

New construction should automatically trigger creation of a local improvement district

FROM THE EDITOR'S DESK

By Don Snedecor
The Southwest Portland Post

In a local improvement district, the majority of property owners on the block or street agree to pitch in for curbs, sidewalks, pavement, and other street improvements—often where none had existed before. A new fund earmarked for these districts, and not nearby arterials, could actually begin to improve Portland's local streets.

In Southwest Portland alone, some 63 percent of all streets don't have sidewalks. There are many unimproved dirt, gravel or partially paved streets that need to be completely rebuilt. Erosion and flooding are constant concerns by property owners, reminded every time it rains.

Currently city code requires developers to make half-street improvements along the property's street frontage whenever there is new adjacent residential construction. But developers argue that this doesn't work on unimproved streets, simply creating what Commissioner Steve Novick refers to as "sidewalk islands."

The solution to this problem for the past 25 years has been "waivers of remonstrance." That simply means that the city is adding a caveat to the deed of the property in question that waives the owner's right to object to future street assessments and improvements. That property owner is a YES when it comes time for residents of that street to vote up or down.

The problem with waivers, of course, is that nothing seems to trigger these local improvement districts from ever being built. Developers are happy

not to have to build sidewalks and other improvements, and that cost isn't passed on to the property owners.

But developers don't have to live with the aftermath. When do improvements ever kick in? Rarely or never.

It's been widely reported in the media that some \$375 million in waivers are on the books. But even on blocks where every single property owner has a waiver on the books, these improvements are not being made. Why not?

The reason is the cost. According to the LARKE Report, a study of unimproved roadways in the Woodstock neighborhood by Portland State University graduate students, the average citywide cost per linear foot is \$1500. So for 50 linear feet of frontage that means \$75,000. Ouch!

Novick's most recent innovation is called the Local Transportation Infrastructure Charge or LTIC. This ordinance, recently passed by the city council, would create a fund when developers for a variety of reasons sought to avoid building sidewalks.

Let's say the actual construction cost to a single-family residence for half-street improvements was \$75,000. This money would be pooled into a fund which would pay instead for improvements needed on nearby arterials and thoroughfares.

According to a spokesman for the transportation bureau, federal and regional funds can only be used for improvements to arterials and collectors—and I assume that would include the proposed 10 percent gas tax that appears on the primary ballot May 17.

But since this fund could not be used for side streets, when would those badly needed improvements ever be built?

Here's the answer. On fully improved



Sidewalk islands could be a thing of the past if LTIC funds are earmarked for local improvement districts. (Post photo by Don Snedecor)

streets, nothing should change. Developers should be required to build curbs, sidewalks and other half-street improvements along the property lines.

But for new residential development on sub-standard streets, City Council should create a local improvement district which automatically is triggered by new construction.

Neighbors on the block, or perhaps within a linear quarter mile, depending on needed improvements, would be notified there was money set aside for street improvements.

A trust fund would be created, with seed money from the new development. Those with waivers of remonstrance on their deeds could not object, which would speed up the process.

An advisory committee to oversee improvements would be established and all stake holders would be invited to serve on that committee.

A technical advisory committee, including engineers from the environmental and transportation bureaus, would be consulted for dealing with landslides, stormwater runoff and other related issues.

The city would pay half of the cost of the project. The property owners would split up the cost of the other half, based on street frontage.

After all, the city is already paying 100 percent of the cost of improvements to arterials and collectors. This is only fair.

Low interest loans, currently available to property owners to pay for sidewalks and other street assessments would continue.

Once the street is improved to city standards, the city takes over maintenance. Erosion is eliminated. Children and seniors have a safe place to walk. Police, fire and medical personnel are able to access the street in an emergency. Justice has prevailed. And yes, you still have to pay to repair cracks the roots to your maple tree made in the sidewalk along your property line.



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4207 SE Woodstock Blvd #509, Portland, OR 97206

Phone: (503) 244-6933; Fax: (866) 727-5336
 general email: news@multnomahpost.com
 web address: www.swportlandpost.com

Editor & Publisher.....Don Snedecor
 Reporters/Writers.....KC Cowan, Jack Rubinger
 Erik Vidstrand
 Copy Editor.....Rich Riegel
 Advertising Sales.....Rich Riegel, Don Snedecor
 Graphic Design.....Leslie Baird Design
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Correction

In the article, "Boys and Girls Aid offers free seminar for foster parents in Southwest," (*The Post*, April 2016) reporter Jack Rubinger mistakenly referred to Londo Ramos as "her" and "she." Ramos is actually a male. We apologize for the confusion and regret the errors.