

PBOT

PORTLAND BUREAU OF TRANSPORTATION

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Dan Saltzman Commissioner Leah Treat Director

TO: PBOT Development Review Staff

FROM: Kurt Krueger, Development Review Division Manager *KDK*

DATE: July 7, 2017

SUBJECT: DRP 1.04 Local Transportation Infrastructure Charge (LTIC) Property Dedication Exemption

Purpose Statement:

To clarify when property dedication will be required with the application of the LTIC.

Background:

The LTIC program was adopted by City Council in May 2016. The program was implemented on June 1, 2016. Exemptions were included in the adopting ordinance and additional exemptions to the LTIC applicability were adopted within Administrative Rule TRN-1.26 including an exemption for "paper" Rights-of-Way (ROWs). This exemption removes the LTIC from applying to ROWs where no vehicular access exists, the majority of the ROW grade exceeds 21%, and/or the majority lies within environmental conservation or protections zones. Administrative Rule TRN-1.26 does not specify if property dedication shall be required for development proposed adjacent to these "paper" ROWs.

DR Policy:

Property dedication is not required when a ROW is determined to be a "paper" ROW and where the LTIC is exempted. Unless otherwise exempt, property dedication will be required with the application of the LTIC.

