

PBOT

PORTLAND BUREAU OF TRANSPORTATION

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Steve Novick Commissioner **Leah Treat** Director

Memo

June 6, 2016

To: Planning and Sustainability Commission

From: Courtney Duke, Senior Transportation Planner, PBOT

RE: Street Vacations, Title 17 and Community Uses

The Street Vacation Policy (8.48) and ROW policies (8.38-8.43) were modified by Planning and Sustainability Commission as part of the Comp Plan Recommended Draft (August 2015). Included in this draft were uses of the ROW, including community uses (Policy 8.42). Based on this addition, the policy for street vacations (Policy 8.48) was recommended to be modified by City Council and PBOT staff to include community uses when considering street vacations. The Title 17 code and approval criteria proposed in the TSP Proposed Draft (December 2015) reflects that change (17.84.025 A.1-2; Section 16: Street Vacation Code).

City Council voted on May 12, 2016 to approve the changes to the ROW and Street Vacation policies which gives official direction to the Title 17 changes to include community uses (17.84.025 A.1-2; Section 16: Street Vacation Code). PBOT staff made minor changes to the code to reflect BPS comments (December 2015) related to the decision body in June 2016.

PSC Member Michelle Rudd has expressed concern about policy changes that include community uses in Policy 8.48 and in the Title 17 code language ((17.84.025 A.1-2; Section 16: Street Vacation Code0). City Council will vote on the Comp Plan June 15, 2016 with the new community uses included as part of the street vacation policy (Policy 8.48). Therefore, the proposed Title 17 language needs to be maintained as written with minor changes in the Proposed Draft in order to implement the direction from City Council and the Comp Plan.

PSC Action: Approve Title 17 language related to Street Vacations as written in the TSP Proposed Revised Draft dated June 6, 2016 (17.84.025 A.1-2; Section 16: Street Vacation Code).

Attachment: 17.84.025 A.1-2; Section 16: Street Vacation Code (TSP Proposed Draft, December 2015 and changes for June 6, 2016.)



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Street Vacation Code
Proposed Draft 2015, with minor changes June 6, 2016

17.84.010 - 17.84.020 [No Change]

17.84.025 Approval Criteria and Conditions for Vacating Streets

A. The approval criteria are as follows:

1. The area proposed to be vacated is not presently needed, and is not identified in any adopted plan as needed in the future, for public services, transportation functions, utility functions, stormwater functions, view corridors and/or viewpoints. Consider temporary community uses.
2. The vacation does not prevent the extension of, or the retention of public services, transportation functions, utility functions, stormwater functions, view corridors and/or view points. Consider temporary community uses.
3. Public services, transportation functions, or utilities can be extended in an orderly and efficient manner in an alternate location;
4. The vacation does not impede the future best use, development of, or access to abutting property;
5. The area of the vacation is not presently, or will not in the future be, needed as part of an interconnected system of public streets that is generally consistent with the street connection and bicycle/pedestrian spacing requirements in section 17.88.040 Through Streets.

17.84.025.B

17.84.030 - 17.84.060 [No Change]

B. When approving, or approving in part, a petition to vacate a street, reservations or conditions may be made. Reservations or conditions may pertain to:

1. The maintenance and use of underground public utilities or service facilities in the portion vacated;
2. Limitations on use of the area above and adjacent to underground utilities or service facilities;
3. Moving at petitioner's expense the utility or service facilities either below, on or above the surface;
4. Construction, extension or relocation of sidewalks and curbs, multi-use paths, trails, or other similar pedestrian or bicycle facilities;
5. Grading or pavement extensions;
6. Dedication for street use or other area in lieu of the area to be vacated;
7. Replat; and
8. Any other matter of like or different nature relating to the vacated area and remaining or relocated street area adjacent to petitioner's property, or area dedicated in lieu of the vacation area.

17.84.030 - 17.84.060 [No Change]