

CITY COUNCIL WORK SESSION

June 30, 2014

5:30 p.m.

City Council Chamber

313 Court Street, The Dalles, Oregon

AGENDA

- I. CALL TO ORDER
- II. DISCUSSION REGARDING PLANNING COMMISSION CONCEPTS FOR RESIDENTIAL INFILL
- III. ADJOURNMENT

Prepared by/
Julie Krueger, MMC
City Clerk

A handwritten signature in blue ink, reading "Julie Krueger", is written over a horizontal line.



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1122
FAX: (541) 296-6906

AGENDA STAFF REPORT

CITY OF THE DALLES

MEETING DATE:	AGENDA LOCATION:	AGENDA REPORT #
June 30, 2014		

TO: Honorable Mayor and City Council

FROM: Richard Gassman, Planning Director

THRU: Nolan K. Young, City Manager *ny*

DATE: June 30, 2014

ISSUE: Work Session to review preliminary concepts from Planning Commission regarding residential infill policies.

RELATED CITY COUNCIL GOAL: None.

PREVIOUS AGENDA REPORT NUMBERS: None.

BACKGROUND: Last fall the City Council directed the Planning Commission to review the City's policies regarding residential infill. Infill has been used to describe developing individual lots with new single family homes. The Planning Commission has met 15 times, including six meetings by sub groups. They have considered a variety of ideas and have submitted the attached summary of preliminary concepts. They are seeking input and guidance from the City Council on the various concepts. Those concepts that are approved by the Council will be further developed by the Commission and returned to the Council at a later date.

PROCESS: This is a work session. The Council has the option of allowing public testimony or not. After the Planning Commission gets guidance from the Council, the Planning Commission will complete a proposal, hold a public hearing and forward its recommendation to the Council. A public hearing at the Council level is also required before any LUDO amendments can be approved.

DISCUSSION: There are a few principles we recommend keeping in mind when looking at the various options. These principles are often interrelated.

1. **Public Improvements.** When the LUDO was first adopted in 1998, any development on any street triggered a requirement for full improvement. In 2010 the City Council adopted the attached Resolution 10-007, which substantially modified the public improvement requirements for residential streets, based on a variety of factors. Resolution 10-007 is located in the LUDO in Section 10.060 J. The current proposal from the PC divides the City streets into two categories. Larger, more heavily traveled streets that provide access to significant areas of town, have been termed “network streets”. All other residential streets have been referred to as “local streets”. Network streets have not been specified, but in general these would most likely be the residential arterial and collector streets, as designated in the City’s Transportation System Plan. The network streets would have a higher level of improvement requirements and would provide access for automobiles, bicycles, and pedestrians, to all parts of town. This arrangement would arguably satisfy the requirements of OAR 660-012-0045 which requires cities to provide access for vehicles, bicycles, and pedestrians. A copy of the relevant OAR sections has been attached. The scope of public improvements for these network streets is one of those areas that guidance from the Council is requested.

Local streets would not have any requirements for public improvements. The sanitary sewer and water systems would be put in with development at the owner’s expense, as is the current policy, but no other street improvements would be required. The City would help property owners with street improvements on local streets only when approached by property owners under the gravel street policy or by an LID initiated by the property owners. The City would still be responsible for engineering and storm water installation, but these streets would be at a much lower priority than the network streets.

2. **Responsibility for Public Improvements.** Who should be responsible for the public improvements associated with development? Historically the City has required adjoining property owners to pay for public improvements. This report contains proposals that would change this basic policy, shifting at least some of the responsibility from the property owner to the City. One of the key issues to be decided is how much of the responsibility should shift from the property owner to the City. The Planning Commission has heard suggestions that include the whole range of options from full responsibility for the owner, to full responsibility to the City, to no responsibility for anyone. There are several issues where this basic principle needs Council input. City staff has proposed and the Planning Commission is proposing that the City take over responsibility for two aspects of public improvements: the engineering of the street design and grade, and the installation of a storm water system. Staff is proposing that the property owner remain responsible for the sanitary sewer and water. The other street improvements, curb, sidewalk, and paving, are areas where Council guidance is sought.
3. **Development Agreements.** There are two separate issues under this category. First, whether to keep or to cancel existing waivers of remonstrance and delayed development agreements. Second, whether to use any type of development agreement in the infill process. On the first issue, the Planning Commission’s preferred option is to cancel all existing waivers and other development agreements. A second option is to keep waivers and agreements that are on the network streets, while canceling those on local streets. If it is the City’s policy to require full improvement on certain streets, it makes sense to keep agreements for those streets. Development may occur slowly, especially since there are several miles of less than fully improved streets in some locations.

On the second issue there does not appear to be much support for the use of development agreements, such as delayed development agreements (DDA). However, if the City's goal is to develop certain streets, the DDA remains one of the few methods, outside full improvement at time of development, that ensures the property owner will continue to have responsibility for public improvements. If the use of the DDAs is to continue, the Planning Commission has proposed adding certain features to such agreements, such as a monetary cap so there is a known upper limit of financial responsibility, and a sunset clause that would cause the DDA to expire at a predetermined time.

4. **Use of Property Tax Revenue.** The Planning Commission's preferred concept is to use property tax revenue from new development on under improved residential network streets to pay for the property owner's share of those improvement costs. We have three concerns with this approach. First, it will take over 16 years of capturing property tax revenue for street improvements before the cost of those improvements offset the costs for a 50 foot lot with a home that has an assessed value of \$150,000. It will take a longer time if the street frontage is longer or the home is of less value.

Second, in the City of The Dalles property tax revenue is not used to maintain or improve City streets. It is used for general fund expenditures (administration, financial management, legal services, police, code enforcement, general facilities operation and maintenance, and animal control). Under the Planning Commission's concept, some new residences would not pay for City services they receive.

Third, some development occurs outside the City limits. Those properties pay no City tax.

BUDGET IMPLICATIONS: At this stage of reviewing potential changes to the LUDO there are no budget implications. There may be budget implications ultimately, depending on what is finally approved.

SUPPLEMENTAL DOCUMENTS:

- A. Preliminary Concepts, dated 6-5-14.
- B. Oregon Administrative Rule 660-012-0045.
- C. Minutes of Planning Commission and work groups, 15 sessions.

ALTERNATIVES:

- A. Staff Recommendation. Review the concepts and give guidance to the Planning Commission on which of the various concepts and options the Council wants the Planning Commission to pursue.
- B. Review the concepts and give staff other direction.

NOTE: These Preliminary Concepts are presented to the City Council at this stage to solicit feedback. These are among the many ideas the Commission has considered over the past months. The Commission is seeking feedback to help them narrow the options. The options are presented in order of preference and, as you can see, not all are compatible. Once the Council has indicated its preferences, the Planning Commission will add details to the ideas prior to presenting a final set of recommendations to the Council.

6-5-14 Preliminary Concepts

Outline for Residential Infill Public Street Improvements

Background

This is an outline of a program derived from the preliminary recommendations of the standards and finance work groups and the discussions of the full Planning Commission. This outline is intended to set public improvement requirements for single family and duplex dwellings on single lots. Commercial development, subdivisions, and multi-family housing would be subject to the existing standards in the LUDO.

Part A of this outline discusses street improvements only, and only for lots located on one of the “network” streets (mostly arterial and collector streets.) Street related improvements for other residential/local streets are discussed in Part B. Water and sanitary sewer are not included in this outline. The cost of installing those utilities would continue to be the responsibility of the property owner and usually would occur at a time prior to the street improvements discussed in this outline. This outline does not discuss public street improvements in non-residential areas.

For purposes of this outline, full improvement generally means sidewalks and curbs on both sides, and a fully paved street, without reference to the width of paving. It is understood that some streets, such as parts of Scenic Drive, are not suitable for full improvement. Modifications would be made where required.

The goals of this outline:

1. To provide for full improvement of selected streets to allow for auto, bicycle and pedestrian access to all areas of town.
2. To minimize the creation of isolated “island improvements”.
3. To reduce the overall cost to individual property owners.
4. To provide an identifiable maximum liability for property owners for public improvements.
5. To provide clarity to the development process

The Commission has tentatively approved the concept of a network of streets that would allow for bicycle, pedestrian and vehicular access, to all parts of town. The network streets would require a higher level of public improvements. A map of the significant

streets is included. The map shows arterial streets in red, collector streets in blue and local streets in green. City streets are indicated in solid lines while County roads are indicated in dashed lines.

A. Network Streets –Development Requirements.

Option #1 Use increase tax monies to pay for improvements

Determine what vacant property is paying for City taxes. After building, use increase in taxes from building to pay into separate account until payments reach cap. If no cap, then property owner would pay until estimated cost is reached.

NOTE: What about those properties outside City limits which pay no City property taxes?

Option #2 No DDA – no improvements

1. Full improvement is required at time of development. City will do engineering for street grade and improvements will be installed, whether or not storm water system is in place.
2. If improvements cannot be installed, for whatever reason, owner may proceed with building.

Option #3 (DDA with “triggers”)

1. Full improvement is required with development in the following situations:
 - a. Engineering is done, or street grade is otherwise determined, and stormwater installed or otherwise acceptable, or
 - b. City determines street is ready for full improvement; or
 - c. Lot is adjacent to fully improved sections.
2. If full improvement is not completed at the time of development, a DDA would be signed and recorded. The DDA would require full improvement when one of a set of triggers occurs. The triggers could include such things as a certain level of traffic volume, whether there was a need for additional improvements, a certain level of lots on the block being fully improved, or developed, or lots on the block reaching a certain level of recorded DDAs.
3. The improvements would be triggered by criteria in the DDA, but the owners should have some amount of time to install the improvements, once they are required.

Option #4 (DDA with time limits)

1. Full improvement at time of development, with a dollar cap based on the linear foot frontage, if the improvements can match the grade of the street and the proposed method of storm drainage can be accommodated by the existing storm drainage system. The decision on whether the street is ready for full improvement, shall be determined by the City.

2. If the street is not ready for full improvement, the property owner has at their choice the option of either: 1) pre-paying to the city the capped cost of the street improvement, or 2) signing a Delayed Development Agreement (DDA). The DDA would require the property owner to install full improvements within xxx years once the City, at its cost, had completed engineering of the street design, and the installation of any required storm water system improvements. The time period would commence upon the date of occurrence of the final event which is necessary to complete the City's obligations.
3. If the City determines that public improvements should not be installed by the end of the time period, the City may extend the deadline. Criteria for extension include lack of available funds to cover excess costs over the cap, differences in grade between engineered design and existing street; approaching deadline for installation of improvements for additional nearby properties, and any other factor or factors which make an extension appropriate. The length of the extension is at the City's discretion. Rather than have the deadline extended the property owner has the option of pre-paying the cap limit.
4. Street improvements when ready to be installed will be done by block or area to the fullest extent possible. Property owner may also use the LID process or the *Gravel Street Policy*, if possible. One provision in the DDA will be to require the property owner to contact all other property owners of lots which are not fully improved within the same block to request participation in either an LID or use of the *Gravel Street Policy*.

Option #5 No DDA – no building

1. Full improvement is required at time of development. City will do engineering for street grade and improvements will be installed, whether or not storm water system is in place.
2. If improvements cannot be installed, for whatever reason, no building would be allowed.

Local Streets Development Requirements.

1. Dedication of right of way may be required.
2. No other requirements.

C. Delegation of Responsibilities.

1. On Network Streets

a. City Responsibilities

1. Do engineering at City expense.
2. Install storm water system at City expense.
3. Determine if street is ready for improvements.
4. Administer DDAs

5. Cover excess costs over DDA cap, if any, as available resources allow.
- b. Property Owner Responsibilities
 1. Install improvements at time of development if possible up to limit of monetary cap.
 2. Sign and record DDA if public improvements not possible.
 3. Install improvements or choose options presented by City at end of time period.
 4. Request other block property owners to participate in LID or *Gravel Street Policy* as set out in DDA.
2. **On all other Streets**
 - a. City Responsibilities.
 1. Determine if additional right of way is needed.
 - b. Property Owner Responsibility
 1. Dedicate right of way as needed.

D. Existing Waivers of Remonstrance.

1. On Network Streets.

Option #1 Cancel existing Waivers.

Option #2 - 1 - The property owner would have the option of prepaying at the cap limit, or converting the Waiver into a DDA by signing a new DDA. Unless the owner chooses one of the alternative options, existing Waivers would be continued.

2. On all other residential streets – Cancel existing Waivers.

E. Additional Issues for Discussion.

1. Should DDAs have a sunset provision? Yes.
2. Should DDAs have an escalator clause for the dollar cap? To be decided.
3. Should City allow payment of cap over time? Yes.
4. Should multi-frontage lot relief apply along with dollar cap? Yes.

F. Other Comments.

1. In order for the City to have sufficient staff to prepare engineering plans for the streets and storm water system, the City will likely need to hire an engineer to work on this project.
2. In order for the City to install even a limited storm water system as envisioned in this outline, additional funds will be needed for the work. The finance work group discussed an increase for the storm water fee from \$2.00 per month to \$4.00 per month.

3. The DDA would be a document prepared by the City, signed by the property owner and the City and be recorded at the property owner's expense. In addition to the information contained above, the City would be responsible for preparing and recording the release of a DDA once the work has been completed.
4. The City should send an annual update to each of the properties covered by a DDA (or a Waiver of Remonstrance) of the ongoing validity of the DDA, the status of any work on the adjacent street, and the current dollar cap based on an inflation factor, if adopted. When all work required of the City is done, property owners would be notified of the beginning of the time period.
5. For non-grid streets the Planning Commission could consider revising Resolution 10-007 as modified by the terms of this outline.

(d) In metropolitan areas, policies to guide selection of transportation facility and improvement projects for funding in the short-term to meet the standards and benchmarks established pursuant to 0035(4)-(6). Such policies shall consider, and shall include among the priorities, facilities and improvements that support mixed-use, pedestrian friendly development and increased use of alternative modes.

(3) The determination of rough cost estimates is intended to provide an estimate of the fiscal requirements to support the land uses in the acknowledged comprehensive plan and allow jurisdictions to assess the adequacy of existing and possible alternative funding mechanisms. In addition to including rough cost estimates for each transportation facility and major improvement, the transportation financing plan shall include a discussion of the facility provider's existing funding mechanisms and the ability of these and possible new mechanisms to fund the development of each transportation facility and major improvement. These funding mechanisms may also be described in terms of general guidelines or local policies.

(4) Anticipated timing and financing provisions in the transportation financing program are not considered land use decisions as specified in ORS 197.712(2)(e) and, therefore, cannot be the basis of appeal under 197.610(1) and (2) or 197.835(4).

(5) The transportation financing program shall provide for phasing of major improvements to encourage infill and redevelopment of urban lands prior to facilities and improvements which would cause premature development of urbanizable lands or conversion of rural lands to urban uses.

Stat. Auth.: ORS 183 & 197

Stats. Implemented: ORS 197.040

Hist.: LCDL 1-1991, f. & cert. ef. 5-8-91; LCDL 4-1995, f. & cert. ef. 5-8-95; LCDL 11-1995, f. & cert. ef. 12-22-95; LCDD 6-1998, f. & cert. ef. 10-30-98

660-012-0045

Implementation of the Transportation System Plan

(1) Each local government shall amend its land use regulations to implement the TSP.

(a) The following transportation facilities, services and improvements need not be subject to land use regulations except as necessary to implement the TSP and, under ordinary circumstances do not have a significant impact on land use:

(A) Operation, maintenance, and repair of existing transportation facilities identified in the TSP, such as road, bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and terminals;

(B) Dedication of right-of-way, authorization of construction and the construction of facilities and improvements, where the improvements are consistent with clear and objective dimensional standards;

(C) Uses permitted outright under ORS 215.213(1)(m) through (p) and 215.283(1)(k) through (n), consistent with the provisions of 660-012-0065; and

(D) Changes in the frequency of transit, rail and airport services.

(b) To the extent, if any, that a transportation facility, service or improvement concerns the application of a comprehensive plan provision or land use regulation, it may be allowed without further land use review if it is permitted outright or if it is subject to standards that do not require interpretation or the exercise of factual, policy or legal judgment;

(c) In the event that a transportation facility, service or improvement is determined to have a significant impact on land use or to concern the application of a comprehensive plan or land use regulation and to be subject to standards that require interpretation or the exercise of factual, policy or legal judgment, the local government shall provide a review and approval process that is consistent with 660-012-0050. To facilitate implementation of the TSP, each local government shall amend its land use regulations to provide for consolidated review of land use decisions required to permit a transportation project.

(2) Local governments shall adopt land use or subdivision ordinance regulations, consistent with applicable federal and state requirements, to protect transportation facilities, corridors and sites for their identified functions. Such regulations shall include:

(a) Access control measures, for example, driveway and public road spacing, median control and signal spacing standards, which are consistent with the functional classification of roads and consistent with limiting development on rural lands to rural uses and densities;

(b) Standards to protect future operation of roads, transitways and major transit corridors;

(c) Measures to protect public use airports by controlling land uses within airport noise corridors

and imaginary surfaces, and by limiting physical hazards to air navigation;

(d) A process for coordinated review of future land use decisions affecting transportation facilities, corridors or sites;

(e) A process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities, corridors or sites;

(f) Regulations to provide notice to public agencies providing transportation facilities and services, MPOs, and ODOT of:

(A) Land use applications that require public hearings;

(B) Subdivision and partition applications;

(C) Other applications which affect private access to roads; and

(D) Other applications within airport noise corridors and imaginary surfaces which affect airport operations; and

(g) Regulations assuring that amendments to land use designations, densities, and design standards are consistent with the functions, capacities and performance standards of facilities identified in the TSP.

(3) Local governments shall adopt land use or subdivision regulations for urban areas and rural communities as set forth below. The purposes of this section are to provide for safe and convenient pedestrian, bicycle and vehicular circulation consistent with access management standards and the function of affected streets, to ensure that new development provides on-site streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel in areas where pedestrian and bicycle travel is likely if connections are provided, and which avoids wherever possible levels of automobile traffic which might interfere with or discourage pedestrian or bicycle travel.

(a) Bicycle parking facilities as part of new multi-family residential developments of four units or more, new retail, office and institutional developments, and all transit transfer stations and park-and-ride lots;

(b) On-site facilities shall be provided which accommodate safe and convenient pedestrian and bicycle access from within new subdivisions, multi-family developments, planned developments, shopping centers, and commercial districts to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. Single-family residential developments shall generally include streets and accessways. Pedestrian circulation through parking lots should generally be provided in the form of accessways.

(A) "Neighborhood activity centers" includes, but is not limited to, existing or planned schools, parks, shopping areas, transit stops or employment centers;

(B) Bikeways shall be required along arterials and major collectors. Sidewalks shall be required along arterials, collectors and most local streets in urban areas, except that sidewalks are not required along controlled access roadways, such as freeways;

(C) Cul-de-sacs and other dead-end streets may be used as part of a development plan, consistent with the purposes set forth in this section;

(D) Local governments shall establish their own standards or criteria for providing streets and accessways consistent with the purposes of this section. Such measures may include but are not limited to: standards for spacing of streets or accessways; and standards for excessive out-of-direction travel;

(E) Streets and accessways need not be required where one or more of the following conditions exist:

(i) Physical or topographic conditions make a street or accessway connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided;

(ii) Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or

(iii) Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.

(c) Where off-site road improvements are otherwise required as a condition of development approval, they shall include facilities accommodating convenient pedestrian and bicycle travel,

including bicycle ways along arterials and major collectors;

(d) For purposes of subsection (b) "safe and convenient" means bicycle and pedestrian routes, facilities and improvements which:

(A) Are reasonably free from hazards, particularly types or levels of automobile traffic which would interfere with or discourage pedestrian or cycle travel for short trips;

(B) Provide a reasonably direct route of travel between destinations such as between a transit stop and a store; and

(C) Meet travel needs of cyclists and pedestrians considering destination and length of trip; and considering that the optimum trip length of pedestrians is generally 1/4 to 1/2 mile.

(e) Internal pedestrian circulation within new office parks and commercial developments shall be provided through clustering of buildings, construction of accessways, walkways and similar techniques.

(4) To support transit in urban areas containing a population greater than 25,000, where the area is already served by a public transit system or where a determination has been made that a public transit system is feasible, local governments shall adopt land use and subdivision regulations as provided in (a)-(g) below:

(a) Transit routes and transit facilities shall be designed to support transit use through provision of bus stops, pullouts and shelters, optimum road geometrics, on-road parking restrictions and similar facilities, as appropriate;

(b) New retail, office and institutional buildings at or near major transit stops shall provide for convenient pedestrian access to transit through the measures listed in (A) and (B) below.

(A) Walkways shall be provided connecting building entrances and streets adjoining the site;

(B) Pedestrian connections to adjoining properties shall be provided except where such a connection is impracticable as provided for in OAR 660-012-0045(3)(b)(E). Pedestrian connections shall connect the on site circulation system to existing or proposed streets, walkways, and driveways that abut the property. Where adjacent properties are undeveloped or have potential for redevelopment, streets, accessways and walkways on site shall be laid out or stubbed to allow for extension to the adjoining property;

(C) In addition to (A) and (B) above, on sites at major transit stops provide the following:

(i) Either locate buildings within 20 feet of the transit stop, a transit street or an intersecting street or provide a pedestrian plaza at the transit stop or a street intersection;

(ii) A reasonably direct pedestrian connection between the transit stop and building entrances on the site;

(iii) A transit passenger landing pad accessible to disabled persons;

(iv) An easement or dedication for a passenger shelter if requested by the transit provider; and

(v) Lighting at the transit stop.

(c) Local governments may implement (4)(b)(A) and (B) above through the designation of pedestrian districts and adoption of appropriate implementing measures regulating development within pedestrian districts. Pedestrian districts must comply with the requirement of (4)(b)(C) above;

(d) Designated employee parking areas in new developments shall provide preferential parking for carpools and vanpools;

(e) Existing development shall be allowed to redevelop a portion of existing parking areas for transit-oriented uses, including bus stops and pullouts, bus shelters, park and ride stations, transit-oriented developments, and similar facilities, where appropriate;

(f) Road systems for new development shall be provided that can be adequately served by transit, including provision of pedestrian access to existing and identified future transit routes. This shall include, where appropriate, separate accessways to minimize travel distances;

(g) Along existing or planned transit routes, designation of types and densities of land uses adequate to support transit.

(5) In MPO areas, local governments shall adopt land use and subdivision regulations to reduce reliance on the automobile which:

(a) Allow transit-oriented developments (TODs) on lands along transit routes;

(b) Implements a demand management program to meet the measurable standards set in the TSP in response to 660-012-0035(4);

(c) Implements a parking plan which:

(A) Achieves a 10% reduction in the number of parking spaces per capita in the MPO area over the planning period. This may be accomplished through a combination of restrictions on development of new parking spaces and requirements that existing parking spaces be redeveloped to other uses;

(B) Aids in achieving the measurable standards set in the TSP in response to OAR 660-012-0035(4);

(C) Includes land use and subdivision regulations setting minimum and maximum parking requirements in appropriate locations, such as downtowns, designated regional or community centers, and transit oriented-developments; and

(D) Is consistent with demand management programs, transit-oriented development requirements and planned transit service.

(d) As an alternative to (c) above, local governments in an MPO may instead revise ordinance requirements for parking as follows:

(A) Reduce minimum off-street parking requirements for all non-residential uses from 1990 levels;

(B) Allow provision of on-street parking, long-term lease parking, and shared parking to meet minimum off-street parking requirements;

(C) Establish off-street parking maximums in appropriate locations, such as downtowns, designated regional or community centers, and transit-oriented developments;

(D) Exempt structured parking and on-street parking from parking maximums;

(E) Require that parking lots over 3 acres in size provide street-like features along major driveways (including curbs, sidewalks, and street trees or planting strips); and

(F) Provide for designation of residential parking districts.

(e) Require all major industrial, institutional, retail and office developments to provide either a transit stop on site or connection to a transit stop along a transit trunk route when the transit operator requires such an improvement.

(6) In developing a bicycle and pedestrian circulation plan as required by 660-012-0020(2)(d), local governments shall identify improvements to facilitate bicycle and pedestrian trips to meet local travel needs in developed areas. Appropriate improvements should provide for more direct, convenient and safer bicycle or pedestrian travel within and between residential areas and neighborhood activity centers (i.e., schools, shopping, transit stops). Specific measures include, for example, constructing walkways between cul-de-sacs and adjacent roads, providing walkways between buildings, and providing direct access between adjacent uses.

(7) Local governments shall establish standards for local streets and accessways that minimize pavement width and total right-of-way consistent with the operational needs of the facility. The intent of this requirement is that local governments consider and reduce excessive standards for local streets and accessways in order to reduce the cost of construction, provide for more efficient use of urban land, provide for emergency vehicle access while discouraging inappropriate traffic volumes and speeds, and which accommodate convenient pedestrian and bicycle circulation. Notwithstanding section (1) or (3) of this rule, local street standards adopted to meet this requirement need not be adopted as land use regulations.

Stat. Auth.: ORS 183 & 197

Stats. Implemented: ORS 197.040

Hist.: LCDC 1-1991, f. & cert. ef. 5-8-91; LCDC 4-1995, f. & cert. ef. 5-8-95; LCDC 11-1995, f. & cert. ef. 12-22-95; LCDD 6-1998, f. & cert. ef. 10-30-98; LCDD 3-2004, f. & cert. ef. 5-7-04; LCDD 6-2006, f. 7-13-06, cert. ef. 7-14-06

660-012-0050

Transportation Project Development

(1) For projects identified by ODOT pursuant to OAR chapter 731, division 15, project development shall occur in the manner set forth in that division.

(2) Regional TSPs shall provide for coordinated project development among affected local governments. The process shall include:

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, November 7, 2013

City Hall Council Chambers

313 Court Street

The Dalles, OR 97058

Conducted in a handicap accessible room

6:00 PM

CALL TO ORDER:

Chair Lavier called the meeting to order at 6:00 PM.

BOARD MEMBERS PRESENT:

Bruce Lavier, Chris Zukin, Dennis Whitehouse, Jeff Stiles

BOARD MEMBERS ABSENT:

Mark Poppoff, Mike Zingg, Rob Raschio

STAFF MEMBERS PRESENT:

City Attorney Gene Parker, Planning Director Richard Gassman, City Engineer Dale McCabe, Administrative Secretary Carole Trautman

APPROVAL OF AGENDA:

Chair Lavier noted to amend the agenda by designating agenda item VI (Staff Comments) as item number V, and agenda item V (Work Session) as item number VI.

It was moved by Zukin and seconded by Whitehouse to approve the agenda as amended. The motion carried unanimously; Poppoff, Zingg and Raschio were absent.

APPROVAL OF MINUTES:

It was moved by Whitehouse and seconded by Stiles to approve the October 3, 2013 minutes as submitted. The motion carried unanimously; Poppoff, Zingg and Raschio were absent.

STAFF COMMENTS:

Director Gassman suggested the Commission set a time limit for the work session. It was the consensus of the Commission to adjourn at 8:00 PM.

Director Gassman suggested the Commission set a meeting format of hearing staff's memorandum review, Commissioner questions and comments, and allow public comments. It was the consensus of the Commission to use the suggested format.

Director Gassman gave an explanation of the design of the Planning Commission work session and advised that public comments will be taken into consideration. Gassman said the Planning Commission and City Council both will eventually conduct public hearings where testimony will be heard and be considered public record.

WORK SESSION:

Director Gassman said there was one written comment received from concerned east side local citizens dated November 6, 2013. The comment was forwarded to the Planning Commissioners via email.

Director Gassman gave an extensive review of staff's memorandum.

Chair Lavier asked what if the existing waivers of remonstrance (WR) were eliminated. Director Gassman said if the property owners would want them removed, the City would have difficulty forming a Local Improvement District (LID), and that the existing WRs were not located in one concentrated area enough to form an LID. They were randomly located throughout the City.

Chair Lavier noted that one advantage to getting streets up to City Standards was that the streets would be maintained by the City. Director Gassman indicated that the large problem was the cost and the fact that many streets were not ready for improvements because of no storm water system or engineering.

Stiles asked if property owners were expected to pay the same amount for street improvements (SI) on a collector road as a street not on a collector road. Director Gassman said the cost was the same to the property owner. The City would actualize more cost because of the pavement thickness, but only in the case of the pay into the fund (PIF) method where cost estimates are utilized. Whitehouse asked if the property owner paid for SI engineering. City Engineer McCabe said the property owners would hire an engineer and submit plans to the City Engineer for engineering approval.

Director Gassman pointed out that the major problems in the past have come with the smaller lot property owners that wanted to divide, or property owners that wanted to build a house. With minor partitions and new development, owners built anywhere within the City's jurisdiction, and often not near anything where there were existing public improvements. The partitions or new developments were randomly scattered, and often there were no storm systems, water systems, engineering, etc., Gassman stated. It is often very difficult to get the public improvements installed. Then the property owners were forced to other alternative deferral arrangements.

Gassman reported that large areas on the east side have very few streets, and they do not have local residential streets. They are mostly collector streets. If a subdivision was developed in that area, then there would probably be some new streets classified as local residential, Gassman advised. Because the existing streets are collector streets, they do not fall into the set of alternative City standards adopted in 2010. Most of the streets that have reduced City standards are on the west side and arguably do not need the same set of public improvements that the longer, more heavily traveled collector streets require. This issue could be up for review, Gassman stated.

Director Gassman advised that the American Disabilities Act required local jurisdictions to provide for access, and although the Act does not require jurisdictions to "retro-fit" existing streets, the City would be required to abide by ADA requirements for new streets. Gassman said the City may be in potential financial jeopardy if full improvements were not installed for new streets. Whitehouse asked if property owners would be held accountable as well as the City. City Attorney Parker stated most financial liabilities were imposed in larger cities, but eventually it could be applied to the more rural areas.

Stiles suggested looking at using property taxes as a revenue source for street improvements. As property owners make improvements on a lot, the value increases. Perhaps, Stiles said, a portion of the tax increase could be used for street improvements. City Attorney Parker thought the property taxes were used for the City's general funds. Whitehouse said the Commission needed to look at all avenues and resources for funding, and he believed the City should share the costs with the property owners.

After some discussion, it was the consensus of the Commission to listen to citizens' testimony at this meeting, take a tour of the key areas of issue within the City and UGB boundaries with the Commission, staff and City Engineer, then prioritize the issues at the next meeting.

Testimony

Mary Merrill, 2437 East 10th Street, The Dalles, Oregon, asked the Commission to consider using swales rather than installing storm water systems. Ms. Merrill said she owns a home that has no WR, yet she lost a house sale because there was a "perception" that future owners were going to be responsible for improvements. Ms. Merrill also suggested the City consider pursuing state grants for 10th Street (possibly the only street in The Dalles that extends across the entire city), as it could be eligible for state funding for a bicycle path or other improvements.

Jerry Johnson, 3102 East 13th Street, The Dalles, Oregon, asked if the \$2 water fee goes into a fund for future storm water improvements. If it did, then the City should consider using those funds for storm water. Mr. Johnson said he believed everyone in the City should help pay for improvements on the east side, not just the east side people. City Attorney Parker reviewed the ordinance and reported that the money goes into special funds to pay for capacity increasing improvements, essentially for new projects to install storm systems.

COMMISSIONER COMMENTS/QUESTIONS:

None.


NEXT MEETING:

November 21, 2013

ADJOURNMENT:

The meeting was adjourned at 7:37 PM.

Respectfully submitted by Carole J. Trautman, Administrative Secretary.


Bruce Lavier, Chairman

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, November 21, 2013

City Hall Council Chambers

313 Court Street

The Dalles, OR 97058

Conducted in a handicap accessible room

6:00 PM

CALL TO ORDER:

Chair Lavier called the meeting to order at 6:00 PM.

BOARD MEMBERS PRESENT:

Bruce Lavier, Mark Poppoff, Chris Zukin, Jeff Stiles, Mike Zingg

BOARD MEMBERS ABSENT:

Dennis Whitehouse, Rob Raschio

STAFF MEMBERS PRESENT:

City Attorney Gene Parker, Planning Director Richard Gassman, City Engineer Dale McCabe, Administrative Secretary Carole Trautman

APPROVAL OF AGENDA:

It was moved by Stiles and seconded by Zingg to approve the agenda as submitted. The motion carried unanimously; Whitehouse and Raschio were absent.

APPROVAL OF MINUTES:

It was noted by Administrative Secretary Trautman to add City Engineer Dale McCabe as a staff member in attendance at the November 7, 2013 meeting.

It was moved by Stiles and seconded by Zukin to approve the November 7, 2013 minutes as amended. Lavier, Poppoff, Zukin and Stiles approved; Zingg abstained, the motion carried. Whitehouse and Raschio were absent.

WORK SESSION

Director Gassman presented his November 18, 2013 memorandum regarding a prioritization of residential development issues. Gassman suggested the Commission review all the issues whether or not they are recommended to City Council. It was the consensus of the Commission to review the issues as suggested.

Big Discussion Items

Director Gassman gave an overview of development requirements. Approximately three years ago, the City reduced some street standards that were local residential streets. Those reduced standards did not apply to collector streets, and most of the streets on the east side were listed as collector streets. Therefore, Gassman stated, full improvements were needed for collector streets which included sidewalks, curb, a 16 foot-wide road and a storm water system. In the past, the storm water has posed problems because the City did not have storm systems in place in all areas. Many such areas were on the east side. Gassman pointed out that the first issue would be to consider if these improvements should still be required.

Commissioner Poppoff commented that the standards should be lowered, i.e., use swales rather than storm water, and use paved parking strips and paved traffic lanes to reduce costs. He also felt the City should do away with all waivers of remonstrance. Regarding required fees, Poppoff suggested creating a stop loss of 10-15% of the developed lot's value so the lot could be developed. Poppoff also suggested utilizing the Downtown Improvement District monies and dedicate the City's property tax revenues for street improvements.

Stiles stated the issues were not a "one size fits all." Rural area requirements should be assessed at a different level than the higher residential requirements. The work should be prioritized and evaluated as to how to fund the work that needed to be accomplished.

Zukin said, in his mind, he believed some of the streets should be improved at some time. He felt it made sense to put paving on graveled roads, and it did not make sense for all streets to have sidewalks, gutters and curbs and storm drains, especially where the storm drain system was not installed. Possible bio swales could be an option. Zukin felt a matrix should be developed for when and how to put the improvements in place.

Chair Lavier stated that the community should be responsible for improvements. There needed to be a system to accumulate funds that would pay for the improvements and determine how much of the expense should be shared between property owners and other citizens. Zukin said he thought people who benefit from the improvements should pay something (the property owner) and other citizens also. Lavier said some property owners would not benefit from improvements if they lose a section of property. Stiles said the City needed to be responsible to help out.

Regarding when improvements should be required, Chair Lavier stated that the property owner would need to be included on the decision making. He said the issue became a problem when the property value was lower than the cost of improvements, and those with low income could not afford improvements. Stiles pointed out that property values increase with improvements.

Richard Havig, 3015 East 12th Street, The Dalles, Oregon, said the LID process didn't work and the Waivers of Remonstrance didn't work, so the City should pay for street improvements unless a subdivision was developed.

David Lee, 950 Pomona West, #115, The Dalles, Oregon, stated improvements should be funded by the taxpayers, and City leaders believed the property owners should fund the expenses.

Richard Havig, 3015 East 12th Street, The Dalles, Oregon, said he thought the Waivers of Remonstrance should be dropped.

Director Gassman stated that if the Commission wanted to recommend reduced standards for more streets, then guidelines would need to be developed. Zukin suggested developing a matrix or zones of standards.

RG Hager, 2804B East 10th Street, The Dalles, Oregon, suggested isolating portions of the center area of the City as a high priority, then move away from that central core over a period of time.

Mary Merrill, 2437 East 10th Street, The Dalles, Oregon, said the Commission should determine the costs then come up with the resources. Chair Lavier stated his thought was that the Commission

should look at the street standards first. He recommended a committee be comprised of Planning Commissioners, staff and citizens to review street standards and priorities.

Zingg said the Waivers of Remonstrance should be dropped, start over with a system of looking at the streets, prioritize the needs, and find the resources.

Linda Quackenbush, 1005 Richmond Street, The Dalles, Oregon, stated she was concerned about property owners on 10th Street having to pay \$351 per linear foot, and it seemed to her it was the community's responsibility. If the cost per linear foot was not reasonable, some property owners would not be able to pay.

RG Hager, 2804B East 10th Street, The Dalles, Oregon, referred to his September 5, 2013 letter that listed five manners of funding. (copy attached). Stiles said he felt it was not fair to place all of the funding on the City, the property owner needed to pay a portion.

It was the general consensus of the Commission to form two sub-groups as follows:

Street Standards: Bruce Lavier, Chris Zukin, Mark Poppoff (Commissioners); Richard Gassman, Dave Anderson, Dale McCabe (City Staff); Loyal Quackenbush and Ron Hagerman (Citizens)

Finance: Jeff Stiles, Mike Zingg, Dennis Whitehouse (Commissioners); Nolan Young (City Staff); Alex Hattenhauer, RG Hager, and Damon Hulit (Citizens).

It was the general consensus of the Commission to suspend the Planning Commission Work Sessions until the Standards and Finance sub-groups formulate their recommendations to go before the Planning Commission Work Session .

STAFF COMMENTS:

Director Gassman reminded the Commission that a bus tour was scheduled for Monday, November 25, 2013, 11:00 AM, to observe key areas within the City regarding street improvements.

COMMISSIONER COMMENTS/QUESTIONS:

None.

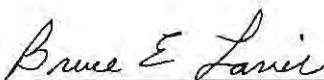
NEXT MEETING:

Tentatively scheduled for December 19, 2013 unless the sub-groups needed to reconvene.

ADJOURNMENT:

The meeting was adjourned at 7:45 PM.

Respectfully submitted by Carole J. Trautman, Administrative Secretary.



Bruce Lavier, Chairman

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Special Meeting – Bus Tour

Re: Residential Infill Policies

Monday, November 25, 2013

City Hall Council Chambers

313 Court Street

The Dalles, OR 97058

Conducted in a handicap accessible room

11:00 AM

CALL TO ORDER:

Acting Chair Zukin called the meeting to order at 11:06 AM.

BOARD MEMBERS PRESENT:

Chris Zukin, Dennis Whitehouse, Jeff Stiles, Mike Zingg, Mark Poppoff

BOARD MEMBERS ABSENT:

Bruce Lavier, Rob Raschio

STAFF MEMBERS PRESENT:

Planning Director Richard Gassman, Public Works Director Dave Anderson, City Engineer Dale McCabe, and Administrative Secretary Carole Trautman

BUS TOUR:

Director Gassman handed out a map of the residential areas that were observed on the tour (copy attached).

Listed below are some of the items of discussion/observations from the tour:

- The participants observed a “stand alone” property developed on Old Dufur Road where the property owner put in full half street public improvements, other than storm water, and adjacent properties had only street improvements. The property owner paid into the fund for future storm improvements.
- Storm water improvements are almost always an issue that needs to be addressed when considering infill policy improvements.
- Director Anderson stated storm water is necessary because the City cannot rely upon residential lawns to absorb run off.
- At East 9th and Richmond Streets, the City considered forming a Local Improvement District (LID) in 2005.
- The participants observed various collector streets such as 10th, and 12th that serve many homes.
- The City and County have an interesting relationship regarding roads. Some roads are maintained by the County, and the County would like the City to take the roads that are in City limits. The City wants the roads improved to City standards before they accept them.
- West 13th Street at Cherry Heights was observed as a County road within City limits. West 13th was not developed to full City standards, and the County installed drains rather than storm water.
- Streets off of West 7th east of Hostetler was observed as an area where the City required lower public requirements because the side streets were short, some came to a dead end, and most lots were already built on.

- Public Works Director Anderson pointed out that the City has a Storm Water Master Plan. Part of the funding for the plan comes from the \$2 a-month fee for future capital projects. Anderson said the City has collected almost enough funds for the first project of installing a trunk system on West 2nd Street.

ADJOURNMENT:

Acting Chair Zukin adjourned the meeting at 11:59 PM.

Respectfully submitted by Carole J. Trautman, Administrative Secretary.

A handwritten signature in cursive script, reading "Bruce E. Lavier". The signature is written in dark ink and is positioned above a horizontal line.

Bruce Lavier, Chairman

Finance Work Group
(A Sub-group of the City of The Dalles
Planning Commission Work Session
Re: Residential Infill Policies)
CITY HALL UPSTAIRS CONFERENCE ROOM
313 COURT SREET
THE DALLES, OREGON 97058
CONDUCTED IN A HANDICAP ACCESSIBLE MEETING ROOM

Minutes
THURSDAY, DECEMBER 5, 2013
6:00 PM

CALL TO ORDER

Discussion Leader Jeff Stiles called the meeting to order at 6:07 PM.

ROLL CALL

Commissioners Present: Jeff Stiles, Dennis Whitehouse, Mike Zingg

Committee Members Present: Alex Hattenhauer, RG Hager, Damon Hulit

Staff Present: City Manager Nolan Young; City Attorney Gene Parker; Administrative Secretary Carole Trautman

DISCUSSION - Review of Financial Resources as They Relate to Residential Infill Policies

Key Comments/Questions

- Funds collected for streets totals approximately \$1,578,000 as follows:
 - State Gas Tax - \$826,690
 - Storm Water – handled in sewer fund
 - 3 cent local gas tax - \$450,000
 - Utilities – 3% franchise fee: Water - \$143,469 Wastewater \$140,919
 - QLife (3%) - \$16,500
- 5.4 million dollars needed to maintain arterials and collector street and more heavily used local streets; 2-3 million dollars needed for other local streets. No estimate has been made on addressing unimproved streets.
- RG Hager, 2804B East 10th Street, The Dalles, Oregon, distributed his December 5, 2013 memo regarding his 2013 Planning Commission Funding Study (copy attached). Mr. Hager stated the study was based off of his conversations with various people within the community resulting in his personal interpretation of inequities of free enterprise versus municipal employment/wages.
- There needs to be a happy medium between increasing taxes and reviewing current funds.

- With such a large gap between funds that are needed and funds available, taxes would have to increase.
- The City currently does not use property taxes for street improvements. City Council has the prerogative to change that policy if they so choose.

Directives for Future Discussion

- Determine how much of the \$351/per linear foot street improvement charge is engineering expense, and what options exist to reduce costs
- Explanation of property tax system and limited flexibility
- Review of street funds expenditures
- Explanation of current usage of City Engineering staff (projects and tasks) and potential options
- Identify any surplus City property

ADJOURNMENT

The meeting was adjourned at 8:00 PM.

CITY OF THE DALLES PLANNING COMMISSION
STANDARDS WORK GROUP MINUTES
Re: Residential Infill Policies for Public Improvement Standards
Thursday, December 5, 2013
City Hall Council Chambers
313 Court Street
The Dalles OR 97058
Conducted in a handicap accessible room
6:00 PM

CALL TO ORDER:

Chairman Lavier called the meeting to order at 6:01 PM.

STANDARDS WORK GROUP MEMBERS PRESENT:

Bruce Lavier, Chris Zukin, Mark Popoff, Loyal Quackenbush and Ron Hageman

STANDARDS WORK GROUP MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Planning Director Richard Gassman, Public Works Director Dave Anderson, City Engineer Dale McCabe and Administrative Secretary Cindy Keever

Listed below are some of the items of discussion/observations in the meeting.

- Current standards aren't working – what do we do next?
- One size doesn't fit all, but what are the minimum standards?
- Depends on where we start i.e., paving gravel roads, maintenance of paved streets, size of underground pipes, are there adequate underground pipes for water, sanitary and storm lines? The underground pipes have to be addressed at least at the same time as paving. Question was raised on how it functions now and what are the future plans?
- By creating more paved streets we create more storm line issues. The question regarding how Columbia View Heights was developed was asked.
- Public Works Director Anderson explained that sidewalks and curbs aren't just for looks. Their function has a lot of interest from the biking and walkability community.
- Geography and topography have to be looked at when dealing with the placement of storm lines.
- The group discussed different issues such as minimum standards, priorities and the timing of improvements/changes.
- A suggestion was made that, at the time of building a house, put in the "bare bones" (gravel road vs. paved street); then some time in the future put in a standard underground system.
- A question was raised regarding end lots and what standards go with those lots. Who decides standards? LUDO should have enough guidelines to address all of

the different issues. (Thompson Street is a great example of building or encroaching onto the right of way).

- A question was raised regarding how difficult is it to widen streets when telephone poles are in the right of way? City Engineer McCabe explained it can be done, and each time street improvements are looked at it is considered. It is expensive. It is approximately \$100,000/block to change from an above ground pole to an underground system.
- Planning Director Gassman said several years ago the City Council did away with the one size fits all approach. So they began looking at street segments, local streets and the discrepancy of standards on the east side (because there aren't very many streets feeding the area). On the west side the Blakely area is a good example of keeping the existing standards, with a minimum right of way. There are other areas on the west side of the City (which are listed in the ordinance book) that have minimum standards for both the curb and sidewalk.
- There needs to be a street by street priority system and time limits or triggers for improvements need to be set. Gassman talked about the different standards in the City and suggested a list of status quo areas, a list of partial improvements areas, and the minimal improvements that are required.
- Public Works Director Anderson spoke briefly about options for forming reimbursement districts and master plans for the storm and sanitary lines.
- Where are the priorities for street improvements? Dave suggested looking farther into the LUDO list for street information. The group also talked about the Gravel Street policy.
- Chair Lavier and Chris Zukin talked about working on additional standards. Although this group might not be ready to update the LUDO at this time, Zukin will take a look at the current standards and possibly expand choices beyond the three choices that are currently available. He will work with Planning during that process.
- There was discussion regarding how the standards will fit different areas. Might have to proceed on a case by case instance when talking about infill. The majority of infill lots are on local streets.
- Members asked about the plans for a new Transportation System Plan (TSP). Anderson said a new TSP has been looked at, but the cost is approximately \$250,000. The City is in the process of updating the Bicycle Master Plan.
- Regarding the Delayed Development Agreement (DDA), the idea of a cap on improvement costs for future improvements was viewed favorably. Audience member Steve Stroud told the group that under the current rules, the sale or development of his parents' two lots is prohibitive and basically has made them useless.
- A question regarding the location of the next storm line project was asked. PW Director Anderson said it will be along West 2nd Street and will be done jointly with Chenoweth PUD, because they are planning on updating their water main in that area.
- There was discussion regarding problems that arise when talking about infill in the Urban Growth Boundary vs. City limits. How does the City share costs on

those types of projects? Per the City Attorney, the City cannot pay for projects outside the City limits.

- A question was asked regarding the environmental impact, regarding storm runoff and the lot size. Director Gassman said the house cannot cover more than 60% of the lot.
- Panel members looked at a large map showing the Storm Water Master Plans boundaries.
- It was agreed that more definitive standards need to be fleshed out. McCabe said that both the citizens and staff want black and white answers so that items that come up are not left to interpretation.

ADJOURNMENT:

Chairman Lavier adjourned the meeting at 7:52 PM.

FINANCE WORK GROUP
(A sub-group of the City of The Dalles
Planning Commission Work Session
Re: Residential Infill Policies)
City Hall Upstairs Conference Room
313 Court Street
The Dalles, OR 97058
Conducted in a handicap accessible room

Minutes
Thursday, December 19, 2013
6:00 PM

CALL TO ORDER

Chair Stiles called the meeting to order at 6:06 PM.

ROLL CALL

Committee Members Present: Jeff Stiles, Dennis Whitehouse, Alex Hattenhauer, Damon Hulit, R G Hager

Committee Members Absent: Mike Zingg

Staff Present: City Manager Nolan Young, City Attorney Gene Parker, Administrative Secretary Carole Trautman

CLARIFICATION OF SUB-GROUP'S PURPOSE

Chair Stiles stated the main purpose of the sub-group was to determine the City's and property owners' financial responsibilities in regards to residential infill and to discuss current and future funding options available for street standards that are in review by the Planning Commission's Street Standards sub-group.

KEY COMMENTS/QUESTIONS

- City Manager Young highlighted his December 13, 2013 memo regarding information that was requested by committee members (Attachment 1).
- It was the general consensus of the committee to remove all existing residential waivers of non-remonstrance and local improvement districts.
- City Attorney Parker said the County Assessor reported that the City's options were somewhat limited, and local budget laws would allow general funds to be used for street improvements. The City could adopt a property levy for a specific purpose, but there were strict tracking regulations in place to ensure the designated funds were used for their intended purpose. The only way to capture new revenue from newly developed properties to pay for public improvements would be to form a new urban renewal district which would include the newly developed properties. The City could decide to dedicate property taxes to street improvements, but it would require going through the budget process and determining funding priorities. The tax rate of \$0.0030155 multiplied times the assessed property value increase from development within the city limits could be used for street improvements, but Parker was unsure if the amounts collected would be sufficient to help with all street improvement costs.

- Whitehouse asked if it was the City's opinion that the homeowner should pay 100% for residential infill development. Young stated the current policy required homeowners to fund development 100 percent. Young said that the City was proposing to participate in cost reduction by contracting an engineer for one year to work strictly on residential infill street improvement that would lessen the current cost estimate of \$351 per linear foot. The City would also allow private contractors to do the work which would, most likely, be at a lower rate than the City's estimated work cost.
- Hattenhauer said he questioned if one year would be enough time for a contracted engineer to do the work, and how would that engineering remain effective through potential street development plan changes? Young recognized plans could change, but to have the base engineering work completed would be good. Young was uncertain how many projects could be done; it would be helpful to prioritize projects.
- In light of "loose end" projects that are unrelated to larger areas of development, Hattenhauer asked if the strategy would be to "sweep the town" or pick up pods of projects. Young said the hope would be to prioritize pods. The current policy of the City Council was to put in infill. The engineering costs would fall on the City, and if problems arose, the responsibility would fall upon the property owners. Young said the neighbors in a problem area might have to form a coalition to do a small project in an area. Costs would be expensive for property owners as R G Hager's Attachment 2 pointed out.
- Hager reviewed his handout (Attachment 2) and summarized by saying property owners could not afford the expenses. Hager also said infrastructures needed to take place in the core area rather than in outlying areas. Hager stated rural areas needed minimum street enhancement and storm water swales.
- Hager stated there was wanton neglect on the City's part to use tax funded money for street maintenance on the east side. Young referred back to three key questions on page 3 of his December 13, 2013 memorandum and asked if some of the City's priorities should shift to do chip seals in those undeveloped areas until there was development. Jerry Johnson, 3102 East 13th Street, The Dalles, Oregon, said it was the infrastructure that hindered development. He said the community should finance street maintenance, and the street department got very little revenue for maintenance. Whitehouse said there was no way to solve the three questions without more revenue. Hattenhauer suggested raising the street maintenance priorities within the City's budget to gain more funds.
- Hager said he would like to pursue gaining federal funds for streets by recognizing this community's past contribution in the aluminum industry. He was currently working with Representative John Huffman on that issue.
- There was discussion on the current City policy for providing/installing new utility services for new development. Stiles asked if a new policy could be considered whereby the City would install and extend utility service lines beyond new development then get reimbursed by future development property owners. Young advised there was no such policy for that now, but the City Council could consider it.
- There was discussion on the Wasco County Transportation Committee (Attachment 3) to seek production of a new transportation district and appropriate funding to bring county and city road systems out of the potential dangers they face. Young stated the financial aspects would be that the City would receive \$750,000 which could help meet current maintenance needs. Policies would need to change to divert monies to the three areas mentioned in his memo regarding the maintenance of streets. A concern would be property tax compression, Young stated.

- Stiles asked if property tax rates could be changed. Parker said the rates were locked in. Young felt property taxes were not the solution.
- There was discussion on raising a utility rate by one or two dollars a month to generate revenue. Young advised that the current residential storm water rate was \$2 a month, with revenues to be used for extending storm lines into infill areas. Young said one option could be to potentially remove storm sewer in some areas as a standard, allow more swales, and increase the storm water charge to \$4 a month. Calculated out, in a year's time it would increase the storm revenue close to \$500,000.

COMMITTEE RECOMMENDATIONS

1. Remove all existing residential waivers of non-remonstrance and local improvement districts.
2. Research the feasibility of prioritizing street funding through the City's general fund.
3. Consider having the City invest in extended utility infrastructure to be paid back as infill occurs through amendment of the City's Reimbursement District Ordinance.
4. City contract an engineer for one year to work on residential infill infrastructure.
5. Increase the storm water monthly fee up to \$4, and consider storm water a community issue rather than a neighborhood issue.
6. City increase maintenance work on unimproved streets (other than subdivision development or existing dwellings required to come up to street standards).

ADJOURNMENT

The meeting was adjourned at 8:05 PM.



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481
FAX (541) 296-6906

M E M O R A N D U M

TO: Planning Commission Work Group for Financing Sources for Improvement of Substandard Streets

CC: Planning Commission, City Council, Budget Committee

FROM: Nolan K. Young, City Manager/Budget Officer *nyf*

DATE: December 13, 2013

ISSUE: Information requested from last meeting

- I. This document and attachments are provided in response to information requested at the last meeting of the Planning Commission Work Group on Finance.
 - a. Review of how current street funds are spent. Attached is a table and pie chart that illustrates how the city has spent new street revenue for the past two years and the budget for the current fiscal year. These tables and charts do not include the beginning fund carryovers. On July 1, 2013 the street fund had carry over revenue of \$636,945. These funds are allocated toward capital improvements and equipment purchases. This includes building a reserve to handle a reconstruction of Scenic Drive damaged by slide activity. This work is estimated to cost well over a million dollars.
 - b. A breakdown of \$351,000 previously used for new development. Attachment 2 is the breakdown of the cost. It includes breakdown by street, storm water, sanitary sewer and water. It also includes a 20% contingency and 10% for engineering. The street portion of this amount is \$175.85 per foot of frontage. This is 50.1% of the total cost. The 10% engineering is on the base amount. When the contingency and engineering costs are considered, it equates to only 7.7% of the amount.

The current City Ordinance for the area within the City limits has eliminated this fee for minor land partitions. Staff recommendation is that the requirement that this fee be paid at the time of issuance of building permit be discontinued, since it has proven to be a disincentive to development. City Council does have a stated goal of trying to encourage infill development.

- c. Explanation of property tax system and limited flexibility. The property taxes that are assessed on each property are specifically designated to a specific taxing district or for retirement of a specific debt. There is no flexibility in transferring those funds to another activity, unless property is included in the Urban Renewal District. And then it is limited only to the increase in the assessed value since start of the Urban Renewal District.

The City currently receives 0.0030155 times assessed value on property within the City limits. We receive no tax dollars from property located in the Urban Growth Area. City Council's current policy is that property taxes are used to support General Fund services and that the Street Fund pays for its share of administrative services that they receive. The City Council does have the discretion to prioritize another activity such as street maintenance or construction to a higher priority than other general fund activities and shift either new property tax obtained from a specific area (this would be a little challenging to track, and would be the City's responsibility to do this) to subsidize in fill development.

- d. Current Usage of Engineering staff. The City currently has three engineers; a City Engineer and two project engineers. A portion of one of the engineer's time is specifically directed toward urban renewal projects. Attached is a brief document that summarizes how we use our engineers and lists engineering projects for this fiscal year. These projects are tied to the capital improvement plan. We have also attached a list of permits issued in 2013. The City Engineer has to review those projects before a permit is issued. We are also received an increase in number of development inquiries and have two large (Walmart and the Port Industrial subdivision) under review.

If we wish to use one of the engineers for in fill development, we would need to reprioritize our current projects and some of the activities would have to be delayed. The reason we are recommending bringing on an additional engineer is so that we do not have to delay some of our other priority projects.

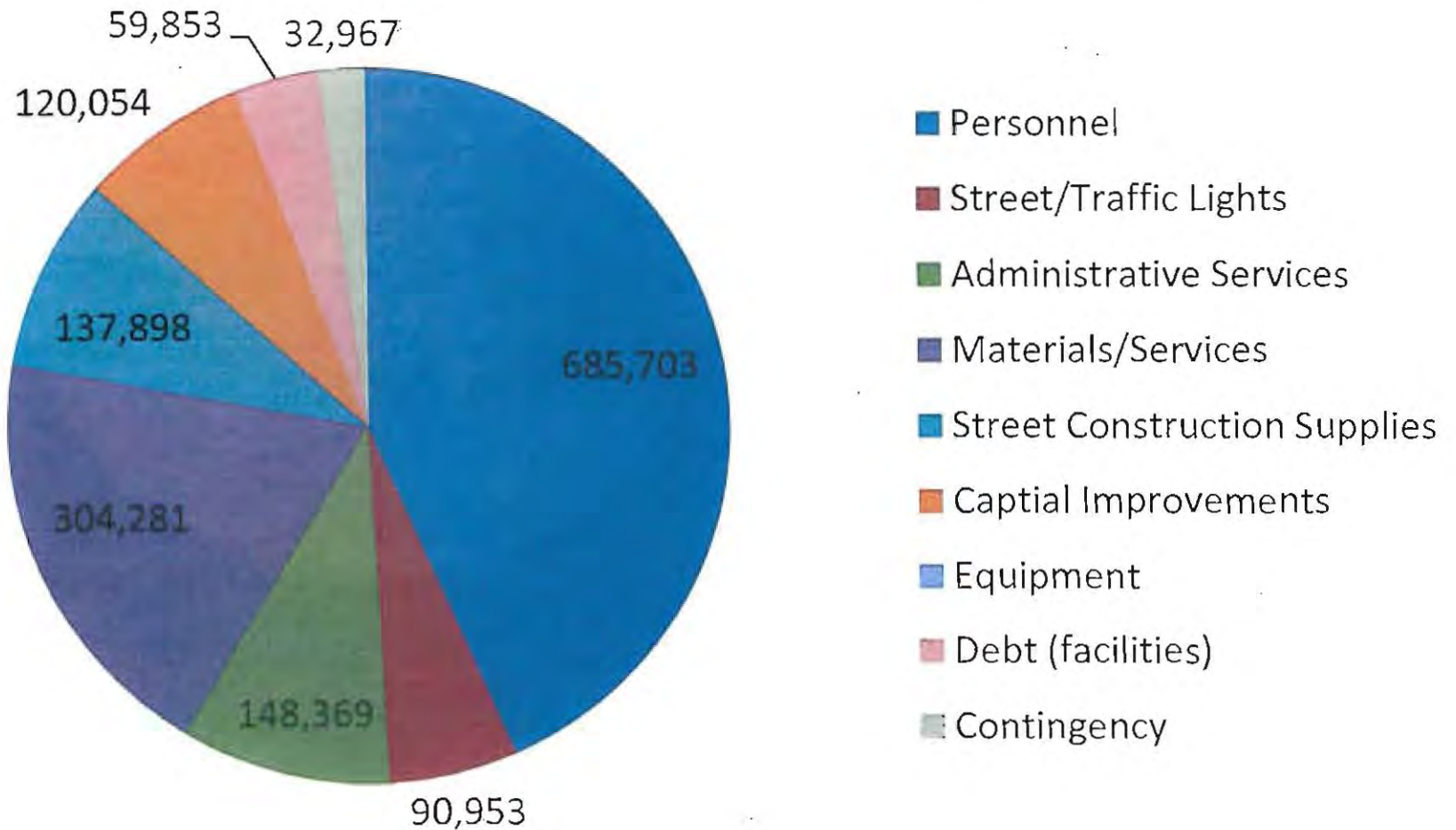
- e. Identify any surplus property: The City currently has three properties that are surplus. All three properties are located near West 23rd and Wright Street and one or more of them has an underground spring. The chart below shows the information from the assessor's office:

<u>Map and Tax Lot No.</u>	<u>Assessed Value</u>	<u>Real Market Value</u>
1N 13 4CC TL 3100	\$4,285	\$11,470
1N 13 4CC TL 3200	\$5,253	\$13,440
1N 13 4CC TL 3300	\$5,068	\$12,950

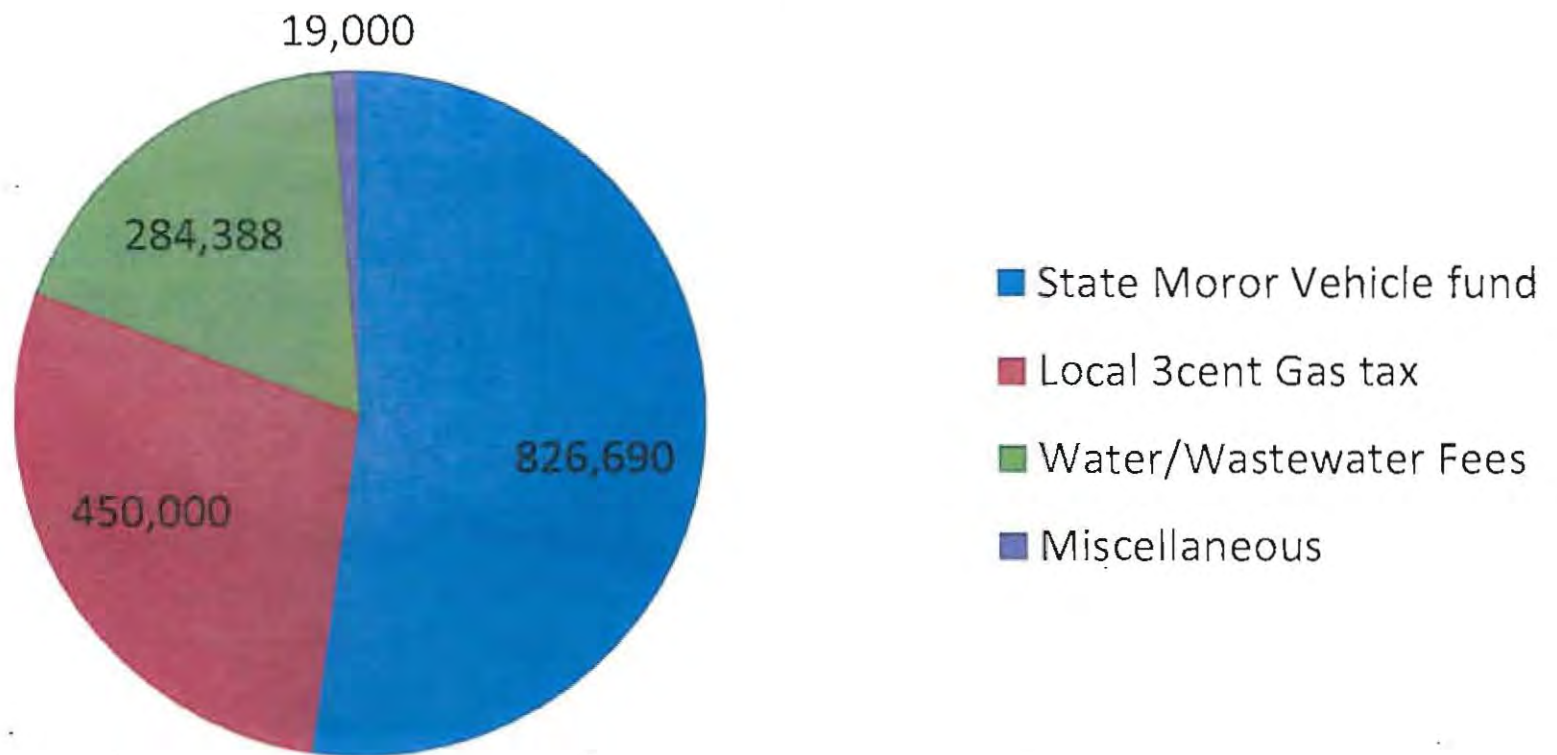
The Urban Renewal District owns additional property. Those properties are not available for general City activities, including street activities outside the Urban Renewal District. The Urban Renewal District has sale options on all of these properties (Granada Block properties and the Sunshine Mill properties).

- II. Additional thoughts on Agenda Item VI: We need to ask this question for three areas of street improvement:
1. Increased maintenance on current unimproved streets
 2. Cost of bringing streets up to required standards for new development
 3. Cost of bringing streets up to current standards for existing dwellings (typically through LID's)

FY 13/14 Expenditures



FY 13/14 Revenue



STREET FUND
TABLE #1: Sources and Uses of New Revenue

Source	FY 11/12	FY 12/13	FY 13/14
REVENUE	Actual	Actual	Budget
State Motor Vehicle fund	783,286	789,715	826,690
Local 3cent Gas tax	434,026	442,468	450,000
Water/Wastewater Fees	256,662	264,959	284,388
Miscellaneous	22,031	21,007	19,000
TOTAL REVENUE	1,496,005	1,518,149	1,580,078
EXPENDITURES:			
Personnel	617,269	645,979	685,703
Street/Traffic Lights	76,456	82,495	90,953
Administrative Services	124,667	174,141	148,369
Materials/Services	303,000	226,135	304,281
Street Construction Supplies	89,132	133,346	137,898
Capital Improvements	10,551	120,207	120,054
Equipment	-	75,402	-
Debt (facilities)	59,971	60,444	59,853
Contingency	214,959	-	32,967
TOTAL EXPENDITURES	1,496,005	1,518,149	1,580,078

PUBLIC WORKS DEPARTMENT
Estimated Cost of New Construction

	Base	20% Contingency	Total with Contingency	Engineering 10%	Total with Engineering	% of Total
Street	\$ 135.27	\$ 27.05	\$ 162.32	\$ 13.53	\$ 175.85	50.1%
Storm	\$ 45.50	\$ 9.10	\$ 54.60	\$ 65.35	\$ 59.15	16.8%
Sanitary	\$ 50.27	\$ 10.05	\$ 60.23	\$ 5.03	\$ 65.35	18.6%
Water	\$ 39.00	\$ 7.80	\$ 46.80	\$ 3.90	\$ 50.70	14.4%
TOTAL	\$ 270.04	\$ 54.00	\$ 323.95	\$ 87.81	\$ 351.05	100.0%

*Note prices are per fot of lot frontage

Street Improvement committee

Engineering Division Project List (Projects currently working on)

- Perform survey and design, and prepare contract documents for:
 - 4th Street Grade Sanitary Sewer
 - Scenic Drive Stabilization and Street/Utility Improvement Project
 - Sanitary Sewer Upgrade – Alley Between 8th/9th/Pentland/Lincoln
 - Discharge Pond for Marks Well
 - 14th & Clark – New Sanitary Sewer Main
 - W 6th Street Sanitary Sewer – South (Walnut to Myrtle – Upsize to 18")
- Prepare plans and/or contract documents for:
 - Slipline Contract
- Provide design oversight and/or construction inspection for:
 - Webber Street Waterline Project
 - Sorosis Pump Station Surge Tank Contract
 - Washington Street Crossing/First Street Urban Renewal Treatment Project design
 - Chenoweth Business Park
- Ongoing Miscellaneous Tasks:
 - Review and Update City Standard Specifications – New ODOT/APWA Update
 - Provide assistance and guidance to Public Works Field Crews
 - Update Maps and GIS Information with As-builts as they are received
 - Update City Models to keep current and accurate with most recent As-built information
 - Plan review for all development projects received by the Planning Department

Projects in the Que:

6th Street Improvements – Widening from Snipes to Hostetler
Clark Street – 10th to 11th
10th and Cherry Heights Intersection Improvements
Prepare Design for ADA ramps for connecting/continuing ADA corridors
13th Street and Richmond – Upsize new water main
Alley between 16th and 17th Streets, Trevitt to Pentland – 2" Galvanize Replacement
Alley between 7th and 8th Streets, Union to Liberty – 2" Galvanize Replacement
Brentwood Drive – Galvanize Replacement
Bridge Street: 10th to 18th – Sanitary Sewer design
W 2nd Street Improvements – Sanitary Sewer upsize and Storm Water Line installation –
(project to occur with Chenoweth Water project)
11th and Thompson – Waterline Replacement
Alley between 7th and 8th Streets, Pentland to Garrison – 2" Galvanize Replacement
Alley between E12th and 13th Streets, Court Street to Washington – 2" Galvanize Rep.
Columbia View Reservoir Painting Contract
Sorosis Reservoir Painting Contract

Alley between 10th and 11th Streets, Jefferson to Kelly Ave. – Sanitary Sewer

10th Street, Washington to Federal – Storm Sewer

Manhole Rehabilitation Contract

Expansion of Lone Pine Well Contract

WWTP – Phase I Improvements from the Wastewater master plan – RFP and plan review

Water Management and Conservation Plan – Plan Review

Completion of Riverfront Trail – Plan Review

Redevelopment of the Granada Block – Plan Review

2013 New Construction Processed Building Permits

date	address	sfh	mfh	multi-family	comm	comm description
01/15/13	1815 Nevada Street	1				
01/23/13	603 Lincoln	1				
02/05/13	2524 Denton	1				
02/04/13	2526 Denton	1				
04/08/13	1320 E. 11th	1				
04/08/13	1324 E. 11th	1				
04/18/13	3721 Klindt Drive				1	Lt. industrial wrhse
04/22/13	1117 Myrtle	1				
04/26/13	951 Heritage Way	1				
04/26/13	961 Heritage Way	1				
05/16/13	1218 W. 6th-Goodwill				1	21k+ s.f. retail store
05/30/13	2429 E. 17th	1				
06/14/13	2415 E. 16th	1				
06/18/13	2014 W. 7th St.				1	Four-story hotel
06/28/13	2232 W. 10th St.					1 accessory dwelling
07/23/13	755 Division		1			
08/26/13	405 W. 12th (replcmnt)	1				
09/20/13	615 E. 4th				1	Firefighters stg bldg
11/01/13	161 Steelhead Way				1	Google
TOTALS		12	1	0	4	1 accessory dwelling

The Dalles City Street Improvement Financing

For owners who do not qualify for second mortgages, City of The Dalles currently provides financing at 10% payable within ten-year term at which time foreclosures could be implemented if not paid in full.

- **10% City Financed Loan with a 10-Year Payout**

Examples of Property Owners within a mile east of Thompson St:

50 Ft x \$351/linear foot	\$17,500	\$231/month	Total Cost of Loan	\$27,775
100 Ft x \$351/linear foot	\$35,100	\$463/month	Total Cost of Loan	\$55,662.
150 Ft x \$351/linear foot	\$52,650	\$695/month	Total Cost of Loan	\$83,492
171 Ft x \$351/linear foot	\$60,021	\$793/month	Total Cost of Loan	\$95,180
200 Ft. x \$351/linear foot	\$70,200	\$927/month	Total Cost of Loan	\$111,324
220 Ft x \$351/linear foot	\$77,220	\$1020/month	Total Cost of Loan	\$122,400

Hook ups and drive way extensions add additional costs of approximately \$20,000 for properties at the acre size of 171 feet.

Add to the above figures, property tax bills at \$4,500-\$6,000 annually for a one acre lot amount to \$45,000-\$60,000 in the same ten year period. For example, 171 lineal feet lot frontage would total \$145,180 plus service hook up fees and driveway extensions at \$20,000 figure bring the total to \$165,180.

- ***All of these figures still do not include those properties requiring retaining walls; another \$10,000-\$50,000 depending on slope of ground.***

Loan Information Provided by Columbia State Bank

- **Second mortgages require sufficient equity at 80% loan to value in order to be approved, along with income and meeting all lending guidelines that have become more strict.**

A second mortgage with a FIFTEEN YEAR term at 6.1%

Examples of Property Owners within a mile east of Thompson Street:

50 Ft x \$351/linear foot	\$17,500	\$149/month	Total Cost of Loan	\$26,820.00
100 Ft x \$351/linear foot	\$35,100	\$298/month	Total Cost of Loan	\$53,640.00
150 Ft x \$351/linear foot	\$52,650	\$447/month	Total Cost of Loan	\$80,460.00
171 Ft x \$351/linear foot	\$60,021	\$509/month	Total Cost of Loan	\$91,620.00
220 Ft x \$351/linear foot	\$77,220	\$836/month	Total Cost of Loan	\$104,524.00
200 Ft. x \$351/linear foot	\$70,200	\$760/month	Total Cost of Loan	\$95,022.00

Hook ups and driveway extensions add additional costs of approximately \$20,000 for properties at the acre size of 171 feet.

Add to the above figures, property tax bills at \$4,500-\$6,000 annually for a one acre lot amount to \$45,000-\$60,000 in the same ten year period. For example, 171 lineal feet lot frontage would total \$141,620 plus service hook up fees and driveway extensions at \$20,000 figure bring the total to \$161,620.

All of these figures still do not include those properties requiring retaining walls; another \$10,000-\$50,000 depending on slope of ground.

Things to Consider

- This improvement and payment plan is for proposed citywide street and infrastructure improvements.
- Annual loan payments will easily amount to more than what a homeowner pays in annual property taxes. How many private citizens on fixed incomes can afford to pay annual property taxes to support city services and then add a similar amount or more in loan payments for FIFTEEN YEARS.
- Home values will in no way increase in the amount a homeowner would pay for street improvements.
- Street improvements need to start in the core of town first & work their way out. Many of the services in the core of the city are worse than in the outer edges. Connect services from the inside to the outside.
- Keep projects smaller to eliminate prevailing wage requirements and use local contractors to make costs lower.
- If the costs don't come down, there will continue to be a stale mate for development. No large developments will happen and individual property development will continue to stall, be impractical or impossible.
- Storm run off swales in the east side are working in the manner that the county developed and maintains them.
- Recognition that rural portions of the community retain rural livability with minimum street enhancement and storm water swales.

We ask that you take time to share this issue and information or email your neighbors, relatives and friends. Could they fit this financial burden into their budget?

**Contact your city councilors or Mayor Lawrence
via email: ctrautman@ci.the-dalles.or.us**

December 19, 2013

FINANCE WORK GROUP

PLANNING COMMISSION COMMITTEES

Re; From the minutes, key comments/questions meeting of December 5, 2013

Minutes read that I was the only speaker.

I wish to place in the written record a brief review of my stated agenda and a representation that items are attributed to me which I did not present.

First, is that I find it odd for my name and address to be illustrated.

Second, Nolan Young attempted to impair the validity of my statements by insisting that my presentation was only my opinion, when in fact I stated it was the recognized formula of the many community members requesting I propose the possibility of lessening improvement costs to the historic infrastructure neglect, by utilizing private contractors to assist in benefitting home owners and the local economy.

Third, my point was to identify the benefit of lower costs to assist the city-wide responsibility of correcting the historic neglect to our infrastructure. My intent was to recognize the sizable gap between free enterprise and overall municipal employment costs, not specifically wages.

Fourth, I did not and do make a proposal to raise taxes. Funds availability is sufficient to perform tasks at hand if not misappropriated. Two days prior to this meeting, Nolan Young mailed out a letter to the community stating that home owners could benefit by hiring their own contractors. Even though minutes state that my letters, memos, graphs, are attached, they appear nowhere.

Furthermore, Nolan Young's memorandum of December 13th in 'street fund breakdown', identifies that \$685,703.00 to personnel, \$148,369.00 goes to administration and another \$304,281.00 in materials and services along with equipment and facilities and debts coupled with contingencies consume another \$200,00.00 or so. A far greater cost than available through private contractors.

I now make reference only to an engineering report properly prepared, paid for by John Geiger designating the nature of the work and services to be provided to provide the services, materials, and labor as determined by City of The Dalles code and ordinances. This proposal is designated for the circumference of 7.13 AC. Within the boundaries of east 10th street, Richmond, and east 12th street, and the west property line of said acreage. This project's completion would provide for only the city infrastructure, and street, sewer, water, storm systems, allowing for the development of 8 near-acre lots. The price and conditions do not provide any connections of services, utilities or accesses within. All costs and services are documented from private local contractors. The cost comes in at \$200.00 or less per frontage foot and still makes the cost of each lot, now assessed at \$45,000.00, have to be sold in excess of \$107,500.00 each, prior to dividing one lot off to sell. John identifies to me that these costs make it so prohibitive to justify improvements that his only justification is to continue farming and possibly sell to another orchardist some time in the future for \$5,000.00 - \$10,000.00 per acre. The above figures do not include the payback of the deferred tax for the last ten years.

We as a community have been placed for 8 years in the shadow of an ill-conceived misguided impossible box canyon idea that must be curtailed until such time as respectful considerations have been made, maintenance programs developed and economic development in place.

We have an opportunity before us at this time to allow the Wasco County transportation committee to seek the production of a transportation district and appropriate funding that may be able to pull all of the city and county roads system out of the dangers we are now in by moving to a comprehensive plan of care and maintenance structured to serve our actual status and seek funding potentials that do not destroy local economies and private ownership.

I recommend that we serve the community by removing all waivers of the right to vote, implementing a plan that is of the people, by the people, and for the people.

Our recent bond measure vote for the new aquatic center identifies that we can come together for the right service within this community and that we can let the old and out-dated fall by the wayside.

Regards,

R. G. Hager

CITY OF THE DALLES PLANNING COMMISSION
STANDARDS WORK GROUP MINUTES
Re: Residential Infill Policies for Public Improvement Standards
Thursday, December 19, 2013
City Hall Council Chambers
313 Court Street
The Dalles, OR 97058
Conducted in a handicap accessible room
6:00 PM

CALL TO ORDER:

Chairman Bruce Lavier called the meeting to order at 6:00 PM.

STANDARDS WORK GROUP MEMBERS PRESENT:

Bruce Lavier, Mark Popoff, Loyal Quackenbush and Ron Hageman

STANDARDS WORK GROUP MEMBERS ABSENT:

Chris Zukin

STAFF MEMBERS PRESENT:

Planning Director Richard Gassman, Public Works Director Dave Anderson, City Engineer Dale McCabe, and Administrative Secretary Cindy Keever

Listed below are some of the items of discussion/observations in the meeting:

- Zukin was scheduled to present research information at the meeting, however, he was unable to attend. The committee will hear his report upon his return.
- It was the general consensus of the group to schedule the next meeting for Thursday, January 9, 2014.
- A suggestion was made to go over the standards in general, and review the developments and how the standards got to where they are today.
- What are the minimum expectations of a landowner?
- At what point does the road go from a gravel road to a paved road, and when do the curbs and sidewalks go in?
- When does the infrastructure work occur?
- The current standards state that when one or more lots are being developed, a paved road is required. This applies to one house or a larger 10-home development.
- The impasse is created because of the cost to develop a single lot or even just a few lots. Piecemeal development is difficult to have improvements done at a later time.
- There seem to be more problems with a homeowner wanting to develop one lot adjacent to a gravel road than a larger development.
- What triggers the need for storm water containment?
- Are open ditches, permeable soils, or bio swales sufficient to handle the water run off around new development?
- Full water retention areas or detention areas to slow the water down?

- The area's annual rainfall is approximately 14" a year. Will those types of storm water containments work in an event situation? Although it is an infrequent occurrence, in this past year alone, The Dalles has had two significant rain fall situations that caused flooding, so the management of large volumes of water needs to be addressed.
- Each site needs to be looked at individually. How will the site handle water right now?
- How does a large, single lot vs. a higher density built lot(s) handle runoff?
- What should trigger improvements? It was suggested that a building permit would be the only trigger.
- A delayed development agreement with a 10% cap of land assessed value would be a way to help with financing. It would be a better way to get money for improvements than a non-remonstrance.
- The cap would provide some certainty on costs when developing and could be estimated out.
- If the improvements can't be done at the time of the development, then the cap would be something that could be attached to the deed.
- At the time a house is being built, the owner would have to bring water and wastewater to the property. The cap money could then be used for other surface improvements at a future time. Those improvements would have the 10% cap applied towards the costs.
- The 10% cost might be a little low, and the exact percentage amount would need to be discussed.
- Thompson Street was discussed as a good example of adjacent property owners not having the money to put full improvements in.
- Thompson Street was a LID (Local Improvement District). The City looked at ways to help reduce the original costs, and it was still rejected by the property owners.
- Thompson Street needs to be redone as it is too far gone and will not take a chip seal.
- Chip sealing of roads should be looked at as an option to maintain a road instead of re-paving. A good base has to be there.
- If a good base is in place, the City has recently begun to opt for chip sealing as a means of saving money.
- Tanner Elliott, 397 Summit Ridge Drive, The Dalles, Oregon, asked if citizens could have more input on roads that need maintenance. Anderson said that could probably be discussed in another forum, but it probably wasn't a good time during this discussion of infill development.
- Regarding triggers, could lot size determine when development occurs?
- Instead of piecemealing improvements within a block, would it be more cost effective to have a minimum development size of 2 or 3 blocks to be cost effective? McCabe said at least one block of development would help with overall costs.

- Another trigger option possibility could be that, once 50% of the block was developed, it would be a trigger for the remainder of the block to upgrade to a full development.
- Michael Dhabolt, 5656 Cherry Heights Road, The Dalles, Oregon, said that a factor that also needed consideration are the different levels of development for the different types of streets. Should the development be based on the block needs, or the community needs?
- Steve Stroud, 3004 East 12th Street, The Dalles, Oregon, said the issues the community is facing are not unique to this city. Cities throughout Oregon are facing the same situations regarding street maintenance and how to put in street improvements.
- Gassman said, from his viewpoint, there are two different issues that become unclear. The first issue: what standard do you want for a particular block or street? What is the end goal? Would standards run from full improvements to no improvements? The second issue: how are we going to get there? From a staff standpoint, he needs to have something that can be relayed to property owners who come in asking about the development of their property.
- Triggers need to have some kind of agreements attached to them. Agreements don't cause the problems, but implementing the agreements years in the future does create problems.
- Returning to a property owner numerous times to ask (or tell) them to participate in various improvements (storm lines, sidewalks/curbs, widening streets, paving etc.) is very tough.
- There needs to be some type of a time frame on the triggers or agreements so that either the improvements are put in, or it is void and nothing gets done. At this time, the remonstrances have no time constraints, and once the original signer has sold the property, it is not uncommon that the remonstrances are not fully understood.
- Currently, about 90% of our streets are identified in the LUDO and have standards or classifications attached to them.
- One member said he thought the residents on the east side of town would be happy if they had good pavement to drive on. If there are open ditches to handle the water, they would be okay with that and the residents on Thompson would be happy with good pavement since there is no area for open ditches. Until there are better options, or different mechanisms for paying for the other improvements, the good pavement and open ditches would work.
- Keep the core of the City updated with sidewalks on both sides, and outer areas and side streets not needing full improvements.
- The scope of all improvements is way too big.
- The City does have obligations for other users of the streets such as pedestrians, school children, bicyclists and disabled people; the streets need to be usable for them also. For those folks we need a system or network of streets that they can get from one area to another, safely.
- When is the trigger for the development? How will the City and the property owner come to the agreement to install sidewalks? Is it a goal or a standard?
- Consistency within a community needs to be considered.

- Staff believes making the code flexible so that it can be applied to different situations is important, but too much flexibility creates chaos. Tiered standards are easier to understand and implement.
- Would a paved street with open ditches be a standard for a 2-block-or-less street that ties into an arterial?
- East of Thompson could be considered the East side of town and ditches and pavement would be the standard.
- Can 12th Street be saved with a chip seal project?
- Tanner Elliott researched population growth (stagnant), and property growth in parcels. His information showed there is room for approximately 150 additional people in the East area of the City. Is that considered a high enough density to make it a difficult decision regarding what to do with our roads/storm water/sidewalks and curbs?
- Gassman finished by reading an article regarding standards and infrastructures in Oregon. He believes this committee needs to think about when the City needs to take over maintenance, remembering maintenance means to keep at the same standard and not make improvements to the roads.

ADJOURNMENT

Chairman Lavier adjourned the meeting at 8:07 PM.

CITY OF THE DALLES PLANNING COMMISSION
STANDARDS WORK GROUP MINUTES
Re: Residential Infill Policies for Public Improvement Standards
Thursday, January 9, 2014
City Hall Council Chambers
313 Court Street
The Dalles OR 97058
Conducted in a handicap accessible room
6:00 PM

CALL TO ORDER:

Chairman Bruce Lavier called the meeting to order at 6:01 PM.

STANDARDS WORK GROUP MEMBERS PRESENT:

Bruce Lavier, Chris Zukin, Mark Poppoff, Loyal Quackenbush and Ron Hageman

STANDARDS WORK GROUP MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Planning Director Richard Gassman, City Engineer Dale McCabe and Administrative Secretary Cindy Keever

Listed below are some of the items of discussion/observations of the meeting:

- Chris Zukin was absent at the last meeting (12/19/13) so he asked for a review of items discussed.
- Loyal Quackenbush said there was discussion on the east side maybe not needing sidewalks and a need to avoid the short sections (or "islands") of sidewalk that do not attach to another sidewalk.
- No islands developments.
- Do not want pre-payments into a fund that may or may not be spent for improvements to that property.
- We have decided what we don't want, but haven't come up with items that are wanted.
- Zukin looked at the matrix to come up with a continuance, not just for the east side but for the entire City.
- Zukin came up with an extension of Ordinance 10-007 which was passed by City Council in 2010. His plan would be status quo of that plan with a following of an additional two categories.
- Category I – All other streets, not just local streets, if full improvements are on both sides of a vacant lot, then that vacant lot would need to come up to full improvement.
- Category II – Would be all other lots. Lots with no improvements on either side will not have an auto requirement. Each case would be decided upon on a case-by case-basis and during a conditional use type of process.

- These categories are consistent with Ordinance 10-007 because one of the categories at the end, Partial Improvements, said actual requirements would be determined on a case-by-case basis. It is more work for the Planning Department and for the land owner, because you would have to go thru the process each and every time. There is no way to have a blanket approach that will fit everyone's needs.
- Director Gassman asked a few questions: 1) Who would be making the decision, and what would the criteria be? Would it be staff, or the Planning Commission, or a combination? If both the property owner and staff were in agreement with the decision then the process would stop there. If the landowner didn't agree with the decision, then the issue would be referred to the Planning Commission.
- General guidelines needed to be established before the process started. In the notes from the last meeting, there were a lot of good guidelines to use.
- Poppoff read notes he had from previous meetings regarding different types of streets: 1) When a house is put on an existing lot with no improvements (the undeveloped parts of town), and there are approximately 4 houses per block, then the gravel would be 20' wide and the developer pays for the whole thing. If you have 5 or more houses or more of development, then it would be paved to 24 feet wide with no sidewalks or bike lanes, and the developer would pay for that. 2) For collector streets, two 12-foot traffic lanes, plus two 5-foot bike lanes and the developer would pay for the grading and gravel base, and the City would pay for the paving. 3) For the main arterials, it would be the same except it would have left hand turn lanes and possibly a landscaped median.
- Poppoff would like to see the removal of the requirement for curbs. He believed they were really more of a nuisance than a benefit and just added more expense. Also, add bio-swailes wherever possible to absorb runoff. There was no point in putting in storm drains if you didn't need them, and most of the soils in the area would accommodate it. There are very few places in the area where either shallow rocks or dense clay might require a drain. Most of the ground he has seen around the City soaks up water pretty well.
- Zukin referred to a matrix that Chair Lavier developed as a first start worksheet. The criteria needed to be very flexible, because you're dealing with the whole lot. There might need to be a checklist that the Planning Department would use. Location of the existing systems would need to be taken into consideration.
- When multiple lots and multiple owners are involved for infill issues, each parcel would be reviewed separately.
- From a planning standpoint, the part that Director Gassman was concerned about is this case scenario: Take a one block street segment where there are no houses on it, and there are four lots on each side of the street. Each lot is owned separately (it is not a subdivision). The first person comes in, the Planning Department takes a look around, and there is no development next to this property. They would have to do a minimal amount of improvement. A right-of-way permit is issued, and possibly some provision for storm water, but requirements would be minor. Then the second person comes along, they basically do the same thing, and we go through that process three or four times where no individual has to do very much. Before we know it we have a street that is developed with

houses on both sides, and there are no public improvements. Unless we have some mechanism in place (and right now we don't) you can't go back and require any improvements to be made for those first few houses. Gassman's concern was that, when that block was completed, there would be no improvements for that fully developed block.

- Loyal Quackenbush asked if the option for a LID (Local Improvement District) would be available. Gassman said that would be one solution.
- Zukin said another option would be that if it was obvious that the first house was going to be the first of many in a relatively short time, a Delayed Development Agreement could be put into place. The triggers being a percentage of growth density or agreed upon percentage of a capped amount.
- Quackenbush believes both the Non-Remonstrance and the Delayed Development Agreements have to go.
- Zukin thinks the Delayed Development Agreement would work with very specific requirements attached to the agreement.
- Upon further discussion, it was the consensus of the committee that the Delayed Development Agreement with detailed requirements seemed to be acceptable.
- Question from the audience was, "Could the City come in and fix the street at any time with no cost to the adjacent property owners?" The answer was yes, if there was money available. Or, one of the property owners could come in and say, "I am going to fix the whole street, out of the goodness of my heart." There would be no restrictions from that happening either. If something like that were to happen, it was believed that a meeting between all of the stakeholders would be beneficial so that everyone involved would know costs and what their requirements might be. Such a meeting could take place at the time of a building permit issuance. Nothing would happen at the time of the sale.
- Before the sale of the property, the seller would probably need to have an idea of the costs involved. Ultimately it would be the buyer's responsibility to be aware of those options and costs. These suggestions were for local streets only, not collectors or arterials.
- Gassman did a recap of his understanding of the suggestions:
 - 1) If the street was already fully improved, there might not be anything for the property owner to do. But if a sidewalk was missing, then the property owner would be responsible for adding that.
 - 2) Then there is everything else. In that situation, there would be no set requirements. We would look at it, and if it was adjacent to a fully improved street, the improvements would just be extended. But if it was on a street that just had a piece of pavement down the middle with no curbs or sidewalks, then there might not be any requirements. No specific requirements for this category, and everything is on a case-by-case basis.
- Zukin said there would be criteria and an explanation going into it, with the intent of this is to develop as per the surrounding area, but not to require development that is set. This would be an attempt to avoid the Island type of development.
- Quackenbush said that, in a lot of cases, the standards were going to have to come down in order for anything to be built. If it doesn't pencil out, it doesn't pencil out.

- Hageman said storm improvements needed consideration also. He felt it didn't make sense to not put in storm systems if street improvements were put installed.
- It was the consensus of the committee that the City should be a full stakeholder.
- The City definitely had a desire to have a workable infrastructure and street system.
- The First Street and Bargeway project was used as an example of cooperation between the property owners and the City. When everybody got together, and they lowered the street standards and saved money, it was amazing what was done to mitigate the price to under a \$100 per linear foot.
- Gassman gave a recap of his understanding of the Category I and Category II possibilities. Category I is a full improvement, and Category II is on a case-by-case basis, with a Delayed Development Agreement that included a dollar cap negotiated between the property owner and the City. The specifics in that agreement would be very detailed.
- This type of agreement would work well for arterial and collector streets, but there needed to be more of an option to develop an LID for local streets at a later date.
- A good discussion point to take back to the Planning Commission would be how the different streets needed to be treated, because the City had more of a community interest in arterial and collector streets than in local streets.
- As a stakeholder in the streets, the City should be able to start the process and be able to raise the question of improvements and could start the process to see if a street could be changed from one type of use to another.
- An audience member asked if the collector streets on the east side of town (it was decided that those are 10th and 12th), if the City can go in and upgrade the type of street in anticipation of future improvements when looking ahead one, five or maybe 20 years in the future.
- Lavier said that this group should, as part of their discussion, clarify if arterial and collector streets were going to require different criteria than residential streets. The City needed to look at the network of streets for all of the citizens, not just the cars. A certain level of development needed to happen before the process starts.
- That discussion would have to take into account street parking, storm drainage, and sidewalks/curbs. What would be the scope of the project, and what would be the dollar amount. It might result in a scaled down version or possibly no development due to lack of money.
- Even if the existing Waiver of Remonstrance or Delayed Development Agreement were removed from an existing property, there still needed to be some kind of process or tool to use when the City or the property owners meet to make improvements, such as a LID.
- Zukin will write down some proposed ideas for the next meeting. Gassman will work with Zukin to clarify any of the proposed ideas.
- The consensus of the group was to make a recommendation to do away with the Waivers of Remonstrance and the Delayed Development Agreements (as they currently exist), and to propose a different type of a Delayed Development Agreement.

- The new detailed ideas that will be forwarded to the Planning Commission will be available at the February 6th meeting.
- The Planning Commission will look at both sub-groups' recommendations, discuss how the two sets of ideas can be merged into one, and those recommendations will then be forwarded to the City Council.
- Originally this issue was broken apart into two work groups in the hopes it would speed up the process by breaking up the issues into smaller pieces.
- An audience member advised that the Oregon Legislature would have another bill presented by Oregonians in Action regarding protecting property owners from unforeseen city fees. The special short session will start in February 2014 and will last only 5 weeks. Oregonians in Action had five bills they would be introducing to the legislators. Lavier said, in his past experience, it was always best to solve problems at the local level when possible instead of getting the state or federal governments involved and ending up with a solution that nobody likes.
- The next meeting was tentatively set for February 6, 2014.

ADJOURNMENT:

Chairman Lavier adjourned the meeting at 6:55 PM.

**Standards Work Group
(A Sub-group of the City of The Dalles
Planning Commission Work Session**

Re: Residential Infill Policies)

CITY HALL UPSTAIRS CONFERENCE ROOM
313 COURT STREET
THE DALLES, OREGON 97058
CONDUCTED IN A HANDICAP ACCESSIBLE MEETING ROOM

Minutes

THURSDAY, FEBRUARY 20, 2014

6:00 PM

CALL TO ORDER:

Chairman Bruce Lavier called the meeting to order at 6:49 PM.

SUB COMMITTEE MEMBERS PRESENT:

Bruce Lavier, Chris Zukin, Mark Popoff, Loyal Quackenbush, Ron Hageman

SUB COMMITTEE MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Planning Director Richard Gassman, Public Works Director Dave Anderson, City Engineer Dale McCabe and Administrative Secretary Cindy Keever

OTHER COMMISSIONERS PRESENT: John Nelson

Listed below are some of the items of discussion/observations in the meeting:

- Zukin presented his draft solution/proposal to the committee.
- The Guidelines for improvements are basically a continuation of Resolution #10-007.
- The 2010 Resolution #10-007 took care of development on local streets. This draft recommendation expands this intent to arterial and collector streets.
- Popoff thought it was a good plan.
- Hageman said it makes good common sense.
- Quackenbush agreed but said if something goes to the Council sounding vague then it gets picked apart.
- Gassman said the guidelines would be given to the Planning Commission and a little more detail would be put into it before it was turned into the City Council. Zukin asked Gassman what details were needed, because the theory was to keep details to a minimum and go on a case by case basis. Gassman thought they would need to be more specific about the streets with the guidance from the Planning Commission. He also thought it would be beneficial to have a list of streets labeled with the type of street.

- McCabe questioned if item #1 of the document would leave a block partially undeveloped. He believed there should be an agreed upon percentage in partially developed blocks which would automatically trigger the development of curbs and sidewalks as long as it doesn't create an island which looks terrible. McCabe used West 10th Street as an example. There was development a little bit here and there, then across the street there was a little bit more. At some point there needed to be a tie in.
- Popoff asked if the percentage (ie. 50%) of development McCabe spoke of was lineal footage or the number of lots. It was agreed that was a very good question with no real solution at this time. Zukin acknowledged that was his concern too, and there were no easy answers and that they needed to be reviewed on a case by case basis.
- Anderson followed up on Gassman's earlier comment that if there is an agreement on a set of guidelines at this level and we started fleshing it out and placing streets in categories, we would be better able to address those types of things because the LUDO amendment would follow and that would answer the questions. McCabe's scenario would be proposed to be in a particular category for improvements, and we would see all that rather than the uncertainty at the point that a person comes in for a permit. Streets could very well change over time and might move from one category to another, Anderson said. Quackenbush said, even with these changes, the cost per foot would still be down.
- Regarding extending the concept for the resolution, Anderson asked if in the case where development has occurred over the years and improvements were not put in at the time of development, how would those developments get caught up to standards? If we go into a brand new block, (according to the proposed Public Improvement Guidelines we would not be putting in any improvements) are we going to be adding to the backlog even as we start to develop brand new areas. Is that really what we want to do? Zukin didn't think the guidelines said they wouldn't be putting in any improvements. It says you would not be required to put in improvements and you would go through the process. It doesn't say you don't have to. Anderson thought it looked like the LID would be the process, and that has always been a challenge. Quackenbush thought it would be a slow process moving from dirt, to gravel, to pavement and sidewalks, but didn't really have an idea about costs. Anderson agreed that was difficult. In his mind it kept coming up as when we get to the other levels of improvements, who is going to pay for it, and how does it happen? What triggers the improvements on vacant blocks (not sub-division developments) where lots are individually sold and developed? Are we going to start developing those lots without the frontage improvements and add to the backlog that somehow we are going to have to step through the process? How do we work thru that process? What are the triggers and mechanisms? Zukin said the guidelines are very general.
- Anderson reminded folks that one of the tasks for the Planning Department was doing long range urbanization planning.

- Lavier said the guidelines are only a part of the solution. There were more aspects that needed review before they could put something together for the City. That may be part of what they need to look at in the next stage.
- Gassman said part of the problem that they have from a planning standpoint is that there has been development on lots without any street improvements, and once those lots are developed, it's very difficult to go back afterwards. One of the criteria would seem to be, how much of the area is developed? If it is 1/2 developed or 2/3 developed and those improvements aren't in, then you will never be able to get them. In a situation where there was no development, then you would want to think about requiring the development, and determine if the street is important enough to require development. Lavier said that in an ideal world all of the improvements would occur in one shot.
- Zukin pointed out that even if it is a block that is being developed, if only one house is built (with street and sidewalk improvements), and nothing else happens, then we will be in the same situation with an "island." In the proposed guidelines #3A it points out the Custom Detailed Deferment Improvement Agreement. That is the solution. The City would let them build the house, the two parties would develop a plan, and when the other lots got developed, you would put some money into improvements. The cap would be applied at that time so there would be no unknown dollar amount hanging out. Quackenbush said that it was "in a sense" a lien on someone's property. Even if it is a type of lien, as long as it was a set dollar amount, it should be okay. It would be a known amount.
- Nelson wanted to know how the bio-swales played into it. When mixing standard development with bio-swales, would there be complications? Was there a transition that needed to happen between the two systems? Popoff thought the guidelines regarding bio-swales were that they would be used permanently if they would work in an area and only use storm drains where bio-swales could not be used. Anderson said that before bio-swales could be used, there would have to be geo-technical surveys done to make sure they were appropriate in the area. Lavier said that in the areas where the properties were isolated, then bio-swales would be a really good thing to look at; but in areas where the storm drain system was close by, then they would probably hook up to it. Anderson said bio-swales could be a very effective solution, but they came with a land allocation cost. As growth continued and that land had more value, then people would possibly want to build on it or use it in some way other than an open drainage or storm water detention area. Anderson told Nelson he did not believe there were any challenges transitioning the two systems together. It was more of a function of if the soils or geology would handle it and if the pipe system alternative was there or not.
- Hageman asked if someone was improving the street and didn't have access to storm sewer, what would happen then? Questions followed: How far are you away from the storm system? What street are you on? What size of development is being built? How much asphalt is being put down?
- Quackenbush said the east side of town had absolutely no problems with the recent large volume of rain and snow melt. Anderson said after weather

events like we just had there were some maintenance issues that occur. Gravel roads would need to be re-graded, gravel and mud swept up at the bottom of steep hills, and catch basins cleaned.

- Anderson asked Zukin if he was in agreement that this be the concept in which roads get specifically identified. Zukin agreed. This would be the first step, and this was the basic idea. Gassman felt the collectors and arterials needed to be identified and could be done at the Planning Commission level.
- Steve Kelsey thought it was a good idea to go around town and identify areas that were strong potentials for development. He felt the City was limited in growth by agriculture and the Scenic Area, and while we had to prepare for the future, he didn't feel like there was a clear direction on what the public wanted to be done.
- Zukin said the problem with going out now and identifying all of the property at this time was that we don't know when the property would be developed.
- Discussion was held between audience, staff and group members regarding current development and potential future development in the City and UGB area and who paid for sidewalks and curbs in the past? City or property owner?
- An audience member asked how the street standards would play into the designation for the different types of streets. Would people living on a collector street versus an arterial street be held to a different standard? Who would make that determination? Zukin said that was the purpose of the Public Improvement Guidelines. They would be the standard guideline for arterials and collector streets. The audience member asked if those on the arterial and collector streets would be "thrown on that pile" and be required to do development. Zukin said those on the collectors and arterials, as of right now, were in the pile and would be required to do development right now. The Public Improvement Guidelines would change so that the people who live on collectors and arterials would be able to go through the Conditional Use process, case by case, and it would be decided if they would have to do all of their development now or if they could do a little bit but then not anymore, or half, or partial. This was only for new construction and development. It would not affect existing property. The audience member asked how those with developed properties and no street improvements would be addressed. Who would be responsible for the improvements? Lavier said some of those questions or issues had not yet been addressed. This subcommittee and its recommendations were just a "piece of the pie." He indicated that would probably be addressed at a later date by another group.
- Nelson thought it wasn't a bad idea to identify in some form present reality in terms of areas we can see potential problems or things that are going to have to be done. Some areas we know there were going to be problems, so identifying them in some sort of mapping way would be helpful. Mapping problem areas that could be easily identified and planned for would be helpful.
- The audience member thought the City would best be equipped for this type of project. City staff saw the streets and areas within the City all of the time.

- Anderson said what the City didn't know ahead of time was who wanted to develop, what piece of property, and when. He said this concept was started with Resolution #10-007, and this group and process would flesh out what was started several years ago. Zukin said it was a timing issue. If someone wanted to build on the far end of town, how would we allow that? Where does it fit in our process without having a problem in 20 years?
- Randy Hager, 2804 E. 10th Street, The Dalles, Oregon said even though he thought Anderson saw the problem a little differently than he and some others in the audience, he appreciated Anderson's ability to see that we needed to start with the redevelopment of the core, get the core to work, and then expand out incrementally as funds allowed by the municipality, not by individual patrons.
- It was the general consensus of the committee to approve the proposed Public Improvement Guidelines.
- The next Planning Commission meeting will be held March 6, 2014.

ADJOURNMENT:

Chair Zukin adjourned the meeting at 7:26 PM.

Discussion on some possible additional language requiring a traffic safety and improvement plan into condition of approval #13 followed amongst the staff, Commissioners, and Mr. Whitehouse. Upon the realization there were many questions and comments to be given, it was the consensus of the Commission to continue the deliberation to the next meeting.

It was moved by Zukin and seconded by Nelson to continue deliberation for CUP #173-14 to the next meeting and task staff to work with North Wasco County School District #21 to refine condition of approval #13 for the completion of construction and a traffic plan. The motion carried unanimously; Whitehouse abstained.

RESOLUTION:

It was moved by Zukin and seconded by Poppoff to approve P.C. Resolution #537-14, CUP #173-14, N. Wasco County School District #21 to include the changes and amendments to the conditions of approval of record. The motion carried unanimously; Whitehouse abstained.

STAFF COMMENTS:

Director Gassman suggested placing the continuation of CUP #173-14 on the agenda for the March 20 meeting. He also suggested a brief Planning Commission Work Session regarding discussion on the sub-groups' recommendations.

Note: Whitehouse rejoined the meeting at 8:14 PM.

Gassman reported there was one interested party for the Planning Commissioner vacancy. The interested person lived within the Urban Growth Boundary, not within the City limits. A determination would need to be made since the applicant did not live within the City limits.

REPORTS FROM THE STANDARDS AND FINANCE SUB-GROUPS:

Zukin reported that the Standards sub-group formed the attached proposed draft that mirrored a current city resolution attached to the LUDO regarding local streets (Exhibit 3). The group took that model and expanded it to arterial and collector streets. In summary, except for properties already developed on both sides, improvements would be reviewed on a case-by-case basis with some minimum requirements. Zukin said Public Works would detail out the draft after the Planning Commission gave its input.

Stiles reported that the Finance group discussed the cost of \$351 per linear foot for street improvements and decided that was not a correct number any longer because projects would be reviewed on a case-by-case basis. The group also discussed funding sources such as raising the gas tax, and adding a dollar or two to the storm water which was mildly received by the group. Stiles stated it was difficult reach some recommendations without knowing the direction of the other sub-group (Exhibit 4).

Gassman said copies of the working drafts would be made available to anyone requesting a copy.

COMMISSIONER COMMENTS/QUESTIONS:

None

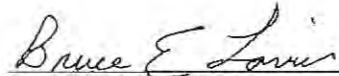
NEXT MEETING

March 20, 2014

ADJOURNMENT:

The meeting was adjourned at 8:26 PM.

Respectfully submitted by Administrative Secretary Carole Trautman.



Bruce Lavier, Chairman

Public Improvement Guidelines for Arterial and Collector Streets and any Residential Streets not covered by
Resolution #10-007

The public improvement guidelines for Arterial and Collector streets shall be as follows:

1. **Infill development between two fully developed and improved properties or on a lot that is adjacent to continuous full improvement.** When a lot between two previously fully improved lots is to be developed or there is continuous full improvement up to one side of a lot, full public improvement will be required. Such improvement will be consistent with the level of public improvement which exists on the properties adjacent to the subject site. The improvements would be required to be installed at the time of development.
2. **All other properties.** For lots/properties that are not between two fully improved properties, the public improvement requirements will be determined on a case by case basis during a conditional use type of process. It is anticipated that most of the lots in this category will be required to install partial public improvements. Full improvement is the goal but may not always be feasible, due to existing development, topography, level of building/development density in the area, and lack of or distance from existing needed infrastructure. In particular, these two street categories are seen as an integral part of the overall Transportation System of The Dalles. The final plan for these properties should focus on maintaining a uniform right of way width, pavement in the travel lanes, and if not put into place at the time of development, an allowance for the future addition of sidewalks and storm water systems.
3. The conditional use process is expected to be one in which both parties work in good faith to find an appropriate solution for each property. If a mutually acceptable solution could be found at Staff level, there would be no need to go to PC or start a formal conditional use process. City staff is encouraged to be flexible during this process. It is anticipated that besides reducing the level of standard public improvements at such properties, other methods may be used to reach a mutually acceptable improvement plan, such as:
 - a. Custom detailed deferred improvement agreement with a cap on the amount the landowner would be responsible to pay. The custom detailed deferred development agreement may also contain specific triggers for different levels of improvement required, time lines and other agreements specific to the property.
 - b. Bio swales
 - c. Explanation of what events will trigger additional public improvement development in the future, a time frame.
4. These guidelines are not meant to allow serial development scenarios/loophole subdivisions. Multiple (more than three) modified improvement agreements would not be allowed on tracts under one ownership and no more than three lots could be developed on adjacent lots.

FINANCE WORK GROUP
(A sub-group of the City of The Dalles
Planning Commission Work Session
Re: Residential Infill Policies)
City Hall Upstairs Conference Room
313 Court Street
The Dalles, OR 97058
Conducted in a handicap accessible room

Minutes
Thursday, December 19, 2013
6:00 PM

CALL TO ORDER

Chair Stiles called the meeting to order at 6:06 PM.

ROLL CALL

Committee Members Present: Jeff Stiles, Dennis Whitehouse, Alex Hattenhauer, Damon Hult, R G Hager

Committee Members Absent: Mike Zingg

Staff Present: City Manager Nolan Young, City Attorney Gene Parker, Administrative Secretary Carole Trautman

CLARIFICATION OF SUB-GROUP'S PURPOSE

Chair Stiles stated the main purpose of the sub-group was to determine the City's and property owners' financial responsibilities in regards to residential infill and to discuss current and future funding options available for street standards that are in review by the Planning Commission's Street Standards sub-group.

KEY COMMENTS/QUESTIONS

- City Manager Young highlighted his December 13, 2013 memo regarding information that was requested by committee members (Attachment 1).
- It was the general consensus of the committee to remove all existing residential waivers of non-remonstrance and local improvement districts.
- City Attorney Parker said the County Assessor reported that the City's options were somewhat limited, and local budget laws would allow general funds to be used for street improvements. The City could adopt a property levy for a specific purpose, but there were strict tracking regulations in place to ensure the designated funds were used for their intended purpose. The only way to capture new revenue from newly developed properties to pay for public improvements would be to form a new urban renewal district which would include the newly developed properties. The City could decide to dedicate property taxes to street improvements, but it would require going through the budget process and determining funding priorities. The tax rate of \$0.0030155 multiplied times the assessed property value increase from development within the city limits could be used for street improvements, but Parker was unsure if the amounts collected would be sufficient to help with all street improvement costs.

- Stiles asked if property tax rates could be changed. Parker said the rates were locked in. Young felt property taxes were not the solution.
- There was discussion on raising a utility rate by one or two dollars a month to generate revenue. Young advised that the current residential storm water rate was \$2 a month, with revenues to be used for extending storm lines into infill areas. Young said one option could be to potentially remove storm sewer in some areas as a standard, allow more swales, and increase the storm water charge to \$4 a month. Calculated out, in a year's time it would increase the storm revenue close to \$500,000.

COMMITTEE RECOMMENDATIONS

1. Remove all existing residential waivers of non-remonstrance and local improvement districts.
2. Research the feasibility of prioritizing street funding through the City's general fund.
3. Consider having the City invest in extended utility infrastructure to be paid back as infill occurs through amendment of the City's Reimbursement District Ordinance.
4. City contract an engineer for one year to work on residential infill infrastructure.
5. Increase the storm water monthly fee up to \$4, and consider storm water a community issue rather than a neighborhood issue.
6. City increase maintenance work on unimproved streets (other than subdivision development or existing dwellings required to come up to street standards).

ADJOURNMENT

The meeting was adjourned at 8:05 PM.

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, March 20, 2014

City Hall Council Chambers

313 Court Street

The Dalles, OR 97058

Conducted in a handicap accessible room

6:00 PM

CALL TO ORDER:

Chair Lavier called the meeting to order at 6:00 PM.

BOARD MEMBERS PRESENT:

Bruce Lavier, Chris Zukin, Dennis Whitehouse, John Nelson, Jeff Stiles

BOARD MEMBERS ABSENT:

Mark Poppoff

STAFF MEMBERS PRESENT:

City Attorney Gene Parker, Planning Director Richard Gassman, Senior Planner Dawn Marie Hert, Public Works Director Dave Anderson, City Engineer Dale McCabe, Associate Planner Nick Kraemer

APPROVAL OF AGENDA:

It was moved by Whitehouse and seconded by Nelson to approve the agenda as submitted. The motion carried unanimously; Poppoff absent.

PUBLIC COMMENT:

None

QUASI-JUDICIAL HEARING:

Application Number: (continued) CUP #173-14; N. Wasco County School District #21; **Request:**

Application to gain approval for the installation of two additional modular buildings. Property is located at 1314 East 19th Street, The Dalles, Oregon, and is further described as 1N 13E 10 t.l. 100. Property is zoned "RL/CFO" – Low Density Residential District with a Community Facilities Overlay.

Deliberation: (continued)

Whitehouse recused himself from deliberation.

Senior Planner Hert advised that City staff met with the applicant to develop three possible alternatives for Condition #13 regarding a traffic study. Hert explained that Option 13B was a slight modification that added language about Planning Commission approval of a traffic study, and Option 13C was more specific to timelines and deadlines for the traffic study.

Chair Lavier asked if the applicant preferred either option. Hert responded that the School District saw the need for a traffic study and wanted to resolve the traffic study issue, but they felt that a strict timeline would not be preferable. She said that the School District would like to take further steps forward, but they were limited by funding. Commissioner Stiles asked about the possibility of staggering bus drop off and pickup. Senior Planner Hert and Director Gassman explained that the school felt they could save money by making the bus drop off and parking improvements at the same

time. The school could use fill from one spot to the other. Commissioner Nelson asked what level of enforcement would be taken on Option 13C if the school didn't move forward with the traffic study issue. City Attorney Parker explained that the Planning Commission would ultimately make the decision of whether the School District was making progress and could make decisions about granting time extensions or approving the study.

Commissioner Nelson asked if the locked gate on the fire access road would be locked, as the Fire Marshal had previously stated. Senior Planner Hert explained that the fire access could be locked, and the Fire Department had the key. Nelson asked about school security issues, in light of the additional fire access road. Dawn Hert stated she was not sure, it might be limiting, but the access easement would not be an approved access point by the City.

Stiles asked about the timeline, and City Attorney Parker said the applicant would have one year to submit a traffic study.

Nelson asked if there was significance to the 2017 timeline for the completion of the study. City Attorney Parker stated that the school was considering inclusion of the improvements in a bond, and they felt it could be passed by 2017. Commissioner Stiles asked about the potential of the School District building a stick-built facility. Parker explained that the Planning Commission needed to make a decision based on the information submitted in the application.

Commissioner Zukin suggested a modified version of Option #13C as follows: *North Wasco County School District #21 shall provide a traffic and improvement plan that acknowledges the pedestrian, vehicular drop off and parking issues which exist, and will be created with the addition of the two new modular buildings. The plan will need to be submitted within one year of the approval of this application to the Planning Commission to approve and provide options and timings of necessary improvements to ensure the safety of the children that are walking to, or being dropped off/picked up at Dry Hollow Elementary. The plan shall include a provision acknowledging the Planning Commission's expectation that construction of improvements designed to implement the plan be completed by September 1, 2017. In the event North Wasco County School District #21 determines it cannot complete construction of the improvements by September 1, 2017, the District shall notify the Planning Director of this determination by no later than June 30, 2017. A hearing will then be scheduled before the Planning Commission during which the Planning Commission will consider progress made on the improvement plan to date and will determine whether to grant an extension of the timeline for construction of the improvements.*

Nelson stated he concurred with the suggested change in language, and City Attorney Parker said he saw no problem with the language change. Stiles said he did not like "taking the teeth out" of Condition #13. Nelson said the modified language regarding bike parking from CUP 172-14 for Chenoweth Elementary School, Condition #7, should be used with this application.

Zukin proposed a potential landscaping buffer on Lewis Street to protect the views of the adjacent neighborhood. Parker and Gassman pointed out that the staff report stated that the project site met landscaping standards. Therefore, it would be difficult to require a landscape buffer. Chair Lavier stated that he wanted the landscape buffer discussion to go on record in hopes that the School District would choose to increase the landscape buffer.

Chair Lavier called for a recess for City staff to discuss the suggested changes with the School District staff at 6:25 PM, and he reconvened the meeting at 6:36 PM.

City Attorney Parker explained that the School District was concerned about the possibility that the modular buildings would not block any view from the neighborhood, but that the landscape buffer could grow and end up being a problem. Chair Lavier stated that the Commission was no longer interested in requiring the landscape buffer.

Director Gassman explained that the School District was concerned that they could complete the traffic plan, the Commission could choose to not approve it, and then the School District would have wasted money on an engineer's report that needed to be revised. It was suggested that the language replace "approve" with "review." This way it gave the Planning Commission input on the traffic study as it was being developed.

It was moved by Zukin and seconded by Nelson to approve CUP 173-14, based upon the findings of fact and testimony, and to include the #13C Condition of Approval (with language changes) with the suggested language revision for Condition of Approval #7 to match Condition of Approval #7 of the Dry Hollow School application CUP 172-14. The motion carried unanimously; Whitehouse abstained.

RESOLUTION:

It was moved by Stiles and seconded by Nelson to approve P.C. Resolution #537-14, CUP #173-14, N. Wasco County School District #21, to include the changes and amendments to the Conditions of Approval of record. The motion carried unanimously; Whitehouse abstained.

Whitehouse rejoined the meeting.

WORK SESSION: Residential Infill Policies

Director Gassman explained that a resolution was passed years ago to reduce street standards on local streets. Gassman went on to explain that discussions of street improvements on collector and arterial streets should be treated differently.

Director Gassman handed out Oregon Administrative Rules (OAR) 660-012-0045, received through communications with the Oregon Department of Transportation (ODOT), about Transportation System Plan Rules (Attachment 1). The laws state that, if improvements on collector and arterial streets are required, pedestrian and sidewalk improvements must be included. Gassman also handed out a list of streets from the Transportation System Plan (TSP) that could potentially be affected if/when the TSP rules apply (Attachment 2). He explained that the state reviews Land Use and Development Ordinance (LUDO) changes, and the State may challenge the proposed language for arterial and collector streets if pedestrian and sidewalk improvements are not included. Gassman said that there was some room for interpretation of the language, "in areas where bicycle and pedestrian traffic is likely."

Zukin asked if Section 3D of the OAR provided some flexibility for interpretation. City Attorney Parker commented that he believed it did provide some flexibility, but that the local jurisdiction's rules must ultimately be consistent with the OAR. Gassman and Parker stated that the Commission must comply with TSP OAR. Zukin asked if Section 3 was limited to collector streets and arterials. Gassman advised that we needed to provide some sort of framework for bike/pedestrian facilities. Commissioner Zukin asked if this OAR should be applied to all streets with bike/pedestrian facilities. Chair Lavier stated he thought that establishing right-of-way for future bike/pedestrian improvements would possibly meet OAR requirements.

An audience participant said there wasn't enough width for a right-of-way on some of the streets. Public Works Director Anderson explained that topographical challenges were often a factor in establishing right-of-way in The Dalles.

Discussion followed regarding the failed Local Improvement District (LID) on Thompson Street and that it wouldn't have necessarily fallen under this particular section of the OAR. Gassman explained that this section of OAR could greatly complicate the effort to reduce standards.

An audience participant said the Dalles shouldn't be held to OAR standards because he had seen other Oregon cities larger than The Dalles have ditches and no sidewalks. Another member of the audience stated that sometimes there were situations where an LID didn't happen because the neighborhood didn't want sidewalk/bike lanes. It came down to the cost. Everybody wants fully improved streets, but no one is willing to pay for them.

Discussion followed on the list of all arterials and collectors. Some were not fully improved, and these presented the biggest challenge. Director Gassman explained that local streets may not need full improvement, however larger streets would need improvements to develop a framework for bike/pedestrian travel. The big issue was about who would incur the expense. Gassman stated that the City was considering hiring an engineer for this purpose, and the engineer could focus on the high priority streets. This would help reduce costs 10 to 15 percent. Public Works Director Anderson stated that the OAR regarding bike lanes and sidewalks seemed even more restrictive, and he explained the role of the proposed engineer. Commissioner Stiles explained that the Finance Group felt they needed a bigger review of the city and the engineering would increase the ability of the property owner to make improvements at the time of development. An audience member said not everyone in the Finance Group was supportive of the City hiring an engineer. He questioned the possibility of engineering standards changing over time and property owners being responsible for the cost of upgrades to the standards. Public Works Director Anderson stated that the City would cover the cost if the owner initially met the requirements. Another audience member asked how the City could consider street engineering when the City could not maintain the existing streets. There was some discussion on the need for funding for both planning and maintenance goals for streets.

Commissioner Whitehouse said it would be difficult to come up with a plan that would meet the needs of everyone. The intent should be to look for a solution that met the needs of the greater good. An audience member said he felt the LIDs would never happen. Another citizen said the City should consider chip seal to get a "the biggest bang for the buck."

An audience participant stated he felt the matrix was the best plan where each property was looked at individually.

Director Gassman said there needed to be a mechanism in place that would trigger improvements. He explained the differences between the Waivers of Remonstrance and the Delayed Development Agreement (DDA). Zukin said the Committee had discussed a dollar cap for the DDA. Stiles stated there should be a "sunset term" on any type of DDA as well.

Public Works Director Anderson said the Commission needed to think about the possible LUDO changes that could open up for serial partitioning. Zukin said there should be some sort of mechanism to keep that from happening. Nelson stated that serial partitions could reduce density, which would create a problem with efforts to expand the Urban Growth Boundary.

Gassman said that the proposed set of guidelines may not mesh with OAR because they don't address bicycle/pedestrian on arterial and collector streets. He suggested they could incorporate this into the guidelines. City Attorney Parker explained that some issues that did not meet OAR and LCDC requirements could potentially stop development. He said the Transportation System Plan needed to be addressed and incorporated into Zukin's proposed process.

In summary, Gassman said he understood the Commission was directing staff to identify a framework of collector and arterial streets that would meet the intent of the OAR; and identify some additional information to Zukin's framework that would treat those framework streets somewhat differently. Staff will bring it back to the Commission for discussion. He also felt there was a need to detail out the DDA to discuss a money cap and a time cap. The draft outline will be discussed at the April 17 meeting.

STAFF COMMENTS:

Chair Lavier said the Planning Commission needed to appoint a Vice Chair and an Urban Renewal Advisory Committee representative from the Planning Commission. No one volunteered for the Vice Chair position. Chair Lavier will bring it up again at the next meeting. John Nelson was appointed as the URAC Planning Commission representative.

COMMISSIONER COMMENTS/QUESTIONS:

None

NEXT MEETING

April 3, 2014

ADJOURNMENT:

The meeting was adjourned at 7:55 PM.

Respectfully submitted by Associate Planner Nick Kraemer



Bruce Lavier, Chairman

and imaginary surfaces, and by limiting physical hazards to air navigation;

(d) A process for coordinated review of future land use decisions affecting transportation facilities, corridors or sites;

(e) A process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities, corridors or sites;

(f) Regulations to provide notice to public agencies providing transportation facilities and services, MPOs, and ODOT of:

(A) Land use applications that require public hearings;

(B) Subdivision and partition applications;

(C) Other applications which affect private access to roads; and

(D) Other applications within airport noise corridors and imaginary surfaces which affect airport operations; and

(g) Regulations assuring that amendments to land use designations, densities, and design standards are consistent with the functions, capacities and performance standards of facilities identified in the TSP.

(3) Local governments shall adopt land use or subdivision regulations for urban areas and rural communities as set forth below. The purposes of this section are to provide for safe and convenient pedestrian, bicycle and vehicular circulation consistent with access management standards and the function of affected streets, to ensure that new development provides on-site streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel in areas where pedestrian and bicycle travel is likely if connections are provided, and which avoids wherever possible levels of automobile traffic which might interfere with or discourage pedestrian or bicycle travel.

(a) Bicycle parking facilities as part of new multi-family residential developments of four units or more, new retail, office and institutional developments, and all transit transfer stations and park-and-ride lots;

(b) On-site facilities shall be provided which accommodate safe and convenient pedestrian and bicycle access from within new subdivisions, multi-family developments, planned developments, shopping centers, and commercial districts to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. Single-family residential developments shall generally include streets and accessways. Pedestrian circulation through parking lots should generally be provided in the form of accessways.

(A) "Neighborhood activity centers" includes, but is not limited to, existing or planned schools, parks, shopping areas, transit stops or employment centers;

(B) Bikeways shall be required along arterials and major collectors. Sidewalks shall be required along arterials, collectors and most local streets in urban areas, except that sidewalks are not required along controlled access roadways, such as freeways;

(C) Cul-de-sacs and other dead-end streets may be used as part of a development plan, consistent with the purposes set forth in this section;

(D) Local governments shall establish their own standards or criteria for providing streets and accessways consistent with the purposes of this section. Such measures may include but are not limited to: standards for spacing of streets or accessways; and standards for excessive out-of-direction travel;

(E) Streets and accessways need not be required where one or more of the following conditions exist:

(i) Physical or topographic conditions make a street or accessway connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided;

(ii) Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or

(iii) Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.

(c) Where off-site road improvements are otherwise required as a condition of development approval, they shall include facilities accommodating convenient pedestrian and bicycle travel,

including bicycle ways along arterials and major collectors;

(d) For purposes of subsection (b) "safe and convenient" means bicycle and pedestrian routes, facilities and improvements which:

(A) Are reasonably free from hazards, particularly types or levels of automobile traffic which would interfere with or discourage pedestrian or cycle travel for short trips;

(B) Provide a reasonably direct route of travel between destinations such as between a transit stop and a store; and

(C) Meet travel needs of cyclists and pedestrians considering destination and length of trip; and considering that the optimum trip length of pedestrians is generally 1/4 to 1/2 mile.

(e) Internal pedestrian circulation within new office parks and commercial developments shall be provided through clustering of buildings, construction of accessways, walkways and similar techniques.

(4) To support transit in urban areas containing a population greater than 25,000, where the area is already served by a public transit system or where a determination has been made that a public transit system is feasible, local governments shall adopt land use and subdivision regulations as provided in (a)-(g) below:

(a) Transit routes and transit facilities shall be designed to support transit use through provision of bus stops, pullouts and shelters, optimum road geometrics, on-road parking restrictions and similar facilities, as appropriate;

(b) New retail, office and institutional buildings at or near major transit stops shall provide for convenient pedestrian access to transit through the measures listed in (A) and (B) below.

(A) Walkways shall be provided connecting building entrances and streets adjoining the site;

(B) Pedestrian connections to adjoining properties shall be provided except where such a connection is impracticable as provided for in OAR 660-012-0045(3)(b)(E). Pedestrian connections shall connect the on site circulation system to existing or proposed streets, walkways, and driveways that abut the property. Where adjacent properties are undeveloped or have potential for redevelopment, streets, accessways and walkways on site shall be laid out or stubbed to allow for extension to the adjoining property;

(C) In addition to (A) and (B) above, on sites at major transit stops provide the following:

(i) Either locate buildings within 20 feet of the transit stop, a transit street or an intersecting street or provide a pedestrian plaza at the transit stop or a street intersection;

(ii) A reasonably direct pedestrian connection between the transit stop and building entrances on the site;

(iii) A transit passenger landing pad accessible to disabled persons;

(iv) An easement or dedication for a passenger shelter if requested by the transit provider; and

(v) Lighting at the transit stop.

(c) Local governments may implement (4)(b)(A) and (B) above through the designation of pedestrian districts and adoption of appropriate implementing measures regulating development within pedestrian districts. Pedestrian districts must comply with the requirement of (4)(b)(C) above;

(d) Designated employee parking areas in new developments shall provide preferential parking for carpools and vanpools;

(e) Existing development shall be allowed to redevelop a portion of existing parking areas for transit-oriented uses, including bus stops and pullouts, bus shelters, park and ride stations, transit-oriented developments, and similar facilities, where appropriate;

(f) Road systems for new development shall be provided that can be adequately served by transit, including provision of pedestrian access to existing and identified future transit routes. This shall include, where appropriate, separate accessways to minimize travel distances;

(g) Along existing or planned transit routes, designation of types and densities of land uses adequate to support transit.

(5) In MPO areas, local governments shall adopt land use and subdivision regulations to reduce reliance on the automobile which:

(a) Allow transit-oriented developments (TODs) on lands along transit routes;

Richard Gassman

Subject: Collector Streets

The following is a list of arterial or collector streets that are at least partly in residential zones, based on the City's TSP

1. 7th Street from Hostetler to Walnut
2. 9th Street from Dry Hollow to 10th Street
3. 10th Street from Chenoweth Loop to Thompson
4. 12th Street from Kelly Avenue to Richmond
5. 13th Street from Irvine to Kelly Avenue
6. 16th Place from Kelly Avenue to Dry Hollow
7. 19th Street from Lewis Street to Dead End
8. Chenoweth Loop from 10th Street to 6th Street
9. Cherry Heights
10. Columbia View Drive
11. Court Street from 10th to 2nd
12. Dry Hollow Road
13. Fremont
14. H Street from 10th to 9th
15. Hostetler from 10th to 6th
16. Kelly Avenue
17. Mt Hood from City limits to 8th
18. Old Dufur Road
19. Quinton Street from 10th to 9th
20. Scenic Drive
21. Skyline Road
22. Snipes Street
23. Thompson Street
24. Trevitt Street
25. Union Street from 10th to 1st
26. Walnut from 10th to 6th



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
FAX: (541) 298-5490
PLANNING DEPARTMENT

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, April 17, 2014

City Hall Council Chambers

313 Court Street

The Dalles, OR 97058

Conducted in a handicap accessible room

6:00 PM

CALL TO ORDER:

Chair Lavier called the meeting to order at 6:00 PM.

BOARD MEMBERS PRESENT:

Bruce Lavier, Chris Zukin, John Nelson, Jeff Stiles, Mark Poppoff

BOARD MEMBERS ABSENT:

Dennis Whitehouse

STAFF MEMBERS PRESENT:

City Attorney Gene Parker, Planning Director Richard Gassman, Public Works Director Dave Anderson, City Engineer Dale McCabe, Administrative Secretary Carole Trautman

APPROVAL OF AGENDA:

It was moved by Nelson and seconded by Stiles to approve the agenda as submitted. The motion carried unanimously; Whitehouse absent.

APPROVAL OF MINUTES:

A. March 6, 2014 – It was moved by Nelson and seconded by Zukin to approve the March 6, 2014 minutes as submitted. The motion carried unanimously; Whitehouse absent.

B. March 20, 2014 – It was moved by Zukin and seconded by Nelson to approve the March 20, 2014 minutes as submitted. The motion carried unanimously; Whitehouse absent.

PUBLIC COMMENT:

None

WORK SESSION: Residential Infill Policies

Director Gassman advised the group that the proposed outline was a draft; additions and/or deletions were anticipated. He gave an overview of the process timeline and stated he was hoping to finish up the first draft with the Planning Commission by May 1 in order to present a first round draft to City Council on May 12.

Gassman made some general comments on the outline as follows:

1. The dollar cap and time limit figures were merely arbitrary, inserted for purposes of discussion of the overall concept.
2. The concept of the "sunset clause" was not inserted.

3. The Delayed Development Agreement (DDA) concept was included for discussion.
4. The draft was an attempt to balance several competing interests for street improvements, State's interest for street improvements, and competing individual interests to try to keep costs down.
5. The street map illustrated the proposed network of streets, basically comprised of main arterial and collector streets that would require full improvement and would provide access to most areas in town to within approximately three blocks. Gassman said all other residential streets were indicated as "Other." These streets either would or would not require improvements.
6. The City proposed to provide city-wide engineering and install storm water systems for the major network streets. Property owners on network streets would be responsible to develop the remaining full improvements, but they would not be required to do so until the storm water system was installed. Property owners would then be given a certain reasonable amount of time to put in the street improvements, timeline to be discussed. For residents on the "Other" streets, street improvements would be required if and when the property owners wished to develop their property.
7. Pre-existing Waivers of Remonstrance (Waivers) would be converted to DDAs for property owners on network streets; the DDAs would have a dollar cap. Property owners on the "Other" streets may or may not need a DDA depending upon whether or not the required improvements were already met. He felt 90% of the "Other" street Waivers would go away based upon the proposed criteria.

Chair Lavier entertained questions, comments, additions and deletions to the draft outline.

Taner Elliott, 397 Summit Ridge Drive, The Dalles, Oregon, stated it seemed as if the direction of the proposed outline was going backwards. Things that were discussed in the meetings were not included in the outline, and he did not recall the \$150 per linear foot figure ever being discussed. Mr. Elliott also said he was disappointed that the Waivers were proposed to remain on all of the grid streets. Gassman said the proposal offered three options for the property owners on grid streets: 1) the owner could transfer a Waiver to a new agreement (DDA) that would have a cap and other specific criteria; 2) if the City adopted the cap, the property owner could pay the cap and be done with that, or 3) choose not to do any of those options, and the Waiver would remain in effect. Mr. Elliott thought that HB #3479 eliminated the Waivers. City Attorney Parker said they were eliminated for minor partitions only. Gassman said no part of the proposed draft spoke to minor partitioning, the outline addressed residential infill at the time of building a house on a vacant piece of property.

Mr. Elliott asked if the "island" street improvement scenario would happen under this proposal. Director Gassman said it could happen. Elliott felt there needed to be some sort of classification for any and all streets to avoid the "islands." Gassman said one of the basic concepts of the outline was to get the grid streets up to full improvement, and it was based on State law.

Mr. Elliott asked when the 2014 Residential Infill Road Classification was created. Director Anderson said the road classifications were created approximately 18 years ago. Elliott said that if the collector and arterial streets were adopted, the concept would revert back to the City's interpretation on what would be required on grid streets. Gassman said if the City Council adopted the Planning Commission's proposal, the streets in the network would be specifically identified by name, and there would be no interpretation. Commissioner Zukin said there were some common elements that were discussed in the meetings that were in the report. He said the Finance sub-group came to a consensus to eliminate Waivers of Remonstrance, but the Standards sub-group and the Planning Commission never came to a consensus to eliminate the Waivers. Commissioner Stiles concurred that the Finance sub-group recommended the elimination of the Waivers, but the Finance sub-group had no authority to remove the Waivers. They gave a recommendation to the Planning Commission for consideration only.

There was discussion on the difference between the existing Waiver format and the DDA that included a dollar cap. Lavier and Zukin said Waivers were open-ended documents that gave no guidelines for when anything would occur or be paid. Zukin said the DDA was discussed in the Standards sub-group, and it would be customized. Some members of the audience felt the proposed DDA was the same "evil document." Zukin said he could see both sides of the issue of Waivers. From the City's side, it was a powerful document. From the property owner's perspective, it cost. Zukin said Director Gassman was attempting to develop a process to get rid of Waivers, and part of the process was the development of a DDA with a cap option. Gassman said he thought the City should develop a forum to discuss the cap and give an explanation of what they are proposing and identify funding resources.

Linda Quackenbush, 1005 Richmond Street, The Dalles, Oregon, stated that street improvement costs were at the core of citizens' concerns. She felt the financial costs of \$150 per linear foot were crippling, unfair and irresponsible. She summarized what would be the case scenarios of several Richmond Street residents, if they were required to pay \$150/plf for street improvements, as follows:

- Merl and Marj – 201 ft. of frontage on Richmond - \$30,150. They have a corner lot but would not receive corner lot relief. With 83 ft. on 9th Street, it would cost an additional \$12,450.
- Thurlow and Heather – 164 feet on Richmond - \$44,280.
- Nancy & Jim Lauterbach – 257 ft. frontage on Richmond - \$69,390.
- Loyal and Linda Quackenbush – 240 ft. on Richmond - \$31,500. Corner lot on East 9th - \$17,000. An additional parcel on East 10th Street - \$17,000.

Deanna Zaniker, 901 Richmond Street, The Dalles, Oregon, said she could not finance street improvements. Ms. Zaniker reported that the City of Portland charges \$12 a month to its citizens, and it goes toward infrastructure. She called seven cities, and none of them were requiring anything like what the City of The Dalles was considering, she said.

Ron Opbroek, 3009 East 10th Street, The Dalles, Oregon, said he had 10 acres on 10th and Richmond. Mr. Opbroek did not understand why the City wanted to make Richmond a collector street that had a hog farm on it. He said he would like the City to listen to the people.

Ron Hageman, 1320 Sterling Drive, The Dalles, Oregon, said he lost prospective buyers because his property was tied to a Waiver. He said he felt the proposed DDA was the next worst thing.

Chair Lavier commented that the Planning Commissioners were sympathetic, but they also realized they would not be able to achieve total consensus amongst all of the people. Chair Lavier clarified later in the work session that the residential infill policies only applied to new development, not to developed properties. Therefore the residents who testified would not be required to pay for street improvements, because their properties were already developed.

Randy Hager, 2804 East 10th Street, The Dalles, Oregon, stated it had been discussed in Council Chambers at one point that, through the City gas tax and state funds, the City had approximately 14 million dollars of funds allocated to them to be used for striping, signing and snow removal, but nothing was said about where the money that was intended to be used for street care was spent. He said there needed to be some kind of an accountability for the funds.

Richard Havig, 3015 East 12th Street, The Dalles, Oregon, said the people that were doing the residential infill were being adversely picked upon. He thought people that lived on the old streets with street improvements did not help pay for the street improvements, and now the City was requiring residential infill property owners to pay for the costs. Mr. Havig said the City wanted street improvements for Richmond and Lambert, but the City could not keep up with maintenance on the streets they have.

Commissioner Poppoff said he would like to see what some other cities were doing instead of trying to “re-invent the wheel.”

Alex Hattenhauer, 122 West 17th Street, The Dalles, Oregon, said that citizen-paid funds, such as gas tax, got swept into General Funds then got swept out. Some of those monies that were supposed to be used for roads were not used for roads, he said. They were used for other purposes. Mr. Hattenhauer said it seemed like the money was there, but maybe not wisely spent.

Public Works Director Dave Anderson clarified that, within the City budget, water funds went towards water costs. Wastewater funds were used for wastewater costs. Street funds went towards street projects. He said there was no general “pot” of money, and street funds were not siphoned off for other purposes.

Chair Lavier said it would be worthwhile to explore the possibility of a city-wide fee for infill.

Stiles clarified the case scenario presented in staff’s draft outline. If someone wanted to build a new house on Montana Street (an arterial street), he/she would be required to install street and sidewalk improvements. Existing adjacent properties with houses on them would not be required to install sidewalk and street improvements. Direction Gassman said that was correct. And in that case scenario, Gassman said there would be a possibility of “island” developments with street improvements. If the developing property owner did not want to install street improvements at the time of the building permit, he/she could sign a DDA that included a dollar cap. Commissioner Zukin said he preferred the case-by-case concept on undeveloped property. More like a Conditional Use Permit whereby both the City and the property owner would agree upon a solution. He said he saw the language in the report as full improvement being a goal for all grid streets, but full development was not going to happen for a long time. The property owner and the City would need to negotiate. Gassman said the ultimate problem always came down to the same issues. The City did not have a storm water system in place, which made it difficult to require full street improvements. If property owners were allowed to develop without putting in street improvements, at some point there would need to be some sort of an agreement. In regards to Commissioner Zukin’s suggestion of treating each proposed parcel development on a case by case basis, Director Gassman commented that he was concerned about creating a process that would be overly complicated.

Loyal Quackenbush, 1005 E. 9th Street, The Dalles, Oregon, said one of the problems was that vacant lots were scattered throughout the City, they were not located in clusters. He suggested placing a percentage figure for allowed islands rather than using the language “minimize islands.”

Mr. Quackenbush asked why Richmond and Lambert Streets were listed in the proposed street network map. Director Gassman said there needed to be a designated street that could be developed for travel access in that part of the City. Director Anderson advised that the City had no plans for developing those streets unless a developer came in.

Taner Elliott, 397 Summit Ridge Drive, The Dalles, Oregon, said he would like to calculate out a proposed per linear foot dollar amount for street improvements. He said a certain level of frustration came in when the staff draft outline became more abstract and did not reflect the case by case basis Commissioner Zukin and others had previously discussed. Zukin said that if the case by case proposal was developed, there would need to be certain criteria addressed. Gassman said an agreement would still be needed to include criteria such as: 1) what improvements were needed; 2) when they would be required; and 3) who would pay. Gassman said he hoped that criteria would be very clear so that staff and the property owner would not have to argue about the criteria. After further discussion, it was the general consensus of the Commission to explore the case by case option.

Director Gassman outlined the Commission's directives and proposed a future process of events. He will make his proposed draft Option #1, and the case by case would be Option #2. The revised draft outline would come back to the Commission and, when ready, the Planning Commission would send it to City Council for feedback.

Commissioner Poppoff asked if the removal of Waivers could be an option. Director Gassman said it was up to the Commission, but he cautioned there were State laws to consider. The proposed draft would allow a property owner to change from a Waiver to a DDA with criteria if the parcel was on a grid street, he said. Chair Lavier said he thought, for simplicity, it would be better to remove all Waivers. Gassman said he believed the DDA would be best for the City and the property owner, but clearly some people thought the DDA was the lesser of two evils. The question was ultimately the Planning Commission's recommendation.

NEXT MEETING:

May 1, 2014

ADJOURNMENT:

The meeting was adjourned at 8:20 PM.

Respectfully submitted by Administrative Secretary Carole Trautman.



Bruce Lavier, Chairman



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
FAX: (541) 298-5480
PLANNING DEPARTMENT

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, May 1, 2014

City Hall Council Chambers

313 Court Street

The Dalles, OR 97058

Conducted in a handicap accessible room

6:00 PM

CALL TO ORDER:

Chair Lavier called the meeting to order at 6:00 PM.

BOARD MEMBERS PRESENT:

Bruce Lavier, John Nelson, Jeff Stiles, Dennis Whitehouse

BOARD MEMBERS ABSENT:

Chris Zukin, Mark Poppoff

STAFF MEMBERS PRESENT:

Planning Director Richard Gassman, Administrative Secretary Carole Trautman

APPROVAL OF AGENDA:

It was moved by Whitehouse and seconded by Stiles to approve the agenda as submitted. The motion carried unanimously; Zukin and Poppoff absent.

PUBLIC COMMENT:

None

QUASI-JUDICIAL HEARING:

Application Number: APL 27-14; **Elk Horn Development, LLC;** **REQUEST:** Appeal of a land use decision dated March 25, 2014, regarding a minor partition application #MIP 312-14. Property is located at 1611 Thompson Street, The Dalles, Oregon, and is further described as 1N 13E 11 AB tax lot 900. Property is zoned "RL" – Residential Low Density District.

Chair Lavier opened the public hearing at 6:02 PM. He advised the hearing needed to be continued to the May 15, 2014 Planning Commission meeting at 6:00 PM. It was moved by Nelson and seconded by Whitehouse to continue the hearing to the proposed date and time. The motion carried unanimously; Zukin and Poppoff absent.

WORK SESSION: Residential Infill Policies

Director Gassman reviewed the basic concepts of staff's May 1, 2014 draft outline memorandum and asked for the Commissioners' feedback on the following concepts:

1. **Scheduling Due Process** - Director Gassman advised that a special City Council work session would be scheduled for Council members to review and give feedback to the Planning Commission's basic concepts regarding residential infill policies.

2. **Network of Streets** – Gassman asked if the City should designate some streets to be more significant; and if so, should there be a higher level of improvement on those streets. Nelson said it made sense to have a framework that would create an overall circulation pattern. Lavier said there was an obligation to the citizens to have a street network to travel safely within the City. Whitehouse agreed with Lavier. Stiles commented that planning for it was better than not planning for it. It was the general consensus of the Commission to identify a network of streets.
3. **Level of Street Improvements** – Gassman advised that the proposal called for fully improved network streets that would include sidewalks, a paved street, and curbs. However, there could be some areas where the standards could be modified. Water and sewer were not included in the definition of full street improvements in the proposed document because there were many unpaved streets that already had water and sewer. Stiles commented that the east/west streets would have more traffic than north/south streets. Gassman said many of the north/south streets had street improvements already. Nelson said some areas might require a case-by-case basis. It was the general consensus of the Commission to have different levels of improvements based on traffic load and topography.
4. **City Proposal to be Responsible for Engineering and Storm Water** – Whitehouse thought the engineering should be an ongoing process, not just one year. Gassman said his understanding was that the City would hire an engineer for one year to provide the base work, and the other Public Works engineers would be responsible for the ongoing engineering. Stiles stated that he thought storm water should be the City's responsibility rather than the property owner's responsibility. After further discussion, it was the general consensus of the Commission that the City should be responsible for the engineering and installation of storm water.
5. **Storm Water Fee** – The Finance sub-group discussed raising the storm water fee from \$2 a month to \$4 a month, Gassman advised. Lavier said it would be a starting point, then possibly some other funding sources could be utilized. Stiles, Chairman of the Finance sub-group, said storm water was discussed in the meetings. The hiring of an engineer for one year was to come out of grant money so as to not create an additional cost. The \$2 a month storm water fee was also discussed, and the option of raising any fees was considered a last resort, Stiles reported. The cost of installing storm water would be big dollars, and it would take a very long time to get storm water in place by only raising the storm fund, Gassman said. He said he would note in his next draft that one topic of discussion in this meeting was increasing the fund for storm water.
6. **Public Improvements Would Not Be Installed Until After Public Systems Were Ready And In Place** – Gassman explained that public systems would include the engineering, storm water installation, sufficient right-of-way, and other criteria that would prevent the street from going in (i.e., the grade). Stiles suggested adding the idea of "need" because there might not be a need for street improvements if the street was not ready for travelling. Gassman said network streets would need to be selected, and the Planning Commission would probably suggest other streets that were ready or that needed street improvements. Gassman said he would add the idea of the "need factor," and at some point the "need factor" should be defined. It was the general consensus of the Commission that streets would not be improved if the public systems were not ready.
7. **Agreement at the Time of Development on Unimproved Streets** – Gassman said if development was allowed without street improvements, then some sort of an agreement should be required. Most recently, he said, the City has used the Delayed Development Agreement (DDA) which is not tied to a Local Improvement District (LID). He also stated that the problem with developing on unimproved streets was that the streets never get improved. In such situations, Gassman said, the City must go back and try to retro-fit the streets, and the City would have to fund the work. Chair Lavier indicated it was difficult to formulate a conclusion without knowing what kind of criteria would be in the DDA (i.e. "sunset" clause, "cap," etc.). Gassman advised he would not have a "sunset" clause, but he would include language referring to the "need factor." He said at some point (20, 30, 40 years from now) the City may find out that the identified streets may turn out not to have much traffic flow. If so, the City should drop any agreement they have on those streets. Nelson commented that the annual status report to the property owner/developer with an agreement could be a good time to re-evaluate street usage and the terms of the existing agreement. Stiles said he saw two issues with an agreement: 1) would a property owner who prepays receive a refund if the street never developed; and 2) requiring a property

owner to pay for a street improvement that benefitted the entire city and decreased their property value seemed difficult to require. Gassman said that one solution could be a capped dollar amount where the property owner would be responsible. He said the property owner could always pay the capped amount off early. Whitehouse asked if an agreement would cloud a title. Gassman said everything other than the title clouds a title—mortgage, public utility easement, an agreement. Lavier said development in the City was a positive thing, but if the property owner doesn't have a role in discussion before an agreement with the City is made, it doesn't come out very positive for the property owner. Gassman stated he was open to other ideas if they could come up with another way to get improvements in, but he did not know of another way. Lavier said it would be nice for the property owner to know ahead of time what the design would be for their property before the DDA was drawn up. Gassman said that was why the City was proposing hiring an engineer. He also pointed out that a lot of the collector streets already had full or partial improvements.

Nelson said an agreement of some sort would be better than no agreement at all. No agreement would lead to problems later on, he said. Gassman said an agreement could be customized between the City and the property owner. Stiles stated that, based on Director Gassman's statement and Chair Lavier's thought on having details of the agreement disclosed at the time of an agreement, the agreement would need to be developed at the time of development other than developing a general "blanket" agreement. Gassman said he would expect the Planning Commission to develop a checklist of criteria for an agreement, because the City did not have standard language for a DDA. Further discussion was needed.

RG Hager, 2804B E. 10th Street, The Dalles, Oregon, said the Commission should consider the alternative of the LID instead of Waivers or DDAs. Chair Lavier commented that the LID could be considered another form of an agreement. Mr. Hager said it was, but it gave the citizenry the ability to formulate the process.

7. DDA Sunset Clause – Gassman asked for input on whether or not to include a "sunset clause" that would end agreements at some point in time. Chair Lavier said there needed to be some mechanism in place so agreements would not go on year after year. Stiles suggested a sunset clause that would go into effect a certain number of years after the beginning date of the agreement. Lavier suggested reviewing the agreement for an agreed-upon time frame, and if the street was not ready, the agreement would be ended. It was the general consensus of the Commission for some kind of mechanism that would end an agreement at some point in time if street improvements did not go in or get changed.

8. Property Owners Can Pay Over Time - Director Gassman said this concept might not be used much, but it could be good to have in place. It was the general consensus of the Commission that, on new development, the property owner could pay over time, and if the agreement was later voided through a sunset clause, the property owner could be reimbursed.

9. Multi-frontage Lot Relief – If an agreement is in place where the multi-frontage Lot Relief policy was applied, should the multi-frontage lot relief policy apply if the agreement has a capped dollar amount. Lavier and Stiles were in favor of applying both the cap and the multi-frontage lot relief policy.

10. Other Streets – Gassman, in his staff report on page 3, presented two options for the other streets.

Option 1: In the case of new development, a property owner would be required to make improvements, (or sign an agreement) to meet the standards found in Resolution #10-007. **Option 2:** Property owners, on streets other than network streets, would only have to ensure that the right-of-way lined up.

Whitehouse asked what would happen if a network street was re-classified to an "other" street.

Gassman said the City would need to review that situation. He said the City won't form an LID unless the property owners come to the City, with a possible exception of Thompson Street. After further discussion, the Commission could not come to a consensus on this issue, and Director Gassman placed this item on hold.

11. Existing Waivers – Director Gassman explained that, on existing Waivers on network streets, property owners would have three choices. He said the City was not proposing cancelling Waivers. Therefore, the choices were 1) the property owner could prepay at the cap limit or over time; 2) choose to transfer from a Waiver to a DDA (with criteria); or 3) continue on with the existing Waiver. Lavier

said, based on past history, it would be good to get rid of them. Stiles said the Finance sub-group recommended cancellation of all Waivers because they were haphazard, public opinion was not favorable, and because of the State House bill. He said another mechanism could possibly be required

later, but it must be fair. Gassman said the City was limited to either cancelling the Waivers or giving the property owners choices. Whitehouse said he remembered the conversation in the Finance sub-group somewhat about removing the Waivers, but he would hope citizens would choose to switch from the Waiver to the reasonable DDA. Gassman said the City would review the Waivers on the other streets, and most likely many of the Waivers would be cancelled. On the network streets, it would be best from the City's standpoint to switch to the DDA, Gassman advised. After further discussion, it was the general consensus of the Commission that all of the Waivers should be cancelled except for on the network streets.

Chair Lavier directed Director Gassman to prepare another draft outline for the May 15 meeting. Gassman said it appeared the major issue to resolve was the agreement issue.

At this point of the meeting, Chair Lavier opened the meeting to audience testimony.

Taner Elliott, 397 Summit Ridge Drive, The Dalles, Oregon, stated he heard, in this meeting, Director Gassman say that the Waiver could not be transferred to a DDA. Mr. Elliott recalled that the concept of transferring a Waiver to a DDA by the City was proposed in the first draft outline. Chair Lavier clarified by saying the proposal was that the property owner would have to agree to such a transfer.

Mr. Elliott stated a cap amount needed to be identified if the City was proposing a DDA option. He consulted with Public Works Director Anderson and City Engineer McCabe who advised him on specifications for street improvements requirements to take to contractors in order to identify an accurate dollar cap amount. He then talked to the contractors and calculated out a \$47/per linear foot cap amount.

Mr. Elliott also stated he thought the City should use its existing engineering staff for the storm water design rather than hiring another engineer for one year. It would save the City \$100,000, he said.

RG Hager, 2804B E. 10th Street, The Dalles, Oregon, stated LIDs are in place state wide which excluded the need for Waivers or DDAs. He recommended keeping the LIDs in place. Mr. Hager stated the City's plan was still a mystery and was causing disturbance over the Waiver and DDAs. A plan needed to be in place, and the citizens have a right to develop on their own posture. The sunset clause would become a moot point if the LID was observed, he said. Mr. Hager read his letter dated May 1, 2014 (Attachment #1) and a letter from Damon Hulit, 2830 E. 10th Street, The Dalles, Oregon. (Attachment #2)

Bill McBirney, 4109 Chenoweth Road, The Dalles, Oregon, said the basic concept was wrong for a City to fund public utilities with private money. The City should be funding the improvements, he said, and it needed a long term plan.

STAFF COMMENTS:

Director Gassman asked for the selection of a Vice Chair for the Planning Commission. Chair Lavier put it on hold for the next meeting.

COMMISSIONER COMMENTS/QUESTIONS:

None

NEXT MEETING:

May 15, 2014

ADJOURNMENT:

The meeting was adjourned at 8:27 PM.

Respectfully submitted by Administrative Secretary Carole Trautman.

A handwritten signature in cursive script, reading "Bruce E. Lavier".

Bruce Lavier, Chairman

ATTACHMENT #1

May 1, 2014

Planning Commission
City of The Dalles

RE: Outline for Residential Infill Public Street Improvements

Chairman Lavier and Commissioners,

I was appointed to a seat on the planning commission committee by Chair, Lavier to serve as a member of a citizen review, and presentation of suitable funding policies for city streets.

I reviewed my collection of notes, compiled over the course of 8 years, dating to June 2006, concerning the original and on-going assertions and the attempts of public policy/private pay agendas presented by city manager, Young and staff.

I reviewed my notes and visited some keynote speakers and neighbors who have asserted their attempts to provide positive input to policy development. We considered the nature of historic maintenance and care policies regarding infrastructure and improvements to infrastructure and transportation.

Presently, having read city staffs' 5-1-14 draft, and being cognizant of the horrendous accumulations of past draft language I fail to find beneficial change from the original manager Young assertions of public demand on private pay. Nor do I find much alteration as though there has been a benefit to public input regarding the characterization of citizen property owner obligation to pay as demanded, irregardless of choice, ability or benefit.

At some past date shortly after the first presentations of the pay policies refusals, language changes occurred denoting, "in-fill policy" rather than, "street and infrastructure prioritizing policies". This changing of wording and general language alterations have occurred each time recognition of reality has shown lights on the offending subject matter.

This 5-1-14 draft, if considered to be worthy of a reasonable presentation of what The Dalles City Council directed staff to prepare, I am gravely disappointed. This open ended multi-faceted approach to every known street or infrastructure improvement demand; fragmented and without the appeal needed as a serviceable document as written, throughout its entirety, leaves the reader with no clear path to follow towards its suggested "in-fill policy".

Because we were handed an ill advised and unpopular statement of demands in 2006, and no derivative of policy has to date been approved and set forth to the people of The Dalles, I can only, in light of seeing no citizen input addressed in this present draft, attend to the necessity attempted in the citizens review in 2007, to

demand that a true and actual group of citizens and educated legal advisors set forth to develop the policies that can be lived with by those who set such policy.

I request that you recognize the need for this suggestion and return your recommendations to the city council advising them of that choice, and identify that no certain workable policy was reachable via the drafts presented. I am certain that upon review, city council will clearly request that we withdraw from this present review.

Thank you,

A handwritten signature in black ink, appearing to read "R.G. Hager", written over the printed name.

R.G. Hager

ATTACHMENT #2

May 1, 2014

Bruce Lavier

City of The Dalles Planning Commission

Re: May 1st Final draft on infill policies

Dear Mr. Lavier,

I was previously appointed to the Finance Committee to review the intent of the City Council in regards to infill development. I have reviewed the May 1st draft and there appears to be no reference to any of our citizen input in this draft. This input was supported by the City Council's request for clarity. I am still concerned about residents' requirements for funding, that they can ill afford, that is not made clear in this draft. I am requesting that the Planning Commission cease further acknowledgment of this draft and return your conclusions to the City Council. Thank you.

Sincerely,



Damon R. Hulit

Vice President, Commercial Loan Officer

Columbia State Bank



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
FAX: (541) 298-5490
PLANNING DEPARTMENT

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, May 15, 2014

City Hall Council Chambers

313 Court Street

The Dalles, OR 97058

Conducted in a handicap accessible room

6:00 PM

CALL TO ORDER:

Chair Lavier called the meeting to order at 6:00 PM.

BOARD MEMBERS PRESENT:

Bruce Lavier, John Nelson, Jeff Stiles, Dennis Whitehouse, Mark Poppoff

BOARD MEMBERS ABSENT:

Chris Zukin

STAFF MEMBERS PRESENT:

Planning Director Richard Gassman, City Attorney Gene Parker, Administrative Secretary Carole Trautman

APPROVAL OF AGENDA:

It was moved by Whitehouse and seconded by Nelson to approve the agenda as submitted. The motion carried unanimously; Zukin absent.

APPROVAL OF MINUTES:

It was moved by Nelson and seconded by Poppoff to approve the April 17, 2014 minutes as submitted. The motion carried unanimously; Zukin absent.

It was moved by Nelson and seconded by Poppoff to approve the May 1, 2014 minutes as submitted. The motion carried; Zukin absent.

PUBLIC COMMENT:

None

QUASI-JUDICIAL HEARING:

Application Number: APL 27-14; **Elk Horn Development, LLC; REQUEST:** Appeal of a land use decision dated March 25, 2014, regarding a minor partition application #MIP 312-14. Property is located at 1611 Thompson Street, The Dalles, Oregon, and is further described as 1N 13E 11 AB tax lot 900. Property is zoned "RL" – Residential Low Density District.

Director Gassman requested that the hearing be continued to June 5, 2014 because an agreement was imminent. It was moved by Whitehouse and seconded by Stiles to continue the hearing to June 5, 2014. The motion carried unanimously; Zukin absent.

WORK SESSION: Residential Infill Policies

Director Gassman suggested the Commission consider this new draft outline then submit the proposed draft to City Council for feedback.

Gassman highlighted the draft's new Option #3 (page 3). The option would allow new development to go in without storm water going in first. If the property developer could not install improvements in at the time of development, there would be no development. This option would not require any agreements, Gassman stated.

Commissioner Stiles suggested that another option should be added that would contain a conclusion at the other end of the spectrum from Option #3. If the property developer could not afford street improvements, he/she would not be responsible for the improvements.

Commissioner Poppoff suggested another option be considered where a property owner could develop, the land property taxes would continue to be paid into the City's general fund, and the building taxes could go into a special fund that could be applied towards that property owner's street improvements for a period of time. City Attorney Parker said he could check to see if that option was feasible. He thought such an option would have significant impact on the City's general fund.

After further discussion, Director Gassman summarized the Commission's recommended revisions to the draft outline as follows:

1. Leave Option #3 as is.
2. Add Option #4, identical to Option #3 but with a different conclusion. If the property owner/developer wanted to build, and street improvements could not be installed at that time for whatever reason, the property owner would be relieved of the responsibility (with no agreement) for the street improvements.
3. Under the "Other Comments" section, an "alternative funding" proposal should be added. If a property owner develops property, the land taxes would go into the City's general fund, and the tax increase generated from the new building would go into a special fund, or at least be accounted for separately. That money would be available for generic public improvements, as determined by the City for the most efficient use, for a section of street improvements. The City would submit status reports to the property owner until a pre-determined time or money limit was reached.

It was the general consensus of the Commission to meet on June 5, 2014 to review the revised draft outline prior to submitting it to the City Council for feedback.

STAFF COMMENTS:

Commissioner Whitehouse was appointed Vice Chairman of the Planning Commission.

COMMISSIONER COMMENTS/QUESTIONS:

Chair Lavier asked for the progress on finding another Planning Commissioner candidate. Director Gassman said there had been some people that inquired, but staff was not aware of any candidates at this time.

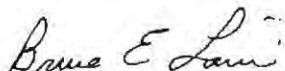
NEXT MEETING:

June 5, 2014

ADJOURNMENT:

Chair Lavier adjourned the meeting at 6:57 PM.

Respectfully submitted by Administrative Secretary Carole Trautman.



Bruce Lavier, Chairman

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, June 5, 2014

City Hall Council Chambers

313 Court Street

The Dalles, OR 97058

Conducted in a handicap accessible room

6:00 PM

CALL TO ORDER:

Chair Lavier called the meeting to order at 6:00 PM.

BOARD MEMBERS PRESENT:

Bruce Lavier, John Nelson, Jeff Stiles, Dennis Whitehouse, Mark Poppoff

BOARD MEMBERS ABSENT:

Chris Zukin

STAFF MEMBERS PRESENT:

Planning Director Richard Gassman, City Attorney Gene Parker, Administrative Secretary Carole Trautman

APPROVAL OF AGENDA:

It was moved by Whitehouse and seconded by Nelson to approve the agenda as submitted. The motion carried unanimously; Zukin absent.

APPROVAL OF MINUTES:

It was moved by Whitehouse and seconded by Nelson to approve the May 15, 2014 minutes as submitted. The motion carried unanimously; Zukin absent.

PUBLIC COMMENT:

Randy Hager, 2804 East 10th Street, The Dalles, Oregon, stated he requested June 5, 2014 for an appeal hearing on the minor partition decision, and City staff continues to delay his ongoing process for his property. Mr. Hager said he had a potential buyer, and he requested the Planning Commission's assurance that his hearing would be scheduled. He distributed his handout of appeal documents.

Chair Lavier assured Mr. Hager that the Commissioners would hear the appeal on June 19 unless there was a lack of a quorum. Discussion followed that if there was not a quorum for June 19, June 25 would be another possible date.

WORK SESSION: Residential Infill Policies

Director Gassman pointed out that he added two new options, Options #4 and 5, page 3, of his June 5, 2014 draft. Gassman emphasized that, if approved, the draft would be presented to the City Council as a preliminary draft, not a final draft.

Stiles said he would like a history of the process that led to the formation of the proposal draft (i.e., House Bill 3479, the formation of the Planning Commission's work sessions, the formation of the sub-groups, etc.) to be included.

Steve Stroud, 3004 East 12th Street, The Dalles, Oregon, stated that he felt the draft memorandum had nothing to do with what the participating citizens wanted. He said he was not happy with the proposed options that substituted Waivers of Remonstrance with Delayed Development Agreements. He believed the options would "run buyers off." Chair Lavier asked Mr. Stroud if he had looked at Options # 4 and 5, because no agreements would be required in either option. Mr. Stroud said he had not looked at them in detail.

Director Gassman pointed out that were two options listed on page 4 of the memorandum regarding existing Waivers of Remonstrance. It was the general consensus of the Planning Commission to eliminate all existing Waivers of Remonstrance, and to switch Options 1 and 2 in the "Existing Waivers of Remonstrance" section of the draft memorandum.

Taner Elliott, 397 Summit Ridge Drive, The Dalles, Oregon, said he thought Option #4, subpoint 2, should include more detail before it was presented to the City Council for feedback. Mr. Elliott also asked if Option #5, regarding increasing tax monies, would only pertain to increased tax funds that go to the City. He said he was aware that property taxes were dispersed to several entities, not just to the City. Chair Lavier said he assumed it would apply to the City's tax revenue disbursements only. Both Lavier and Gassman emphasized that details to the options would come later after input was received from City Council.

The Commissioners re-prioritized the major Options of the memorandum in order of preference, with Option #5 being the most preferred option.

Richard Havig, 3015 East 12th Street, The Dalles, Oregon, asked if the memorandum contained a clause where property owners that already had existing structures would not be required to install street improvements. Director Gassman stated it was indicated in Option #2.

Director Gassman closed by asking if some of the Commissioners would be willing to be present at the City Council meeting, tentatively scheduled for June 30, 2014, to answer questions. Some of the Commissioners indicated they would be present.

It was moved by Whitehouse and seconded by Poppoff to forward the preliminary draft memorandum, including all suggested revisions from the work session, to City Council with the intent of soliciting the City Council's opinions and feedback. The motion carried unanimously; Zukin absent.

STAFF COMMENTS:

Director Gassman advised that two public hearings were scheduled for the June 19 meeting, an appeal and a rezone application.

COMMISSIONER COMMENTS/QUESTIONS:

None

NEXT MEETING:

June 19, 2014

ADJOURNMENT:

Chair Lavier adjourned the meeting at 6:48 PM.

DRAFT

Respectfully submitted by Administrative Secretary Carole Trautman.

Bruce Lavier, Chairman