

NOTE: This is a revised draft incorporating ideas from the last Planning Commission meeting on April 17 and a meeting with Commissioner Zukin on April 22. The main changes can be found in option #2 under paragraph A on page 2. The option identified as #1 is essentially the same as in the April 17 draft.

If the Planning Commission agrees with the general outline, it can either pick one of the alternative options wherever they appear, or approve both options and send them to the Council for their review.

5-1-14 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 for single dwelling, single lot residential infill. 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. This outline does not discuss public street improvements in non-residential areas.

For purposes of this outline, full improvement means sidewalks and curbs on both sides, and a fully paved street, without reference to the width of paving.

The goals of this outline are multifold as indicated below:

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” including those lots which install public improvements not as part of a consistent and comprehensive process for installation of public 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.

This outline depends on the adoption of a network of streets that would allow for bicycle, pedestrian and vehicular access, to all parts of town. 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. To have a comprehensive network, we would probably need to use most or all of the arterial and collector streets plus add a few selected local streets in areas where there is no close arterial or collector street. An example is the area east of Thompson where there is no designated north-south collector street.

A. Network Streets –Development Requirements

Option #1

1. Full improvement is required with development, with a dollar cap at \$xxx per linear foot provided that 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 his/her 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 even, 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 by using either the LID process or the *Gravel Street Policy* at the property owner's choice. 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* for that block.

Option #2

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 the triggers occurs. The triggers could include such things as a certain level of traffic volume, 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. There would be no time provisions in the DDA. The timing of street improvements would be based on the determinations in paragraph 2.

B. Local Streets Development Requirements

Option #1

1. Dedication of right-of-way may be required.
2. Make improvements to meet the standards for the street as set out in Resolution 10-007. (We will probably need to review 10-007 to make sure we do not contradict ourselves).

Option #2

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

C. Delegation of Responsibilities

1. On Network Streets

- a. 1. City Responsibilities
 - a. Do engineering at City expense.
 - b. Install storm water system at City expense.
 - c. Administer DDAs
 - d. Cover excess costs over DDA cap, if any, as available resources allow.
2. Property Owner Responsibilities
 - a. Install improvements at time of development if possible up to limit of monetary cap.
 - b. Sign and record DDA if public improvements not possible.
 - c. Install improvements or choose options presented by City at end of time period.
 - d. Request other block property owners to participate in LID or *Gravel Street Policy* as set out in DDA.

2. On all other Streets

1. City Responsibilities
 - a. Determine if improvements need to be installed, some or all.(Option #1)
 - b. Determine if additional right of way is needed.

2. Property Owner Responsibility
 - a. Install improvements as directed by the City.(Option #1)
 - b. Dedicate right of way as needed.

D. Existing Waivers of Remonstrance

1. **On Network Streets.** 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 will be continued.
2. **On all other residential streets.**
 - a. **Option #1.** The property will be reviewed for compliance with the standard for the street as set out in Resolution 10-007. If the property meets the standard for that street, the waiver would be cancelled. If the property does not meet the standards, the property owner would have the option of pre-paying for those improvements not installed, up to the standard as set for the street, or signing a DDA modified for the standards for that street. Unless the owner chooses one of these options, the Waiver will be continued, but only for the standard for that street.
 - b. **Option #2.** Waivers would be cancelled.

E. Additional Issues for Discussion

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

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 solely 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 recommended 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 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.
 6. If the multi-frontage lot relief is not allowed in conjunction with the cap limit, the City will need to amend its multi-frontage lot relief policy.