

TRN-1.06 - Street Vacations

Administrative Rules Adopted by Bureaus Pursuant to Rule Making Authority (ARB)

Policy category

[Streets & Sidewalks](#)

Policy number

TRN-1.06

STREET VACATIONS

Administrative Rule Adopted by Bureau of Transportation Pursuant to Rule-Making Authority

ARB-TRN-1.06

I. Background

The street vacation process is governed by State Statute (ORS Chapter 271.080 to 271.230), City Charter (Section 1-104), City Code (Chapter 17.84), and Transportation Rule (TRN-1.06). The purpose of a street vacation is to remove the public's interest in street right-of-way ("Street Area").

The Portland Bureau of Transportation (PBOT) facilitates the street vacation process and acts as a liaison between the party requesting the vacation (the "Petitioner"), and City bureaus, public agencies, and neighborhood and business associations.

II. Manual

Further program requirements can be found in the Street Vacation Manual.

III. General Requirements

There are three phases to a street vacation: Early Assistance Review (EA), Petition Stage, and Formal Investigation. Vacation requests are presented to the Planning & Sustainability Commission (PSC) and City Council where public testimony is heard. Following public testimony and reviewing staff recommendations, City Council will make the final decision on street vacation requests. For additional details, refer to the Street Vacation Manual.

Step in Street Vacation Process	Time Limit
Early Assistance & Preliminary Investigation (Phase 1)	One (1) year from date of EA Review Summary Report to submit the street vacation application.
Petition and Preparation (Phase 2)	Six (6) months from the date the petition is sent to the Petitioner.
Formal Investigation (Phase 3)	Ninety (90) days
Bureau Director's Report	Ninety (90) days
Repeal of Ordinance	Six (6) months after Council approval. OR Eighteen (18) months after Council approval.

IV. Refunds

If more than \$100 remains after PBOT concludes work on the vacation, a refunded will be issued to the Petitioner.

V. Appeals

The following review and appeals of Street Vacations are available:

- During the vacation process, the Petitioner may request a review if they disagree with staff determinations that may have a material impact on the petition. The applicant must submit a written request for review to the PBOT Right of Way Acquisition Manager.
- The Petitioner may appeal City Council's final decision on the street vacation request in a circuit court.

VI. Reference

ORS Chapter 271.080 through **271.230**:

“Vacation” https://www.oregonlegislature.gov/bills_laws/ors/ors271.html

ORS Chapter 227.100: “Submission of plats for subdivisions and plans for street alternations and public buildings to

commission” <https://www.oregonlaws.org/ors/227.100>

Portland City Code Chapter 17.84: “Street Vacations”

<https://www.portlandoregon.gov/citycode/28883>

Portland City Charter Section 1-104: “Alienability of Public Places and Property and Limitations Thereon” <https://www.portlandoregon.gov/citycode/article/13416>

Portland Policy Document TRN-1.06: In process of being updated

<https://www.portlandoregon.gov/citycode/article/40540>

History

Filed for inclusion in PPD December 3, 2003.

Updated February 18, 2005.

Street Vacation Checklist form updated in PPD July 2, 2007.

Street Vacation Brochure, Checklist, Timeline Estimate and Application forms removed from PPD October 3, 2008.

Amended by the Director of Transportation August 6, 2021 and filed for inclusion August 10, 2021.