

ORDINANCE NO. 2401

AN ORDINANCE AMENDING BEND CODE SECTION 6.20.025

Recital

A. The City of Bend adopted Ordinance No. 2140 on May 5, 2010, reorganizing and updating the City's parking codes, including the Downtown District, and Ordinance No. 2321 on December 19, 2018, amending Bend Code Section 6.20.025 to modify the Downtown Parking District boundaries.

B. The proposed code amendment renames section 6.20.025 to "Parking Districts," and adds provisions specifying City Manager authority to issue and revoke permits and enforce rules/regulations in parking districts created by City Council. The Downtown District is maintained as previously amended.

C. The proposed code amendment creates the McKay Parking District, initially established by the City Manager as a temporary parking restriction area in 2019, to manage parking capacity in and around McKay Park and the Bend Whitewater Park.

D. Time-restricted and permitted parking enables the City to manage parking demand for residents, consumers, customers, and guests to the parking district areas, in order to reduce hazardous traffic conditions resulting from high demand for limited parking spaces; to promote efficiency in the maintenance of those streets in clean and safe conditions; and to preserve traffic safety and the safety of children, pedestrians, and other users of the rights of way.

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

Section 1. The Bend Code Chapter 6.20.025 is amended as shown on Exhibit A, attached.

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

First Reading: March 3, 2021

Second reading and adoption by roll call vote: March 17, 2021

YES: Mayor Sally Russell	NO: none
Mayor Pro Tem Gena Goodman Campbell	
Councilor Barb Campbell	
Councilor Melanie Kebler	
Councilor Anthony Broadman	
Councilor Megan Perkins	
Councilor Rita Schenkelberg	

Sally Russell

Sally Russell, Mayor

ATTEST:

Robyn Christie

Robyn Christie, City Recorder

Approved as to form:

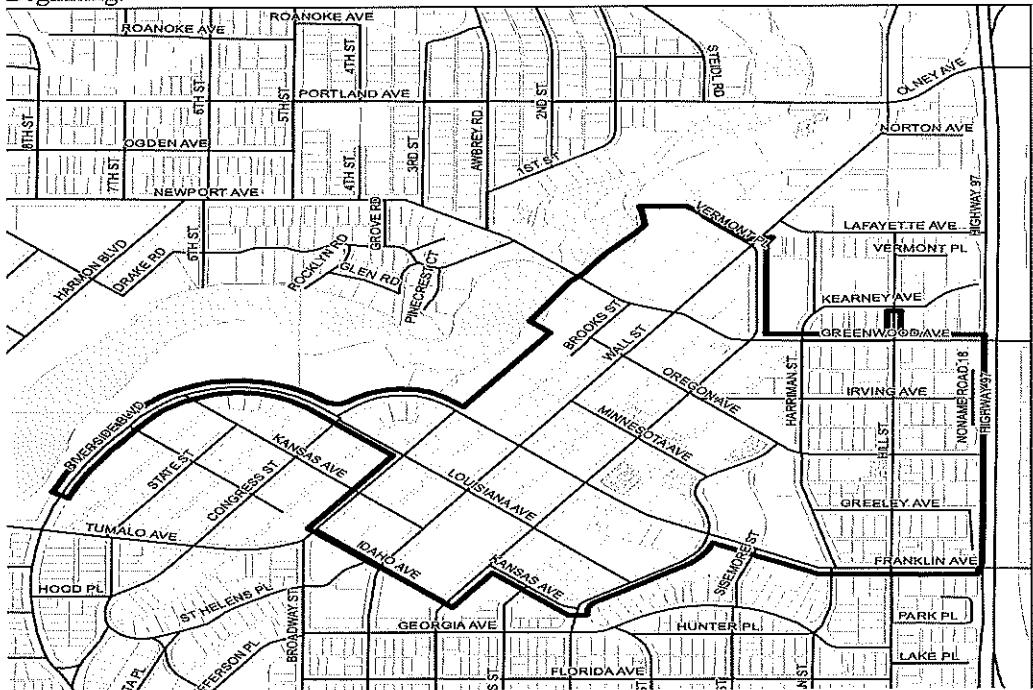
Mary A. Winters

Mary A. Winters, City Attorney

6.20.025 Downtown District, Parking Districts

A. The Downtown District encompasses all public streets, alleys, parking lots and sidewalks within the following boundary description and as shown on the map following the boundary description:

Beginning at the north side of Newport Avenue and the east bank of the Deschutes River, thence southwest along the east bank of the Deschutes River to the north boundary of Drake Park, then south-easterly along the north boundary of Drake Park to its northeast corner, then southwesterly along the east boundary of Drake Park to the north side of Riverside Boulevard, thence along the boundary of Drake Park and Riverside Boulevard to a point directly opposite the north corner of the property at 532 NW Riverside Boulevard, thence across Riverside Boulevard to the north corner of 532 NW Riverside Boulevard, thence along the southeast side of Riverside Boulevard to the southwest side of Congress St/ Louisiana Avenue, thence south along the west side of Congress Street/ Louisiana Avenue to the south side of Louisiana Avenue, thence east along the south side of Louisiana Avenue to the west side of Broadway Street, thence south on the west side of Broadway Street to the south side of Idaho Avenue, thence east along the south side of Idaho Avenue to the east side of Bond Street, thence north on the east side of Bond Street to the south side of Kansas Avenue, thence southeasterly along the south side of Kansas Avenue to the southeast corner of the intersection of Kansas Avenue and Lava Road, thence northeast on the southeast side of Lava Street to the south side of Franklin Avenue, thence east along the south side of Franklin Avenue to the west side of the Bend Parkway, thence north on the west side of the Bend Parkway to the south side of Greenwood Avenue, thence west on the south side of Greenwood Avenue to the east side of Harriman Street, thence north (across Greenwood Avenue) to the north side of Greenwood Avenue, thence west along the north side of Greenwood Avenue to the east side of Hill Street, thence north along the east side of Hill Street to the south side of Kearney Avenue, then west across Hill Street to the west side of Hill Street, thence south along the west side of Hill Street to the north side of Greenwood Avenue, then west along to the north side of Greenwood Avenue to the east side of Bond Street, thence north along the east side of Bond Street to north side of the Bond/Wall/Vermont intersection, thence along the north side of that intersection and the north side of Vermont Place to the west end of Vermont Place, thence due west to the Deschutes River, thence south along the Deschutes River to the Point of Beginning.



B. Within the Downtown District, the City Manager or designee shall cause each parking space in a street or within an off-street parking area to be clearly marked. The City Manager or designee shall determine the necessity for and the size and location of all parking spaces according to his or her reasonable determination of the safety, convenience and

necessity of the public. Such markings may include markings to reserve one or more spaces exclusively for parking of motorbikes, motor scooters, motorcycles, bicycles, recreational vehicles, other oversized vehicles and any other legally operable vehicle and parking for persons with disabilities. [Ord. NS-2321, 2018; Ord. NS-2140, 2010]

A. Within any parking district created under this section, the City Manager or designee shall cause each parking space in a street or within an off-street parking area to be clearly marked. The City Manager or designee shall determine the necessity for and the size and location of all parking spaces according to his or her reasonable determination of the safety, convenience and necessity of the public. Such markings may include markings to reserve one or more spaces exclusively for parking of motorbikes, motor scooters, motorcycles, bicycles, recreational vehicles, other oversized vehicles and any other legally operable vehicle and parking for persons with disabilities.

B. The City Manager is directed to implement parking districts established on or after (Council adoption date) under this section 6.20.025 as follows:

1. Establish regulations that:

a. Set the locations, days of the week, and the times of day that parking is restricted to paid parking or parking by permit only in the parking district.

b. Establish the days of the week, the times of day, and duration for time limited parking areas.

2. Provide written notice of the existence of the parking district.

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 parking district; and

ii. Each owner and the occupant of every address within 500 feet outside the boundary of the parking district.

b. The written notice must contain the following information:

i. The existence and boundaries of the parking district;

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 parking district.

C. 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 a parking district (maximum of one vehicle per employee), as well as for short-term rental guests and contractors/service providers for residences and businesses within the parking district. 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. Parking permits in the Downtown District shall be available on a monthly basis.

2. Parking permits in other districts will be available on an annual basis. All annual parking permits are valid for the parking district for which the permit is issued and expire on December 31 of the calendar year in

which issued. Permits are not prorated and are not transferable. A permit may be renewed by filing an application pursuant to this section and paying the applicable fee. 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. 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.

3. No parking permit shall be issued to a person who is neither a resident nor associated with a business within the parking district for which an application is made.

4. A holder of a parking permit who is no longer a resident of or associated with a business in the parking district for which a permit was issued 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 a business in the parking district is a parking offense subject to citation.

5. Issuance of a parking permit does not guarantee or reserve a parking space within a parking district. A parking permit 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 holder from compliance with any traffic regulation.

6. 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.

7. 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 parking district.

8. A parking permit shall be valid only in the parking district for which it was issued.

9. In addition to the penalties provided for violation of this section, the City Manager or designee shall revoke the parking permit of any individual found to have committed three or more violations of this section 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 section, and a signed return receipt shall be *prima facie* evidence of the delivery of the notice to surrender the permit.

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

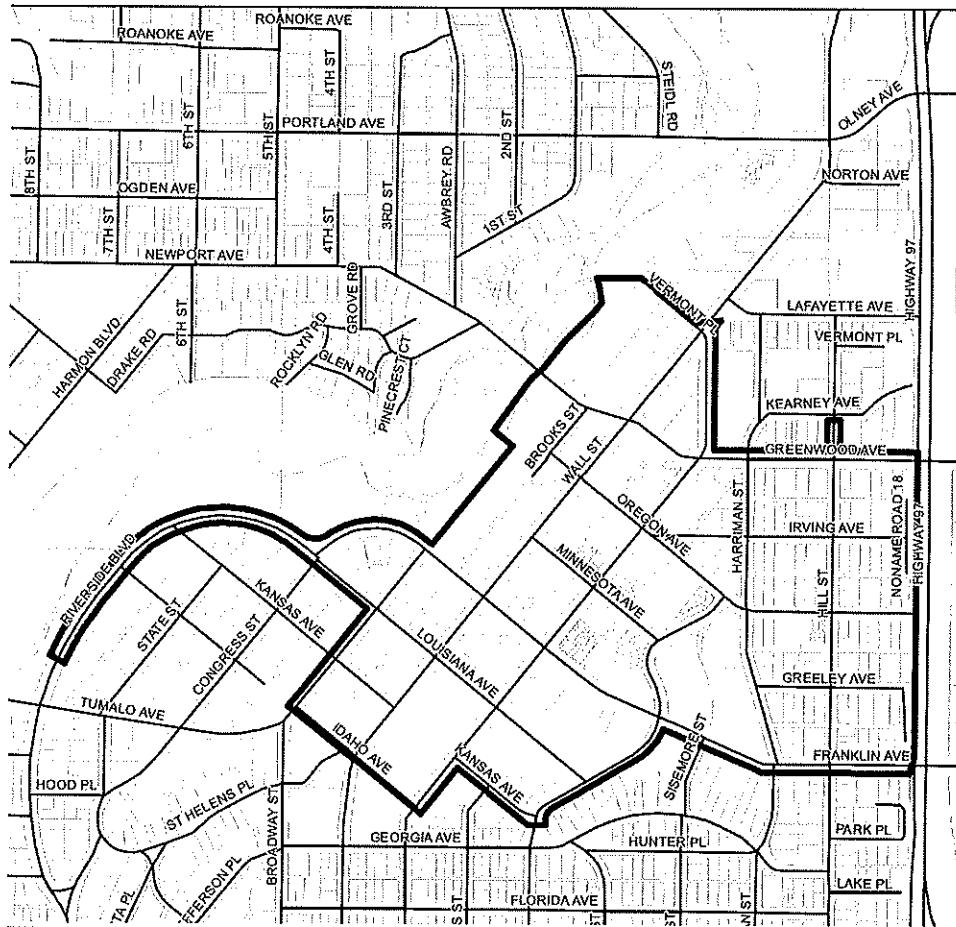
E. The Downtown District.

1. The Downtown District is intended to manage parking capacity in downtown Bend through the use of time-limited parking restrictions and parking permits for people parking for residential and business uses. Time-restricted and permitted parking enables the City to manage parking demand for residential users, employees of businesses in the Downtown District, and consumers, customers, and guests to the downtown area.

2. The Downtown District encompasses all public streets, alleys, parking lots and sidewalks within the following boundary description and as shown on the map following the boundary description:

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directly opposite the north corner of the property at 532 NW Riverside Boulevard, thence across Riverside Boulevard to the north corner of 532 NW Riverside Boulevard, thence along the southeast side of Riverside Boulevard to the southwest side of Congress St/ Louisiana Avenue, thence south along the west side of Congress Street/ Louisiana Avenue to the south side of Louisiana Avenue, thence east along the south side of Louisiana Avenue to the west side of Broadway Street, thence south on the west side of Broadway Street to the south side of Idaho Avenue, thence east along the south side of Idaho Avenue to the east side of Bond Street, thence north on the east side of Bond Street to the south side of Kansas Avenue, thence southeasterly along the south side of Kansas Avenue to the southeast corner of the intersection of Kansas Avenue and Lava Road, thence northeast on the southeast side of Lava Street to the south side of Franklin Avenue, thence east along the south side of Franklin Avenue to the west side of the Bend Parkway, thence north on the west side of the Bend Parkway to the south side of Greenwood Avenue, thence west on the south side of Greenwood Avenue to the east side of Harriman Street, thence north (across Greenwood Avenue) to the north side of Greenwood Avenue, thence west along the north side of Greenwood Avenue to the east side of Hill Street, thence north along the east side of Hill Street to the south side of Kearney Avenue, then west across Hill Street to the west side of Hill Street, thence south along the west side of Hill Street to the north side of Greenwood Avenue, then west along to the north side of Greenwood Avenue to the east side of Bond Street, thence north along the east side of Bond Street to north side of the Bond/Wall/Vermont intersection, thence along the north side of that intersection and the north side of Vermont Place to the west end of Vermont Place, thence due west to the Deschutes River, thence south along the Deschutes River to the Point of Beginning.



F. The McKay Parking District.

1. The McKay Parking District (MKPD) is intended to manage parking capacity through the use of time-limited parking restrictions and parking permits for people parking for residential and business uses within the MKPD, as well as users of McKay Park and the Bend Whitewater Park, both park facilities owned and maintained by the Bend Park and Recreation District. Limited on-street and off-street parking at McKay Park and the Bend Whitewater Park and surrounding blocks often lead to increased parking demand for park users, as well as people parking for residential and business access. Time-restricted and permitted parking enables the City to reduce hazardous traffic conditions resulting from high demand for limited parking spaces; to promote efficiency in the maintenance of those streets in clean and safe conditions; and to preserve traffic safety and the safety of children, pedestrians, and other users of the rights of way.

2. McKay Parking District encompasses all public streets, alleys, parking lots and sidewalks listed below and as shown on the map following the boundary description:

- a. SW Commerce Ave from SW Columbia St. to NW Allen Rd.;
- b. SW Shevlin Hixon Dr. from SW Columbia St. to SW Simpson Ave.;
- c. SW Bradbury Dr. from SW Shevlin Hixon Dr. to SW Simpson Ave.;
- d. SW Allen Road; and
- e. SW Crowell Way



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 - ii. Each owner and the occupant of every address within 500 feet outside the boundary of the parking district.
 - b. The written notice must contain the following information:
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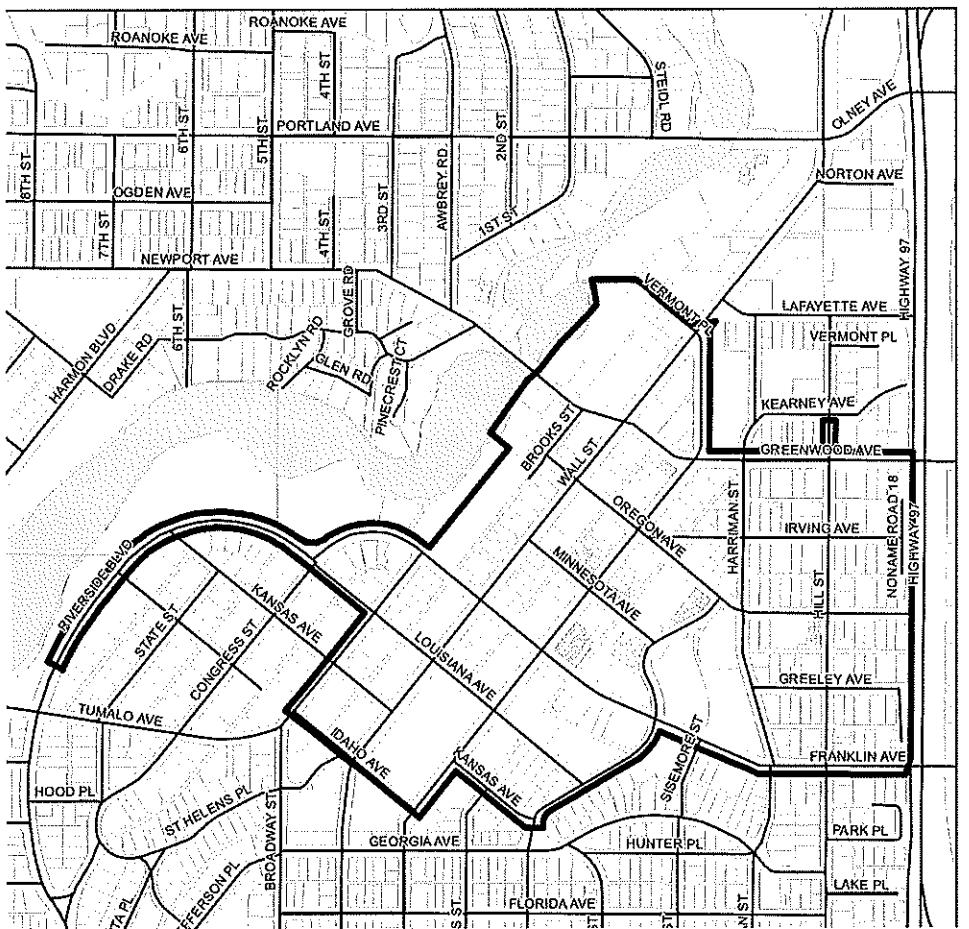
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