

ORDINANCE No. 190017

Amend Street Access Code and Transportation Administrative Rules to align with changes to the Residential Infill Project (Ordinance; amend Code Section 17.88.090 and TRN-1.26)

The City of Portland ordains:

Section 1. The Council finds:

1. The Residential Infill Project amendments allow up to six dwelling units per lot (based on lot sizes) in the R7, R5 and R2.5 zones, and allows the units to be arranged in multiple configurations—a single house, duplex, triplex, fourplex, a duplex with one accessory dwelling unit, a house with up to 2 accessory dwelling units, or a multi-dwelling building with 5 or 6 units (when 50% of the units meet affordability requirements of Title 30).
2. The Residential Infill Project provides opportunities for a wider variety of housing options and can reduce the cost of a single unit by roughly half the cost of a single new house.
3. Under-improved streets challenge the viability of new development. Providing street improvements and managing stormwater through off-site improvements can be prohibitively expensive for new development.
4. However, not getting street and stormwater improvements included in the cost of new development shifts the cost of providing the infrastructure from the developer to the public, city and/or to the development site's neighbors. Each of these outcomes has different equity impacts in terms of who benefits and who is burdened by new development.
5. The largest impacts happen with street improvements that also require establishing new curbs. This frequently precipitates the need for full stormwater and potentially other underground utility improvements and relocations, which can be very expensive.
6. The Residential Infill Project limits sites with three or more units from being located on unimproved streets. These sites lack paved connections to the overall street network, limiting active transportation options.
7. On sites with frontage on maintained but unimproved streets which are largely characterized by having pavement but may lack curbs, sidewalks and/or other road improvements, requiring partial street improvements with development can be disproportionately costly and can leave ineffective and incomplete infrastructure systems.

NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge is hereby authorized to amend City Code

17.88.090 *Local Transportation Infrastructure Charge Required* Subsection A as shown below:

~~A. An applicant for a new, single-family, residential, building permit for a project of one or two units or for approval to create multiple lots other than as part of a subdivision on real property within a single-family residential zone must pay a Local Transportation Infrastructure Charge, except as exempted by this Code or associated administrative rule.~~

A. Project applicability. Applicants for the following projects within a single-family residential zone must pay the Local Transportation Infrastructure Charge, except as exempted by this Code or associated administrative rule:

1. Building permit. An applicant for a building permit to construct a new, single family building; a new building with up to six units; or another type of construction project that will increase the number of units to six on the site.

2. Land division. An applicant for approval to create multiple lots other than as part of a subdivision on real property.

- b. That the Director of Transportation is hereby authorized to amend *TRN-1.26-Local Transportation Infrastructure Charge* as shown in Exhibit A and is granted the authority to amend as deemed necessary to implement City Code *17.88.090*.
- c. If any section, subsection, sentence, clause, phrase, diagram or drawing contained in this ordinance, or the map, report, inventory, analysis, or document it adopts or amends, is held to be deficient, invalid or unconstitutional, that shall not affect the validity of the remaining portions. The Council declares that it would have adopted the map, report, inventory, analysis, or document each section, subsection, sentence, clause, phrase, diagram and drawing thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, diagrams or drawings contained in this Ordinance, may be found to be deficient, invalid or unconstitutional.

Passed by the Council, June 24, 2020

Commissioner Chloe Eudaly
Prepared by: AH, GY: CB
Date Prepared: 3/11/2020

Mary Hull Caballero

Auditor of the City of Portland

By *Keelan McClymont*

Deputy

~~454~~ ~~493~~ 506
 Agenda No.
ORDINANCE NO. 190017
 Title

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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Chloe Eudaly</p>	CLERK USE: DATE FILED <u>06-02-20</u>
<p style="text-align: center;">COMMISSIONER APPROVAL</p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>Karla Moore-Love Digitally signed by Karla Moore-Love Date: 2020.06.02 17:08:39 -07'00' Deputy</p> <p>By: <u>Love</u></p>
Mayor—Finance & Administration - Wheeler	
Position 1/Utilities - Fritz	
Position 2/Works - Vacant	
Position 3/Affairs - Hardesty	
Position 4/Safety - Eudaly <small>Digitally signed by Jamey Duhamel Date: 2020.06.02 09:27:18 -07'00'</small>	
<p style="text-align: center;">BUREAU APPROVAL</p>	
Bureau: PBOT Bureau Head: Christopher Warner <small>Digitally signed by Christopher Warner Date: 2020.05.12 14:14:20 -07'00'</small>	
Prepared by: Gene Yamamoto Date Prepared: 3/11/20	
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: <small>KAM</small> required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date 06/10/20	

ACTION TAKEN:

June 10, 2020 Rescheduled to June 17, 2020 at 2:30 p.m. Time Certain

June 17, 2020 Passed to Second Reading June 24, 2020 at 9:30 a.m.

AGENDA

TIME CERTAIN
 Start time: **4:00 PM**
 Total amount of time needed: 1 Hr
 (for presentation, testimony and discussion)

CONSENT

REGULAR
 Total amount of time needed: _____
 (for presentation, testimony and discussion)

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