

IMPACT STATEMENT

Legislation title: Amend Vehicles and Traffic and Public Improvements codes to add necessary clarification and update language to align with current City practices (Ordinance; amend Code Title 16 and 17; add Chapter 17.109)

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Purpose of proposed legislation and background information:

- Updates to City Code Title 16 and 17 are occasionally needed to reflect changes in PBOT practices. Most of these changes are administrative in nature to correct code reference locations, replace outdated language, or update bureau practices and responsible party titles.
- Changes to Titles 16 and 17 are as follows:
 - **Chapter 16.20 Public Right-of-Way Parking.** Removed references to out-of-date practice of using “meter hoods”. Replaced reference to truck loading ‘area’ with truck loading ‘zone’. Updated authority to issue parking reservation permits to be with the Director of the Bureau of Transportation, rather than with the City Traffic Engineer or the City Engineer. The organizational authority at PBOT has been with the Director for some time and that change has already been reflected in past updates to Title 17. Removed reference to the Special Traffic Control District downtown. While construction used to be concentrated downtown, the rapid growth Portland has experienced in recent years has resulted in construction activity throughout the city. With Vision Zero and the commitment to accommodating pedestrians and bicyclists through construction zones, PBOT now coordinates and manages closures throughout the city. This change reflects the expanded permitting authority of Temporary Street Use Permitting (TSUP) from just in the Special Traffic Control District to citywide.
 - **Chapter 16.90 Definitions (Space Reservation Device).** Removed references to out-of-date practice of using “meter hoods”
 - **16.50.410 Vehicles Allowed on the Transit Mall and Auxiliary Vehicular Lanes by Permit.** Corrects a typo which indicated that weekend permits on the auxiliary lane shall NOT be short term; the intent was to restrict weekend closures to be short term. Adds PBOT Director authority to approve a short-term (3 days or less) permit in the auxiliary lane of the transit mall during otherwise restricted times of 6am-7pm, when determined to be in the interest of the public and with agreement from TriMet.
 - **Chapter 17.06 Administration of Public Works Permitting.** Updated all references to ‘Public Works Permit Engineering Manager’ to ‘Public Works Permit Manager’ to reflect position title change.
 - **Chapter 17.15 Transportation System Development Charge.** Updated to eliminate confusion regarding interpretation of where TSDC discounts would be applicable.

- **Chapter 17.25 Sidewalk Cafes.** Updated language to clarify that sidewalk café furniture must be placed on hard surfaces, but not in driveway approaches.
- **17.88.080 Special Requirements for East Corridor Plan District.** The Gateway Master Street Plan was adopted by City Council in the Transportation Element of the Comprehensive Plan. Standard practice is to amend the Transportation System Plan (TSP) to reflect a master street plan that has been adopted by council. Now that this has been done, this code section is no longer needed.
- **17.88.090 Local Transportation Infrastructure Charge Required.** Removed previously added provision G. This change initially recommended by the Office of the Ombudsman. However, City staff have since found that this program could have unintended negative consequences on property owners. For more information, refer to the memorandum (Exhibit B) sent November 28, 2018 by Anne Hill (Program Development, PBOT) to Chris Warner (Interim Director, PBOT). Reasons for this recommendation include:
 - Challenges for customers converting construction financing to long-term mortgages
 - High administrative costs
 - High expenses for participating customers
 - Potential for large, lump sum payments
 - Difficulty collecting payments on delinquent accounts
- **17.107.020 Required Elements of a Transportation and Parking Demand Management Plan.** Updated reference to a TSP policy that was renumbered in the most recently adopted TSP.
- **Chapter 17.109 Relocation Benefits Appeals.** Added language to provide an appeal process for any displacee who is dissatisfied with any ruling on their eligibility or claim for any relocation benefit payment when the City acquires private property for public use. Following state and federal requirements, the City of Portland occasionally relocates residents, businesses, or personal property in association with capital improvement projects. The City does not have a formal appeals process to date. This update establishes the process, along with providing the authority for the Code Hearings Officer to extend its jurisdiction to the relocation benefits appeals process.

Financial and budgetary impacts:

- N/A

Community impacts and community involvement:

- Changes to 17.88.090 Local Transportation Infrastructure Charge Required were made following staff discussions with OMF, OEHR and the Office of the Ombudsman. As described above, the provision had originally been added at the request of the Office of the Ombudsman. The provision being removed has never been utilized.

- 17.109 Relocation Benefits Appeals is a new section being added to provide an appeals process where one did not exist previously. Staff consulted with the Portland Water Bureau, Portland Parks and Recreation, and Office of Management and Finance and received input from the Portland Property Managers Committee.
- Changes to 16.50.410 Vehicles Allowed on the Transit Mall and Auxiliary Vehicular Lanes by Permit were reviewed by TriMet, Portland Mall Management, Inc., and PBOT Engineering staff.
- The remaining code changes were updates to match current practice.

Budgetary Impact Worksheet

Does this action change appropriations?

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