

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 Chenowith 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. Chenowith 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