

IMPACT STATEMENT

Legislation title: *Amend Ordinance to modify a condition of approval for the vacation of a portion of SE Claybourne St east of SE 122nd Ave subject to certain conditions and reservations (Ordinance; amend Ordinance No. 188928; VAC-10120)

Contact name: Lance Lindahl, PBOT Right-of-Way Acquisition
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Presenter name: Lance Lindahl

Purpose of proposed legislation and background information:

On August 10, 2016 and in accordance with ORS 271.130, the City of Portland ("City"), through its Bureau of Parks and Recreation ("PP&R" or "Petitioner"), the controlling bureau of adjoining property, initiated the vacation of a portion of SE Claybourne Street east of SE 122nd Avenue (the "Street Area").

The purpose of the vacation is to consolidate property as a part of the first phase of Leach Botanical Garden's 25-year master plan in which City Council passed Ordinance No. 188928 on May 9, 2018 approving the requested vacation under certain conditions (the "Ordinance").

Section 1, Directive b1 was included in the Ordinance at the request of the Bureau of Development Services ("BDS") and required PP&R to consolidate all lots that will lose legal street frontage as a result of the street vacation and to reconcile zoning differences prior to the completion of the lot consolidation which is to be recorded concurrently with the recording of the Ordinance.

BDS revised their response to the street vacation request on January 14, 2019. BDS has determined that a lot consolidation is no longer necessary since the affected lots are now all zoned as Open Space ("OS"). Lots within the OS zone are not required to have a public right-of-way frontage.

PP&R supports amending the Ordinance in order to remove Directive b1 since it is no longer necessary.

The purpose of this legislation is to amend Ordinance No. 188928 which vacated a portion of SE Claybourne Street east of SE 122nd Avenue, in order to remove Directive b1.

This amendment of the Ordinance complies with state law under ORS 271 and City Code, Chapter 17.84.

Financial and budgetary impacts:

The process for vacating streets is a cost recovery program, typically paid for by the Petitioner, and does not have a net impact on PBOT's budget. Expenses for processing this amendment are being included as a part of the SE Claybourne Street east of SE 122nd Avenue street vacation project.

PP&R has provided a billing number for actual expenditures incurred by City staff for the processing of this request. The SAP Cost Object is 7TRPK0000095. Expenses are occurring in FY 2016-17, FY 2017-18, and FY 2018-19.

This legislation does not affect staffing levels nor will result in a new or modified financial obligation or benefit now or in the future.

If City Council does not approve the amendment of Ordinance No. 188928 this will lead to additional surveying, lot consolidation review, and other expenses that will need to be paid for by PP&R.

Community impacts and community involvement:

There does not appear to be any impact to the community nor does there appear to be opposition to amending the Ordinance. The abutting property owner is in support. There is no future public involvement anticipated since amending the Ordinance will conclude this action.

Budgetary Impact Worksheet**Does this action change appropriations?**

- ☐ **YES:** Please complete the information below.
☒ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

Reviewed and approved 3/6/2019 KK(jwf)