

1. Agenda 3/21/2018

Documents:

[AGENDA 3_21_2018.PDF](#)

2. Bike Share Ordinance

Review a propose bike share ordinance. The Committee may vote to recommend this ordinance to the City Council so public comment will be taken.

Documents:

[S_TCOMM_BIKESHAREMEMO-ORDINANCE_MAR16-2018DRAFTV2.PDF](#)

3. Bayside Transportation Plan

The Committee may choose to recommend this plan to the City Council so public comment will be taken.

Documents:

[S_TCOMM_BTMPMEMO_MAR16-2018DRAFT.PDF](#)

4. Climate Action: Resolution To Adopt A Goal To Reduce Greenhouse Gas Emissions Citywide 80% By 2050

The Committee may vote to recommend this resolution to the City Council so public comment will be taken.

Documents:

[80X50 RESOLUTION S_T DRAFT.PDF](#)
[80X50 MEMO.PDF](#)

CITY OF PORTLAND, MAINE

Standing Committee Sustainability and Transportation
Councilor Spencer Thibodeau (D2), Chair
Councilor Belinda Ray (D1)
Councilor Brian Batson (D4)

Agenda

March 21, 2018

5:30 PM

Room 24

1. Review and approve minutes from February 15, 2018
2. Sustainability Updates
3. Review Bike Share Ordinance

The Committee may vote to recommend this ordinance to the City Council for adoption.
Public comment will be taken.

4. Review Bayside Transportation Plan

The Committee may vote to recommend this ordinance to the City Council for adoption.
Public comment will be taken.

5. Discuss resolution to adopt a goal to reduce greenhouse gas emissions 80% citywide by 2050

The Committee may vote to recommend this resolution to the City Council for adoption.
Public comment will be taken

6. Other items



TO: Chair Thibodeau and Members of the Sustainability and Transportation Committee

FROM: Bruce Hyman, Transportation Program Manager

DATE: March 16, 2018

SUBJECT: Draft Bike Share Ordinance

CC: Jon Jennings, City Manager
Jeff Levine, Planning and Urban Development Director
Jennifer Thompson, Associate Corporation Counsel
Troy Moon, Sustainability Coordinator

Introduction:

The City of Portland has been looking at the possibility of a bike share system since at least 2012. In 2013, the City received technical assistance from the Environmental Protection Agency and completed a feasibility study that outlined some opportunities and challenges. A non-profit called Portland Bikeshare was created, based on the recommendations of that study, but lacked funding to launch a service. In the past year, the City has received inquiries from several potential bike share operators of various types, including for-profit and non-profit operators during the last several years. These providers may work in conjunction with Portland Bikeshare if feasible.

However, there are no current ordinance provisions defining or governing bike share systems or enabling their regulation. Based on experiences in other cities, there are significant opportunities in bike share in mid-sized cities. However, without a set of rules to govern operations, there is a risk for public safety hazards and costs for City staff. The draft ordinance being presented to the Sustainability and Transportation Committee is intended to fill that void in the city ordinance and delegate the development of bike share regulations to the City Manager.

Draft Ordinance:

The draft ordinance is based on a review of ordinances and other materials from other municipalities and bike share operators and organizations from around the country.

Section 25-27(8) of the draft ordinance proposes a Street Occupancy Permit fee structure governing both Station-less and Station-based/Hybrid Bike Share Systems. It attempts to be neutral in terms of the overall amount of the fee to be paid between the two types of systems of similar size. Station-less system permit fees are proposed to be solely based on the number of bicycles deployed while the Station-based/Hybrid system (using docks) permit fees are based on combination of the number of bikes and the number of docks deployed.

**Section 25-31 of the draft ordinance in its elements:**

- defines Bike Sharing Systems
- proposes delegating the authority to develop regulations of the systems to the City Manager including setting insurance and bonding requirements, specifying where parking of bicycles as part of a system is allowed and not allowed and other provisions in sub-section (c) "to ensure the safe and effective operation of such a system"
- allows the City Manager to set a cap on the number of systems operating within the city
- establishes that operating a system without a permit is a violation of city ordinance.

Potential Regulatory Framework:

A similar review of bike share system regulations from other municipalities and guidance from the bike share industry/organizations has many common elements. These elements include:

- **Safety/Equipment** – what minimum national safety standards with which the bicycles need to conform including front and rear lights
- **Parking** – where parking of station-less and station-based system bicycles are allowed focusing on maintaining adequate sidewalk clearance for bicycles parked there, how users will be educated on proper parking and enforcement mechanisms
- **Fleet Size and Service Area** – minimum and maximum fleet size and where the system is allowed to operate within the city
- **Signage/Advertising/Contact Information** – requirements for company contact information on each bicycle and limitations on advertising
- **Maintenance/Operations** – sets requirements for local responsiveness for customer service requests/complaints, removal of bicycles that are improperly located/parked and maintenance of bicycles.
- **Insurance/Bonding/Indemnity** – establishes insurance and bonding minimum requirements and requires the operator indemnify the city and employees
- **Data Sharing/Reporting** – sets requirements for the type and frequency of data sharing and surveying/reporting from each operator. (Adapted from NABSA 'Dockless Bikeshare Regulation Preliminary Guidance, Version 1', January 2018)

The development of the regulations by the City Manager would follow soon after the adoption of the Bike Share ordinance by the City Council. The hope is that, should there be support for the concept, timing may allow for a pilot program this summer.

Sec. 25-27. Fees and fines.

- (a) The following fees are hereby established for the issuance of a revocable street and sidewalk occupancy permit:
 - (1) Objects other than portable signs, including but not limited to tables, chairs, barricades and bollards, eighty-eight dollars (\$88.00) for one (1) fiscal year or any portion thereof;
 - (2) Portable signs, twenty-five dollars (\$25.00) plus twenty cents (\$0.20) per square foot of signage. Square footage is calculated pursuant to section 14-369(b) of the land use ordinance. Permits remain valid until there is a change:
 - a. In the sign dimensions; or
 - b. In the use, lessee or ownership of the business causing a change in the business name, design or dimensions.
 - (3) Vehicles, equipment, or construction materials, fifteen dollars (\$15.00) per day or any portion thereof;
 - (4) Use of city property (including but not limited to festivals, events, promotions, demonstrations, parades, marches, road races, walkathons, fundraisers, press conferences, rallies, protests, sampling, poll taking, banners and public displays), fee as provided by annual order of the city council;
 - (5) Use of streets, ways or public places by street goods vendors as defined in Section 19-16 for purposes of vending, thirty-six dollars (\$36.00) per day or any portion thereof;
 - (6) Permit to Portland's Downtown District or similar organization/business to hold events on not less than twenty-four (24) hours' notice to the city manager, within area or areas designated in permit, one hundred dollars (\$100.00) per fiscal year or any portion thereof;
 - (7) Location of dumpster on city-owned property, except as part of a street festival or other special event declared by the city council, two hundred twenty-five dollars (\$225.00) per fiscal year or any portion thereof.

(8) Operation of a bike sharing system (as defined in 25-31 below,) according to the following fee schedule:

Station-less Systems (or Hybrid systems not meeting 50% docking point threshold):

Initial Annual Permit Fee, per operator per calendar year:

<u>Less than 250 bicycles</u>	<u>\$1500</u>
<u>251 to 500 bicycles</u>	<u>\$2500</u>
<u>More than 500 bicycles</u>	<u>\$ 500 per every additional 250 bicycles or fraction thereof</u>

Annual Renewal Fee (Station-less Systems), per operator per calendar year:

<u>Less than 250 bicycles</u>	<u>\$1000</u>
<u>251 to 500 bicycles</u>	<u>\$2000</u>
<u>More than 500 bicycles</u>	<u>\$ 250 per every additional 250 bicycles or fraction thereof</u>

Station-based/Hybrid Systems (Station-based systems must provide at least 50% as many docking points as bikes):

Initial Annual Permit Fee, per operator per calendar year:

<u>Less than 250 bicycles</u>	<u>\$ 500</u>
<u>251 to 500 bicycles</u>	<u>\$1000</u>
<u>More than 500 bicycles</u>	<u>\$ 250 per every additional 250 bicycles or fraction thereof</u>

Plus \$50 per approved docking station.

Annual Renewal Fee, per operator per calendar year:

<u>Less than 250 bicycles</u>	<u>\$ 500</u>
<u>251 to 500 bicycles</u>	<u>\$1000</u>
<u>More than 500 bicycles</u>	<u>\$ 250 per every additional 250 bicycles or fraction thereof</u>

Plus \$25 per approved docking station.

Within one year following the issuance of the first permit for a bike sharing system, the fee schedule above is to be re-assessed.

Should the number of bicycles be increased during any calendar year requiring additional fees, the difference in permit fees paid to date will be payable and a revised permit application is to be filed before their deployment. A reduction in bicycles in any one calendar year will not trigger a refund of permit fees paid.

25-31 Bike Sharing Systems

(a) A "bike sharing system" is defined as a system of bicycles, electric bicycles, helmets, or similar bike-share-related merchandise that is made available for rent for general public use, generally for short periods of time, and may include docks

or stations for storing bicycles when not in use.

- (b) Bike sharing systems require annual revocable street occupancy permits pursuant to this section and section 25-27(8), above.
- (c) The City Manager or her/his designee is hereby authorized to develop regulations to further delineate reasonable rules for operation of a bike sharing system, including limits on the number of bikes (including per operator), where bikes and other bike-share-related merchandise may be stored or parked on public ways, requirements for insurance, indemnity and bonding, the conduct and responsiveness of bike share operators, requirements for data sharing and reporting, restrictions on advertising and signage, and other relevant factors to ensure safe and effective operation of such a system.
- (d) The City Manager may set a cap on the number of bike sharing systems that may operate in the city at one time. If such a limit is set, the City shall determine operators through a competitive bidding process.
- (e) In addition to the street occupancy permit fees outlined in 25-27 above, in the event that any installation, reinstallation, relocation, repair or maintenance of any existing or future improvements owned by, constructed by or on behalf of the City is made costlier by virtue of a bike sharing system, the operator of that bike sharing system shall pay to the City an amount equal to such additional cost as reasonably determined by the City Manager or the City Manager's duly authorized representatives.
- (f) It shall be considered a violation of the City Code to park, leave standing, or leave unattended a bicycle that is part of a bike sharing system, as defined in Sect 25-31(a), on any sidewalk, street, or public right-of-way except as authorized under a valid street occupancy permit. Bicycles parked, left standing, or left unattended constitute a public nuisance subject to abatement and removal by duly designated authorities by the City Manager. Failure to obtain a street occupancy permit as required by this section, parking or leaving unattended a bicycle in an unauthorized location, and any other violations of this Section or the Rules and Regulations governing Bike Sharing systems shall be subject to the fines outlined in Section 1-15 of the City Code.



TO: Chair Thibodeau and Members of the Sustainability and Transportation Committee

FROM: Bruce Hyman, Transportation Program Manager

DATE: March 16, 2018

SUBJECT: Draft Bayside Transportation Master Plan

CC: Jeff Levine, Planning and Urban Development Director
Chris Branch, Public Works Director
Jeremiah Bartlett, Transportation Systems Engineer
Troy Moon, Sustainability Coordinator

Introduction:

The City conducted the PACTS-funded Bayside Transportation Master Plan to integrate and lay the groundwork for many various public planning-project initiatives and private development activities in the fast-changing Bayside and East Bayside neighborhoods. The Plan and its recommendations are organized around 8 primary 'Focus Areas':

- Marginal Way
- Preble and Elm Streets
- Portland and Oxford Streets
- Pearl Street
- Lancaster and Kennebec Streets
- East Bayside
- Washington Avenue (on-peninsula)
- Public Transit.

A robust public outreach-engagement process with residents, property owners and businesses was conducted that included three well-attended public workshops, an Open House and an interactive project website. Close coordination with the MaineDOT and METRO was also maintained throughout the process. This process and its outcomes are documented in Chapter 6.

For each of the 8 focus areas the public outreach and consultant-staff discussions generated a series of Issues-Opportunities and Goals were identified. From these, a set of Alternatives were generated and analyzed and evaluated based on how well they met the Goals.



Principal Recommendations by Focus Area:

Recommendations for each focus area were made based on the technical analysis and goals evaluation. The principal recommendations for each focus area are summarized below. Common themes for each focus area are an improved streetscape/sidewalks and pedestrian crossings.

- **Marginal Way.** To more safely and efficiently serve a more urban development context, Marginal Way is recommended to become a more consistent 3-lane roadway from Forest Avenue to Franklin Street with one lane in each direction, two-way center turn lane/left turn lanes at intersections and on-street parking. Intersections are recommended to be reconfigured to serve this configuration including at Preble/Elm Streets, Chestnut Street (including a traffic signal) and at Franklin Street. At Franklin Street, full movement of traffic for westbound Marginal Way is preserved.
- **Preble and Elm Streets.** In anticipation of the Somerset Street re-connection between Elm and Hanover Streets, Preble Street is proposed to be reconfigured from Marginal Way to Congress Street for generally one travel lane and a bike lane with turn lanes at intersections where needed. Elm Street is recommended to remain two travel lanes with shared lane bikeway markings.
- **Portland and Oxford Streets.** Portland Street is recommended to be reconfigured at the Forest Avenue intersection to better serve pedestrians and transit users. Oxford Street is recommended to become two-way from Elm Street to Alder Street/Portland Street to improve street connectivity within the neighborhood. A test of a two-way Oxford Street from Elm to Pearl is suggested.
- **Pearl Street.** Pearl Street is recommended to be extended the one block from Somerset Street to Marginal Way to enhance north-south connectivity on the peninsula from Marginal Way to Commercial Street.
- **Lancaster and Kennebec Streets.** Various options for reconfiguring both streets are presented including as traditional city streets (travelways with curb and sidewalk) or as shared streets for some sections in response to potential development opportunities. City staff also suggest that portions of Kennebec Street be considered to become pedestrian only/a pedestrian mall given its unique characteristics. This type of conversion has been successful in communities across the country to create vibrant redevelopment areas.
- **East Bayside.** Many streets are recommended to be upgraded to traditional city streets with curb and sidewalks where they are currently missing.
- **Washington Avenue (on-peninsula).** In anticipation of reconstruction of much of the street and its continued redevelopment/revitalization, Washington Avenue is recommended to have a much higher quality streetscape/sidewalks and better pedestrian access along and across Washington Avenue.
- **Public Transit.** Many bus stops are recommended to be relocated and formalized by removal of on-street parking to allow buses access to the curb to better serve riders.

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**RESOLUTION ADOPTING A GOAL TO REDUCE
GREENHOUSE GAS EMISSIONS CITYWIDE 80 PERCENT BY 2050**

WHEREAS, as a coastal, urban community, Portland is highly vulnerable to the impacts of climate change; and

WHEREAS, local sea level during the past two decades has been rising 130 percent faster than the historical rate and analysis in the recent Bayside Adapts report suggests the City should prepare to manage 8.8 feet of sea level rise by 2100; and

WHEREAS, waters in Casco Bay and the Gulf of Maine are warming at a rate 99% faster than the world's oceans, and will soon reach temperatures projected to shift marine species and disrupt traditional fisheries; and

WHEREAS, members of our community and others are already feeling the effects of climate change through increased temperatures, more extreme weather events, more frequent flooding, and other disruptions that also affect our economy, and way of life; and

WHEREAS, from 1895 to 2014, average annual temperatures in Portland warmed by four degrees Fahrenheit (F) and climate models for the Casco Bay watershed predict further increases from two to six degrees F by mid-century and three to 10°F by 2100; and

WHEREAS, current trends and projections show that Cumberland County can expect more frequent extreme precipitation events, categorized as coastal floods, flash floods, heavy rain and tropical storms, and increased months of drought as well; and

WHEREAS, these climate changes have cascading effects on the City's economy, infrastructure, public health and safety, and other critical systems; and

WHEREAS, the transition to a low-carbon community reliant on the efficient use of clean energy resources and electrified transportation will most likely improve air quality, enhance public health, increase national and energy security, create local green jobs, and reduce reliance on finite resources; and

WHEREAS, increasing energy efficiency and resilience may attract jobs and economic development opportunities to our community and improve our long-term economic competitiveness;

WHEREAS, the City of Portland has already demonstrated leadership in climate action and has implemented initiatives to reduce greenhouse gas emissions, including energy upgrades in municipal buildings, deployment of electric vehicles and charging infrastructure, an Energy Benchmarking Ordinance in 2016, the completion of a Municipal Climate Action Plan and the conversion of its streetlights to LED, a first for Maine; and

WHEREAS, national leaders met in Paris in December 2015 to negotiate a global agreement that endeavors to decrease greenhouse gas emissions to a level that could cap the average global temperature increase at two degrees above normal or lower; and

WHEREAS, in 2017 the City Council pledged that the City will run on 100% clean energy by 2040, joined the Mayors National Climate Action Agenda, and pledged to take action in accordance with the goals stated in the Paris Climate Agreement; and

WHEREAS, conservative estimates by the world's climate scientists state that to achieve climate stabilization and avoid cataclysmic climate change, emission of greenhouse gases must be brought to 80% below 1990 levels by 2050; and

WHEREAS, the City of Portland would be joining a growing coalition of cities around the world who are committed to an 80% reduction in greenhouse gas emissions by 2050 including Atlanta, Boston, Boulder, Chicago, Minneapolis, New York, Portland, Oregon, Providence, San Francisco, Seattle, and Washington, DC; and

NOW, THEREFORE, BE IT RESOLVED, that the Portland City Council and the Mayor hereby establish the goal of reducing citywide greenhouse gas emissions by 80 percent by the year 2050.



Executive Department
Jon P. Jennings, City Manager

To: Councilor Thibodeau and members of the Sustainability and Transportation Committee
From: Troy Moon, Sustainability Coordinator
Date: March 16, 2018
Subject: Adopting a goal to reduce greenhouse gas emissions citywide 80% by 2050

In June, 2017, the Portland City Council adopted a resolve to join the [Mayors National Climate Agenda \(Climate Mayors\)](#), pledging to take actions to reduce greenhouse gas emissions in a manner consistent with the goals outlined in the Paris Agreement. Specifically, signatory cities pledged to:

1. Develop a community greenhouse gas (GHG) emissions inventory
2. Set near- and long-term targets to reduce emissions
3. Develop a Climate Action Plan aligned with the City's targets

The Sustainability Office has been developing a strategy to meet this commitment. During this process, I met with my counterpart in South Portland – also a member of the Climate Mayors – to discuss our plans. We realized that by collaborating we could address climate issues on a regional level and reduce costs by sharing consulting expenses. Together, we developed a joint project centered on an ambitious long-term vision for deep emissions reductions. The key facets of our recommended strategy are:

1. Adopt a greenhouse gas reduction target compatible with the goals established by the Paris Climate Agreement. Leading cities have chosen an 80% reduction in emissions by 2050. (80x50)
2. Select a qualified consultant to assist with the development of a rigorous planning process that will identify actions necessary to achieve the targeted GHG reductions.
3. Establish a stakeholder group of experts in key areas to guide the planning process. (Key areas include energy, land use and transportation, waste reduction, and resilience.)
4. Conduct community meetings to engage citizens in the planning process

At the conclusion of this process each city will have a detailed plan describing concrete actions and measureable goals that will result in a less carbon intense and more resilient community.

During the formation of our strategy we were approached by a team consisting of the principals from Gridsolar and the leadership of the Maine Chapter of the Sierra Club. They proposed a project that would create parcel level maps of energy consumption in both cities and a map showing the location and capacity of key assets in the local electric grid. Together, this information would allow our cities to identify effective ways to deploy distributed energy resources such as solar panels, choose areas where micro-grids might make sense, and where it makes the most sense to build out electric vehicle charging infrastructure. These technologies will be vital parts of any effort to reduce GHG emissions and ensure our communities are resilient in the face of the unavoidable impacts of climate change. GridSolar and the Sierra Club view this

project as a model for cities across the country and are offering to pilot it in our cities at no charge, although they ask that we help identify potential funders if possible.

With these pieces in place, Sustainability staff met with both City Managers to review our project and discuss funding. Conversation with colleagues in other cities and discussions with several consultants suggests a budget for our planning process should be approximately \$220,000. We proposed that South Portland and Portland both commit \$110,000 to the project. Either city pursuing a planning process on its own would likely pay more than that. Additionally, partnering with GridSolar will provide access to research, mapping, and public outreach valued at \$400,000. Moving forward with this project will model collaborative regional climate action planning, minimize consulting costs, and leverage an innovative approach to energy modeling.

As a next step in this process we are asking the City Council to officially adopt the goal of reducing greenhouse gas emissions by 80% before 2050. The cities involved in the Climate Neutral Cities Alliance, which includes New York, Boston, Minneapolis, Seattle, San Francisco, as well as many international cities state:

Cities striving for carbon neutrality recognize that averting the worst impacts of climate change will require cutting GHG emissions by at least 80% by 2050. Because urban areas account for nearly three-quarters of humanity's emissions, reaching this goal will depend in large part on our ability to reimagine and reinvent cities in ways that promote economic prosperity, social equity, enhanced quality of life, and climate resilience.

The Paris Agreement was signed by 195 nations around the world who rallied around a shared objective of keeping global temperature rise to no more than 2 degrees Celsius, preferably no more than 1.5 degrees Celsius. As a member of the Climate Mayors, Portland has pledged to work toward this goal.

Adopting this goal aligns with the City Council's stated commitment to take meaningful action to address global climate change and to reduce its local impacts. It represents the first step toward developing a comprehensive climate action and adaptation plan for the City of Portland.