

ORDINANCE NS- 2384

AN ORDINANCE CREATING THE OLD BEND NEIGHBORHOOD PARKING BENEFIT DISTRICT PILOT PROGRAM

Findings:

A. The City of Bend does not presently restrict parking in residential neighborhoods, except for a citywide prohibition on storing vehicles in the right of way for more than 3 days, and as warranted by right of way width. In the Old Bend Neighborhood, pressure from external contributors like a successful nearby downtown and Box Factory shopping districts, active recreational parks, and special events contribute to limited parking availability for Old Bend residents and businesses and cause traffic congestions on narrow residential streets.

B. A parking benefit district is a defined area within which parking may be restricted by signs or require parking permits for residential users, business users, and guests, clients, or service providers, fees for which will be established by Council by resolution, in which a portion of revenues from permit sales and citations is allocated for projects supportive of parking and pedestrian infrastructure within the district boundary.

C. The Parking Benefit District Pilot Program created by this ordinance is intended to reduce hazardous traffic conditions resulting from the use of streets within areas zoned primarily for residential uses for the parking of vehicles by persons attending nearby recreational or commercial facilities, events, or districts; to protect the residential and commercial users along the streets from polluted air, excessive noise, and trash and refuse caused by entry of such vehicles; to protect residents, businesses, customers, and guests of those areas from unreasonable burdens in gaining access to their residences, businesses, or accommodations; to preserve the character of those areas as primarily residential areas; to promote efficiency in the maintenance of those streets in a clean and safe conditions; to preserve the value of property in those areas; and to preserve the safety of children and other pedestrians and traffic safety. The Parking Benefit District Pilot Program is necessary to promote the health, safety, and welfare of the inhabitants of the district and the City of Bend.

D. In January and February, 2020, three community input meetings were held to gather feedback from residents and business owners on their parking challenges.

E. In March, 2020, the parking services division met twice with the Old Bend Neighborhood Association (OBNA) Board, which formed a Parking Committee to discuss the concept of a parking benefit district. The OBNA Board and Parking committee were supportive of the concept. On August 11, 2020, the OBNA Board adopted the proposed Parking District Pilot Program.

F. On August 12, 2020, a public outreach effort started from OBNA and COB to communicate the proposed Parking District to residents and to gather resident support.

Based on these findings, the City of Bend ordains as follows:

Section 1. The Bend Code is amended by adding a new section 6.20.035, as shown on Exhibit A, attached.

Section 2. All other provisions of the Bend Code remain unchanged and in full effect.

First Reading Date: September 2, 2020

Second Reading and adoption by roll call vote on: September 16, 2020

YES: Sally Russell, Mayor
Bruce Abernethy
Bill Moseley
Justin Livingston
Chris Piper

NO: Campbell
Goodman-Campbell



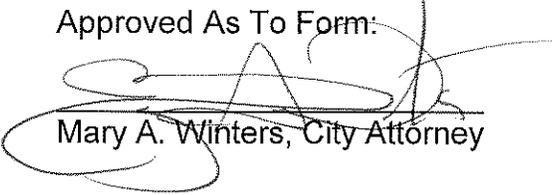
Sally Russell, Mayor

ATTEST:



Robyn Christie, City Recorder

Approved As To Form:



Mary A. Winters, City Attorney

6.20.035 – Parking Benefit District Pilot Program

A. The Parking Benefit District Pilot Program is intended to reduce hazardous traffic conditions resulting from the use of streets within areas zoned primarily for residential uses for the parking of vehicles by persons attending nearby recreational or commercial facilities, events, or districts; to protect the residential and commercial users along the streets from polluted air, excessive noise, and trash and refuse caused by entry of such vehicles; to protect residents, businesses, customers, and guests of those areas from unreasonable burdens in gaining access to their residences, businesses, or accommodations; to preserve the character of those areas as primarily residential areas; to promote efficiency in the maintenance of those streets in a clean and safe conditions; to preserve the value of property in those areas; and to preserve the safety of children and other pedestrians and traffic safety.

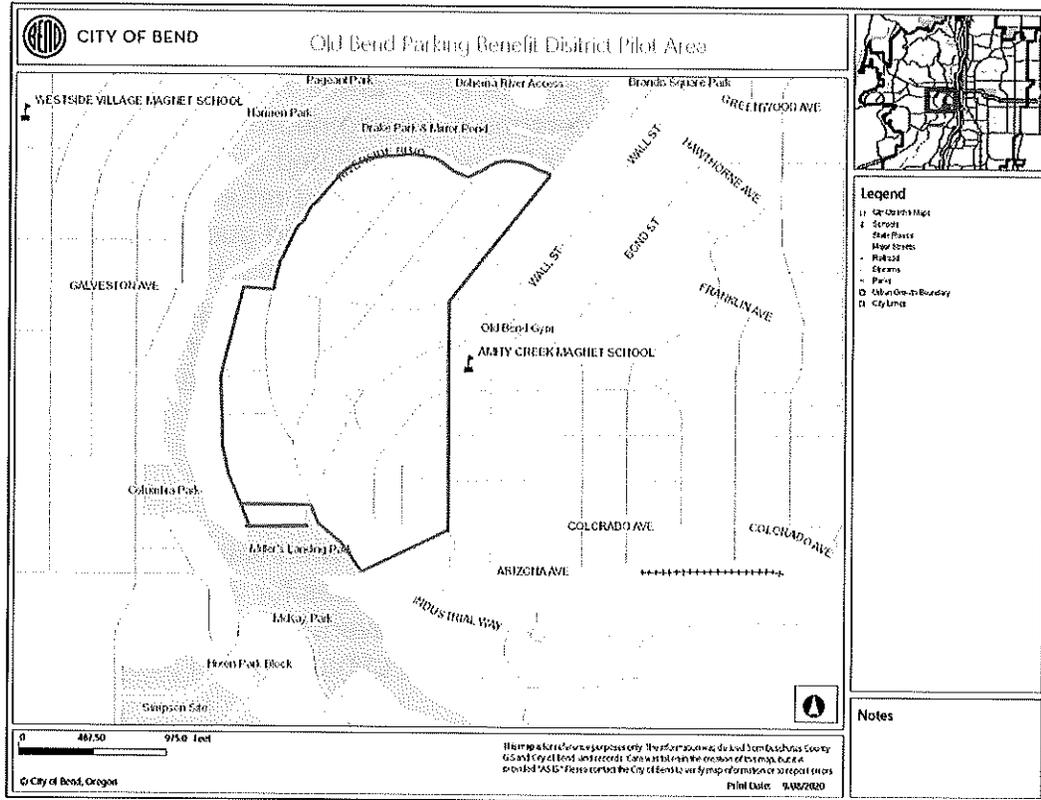
B. Definitions.

1. "Parking Benefit District" means a defined area within which parking may be restricted by signs or require parking permits, fees for which will be established by Council by resolution, in which a portion of revenues from permit sales and citations is allocated for projects supportive of parking and pedestrian infrastructure within the district boundary.

2. Old Bend Neighborhood Parking Benefit District ("OBNPBD") encompasses all public streets, alleys, parking lots and sidewalks within the following boundary description and as shown on the map following the boundary description:

a. Beginning in the north at the Corner of NW Riverside Blvd and Broadway St., then following the east side of NW Riverside Blvd to the west and south until the corner of NW Riverfront St, then going south on NW Riverfront St to Miller's Landing Park, then turning west following NW Riverfront St to the corner of NW Riverfront St and NW Riverside Blvd, then turning southeast onto NW Riverside Blvd., then turning northeast onto NW Carlon Ave to the corner of NW Broadway St. and NW Carlon Ave., then turning north onto NW Broadway St to the corner of NW Broadway St and NW Tumalo Ave, then

following both sides of NW Broadway St. north to the point of beginning.



b. "Parking Supportive Projects" means projects to improve the right of way within the District, including but not limited to walking and biking infrastructure, street trees, benches, and lighting, or projects previously identified but not funded under the Neighborhood Street Safety Program.

C. The OBNPBD is established for a pilot period ending December 31, 2021.

1. The goals for the pilot program in the OBNPBD are to prioritize parking for residents of the OBNPBD and implement parking management strategies to manage parking of vehicles by persons attending recreational or commercial facilities, events, or districts not within the OBNPBD, and to determine if a residential and business use parking permit program accomplishes those goals in an efficient and cost-effective manner.

2. Council may continue, modify, or terminate the OBNPBD and/or implement other parking benefit districts or a procedure to create additional parking benefit districts, or any other action Council may deem necessary and appropriate for parking benefit districts, through additional ordinances.

D. The City Manager is directed to implement the OBNPBD as follows:

1. Establish regulations that:

- a. Set the locations, days of the week, and the times of day that parking shall be restricted to parking by permit only in the parking benefit district.
- b. Establish the days of the week and the times of day for the following parking management solutions:
 - i. 2-hour time limits around commercial properties
 - ii. 4-hour parking only areas along public parks
 - iii. Paid special event parking zones
 - iv. Paid on-street parking without time limits

2. Provide written notice of the existence of the OBNPBD.

- a. At least 30 days prior to the start of any enforcement of the regulations, mail written notice to:
 - i. Each owner and the occupant of every address within the OBNPBD; and
 - ii. Each owner and the occupant of every address within 500 feet outside of the boundary of the OBNPBD.
- b. The written notice shall contain the following information:
 - i. The existence and boundaries of the OBNPBD;
 - ii. The effective date of the parking regulations;
 - iii. The location of the time-restricted parking spaces;
 - iv. Information on applying for parking permits; and
 - v. The location of the parking spaces restricted to parking by permit only.

3. Erect signs indicating the required permits or limitations on parking throughout the OBNPBD.

E. Permits. One permit shall be available for each vehicle owned by a resident or registered at the residential address or owned and/or used by each owner or employee of any business within the OBNPBD (maximum of one vehicle per employee), as well as for short-term rental guests and contractors/service providers for residences and businesses within the OBNPBD. Applications and application procedures shall be provided by the City Manager or designee. Fees for such permits and renewals will be established by the City Council in the City's Fee Resolution. No permit shall be issued unless the applicable fee has been paid.

1. All parking permits are valid for the calendar year in which the permit is issued and expire on December 31, 2021. Permits are not pro-rated and are not transferable. A permit may be renewed by filing an application pursuant to this section and paying the applicable fee, if the OBNPBD is renewed or extended by City Council. A renewal permit application shall be reviewed and approved in accordance with this section; provided, that a person who has had a permit revoked shall not be reissued a permit for a period of two years from the date of revocation.
 - a. If the OBNPBD is renewed or extended by Council, the renewal period for parking permits shall begin on November 1 and end on January 31 of the following year. If a permit is not renewed by January 31, the holder of the permit may apply for a new permit for the calendar year and shall pay the required application fee.
2. No parking permit shall be issued to a person who is neither a resident nor associated with a business within the OBNPBD.
3. A holder of a parking permit who is no longer a resident of or associated with business in the OBNPBD no longer qualifies for a parking permit. The holder shall surrender the permit to the parking official. Use of a permit when the holder is no longer a resident of or associated with business in the OBNPBD is a parking offense subject to citation.
4. Issuance of a parking permit does not guarantee or reserve a parking space within a parking benefit district. A parking permit issued pursuant to this chapter does not authorize the standing or parking of any motor vehicle in any place or during any time when the stopping, standing or parking of motor vehicles is prohibited or set aside for specified motor vehicle types. The issuance of a permit shall not excuse the observance of any traffic regulation.
5. Whenever the holder of a parking permit is not in compliance with one or more of the applicable provisions of the policy controlling the issuance or renewal of permits, the City may direct the permit holder to surrender the permit or present evidence that the permit has been removed from the motor vehicle.
6. Until its expiration, surrender or revocation, a parking permit shall remain valid for the length of time the holder continues to reside or own and/or operate a business within the OBNPBD.
7. A parking permit shall be valid only in the OBNPBD.
8. In addition to the penalties provided for violation of this chapter, the City Manager or designee shall revoke the parking permit of any individual found to have committed three or more violations of this chapter within any preceding 12-month period. This City Manager or designee shall provide written notification to such person by certified mail, return receipt requested, revoking the permit and ordering the surrender of such permit to the City. Failure to surrender a revoked

permit when ordered to do so constitutes a separate violation of this article, and a signed return receipt shall be prima facie evidence of the delivery of the notice to surrender the permit.

F. Fees and revenue from the OBNPBD shall be first used for administrative costs, then the remaining funds shall be split between Parking Supportive Projects in the OBNPBD and the Parking Services Division Fund. Additional private or public funds may be combined to fund projects under this section, but no project may be initiated until at least \$50,000 has been allocated for projects under this section.

1. In the event that the OBNPBD is terminated, any fees and revenues generated that have not been expended shall be transferred to the Parking Services Division Fund.

G. The provisions of this chapter shall be enforced through the procedures outlined in BC Chapters 6.25 and 6.30.

