

April 10, 2013

Members of the Oregon House of Representatives Land Use Committee  
900 Court Street, NE  
Salem, OR 97301

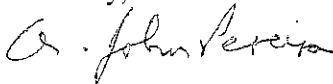
Dear Members of the Land Use Committee:

Thank you for scheduling a hearing on HB 3479. This bill is of particular interest to me because I am a property owner in The Dalles and have been unable to partition my property due to an ordinance passed by the City Council which would require me to pay a fee of between \$100,000 and \$150,000. This fee is excessive and serves as a barrier to development of an additional single family dwelling on my existing property.

After receiving a notice of assessment I was put on a Committee for six months to study what should happen to property owners. What was recommended to the Council and what they received were two different things. Four months ago I appeared before the Council to get a clear understanding of current law and proposed law and when the new Ordinance was published it was totally different, and again different than what the Council asked for.

I respectfully urge the Committee to pass HB 3479 which will allow the citizens adversely affected by this City Ordinance to re-engage the City Council under statutory protections and build solutions that will benefit property owners and achieve mutually beneficial outcomes for future development.

Sincerely,



A. John Pereira

TO: City Council

FR: Loyal & Linda Quackenbush

RE: Proposed LID & Residential Infill Development

DATE: November 2, 2012

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We are writing to share some thoughts regarding the topic proposed for the November 14<sup>th</sup> City Council work session, Residential Infill Development Policies and Procedures.

For the past seven years we have been vexed, worried and sick over the city's interest in passing on horrific street development costs of approximately \$350 per foot to property owners for the streets surrounding our home. As a homeowner at the edge of the city limit, property sizes are much bigger than in the core of the city. Even at a 75 foot lot, this fee is still financially back-breaking; at 220 feet it is ruinous.

Why is East 9<sup>th</sup> Street and Richmond under a proposed full LID? Unfortunately for us, we own two separate pieces of property on these streets. These two properties will cost us over \$110,000 for sidewalks & streets our tiny neighborhood does not need. Not even your "corner lot relief" will spare us from unbelievable costs. Most of our neighbors charges would run \$60,000-\$80,000. This is just unbearable to anyone let alone for people whose finances can barely keep them in the homes they own. Presently Richmond Street is in good condition; not long ago the County installed adequate ditches.

We have lived on this street since 1983 and are very familiar with traffic and pedestrian uses. Richmond is a very steep hill that dumps right on to Old Dufur Road. Many times in the icy winter, the ditches on the side of Richmond have been used by drivers to slow or stop themselves before sliding on to Old Dufur Road. Sidewalks would prevent this fail-safe, not to mention there is very little pedestrian use on this very steep street.

The City is slowly developing Ninth Street towards John Huffman's house. Who is currently paying the costs for this?

We know of no other residential developed area where the City has demanded a full LID.

Recently, street improvements to Jefferson, Tenth and Twelfth streets as well as Brewery Grade where completed without cost to homeowners.

An attempt to create an LID for Thompson Street at a cost of \$100 per foot was successfully thwarted by property owners. Why was the City willing to develop Thompson Street at a cost of \$100 per foot yet we are looking at being charged \$350 per foot? We could stomach \$100 per foot even though that rate is still unappealing.

We would like to know why the City is proposing sidewalks on Ninth Street and Richmond Street rather than proposing sidewalks starting at Tenth and Thompson and running up the street where there is much more need due to denser population?

A Storm Sewer Fund has been added to offset cost of new developments such as this, and those funds should be used when improving streets. Storm Sewers are one of the biggest costs, therefore this fund should be built up enough to pay for such LID's. Engineering should be able to be accomplished 'in-house' saving on cost to citizens. As property tax payers, don't we already pay the engineering staff salaries?

Other funds tapped for possible reduction in street costs to property owners could be gas tax, transportation funds, water reserve, and sewer reserve.

It is our feeling that residents of this community will not be able to afford this level of fee. If somehow this successfully gets started, it is our firm belief that it cannot continue due to citizen inability to cover the costs.

We implore the City Council to listen and speak on behalf of the citizens on this issue. Think about how you might feel if your decision to impose a \$50,000 street tax would impact your own family. A ten year \$50,000 home equity loan at 7.5% interest would cost a homeowner \$593.50 per month for ten years. Interest and principle total \$71,221.06. Now double that and you can see what we will pay for two properties on 9<sup>th</sup> Street.

If the city cannot afford to improve streets, why would the city think the property owners could financially bear the complete cost of street improvement?



## house bill 3479

Ted Beckley <tedbeckley@gmail.com>  
To: jedger2@gmail.com

Mon, Apr 8, 2013 at 10:13 PM

Hi John, I would like to share my story on what I had to go through to improve some land in The Dalles to sell and build houses on.

I started with 2 acres of land I wanted to build houses on to sell.

The City planner and I agreed to divide this into two parts so I wouldn't have to put out all the improvements at once.

Part 1 and part 2, on part 1, I would put in the improvements on E. 10th Street and on E. 12th Street which is 4 lots.

Part 2 was to put in the improvements on E. 11th Street which would have 4 lot's also. There was no road to E. 11th Street at that time.

I put in all the improvements on E. 10th Street and on E. 12th Street and built a house to sell but the City would NOT let me sell one lot until I finished all of part 1 and part 2.

Part 2 was a field with no road to it. The Dalles made me put in a gravel road where E. 11th Street was to be built to my property and required me to pave the street on my property and put in all the utilities. I was told part 2 could be finished after I sold part 1.

I would like to see The Dalles back off on there regulation. The average person can not afford to spend that kind of money to improve there own property.

Thank you for letting me share,  
Ted Beckley  
phone 541-980-2585  
the owner of 5 unsold lots

Members of the Oregon House of Representatives Land Use Committee  
900 Court Street NE  
Salem, OR 97301

Dear Members of the Land Use Committee:

Thank you for scheduling a hearing on HB 3479. This bill is of particular interest to me because I am a property owner in The Dalles and have been unable to partition my property due to an ordinance passed by the City Council which would require me to pay a fee of \$52,111.00. This fee is excessive and serves as a barrier to development of an additional single family dwelling on my existing property.

Even a minor partition which requires a survey to be completed also requires that you either pay into a local improvement fund the complete cost of installing streets, gutters, and sidewalks or have it done yourself. But you cannot do the work yourself if the City hasn't engineered all parts of the "infill" along the street, which of course they have not done. Therefore, the only way you can divide or partition your land is to pay into the fund because the City won't let you record your partition without paying into the fund.

I respectfully urge the Committee to pass HB 3479 which will allow the citizens adversely affected by this City Ordinance to re-engage with the City Council under statutory protections and build solutions that will benefit owners and achieve mutually beneficial outcomes for future land owners.

Sincerely,

Mr. & Mrs. John E. Dennee  
2651 East 10<sup>th</sup> Street  
The Dalles, OR 97058

April 10, 2013  
P.O.Box 1512  
The Dalles, OR 97058

House Land Use Committee  
Oregon State Legislature  
Salem, OR

Re: HB 3479  
Chairman Brian Clem

Dear Representative Clem,

My name is Randy Hager. I am a private property owner in The Dalles Oregon and respectfully urge scheduling of HB 3479 for a hearing and work session, which I have been asked to address April 11th at 3 PM. I'll be attending as I have been told by our city staff that I can no longer divide my property unless I pay approximately \$80,00 dollars into a city fund which is described as a 'future local improvement district fund'.

I understand HB 3479 will give me the statutory protection not currently available to me.

Over the last seven years that The Dalles city staff has been attempting to implement a broad reaching and insurmountable plan, I have become a 'listener' to the community and in particular, rural area land owners, whose property, like my own is still in the status of under-developed acreage. Our linear foot street frontage often exceeds 200 feet and in some cases, large tracts still exist as commercial cherry orchards.

I will attempt to address for your committee's benefit, a few statutory language misrepresentations used by the City of The Dalles management and planning staff, that if construed into city ordinance, would surely bring about widespread bankruptcy and /or foreclosures.

I look forward to our meeting,  
Respectfully,



R. G. Hager

# City Council advances street assessment plan

## Plan would levy \$355 per linear foot for new development

■ By RaeLynn Ricarte  
*The Dalles Chronicle*

The Dalles City Council is moving ahead on a policy change that will tie new residential development on some lots to a \$355 per linear foot assessment for street improvements.

Last week, the elected body asked Dick Gassman, director of the city's Planning and Community Development Department, to prepare a new ordinance for review at a public hearing in June. The revised code will first be submitted to the state for approval and then scrutinized by the planning commission.

Under the amended code, the city will tie the assessment for partitioning land to issuance of a building permit instead of when the property sells or after a set period of time has passed.

The old policy drew complaints by John Dennee and other residents with large, almost rural tracts of land on the east side of town. They spoke out at a November meeting against having to pay \$50,000 or more to "draw a line on a map" when one or two new lots were created.

They said no new traffic was generated by a land partition and development of the lot might lie years in the future.

After hearing these objections, the city decided it could stifle economic development if the costs were too high to divide up property. They said the

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## Streets

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purpose of the assessment, levied on the street frontage of the original property, was to generate revenue for road, water, sewer, stormwater and sidewalk improvements to accommodate additional population growth and increased traffic.

"We've been listening and getting feedback because we don't want to break the backs of our neighbors and make selling and developing so expensive we can't do it," said Councilor Tim McGlothlin at the November meeting where Dennee and others spoke out.

Councilor Bill Dick said it was a challenge to enact an infill policy that was "fair and consistent," because a public safety hazard was created when development was allowed on

substandard streets. He said it was difficult for fire and police vehicles to navigate these roadways and respond to an emergency.

"We apparently believe in development but we don't believe in making the improvements," he said in reference to the deteriorating condition of Thomp-

son Street. The new code will allow payment of the assessment to be deferred until development is initiated or a Local Improvement District forms to recoup infrastructure costs.

Landowners with corner lots and frontage on both streets will only be charged for one side of the

parcel. Property owners who partition land must agree to give up their right to object to formation of an LID and pay the assessment at that time.

Story idea? Call  
(541) 296-2141