** Create and maintain TDM regulations and services that prevent and reduce traffic and parking impacts from new development and redevelopment. Encourage coordinated area-wide delivery of TDM programs. Monitor and improve the performance of private-sector TDM programs.

**Policy 9.54. Projects and programs.** Integrate TDM information into transportation project and program development and implementation to increase use of new multimodal transportation projects and services.

**378.Finding.** Policies 9.52 through 9.54 provide direction regarding transportation demand management. When City Council adopted regulatory changes as part of the 2035 Comprehensive Plan Update Task 5 Early Implementation Project, they determined that only developments of 10 or more units would be required to meet TDM plan requirements (payment of a fee per unit at ~\$1,100 per unit, and building owners must distribute transportation options to new tenants and complete an annual transportation survey for the first four years after the project is completed). None of the RIP housing types meet this threshold for requiring these TDM measures, and Council has not chosen to revise the threshold as part of these amendments. Beyond these regulatory requirements, PBOTs TDM programs include Safe Routes to Schools, Smart Trips, Sunday Parkways, Area Parking Permit Program, Metered Parking and the Transportation Wallet which pairs parking pricing with financial incentives for alternative modes of transportation. The RIP amendments do not affect these existing TDM outreach programs and new households that locate in the additional housing types in RIP zones may still benefit from these programs (such as new residents being

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provided with transportation options information and incentives) and as improvements are made along nearby school routes.

## Parking management

**Policy 9.55. Parking management.** Reduce parking demand and manage supply to improve pedestrian, bicycle and transit mode share, neighborhood livability, safety, business district vitality, vehicle miles traveled (VMT) reduction, and air quality. Implement strategies that reduce demand for new parking and private vehicle ownership, and that help maintain optimal parking occupancy and availability.

**379. Finding:** This policy calls for reduced parking demand and parking supply management that help to maintain optimal parking utilization. There are several ways to effectively manage parking supply<sup>108</sup>, including unbundling parking, improving walkability, shared parking and Smart Growth and Location Efficient Development to reduce reliance on automotive trips. The RIP amendments eliminate minimum off-street parking requirements for residential uses in single dwelling zones. This unbundling of parking is one tool to reduce parking demand and improve other transportation mode share and walkability. “One strategy is to limit total parking capacity to encourage a shift to non-automobile transportation modes. Municipalities can begin by eliminating parking minimums, as Minneapolis did in its new 2040 comprehensive plan. Many cities still require a certain number of parking stalls in new developments, which can produce excess automobile capacity — thus encouraging driving — and result in underused or inactive parking adjacent to the public realm, ultimately undermining community walkability.”<sup>109</sup> Limiting garages and parking on narrow lots helps maintain on street parking which can dynamically be shared by more people, as opposed to on-site parking spaces which are only available and used by residents of the site.

**Policy 9.56. Curb Zone.** Recognize that the Curb Zone is a public space, a physical and spatial asset that has value and cost. Evaluate whether, when, and where parking is the highest and best use of this public space in support of broad City policy goals and local land use context. Establish thresholds to utilize parking management and pricing tools in areas with high parking demand to ensure adequate on-street parking supply during peak periods.

**380. Finding:** The RIP amendments support this policy by eliminating minimum off-street parking in single dwelling zones which reduces the need for curb cuts and driveways, effectively increasing the amount of uninterrupted curb space. The changes also require that parking access for parcels that abut alleys be from the alley, further increasing the amount of uninterrupted curb space on streets in areas with alleys. Areas of high parking demand tend to be predominantly along non-local streets in mixed use centers and corridors, and not along local streets in RIP zones. For these local street areas where parking congestion may be experienced, Portland has had an Area Parking Permit Program in effect since 1981. In recent years, this program has expanded to include 17 zones with neighborhoods and businesses collaborating with PBOT to create the rules for their zone. PBOT will continue to seek opportunities to work with neighborhoods to expand the Area Parking Permit Program to address areas where traffic and parking congestion are increasing.

**Policy 9.57. On-street parking.** Manage parking and loading demand, supply, and operations in the public right of way to achieve mode share objectives, and to encourage safety, economic vitality, and livability. Use transportation demand management and pricing of parking in areas with high parking demand.

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<sup>108</sup> TDM Encyclopedia, Victoria Transport Policy Institute, November 2018

<sup>109</sup> Curbing CO2 via Parking Regs, Sam Rockwell, APA December 2019

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**381.Finding:** The Transportation Planning Rule points to the designation of residential on-street parking districts as a tool that local governments within an MPO can use to reduce reliance on automobile trips (660-012-0045). Portland has had an Area Parking Permit Program in effect since 1981. In recent years, this program has expanded to include 17 zones with neighborhoods and businesses collaborating with PBOT to create the rules for their zone. Per City Council ordinance, the Area Parking Permit Program can impose a surcharge on parking permits. The money raised from the surcharge can then be used to fund Transportation Demand Management strategies that reduce automobile trips. While only developments of 10 or more units are required to meet TDM plan requirements (payment of a fee per unit at ~\$1,100/ea, distribute transportation options to new tenants for first four years, and complete an annual transportation survey for the first four years) other aspects of PBOTs TDM programs can continue to benefit occupants in non-qualifying developments such as the Transportation Wallet program where participants can receive significantly reduced transit, bike share, and other mobility passes in exchange for forgoing an on-street parking permit. PBOT will continue to seek opportunities to work with neighborhoods to expand the Area Parking Permit Program to address areas where traffic and parking congestion are increasing.

**Policy 9.58. Off-street parking.** Limit the development of new parking spaces to achieve land use, transportation, and environmental goals, especially in locations with frequent transit service. Regulate off-street parking to achieve mode share objectives, promote compact and walkable urban form, encourage lower rates of car ownership, and promote the vitality of commercial and employment areas. Use transportation demand management and pricing of parking in areas with high parking demand.

**382.Finding:** The RIP amendments remove minimum parking requirements for residential uses in single dwelling zones and apply limitations on parking access (for parcels located on alleys) and restrict the width of street facing garages. New FAR limits apply equally to dwelling space as well as vehicle garages, therefore there is an opportunity cost to reducing useable living space for car storage. 94 percent of RIP zone parcels where additional housing types are allowed (i.e. do not have the constrained sites ('z') overlay) are located within a ¼ mile of a transit line, and 86% are within a ½ mile of frequent transit. Therefore, the amendments de-emphasize private vehicle use which encourages other types of transportation modes (e.g. walking/bicycling) and lower rates of car ownership.

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

**383.Finding:** The RIP amendments remove minimum parking requirements but continue to allow parking areas when provided to be shared between multiple households that are on one parcel (e.g. triplexes and fourplexes).

**Policy 9.60. Cost and price.** Recognize the high public and private cost of parking by encouraging prices that reflect the cost of providing parking and balance demand and supply. Discourage employee and resident parking subsidies.

**384.Finding:** This policy addresses the management of the City's transportation system and not development on private land. The RIP amendments do not change the price of parking in the City's garages or for parking permits. These policies do not apply.

**Policy 9.61. Bicycle parking.** Promote the development of new bicycle parking facilities including dedicated bike parking in the public right-of-way. Provide sufficient bicycle parking at high-capacity transit stations to enhance bicycle connection opportunities. Require provision of adequate off-street



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bicycle parking for new development and redevelopment. Encourage the provision of parking for different types of bicycles. In establishing the standards for long-term bicycle parking, consider the needs of persons with different levels of ability.

**385.Finding:** Changes to the Bicycle Parking Code, including changes that apply to the single-dwelling zones, are being made in a separate ordinance that will be considered by City Council this fall. This ordinance does not include any changes to the bicycle parking regulations.

### Finance, programs, and coordination

**Policy 9.62. Coordination.** Coordinate with state and federal agencies, local and regional governments, special districts, other City bureaus, and providers of transportation services when planning for, developing, and funding transportation facilities and services.

**386.Finding:** These policies address the planning, funding, and design of the City's transportation system and services. The RIP amendments do not change the transportation facilities or services. ODOT and TriMet were both notified as part of the legislative notice but did not submit comments. TriMet and PBOT also participated in technical advisory meetings.

**Policy 9.63. New development impacts.** Prevent, reduce, and mitigate the impacts of new development and redevelopment on the transportation system. Utilize strategies including transportation and parking demand management, transportation system analysis, and system and local impact mitigation improvements and fees.

**387.Finding:** The impacts on the transportation system from the RIP amendments were analyzed. Where streets have not been accepted for maintenance by the City or State (generally in an unimproved condition) 3 or more units on a site is not allowed in RIP zones. This helps prevent impacts of redevelopment on these substandard streets, until such streets are improved. In addition, redevelopment that increase the number of dwelling units will be subject to paying systems development charges that help support improvements to the overall transportation system.

**Policy 9.64. Education and encouragement.** Create, maintain, and coordinate educational and encouragement programs that support multimodal transportation and that emphasize safety for all modes of transportation. Ensure that these programs are accessible to historically under-served and under-represented populations.

**Policy 9.65. Telecommuting.** Promote telecommuting and the use of communications technology to reduce travel demand.

**Policy 9.66. Project and program selection criteria.** Establish transportation project and program selection criteria consistent with goals 9A through 9I, to cost-effectively achieve access, placemaking, sustainability, equity, health, prosperity, and safety goals.

**388.Finding:** Policies 9.64 through 9.66 address the funding and management of the City's transportation system and programs and not development on private land. These policies do not apply.

**Policy 9.67. Funding.** Encourage the development of a range of stable transportation funding sources that provide adequate resources to build and maintain an equitable and sustainable transportation system.

**389.Finding:** Policy 9.67 doesn't apply to the RIP amendments because they do not address, or make recommendations related to, funding for building or maintaining the transportation system. If the

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RIP project included recommendations related to funding for building or maintaining the transportation system, then this policy would apply and findings on the stability of the funding sources would need to be made. However, the RIP project amends the zoning code (and the Housing Code) to encourage middle housing on private land, not the funding sources for the transportation system.

### Connected and Automated Vehicles

**Policy 9.68 New mobility priorities and outcomes.** Facilitate new mobility vehicles and services with the lowest climate and congestion impacts and greatest equity benefits; with priority to vehicles that are fleet/shared ownership, fully automated, electric and, for passenger vehicles, shared by multiple passengers (known by the acronym FAVES). Develop and implement strategies for each following topic.

**9.68.a.** Ensure that all new mobility vehicles and services and levels of automated vehicles advance Vision Zero by operating safely for all users, especially for vulnerable road users. Require adequate insurance coverage for operators, customers, and the public-at-large by providers of new mobility vehicles and services.

**9.68.b.** Ensure that new mobility vehicles and services improve active transportation and shared ride travel time reliability and system efficiency by:

1. maintaining or reducing the number of vehicle trips during peak congestion periods;
2. reducing low occupancy vehicle trips during peak congestion periods;
3. paying for use of, and impact on, Portland’s transportation system including factors such as congestion level, carbon footprint, vehicle miles traveled, vehicle occupancy, and vehicle energy efficiency; and
4. supporting and encouraging use of public transportation.

**9.68.c.** Cut vehicle carbon pollution by reducing low occupancy “empty miles” traveled by passenger vehicles with zero or one passengers. Prioritize vehicles and services with the least climate pollution, and electric and other zero direct emission vehicles operated by fleets and carrying multiple passengers.

**9.68.d.** Make the benefits of new mobility available on an equitable basis to all segments of the community while ensuring traditionally disadvantaged communities are not disproportionately hurt by new mobility vehicles and services. This includes people with disabilities, as well as communities of color, women, and geographically underserved communities.

**9.68.e** Identify, prevent, and mitigate potential adverse impacts from new mobility vehicles and services.

**390.Finding:** Policies 9.68 addresses the provisions for and management of mobility vehicles and call for the development of implementation strategies relating to the use and design of rights of way. The RIP amendments do not relate to mobility vehicles, specifically the use or design of rights of way. These policies do not apply.

**Policy 9.69 New mobility tools.** Use a full range of tools to ensure that new mobility vehicles and services and private data communications devices installed in the City right of way contribute to achieving Comprehensive Plan and Transportation System Plan goals and policies.

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**9.69.a.** Maintain City authority to identify and develop appropriate data sharing requirements to inform and support safe, efficient, and effective management of the transportation system. Ensure that when new mobility vehicles and services use City rights-of-way or when vehicles connect with smart infrastructure within the City they share information including, but not limited to, vehicle type, occupancy, speed, travel routes, and travel times, crashes and citations, with appropriate privacy controls. Ensure that private data communications devices installed in the City right of way are required to share anonymized transportation data.

**9.69.b.** Design and manage the mobility zone, curb/flex zone, and traffic control devices, e.g. to limit speeds to increase safety, to minimize cut-through traffic, evaluate future demand for pick-up and drop-off zones, and to prioritize automated electric vehicles carrying more passengers in congested times and locations;

**9.69.c.** Evaluate the public cost and benefit of investments in wayside communication systems serving new mobility vehicles and services.

**9.69.d.** Develop sustainable user-pays funding mechanisms to support new mobility vehicle infrastructure and service investments, transportation system maintenance, and efficient system management.

**9.69.e.** Ensure that new mobility vehicles and vehicles that connect to smart City infrastructure, and private data communications devices installed in the City right of way, help pay for infrastructure and service investments, and support system reliability and efficiency. Develop a tiered pricing structure that reflects vehicle and service impacts on the transportation system, including factors such as congestion level, carbon footprint, vehicle miles traveled, vehicle occupancy, and vehicle energy efficiency.

**391.Finding:** This policy addresses mobility vehicles and services and private data communications devices installed in the City right of way and not development on private land. The RIP amendments do not relate to mobility vehicles, and do not impact the use or design of rights of way. This policy does not apply.

## Chapter 10: Land Use Designations and Zoning

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

The RIP amendments include changes to the zoning map and comprehensive plan map to upzone certain parcels from R5 to R2.5 that are mostly comprised of historically narrow lots (see Exhibits C and E). The RIP amendments also include the creation of a new Constrained Sites ‘z’ overlay zone and the removal of the Alternative Design Density ‘a’ overlay zone (see Exhibit D). Additionally, the amendments change the residential housing types allowed in the zoning code on lots within the RIP zones. The RIP amendments are consistent with this goal as they apply land use designations, development standards, use allowances and prohibitions, development incentives, and design standards to maintain and guide the development in the City’s single dwelling zones that is consistent with and furthers the goals and policies of the different applicable chapters of the Comprehensive Plan, as detailed by the findings of this ordinance and as described in Volumes 1-3 of the Staff Report.

**Upzones and changes to plan map designations.** Some areas with concentrations of historically narrow lots are rezoned from R5 to R2.5 in order to ascribe a zoning designation that is consistent with the underlying established lot pattern. This change requires amendments to both the Zoning Map and the Comprehensive Plan Map. The methodology outlined in Volume 1: Staff Report, Section 5.B. was used to develop the proposed Comprehensive Plan and Zoning Map amendments for historically narrow lots.

Historically narrow lots have underlying platting that creates lots that are smaller than typical for the current R5 zoning. Most of these lots are typically are 25 feet wide by 100 feet deep (2,500 square feet). The general development pattern consists of two or more combined historically narrow lots with a single house. This, in combination with subsequent R5 zoning and lot size standards, resulted in areas with R2.5 sized-lots but development patterns more consistent with 50-foot-wide lots. In 1985 the State of Oregon changed rules and required that cities recognize these substandard lots as discrete parcels. In 2019, the State passed SB534 which requires cities to allow development of at least a house on any legally platted lot, regardless of underlying zoning, with some exceptions for natural hazards and infrastructure constraints.

These lots present an opportunity for two attached houses that can be sold independent as “fee simple” units (i.e., house and land are sold together independent of the other attached unit, as opposed to rental units or condominium ownership units, where the land is owned in common). This creates more opportunity for conventional homeownership options.

Staff reviewed plats citywide to identify areas with historically narrow lots with non-conforming R5 zoning. A higher concentration of these historically narrow lot plats exists in North and Northeast Portland, less in Southeast Portland and very few in the east and west areas of the city.

The proposed rezones build on the existing pattern of R2.5 zoning to create a transition from higher density zoning (mixed-use and multi-dwelling) to surrounding single-dwelling zoning. Rezoning from R5 to R2.5 will also increase the allowable building size (Floor Area Ratio) from 0.6 FAR to 0.7 FAR, meaning these areas will provide a transition in scale from higher-intensity zones to lower-intensity zones (Policy 4.30, 4.31). For these reasons, the proposed rezoning is limited to a two- to three-block proximity to:

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- Gateway Regional Center, Town Centers and Neighborhood Centers
- Frequent bus lines, MAX light rail stations and streetcar stops
- Neighborhood amenities such as parks, community centers and schools
- Smaller nodes of commercial zoning or neighborhood-serving retail uses

These are also areas where prioritizing growth is consistent with the urban form goals of Chapter 3. In addition, the presence of the following factors weighed favorably toward effectively and efficiently carrying out the goals and policies of the Comprehensive Plan:

- Alley access (Policy 4.8) which provides parking alternatives that lead to better design of houses on narrow lots.
- Consistent zoning patterns where adjacent areas were zoned R2.5 or a higher-intensity zoning designation, to provide for a logical transition to lower-intensity zones.
- Existing development pattern where historically narrow lots have already been developed with narrow houses.

The following factors weighed unfavorably towards rezoning:

- Discontinuous and unclear zoning patterns for example, R2.5 leapfrogging across other zones or creating islands of isolated R2.5 zones were avoided.
- Publicly owned properties that are in public use were avoided.
- Areas with a high number of unimproved streets, poor connectivity or stormwater or topography issues were also avoided.

Most of these rezoned parcels are also being re-designated from Residential 5,000 to Residential 2,500. Some of these rezoned parcels already have corresponding Residential 2,500 plan designations. In rezoned areas where the current comprehensive plan designation is more intense than Residential 2,500 but still allows R2.5 zoning, the plan designation is unchanged. None of the rezoned parcels (apart from those that are being changed from the Residential 5,000 designation) include designations that do not allow R2.5 zoning.

**Amending Overlay Zones.** The RIP amendments delete the Alternative Design Density ('a') Overlay Zone. The purpose of the 'a' overlay zone, which was initially adopted in 1993, is to allow increased density for development that meets additional design compatibility requirements. The overlay zone includes provisions that allow attached houses on vacant R5 lots, flag lots in the R2.5 zone, triplexes on some R2.5 zoned lots, and additional flexibility to rebuild structures with non-conforming residential densities.

The RIP amendments include residential infill options that require attached houses on narrow lots (25 feet wide or less), create new provisions for "small" flag lots (under 3,000 square feet), and allow triplexes (as well as fourplexes or up to 6 units in limited bonus situations) on more parcels than the 'a' overlay applied to. With the additional housing types allowed in RIP zones, the non-conforming density provisions of the 'a' overlay are also less relevant (since the amendments will render many non-conforming duplexes, triplexes or fourplexes conforming with respect to density). The default non-conforming provisions in Chapter 33.258 can more consistently be applied to development or densities that do not conform to current zoning standards. The Council also finds that the required design review or community design standards created a regulatory barrier that discouraged the creation of additional housing variety envisioned by the 'a'. In the 21-year period between 1995 and 2016, nearly 5,900 permits for new construction or exterior alterations were

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applied for on sites containing the 'a'. Of those, 112 (<2%) involved design review or community design standards, an indication of the low utilization of those provisions. Removing the 'a' will have little impact in the single-dwelling zones. The new base zone's additional housing types will be allowed on these lots, provided the lot is of adequate size and does not have the new 'z' overlay applied. There are 25 lots with R2.5a zoning that are large enough for a triplex today that with the application of the 'z' will be restricted from building three or four units.

In conjunction with proposed allowances for additional housing types, the RIP amendments include a new Constrained Sites ('z') Overlay Zone which would be applied to roughly 8,000 parcels zoned R2.5, R5 or R7. The purpose of the overlay is to reduce the development potential on lots with specific types of development constraints, which make the lots less suitable for three or four dwelling units. A constraints analysis was used to establish areas that would not be able to utilize additional housing types, and thus restrict the introduction of additional households into areas of higher relative risk. Areas with natural resources were likewise included in the 'z' overlay based on an updated Natural Resources Inventory (NRI), which was adopted (Ordinance 185657) and acknowledged by LCDC on June 13, 2014. The NRI identifies the location, quantity, and quality of all significant natural resources. The constraints included in the composite 'z' Constrained Sites overlay zone are:

- Special flood hazard area (Land area covered by the floodwaters of the base flood, as shown on the Federal Emergency Management Agency (FEMA) maps in effect on November 26, 2010);
- Floodway (The active flowing channel during a flood, as designated on the flood maps adopted under authority of Title 24 of the Portland City Code.)
- 1996 Flood Inundation area (A record peak flow in February of 1996 caused the Willamette River and its major tributaries to flood. This map was created to delineate the inundated areas near the mainstem and major tributaries of the Willamette River)
- Potential Rapidly Moving Landslide Hazard Zones (as shown in the DOGAMI IMS-22 publication)
- Deep landslide—High Susceptibility or Landslide Deposit or Scarp as shown in the DOGAMI IMS-57 publication
- Low, medium, or high value resources pursuant to the adopted Natural Resources Inventory

A new Constrained Sites ('z') overlay zone not only limits these housing types in areas with natural resources and/or increased natural hazards, consistent with the policies in the *2035 Comprehensive Plan*, it does so in a clear, transparent and efficient manner.

**Zoning Code changes.** The amended purpose statement in 33.110.010 in the zoning code states that "the single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing and provide options for infill housing that is compatible with the scale of the single-dwelling neighborhood."

The primary use in the single dwelling zones will remain single dwelling development. Over the past decade of periodic review, the City assembled a factual base to support its housing policy choices through community testimony and reports and analysis developed during Tasks 2 and 3. The City determined Policy 5.6 was a logical culmination of findings initially identified in Tasks 2 and 3, as early as 2010, citing work task reports that discuss the emerging trend of the middle housing accessory dwelling unit building type, projected reductions in single-family rental opportunities, and strategies to reduce the cost burden that households face. While the housing types collectively

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referred to as “middle housing” were not consistently referred to as such in Tasks 2 and 3, these housing types were being considered as strategies to provide a range of housing. Similarly, the City explained that Task 3’s Growth Scenarios report produced several conclusions directly related to the development of Policy 5.6. Notably, the report categorizes many middle housing types including duplexes, triplexes, and shared courtyard units as “single family residences” or “single family residential.” Development limitations on maximum building size, along with standards that address street facing facades, main entrances, parking placement and garage design all support more compatible infill of these middle housing types with single dwelling areas.

According to tax assessor data, there are currently about 131,000 tax accounts (parcels) in RIP zones. Of those, there are approximately 119,000 single dwellings (91% of all parcels). Nonresidential uses, including non-conforming or uses allowed conditionally, account for about 1,450 parcels (1%). There are approximately 4,900 duplexes, triplexes, fourplexes (3.7%) and about 2,000 houses with ADUs (1.5%). Other residential uses (greater than 4 units) presently account for less than 443 lots or 0.3%. Lastly, there are about 2,850 vacant sites (a little over 2%).

Based on the RIP capacity and growth allocation model, the forecasted household allocation in RIP zones will increase from the Comprehensive Plan forecast of approximately 16,200 dwelling units to 20,100 dwelling units. Whereas previously the mix of forecasted housing types in these zones was almost exclusively single houses and ADUs, the RIP amendments provide additional incentives (by means of extra floor area) for creating more than a single house on a site so that the mix of housing in these zones may consist of houses, duplexes, triplexes, fourplexes and ADUs. The model did not determine the specific housing type mix for these allocated units, only the number and geographic distribution of dwelling units.

To better understand the effect of this introduced housing diversity in RIP zones, the following scenarios were used to determine the maximum share of single dwellings to duplexes (the lowest efficiency type for accommodating units) and fourplexes (the most efficient) over this planning period<sup>110</sup>. The scenarios look at both the share should all new units be created in new buildings added to the existing mix of houses as well as if no additional buildings were built, and new units were completely realized through conversion of existing houses (a net reduction in the number of houses).

- Current share of houses=119,378 (91.1%)
- Forecasted share of houses if all new units are in newly added fourplexes = 87.7% (119,378 houses to 5,025 added fourplexes)
- Forecasted share of houses if all new units are in newly added duplexes = 84.6% (119,378 houses to 10,050 added duplexes)
- Forecasted share of houses if all new units result from fourplex conversions of existing houses =86% (119,378 - 6,666 converted houses = 112,712 houses to 6,666 added fourplexes)
- Forecasted share of houses if all new units result from duplex conversions of existing houses = 75.8% (119,378 -20,000 converted houses = 99,378 houses to 20,000 added duplexes)

It is unlikely that the share of housing units added over the planning period would be so skewed to a single housing type, especially given the historical utilization rates of duplex allowances. However, what this does show is that even with this unlikely scenario where none of the new units produced over the planning period is a single dwelling (house), single-dwellings continue to maintain between

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<sup>110</sup> RIP zone parcel geography stats, BPS 2020

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a nearly 76% to 88% share of the development types in these zones (including the existing mix of conditional uses, and non-conforming development).

To understand a more likely development scenario, House Bill 2001 provides for certain base assumptions for cities’ updates to their buildable lands inventories, stating that “the density expectations may not project an increase in residential capacity above achieved density by more than three percent without quantifiable validation of such departures”.

Corner lot duplexes and attached houses have been allowed citywide in R20-R2.5 zones since 1991. An inventory of assessor data showed that in RIP zones, the “capture rate” or utilization of the corner lot duplex provision ranged from 3.4 to 5.4 percent of corner lots depending on their proximity to designated centers. The highest quantified validation for duplex utilization under current zoning rules (which looks at the number of corner lots where duplexes exist, and does not account for RIP limitations on FAR which reduce the total allowed building size) is 6.3% in close-in inner neighborhoods near higher amenity centers on the high end and 0.6% for corner lot duplexes in the Western Pattern area on the low end, see the table below<sup>111</sup>:

<b>Corner lot duplexes (R7, R5 and R2.5 zones)</b>		
<b>Pattern Area</b>	<b>All corner lots</b>	<b>Only corner lots within ¼ mile of centers</b>
East	2.0%	2.9%
Inner	4.3%	6.3%
West	0.6%	1.7%
Citywide	3.4%	5.4%

For the reasons cited above, council finds that on balance, the RIP amendments more effectively and efficiently carry out the goals and policies of the Comprehensive Plan through the land use designations, Zoning Map, and the Zoning Code.

**Land use designations**

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

**392.Finding.** The Comprehensive Plan map includes land use designations for all land and water within the City’s USB. The RIP amendments include proposed rezones and changes to the underlying land use designations that correspond to the rezones. Council interprets “best advancing the Comprehensive Plan goals and policies” to mean that with equitable consideration of the benefits and burdens of proposed plans, investments, and regulatory changes in sum total, that the Guiding Principles which reflect the culmination of the goals and policies of the Comprehensive Plan are better served. As described in the preceding findings addressing the Guiding Principles, and after carefully considering all applicable comprehensive Plan policies as described in policy 1.10, the RIP amendments and proposed changes to land use designations and corresponding regulations are found to best advance the Comprehensive Plan goals and policies.

The RIP amendments include Comprehensive Plan Map and Zoning Map amendments that upzone a number of R5 parcels to R2.5, see (Volume 2, Section 5: Map Amendments). Most of these parcels are also being re-designated from Residential 5,000 to Residential 2,500. Some of these

<sup>111</sup> See SFR lots middle housing data, BPS 2020



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rezoned parcels already have corresponding Residential 2,500 plan designations. In rezoned areas where the current comprehensive plan designation is more intense than Residential 2,500 but still allows R2.5 zoning, the plan designation is unchanged. None of the rezoned parcels (apart from those that are being changed with a Residential 5,000 designation) include designations that do not allow R2.5 zoning.

The R2.5 designation “allows a mix of housing types that are single-dwelling in character. This designation is intended for areas near, in, and along centers and corridors, near transit station areas, where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. Areas within this designation generally do not have development constraints. This designation often serves as a transition between mixed use or multi-dwelling designations and lower density single dwelling designations.”

As illustrated in Exhibit B, Volume 3, Appendix F (R2.5 zoning changes), rezone areas and corresponding changes to the comprehensive plan map designations were selected based on existing adjacent zoning patterns, physical development factors, and proximity to centers, corridors and neighborhood amenities, and that have public services available consistent with the policies in the Comprehensive Plan.

### The Zoning Map and the Zoning Code

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

393. The RIP amendments include Comprehensive Plan Map and Zoning Map amendments that upzone a number of R5 parcels to R2.5, see (Volume 2, Section 5: Map Amendments). Most of these parcels are also being re-designated from Residential 5,000 to Residential 2,500. Some of these rezoned parcels already have corresponding Residential 2,500 plan designations. In rezoned areas where the current comprehensive plan designation is more intense than Residential 2,500 but still allows R2.5 zoning, the plan designation is unchanged. None of the rezoned parcels (apart from those also being changed from a Residential 5,000 designation) include designations that do not allow R2.5 zoning.

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

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

**10.3.b.** When amending a base zone quasi-judicially, the amendment must be to a corresponding zone (*see Figure 10-1 — Corresponding and Allowed Zones for Each Land Use Designation*). When a designation has more than one corresponding zone, the most appropriate zone, based on the purpose of the zone and the zoning and general land uses of surrounding lands, will be applied.

**10.3.c.** When amending a base zone legislatively, the amendment may be to a corresponding

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zone or to a zone that does not correspond but is allowed (see Figure 10-1 — *Corresponding and Allowed Zones for each Land Use Designation for zones that are allowed*). A legislative Zoning Map amendment may not be to a zone that is not allowed.

**394.Finding:** The RIP amendments include legislatively applied base zone changes to approximately 7,000 parcels from R5 to R2.5 (see Volume 2, Section 5: Map Amendments and Exhibit E). Most of these parcels are also being re-designated on the Comprehensive Plan Map from Residential 5,000 to Residential 2,500 (Exhibit C). Some of these rezoned parcels already have corresponding Residential 2,500 plan designations. In rezoned areas where the current comprehensive plan designation is more intense than Residential 2,500 but still allows R2.5 zoning, the plan designation is unchanged. None of the rezoned parcels (apart from those with a Residential 5,000 designation, which are being changed with these amendments to a conforming Residential 2,500 designation) include designations that do not allow R2.5 zoning, consistent with Figure 10-1.

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

**395.Finding:** This policy is applicable to quasi-judicial zone change amendments. The RIP amendments are legislative. This policy does not apply.

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

**396.Finding:** The RIP amendments remove the Alternative Design Density ('a') Overlay Zone from all single dwelling zoned parcels. The purpose of the 'a' overlay zone, which was initially adopted in 1993, is to allow increased density for development that meets additional design compatibility requirements. The overlay zone includes provisions that allow attached houses on vacant R5 lots, flag lots in the R2.5 zone, triplexes on some R2.5 zoned lots, and additional flexibility to rebuild structures with non-conforming residential densities.

The RIP amendments include residential infill options that require attached houses on narrow lots (25 feet wide or less), create new provisions for "small" flag lots (under 3,000 square feet), and allow triplexes (as well as fourplexes or up to 6 units in limited bonus situations) on more parcels than the 'a' overlay applied to. With the additional housing types allowed in RIP zones, the non-conforming density provisions of the 'a' overlay are also less relevant (since the amendments will render many non-conforming duplexes, triplexes or fourplexes conforming with respect to density). The default non-conforming provisions in Chapter 33.258 can more consistently be applied to development or densities that do not conform to current zoning standards. The Council also finds that the required design review or community design standards created a regulatory barrier that discouraged the creation of additional housing variety envisioned by the 'a'. In the 21-year period between 1995 and 2016, nearly 5,900 permits for new construction or exterior alterations were applied for on sites containing the 'a'. Of those, 112 (<2%) involved design review or community design standards, an indication of the low utilization of those provisions.

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In conjunction with proposed allowances for additional housing types, the RIP amendments include a new Constrained Sites ('z') Overlay Zone which would be applied to roughly 8,000 parcels zoned R2.5, R5 or R7. The purpose of the overlay is to reduce the development potential on lots with specific types of development constraints, which make the lots less suitable for three or four dwelling units. A constraints analysis was used to establish areas that would not be able to utilize additional housing types, and thus restrict the introduction of additional households into areas of higher relative risk. Areas with natural resources were likewise included in the 'z' overlay based on an updated Natural Resources Inventory (NRI), which was adopted (Ordinance 185657) and acknowledged by LCDC on June 13, 2014. The NRI identifies the location, quantity, and quality of all significant natural resources. The constraints included in the composite 'z' Constrained Sites overlay zone are:

- Special flood hazard area (Land area covered by the floodwaters of the base flood, as shown on the Federal Emergency Management Agency (FEMA) maps in effect on November 26, 2010);
- Floodway (The active flowing channel during a flood, as designated on the flood maps adopted under authority of Title 24 of the Portland City Code.)
- 1996 Flood Inundation area (A record peak flow in February of 1996 caused the Willamette River and its major tributaries to flood. This map was created to delineate the inundated areas near the mainstem and major tributaries of the Willamette River)
- Potential Rapidly Moving Landslide Hazard Zones (as shown in the DOGAMI IMS-22 publication)
- Deep landslide—High Susceptibility or Landslide Deposit or Scarp as shown in the DOGAMI IMS-57 publication
- Low, medium, or high value resources pursuant to the adopted Natural Resources Inventory

**Policy 10.4. Amending the Zoning Code.** Amendments to the zoning regulations must be done legislatively and should be clear, concise, and applicable to a broad range of development situations faced by a growing city. Amendments should:

**10.4.a.** Promote good planning:

- Effectively and efficiently implement the Comprehensive Plan.
- Address existing and potential land use problems.
- Balance the benefits of regulations against the costs of implementation and compliance.
- Maintain Portland's competitiveness with other jurisdictions as a location in which to live, invest, and do business.

**10.4.b.** Ensure good administration of land use regulations:

- Keep regulations as simple as possible.
- Use clear and objective standards wherever possible.
- Maintain consistent procedures and limit their number.
- Establish specific approval criteria for land use reviews.
- Establish application requirements that are as reasonable as possible, and ensure they are directly tied to approval criteria.
- Emphasize administrative procedures for land use reviews.
- Avoid overlapping reviews.

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### 10.4.c. Strive to improve the code document:

- Use clear language.
- Maintain a clear and logical organization.
- Use a format and layout that enables use of the document by lay people as well as professionals.
- Use tables and drawings to clarify and shorten the document.
- Identify and act on regulatory improvement suggestions.

**397.Finding:** Volume 2 presents the legislative amendments to the Zoning Code to implement the proposals presented in Volume 1 of this ordinance. These amendments have been made in some cases to correct or update existing regulations to be consistent with the direction of RIP, or to include new regulations and standards to allow implementation of RIP as no other provisions may exist to accomplish that task. In all cases, the Zoning Code amendments are presented in as clear and objective of a way possible to ensure the intended users will be able understand and utilize the Zoning Code as it applies to their development proposals, land use, and properties, consistent with Comprehensive Plan Policy 10.4.

The introduction of new development type allowances for triplexes and fourplexes does not detract any further from this designation than previous allowances for accessory dwelling units on any lot and corner lot duplexes, or the ability to construct triplexes in the R2.5 zone. The current mix of single dwellings to multiple unit properties in these zones is 91% to 5%. The projected allocation of new units within these zones is roughly 20,100 units (in a variety of houses, duplexes, triplexes or fourplexes) within the setting of nearly 119,000 existing single-family houses.

While the *ability* to develop more types of housing is allowed by RIP amendments, there is no *requirement* that single dwelling houses cannot be built. If no new houses were constructed as part of this mix of units, and all 20,100 units were accommodated with new multiple unit buildings, in the most extreme build out scenario, houses would continue to represent between 75 and 87 percent of the overall housing mix in these zones<sup>112</sup>. House Bill 2001 provides for certain base assumptions for cities' updates to their buildable lands inventories, stating that "the density expectations may not project an increase in residential capacity above achieved density by more than three percent without quantifiable validation of such departures". As shown in the findings for Goal 10.A, the utilization of current middle housing (corner lot duplex) allowances ranges by geography (both by pattern area of the city and proximity to centers areas) between a low of 0.6% (average of western pattern area) to a high of 6.3% (centers within inner pattern area), and a citywide range of 3.4% to 5.4% (closer to centers). This underscores that single dwellings will continue to be the primary use in these zones.

Primary is defined as "of first rank, importance, or value". While HB2001 restricts the city's ability to limit duplexes and encourages other middle housing types in single dwelling zoned areas, City Council finds that the RIP amendments continue to adhere to single family uses as being primary as evidenced by the zoning code development standards in these zones that continue the pattern of single primary structure forms, in a lower set building scale with generous setbacks and limited heights that respect and are consistent with the single dwelling character. Furthermore, with the current and future units that continue to comprise more than 75% of the development types (and more realistically closer to within the single-family zones houses remain the primary development

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<sup>112</sup> RIP zone parcel geography stats, BPS 2020

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type and are thereby consistent with their designations which describe single-dwelling residential as the primary use.

## Part IV. Area-Specific Plans

To the extent 33.835.040 requires Council to consider whether the amendments are consistent with area plans, these are the only areas plans associated with the regulations because they are the only adopted area plans that include policies related to the single-dwelling zones:

Albina Community Plan (Ordinances 166786 and 167054, effective 1993)

Outer Southeast Community Plan (Ordinance 169763, effective 1996)

Southwest Community Plan Vision, Policies and Objectives (Ordinance 174667, effective 2000)

**398.Finding:** The City Council has identified the following policies and objectives to be applicable to the RIP amendments.

### ALBINA COMMUNITY PLAN (1993)

#### Policy Area I: Land Use

#### Policy B: Livable Neighborhoods

Protect and improve the livability of the residential neighborhoods within the Albina Community. Direct new development activity to those areas that have experienced or are experiencing a loss of housing. Ensure the compatibility of new development with nearby housing. Foster the development of complete neighborhoods that have service and retail businesses located within or conveniently near to them. Promote increases in residential density without creating economic pressure for the clearance of sound housing.

**399.Finding:** The RIP amendments support this policy by encouraging new development activity for additional housing units on vacant and underutilized sites. At the same time the economic analysis shows that RIP's new limits to the amount of floor area that can be built on a site decrease incentive to demolish sound housing by reducing the residual land value for parcels subject to redevelopment. This means that it is less economically feasible to purchase "full price" houses, demolish them and build less square footage than what was previously allowed. In other words, the houses more likely to be redeveloped will be distressed or otherwise comparatively less expensive than other homes in the immediate vicinity.

RIP amendments protect and improve neighborhood livability through design and development rules for new residential development in a number of ways already described in other findings including limitations of the size, height and siting of new residential buildings. These limitations are set to reign in the possibility of new development that is unacceptably large given neighborhood context. RIP also better ensures new development protects and improves the public realm through limitations on street facing garages and location of vehicle areas that disrupt the pattern of how houses address streets and sidewalks. New development on narrow lots will also be improved through requirements for attached housing to better reflect existing development on wider lots.

**Objective 3.** Review new infill development to ensure that it reinforces the neighborhood's positive characteristics.

**400.Finding:** The Albina Plan identifies a range of positive and negative characteristics of Albina's single-dwelling housing in 1993. "On the positive side, the old buildings and homes are an investment from the past that can be continuously used and adapted to meet new demands for space by both residential and non-residential users." However, the Plan describes the predominance of single-

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dwelling detached homes as a limitation that results in less availability of housing options for “low, moderate, or middle-income households searching for housing.” (Page 12: Albina Community Plan, 1993). The Plan goes on to propose a new zoning tool, embodies principles similar to those expanded almost 30 years later by RIP. “The Alternative Design Density overlay encourages infill development in existing residential neighborhoods such as the development of second units through remodeling or expansion of existing structures.” Like RIP, these provisions used development standards “to ensure compatibility of new development with positive features of surrounding neighborhoods...” (Page 16: Albina Community Plan, 1993)

Specifically, RIP includes regulations that will require staff review (through clear and objective standards) to ensure that new development includes elements that reinforce the positive characteristics of residential neighborhoods, such as through expanded requirements for landscaped front setbacks, outdoor space, street-oriented entrances, and limitations on front garages and parking. Moreover, reductions in on-site parking requirements will help to retain continuous sidewalks and provide more area on the lot for outdoor area and trees. Consistent with the purpose of the Albina Plan District, “infill housing compatibility and affordability is encouraged by eliminating off-street parking requirements for small multi-dwelling housing projects.”

#### **Policy C: A Pattern of Green**

Enhance the Albina area with attractive and well-maintained parks and open spaces. Ensure that open space and recreation facilities in the Albina Community meet the needs of present and future residents. Develop green links between Albina's parks and recreational facilities, its residential areas, a City-wide system of green spaces and nearby natural areas.

**Objective 6.** Provide landscaping and street trees with new development and major remodeling projects.

**401.Finding:** Reductions in required on-site parking provide greater opportunities for additional landscaping and street trees. On site tree density and street tree planting requirements of Title 11 ensure that street trees will be planted with new development and major remodeling. Landscaping requirements are also applied to narrow lot development.

#### **Policy E: Transit Supportive Land Use**

Focus new development at locations along transportation corridors that offer opportunities for transit supportive developments and foster the creation of good environments for pedestrians in these areas.

**Objective 1.** Increase opportunities for people to live near where they work and shop by locating higher density housing near commercial and institutional areas.

**Objective 2.** Create opportunities for new housing development near Portland Community College's Cascade Campus and near Concordia College.

**Objective 4.** Consider increasing allowable density to transit supportive levels at locations that are within one-quarter mile of transit streets.

**402.Finding:** The RIP amendments support these transit supportive land use policies through provisions that provide flexibility for more units on sites in single-dwelling zones and by regulations that promote pedestrian-friendly street environments. 94 percent of lots in single dwelling zones without the ‘z’ constrained overlay zone is within a quarter mile of streets with transit. This increases the potential numbers of households within existing transit served areas. These RIP amendments that provide greater flexibility for numbers of housing units also provide more opportunities for housing close to commercial areas and Portland Community College (Cascade

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Campus) and Concordia College. Other RIP amendments promote pedestrian-oriented environments through requirements for street-oriented entrances and limitations on front parking and garages

#### **Policy Area II: Transportation**

Take full advantage of the Albina Community's location by improving its connections to the region. Emphasize light rail transit as the major transportation investment while improving access to freeways to serve industrial and employment centers. Protect neighborhood livability and the viability of commercial areas when making transportation improvements. Provide safe and attractive routes for bicyclists and pedestrians

**Objective 7.** Concentrate new residential developments and commercial investment near transit corridors.

**403.Finding:** The RIP amendments support this policy through provisions that provide flexibility for more units on sites in single-dwelling zones. 94 percent of lots in single dwelling zones without the 'z' constrained overlay zone is within a quarter mile of streets with transit. This increases the potential numbers of households within existing transit served areas.

**Objective 12.** Provide for higher density housing opportunities adjacent to the northern light rail alignment that is timed with the completion of the Environmental Impact Statement (EIS) process and the securing of funding. Limit rezonings that allow higher density housing to locations that are within 2,000 feet of the location of light rail transit stations as identified in the approved EIS.

**404.Finding:** RIP rezones select R5 areas with historically narrow platting that also are near light rail to R2.5. This change is consistent with this policy and responsive to SB534, which requires that cities allow development of at least a house (or duplex with HB2001) on any platted lot.

#### **Policy III: Business Growth and Development**

Stimulate investment, capital formation, and job creation benefiting Albina enterprises and households. Expand and diversify the area's industrial, commercial, and institutional employment base. Aggressively market the Albina Community to investors, developers, business owners, workers, households, and tourists.

**405.Finding:** The RIP amendments do not specifically relate to job creation; however, increasing the range of allowable housing types increases the capacity for additional households to live in the Albina Community. With a wider variety of housing unit sizes and configurations now possible, local business owners, managers, and employees are more likely to find a housing solution that better suits their needs, to help expand and diversify the business base.

Also, as noted in Finding 400, the Albina Community Plan saw the lack of housing options that could be built on the neighborhoods single-dwelling lots. RIP amendments address this by increasing flexibility for Albina homeowners to continue to invest and reuse their properties and potentially build value in this asset.

#### **Policy B: Commercial, Institutional and Employment Centers**

Recruit, retain, and encourage expansion of economic activities and institutions which enhance neighborhood livability. Conserve community assets and resources. Use public programs and resources to encourage more efficient design and utilization in the Albina Community's commercial, institutional and industrial centers.



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**Objective 11.** Increase the proportion of local business owners, managers, and employees who live in the Albina Community.

**406.Finding:** Increasing the potential range of housing types increases the capacity for additional households to live in the Albina Community. Zoning by itself can't dictate who lives where, but it can contribute to conditions that exclude people from living in certain places<sup>113</sup>. With a wider variety of housing unit sizes and configurations now possible, local business owners, managers, and employees are more likely to find a housing solution that better suits their needs. The Albina Community Plan links increasing housing options, supply and investment to this objective. It states, "depressed residential investment...in turn, leads to further erosion of the local consumer market upon which neighborhood-oriented businesses and enterprises are dependent" (Page 12: Albina Community Plan 1993).

**Policy Area V: Housing**

Increase housing opportunities for current and future residents of the Albina Community by preserving and rehabilitating the existing housing stock, constructing appropriate infill housing in residential neighborhoods and building higher density housing near business centers and major transit routes. Stimulate new housing investment by emphasizing the Albina Community's central location, established public services, and qualify housing stock.

**Objective 1.** Improve the quality and quantity of housing for Albina residents. Provide a variety of housing types for households of all sizes and incomes.

**Objective 3.** Provide opportunities for home ownership for Albina residents. Emphasize infill development that accommodates owner-occupancy and is compatible with the surrounding neighborhood.

**Objective 4.** Preserve and encourage the rehabilitation of existing sound housing, especially rental housing.

**407.Finding:** The RIP amendments support these housing objectives through provisions that change regulations to facilitate a diverse range of infill housing, incentives for preserving existing housing, and through allowances for additional units close to commercial areas and transit. The amendments support a broader diversity of housing types by allowing up to four units on a lot instead of just a single house. This combined with building size limit caps that vary by the number of units on the site ensure a greater variety of sizes, suitable for more income levels. The RIP amendments promote a range of affordable housing opportunities through expanded development bonuses for projects that include affordable housing and a new development bonus focused on projects with deeper levels of affordability (for projects in which at 50% of the units are affordable at no more than 60 percent of median area income). Other amendments provide allowances for developing historically narrow lots with attached houses, providing increased homeownership opportunities, and ensuring improved compatibility with development on wider lots.

**408.**As explained in Findings 121 and 125 other amendments include regulations intended to guide new development to be more compatible with existing residential development. As explained in Finding 122, there are several provisions relating to incentives to retain existing houses are designed to encourage preservation and rehabilitation of these homes for additional rental units or condominium ownership opportunities.

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<sup>113</sup> Historical Context of Racist Planning, BPS, September 2019

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**Policy Area IX: Community Image and Character**

**Policy B: Urban Design**

Improve the physical appearance of Albina. Enhance the desirable and distinctive characteristics of the Albina Community and its individual residential, commercial and employment districts. Strengthen visual and physical connections to the rest of the city. Mark transitions into neighborhoods and districts. Create a safe and pleasant environment for pedestrians. Strengthen the pattern of green that exists throughout the Albina Community.

**Objective 8.** Protect and enhance Albina's historic and cultural characteristics and encourage compatible, quality development.

**409.Finding:** The RIP amendments support this policy by provisions that promote the compatibility of duplex, triplex and fourplex development with existing housing and encourage historic preservation. These housing types –common in Albina and other inner neighborhoods – with new limitations on building size will integrate this higher-density development with the characteristics of Albina’s residential neighborhoods. Limitations on street facing garages and location of vehicle areas are also established to provide greater consistency with the characteristics of Albina and other residential neighborhood areas and to ensure that new development enhances the public realm of streets. Other amendments promote historic preservation by providing additional FAR when existing houses are retained as units are added to the site.

Additional protections for historic resources are included in the RIP amendments by restricting 3 or more units on sites with a resource that was demolished without City Council approval. This primarily affects contributing structures in conservation districts and conservation landmarks which are not presently protected by demolition review (which requires city approval) but instead are only limited by a 120-day demolition delay.

**Policy C: Historic Preservation**

Protect the rich historic, cultural and architectural heritage of the Albina Community for its residents, workers and visitors.

**Objective 3.** Encourage adaptive reuses of historic properties as long as the historic character of the structures are maintained.

**410.Finding:** The RIP amendments support this policy by expanding options for adaptive reuse for sites preserving historic resources, including adding more ADUs, or converting the structure into a duplex, triplex or fourplex and by allowing additional amounts of FAR when the existing structure is maintained and the front façade is not substantially (more than 25%) altered. Historic Landmarks in the Albina Plan District are subject to historic resource review when exterior alterations are proposed. Properties in the six conservation districts are additionally subject to design standards to ensure the historic character of structures is maintained. Additional protections for historic resources are included in the RIP amendments by restricting 3 or more units on sites with a resource that was demolished without City Council approval. This primarily affects contributing structures in conservation districts and conservation landmarks which are not presently protected by demolition review (which requires city approval) but instead are only limited by a 120-day demolition delay.

## **OUTER SOUTHEAST COMMUNITY PLAN (1996)**

### **Transportation Policy**

Ensure that streets in outer southeast form a network that provide for efficient travel throughout the community and to other parts of Portland and the region. Reduce congestion and pollution caused by the automobile by creating land use patterns that support transit, bike, and pedestrian travel.

**Objective 1.** Reduce the amount of automobile driving done by area residents by making it more convenient to use public transit.

a. Increase housing densities within one-quarter mile of transit streets.

**Objective 2.** Support better mass transit service by creating opportunities to develop higher density housing on or near streets with public-transit service or planned public transit service. Ensure that this housing blends in with that of surrounding residential areas.

**411.Finding:** The RIP amendments support this policy through provisions that provide flexibility for more units on sites in R2.5, R5, and R7 single dwelling-dwelling zones and by regulations that promote pedestrian-friendly street environments. 94 percent of eligible single dwelling lots are within a quarter mile of streets with transit. This means that RIP amendments that allow additional units on sites in single-dwelling zones will allow more people to live closer to transit. Other RIP amendments will foster development that blends in with East Portland residential area characteristics, such as requiring landscaped front setbacks where narrow lots are developed and limits on building scale that will help keep new development better proportioned.

### **Housing Policy**

Provide a variety of housing choices for outer southeast community residents of all income levels by maintaining the existing sound housing stock and promoting new housing development.

**Objective 2.** Stimulate production of new housing units by both private and nonprofit housing producers to accommodate expected population growth.

**Objective 3.** Increase opportunity for building more single-family housing in outer southeast neighborhoods.

**Objective 4.** Promote construction of attached housing designed to be owner-occupied to accommodate smaller households.

**Objective 7.** Preserve and increase the supply of housing affordable to households below the median income.

**412.Finding:** The RIP amendments support this policy and its objectives through provisions facilitating a broad range of additional housing options and by providing incentives for creating affordable housing units. These amendments include provisions that provide flexibility for more units on sites in single-dwelling zones (R7, R5, R2.5). By increasing the number of units that occupy each lot from 2 to 4 with bonus provisions to achieve up to 6 units when 50% are offered at 60% MFI, there is greater opportunity for more housing units to be produced in each development occurrence. With these incentives and allowances private and nonprofit housing producers are better able to accommodate expected population growth in more types of housing to suit a greater range of housing needs and income levels. To promote the construction of attached houses, several areas in the outer Southeast plan area are rezoned from R5 to R2.5 to reflect the underlying historically narrow lot platting pattern. This rezoning signals to owners and builders that attached housing is anticipated in these areas. These narrow lot attached houses offer fee simple homeownership options for smaller households.

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**Open Space and Environment Policy**

Provide parks and open spaces to meet projected recreational needs of outer southeast residents. Create a sense of connection with the natural environment. Protect natural resources by reducing the impact of development on them.

Objectives:

**Objective 7.** Protect and improve water quality within the Johnson Creek Basin.

- Improve flood plain management.
- Encourage responsible flood plain development.

**413.Finding:** The RIP amendments include a new overlay zone ('z' constrained sites overlay) that restricts development of 3 or more units on lots in flood prone areas. This reduces the pressure to develop in floodplains and reduces the total asset risk in these areas. The 'z' overlay additionally restricts development of 3 or more units on lots with inventoried natural resources to reduce the impact of development on them.

**Objective 9.** Improve the appearance and livability of outer southeast neighborhoods.

**414.Finding:** The RIP amendments include provisions that apply to several areas of East Portland where alleys are present. In these cases, access to vehicle parking must be from the alley. This helps improve the appearance of front yards by eliminating driveways in favor of greenspace. Other standards address building scale and height, limit garages and front parking, and improve the relationship of the front door to the ground, limiting tall flights of stairs to the front door, which improves the approachability of the dwelling.

**Public Safety Policy**

Apply CPTED principles to both public and private development projects. Encourage land use arrangements and street patterns that provide more eyes on the street. Encourage site layouts and building designs that encourage proprietary attitudes and natural surveillance over shared and public spaces.

**Objective 1.** Promote a mix of development and uses at focal points and attractions that provide round-the-clock surveillance.

**415.Finding:** The RIP amendments allow for a greater mix of development types in locations previously restricted to a single house and ADU. Together with street facing window requirements, and minimizing the amount of blank garage walls, increasing the number of households that reside on a lot increases the potential for more people to be at home at any particular time with more street facing windows which increases opportunities for natural surveillance, a CPTED principle.

**Objective 3.** Encourage development of new detached and attached residences with porches, balconies, and windows that overlook the street. Set the garage back from the front of the building.

**416.Finding:** The RIP amendments allow both detached and attached houses, including side by side multi plex units (duplexes, triplexes, fourplexes and sixplexes) that that can be oriented to the street like attached housing. The base zone development standards include minimum street facing window and main entrance requirements and require that garages either match the front building line or be setback from it.

**Subarea Policy I – Traditional Urban Neighborhoods**

Preserve the fabric of these traditional residential neighborhoods and streetcar era commercial districts. Promote construction of new housing on or near transit streets and "Main Street" development on portions of Foster Road, Stark, and Glisan Streets. Encourage infill development.

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**Objective 4.** Encourage compatible infill at densities which support transit on vacant lots in established residential areas.

**417.Finding:** Transit supportive densities for frequent service are generally 15 or more units per acre<sup>114</sup>. In the R7 zone (the lowest density of the three RIP zones), the base density is roughly 6 units per acre. The RIP amendments provide up to 4 units on each lot, providing opportunities for achieving greater transit supportive densities in these areas. This can be accomplished on vacant lots, conversion of houses on developed lots, or adding ADU's to houses or duplexes.

**Subarea Policy II – 82<sup>nd</sup> Avenue/I-205 Corridor**

Promote the revitalization of 82nd Avenue. Increase the number and variety of jobs provided in these areas. Enlarge the market for local retail and service businesses by increasing housing opportunity.

**Objective 6.** Create opportunity for higher-density residential development along transit streets and in areas with vacant residential land.

**418.Finding:** The RIP amendments allow for a greater mix of development types in locations previously restricted to a single house and ADU. This provides opportunity for higher density development along transit streets in locations where those streets are zoned R2.5, R5 or R7. Moreover, vacant land is more attractive to development of these housing types as the comparative cost to purchase a vacant lot to a lot with structures on it will generally be lower, holding parcel size and location constant.

**Subarea Policy III - Lents Town Center Policy**

Foster the development of a Lents Town Center that attracts employment opportunities, residential density, and recreational activities while reducing adverse environmental impacts.

**Objective 4.** Ensure a wide range of housing in terms of structure, ownership, rental patterns, and price.

**419.Finding:** The RIP amendments allow for a greater mix of housing types in locations previously restricted to a single house and ADU. This creates opportunities for a wider range of housing structure types, and with a greater range of unit sizes. The zoning code is tenure neutral, meaning that it does not regulate whether housing is owned or rented. Due to land division limitations, the most likely form of ownership for multi-unit buildings will be as condominiums. Also, since buildings above 3 units must use the commercial building code the cost of development may make them more prone to be rental units<sup>115</sup>. The amendments also rezone a portion of the Lents subarea to R2.5. This area is comprised of historically narrow lots, which are well-positioned to create fee simple homeownership opportunities based on the presence of the underlying lot lines and existing lots.

**Subarea Policy V – MAX LRT Corridor**

Ensure that private development reinforces and is reinforced by the public light rail investment by encouraging development of intense commercial and dense residential uses near the MAX light rail stations.

**Objective 4.** Increase housing densities within one-half mile of the light rail stations to at least the higher density single family designations as the appropriate opportunity arises.

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<sup>114</sup> Community Characteristics Promoting Transit and Walking Dr. John Holtzclaw, March 2007

<sup>115</sup> Economic Analysis of Proposed changes to the Single-dwelling zone development standards, Johnson Economics, November 2018

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**420.Finding:** The RIP rezoning of R5 area to R2.5 is located directly between two light rail stations each within a half mile of the rezoned area. Therefore, this objective is met.

### **Subarea Policy VI – Suburban Neighborhoods**

Enhance established suburban neighborhoods by improving connections to transit and shopping, reinforcing transit, providing new open space and focusing development on infill and opportunity sites.

**Objective 1.** Increase single-family housing densities where there are a number of vacant or underused lots.

**421.Finding:** The RIP amendments increase the allowable housing densities within most properties zoned R2.5, R5, and R7 from one house to up to four or six units. The zoning code does not make the distinction based on the vacancy or development utility of lots, however, where vacant or underutilized lots are developed, they are now able to develop at higher densities than previously allowed. Additionally, the RIP amendments include a number of added incentives designed to encourage retaining and converting existing houses, including additional FAR, greater flexibility for basement ADU creation, and the ability to add 250 square feet regardless of FAR limits every five years.

### **Subarea Policy VII – Mixed-Era Neighborhoods**

Provide for the orderly development of new housing at urban densities and ensure that residential areas are served by convenient neighborhood commercial centers and transit.

Objectives:

**Objective 1.** Increase the single-family housing opportunity in areas where there are large lots and vacant properties suitable for development.

**422.Finding:** The RIP amendments increase the allowable housing densities within most properties zoned R2.5, R5, and R7 from one house to up to four or six units. The zoning code does not make the distinction based on the vacancy or development suitability of lots, however, where vacant or underutilized lots are developed, they are now able to develop at higher densities than previously allowed. New requirements also ensure greater utilization of double sized lots in these zones by requiring at least two dwelling units with new development.

**Objective 10.** Ensure that potential development permitted by the Comprehensive Plan within the Johnson Creek flood plain does not contribute to the Johnson Creek flooding problem.

**423.Finding:** The RIP amendments restrict 3 or more unit development where flood plains are present. This, in combination with reductions in maximum building scale reduce the overall volume of development potential in the Johnson Creek flood plain area. Existing density transfers continue to be allowed in the Johnson Creek Plan District to transfer density from the flood plain to other areas of the district.

### **Subarea Policy VIII – Mt. Scott/Johnson Creek**

Protect the natural character of the area while providing for orderly urban development. Provide for the recreational needs of this newly developing area and locate new housing opportunity near Powell Butte.

**Objective 5.** Create zoning incentives which encourage the orderly urbanization of environmentally constrained and unserved areas.

**424.Finding:** The RIP amendments restrict 3 or more unit development where flood plains, landslide hazards, or inventoried natural resources are present. Unserved areas are primarily in the R10, R20 and RF zones within the subarea and are not included in the housing type amendments. When development does occur in environmentally constrained areas, it must adhere to existing

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environmental regulations, which are unchanged by this ordinance. Furthermore, in the Pleasant Valley Plan District, the R7 minimum site size for a land division is 20 acres, and the minimum site size for a dwelling in the RF zone is also 20 acres. This is intended to encourage more thoughtful master planned development that can better integrate environmentally constrained areas and be at a level that can support extension of services.

### **Objective 6. Create additional opportunity for higher-density housing on vacant land near Powell Butte.**

**425.Finding:** The RIP amendments increase the allowable housing densities within most properties zoned R2.5, R5, and R7 from one house to up to four or six units. The zoning code does not make the distinction based on the vacancy or development utility of lots, however, where vacant or underutilized lots are developed, they are now able to develop at higher densities than previously allowed. New requirements ensure greater utilization of double sized lots in these zones by requiring at least two dwelling units with new development.

## **SOUTHWEST COMMUNITY PLAN (2000)**

### **Land Use and Urban Form**

Enhance Southwest Portland's sense of place as a community and a collection of distinct neighborhoods.

Accommodate Southwest Portland's share of regional growth while protecting the environment in all areas.

Encourage the realization of compact, transit and pedestrian-friendly, mixed-use centers while responding to the need for a range of housing types and prices.

Outside of the mixed-use areas, allow infill housing opportunities which increase neighborhood diversity, stability and home ownership while limiting redevelopment.

**426.Finding:** According to the Southwest Community Plan (SWCP), the area's sense of place comes from a combination of its "diversity in demographics, residential character, terrain and infrastructure, commercial and business enterprises, and public and private facilities and institutions." The SWCP uses a framework of centers, main streets and residential neighborhoods of different densities to connect the whole while responding to distinctive characteristics of the parts. The RIP amendments are designed to work within this framework; and the additional development in RIP designed, in terms of amounts, scale and standards, to specifically to fit the character of development of each single-dwelling zone. The SWCP Objective I.6. states: "Develop zoning, subdivision and design tools to promote infill development that is compatible with the desired character of established residential areas." This is exactly what RIP does by allowing for more housing opportunities while limiting the overall allowed size of new buildings in ways that maintain the sense of place characteristic of the zone and the neighborhoods to which that zone is applied.

The RIP amendments provide more ways that Southwest Portland can accommodate growth on existing developed land. RIP delivers infill development with more units on existing single-dwelling lots. This includes enabling smaller, more energy efficient and lower cost options to help both existing SW residents as they transition in their housing needs, as well as new residents of SW to support and increase the diversity in demographics of the area. With the RIP amendments, the growth allocation of 6,000 additional units in SW neighborhoods can be met with redevelopment of 2,000 fewer single-dwelling lots. This is because some of those single lots will be developed with

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multiple units as allowed by RIP units. In other words, when redevelopment occurs, it is more likely to accommodate more units on a single site, but fewer instances of redevelopment is predicted based on increases in capacity and infill expected in inner neighborhood pattern areas. RIP also allows for this growth while protecting environmental resources. The additional housing types allowed by RIP are restricted by the 'z' overlay zone on properties containing inventoried low, medium, or high natural environmental resources.

Even with the RIP amendments, most of the growth forecast for SW still will be in designated centers and corridors and in mixed-use zones as shown in the in 2035 Comprehensive Plan. This plan was found to meet objectives for compact, transit and pedestrian-friendly, mixed-use centers.

Finally, the additional housing opportunities allowed by RIP will increase the diversity of housing stock, provide more options for residents to change their housing situation while staying in the neighborhood. These units could be developed as or converted to condominium ownership to increase homeownership opportunities as well. The FAR limits and other housing retention provisions simultaneously allow diverse infill opportunities while serving to reduce incentives for redevelopment.

Develop zoning, subdivision and design tools to promote infill development that is compatible with the desired character of established residential areas.

### ***I. Community-wide Objectives***

**Objective 1.** Ensure compatibility of new development with Southwest Portland's positive qualities.

**427.Finding:** The SWCP vision identifies the "positive qualities" desired for SW Portland: These include:

"Throughout Southwest Portland, residents find a diversity of housing and transportation choices. People continue to live close to major commercial/retail corridors in higher-density housing that has allowed preservation of the lower-density inner neighborhoods."

"By 2020, the forested hills and dales of Southwest Portland and its intricate network of rills, creeks, and streams have been preserved or restored to allow an abundant return of native fish and a sustaining habitat for birds and other small wildlife."

City Council finds that RIP ensures that "residents find a diversity of housing" by increasing the diversity of allowed housing types. City Council also finds that RIP does this in a way that preserves lower-density inner neighborhoods. RIP does this by adding development limits on new building size and siting and adding design standards such as restrictions on garages and parking location, main entrance height limitations, and narrow lot design standards. RIP also changes how maximum height are measured in these zones in a way that will help new development better reflect the 2-1/2 story height of houses and reduce tall building walls on the downslope side of sloping lots.

**Objective 2.** Encourage innovative designs in public and private development that are in harmony with the natural character of Southwest Portland.

**428.Finding:** The SWCP describes "the natural character of Southwest Portland" in a number of ways. It refers to SW's terrain and streams, important natural resources and habitat, forested hills, extensive formal and informal trail network and connection to the Willamette River. City Council finds that RIP addresses how new buildings and additional housing options can be added while protecting this character.



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The ways RIP does this is by the limitations on size, siting and design of new infill in single-dwelling zones, by decreasing the market pressure to develop on more environmentally sensitive sites by increasing the number of units yielded through redevelopment or additions to already developed lots, and by limitations of use of RIP options in the “Z” overlay, which corresponds to environmentally and physically sensitive sites. Also, with RIP, e-zone regulations and the storm water manual requirements still apply.

RIP also removes barriers that discourage the use of the Planned Development (PD) review, which is a zoning tool specifically designed to encourage innovative design through allowing flexibility in development standards in exchange for meeting neighborhood compatibility criteria. RIP aligns the PD review with the land division process and changes the thresholds for PDs, which reduces both application costs (removing the requirement for a preapplication conference as well as a lower Type II application fee) and reducing process review times. Also, provisions related to density of allowed dwelling units and maximum FAR were better equalized between the PD and regular land division processes. This is also addressed in Finding 94.

**Objective 3.** Ensure that zoning designations represent densities that are likely to be achieved.

**429.Finding:** The analysis conducted in the RIP process considered both the feasibility of new development under RIP in terms of physically (what fits appropriately on a site), economically (whether demand and costs were likely to support new development) and in terms of provision of city services to new development.

zoning designations in single dwelling zones reflect the allowed lot density. For example, R5 refers to one lot on average per 5,000 square feet of area. The allowed unit density on these lots is being increased from 2 per lot to up to 4 units per lot (where the ‘z’ overlay is not present and where minimum lot size requirements are met) and potentially up to 6 units where deeper levels of affordable units are provided (50% of units at 60% MFI affordability levels). The zoning designations are not being changed in Southwest, except for one 8-acre pocket of R5 zoning with historically narrow lots which is rezoned to R2.5. In this case, the designation is changed to reflect the presence of underlying lots that are already 2,500 square feet. These lots are in areas with available sewer, water, and streets, and are not encumbered by natural hazards or resources.

(b) Encourage redevelopment that has clear public benefit, fewer adverse consequences, minimal environmental limitations and adequate infrastructure.

**430.Finding:** The RIP amendments include a number of measures to encourage existing house retention including the FAR limits themselves which discourage demolitions by reducing residual land values, FAR bonuses for retaining and adding units to an existing house, ADU flexibility, visitability waivers for existing structures, and small additions that are allowed to exceed FAR maximums. When redevelopment occurs, the FAR system is designed to encourage creation of multiple units (up to 4 units or 6 units when meeting affordability requirements). These smaller, compact plexes provide clear public benefit in terms of additional housing choices and units. With limitations on FAR and retaining existing building coverage maximums, the physical impacts are the same as or less than what was previously allowed. Moreover, such redevelopment is limited to duplexes in areas with natural resources and/or hazards (through application of the ‘z’ overlay) and will be required to conform to infrastructure bureau standards at the time of development.

(c) Ensure that development and redevelopment occurring outside of mixed-use areas respects the scale and the desired neighborhood character identified in individual neighborhood plans.

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**431.Finding:** The only adopted neighborhood plan in the Southwest Community Plan Area is the Corbett-Terwilliger-Lair Hill Neighborhood Plan (1977). Within that plan area, RIP zones are found predominantly within the Terwilliger subarea. The relevant goals identified by the Terwilliger Neighborhood are: Goal 1. retain and enhance Terwilliger as a primarily low density residential neighborhood; do not expand the A2.5 zone. Goal 2. encourage construction of housing for the elderly 8) discourage zone changes or conditional use permits in residentially zoned land for parking lots or structures. Goal 10. for geologic stability and as a buffer to the Salem Freeway keep land between Corbett and [I-5] Freeway as undeveloped open space.

The A2.5 (now called the R2.5) zone was in an area that is presently zoned R5. No zone changes are made within this neighborhood plan area with this ordinance. Under RIP R5 will allow 2 or more units under size and siting limitations. This makes the number of units on a site more aligned with R2.5, however in these cases, larger lot sizes are required and the RIP building scale limitations will keep the new development compatible w/ R5.

Also, The RIP amendments require visitable units when 3 or 4 units are developed on a site to better accommodate housing for disabled and elderly persons. Commercial parking is and remains a prohibited use in RIP zones. Land between the I-5 freeway and Corbett has been designated with the 'z' overlay due to the presence of landslide potential and natural resources which further restricts the development potential on these lots.

### **Objective 5. Support protection of historic and scenic resources in Southwest Portland.**

**432.Finding:** As described in Finding 5,122, 142 and 144, the RIP amendments do not change existing historic resource or scenic resource protections. The amendments do reduce total allowable building scale in RIP zones and alters height measurement methods which support scenic protections by reducing the potential degree of visible impact. The amendments also include several incentives to encourage retention of existing houses which can contribute to the historic fabric of Southwest.

### **Objective 6. Develop zoning, subdivision and design tools to promote infill development that is compatible with the desired character of established residential areas.**

**433.Finding:** The RIP amendments introduce a new zoning tool (FAR) to three single dwelling zones. FAR provides for flexibility to ensure that not all homes must look alike, and that massing and architecture can more readily respond to the variety of styles present in southwest. But it also provides an upper limit to the size of structures in these areas that is less than what is achievable today to improve compatibility in established residential neighborhoods.

### **Objective 9. Land use patterns near existing parks in Southwest should consider the desired neighborhood character, service level of the park, and accessibility as well as the potential impact on sensitive environmental areas.**

**434.Finding:** Portland Parks Bureau has not yet adopted levels of service tools for Portland Park facilities. The current Parks 2020 Vision goal is that there be a developed park or natural area within a ½-mile of every resident. 96% of RIP zoned parcels are within a ½ mile of one or both of these types of features. Allowing for additional units to locate near existing parks will help the Parks Bureau more efficiently achieve this vision. Application of the 'z' overlay restricts development (units and FAR) in areas with inventoried natural resources which correspond to sensitive environmental areas.

## ***II. Additional objectives for mixed use areas -***

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**435.Finding:** These objectives are not applicable to the RIP amendments as they speak to mixed use areas.

**III. Special Areas**

**A. Willamette River Greenway**

1. Protect the Willamette River and the Willamette River Greenway by supporting Statewide Goal 15 (Willamette River Greenway), the Willamette Greenway Plan, its regulations, resolutions and vision.

**436.Finding:** The RIP amendments affect a very small area of the Willamette River Greenway in southwest (along SW Miles Place). These greenway regulations are not changed by these amendments.

**B. Other Special Areas**

1. Enhance the scenic qualities of Terwilliger Boulevard and the Terwilliger Boulevard extension not currently within the Terwilliger design overlay zone.

**437.Finding:** As stated in Findings 5 and 141, RIP amendments are consistent with Statewide Planning Goal 5 and do not affect the scenic resource overlay zone, which conserves significant scenic resources identified in the City's adopted Scenic Resources Protection Plan. Also, the amendments reduce total allowable building scale in RIP zones and alters height measurement methods which support scenic protections by reducing the potential degree of visible impact for properties in RIP zones near Terwilliger Boulevard.

**PUBLIC FACILITIES**

Ensure adequate public facilities for both existing and new development through equitable funding mechanisms.

**Objective 1.** Evaluate current deficiencies in public facilities.

**438.Finding:** Public facilities were evaluated through the Comprehensive Plan Citywide systems Plan. The findings in Comprehensive Plan Goals 8 and 9 are additionally incorporated by reference.

**Objective 2.** Develop a long-range plan and strategies to improve public facilities consistent with Southwest Community Plan objectives.

**439.Finding:** Long-range plans and public facility strategies were developed in conjunction with the Comprehensive Plan Citywide Systems Plan consistent with these objectives. The RIP amendments do not include nor necessitate changes to those plans and strategies.

**Objective 3.** Ensure that the provision of new public facilities maintains or enhances the functions of existing public facilities.

**440.Finding:** New public facilities that are required with RIP related development will be provided in accordance with the Citywide Systems Plan, City Code, and current engineering practices to ensure existing facilities are maintained or enhanced.

**Objective 4.** Develop a process involving public participation to find equitable mechanisms for funding improvements to inadequate infrastructure and additional infrastructure needed for new development.

**Finding:** The Citywide Systems Plan was developed through an inclusive public participation process. The RIP amendments are not anticipated to require any major capital infrastructure improvements, but site by site development will be expected to provide for and meet its

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infrastructure needs. Also, the Local Transportation Improvement Charge (LTIC) will be available to collect funds from house and duplex development that occurs in single dwelling zones where the street improvements are not complete. The LTIC is collected by PBOT and used to construct a system of improvements on un- and under-improved local streets. LTIC revenue is allocated based on the city's adopted methodology found in LTIC Administrative Rules (TRN-1.26) as follows:

- 1: Equity: Areas with high concentrations of under-served populations to ensure everyone has access to opportunities necessary to satisfy their essential needs, advance their well-being, and achieve their full potential.
- 2: Effectiveness & Connectivity: Projects that support connectivity and fill critical gaps in the City's transportation and stormwater infrastructure.
- 3: Project Readiness: Projects that are consistent with adopted plans, informed by the results of previous community involvement efforts, cognizant of other related improvements occurring in the City, and that make efficient use of limited City resources by leveraging other funds.

The LTIC ensures that instead of piecemeal and incomplete active transportation improvements occurring on a lot by lot basis, funds are collected and applied more efficiently and effectively to complete these networks in alignment with the LTIC allocation criteria, including filling critical gaps in the City's transportation infrastructure. Recently approved changes to the LTIC ordinance expand the types of housing within single dwelling zones that are eligible to pay this charge so that triplexes, fourplexes and up to 6 plexes may now qualify. Therefore, the RIP amendments continue to enhance access by helping to fund safe and accessible pedestrian and bicycle connections to residential neighborhoods.

#### **Objective 5. Develop land use patterns and public facilities that protect natural water courses, and consider the impacts of landslides and earthquakes.**

**441.Finding:** The amendments reduce total allowable building scale in RIP zones. They additionally restrict additional housing types from areas with specific types of landslide hazards and in areas with inventoried natural resources which generally correspond to streams and other natural water courses. The amendments also maintain current building coverage limits which does not increase the potential stormwater contribution to the public stormwater facility. New construction and major alterations of existing buildings, especially those that add dwelling units, must conform to modern seismic building code regulations. As new structures are built, and existing structures are modified in accordance with the RIP amendments, this construction will be less impacted by earthquakes than construction meeting older building codes.

#### **CITIZEN INVOLVEMENT**

Ensure that the policies and objectives of the Southwest Community Plan are used to guide the collaborative actions of the city and Southwest citizens for the next 20 years. Involve citizens integrally in the Southwest Community Plan from concept through evaluation and revision.

**442.Finding:** The RIP amendments are neither evaluating or revising the SWCP. These findings for the SWCP demonstrate how the Southwest Community Plan policies and objectives were used to guide the RIP amendments. Additionally, the findings for Comprehensive Plan Goal 1, Community Involvement are incorporated by reference.

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**Objective 5.** Use the Southwest Community Plan policies and objectives to create, develop, implement or evaluate new citywide policies, programs, or project proposals to ensure that the concerns of the Southwest community are addressed.

**443.Finding:** These findings demonstrate how the Southwest Community Plan policies and objectives are being met to ensure that the concerns of the Southwest community are addressed.

**Objective 6.** Engage the Southwest community and all relevant stakeholders in discussion of the economic and demographic factors that could affect the current and future needs of development, business, and in the creation, development and successful implementation of the Southwest Community Plan.

**444.Finding:** The project Stakeholder advisory committee included representation from Southwest Neighbors Inc. Moreover, staff conducted several public outreach events at various locations in the Southwest and mailed notices to all affected property owners within the SW plan area. See also findings for Comprehensive Plan Goal 1, Community Involvement which are incorporated by reference

**Objective 9.** Obtain active participation from Southwest neighborhood associations, business associations, and other community-based organizations by soliciting recommendations from their leadership for participation on any citizen advisory committee to engage in any phase or facet of the Southwest Community Plan or plan area. Seek balance and variety on all citizen advisory committees.

**445.Finding:** The project Stakeholder advisory committee (SAC) included representation from Southwest Neighbors Inc. Variety and balance on the SAC was sought as described in the November 2015 Stakeholder Advisory Committee Charter. A key role and responsibility of SAC members was to be a conduit of information between the neighborhoods, other networks, and the City. Staff additionally conducted several public outreach events at various locations in Southwest Portland and attended neighborhood and district coalition meetings.

### HOUSING

Provide a variety of affordable housing choices adequate to meet the needs of current and future Southwest residents. Regard the existing housing stock as one resource to meet this need. Encourage development of housing types that will increase home ownership opportunities for Southwest residents.

**446.Finding:** The RIP amendments provide for a variety of lower cost housing options that are better suited to meet the range of needs of current and future residents. They include incentives for providing one unit affordable to those making up to 80% MFI. Additional bonuses allow up to 6 units when 50% of the units are affordable to those making up to 60% MFI. The realization of this additional affordable housing is dependent on available funding and programmed subsidies however, as the economic feasibility for for-profit models is generally not achievable at fewer than 20 units.

The RIP amendments also provide for lower cost alternatives than prior zoning restrictions on housing type. According to the economic feasibility analysis, by combining structure size limits with additional numbers of allowed units on a lot, the average sales/rent is decreased by over 50% when compared to single dwelling allowances alone.

The amendments regard existing housing stock as a resource to meet the housing need and therefore include incentives to retain existing houses, while still providing for added housing options either by internally converting a house or adding accessory dwelling units to the site. While the zoning code does not regulate tenure, homeownership options are encouraged by increased

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fee simple development in areas with historically narrow lots. With structure size limits on these smaller lots, these homes will tend to be lower priced homes than comparable larger homes on larger lots. Homeownership options are also provided for multi-unit buildings by converting those units to condominiums.

#### **Housing Supply and Quality**

**Objective 1.** Provide opportunities to achieve the development of new housing units over the next 20 years to accommodate new residents and the shift to smaller households.

**447.Finding:** The RIP amendments increase the range of permissible housing types from a house and one ADU and corner lot duplexes, to duplexes, triplexes, fourplexes, and sixplexes on many lots in RIP zones. These types in combination with structure size limits encourages a greater diversity of unit types and sizes better suited to match the diverse needs of southwest residents, more so than previous zoning that permitted only a single house. The combination of increasing land prices and restrictive zoning meant that home sizes had to continue to get larger in order to offset the development costs and maintain consistent with per square foot comparable pricing. Allowing for multi-units means that the site acquisition cost can be absorbed across more units, while the construction costs per square foot remain relatively similar, meaning that smaller units become more feasible to construct and sell.

**Objective 2.** Provide for diversity of size, type, and affordability of housing to meet the needs of young adults, small and large families, empty nesters, the elderly, and others.

**448.Finding:** The RIP amendments increase the range of permissible housing types from a house and one ADU and corner lot duplexes, to duplexes, triplexes, fourplexes, and sixplexes on many lots in RIP zones. These types in combination with structure size limits encourages a greater diversity of unit types and sizes and generally correspond to their affordability level which are better suited to match the diverse needs of southwest residents. The FAR limits were developed in conjunction with the housing types to ensure for a variety of studio and 1-bedroom ADUs, 1+ bedroom fourplexes, 2+ bedroom triplexes, 3+ bedroom duplexes, and 4+ bedroom houses.

**Objective 3.** Increase opportunity for building more detached single-family housing by reducing minimum lot sizes and encouraging the construction of smaller size houses.

**449.Finding:** The amendments include rezoning approximately 8 acres from R5 to R2.5 where historically narrow lots are present. Additionally, to comply with Senate Bill 534, a number of existing platted lots that are otherwise substandard in size for the base zone will now allow the development of at least a house. In the West Portland Park plat for example there are approximately 2,700 such substandard sized single dwelling zoned lots. At least 1/3 are not excluded due to lack of infrastructure or presence of natural resource or slope constraints. These smaller lot sizes provide more opportunities for single dwelling housing. Where lot widths are wider than 25 feet, these can be detached houses. The RIP amendments include structure size limits to provide for smaller size houses.

**Objective 4.** Encourage property owners to maintain and improve their homes and rental properties so that established neighborhoods remain stable and attractive as infill and redevelopment occur.

**450.Finding:** The RIP amendments do not change Title 29, Property Maintenance regulations. Therefore, the city and its residents continue to encourage property owners to maintain and improve their homes and rental properties.

#### **Affordability and Home Ownership**

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**Objective 5.** Encourage public and private developers to vary the affordability, type and size of units in new housing developments to foster the development of inclusive communities.

**451.Finding:** The RIP amendments increase the range of permissible housing types from a house and one ADU and corner lot duplexes, to duplexes, triplexes, fourplexes, and sixplexes on many lots in RIP zones. These housing types in combination with structure size limits encourages a greater diversity of unit types and sizes and generally correspond to their affordability level which are better suited to match the diverse needs of southwest residents. Together with increasing FAR, these allowances are designed to encourage public and private developers to develop these different unit types which foster the development of more inclusive communities.

**Objective 6.** Aid Southwest residents of varying income levels to become homeowners, particularly first-time homebuyers.

**452.Finding:** The zoning code is tenure neutral, and homeownership can either be achieved through fee-simple development (land and structure independently owned) or condominium ownership (land and structural elements owned in common). Either are permissible with the additional housing types allowed by the RIP amendments. Creating more of these opportunities will help Southwest residents to become homeowners. Applying building size limits provides for a variety of smaller size housing units which makes them more affordable to first time homebuyers at varying income levels. The amendments also include rezoning approximately 8 acres from R5 to R2.5 where historically narrow lots are present. Additionally, to comply with Senate Bill 534, a number of existing platted lots that are otherwise substandard in size for the base zone will now allow the development of a house. In the West Portland Park plat for example there are approximately 2,700 such substandard sized single dwelling zoned lots. Roughly 1/3 are not excluded due to presence of natural resource or steep slope constraints. These lots provide more opportunities for fee-simple single dwelling housing.

**Objective 7.** Increase the supply of affordable rental housing of all types for families. This includes units with three or more bedrooms.

**453.Finding:** The RIP amendments increase the range of permissible housing types from a house and one ADU and corner lot duplexes, to duplexes, triplexes, fourplexes, and sixplexes on many lots in RIP zones. The zoning code does not establish requirements for tenancy. While these small plex housing types could be converted to condominium units and owner occupied, they provide for readily available rental housing when not converted to condo ownership. Provisions for additional ADUs also supports multigenerational family semi-independent arrangements.

**Objective 8.** Increase Southwest Portland's supply of housing affordable to households below the median income.

**454.Finding:** The RIP amendments include incentives for providing one unit affordable to those making up to 80% of the median family income (MFI). An additional incentive is available to allow 6-plexes when 50% of the units are affordable to those making up to 60% MFI. The RIP amendments also provide for lower cost alternatives than prior restrictions on housing type. According to the economic feasibility analysis, by combining structure size limits with additional numbers of allowed units on a lot, the average sales/rent is decreased by over 50% when compared to single dwelling allowances alone. The amendments also include incentives to retain existing houses, while still providing for added housing options either by internally converting a house or adding accessory dwelling units to the site. Therefore, these amendments create market incentives to increase Southwest Portland's supply of affordable housing.

**Objective 9.** Encourage the provision of an adequate supply of mixed-income housing so that those working in Southwest can live near where they work.

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**455.Finding:** The RIP amendments include incentives for providing one unit affordable to those making up to 80% MFI. An additional incentive is available to allow 6-plexes when 50% of the units are affordable to those making up to 60% MFI. However, providing additional affordable housing is dependent on available funding and programmed subsidies. The Housing Bureau has programs and priorities to direct funds toward the ends of the housing development spectrum; larger scale multi-family developments on the one end and single-unit homeownership on the other. The bureau is currently not positioned with policies and programs to support dispersed small plex development. However, there may be other sources of funding outside of city resources that could support opportunistic projects along with this bonus.

The RIP amendments also provide for lower cost alternatives than previous zoning which restricted housing types. According to the economic feasibility analysis, by combining structure size limits with additional numbers of allowed units on a lot, the average sales/rent is decreased by over 50% when compared to single dwelling allowances alone. The amendments also include incentives to retain existing houses, while still providing for added housing options either by internally converting a house or adding accessory dwelling units to the site.

These options provide more opportunities for those working in Southwest to find housing at an income level they can afford.

## TRANSPORTATION

Provide a balanced, multimodal transportation system in Southwest Portland that encourages increases in transit use and pedestrian accessibility and connectivity, discourages non-local traffic in residential areas, manages congestion, and focuses on improving and maintaining arterial and local streets.

**Objective 11.** Evaluate the transportation impacts on neighborhoods and arterials when changing the development potential of an area.

**456.Finding:** Traffic impacts to Southwest arterials and neighborhoods are reduced as a consequence of a net reduction in allocated housing units in the area. There is only one Traffic Analysis Zone with an increase in households within the Southwest Area Plan, located at the West Portland Town Center. This area is currently part of a planning effort related to the Southwest Corridor light rail, with several mobility and transportation improvements anticipated as a result of that project. Moreover, the memo from PBOT identified no congestion issues in the Southwest area as a result of the RIP amendments<sup>116</sup>. Also see relevant findings from Statewide Goal 12, and Comprehensive Plan Goal 9 which are incorporated here by reference.

## WATERSHED

Protect and enhance Southwest Portland's environment and natural resources on a watershed by watershed basis. Integrate stormwater management into land use planning and development in a way that prevents net degradation of water quality, aquatic, streamside and riparian habitats and ecosystems, and plant and animal habitats throughout the stream corridor.

**457.Finding:** There are three major watershed basins in the Southwest Plan Area: Fanno Creek, Tryon Creek and the Willamette River. The City, along with its watershed council and other partners work together to protect and enhance these three watersheds with specific strategies that vary by watershed. This is evidenced in the 2005 Portland Watershed Management Plan and Framework for Integrated Management of Watershed Health. As demonstrated in the following findings for

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<sup>116</sup> Residential Infill Project Transportation Analysis, Bob Kellett, PBOT, March 2019



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each watershed objective, the city currently does and will continue to meet this policy with the RIP amendments.

The RIP amendments include a new overlay zone ('z' constrained sites overlay) that restricts development of 3 or more units on lots in flood prone areas. This reduces the pressure to develop in floodplains and reduces the total asset risk in these areas. The 'z' overlay additionally restricts development of 3 or more units on lots with inventoried natural resources to reduce the impact of development on them.

#### **Objective 1.** Manage stormwater runoff on a watershed-wide basis to:

- (a) Prevent any net degradation of water quality, aquatic and streamside plant and animal habitats and ecosystems, channel stability, or watershed health.
- (b) Minimize risk to public safety, private property, and public infrastructure.
- (c) Reduce the volume, velocity and pollutant load of stormwater runoff entering streams.
- (d) Improve dry season stream flows, particularly in headwater areas.

**458.Finding:** The City's Stormwater Management Manual (SWMM) addresses watershed health through development requirements. Contributions to the stormwater system occur through the addition of impervious surfaces like building coverage and/or the removal of vegetation and trees. The RIP amendments do not contribute to additional stormwater as previous building coverage limits are not being increased, Title 11 tree standards and the SWMM are unchanged. Additionally, minimum parking requirements have been removed which reduces the mandate to provide impervious driveway surfaces.

#### **Objective 2.** Integrate stormwater management solutions for individual properties into an overall Watershed Management Plan.

**459.Finding:** BES is responsible for integrating stormwater solutions through its application of the stormwater management manual (SWMM). These solutions all work toward the City's adopted 2005 Watershed Management Plan.

#### **Objective 3.** Base stormwater management on the following core values: water quality and quantity, aquatic and streamside plant and animal habitats and ecosystems, soil, stream and slope stability, and the scenic, educational and recreational values of Southwest Portland's natural areas and streams.

- (a) Integrate land and infrastructure planning and development so as to achieve the core values.
- (b) Enact and strengthen land development regulations, the permit process, and enforcement, consistent with protection of the core values, to achieve City goals.
- (c) Reflect the core values through improved planning, codes, enforcement, incentives, capital improvement projects, community stewardship, and interbureau and interjurisdictional cooperation.

**460.Finding:** The City's Stormwater Management Manual (SWMM) addresses watershed health through development requirements. The RIP amendments do not contribute to additional stormwater as previous building coverage limits are not being increased, Title 11 tree standards and the SWMM are unchanged. Additionally, minimum parking requirements have been removed which reduces the mandate to provide impervious driveway surfaces.

#### **Objective 4.** Promote the maintenance and restoration of the urban forest canopy and use of native vegetation in headwater areas, within upland forests, and along riparian and wildlife corridors.

**461.Finding:** The RIP amendments do not change the City's tree regulations in Title 11, nor are changes proposed to the environmental overlay zone regulations which restrict the use of non-native vegetation. The City's Natural Resources Inventory was used to identify low, medium and high value

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resources including headwater areas, within upland forests, and along riparian and wildlife corridors as a basis for restricting additional housing types (3 or more units per lot) in these areas. Ongoing maintenance and restoration efforts are outside the scope of this project.

**Objective 5.** Protect the structural stability and riparian conditions of stream corridors, water quality and the needs of aquatic and riparian wildlife and vegetation.

**462.Finding:** The City's Stormwater Management Manual (SWMM) addresses watershed health through development requirements. The RIP amendments do not contribute to additional stormwater as previous building coverage limits are not being increased. Improving degraded streams in conjunction with development typically occurs in conjunction with environmental review. Since the 'z' overlay restricts additional housing types (3 or more units per lot) in environmental overlay areas, restoration incentives were not included in these amendments.

**Objective 6.** Create conditions which support the recovery of threatened, endangered, and other sensitive species and remove streams from water quality-limited listings.

**463.Finding:** In addition to the City's environmental planning program and regulations, the Stormwater Management Manual (SWMM) addresses watershed health through development requirements to improve the water quality of streams in the Southwest Plan area. The RIP amendments do not contribute to additional stormwater as previous building coverage limits are not being increased. The 'z' overlay restricts additional housing types (3 or more units per lot) in environmental overlay areas. These factors together create conditions that support the recovery of threatened, endangered, and other sensitive species and work toward removing streams from water quality-limited listings.

**Objective 7.** Provide incentives, as properties are redeveloped and facilities renovated, for using new technology and management practices to improve degraded streams.

**464.Finding:** The City's Stormwater Management Manual (SWMM) addresses watershed health through development requirements and provides performance-based mechanisms for using new technologies and management practices to address the stormwater runoff contributions to degraded streams. As new development and redevelopment occur, existing deficiencies and current conditions can be improved. The RIP amendments do not lead to additional contributed stormwater as previous building coverage limits are not being increased. Existing incentives in the form of Clean River Rewards offer discounts to stormwater rates when certain stormwater conditions are met.

**Objective 8.** Support the Combined Sewer Overflow reduction and other multi-objective projects and encourage "green solutions" - projects that include planting of vegetation - to reduce stormwater, pesticide, fertilizer, and other pollutant runoff into the Willamette River.

**465.Finding:** As explained in detail as part of Finding 11, the RIP amendments do not increase maximum allowable building coverage, they reduce overall building size allowances, and eliminate minimum parking requirements. These changes all help support reductions to the Combined Sewer Overflow and other objectives by allowing for increased on site permeable area and reducing stormwater contributions in the combined system. The SWMM also requires pollutants be intercepted and filtered near the source before discharging into the stormwater system.

**Objective 9.** Integrate floodplain values of the Willamette River with developments and uses along the Willamette Greenway.

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**466.Finding:** Council interprets the floodplain values of the Willamette River as those consistent within the context of the Willamette River Greenway and its corresponding regulations. These regulations are embodied within Chapter 33.440 of the zoning code. Development and other activities are regulated to ensure that the state and local goals for the greenway are maintained including flood plain values. The RIP amendments do not change these rules. Moreover the RIP amendments integrate these values by reducing total allowable building size within the RIP zones along the Willamette River and restricting additional housing types (3 or more units per lot) on sites within the 100 year floodplain and 1996 inundation area through the application of the 'z' overlay.

**Objective 10.** Promote the restoration and protection of vegetated riparian corridors as a means to restore and preserve water quality and aquatic streamside plant and animal habitats and ecosystems.

**467.Finding:** The City's Stormwater Management Manual (SWMM) and Chapter 33.430 environmental overlay regulations address watershed health through development requirements. The RIP amendments do not contribute to additional stormwater as previous building coverage limits are not being increased. Restoring degraded streams and riparian corridors in conjunction with development is promoted in conjunction with environmental review. These together promote the restoration and protection of vegetated riparian corridors.

**Objective 11.** Protect and restore Southwest watersheds as described in Objectives 1 through 10 above by adopting and enforcing new land use regulations. These new regulations may require the amendment of existing base or overlay zone requirements, or adoption of new development standards or plan districts.

**468.Finding:** The RIP amendments do not change existing environmental overlay regulations, Stormwater Management Manual, or Tree code. Environmental overlay regulations have been amended over the years following the adoption of the SW Area Plan in compliance with these objectives. The base zone and overlay amendments within RIP are in conformance with objectives 1 through 10 as evidenced in those findings.

**Objective 12.** Ensure that public facilities are planned and developed in accordance with the Public Facilities policy herein.

**469.Finding:** The Citywide Systems Plan includes the constrained list of significant projects. These projects, when developed will be done in accordance with the City's Stormwater Management Plan principles which reflect the policies in this plan.

## Part V. Comprehensive Plan and Zoning Code Text Amendment Criteria

### 33.835.040 Approval Criteria

**A. Amendments to the zoning code.** Text amendments to the zoning code must be found to be consistent with the Comprehensive Plan, Urban Growth Management Functional Plan, and the Statewide Planning Goals. In addition, the amendments must be consistent with the intent or purpose statement for the base zone, overlay zone, plan district, use and development, or land division regulation where the amendment is proposed, and any plan associated with the regulations. The creation of a new plan district is subject to the approval criteria stated in 33.500.050.

**470.Finding:** The findings in this exhibit demonstrate how the RIP zoning code amendments are consistent with the 2035 Comprehensive Plan, the Urban Growth Management Functional Plan, and the Statewide Planning Goals. Findings showing consistency with the purpose statements are provided for each applicable purpose statement below.

The City Council interprets this criterion to require the RIP amendments show consistency on balance. Council finds that the dictionary defines “consistent” to mean “marked by harmony.” Council notes that Comprehensive Plan also defines the phrase “consistent with” to mean “the subject meets the requirements of, satisfies, or adheres to the regulations, mandate, or plan listed in the goal or policy.” Council finds that the Comprehensive Plan’s definition applies to the term as used in the Comprehensive Plan, not the Zoning Code. However, Council interprets that for the purposes of considering consistency with the Comprehensive Plan, “consistent with” requires that an ordinance adheres to the Comprehensive Plan.

Council finds that PCC 33.835.040(A) requires Council to demonstrate that the RIP Amendments are consistent with, or adheres to, the entire Comprehensive Plan. Council finds that PCC 33.835.040(A) does not require Council to demonstrate that the RIP Amendments are consistent with, or adheres to, individual goals and policies but rather the entire plan. Regardless, here, Council finds that as demonstrated in this exhibit, Council has considered all applicable goals and policies and finds that the RIP Amendments are consistent with all the individual goals and policies. Council finds that there is no applicable goal or policy that is not consistent with the RIP Amendments.

Council further finds this criterion operates in conjunction with Comprehensive Plan Policy 1.10 which requires that amendments to the comprehensive Plan’s supporting documents, such as the Zoning Code, must “comply” with the Comprehensive Plan. “Comply” means “that amendments must be evaluated against the Comprehensive Plan’s applicable goals and policies and on balance be equally or more supportive of the Comprehensive Plan as a whole than the existing language or designation.” Council finds that a proposed amendment is equally supportive when it is on its face directly supported by goals and policies in the Plan. The City Council finds that an amendment is more supportive of the Comprehensive Plan when the amendment will further advance goals and policies, particularly those that are aspirational in nature. The City Council finds that the policy requires consideration as to whether amendments are equally or more supportive of the Plan as a whole. The City Council finds that amendments do not need to be equally or more supportive of individual goals and policies, but rather amendments must be equally or more supportive of the entire Comprehensive Plan. Therefore, the Council finds that there may be instances where specific goals and policies are not supported by the amendments but still the amendment is equally or

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more supportive of the entire Comprehensive Plan when considered cumulatively. The Council finds that there is no precise mathematical equation for determining when the Plan as a whole is supported but rather such consideration requires Council discretion in evaluating the competing interests and objectives of the plan. Council finds that the RIP Amendments equally advance most of the Comprehensive Plan policies. Council further finds that the RIP Amendments are more supportive of the Comprehensive Plan with regard to the goals and policies as discussed below.

The following table includes specific references to amended sections of code and key Comprehensive Plan policies those changes help to advance. These are not indicative of all policies the RIP amendments support, advance or are consistent with, as demonstrated in the totality of these findings, nor do they reflect every change in the RIP amendments, but rather link major proposal changes with policies that Council found to be especially supported.

Proposal	Summary of change	Code reference	Key Comp Plan policy
<b>HOUSING OPTIONS AND SCALE</b>			
Allow more housing types	Allow duplex, triplex, or fourplex Allow up to 6 units Allow a house with two ADUs, or a duplex with one ADU	33.110.265.D.& E. 33.110.265.F 33.205.020	4.61, 5.1-5.8, 5.11, 5.15, 5.21, 5.25, 5.29, 5.31, 5.39, 5.43
Restrict housing types in certain situations	Unmaintained streets Demolished Historic Resources Constrained sites	33.110.265.E and F. 33.110.265.E and F. 33.418	9.9, 9.19 4.46, 4.50, 4.57 4.79, 4.80, 4.81
Limit the overall size of structures	New floor to area (FAR) standard Basements and floor area defined	33.110.210 33.910	4.3, 4.11, 4.12, 4.16, 4.18, 4.30, 4.44, 4.61
Visitability	Require one unit to be visitable, when 3 or more units are on the site Require two units to be visitable, when up to 6 units are in a building	33.110.265.E 33.205.040.C 33.270.200 33.110.265.F	3.4, 5.9, 5.19
Double-size lots	Require at least two units on oversized lots	33.110.205	3.6
Historically narrow lots	Allow historically narrow R5 lots to be confirmed	33.110.202	5.39, 5.41
Small flag lots	Allow small flag lots to be created through property line adjustments	33.677.300.C	4.60, 5.25, 5.42
Planned developments	Equivalency with land division reviews	33.270.020.B 33.854.200	3.8, 4.10, 4.75, 5.53
<b>BUILDING DESIGN</b>			
Revise height measurement	Measure from lowest point Dormer projection	33.930.050 33.110.215.C	4.22, 4.30, 4.44
Building features and articulation	Limit height of main entrance 2' eave projections	33.110.235.D 33.110.220.C.	4.5, 4.6

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More flexible ADU design	Basement ADU conversions Remove front door limitation	33.205.040.C.2 33.205.040.C.1	5.25, 5.42 5.36
Modify parking requirements	Delete minimum parking requirements Alley access requirement	33.266.110.B.2 33.266.120.C.3	5.36, 9.55, 9.56, 9.58, 9.59, 9.60 4.8
Limit garages	Garages on narrow facades/50% garage limit	33.110.250.C	3.E, 3.2, 3.43, 4.A
Building design for lots less than 32 feet wide	Limit detached house height Require attached houses	33.110.260.C.2 33.110.260.C.1	4.3 4.68

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

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

Finally, as discussed below, Council finds that this ordinance is consistent with the applicable intent or purpose statement for the base zones, overlay zones, plan district, use and development where amendments have been proposed.

No new plan district has been proposed, therefore the criteria in 33.500.050 do not apply.

For all of these reasons, Council finds that the RIP amendments are consistent and comply with each applicable policy in the Comprehensive Plan and the amendments are consistent with the Urban Growth Management Functional Plan, the Statewide Planning Goals and relevant purpose statements.

### 33.110 SINGLE DWELLING ZONES

#### 33.110.010 Purpose

The single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing and provide options for infill housing that is compatible with the scale of the single dwelling neighborhood.

- A. Use regulations.** The use regulations are intended to create, maintain and promote single-dwelling neighborhoods. They allow for some non-household living uses but not to such an extent as to sacrifice the overall image and character of the single-dwelling neighborhood.
- B. Development standards.** The development standards preserve the character of neighborhoods by providing six different zones with different densities and development standards. The development standards work together to promote desirable residential areas by addressing aesthetically pleasing environments, safety, privacy, energy conservation, and recreational opportunities. The site development standards allow for flexibility of development while maintaining compatibility within the City's various neighborhoods. In addition, the regulations provide certainty to property owners, developers, and neighbors about the limits of what is allowed. The development standards are generally written for houses on flat, regularly shaped lots. Other situations are addressed through special regulations or exceptions.

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**471.Finding:** The RIP amendments include changes to the purpose statement of this chapter reflecting the changes that allow increased infill options. The amended purpose statement notes that these infill options are to be compatible in scale with the single dwelling zones. The application of floor area ratios (FAR) limits, in addition to current scale-related development standards (height, setbacks, building coverage) ensures a compatible scale to what already exists or is smaller than what is currently allowed in single dwelling zones. The RIP amendments do not change the uses that are allowed but do increase the range of residential structure types allowed in the form of duplexes, tri-, four-, five- and six-plexes. The development standards have also been amended to address these other housing types.

### **33.205 ACCESSORY DWELLING UNITS**

#### **33.205.010 Purpose**

Accessory dwelling units are allowed in certain situations to:

- Create new housing units while respecting the look and scale of single-dwelling development;
- Increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives;
- Allow more efficient use of existing housing stock and infrastructure;
- Provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and
- Provide a broader range of accessible and more affordable housing.

**472.Finding:** The RIP amendments are consistent with the purpose of 33.205 development standards because they expand where ADUs are allowed, while maintaining the development standards that ensure the look and scale of single dwelling development is respected. The change that removes limitations on the location of front entrances for ADUs is consistent with standards that apply to single-dwelling development, which have no similar limits. The change to remove size limits for basement ADU conversions increases the viability of such conversions without affecting the exterior appearance of existing development. The change to require one unit be visitable when there are three units on the site also helps to provide a broader range of accessible housing.

### **33.251 MANUFACTURED HOMES AND MANUFACTURED DWELLING PARKS**

#### **33.251.010 Purpose**

This chapter provides standards which will allow the placement of manufactured homes, mobile homes and manufactured dwelling parks in residential areas without changing the character of existing neighborhoods. These regulations promote additional housing options and provide locational opportunities for manufactured dwellings.

**473.Finding:** The RIP amendments are consistent with the purpose of 33.251 as they remove regulatory barriers that restrict placement of some manufactured homes on individual lots and increase the ability for manufactured homes to be used as accessory dwelling units which promote additional housing options. These individual manufactured homes will continue to be subject to the same development standards that apply to conventional home construction, thereby maintaining the character of existing neighborhoods.

### **33.266 PARKING, LOADING, AND TRANSPORTATION AND PARKING DEMAND MANAGEMENT**

#### **33.266.110 Minimum Required Parking Spaces**

- A. Purpose.** The purpose of required parking spaces is to provide enough on-site parking to accommodate the majority of traffic generated by the range of uses which might locate at the

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site over time. Sites that are located in close proximity to transit, have good street connectivity, and good pedestrian facilities may need little or no off-street parking. Parking requirements should be balanced with an active pedestrian network to minimize pedestrian, bicycle and vehicle conflicts as much as possible. As shown in the active transportation network<sup>117</sup>, most of the RIP zoned parcels are well-served by these networks. Transit-supportive plazas and bicycle parking may be substituted for some required parking on a site to encourage transit use and bicycling by employees and visitors to the site. The required parking numbers correspond to broad use categories, not specific uses, in response to this long-term emphasis. Provision of carpool parking, and locating it close to the building entrance, will encourage carpool use.

**474.Finding:** The RIP amendments remove minimum parking requirements for household living uses in single dwelling zones. A key tool in transportation demand management, as identified in the Transportation Planning Rule and also cited in Policy 9.55 is parking management. To reduce reliance on automobiles, the Transportation Planning Rule requires local governments within an MPO to achieve a 10 percent reduction in the number of parking spaces per capita over a planning period (660-012-0045). The reductions in minimum parking requirements and changes to achieve greater walkable form serve to achieve these aims. This is consistent with the purpose of this chapter to balance parking with greater incentive for other modes of transportation, such as walking, biking, or transit use. Reducing the need for on-site parking for uses with relatively low trip generation, and where on-street parking is more widely available also reduces the need for curb cuts and driveways which present points of conflict for pedestrians and bicyclists. Sites in these zones are more frequently located on lower traffic roadways consistent with their designation in the TSP.

### 33.266.120 Development Standards for Houses and Duplexes

- A. Purpose.** The size and placement of vehicle parking areas are regulated in order to enhance the appearance of neighborhoods.

**475.Finding:** The RIP amendments to this section support this purpose statement, as they limit front parking by requiring sites on alleys to utilize alleys for parking access which enhances the appearance of neighborhoods by providing more space in front yards for landscaping.

### 33.270 PLANNED DEVELOPMENTS

#### 33.270.010 Purpose

The Planned Development regulations provide an opportunity for innovative and creative development. Planned Development provides a master planning mechanism for allowing additional housing types and uses, the transfer of density and floor area to different portions of a site, and across internal zoning boundaries, and bonus floor area and increased height on large sites in commercial/mixed use zones. In this case, the flexibility is allowed when the development includes features that provide public benefits.

These regulations allow flexibility, and in some cases increased intensity of development, beyond that allowed by other chapters of this Title, if the proposed development is well-designed and can be successfully integrated into the neighborhood and provides public benefits. Overall, a Planned Development is intended to promote:

- High quality design that is integrated into the broader urban fabric, and complements existing character within the site and adjacent to the site;

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<sup>117</sup> Active Transportation Routes and RIP zones, BPS April 2020



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- Development that is pedestrian-oriented, with a strong orientation towards transit and multimodal transportation alternatives;
- Building bulk, height, and orientation that ensures that light and air is accessible within the public realm, and that public view corridors are protected;
- A safe and vibrant public realm, with buildings and uses that are oriented to activate key public gathering spaces, be they public open space, transit stations, or the Willamette River;
- Open space areas that include gathering spaces and passive and/or active recreation opportunities;
- Affordable housing; and
- Energy efficient development.

**476.Finding:** The RIP amendments are consistent with the purpose of the chapter. They include new density calculations for sites in RIP zones that are outside of the 'z' overlay zone. These changes in density calculations provide parity between the new density allowances in the base zone through residential infill options and planned development sites located outside the 'z' constrained sites overlay zone. By ensuring parity in density, an applicant is offered more flexibility whether or not to pursue a planned development, that by definition allows for more innovation and creativity in site and building design. Visitability requirements are additionally included to promote more pedestrian-oriented development and feature greater accessibility as a public benefit.

#### 33.611 LOTS IN THE R2.5 ZONE

##### 33.611.010 Purpose

This chapter contains the density and lot dimension requirements for approval of a Preliminary Plan for a land division in the R2.5 zone. These requirements ensure that lots are consistent with the desired character of the zone while allowing lots to vary in size and shape provided the planned intensity of the zone is respected. This chapter works in conjunction with other chapters of this Title to ensure that land divisions create lots that can support appropriate structures in accordance with the planned intensity of the R2.5 zone.

**477.Finding:** The RIP amendments reduce minimum lot widths from 36 feet to 21 and 16 feet to better accommodate the attached housing type envisioned for the small lot R2.5 zone. Previous allowances for narrower lots relied on demonstrating consistency with existing lots, which created barriers in areas transitioning from R5 lot pattern development. This amendment also provides greater flexibility for dividing more constrained infill sites. The 16-foot minimum width for internal lots will require the lot to be at least 100 feet deep (to meet the 1,600 square foot minimum lot size). The 21-foot width for end lots provides for a 16-foot-wide house and 5 foot side setback. These dimensions provide ample room to situate the house, accommodate front and rear setbacks, and provide outdoor area. The base zone rules have also been amended to ensure that houses on these narrow lots are attached at the time of development.

#### 33.677 PROPERTY LINE ADJUSTMENT

##### 33.677.010 Purpose

This chapter states the procedures and regulations for property line adjustments. A Property Line Adjustment (PLA) is the relocation of a common property line between two abutting properties. A Property Line Adjustment does not create lots. The regulations ensure that:

- A Property Line Adjustment does not result in properties that no longer meet the requirements of this Title;

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- A Property Line Adjustment does not alter the availability of existing services to a site;
- A Property Line Adjustment does not result in properties that no longer meet conditions of approval; and
- A Property Line Adjustment does not make it difficult to delineate property boundaries or apply use and development standards predictably and uniformly.

**478.Finding:** The RIP amendments include new restrictions on lot reconfigurations that result in elimination of alley frontage. This is to adhere to new requirements in the parking chapter (33.266) that require alley access for parking and prevents property line adjustments that could circumvent this requirement. The other significant amendment to this chapter is the introduction of provisions allowing configuration of small flag lots (less than 3,000 square feet) that are intended to encourage existing house retention. These changes include standards to ensure lot size and dimensions allow predictable development of the flag lot and service availability for both lots is maintained. In addition, specific alleviation from floor to area size limits for the existing house is offered to increase the feasibility of such property line adjustment requests. The changes do not affect existing regulations that require compliance with the Title, assurances for service availability, conformance with conditions of approvals and regular lot lines in R10-R2.5 zones.

### **33.854 REVIEW OF PLANNED DEVELOPMENT**

#### **33.854.010 Purpose**

These regulations assign Planned Development Reviews to an appropriate procedure type. The approval criteria ensure that innovative and creative development is encouraged when it is well designed and integrated into the neighborhood.

**479.Finding:** The RIP amendments create improved parity between similarly intensity levels of development for both land divisions and planned developments by allowing up to 20 units in R7, R5, and R2.5 zones to be reviewed through a Type IIX procedure type. Land division sites in these zones could accommodate between 2 and 4 units, and up to 10 lots are reviewed through a Type IIX level of review. Additional refinements are added to the approval criteria to address site design, open area, accessible routes, and garbage areas which provide more guidance when multi-dwelling development types are proposed in single dwelling zones. These criteria help improve the design and better integrate the project into the neighborhood.

### **33.930 MEASUREMENTS**

#### **33.930.010 Purpose**

This Chapter explains how measurements are made in the zoning code.

**480.Finding.** The RIP amendments include revisions to the height measurement method to resolve inconsistencies and prevent unintended building heights from grade manipulation and buildings on sloping sites. The methods have also been restructured to be clearer.

**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.

**481.Finding:** The RIP amendments make no amendments to the goals of the Comprehensive Plan. The RIP amendments make one amendment to the policies of the Comprehensive Plan. The amendment to the policies is a change in the name of the residential land use designations. The findings in this exhibit demonstrate how the RIP comprehensive plan text amendments are

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consistent with the 2035 Comprehensive Plan, the Urban Growth Management Functional Plan, and the Statewide Planning Goals.

The City Council interprets this criterion to require the RIP amendments show consistency on balance. Council finds that the dictionary defines “consistent” to mean “marked by harmony.” Council notes that Comprehensive Plan also defines the phrase “consistent with” to mean “the subject meets the requirements of, satisfies, or adheres to the regulations, mandate, or plan listed in the goal or policy.” Council finds that the Comprehensive Plan’s definition applies to the term as used in the Comprehensive Plan, not the Zoning Code. However, Council interprets that for the purposes of considering consistency with the Comprehensive Plan, “consistent with” requires that an ordinance adheres to the Comprehensive Plan.

Council finds that PCC 33.835.040(B) requires Council to demonstrate that the RIP Amendments are consistent with, or adheres to, the entire Comprehensive Plan. Council finds that PCC 33.835.040(B) does not require Council to demonstrate that the RIP Amendments are consistent with, or adheres to, individual goals and policies but rather the entire plan. Regardless, here, Council finds that as demonstrated in this exhibit, Council has considered all applicable goals and policies and finds that the RIP Amendments are consistent with all the individual goals and policies. Council finds that there is no applicable goal or policy that is not consistent with the RIP Amendments.

Council further finds this criterion operates in conjunction with Comprehensive Plan Policy 1.10 which requires that amendments to the Comprehensive Plan’s supporting documents, such as the Zoning Code, must “comply” with the Comprehensive Plan. “Comply” means “that amendments must be evaluated against the Comprehensive Plan’s applicable goals and policies and on balance be equally or more supportive of the Comprehensive Plan as a whole than the existing language or designation.” Council finds that a proposed amendment is equally supportive when it is on its face directly supported by goals and policies in the Plan. The City Council finds that an amendment is more supportive of the Comprehensive Plan when the amendment will further advance goals and policies, particularly those that are aspirational in nature. The City Council finds that the policy requires consideration as to whether amendments are equally or more supportive of the Plan as a whole. The City Council finds that amendments do not need to be equally or more supportive of individual goals and policies, but rather amendments must be equally or more supportive of the entire Comprehensive Plan. Therefore, the Council finds that there may be instances where specific goals and policies are not supported by the amendments but still the amendment is equally or more supportive of the entire Comprehensive Plan when considered cumulatively. The Council finds that there is no precise mathematical equation for determining when the Plan as a whole is supported but rather such consideration requires Council discretion in evaluating the competing interests and objectives of the plan. Council finds that the RIP Amendments equally advance most of the Comprehensive Plan policies. Council further finds that the RIP Amendments to the Comprehensive Plan are more supportive of the Comprehensive Plan with regard to the goals and policies as discussed below.

Revising the name of the land use designations for the formerly “single dwelling zones” is more reflective of the types of housing that has been allowed in these zones since 1981 (ADUs) 1991 (corner duplexes), and 1993 (triplexes in the ‘a’ overlay), and is more reflective of the additional Residential Infill Options that are included with the RIP amendments and required by House Bill 2001. This is supportive of Goal 10.A to effectively and efficiently carry out the goals and policies of the comprehensive plan by providing a naming convention that is more reflective of the implementing zones and regulations.

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

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

## Part VI. Comprehensive Plan Map and Zoning Map Amendment Criteria

### 33.810.050 Approval Criteria

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

**482.Finding:** The RIP amendments make a legislative change to the Comprehensive Plan Map. The RIP amendments change the land use designation of approximately 6,666 parcels (~770 acres) from Residential – 5,000 to Residential – 2,500. See Volume 3, Appendix F, R2.5 Rezones. These parcels are predominantly comprised of underlying platted lots that are 25' by 100'. Consistent with the land use designation policies, the parcels re-designated to Residential – 2,500 are near, in, and along centers and corridors, near transit station areas, where urban public services, generally including complete local street networks and access to frequent transit, are available or planned. The areas to receive the higher land use designation do not have development constraints, as called for in the land use designation policy.

The City Council interprets this criterion to require the RIP amendments to show consistency on balance. The City Council has applied all applicable policies and the findings in this exhibit demonstrate that the RIP amendments to the Comprehensive Plan Map are on balance, consistent with the Comprehensive Plan, and are consistent with the Urban Growth Management Functional Plan, the Statewide Planning Goals, and relevant area plans.

### 33.855.050 Approval Criteria for Base Zone Changes

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

**A. Compliance with the Comprehensive Plan Map.** The zone change is to a corresponding zone of the Comprehensive Plan Map. When the Comprehensive Plan Map designation has more than one corresponding zone, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes or characteristics of each zone and the zoning pattern of surrounding land.

**483.Finding:** The RIP amendments rezone 6,756 parcels (781 acres). from R5 to R2.5. See Volume 3, Appendix F, R2.5 Rezones. Approximately 6,400 of those parcels are comprised of underlying platted lots that are 25' by 100'. In addition, another roughly 300 parcels (~40 acres) are rezoned from R5 to R2.5 to ensure a more logical zoning pattern transition between existing R5, existing and amended R2.5 and existing higher density zones. The RIP amendments also change the

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corresponding comprehensive plan map designations on 6,666 parcels (770 acres) from Residential 5,000 to Residential 2,500 so that the R2.5 rezones correspond to this new designation. The remaining rezoned areas are either already designated Residential 2,500 (R2.5) or allow for R2.5 zoning per Figure 10-1 in the Comprehensive Plan. In areas where the designation permits multiple other zones (for example MU-C and RM2 designations) the current zone is R5, and R2.5 is the next higher zoning designation. The entire extent of these higher-designated areas is comprised of historically narrow lots in a single dwelling residential setting. Therefore, all proposed zoning map amendments are consistent with the Comprehensive Plan map.

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

1. Adequacy of services applies only to the specific zone change site.
2. Adequacy of services is determined based on performance standards established by the service bureaus. The burden of proof is on the applicant to provide the necessary analysis. Factors to consider include the projected service demands of the site, the ability of the existing and proposed public services to accommodate those demand numbers, and the characteristics of the site and development proposal, if any.
  - a. Public services for water supply, and capacity, and police and fire protection are capable of supporting the uses allowed by the zone or will be capable by the time development is complete.

**484.Finding:** The RIP amendments rezone approximately 740 acres of areas that are predominantly comprised of 25x100' historically narrow lots. This rezoning did not affect the amount of developability allowed on these lots, because these previously zoned R5 historically narrow lots could have been developed individually if they have been vacant for at least 5 years.

The remaining R2.5 rezones include areas that are located adjacent to the rezoned historically narrow lots and other higher intensity zoning. This accounts for approximately 40 acres interspersed across the city. Comparing the number of existing lots (324) to the number of potential lots, if each were to be divided at the most efficient rate of 2,500 square foot lot sizes, there is a net increase of 372 potential additional lots.

When comparing the additional housing types allowed in R5 versus R2.5, an interesting result emerges with the historically narrow lots. The pair of narrow lots in R5 (typically 5,000 sq ft) is large enough for a triplex or fourplex, with the 4,500 sq ft minimum lot size. With R2.5 zoning, the pair of lots is also capable of accommodating a triplex or fourplex; however, the lots independently are only able to accommodate a house or duplex, as the minimum lot size for three units in the R2.5 zone is 3,200 sq ft. Therefore, in the vast majority of cases, the number of units possible in the historically narrow lots is roughly equivalent to the number of units permissible with R5 zoning.

For the remaining R2.5 rezones, the land could also be divided so as to maximize the number of 3,200 square foot lots. In this case, the number of potential units increases from 1,548 (40 acres ÷ 4,500sf x 4 units) to 2,178 (40 acres ÷ 3,200sf x 4 units), a difference of 630 units at complete theoretical buildout, which will have a minimal impact on public facilities.

The adopted 2035 Comprehensive Plan includes the Citywide Systems Plan (CSP), which was adopted (Ordinance 185657) and acknowledged by LCDC on April 25, 2017. The CSP includes the Public Facilities Plan with information on current and future transportation, water, sanitary sewer, and stormwater infrastructure needs and projects, consistent with the requirements of Statewide Planning Goal 11.

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In addition, the service limitations identified in the CSP have been incorporated into the adopted BLI development constraint analysis that identified parts of Portland that lack needed urban infrastructure. The BLI constraint analysis is the basis of a geographic evaluation of the RIP household allocation to ensure that public facilities are planned to support any potential development that could result from these amendments. See also findings for Statewide Goal 8, Public Facilities and Services, and Chapter 8 of the Comprehensive Plan.

#### Water

Water demand forecasts developed by the Water Bureau anticipate that while per capita water demands will continue to decline somewhat over time, the overall demands on the Portland water system will increase due to population growth. The Portland Water Bureau has not experienced any major supply deficiencies in the last 10 years.

All rezone areas are located adjacent to streets with at least 6 inch water mains.

#### Police and Fire Protection

The Police and Fire Bureaus have not established any specific or quantifiable levels of service for new development. Fire response times for all but two rezone areas are less than 8 minutes. The areas with response times greater than 8 minutes include the area bounded by SE Harney, SE 70<sup>th</sup>, SE Tenino, SE 67<sup>th</sup>, and the other bounded by NE Stanton, NE 32<sup>nd</sup>, NE Siskiyou, and NE 33<sup>rd</sup>. Both areas are not in water service deficient areas and have water service located along the frontages of all lots.

As noted in the findings above, the RIP amendments are consistent with Statewide Planning Goal 11 (Public Facilities and Services) and the applicable Comprehensive Plan policies in Chapter 8 (Public Facilities and Services) and the findings in response to those goals and policies are incorporated by reference. Therefore, the public services for water supply, and capacity, and police and fire protection are capable of supporting the R2.5 rezoning.

- b. Proposed sanitary waste disposal and stormwater disposal systems are or will be made acceptable to the Bureau of Environmental Services. Performance standards must be applied to the specific site design. Limitations on development level, mitigation measures or discharge restrictions may be necessary in order to assure these services are adequate.

#### **485.Finding:**

##### Sanitary Sewer

Both Portland's combined sewer system and its separated sanitary sewer system have hydraulic and condition deficiencies that can impact the ability of these systems to serve existing properties at designated service levels. The Citywide Systems Plan includes two projects to respond to these deficiencies based on risk:

- *Sewer Capacity Upgrades.* Based on the Systems Plan, program adds capacity by upsizing pipes and/or adding surface infiltration facilities. Projects are prioritized based on risk and benefit/cost. Work may also include high priority pipe rehabilitation. Work will occur in small areas within the combined sewer system that are not addressed by basin specific projects.
- *Sewer Pipe Rehabilitation.* Based on regular inspection, this program rehabilitates the highest risk pipes.

##### Stormwater

Stormwater is conveyed through the combined sewer system, pipes, ditches, or drainageways to

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streams and rivers. In some cases, stormwater is managed in detention facilities, other vegetated facilities, or allowed to infiltrate in natural areas. Since 1999, the Stormwater Management Manual (SWMM) has provided policy and design requirements for stormwater management throughout the City of Portland. The requirements apply to all development, redevelopment, and improvement projects within the City of Portland on private and public property and in the public right-of-way.

As noted in the findings above, the RIP amendments are consistent with Statewide Planning Goal 11 (Public Facilities and Services) and the applicable Comprehensive Plan policies in Chapter 8 (Public Facilities and Services) and the findings in response to those goals and policies are incorporated by reference. Therefore, the public services for water supply, and capacity, and police and fire protection are capable of supporting the uses allowed by the R2.5 zone in the locations that are included in the RIP amendments.

- c. Public services for transportation system facilities are capable of supporting the uses allowed by the zone or will be capable by the time development is complete. Transportation capacity must be capable of supporting the uses allowed by the zone by the time development is complete, and in the planning period defined by the Oregon Transportation Rule, which is 20 years from the date the Transportation System Plan was adopted. Limitations on development level or mitigation measures may be necessary in order to assure transportation services are adequate.

**486.Finding:** As noted in the findings above, the RIP amendments are consistent with Statewide Planning Goal 11 (Public Facilities and Services) and the applicable Comprehensive Plan policies in Chapter 9 (Transportation) and the findings in response to those goals and policies are incorporated by reference. Therefore, the public services for transportation are capable of supporting the uses allowed by the R2.5 zone in the locations that are included in the RIP amendments. Additionally, Oregon House Bill 2001 which passed in the 2019 legislative session changed what cities with a population over 25,000 are required to allow in single-dwelling zones. The bill requires that cities allow for more density on each parcel. Generally it requires that cities allow development of at least a duplex on each lot where a detached house is allowed and provides that “a local government is not required to consider whether the amendments significantly affect an existing or planned transportation facility” when amending the comprehensive plan or land use regulations to comply with the 2019 act.”

- d. The school district within which the site is located has adequate enrollment capacity to accommodate any projected increase in student population over the number that would result from development in the existing zone. This criterion applies only to sites that are within a school district that has an adopted school facility plan that has been acknowledged by the City of Portland.

**487.Finding:** The David Douglas School District is the only school district in Portland with an adopted school facility plan. David Douglas School District (DDSD) in East Portland is the only school district in Portland with an adopted school facility plan. Within the DDSD boundaries, approximately 24 acres are rezoned to R2.5.

As noted above, the potential unit differential between R5 and R2.5 zones where historically narrow lots are present is roughly equivalent. There is one parcel approximately 36,000 sq ft in size that has been replatted into 9 condominium unit ownerships. This site could be divided into 10 3,200 sq ft lots each allowing up to 4 units, for a net difference of 31 units. The David Douglas

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School District has indicated that it can accommodate any future increase in student enrollment that can be expected from these amendments.

### 33.855.060 Approval Criteria for Other Changes

In addition to the base zones and Comprehensive Plan designations, the Zoning Map also shows overlay zones. An amendment will be approved (either quasi-judicial or legislative) if the review body finds that all of the following approval criteria are met:

- 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;

**488.Finding:** The RIP amendments remove the Alternative Design Density (a) Overlay Zone from roughly 46,000 single dwelling zoned parcels, effectively deleting the overlay entirely. Removing the 'a' overlay from these lots will have little impact. The purpose of the Alternative Design Density Overlay Zone is to focus development on vacant sites, preserve existing housing and encourage new development that is compatible with and supportive of the positive qualities of residential neighborhoods. The concept for the zone is to allow increased density for development that meets additional design compatibility requirements. Many of the original 'a' overlay provisions have already been incorporated into the base zone regulations. The regulations that remain in the 'a' overlay that allow increased density for development that meets additional design compatibility requirements have not been well-utilized. In fact, of the nearly 45,000 properties in the overlay zone, staff estimates that fewer than 250 properties have ever used the 'a' overlay provisions. The new base zone's additional housing types will be allowed on these lots, provided the lot is of adequate size and does not have the new 'z' overlay applied. There are only 25 lots that currently had the 'a' overlay that will not be allowed a triplex, due to the presence of the 'z' overlay. There are no triplexes on any of these lots today.

The RIP amendments concurrently add a new Constrained Sites ('z') overlay zone to roughly 10,000 parcels in RIP zones that have either natural resources or natural hazards present that make those parcels unsuitable for additional households that could result from the additional housing type allowances pursuant to Policies 4.79-4.81, and Policies 7.19-7.26. This overlay was applied through GIS mapping that selected parcels that intersected with one or more of the following attributes:

#### Flood risk

- 100-year floodplain: areas that are within the FEMA 100-year floodplain including the FEMA-defined floodway
- 1996 flood inundation area

#### Landslide prone areas

- Deep landslide susceptibility: Deep landslides involve movement of a relatively thick layer of material.
- Potentially rapid moving landslides: These areas are subject to debris flow hazards. Debris flows are mixtures of water, soil, rock and/or debris that have become a slurry and commonly move rapidly downslope.
- Landslide scarps and deposits: These show areas where previous landslides have occurred and are indicative of areas more susceptible to future landslides.

#### Significant natural resources



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- Ranked as low, medium, or high value resources on the Natural Resource Inventory.

Other approaches were considered including use of GIS mapping to determine a lot's eligibility for the additional housing type allowances. However, consistent with Policies in Chapter 10, establishing an overlay zone was chosen over the need to review 6 different data layers, as this approach provides both professionals and lay people easier access to the information to determine when development entitlements would apply or not.

- 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**

**489.Finding:** The purpose of the Alternative Design Density ('a') Overlay Zone is to focus development on vacant sites, preserve existing housing and encourage new development that is compatible with and supportive of the positive qualities of residential neighborhoods. The overlay zone provisions have gradually been shifted into base zone provisions since the overlay's inception in 1993. The remaining distinct provision applies only to R2.5 zoned sites and allows for triplexes on these lots. The requirement that these triplexes either meet additional design standards or go through a discretionary design review has a potential impact on the affordability of those units, which can contribute to economically exclusive neighborhoods, counter to Policy 5.36. Instead, the RIP amendments propose a wider palette of additional housing types including triplexes on R2.5 lots within the residential infill options in the base zone subject to clear and objective standards that are similar to regular houses. Therefore the 'a' overlay is no longer necessary.

The introduction of the Constrained Sites ('z') Overlay Zone is consistent with several policies in the Comprehensive Plan including polies 4.79-4.81, 5.47, and 7.19-7.26 which seek to limit development of housing in hazard prone areas and Goal 3.G which preserves natural resources within a system of ecosystem services.

- 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.**

**490.Finding:** There are no changes to scenic viewpoints as a result of the RIP amendments. This criterion does not apply.

**- END -**