

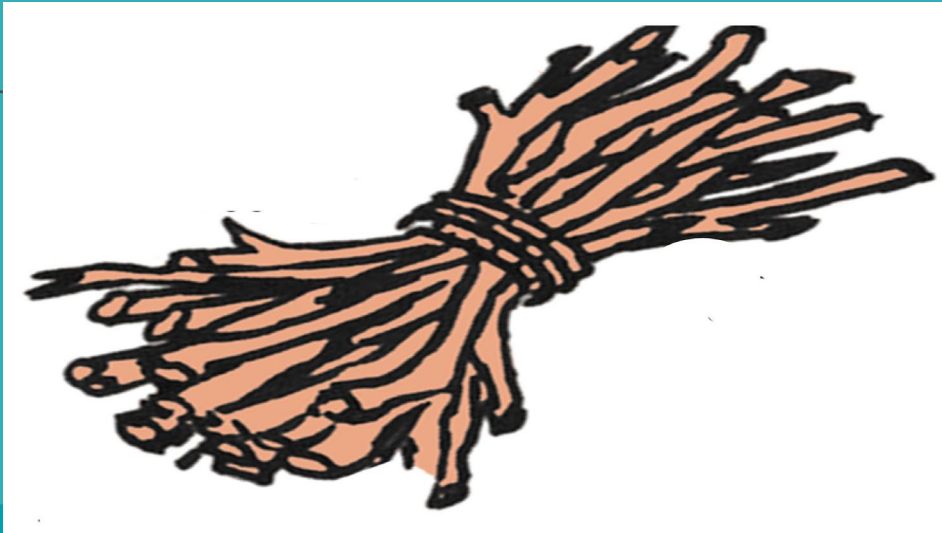
Why and How does the City vacate streets?

WE KEEP PORTLAND MOVING.

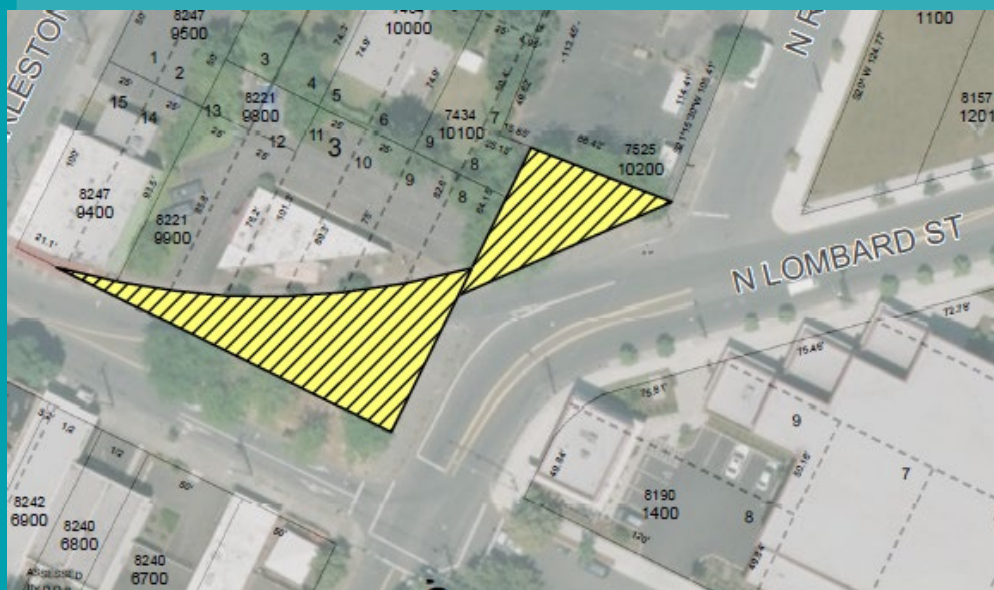


PBOT
PORTLAND BUREAU OF TRANSPORTATION

- The purpose of a street vacation is to extinguish the public's interest in street right-of-way or "Street Area".
- The City does not 'own' the Street Area in fee-title, but rather has an all encumbering easement leaving the property owner with 1 remaining stick in the 'bundle of rights' – the right of reversion.



- Many streets are what we call ‘paper’ streets and most likely will never be developed
- Some streets are no longer needed due to a change in subdivision plans or a change to zoning
- Some street segments need to be realigned

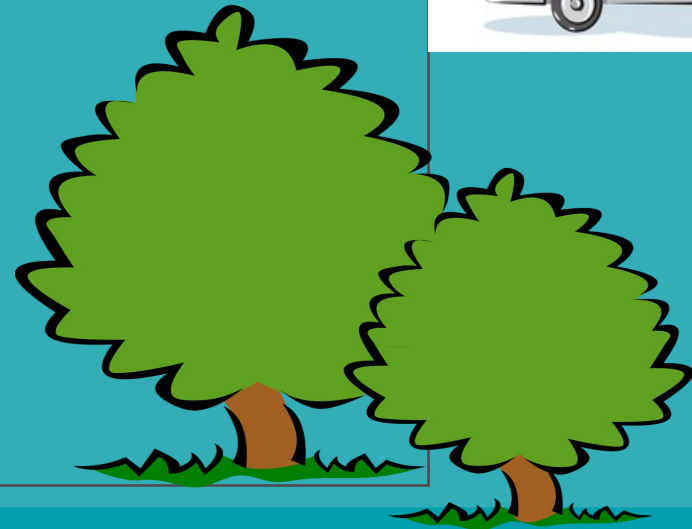


- **The Street Vacation Process is governed by:**
- State Statute ORS Chapter 271.080 thru 271.230
- City Code 17.84.010 thru 17.84.065
- City Charter Section 1-104
“City may vacate Street Area if such vacation would not interfere with reasonable access to water front or any transportation terminal”



Title 17.84.025 Approval Criteria:

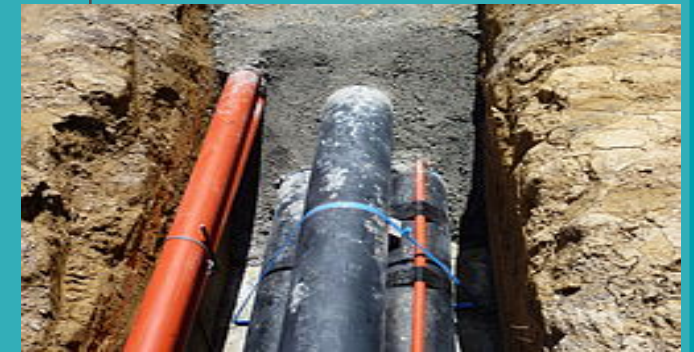
1. The Street Area is not presently needed
2. Not identified in any adopted plan for:
 - Public services
 - Transportation, Stormwater or Utility functions
 - View corridors and/or viewpoints
 - Tree planting/retention
 - Pedestrian amenities
 - Community or commercial uses



Title 17.84.025 Approval Criteria Continued....

3. The Street Area will not be needed in the future as part of the street grid or needed for connection and spacing requirements for bicycle/pedestrian (530 ft for streets & 330 ft for peds/bikes)

4. Public services, transportation functions or utilities can be extended in an alternate location



- An Early Assistance Review (EA) is required for all STV requests
- The EA gives the Petitioner a 'snapshot' of the level of support the City Bureaus might have of the request and what type of conditions they might require if they support the request



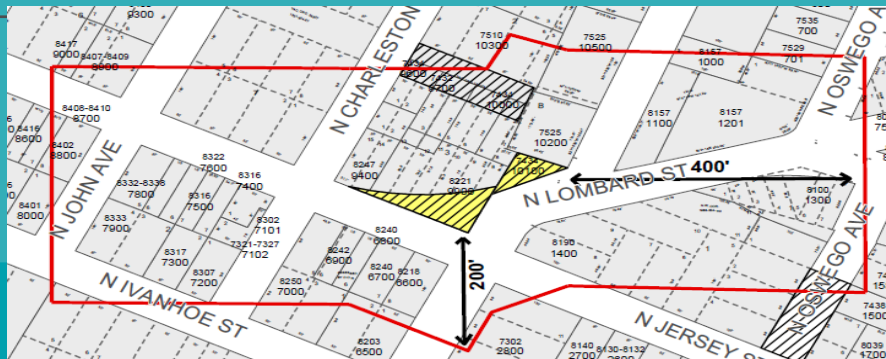
- An EA can be waived if there are no development plans and no known City water or sewer lines within the Street Area.

There are 2 types of Street Vacation Petitions:

- City Initiated and Non-City Initiated

For Non-City Initiated:

- The Petitioner must obtain signatures of all abutting property owners and 2/3rd of a surrounding area as determined by ORS 271.080
- Once completed, the petition is then certified for accuracy



For City Initiated Street Vacations:

ORS allows the City to initiate the vacation without a petition. Since signatures of neighbors are not required, notice is required to be mailed to the abutting property owners and those in the surrounding area to inform them of the public hearing before City Council.



Once the petition is certified OR the City initiates a vacation, a formal investigation is done:

- Notices are sent to City Bureaus, Public Agencies like ODOT and TriMet, Public Utilities such as Comcast and PGE, and Neighborhood and Business Associations requesting comments (typically 30 days)
- City Bureaus conduct an in-depth review and determine what conditions, if any would be required should the petition be approved by City Council
- Bureaus can also recommend denial



When all responses have been received, a hearing before Planning & Sustainability Commission (PSC) is requested.

- The PSC reviews the request and makes recommendations to City Council of approval, approval with added conditions, or denial
- Although not required by ORS or City Code, a public notice is sent out to all abutting property owners and those in the surrounding area informing them of the PSC hearing date and time



Bureau of Planning and Sustainability
Innovation. Collaboration. Practical Solutions.

- Once the vacation request has been heard by the PSC, the Bureau Director's Report is drafted compiling all the findings from the formal investigation and any recommended conditions by the PSC. The Report serves as PBOT's official report and recommendation to City Council.



Going before City Council:

- A public hearing is then scheduled to present the request to City Council
- The Street Area is posted with notice of the hearing and an announcement is published in the Daily Journal of Commerce
- City Council may approve, amend, or deny the vacation request
- 4/5 vote of the Members is required



Recording of the Ordinance:

- If the vacation request is approved by City Council, the following is required to be completed:
- All adopted conditions of approval must be met
- 30 days must pass per ORS 271
- Costs to process the vacation request must be paid (currently staff time including overhead and not for the street itself)



When the ordinance is recorded:

- The property reverts to private ownership, typically split down the middle of the road but not always. It depends on how the street was created and what parcel it came from.



TAXES:

Once the Street Area reverts to private ownership, the area is added to the tax rolls and property owners begin paying taxes (unless exempt).



Here is 1
example of a
street
vacation that
benefited
the public



Here is a before & after picture of N Lombard Street looking west in downtown St Johns removing the island & the slip lane



Before



After



That's all Folks!