



**CITY of THE DALLES**

313 COURT STREET  
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125  
Planning Department

**AGENDA**  
**CITY OF THE DALLES PLANNING COMMISSION**  
CITY HALL COUNCIL CHAMBERS  
313 COURT SREET  
THE DALLES, OREGON 97058  
*CONDUCTED IN A HANDICAP ACCESSIBLE MEETING ROOM*  
**THURSDAY, JUNE 5, 2014**  
**6:00 PM**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES – May 15, 2014
5. PUBLIC COMMENT (Items Not on the Agenda)
6. WORK SESSION – Residential Infill Policies
7. STAFF COMMENTS
8. COMMISSIONER COMMENTS/QUESTIONS
9. NEXT MEETING – June 19, 2014
10. ADJOURNMENT

**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.

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Bruce Lavier, Chairman

**NOTE: This is a revised draft incorporating ideas and tentative agreements from the May 1 and May 15, 2014 Planning Commission meetings. The next step is to agree on recommendations, with or without options, that we can take to the City Council for their preliminary review.**

## **6-5-14 DRAFT**

### **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 (DDA with time limits)

1. Full improvement at the 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. The 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 #2 (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 storm water 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 #3 No DDA – no building**

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

**Option #4 No DDA – no improvements**

1. Full improvement is required at the time of development. The 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 #5 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 a cap. If no cap, then the property owner would pay until the estimated cost is reached.

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

**B. 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 the time of development, if possible, up to the monetary cap limit.
2. Sign and record a DDA if public improvements are not possible.
3. Install improvements, or choose options presented by City, at the 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 Responsibilities

1. Dedicate right of way as needed.

**D. Existing Waivers of Remonstrance.**

**1. On Network Streets.**

**Option #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.

**Option #2** - Cancel existing Waivers.

**2. On all other residential streets** - Waivers would be cancelled.

**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.