

AGENDA

TOWN HALL MEETING

May 6, 2013

5:30 p.m.

Mid Columbia Senior Center
1112 West Ninth Street
The Dalles, Oregon

1. CALL TO ORDER AND WELCOME - Mayor Lawrence
2. PRESENTATION REGARDING INFILL DEVELOPMENT
 - Local Improvement Districts
 - Rates/Linear Assessments
 - Maintenance of Under-Developed Streets
 - Local Improvement District Capital Improvement Plans
3. PUBLIC COMMENT
4. ADJOURNMENT

Prepared by/
Julie Krueger, MMC
City Clerk





AGENDA STAFF REPORT CITY OF THE DALLES

TOWN HALL MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
May 6, 2013		

TO: Honorable Mayor and City Council
FROM: Garrett Chrostek, Administrative Fellow
THRU: Nolan K. Young, City Manager
DATE: April 18th, 2013

ISSUE: Residential Infill Development Policies and Procedures

BACKGROUND: This town hall meeting was scheduled to address associated issues with residential infill including the level of improvements required, reimbursement districts, the LID priority plan, the frontage formula, and street maintenance levels. This Agenda Staff Report provides background on each of these sub-issues, the City's current policies and procedures, and potential alternative approaches for Council's consideration.

- 1. Level of Improvements Required:** As is the practice in every other jurisdiction Staff is familiar with, property owners are responsible for bringing streets up to local standards. The Transportation System Plan establishes the City's design standards for streets within the City's jurisdiction. A diagram showing the street standards for residential streets is attached to this memo. When a residential property owner engages in forms of development that trigger a requirement for local improvements (i.e. construction of a new dwelling unit or platting of a subdivision, which is creation of four or more lots in a year from an original lot) the property owner is required to either put in the improvements themselves concurrent with development if an approved engineering design is in place or make a lump sum payment for future improvements based on the frontage formula.

Many property owners, particularly those on large lots on the periphery of town, submit that it is unreasonable to apply the City's design standards to these properties because the streets in these areas do not receive the same levels of pedestrian and vehicle traffic flow. Further, these properties are of a more rural character and thus can suffice with bar ditches.

The rationale for applying City standards throughout the City's jurisdiction is that all properties within the City's jurisdiction are also within the urban growth boundary. Accordingly, these properties are presumptively subject to future development. Enforcing a uniform standard promotes consistent and orderly development thereby avoiding having to come back through on a piecemeal basis to bring streets up to standards. This is not only more efficient when the improvements are put in, but such an approach also reduces potential complications of tying together systems of varying standards or inserting infrastructure where it was not originally planned.

Yet, enforcing a uniform standard can be onerous for property owners with large lots. For example, under current rules a large lot property owner would be required to either bring the entire frontage of the lot up to standard or pay for future improvements based on the frontage formula (discussed below) to add a single additional dwelling.

Staff identified five potential approaches to this issue:

1. Lower the minimum standards
2. Establish a sliding scale for local improvements
3. Have the City cover some portion of the expenses
4. Allow for phasing of local improvements
5. Continue with the current approach.

Lower Minimum Standards: Over the years, the City has made several adjustments to residential street design standards to make the costs of local improvements more affordable including reducing the widths of streets and planter strips. Recognizing that all streets are not created equal on account of topography and location, City street standards were further adjusted based on local conditions. These localized standards are referenced in Section 10.060(J)(5) of the LUDO and attached to this memo. However, design standards could be further lowered in an effort to reduce costs.

Staff believes that lowering the design standards any further would result in inadequate streets that are more prone to failure. Such an approach would ultimately be cost inefficient as the City would incur more cost in maintaining and rebuilding these lower standard streets than it would for a street meeting current standards. Accordingly, Staff does not recommend this approach.

Sliding scale: Another approach to this issue would be to develop a sliding scale for local improvements, beyond the existing tables in LUDO Section 10.060(J)(5), based on current need for local improvements at the subject property. Specifically, the level of required improvements would be dependent upon the objective need for improvements at the subject property. In some instances, this would mean the property owner is only responsible for the

street and not for sidewalks and stormwater. The justification for this approach is that certain properties do not exhibit the same need for local improvements as others and thus property owners should only be obligated to meet that need and not the City's standards.

Staff finds such an approach problematic for several reasons. As identified previously, all properties within the City's jurisdiction are presumptively subject to future development and there will eventually be a need for improvements meeting City standards. It is more efficient to plan for those improvements ahead of time through imposing City design standards. Second, if the property owner is only responsible for meeting the short term need, the City will be responsible for meeting long term needs and funding for such projects is not foreseeably available.

Have the City cover some portion of the expenses: To alleviate costs to property owners, the City could cover some portion of local improvements. This might be accomplished by lowering the uniform frontage formula rates or obligating the City to contribute some portion to any LID formed. This approach is not feasible as the City does not have funds reserved for bringing streets up to City standards. All funds available for streets are currently directed towards maintenance of roads currently meeting City standards. Further, the amounts presently available are insufficient to stay current with maintenance needs. Additionally, there are very limited outside funding sources for local improvement projects.

Phased Improvements: A fourth potential alternative to the current procedures is to allow for phased improvements on certain qualifying properties. Specifically, properties with lower densities (less than one structure per acre or average frontage in excess of 500 feet or some other threshold) would still be subject to City design standards, but might only be required to install certain minimum improvements (i.e. only the street and engineering design) or make an initial payment reflecting those lower standards to pursue limited forms of development (i.e. construction of a single additional dwelling unit). In such a case, the property owner would make payment for the minimum requirements and secure the rest of their obligation through signing a non-remonstrance agreement that dictated that the property owner is responsible for the rest of the improvements if the property is further developed beyond the threshold or upon the occurrence of an LID, whichever occurs first.

Similar to delaying the timing of improvements for partitions, the major drawback to this approach is that it reduces the certainty that improvements will actually occur. The most certain way to ensure improvements will be completed is to require installation at the time of development or payment prior to permit approval. Securing street obligations via a non-remonstrance agreement decreases certainty because many property owners oppose formation of an LID even if their property is subject to a non-remonstrance agreement. In multiple instances, LIDs have been delayed despite the existence of sufficient "yes" votes in the form of non-remonstrance agreements. However, it is the most favorable of the alternatives to the current approach because it preserves the uniform standards and alleviates the burdens for certain property owners for whom street improvement obligations are the most costly. Such an approach should be considered in conjunction with reform to the LID process as discussed in greater detail below.

Current Approach: Finally, the City could maintain current design standards and continue with the current approach to residential infill—the property owner is responsible for installing improvements or paying for future improvements at the time of development (except for residential partitions pursuant to passage of the proposed LUDO amendment).

ALTERNATIVES:

- a. Direct Staff to maintain the current level of street improvements and continue with the current approach to residential infill.
- b. Direct Staff to work with the Planning Commission to develop a proposed ordinance based on one or more of the approaches
- c. Direct Staff to bring this issue back for additional discussion and further consideration.

2. **Reimbursement Districts:** Many land owners have expressed frustration that they are unable to realize the lower costs of a private contractor because there is not an approved design in place for their particular street. Engineering designs are not in place because the City generally does not have the resources to complete engineering designs until that service is paid for as part of an LID. To provide property owners the opportunity to utilize private contractors to satisfy their street improvement obligations, the City could amend its Reimbursement District Ordinance, General Ordinance No. 06-1275, to allow for engineering or even full street reimbursement districts. Under such an ordinance, if an applicant is unable to install improvements themselves because an approved design is not in place, the applicant could pay for all, or a portion of, the needed engineering (or the full street) for a particular section of street. As other property owners pursue residential infill development, or if an LID is formed, the promoter of the reimbursement district would be reimbursed for putting up the initial investment. Reimbursement districts are only currently available for water and sewer improvements.

ALTERNATIVES:

- a. Direct Staff to develop a proposed amendment to the Reimbursement District ordinance
- b. Direct Staff to bring this issue back at another work session or as a discussion item for further consideration.
- c. Direct Staff to not pursue this concept any further.

3. **LID Priority Plan:** As reported at the Street Tour meeting, Local Improvement Districts (“LIDs”) are the primary vehicle by which under improved streets are brought up to City standards. Based on the LID Task Force recommendations, Council passed a resolution calling for a five year LID Priority Plan with annual public hearings on updating the plan. The purpose of the Plan was to provide notice to property owners regarding the timing of LIDs and to allow for more effective scheduling of Staff time. An initial LID Priority Plan was adopted in 2007 (attached). Staff presented an updated LID Priority Plan in 2008, but that plan was not adopted and no subsequent plan has been prepared. Council might consider resuming annual reviews of an LID Prioritization Plan even if the Plan should go unchanged from the previous year.

If Council resumed reviewing an annual LID Priority Plan, the Plan could be reformed to provide better notice to potential buyers and property owners—particularly those with non-remonstrance agreements—of the timing of LIDs. Specifically, the Plan could include a longer planning horizon and operate in three tiers; an initial listing of an under improved street, an intermediate phase where Staff can begin initial planning activities, and a final phase where streets are listed for imminent formation of an LID (3-5 year window). An LID project could only be placed on the prioritization list or move from tier to tier at the annual public hearing to consider updates to the Plan. The Plan could also include participation figures, discussion of the advantages of the land owner’s ability to lock in at the current uniform rate by pre-paying and, and background on initiating reimbursement districts. Affected property owners, those on streets being considered for listing and those streets being considered for a tier change, would be notified of both the public hearing and the resulting Council action. Real estate agents could also be mailed a copy of the priority plan so that they are aware of potential future assessments.

ALTERNATIVES:

- a. Direct Staff to develop a resolution setting out the criteria and mechanics of an LID Priority Plan for review at a future Council meeting as a Discussion Item
- b. Direct Staff to continue the current approach to LID formation.
- c. Direct Staff to bring this issue back at another work session or as a discussion item for further consideration.

4. **Uniform Local Improvement Rates:** A property owner’s local improvement obligation when he/she engages in infill development is based on the localized standards discussed above. The existing uniform local improvement rate for calculating the prepayment is currently set at \$351.04 per foot of frontage broken down as follows: \$175.85 for street, \$59.15 for stormwater, \$65.35 for sanitary sewer, and \$50.70 for water inclusive of engineering. If a land owner pre-pays, he/she is relieved of future street obligations when an LID is formed even if the pre-payment is less than their proportional actual costs. Any savings to the landowner is picked up by the City. The uniform rates have been in place since 2007. Construction costs have risen considerably in recent years. There is concern that if these uniform rates become too out of line with actual costs, the City will overcommit itself in pursuing LIDs. Staff seeks direction on whether to reexamine these rates or whether the City should discontinue collecting pre-payments and examine other approaches to ensuring that improvements are installed instead.

ALTERNATIVES:

- a. Direct Staff to present an update on estimated local improvement costs at a future Council meeting as a discussion item
- b. Direct Staff to continue operating under the current uniform local improvement rates.
- c. Direct Staff to examine alternative to collecting pre-payments
- d. Direct Staff to bring this issue back at another work session or as a discussion item for further consideration.

5. **Street Maintenance:** The City's current policy is to perform limited maintenance on under improved streets as repairs to such streets are generally inefficient. Staff is looking for further direction as to whether Council wants to maintain the existing levels of service or whether the level of maintenance for under improved streets, particularly gravel streets, should be further reduced or eliminated as part of an effort to conserve resources.

ALTERNATIVES:

- a. Direct Staff to develop a proposed policy for review at a future Council meeting as a discussion item
- b. Direct Staff to continue the current approach to street maintenance.
- c. Direct Staff to bring this issue back at another work session or as a discussion item for further consideration

RESOLUTION NO. 07-021

A RESOLUTION ESTABLISHING A FRONT FOOTAGE COST
FOR PREPAYMENT OF IMPROVEMENTS FOR RESIDENTIAL
LOCAL IMPROVEMENT DISTRICTS

WHEREAS, on February 12, 2007, the City Council adopted General Ordinance No. 07-1276 and Resolution No. 07-007, which require that the City Council establish an amount equal to the cost of proposed improvements for residential local improvement districts, calculated on a front footage basis, as adjusted by multi-frontage lot relief; and

WHEREAS, on March 11, 2007, the City Council reviewed a presentation by City staff concerning options for the amount for the front footage costs, and voted to adopt a motion establishing the amount at the rate of \$351.04 per front foot; and

WHEREAS, the Council desires to adopt a resolution formalizing the action taken on March 11, 2007;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF THE DALLES
RESOLVES AS FOLLOWS:

Section 1. The cost of improvements for purposes of determining the amount of prepayment, as authorized by General Ordinance No. 07-1276 and Resolution No. 07-007, on a front footage basis as adjusted by corner lot relief, shall be set at the rate of \$351.04, as set forth in Attachments A, B, and C, copies of which are hereby attached and incorporated herein by this reference.

Section 2. This resolution shall be considered effective as of March 26, 2007.

PASSED AND ADOPTED THIS 26TH DAY OF MARCH, 2007.

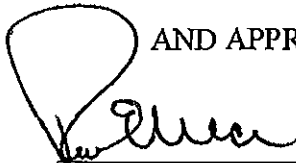
Voting Yes, Councilor: Broehl, Wood, Wilcox

Voting No, Councilor: None

Absent, Councilor: Dick, Kovacich

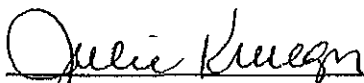
Abstaining, Councilor: None

AND APPROVED BY THE MAYOR THIS 26TH DAY OF MARCH, 2007.



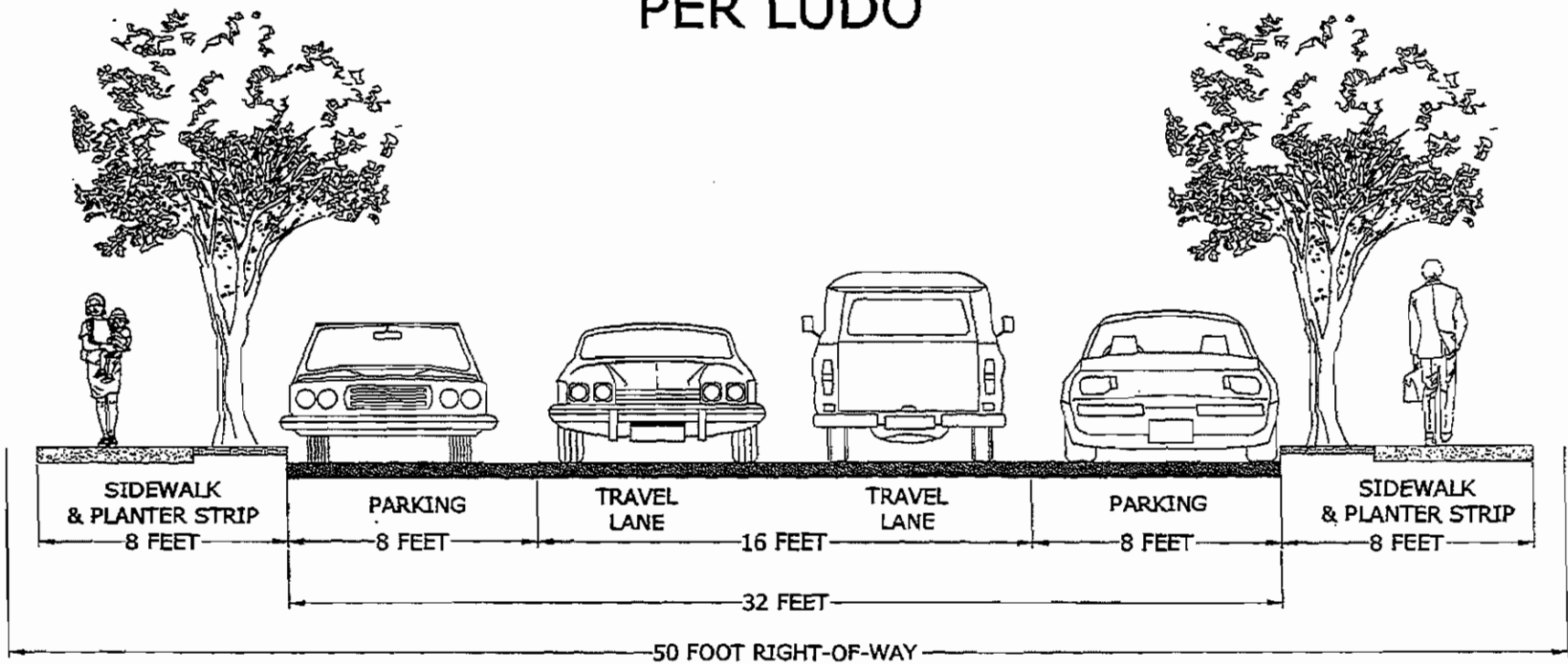
Robb Van Cleave, Mayor

Attest:



Julie Krueger, MMC, City Clerk

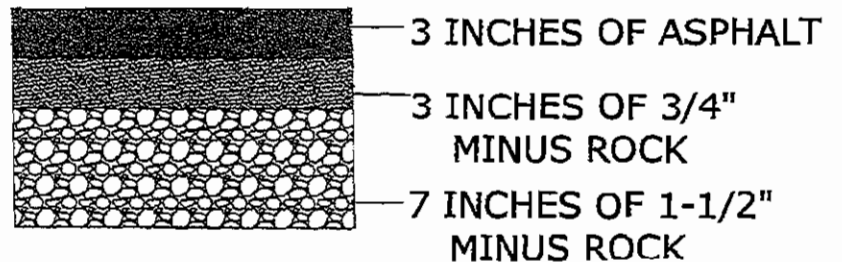
CITY OF THE DALLES TYPICAL CROSS SECTION OF STANDARD RESIDENTIAL STREET PER LUDO



STANDARD RESIDENTIAL IMPROVEMENTS

WATER PIPE	8" DUCTILE IRON PIPE
SEWER PIPE	8" D 3034 PVC
STORM SEWER	12" D 3034 PVC
STREET WIDTH	32 FEET

ROADWAY SECTION



PUBLIC WORKS DEPARTMENT
300FT STREET COST ESTIMATE
@ 50' LOT SPACING

	BASE	20% CONTINGENCY	TOTAL WITH CONTINGENCY	ENGINEERING 10%	TOTAL WITH ENGINEERING
<i>STREET</i>	\$135.27	\$27.05	\$162.32	\$13.53	\$175.85
<i>STORM</i>	\$45.50	\$9.10	\$54.60	\$4.55	\$59.15
<i>SANITARY</i>	\$50.27	\$10.05	\$60.32	\$5.03	\$65.35
<i>WATER</i>	\$39.00	\$7.80	\$46.80	\$3.90	\$50.70
TOTAL	\$270.04	\$54.01	\$324.04	\$27.00	\$351.04

* NOTE PRICES ARE PER FOOT OF FRONTAGE

CITY OF THE DALLES
PUBLIC WORKS DEPARTMENT
300FT STREET COST ESTIMATE
@ 50' LOT SPACING

Street Work

Description	Unit	Unit Price	Quantity	Estimate
Mobilization	LS	\$8,000.00	1	\$8,000.00
Traffic Control	LS	\$4,000.00	1	\$4,000.00
Excavation and Grading	CY	\$12.00	520	\$6,240.00
Construction Survey	LS	\$5,000.00	1	\$5,000.00
Erosion and Sediment Control	LS	\$3,000.00	1	\$3,000.00
Construct Curb and Gutter	LF	\$13.00	628	\$8,164.00
3/4" Minus Base Aggregate (Sidewalk)	CY	\$35.00	30	\$1,050.00
Construct Concrete Sidewalk	SY	\$30.00	188	\$5,640.00
Construct Concrete Drive Approach	SY	\$38.00	224	\$8,512.00
Construct ADA Ramps	EA	\$900.00	4	\$3,600.00
3/4" Minus Base Aggregate (Street)	CY	\$36.00	85	\$3,060.00
1-1/2" Minus Base Aggregate (Street)	CY	\$32.00	246	\$7,872.00
Class C Asphalt	TON	\$65.00	170	\$11,050.00
Installing of Landscaping Trees	EA	\$500.00	8	\$4,000.00
Planter strip (sod and topsoil)	SY	\$17.00	118	\$1,972.00
Total				\$81,160.00
Per Foot Frontage				\$135.27

Storm Drain

Description	Unit	Unit Price	Quantity	Estimate
Install 12" SD Pipe	LF	\$60.00	350	\$21,000.00
Install 8" SD Pipe	LF	\$50.00	30	\$1,500.00
Construct SD Manhole	EA	\$2,000.00	1	\$2,000.00
Connect to Existing SD Manhole	EA	\$400.00	1	\$400.00
Install Catch Basins	EA	\$1,200.00	2	\$2,400.00
Total				\$27,300.00
Per Foot Frontage				\$45.50

Sanitary Sewer

Description	Unit	Unit Price	Quantity	Estimate
Install 8" Sanitary Sewer	LF	\$50.00	350	\$17,500.00
Install 4" Sanitary Sewer Service Line	LF	\$30.00	302	\$9,060.00
Install Service Cleanout*	EA	\$100.00	12	\$1,200.00
Install SS Manhole	EA	\$2,000.00	1	\$2,000.00
Connect to Existing Manhole	EA	\$400.00	1	\$400.00
Total				\$30,160.00
Per Foot Frontage				\$50.27

Water Line

Description	Unit	Unit Price	Quantity	Estimate
Install 8" D.I. Water Line	LF	\$40.00	350	\$14,000.00
Install 8" Water Valve	EA	\$700.00	2	\$1,400.00
Install Fire Hydrant	EA	\$2,000.00	1	\$2,000.00
Install Water Meter*	EA	\$500.00	12	\$6,000.00
Total				\$23,400.00
Per Foot Frontage				\$39.00

Construction Total		\$162,020.00		
			Per Foot Frontage	
Project Contingencies (20%)**	Total	\$32,404.00		\$54.01
Engineering Design (10%)	Total	\$16,202.00		\$27.00

Total Frontage is 600' **Project Total \$210,626.00**
Cost Per Foot Frontage \$351.04

* Assumption that lot width is 50' which would require 6 services on each side of the road, total of 12.

** Contingency includes rock excavation.

Typical street section is for a neighborhood street as stated in chapter 10 of the LUDO.



CITY of THE DALLES
313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481
FAX (541) 296-8906

AGENDA STAFF REPORT CITY OF THE DALLES

MEETING DATE	AGENDA LOCATION	AGENDA REPORT #
December 10, 2007	Action Items 13, D	#07-123

TO: Mayor and City Council
FROM: Nolan K. Young, City Manager *NKY*
DATE: November 20, 2007
ISSUE: Establish a Public Hearing to consider adoption of a 5 year Capital Improvement Plan for residential LIDs

BACKGROUND:

The City Council in 2006 amended the City's Local Improvement District (LID) Ordinance to call for the Council to adopt a resolution setting forth procedure for forming residential LIDs. Attached is a copy of that resolution. One of the items required in the resolution is the annual adoption of a 5 year Capital Improvement Plan (CIP) identifying which improvements will be pursued. It calls for the City Council to hold a Public Hearing to review any such plan prior to its adoption. Ideally this plan is presented to the City Council as part of the budget process in May or June. This being the first year of implementation we are behind schedule. We had hoped to get this information out to you right after the road tour, however, other priorities caused a delay.

Attached is the proposed 5 year plan we are presenting to the Council for discussion. At the end of that discussion Council should set a date for Public Hearing for review of the plan as amended by the Council. We have also included a list of other street sections which were considered for inclusion on the 5 year plan but did not make the plan (see Table II). The plan was developed using the seven criteria in Section 3 of the LID resolution recommendation.

The first two years of the plan are the most important, as these are the projects that staff will start developing and meeting with the property owners as is required in the

resolution. We are recommending that under the first year of the plan we need to take care of five gravel street sections. In discussing these issues with the City's maintenance crews they felt the City would probably save money by proceeding with these streets even though through corner lot relief most will be heavily funded by the City, because we spend a great deal of time, material and equipment grading these streets several times a year. On the chart notice that many of the streets will have no property owner participation and the others will have minor participation. We recommend doing these projects through the gravel street policy which allows for those property owners that will participate to pay for the curbing and asphalt material with City crews doing the actual paving which will save money for both the property owners and the City.

In year two of the plan we include a non-residential LID and pursue the East Port Industrial Park LID for FY 2008-09. By the agreement with the Port that LID needs to be completed by the beginning of 2010.

We also propose improving the streets near Dry Hollow Elementary that need improvements for student safety; portions of 19th and 18th west of Dry Hollow.

BUDGT IMPLICATIONS:

In addition to property owner assessments the City will have to pay for corner lot relief. Particularly in the first year the City's participation will be significant. Because of the relocation of the Public Works shop we will also have significant participation in the second year LIDs and in the third year our need to acquire property from the school district will again result in significant City participation.

COUNCIL ACTION:

1. After discussion and any adjustments to the plan direct the staff to call for a Public Hearing on January 14, 2008 to consider the LID Capital Improvement Plan.

RESOLUTION NO. 07-007

A RESOLUTION ADOPTING AN IMPLEMENTATION POLICY FOR CITY COUNCIL FOR LOCAL IMPROVEMENT DISTRICTS UNDER GENERAL ORDINANCE NO. 91-1127 PROVIDING FOR LOCAL IMPROVEMENTS

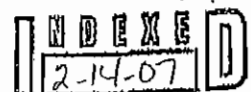
WHEREAS, General Ordinance No. 91-1127 establishes procedures for forming local improvement districts; and

WHEREAS, General Ordinance No. 07-1277 amended Section 3 of General Ordinance No. 91-1127 to provide the City Council shall adopt by resolution a written implementation policy for residential Local Improvement Districts initiated by the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF THE DALLES RESOLVES AS FOLLOWS:

Section 1. Review of Existing Non-remonstrance agreements.

- A. Immediately following the adoption of this resolution, City staff will review all Waivers of Local Improvement District Non-Remonstrance Agreements which have been previously signed. Those agreements which have not been previously recorded with the Wasco County Clerk, which were signed by an individual or individuals who are not the current owner(s) of the property to be included in a proposed local improvement district, will be deemed null and void. A letter of determination and a copy of the non-remonstrance agreement will be sent to the current property owner(s). For waiver of remonstrance agreements not previously recorded with the Wasco County Clerk, which were signed by an individual or individuals who are the current owner(s) of the property, the agreement will be recorded at the City's expense.
- B: For all waivers of remonstrance agreements remaining after the review in Section 1(A), a letter will be sent to the affected property owner(s) offering them an opportunity to pre-pay to the City LID fund an amount equal to the cost of the proposed improvements calculated on a front footage basis, as adjusted by multi-frontage relief in an amount established by the City Council. The letter will also include a provision for pre-payment to be made at any time, and that the City recommends that pre-payment be made at the time the property is sold in the future, and a reminder to the property owner(s) to disclose this information to any potential buyer.
- C. At which time the City Council initiates a local improvement district as set forth in the provisions contained in Section 2 through 5, the Council may require the owners of properties for which a waiver of remonstrance agreement has been



signed, to participate in the local improvement district as set forth in Section 5, unless the district is defeated as provided in the City's Local Improvement District Ordinance.

Section 2. Public Hearing. On an annual basis, the City Council will hold a public hearing to develop a five year Capital Improvement Plan for potential residential Local Improvement Districts. The plan will be made available to the public and be available on the City's website prior to the public hearing, and after adoption of the Plan. The prioritization of the projects with the Capital Improvement Plan will be based upon the criteria identified in Section 3 as applied at the discretion of the City Council.

Section 3. Criteria for Projects. In establishing the Five Year Capital Improvement Plan and specifically identifying projects to be done in the first year of the Plan, the City Council shall apply the following criteria:

- A. The presence of a gravel street surface or failing and substandard existing roadway surfaces.
- B. The percentage of properties that have developed and either signed a waiver of remonstrance agreement, a delayed improvement agreement, or pre-paid cash in lieu of installing the public improvements in question.
- C. Completed and/or pending development in the general area of the proposed local improvement district that would make the improvements the next logical step in extension of the area's street network.
- D. Proximity to fully developed areas.
- E. Traffic safety concerns.
- F. The benefit to the overall area and community traffic flow.
- G. Health concerns (i.e., dust from gravel streets, narrow streets, deteriorated roadways, etc.).

Section 4. Informational Meeting. City staff members will hold an informational meeting with potentially affected property owners in a subdivision or a neighborhood where the formation of a local improvement district is being considered, at least thirty (30) days prior to the City Council initiating the process to establish a local improvement district. The meeting will be conducted to discuss potential improvements and allow the property owners to propose any specific variations from the standard specifications used by the City for construction of public improvements.

Section 5. Council Options for Proceeding with Districts. If after implementing the local improvement district process as set forth in this Resolution, the Council determines that a majority of the property owners who have not signed a waiver of remonstrance agreement (which majority is defined as 51% of the total number of property owners to be included in the proposed LID), have filed a written remonstrance with the City expressing their opposition to the proposed LID, the Council at its discretion shall take one of the following actions:

- A. Place the local improvement district on hold for a period of one to five years.

tion 5,
ent District

- B. Proceed with formation of the local improvement district which would include only those properties where a non-remonstrance agreement has been signed by the property owner(s), if the criteria listed in Section 3 of this policy supports proceeding with formation of the district. The local improvement district for the remaining properties would be placed on hold as provided for in Section 5(A).
- C. Proceed with the formation of the local improvement district with assessments for those who oppose the project being placed on hold for five years, which means the assessments would not be imposed for a period of five years from the date of formation of the local improvement district.

Section 6. Multi-frontage Lot. If a single lot has frontage on more than one street, it will only be assessed for public improvements for the average of all frontages.

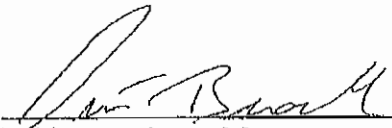
Section 7. Changes in Policy. No change in or amendment to this policy will be allowed without the City Council first conducting a public hearing upon the proposed change or amendment.

Section 8. Effective Date. This resolution shall be effective thirty (30) days after the date of adoption of the resolution.

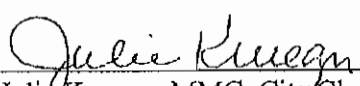
PASSED AND ADOPTED THIS 12TH DAY OF FEBRUARY, 2007.

Voting Yes, Councilor: Wood, Wilcox, Broehl, Dick, Kovacich
 Voting No, Councilor: None
 Absent, Councilor: None
 Abstaining, Councilor: None

AND APPROVED BY THE MAYOR THIS 12TH DAY OF FEBRUARY, 2007.



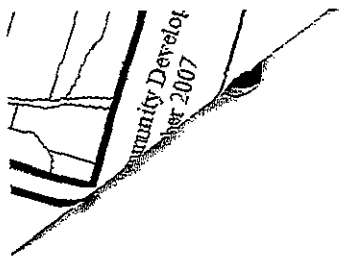
~~Bobh Van Clove, Mayor~~
 Jim Broehl, Mayor pro-tem
 Attest:



 Julie Krueger, MMC, City Clerk

PROPOSED LID
Table I: FIVE YEAR CAPITAL IMPROVEMENT PLAN

Fiscal Year	Street	Section	# of lots	Lots Full Assessment	Lots Partial Assessment	% of Wavier or Cash	Method Proposed Improvement
2007-08	Clark	11th to 12th	3	22	0	1	City/Developer Full
	Clark	10th to 11th	5	1	0	0	Gravel St. Policy Sidewalk East side
	Pentland	11th to 14th	12	0	0	0	Gravel St. Policy No Sidewalk
	Lincoln	11th to 12th	5	1	0	0	Gravel St. Policy No Sidewalk
	Liberty	11th to 12th	6	2	0	0	Gravel St. Policy No Sidewalk
2008-09	East 18th	Gravel section West to 19th					LID Full
	East 19th	Dry Hollow W. to current improvement	5	3	2	1	LID Full
	1st-Bargeway Terminal	East Port Industrial Park					LID Full
2009-10	East 19th	Oakwood to Thompson					LID/Gas Tax Collector
	Thompson	16th to 19th					LID Full
2010-11	Thompson	10th to 16th					LID Full
	East 16th	Thompson to Golden Way					LID Full
2011-12	Richmond	10th to Old Dufur					LID Full
	Morton	10th to Old Dufur					LID Partial
	East 9th	Morten to Richmond					Partial



PROPOSED LID
Table II: Other Potential LIDs
Streets Considered But Not Included in 5 Year Plan

Street	Section	Method	Proposed Improvement
Lewis Street	10th to 12th	Gravel Street Policy	Partial Improvements
Hostetler	West 6th to West 10th	LID/Gas Tax	Full Improvements: Collector
Old Durfur Road	10th St to Richmond	LID/Gas Tax	Collector improvement 1 sidewalk
Walnut	6th to 10th	LID	Full Improvements where lacking
Myrtle	6th to 10th	LID	Full Improvements where lacking
Snipes	6th to 10th	LID	Full improvements where lacking
Pomona	8th to Sterling	LID	Full Improvements where lacking
East 10th	Morton to Thompson	LID	Full Improvements where lacking
East 12th	Morton to Thompson	LID	Full Improvements where lacking
East 14th	Morton to Thompson	LID	Full Improvements where lacking
Jordan Street	14th to 18th	Gravel Street Policy	Partial Improvements
West 18th	Mt. Hood to Jordan	LID	Full Improvements
West 2nd	Weber East to cul-de-sac	LID/Gas Tax	Industrial Collector
East 9th	Quinton to Thompson	LID	Full with utilities

RESOLUTION NO. 10-007

**A RESOLUTION ESTABLISHING PUBLIC
IMPROVEMENT GUIDELINES FOR CERTAIN
LOCAL STREETS NOT SUBJECT TO PROVISIONS
IN THE LAND USE AND DEVELOPMENT
ORDINANCE**

WHEREAS, the City Council has determined that public improvements for certain local streets can best be provided by flexible guidelines rather than fixed standards which are adopted as part of the City's Land Use and Development Ordinance; and

WHEREAS, the City Council has viewed many of the streets proposed to be covered by these guidelines; and

WHEREAS, the City has had the opportunity to review the proposed guidelines on several occasions, and

WHEREAS, on March 15, 2010, the City Council adopted General Ordinance No. 10-1303, which provided for the creation of new development standards for streets in residential zones, which standards were intended to be flexible as to street trees, sidewalks, planting strips, and widths; and

WHEREAS, General Ordinance No. 10-1303 provided that the new development standards for streets in residential zones were to be established by City Council resolution; and

WHEREAS, the City Council conducted a discussion item for the proposed guidelines on March 29, 2010; and

WHEREAS, following the discussion item on March 29, 2010, the City Council approved the guidelines and directed staff to prepare a Resolution adopting the guidelines; and

WHEREAS, it is in the best interest of the public for the City Council to adopt the proposed public improvement guidelines;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, AS
FOLLOWS:**

Section 1. Public Improvement Guidelines Adopted. Public improvement guidelines are hereby adopted for those streets as listed in the document entitled "Street Segment List," attached hereto as Exhibit "A."

Section 2. City Manager Authorized to Approve Exceptions. The City Manager is authorized to make exceptions to these guidelines on a case by case basis.

Section 3. Effective Date. This resolution shall be effective as of April 26, 2010.

PASSED AND ADOPTED THIS 26TH DAY OF APRIL, 2010.

Voting Yes, Councilor: _____

Voting No, Councilor: _____

Absent, Councilor: _____

Abstaining, Councilor: _____

AND APPROVED BY THE MAYOR THIS 26TH DAY OF APRIL, 2010.

James L. Wilcox, Mayor

Attest:

Julie Krucgor, MMC, City Clerk

Street Segment List

This list of public improvement requirements for the specified street segments is a supplement to the street standards in the LUDO. In order to qualify for this list a street segment must be identified as a local street in the City's Transportation System Plan and be located in a residential zone.

The street segments are divided into categories based on a variety of on site factors including the level of current public improvements, the extent of existing build out of the adjacent lots, the topography, the length and location of the street segment, and the position of the street segment as part of an overall City wide pedestrian network.

When determining public improvement requirements for these street segments, City staff are encouraged to be flexible, using the following categories as guidelines. If on site conditions prevent using the standards established for a category, City staff are authorized to require a lesser set of public improvements.

From time to time new streets are created that have not yet been identified in the TSP. If these streets meet the general requirements for this list, City staff are authorized to determine the public improvement requirements until such time as the Council has the opportunity to revise this list.

Private streets are included at the end of the list for the sole purpose of identifying them as private streets. The City does not maintain private streets. As private streets they generally do not come within the requirements for public improvements.

This List generally identifies what type of development would be required for each category. For those with less than full public improvement, the actual public improvement requirements will be detailed as part of the permit process. In addition to public improvements, right of way is also sometimes an issue. This list does not attempt to suggest what right of way width is appropriate, although a width of 40 feet is a minimum preferred width. The right of way width is a separate issue that applies to only a few of these streets as most of the right of way widths have already been set. Right of way width would also be established on a case by case basis where needed at the time of permit application.

As properties develop, or redevelop, the owner would be required to develop the streetscapes to the minimum requirements of the relevant category. Additional improvements, if feasible, would be allowed and encouraged, but not required.

STREET SEGMENT CATEGORIES

A-1 Full Improvement. Properties adjacent to these street segments will be responsible for full improvement, which is full pavement of the roadway, curbs, sidewalks on both sides of the street, and a storm water system in place. Category A-1 includes street segments that can handle this level of public improvement at this time. The improvements would be required to be installed at the time of development. This category includes street segments with one or more of the following characteristics.

1. Located in a new subdivision with required full improvement.
2. Street segments that are already fully improved or predominantly fully improved.
3. Street segments that will provide future access to significant areas of town.

6th from 3rd Place to Liberty
7th Pl from Court to Case
7th from Trevitt to Court
7th from Hosteller to Chenoweth Lp
8th from Snipes to Walnut
8th from Bridge to 4th St Grade
8th Pl from Court to Case

Exhibit "A"

9th from Cherry Heights to 10th
 11th from Wright to E of Thompson
 12th from Jordan to Kelly
 13th from Kelly to H St
 13th from Riverview to Lewis
 13th from View Ct to Oregon
 13th from Quinton to Thompson
 13th Pl from Riverview to Clark
 13th Pl from View Ct to Dry Hollow
 14th from Jordan to Dry Hollow
 14th from Riverview to Lewis
 15th from W of Mt. Hood to Bridge
 15th from Trevitt to Liberty
 15th from Jefferson to H St
 15th from Riverview to end
 15th from Montana to Quinton
 15th from 16th to Thompson
 16th from Bridge to Liberty Way
 16th from Riverview to end
 16th from Oregon to Oakwood
 16th Court E and W of Nevada
 16th Pl from Monroe to Kelly
 17th from H to Riverview
 17th from Montana to Nevada
 17th from Thompson to E of Thompson
 17th Pl from Jefferson to Fairview
 18th from Mt. Hood to Bridge
 18th from Jefferson to 19th
 18th from W of Garrison to Garrison
 19th from Fairview to Dry Hollow
 20th from 18th to 19th
 21st from end to Lewis
 21st from View Ct to E of Claudia Lane E Knoll Ct
 22nd from W of Garrison to Garrison
 23rd from Wright Street to Mt. Hood
 Brentwood Dr from E of Summit Ridge to Columbia View
 Bridge St from 18th to 8th
 Case St from 8th Pl to 7th
 Chenowith St from Cherry Heights to 8th Pl
 Clark St from end to N of 9th St
 Court St from S of 14th to 12th
 Crest Court
 Eiberta
 Esther Way
 F St from 14th to 7th
 Fairview from S of 21st Pl to 20th
 Federal from 14th to 7th
 G from 16th Pl to 7th
 Garrison from S of 22nd to Scenic
 Garrison from 16th to 6th
 H from 17th to 10th
 Harris from 12th to 13th Pl
 I Street from 13th to 9th
 I St from 17th to 16th
 J St from 13th to 9th
 Jordan from 9th to 14th

Exhibit "A"

Jordan from S of 23rd to 23rd
 Knoll Ct
 Knoll Dr
 Laughlin from 14th to 7th
 Lewis from S of 21st to 19th, from 14th to 9th
 Liberty from 15th to 6th
 Lincoln from 16th to N of 8th
 Lincoln Way from Grant Cir to 16th
 Madison from 15th to 11th
 Minnesota
 Montana from Dry Hollow to 14th
 Nevada
 Oregon
 Pomona from 10th to commercially zoned property
 Pentland from 16th to 8th
 Quinton from end to 10th
 Riverview
 Roberts from 12th to 10th
 Royal Crest
 Shearer from 12th to 13th Sherman Dr
 Summit Ridge
 Union from 14th to 10th
 Verdant from 13th to 10th
 View Ct
 Wasco Dr
 Washington from 14th to 7th Pl
 Wright St from Wright Dr to 23rd
 Wright St from 11th to 9th

A-2. Deferred Full Improvement. These street segments are appropriate for full improvement but do not as yet have a storm water system, or other needed infrastructure in place. Segments placed in this category may not be required to put in all improvements at the time of development. For those improvements not installed, the developer would pay into the City's development fund. The criteria for A-2 are generally the same as A-1 but also may include street segments that provide or are planned to provide access to significant parts of the community that are as yet undeveloped.

10th from Thompson to Richmond
 12th from Dry Hollow to E of Richmond
 14th East of Dry Hollow to Richmond
 Lambert
 Morton.
 Richmond.
 16th from Morton to Richmond

B. Status Quo. This category recognizes that certain areas of the City, as well as isolated streets and street segments, have been developed to a set of standards that are less than what we consider full improvement, but are unlikely to provide opportunities for full improvement. For these streets we will identify the area, the standard where possible, and accept the existing standard for that area. There will likely be several different sets of standards in this category. Key elements for placing street segments in this category include:

1. Existing substantially full build out.
2. A set of identifiable and common improvements.
3. A short or dead end street.

New construction will be required to meet the existing area improvements, but not be required to build to a higher standard.

Blakely Addition. Full pavement and curbs. No sidewalks.

11th from Blakely Dr to Blakely Way

12th from Blakely Dr to Blakely Way

Blakely Dr

Blakely Way

Webber from 12th to 13th

Cascade Court. Paved section, but no curbs or sidewalks.

8th between Hostetter and Chenoweth Loop

Cascade St

Cascade Ct

Sorosis Park Area. Fully paved with curbs and sidewalks, except no sidewalks adjacent to areas outside or fronting areas outside the UGB, or next to the park.

20th from Scenic Way to Dead End

21st from Radio Way to Sorosis

21st Place off W 21st

23rd from Radio way to E of Sorosis

Radio Way

Sorosis

West 6th Area

Division from W of US 30 to commercially zoned area.

Lee from 7th to commercially zoned area

Others

9th from Irvine to Chenoweth

13th from Richmond to Lambert

13th from Emerson to end

18th from 16th Place to end

19th from W of Mt. Hood to E of Mt. Hood

21 Pl from 21st to Fairview

25th from W of Wright Dr to Wright Dr

Emerson – has sidewalks on one side but not full pavement to sidewalk

Bridge street between 20th and 22nd and S of 19th

Chinook from SW of 12th to 10th

Claudia Lane at E 21

Grant Cir at Lincoln Way

Harris from 8th to 9th

Monroe from 15th to 16th Pl

Perkins

Short St – full pavement and curbs, no sidewalks.

Walnut from 13th to 10th

Wright Dr at 25th

C. Partial Improvement. Most of the lots adjacent to these street segments will be required to install partial public improvements. Full improvement is the goal, but may not always be feasible, either due to existing development, topography, or lack of needed infrastructure. In particular, these street segments are seen as being an integral part of the pedestrian network. If full improvement is not feasible, then we will work to achieve adequate and uniform right of way with sidewalks on at least one side. Actual requirements will be determined on a case by case basis.

7th from Kelly to 4th Street Grade

7th from Chenoweth to Irving

16th from Mt. Hood to Bridge

18th from Golden Way to 15th

Exhibit "A"

Other Streets

1. Streets not included in the TSP

For various reasons some streets are not listed in the TSP. In those situations, City staff will use the guidelines listed above to determine the appropriate level of public improvement. An example of one local street not in the TSP is E 9th Street east of Morton.

2. Private streets

Private streets are listed for identification purposes only. They are not subject to the LUDO requirements for public improvements.

Denton
Jordan past about 24th
Bennett Way
Streets in the Lone Pine area except Lone Pine Blvd
Floral Street
Home Street
Russula Way
Amanita Dr
Morel Ct
Morel Dr
Chantrelle
Meadow Way
Sterling Drive

17th from west of Mt. Hood to Garrison
 18th from Thompson to Morton
 18th from Jordan to Mt. Hood
 Irvine from W of 13th to E of 9th, from W of 7th to commercially zoned area
 Jefferson from 18th to 10th (including Terrace Dr)
 Kingsley from S of Loring (W 16th) to W 13th
 Liberty Way
 Meek
 Myrtle from 8th to 10th
 Roberts from Quinton to 15th
 Shearer from 10th to 12th
 Shearer from 13th to 14th
 Verdant from W 10th to W 8th
 Webber from Loring (W 16th) to W 13th

D. Minimal Improvement: For development or redevelopment in these areas we will focus on obtaining uniform right of way width and pavement for travel lanes. At least 40 feet of right of way is a goal. Generally these areas will not have sidewalks, or storm water systems. Most of the lots on these streets are already developed with few existing public improvements. Generally these are streets with one or more of the following characteristics:

1. Streets that are of limited length.
2. Dead end streets.
3. Streets with a low volume of traffic.
4. Few, if any, public improvements.
5. Streets that are not scheduled to be connected to other streets in the future.
6. Existing housing.
7. Uneven right of way width.

8th from W of Chenowith Loop to Chenowith Loop
 9th from Myrtle to Walnut
 9th Pl from W of Kingsley to Walnut
 11th from NW of Chinook to SE of Chinook
 12th from NW of Chinook to SE of Chinook
 14th from Elberia to SE of Kingsley
 14th Pl from Thompson St to E of Thompson
 15th Pl from W of Terrace Dr to E of Terrace Dr
 15th Pl from G to E of G
 Eric Ct
 Fallon Ct
 Flora Ct
 Frost Ct
 Garden Ct
 Gorden Ct
 Home Ct
 Jordan from 14th to 18th
 Kingsley from 10th to 9th
 Lorenzen Ct
 Loring St (W 16th) from Meek to Webber
 Pleasant Court
 Richland Ct
 Stoffer Ln
 Sandy Ln
 Washington from S of 14th to 14th
 Wright Street N of 9th

Exhibit "A"