

## IMPACT STATEMENT

**Legislation title:** Amend Underground Wiring Districts code to permit the attachment of wireless facilities on poles (Ordinance; amend Code Section 17.60.110)

**Contact name:** Anne Hill

**Contact phone:** 3-7239

**Presenter name:** Anne Hill

### **Purpose of proposed legislation and background information:**

- This code change creates an exemption for the attachment of wireless infrastructure in underground wiring districts.
- As per City Code Chapter 17.60.020, utility facilities must be located underground within the boundaries of an underground wiring districts. Given that wireless infrastructure will be mounted on street light and other poles in the right-of-way, this exception was needed.
- This code change does not apply to or exempt transit and/or transit supporting infrastructure not owned and maintained by the City.

### **Financial and budgetary impacts:**

- No financial or budgetary impacts.

### **Community impacts and community involvement:**

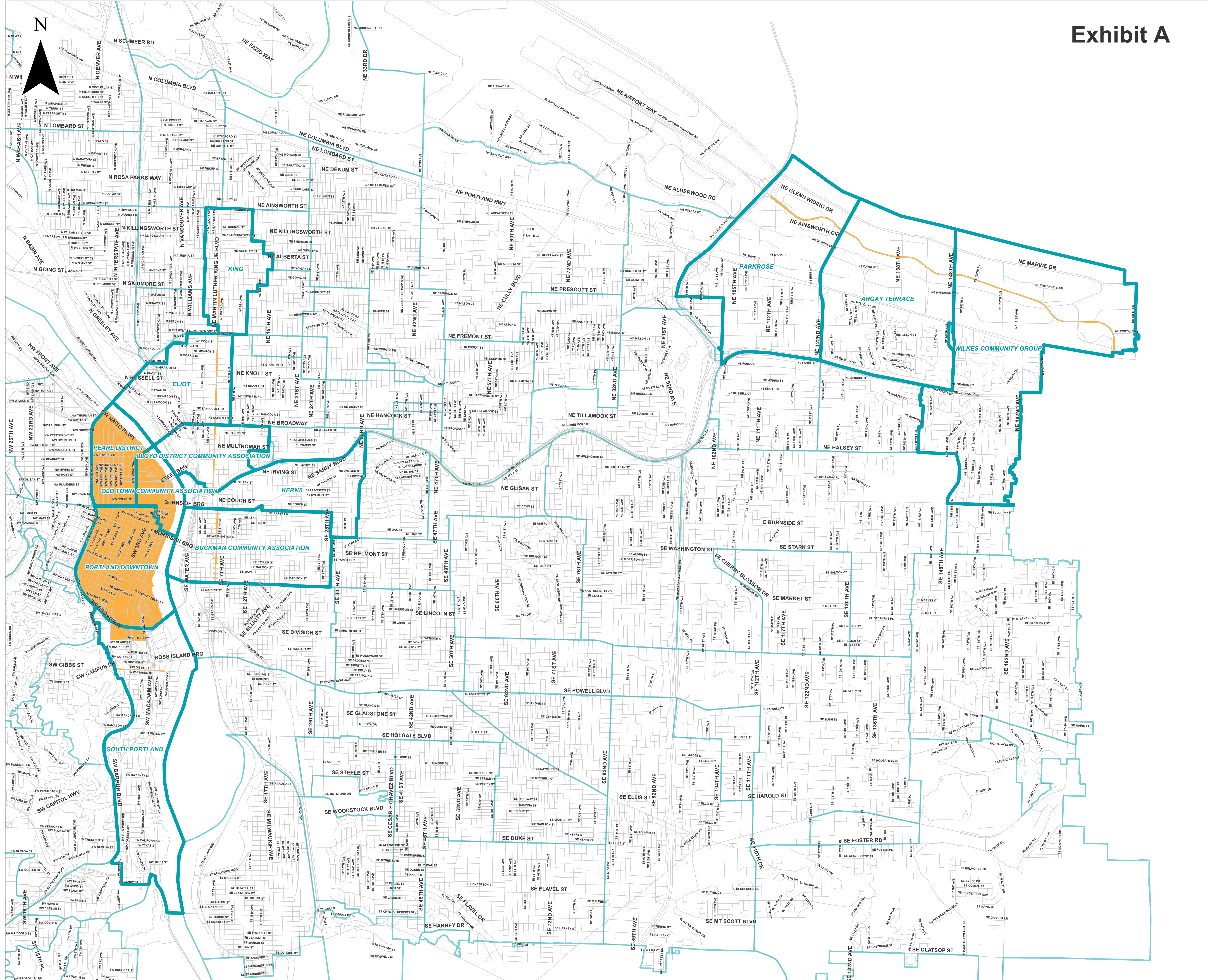
- A public notice for this code change was posted in the 3/22/19 edition of the Daily Journal of Commerce, a webpage was created on the PBOT website, and notification emails were sent to impacted neighborhood associations, district coalitions, local business associations, and city partners. All forms of notification provided both a PBOT email and phone contact number that could be used to provide comments or ask questions.
- The aforementioned webpage includes links to existing City of Portland code pages, area-specific underground wiring district maps, and instructions on how to testify at the City Council hearing.

## **Budgetary Impact Worksheet**

### **Does this action change appropriations?**

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

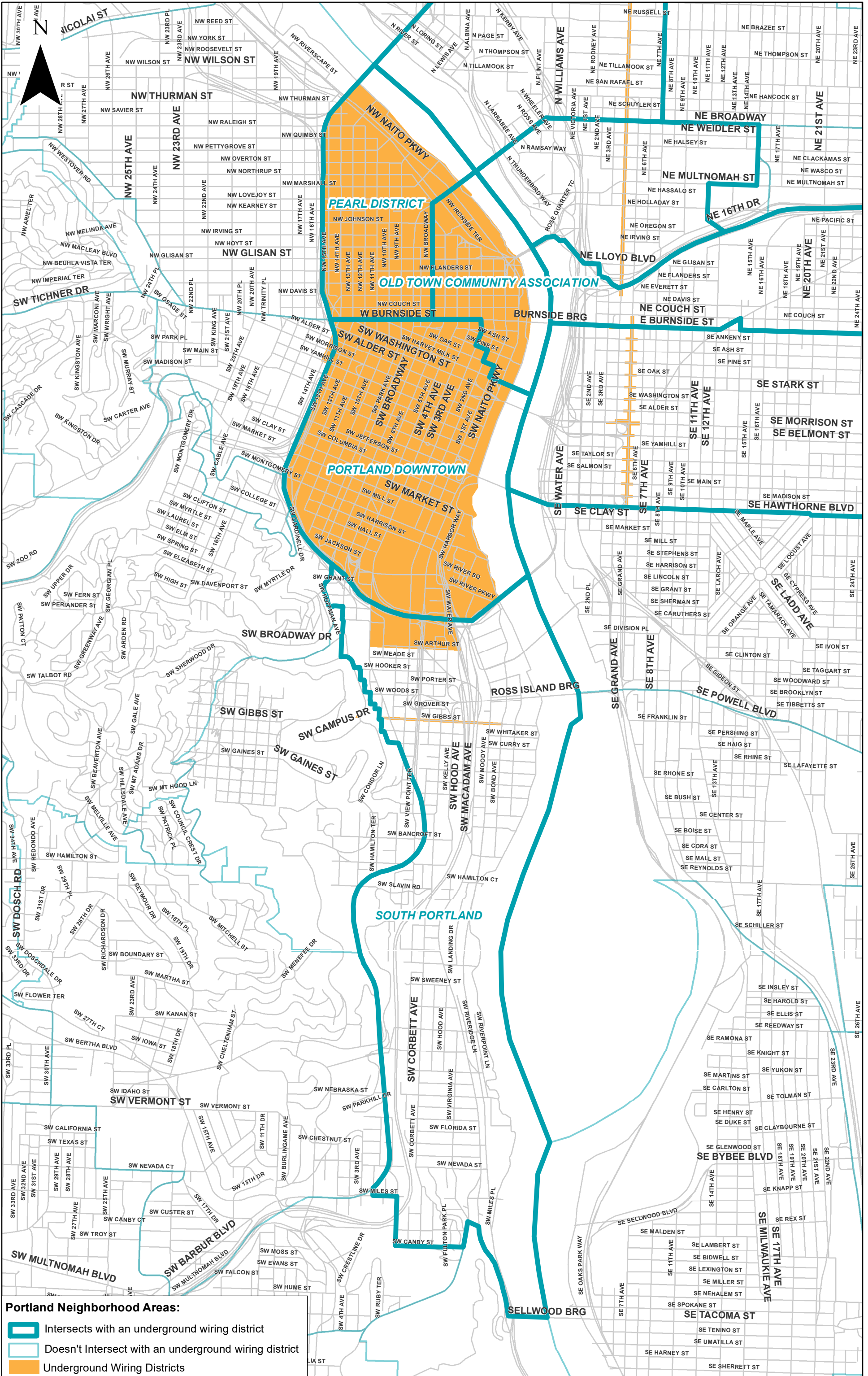
KK 4-9-19

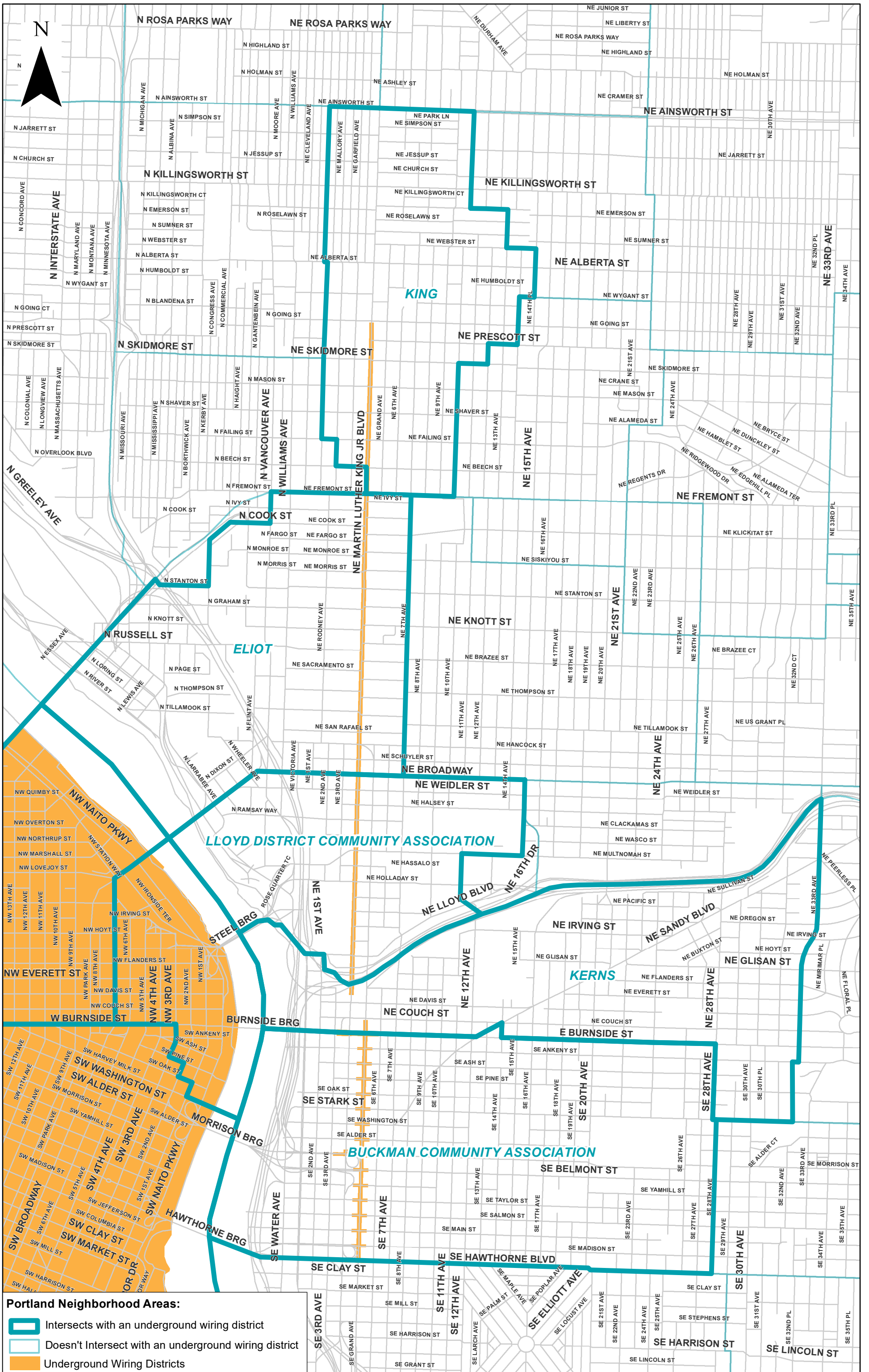


**Portland Neighborhood Areas:**




- Intersects with an underground wiring district
- Doesn't Intersect with an underground wiring district
- Underground Wiring Districts

# Exhibit B

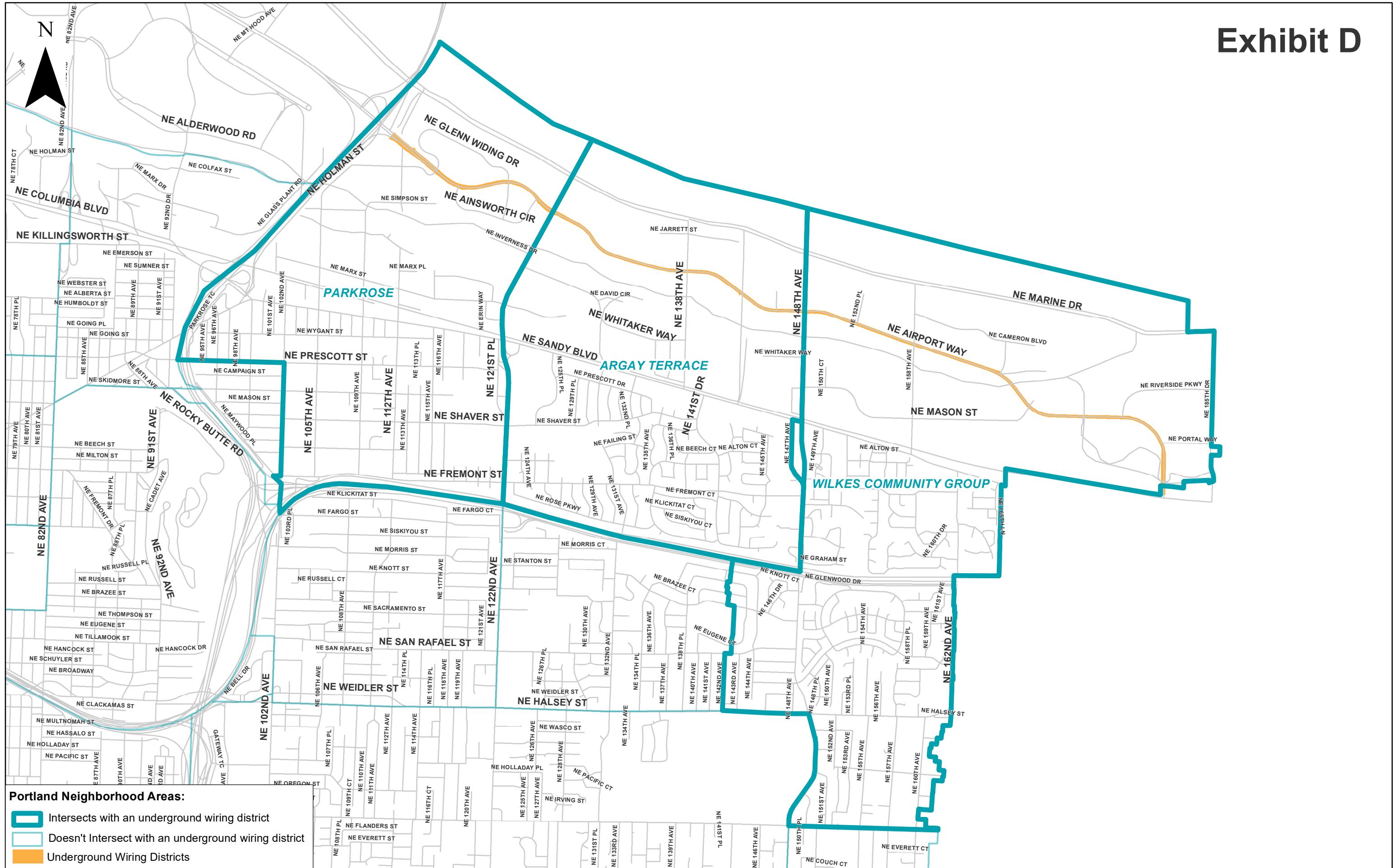




**Portland Neighborhood Areas:**

-  Intersects with an underground wiring district
-  Doesn't Intersect with an underground wiring district
-  Underground Wiring Districts

# Exhibit D



## **ORDINANCE No.**

Amend Underground Wiring Districts code to permit the attachment of wireless facilities on poles (Ordinance; amend Code Section 17.60.110)

The City of Portland ordains:

Section 1. The Council finds:

1. The City, through the Portland Bureau of Transportation (PBOT) which manages the right-of-way, permits public and private utilities to deliver essential services – such as water, electricity and internet access – to Portlanders using the right-of-way.
2. This code change would permit the attachment of wireless facilities on poles in underground wiring districts around the City of Portland. There are currently four main areas that will be affected by this code change. In the NW and SW Downtown core, along NE Martin Luther King Jr Blvd, SE Grand Ave, and NE Airport Way.
3. The proposed language also clarifies that it does not include attachments to transit and/or transit supporting infrastructure not owned and maintained by the City.

NOW, THEREFORE, the Council directs:

- a. Portland City Code Subsection 17.60.110 F. is added as follows:

17.60.110 Exemptions.

**F.** Appliances or appurtenances on, through or by means of which telecommunications data is wirelessly collected or transmitted, as defined by the Transportation Administrative Rules. This exemption does not include attachments to transit and/or transit supporting infrastructure not owned and maintained by the City.

Passed by the Council,

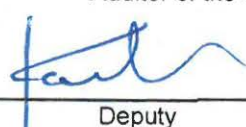
Commissioner Chloe Eudaly  
Prepared by: Gene Yamamoto: CB  
Date Prepared: 3/18/2019

**Mary Hull Caballero**  
Auditor of the City of Portland  
By

Deputy

Agenda No.  
**Ordinance NO.**  
 Title

Amend Underground Wiring Districts code to permit the attachment of wireless facilities on poles (Ordinance; amend Code Section 17.60.110)

INTRODUCED BY Commissioner/Auditor: <b>Chloe Eudaly</b>	CLERK USE: DATE FILED <u>APR 16 2019</u>
COMMISSIONER APPROVAL Mayor—Finance & Administration – Wheeler Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Hardesty Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland  By:  Deputy
BUREAU APPROVAL Bureau: PBOT Group: DPT Group Manager: Christine Leon Director: Chris Warner  Prepared by: Gene Yamamoto:CB Supervisor: Anne Hill Date Prepared: March 19, 2019	
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	ACTION TAKEN:  APR 24 2019 REFERRED TO COMMISSIONER OF PUBLIC SAFETY JUN 26 2019 PASSED TO SECOND READING JUL 10 2019 9:30 A.M.
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan	
Council Meeting Date April 24, 2019	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input type="checkbox"/> Start time: Total amount of time needed: (for presentation, testimony and discussion)
<b>CONSENT</b> <input type="checkbox"/>
<b>REGULAR</b> <input checked="" type="checkbox"/> Total amount of time needed: <u>20 mins</u> (for presentation, testimony and discussion)

Revised 8/2017

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz	
2. Fish	2. Fish	
3. Hardesty	3. Hardesty	
4. Eudaly	4. Eudaly	
Wheeler	Wheeler	