



City of Salem Downtown Advisory Board

June 22, 2023

Noon -1:30 p.m. In-Person
350 Commercial St NE

Si necesita ayuda para comprender esta información, por favor llame 503-588-6178

PARTICIPANTS

Board Members

Joshua Kay, Chair; Kirk Sund; Allan Pollock; Charles Weathers; Quandary Robertson; Chrissie Bertsch; Rory McManus; Rian Fechtel; Sara Ngo

Staff

Sheri Wahrgren, Shelly Ehenger, Lynda Rose

AGENDA

1. Welcome and call to order
2. Approval of agenda
3. Approval of minutes from May 25, 2023
4. Public Comment - Appearance of persons wishing to address the Board on any matter other than those which appear on this Agenda
5. Action Items
 - a. Does the Board want to cancel the July 27, 2023, meeting?
6. Information Reports
 - a. Revised SRC City Camping on Public Property Gretchen Bennett
 - b. Downtown Paid Parking Update Sheri Wahrgren
7. Adjourn

Next Meeting: TBA

This meeting is being conducted In-Person only. No virtual participation is possible. Interested persons may view the meeting online on [YouTube](#), and the public may attend in person. Please submit any written comments on agenda items no later than 5 p.m. one day prior to the day of the meeting at DAB@cityofsalem.net.

Special accommodations are available, upon request, for persons with disabilities or those needing sign language interpretation, or languages other than English. To request accommodations or services, please call 503-540-2371 (TTD/TTY 503-588-6439) at least two business days in advance.

It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity, and source of income, as provided by Salem Revised Code 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, Americans with Disabilities Act of 1990, and related statutes and regulations, in all programs and activities.

MINUTES
Downtown Advisory Board
Thursday, May 25, 2023 @ Noon
350 Commercial St. NE
[YouTube](#)

1. CALL TO ORDER

Call to Order and Roll Call: 12:01 p.m.

Roll Call: Rian Fechtel; Kirk Sund; Charles Weathers; Allan Pollock; Rory McManus; Joshua Kay; Sara Ngo

Excused: Chrissie Bertsch

Unexcused: Quandary Robertson

Staff: Shelly Ehenger; Lynda Rose; Michael Miller

Guests: N/A

2. APPROVAL OF AGENDA

Motion: Move to approve the agenda for May 25, 2023, as presented.

Motion by: Board Member Fechtel

Seconded by: Board Member Pollock

Action: Approved

Vote: *Aye:* Unanimous **Motion PASSES**

3. APPROVAL OF MINUTES

Motion: Move to approve the Minutes from April 27, 2023, as presented.

Motion by: Board Member Weathers

Seconded by: Board Member Fechtel

Action: Approved

Vote: *Aye:* Unanimous **Motion PASSES**

4. PUBLIC COMMENT

a. N/A

5. ACTION ITEMS

a. N/A

6. INFORMATION REPORTS

a. Downtown Streetscape Update Michael Miller, P.E.
Comments/Questions: Sund, Kay, Weathers, Ehenger, Miller

b. Discussion of Future Meeting Topics
Comments/Questions: Kay, McManus, Ngo, Fechtel, Ehenger, Miller

7. ADJOURN

Board President Kay adjourned the meeting at 12:40 p.m.; several members then joined staff for a tour of the Holman Hotel.

8. TOUR Holman Hotel, 195 Commercial St. NE

Next Meeting: June 22, 2023

- 1 (g) The people of the city of Salem promote policies that preserve the right to enjoy public
2 spaces and to traverse freely, while protecting free-speech rights, as well as other safe
3 activity consistent with city ordinances and permitting requirements.
- 4 (h) The regulation of use of public spaces in this ordinance leaves fully intact the right to
5 speak, protest, or engage in other lawful activity on any public sidewalk consistent with
6 city ordinances and permitting requirements.
- 7 (i) The restrictions on camping in this ordinance are objectively reasonable and allow for a
8 variety of alternative locations where individuals who are involuntarily unsheltered may
9 rest and protect themselves against inclement weather.
- 10 (j) Maintaining accessible and attractive sidewalks for pedestrian and commercial traffic is
11 an important public safety objective, and important to maintain the economic vitality of
12 the city. Blocked and obstructed sidewalks present hazards to pedestrians and discourages
13 visitors and patrons to community businesses.
- 14 (k) The placement of tents or other items on public sidewalks, public property, and public
15 rights-of-way, for habitation, is not the ordinary, customary, or intended use of these
16 areas, and is an incompatible and detrimental use of these spaces in all parts of the City.
- 17 (l) Campsites can also obstruct and delay emergency personnel responding to
18 emergencies. Campsites can obstruct ingress to and egress from businesses,
19 residential buildings, and other establishments and property.

20 **Section 3. Codification.** In preparing this ordinance for publication and distribution, the
21 City Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but
22 within such limitations, may:

- 23 (a) Renumber sections and parts of sections of the ordinance;
- 24 (b) Rearrange sections;
- 25 (c) Change reference numbers to agree with renumbered chapters, sections or other
26 parts;
- 27 (d) Delete references to repealed sections;
- 28 (e) Substitute the proper subsection, section or chapter, or other division numbers;
- 29 (f) Change capitalization and spelling for the purpose of uniformity;
- 30 (g) Add headings for purposes of grouping like sections together for ease of
31 reference; and

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(h) Correct manifest clerical, grammatical or typographical errors.

Section 4. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

PASSED by the City Council this _____ day of _____, 2023.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Dan Atchison

STAFF RECOMMENDATION

Sec. 95.720. - Camping prohibited on public property and public right-of-way.

(a) Definitions. Unless the context specifically requires otherwise, as used in this Section, the following words and phrases mean:

- (1) *To camp* means to set up, or to remain in or at a campsite, for the purpose of establishing or maintaining a temporary place to live.
- (2) *Campsite* means any place where ~~there is a tent, or any structure or assembly of materials consisting of a top or roof or any other upper covering and enclosed on one or more sides, that is of sufficient size for a person to fit underneath or inside.~~ bedding, sleeping bag, or other sleeping matter, or any stove or fire is placed, established, or maintained, whether or not such place incorporates the use of any tent, lean-to, shack, or other structure, or any vehicle or part thereof, used or intended to be used as a temporary place to live.
- (3) *Established Campsite* means a campsite that has been in place for a minimum of 72 hours.
- (4) *Public Property* means that definition given in ORS 131.705.
- (5) *Public sidewalk* means the area between the street and the abutting property, including any pedestrian way and landscape strip.
- (6) *Street* means any public right-of-way that is open to the public, used, or intended to be used, for by vehicular traffic.

(b) Camping Prohibited on Public Property. It is unlawful for any person to camp in or upon: ~~any public sidewalk, public property, or public right of way, unless otherwise specifically authorized by law or by declaration of the Emergency Program Manager in emergency circumstances.~~

- (1) Any public property posted with a “No Camping” sign,
- (2) Any public right-of-way used for vehicular or bicycle transportation.
- (3) Within ten (10) feet of the intersection of a street and a driveway or a private pedestrian path, or within ten (10) feet of a building entry.
- (4) Any area designated as a park in the Salem Park System Master Plan,
- (5) The interior of any publicly owned building or structure,
- (6) Public property zoned single-family or multi-family residential or adjacent to those zones.
- (7) Within 600 feet of an authorized emergency shelter, day center, managed temporary village, or safe parking shelter location,
- (8) Within the area subject to a Permit of Entry issued by the City,
- (9) All campsites shall maintain a minimum 36-inch pedestrian path within a public sidewalk, free of any obstruction.

- (c) Upon finding it to be in the public interest, the City Council may exempt a special event from compliance with this section by resolution. The resolution shall specify the period and location covered by the exemption.

- (d) The City Manager or designee, in the Manager’s or designee’s sole discretion, may designate a particular location on public property, or class of public property, where camping is prohibited, including:
 - (1) High vehicular traffic areas.
 - (2) Environmentally sensitive areas.
 - (3) Any area that has become, or is at risk of becoming, a threat to public health or safety due to the chronic establishment of campsites, the proliferation of campsites within the area, or proximity to sensitive uses, such as pre-schools, K-12 and post-secondary schools, or social service providers.

Areas or locations where a camping prohibition has been designated shall be posted with a “No Camping” sign.

- (e) A violation of this section is declared a public nuisance under SRC 50.800—50.880 and is subject to abatement by the City.

- (f) Nothing in this section shall be construed to permit conduct that is prohibited by SRC 95.700 “Pedestrian interference.”

SRC 95.730 – Unattended personal property on public sidewalks prohibited is hereby repealed.

- ~~(a) Definitions. Unless the context specifically requires otherwise, as used in this section, the following words and phrases mean:
 - ~~(1) *Public sidewalk* means the area between the street and the abutting property, including any pedestrian way and landscape strip.~~
 - ~~(2) *Personal property* means tangible items greater than one cubic foot in size, other than signs, which are reasonably recognizable as belonging to individual persons and which have apparent utility or value.~~
 - ~~(3) *Street* means any public right of way that is open to the public, used, or intended to be used, by vehicular traffic.~~~~

- ~~(b) It is unlawful for any person to knowingly leave personal property unattended on a public sidewalk during the hours of between 7:00 a.m. and 9:00 p.m.~~

- ~~(c) The prohibitions of subsection (b) do not apply to:
 - ~~(1) Personal property left unattended on a public sidewalk for less than two hours, that is actively being loaded or unloaded; or~~
 - ~~(2) Any person performing a City approved or permitted activity.~~~~

- ~~(d) — Personal property left unattended on a public sidewalk in violation of this section may be removed by the City if:
 - ~~(1) — The property poses an immediate threat to public health, safety or welfare; or~~
 - ~~(2) — The property has been posted with a notice written in English and Spanish at least 24 hours in advance. The notice shall contain the following information:
 - ~~a. — That it is unlawful to leave personal property unattended on a public sidewalk within the City of Salem during the hours of between 7:00 a.m. and 9:00 p.m.;~~
 - ~~b. — The date and time the notice was posted and the date and time at which the property is subject to being removed by the City;~~
 - ~~c. — That the property subject to the notice is subject to immediate removal if, within the following 30 days, the property is again left unattended on a public sidewalk in violation of this section;~~
 - ~~d. — The contact information for how to reclaim any personal property which has been removed by the City pursuant to this section; and~~
 - ~~e. — That any property removed by the City pursuant to this section will be disposed of pursuant to applicable law if not claimed within 30 days after removal.~~~~~~
- ~~(e) — Personal property removed by the City pursuant to this section shall be stored for a minimum of 30 days during which time it must be made reasonably available to the owner. The 30-day retention period of this subsection does not apply to personal property that is in an unsafe or unsanitary condition, or perishable.~~
- ~~(f) — The Director, may develop administrative policies for the removal of unattended personal property from public sidewalks, the storage of the property, and procedures by which the property may be reclaimed.~~
- ~~(g) — Nothing in this section shall be construed as limiting the City's ability to seize, remove, abate, or dispose of property in accordance with any other provision of the Salem Revised Code or in accordance with any other provision of law.~~
- ~~(h) — A violation of this section is declared a public nuisance under SRC 50.800 — 50.880, and is subject to abatement by the City.~~
- ~~(i) — Nothing in this section shall be construed to permit conduct that is prohibited by SRC 95.700 "Pedestrian interference."~~

Memo

To: Downtown Advisory Board
From: Sheri Wahrgren
Date: June 22, 2023
Re: Downtown Salem On-Street Paid Parking Implementation Plan

At the February 27, 2023, Council meeting, Mayor Hoy directed staff to return to Council with a plan to implement paid on-street parking in the downtown parking district and phase out the parking district tax.

At the June 26, 2023, City Council meeting, an information report will be shared with City Council outlining the on-street paid parking implementation plan that is outlined in this memo.

Background:

The Downtown Advisory Board has recommended converting the free parking district model to an on-street performance-based system of parking and elimination and/or phasing out the parking tax for several years. Ten years of downtown parking utilization studies have recommended replacement of the current Downtown Parking District model with a performance based on-street paid parking management system. Implementation of an on-street performance-based system of parking and elimination/phasing out of the parking tax would move the system toward revenue sources that spread cost recovery to a larger parking base. In order to manage the increased demand for on-street parking until such time as the on-street paid parking system is implemented, on-street time restrictions will need to be changed from three hours to two hours. Third party data collection results indicate the average on-street parking time limit is less than two hours and a change would increase available on-street parking options.

The revenue generated from the Downtown Parking Tax and Permit Fees is not sufficient to cover the increased costs of operating the Downtown Parking District. Revenue reductions are a result of large retail closures, changes in remote workers parking needs and two percent annual growth cap or CPI, whichever is less of the downtown parking tax. The parking tax has not kept pace with the inflationary impacts to the costs of operating the downtown parking system.

The following on-street paid parking implementation plan takes into consideration the importance of engaging third party consultants to prepare financial analysis and to develop a communication plan that provides on-going and regular updates on the status of implementing paid parking to Council and key stakeholders such as the Salem Chamber of Commerce, CANDO Neighborhood Association, Downtown Property Owners and Businesses, Downtown Advisory Board, and easy access on the City's website for the general public to receive information.

Because paid parking technology and legal processes to close the district are also part of the implementation plan, the tasks and timeline are estimates based on paid parking technology supplier information and estimates for financial stabilization of revenue after converting to an on-street paid parking system.

DOWNTOWN ON-STREET PAID PARKING IMPLEMENTATION PLAN

Tasks & Timeline

2/27/2023	Council direction to staff to prepare on-street paid parking plan.
Summer 2023	Riverfront-Downtown Urban Renewal Plan Amendment to add parking technology as a project in the Plan.
Summer 2023	Fee out on-street paid parking Communication Plan.
Summer 2023	Review location for new equipment and signage and Existing signage removal.
Summer 2023	Finalize equipment and signage costs.
Fall 2023	Fee out downtown parking utilization survey.
Fall 2023	Fee out parking financial and new technology Implementation strategy/police. Scope to include: <ul style="list-style-type: none">- Data on benefits of paid parking system- Financial analysis/communication plan- Other/paid parking hourly costs, enforcement hour recommendations
Fall 2023	Order equipment
Winter 2023	Ordinance revisions for parking district closure
Summer 2026	Official closure of Downtown Parking District