

CITY OF MOSIER

small enough to make a difference

MOSIER CITY COUNCIL MEETING

October 17, 2018 at 6:30 P.M.

Mosier Senior Center at 500 Second Ave

I	6:30pm	Call to Order (please silence or turn-off cell phones)	
II		Agenda corrections or additions	5 min
III	6:35 pm	Business from the Audience —This is an opportunity for Mosier residents and anyone else to express concerns, needs, or opportunities. Please keep your comments succinct and under two minutes. You may bring in written materials for Council and Staff to review. The Mayor can assign the issue to a future Council meeting, to a Council Committee, or to staff. Please realize that council cannot offer any response immediately, but will give the matter due consideration.	10 min
IV		Approval of: 10/03/18 - City Council Meeting Minutes	
V		BUSINESS	
1.	6:45 pm	STR Memo and TLT Review – Laura Westmeyer, City Attorney	20 min
2.	7:05 pm	Electric Vehicle Charging Stations – Mayor Burns https://www.electrificationcoalition.org https://news.sourcewell-mn.gov/members-power-addition-of-electric-vehicle-supply-category/ https://www.electrificationcoalition.org/wp-content/uploads/2018/06/SAF_1213_EC-Roadmap_v12_Online.pdf	10 min
3.	7:15 pm	Snow Plowing Contract – Colleen Coleman, City Manager	2 min
4.	7:17 pm	TSP – Downtown Area Discussion – Mayor Burns	20 min
5.	7:37 pm	Planning for Winter Months – Council Priorities?	15 min
6.	7:52 pm	Announcements	5 min
7.	8:02 pm	Gorge Happiness Month – All attendees	10 min
VI	8:12 pm	Adjourn	

City Council Meeting Minutes

October 3, 2018

Council: Mayor Arlene Burns, Ann Van Osdol, Lacy Gries, Peny Wallace, Witt Anderson

Absent: Emily Reed, Acasia Berry

Staff: City Manager Colleen Coleman, City Recorder Jayme Bennett

I CALL TO ORDER – Cell Phone Reminder and meeting commenced 6:34 p.m.

II Agenda additions or corrections- none

III BUSINESS FROM THE AUDIENCE

IV APPROVAL OF MINUTES:

With following corrections: section one: strike chewing gum replace with family (re: Wrigley), Strike Ted Brushear's, remove Jayme Bennett, and Laura Westmeyer, add Acacia's last name, section 5 strike she asked the city to accept...replace with she suggested, strike "keep" to tidy sentence.

Motion to approve as corrected:

First: Peny Wallace

Second: Ann Van Osdol

Discussion: none

Vote: all in favor

V BUSINESS

- 1) Oregon Department of Transportation (ODOT) Mosier Streetscape Project (David Amiton and Dave Hirsch)**

Representatives from region 4 of ODOT came to give an overview on new signage process, and temporary parking opportunities to offset negative impact of further limiting parking elsewhere and to assist the community in selecting the first segment of the Mosier Streetscape Project.

Next Steps:

City of Mosier to identify and implement temporary parking opportunities prior to installation of NO PARKING signs on the HWY 30 section on both the North and South sides of the road on the East and West ends of the one lane bridge.

The first segment of the Mosier Streetscape Project will be the West Gateway 1a/1b segment, which is the closest to the Mosier School and will have the largest impact on the downtown corridor. For more information on the Streetscapes plan, please contact City Hall, or visit the City of Mosier website.

- 2) United States Department of Agriculture (USDA) Grant/Loan**

Funding was finalized for the USDA East Side Water System Update and achieved the highest grant percentage possible for funding. Next steps in the project are to secure interim financing.

- 3) Mosier Community Center/Joint Use Facility (MCC/JUF)**

City Manager is working to secure permission for the phase II environmental study on the Union Pacific Railroad (UPRR) property. This study is the first step to remove deed restrictions that would allow more flexible use on the property, which will assist in the determination of the highest and best use for the

community. This information will also assist in the work plan the Committee is pulling together on the site analysis, and pre-construction due diligence.

Next steps:

Subcommittee to meet with Silas Bleakly to secure basic agreement on additional property as needed.

Work to engage the community for more involvement and feedback.

4) Announcements

ADJOURN – 8:45 pm



MEMORANDUM

To: City of Mosier Mayor and City Councilors
From: Laura Westmeyer, City Attorney
Date: October 15, 2018
Re: Legal Overview of Short-Term Rental Regulations

I. INTRODUCTION

The City Council requested that I provide an overview of the various ways that cities have developed short-term rental (STR) regulations for their communities, and to discuss some of the legal considerations that accompany the different regulatory programs. This memorandum does not attempt to examine the full compendium of options available to a city in addressing STR operations, but rather, provides a legal framework and recommended process for the City Council's consideration of whether and how to address STR operations within the City of Mosier.

II. BACKGROUND

Due to a variety of factors, many areas around the world have been experiencing an increase in the use of residential dwellings for short-term rentals. In response to the effects that new and increased use of dwelling units for STRs have on the communities they operate within, some jurisdictions have chosen to adopt strategies to manage the effects by regulating the activity, generally for the purpose of mitigating the negative impacts and encouraging the positive impacts of increased STR operations in accordance with the priorities for their particular community.

It may be helpful to begin with an explanation of terms used when discussing short-term rental operations. Broadly defined, a “**short-term rental**” (or “STR”) is any dwelling that is rented out, in whole or in part, to a guest for a stay of 30 days or less. Under this umbrella definition, an entire house or detached accessory dwelling unit that is rented out for temporary stays would be considered an STR, as would a house where only one room is rented out for temporary stays. The “**host**” of the short-term rental is typically the owner of the property; however, the host may instead be a party that is designated by the owner to rent the dwelling (e.g. a property management company), or a party that is permitted by the owner to rent the dwelling (e.g. a long-term renter whose lease permits the activity). The person who rents an STR for a short-term stay of 30 days or less is considered the “**guest**” or the “**occupant**.” There may be a “**hosting platform**” that facilitates the short-term rental transaction, such as providing the host with the means to advertise the rental unit, or providing booking services. VRBO, HomeAway, Airbnb, and vacationhomerentals.com would all be considered hosting platforms.

A broad definition of “short-term rental” is sufficient for discussing STRs colloquially and in other regulatory contexts, but when considering the effects that short-term rentals have a community, narrower categorizations are also important to recognize. While there are countless permutations for how to structure a short-term rental on a given property, for purposes of this overview I will describe three basic models (noting that the terms used below are for purposes of this discussion and not necessarily official descriptions):

1. **Home Share.** A home share is a host-occupied dwelling that is partially rented out as an STR. One example would be if property owners live at their home and rent out one room of their house, to be occupied by a guest while they are still living in the home and sharing the common spaces. In this model the host resides in the dwelling and is on-site during the guest’s stay.
2. **Seasonal Rental.** A seasonal rental is when the dwelling is the primary residence of a host, who rents it out when temporarily away from home. For example, a home that the property owners live in for most of the year but rent out when they are away for the weekend, for one month, or for the full winter. In this model the host is not on-site during the guest’s stay but does intend to return to their residence.
3. **Income Property.** An income property would be when a property owner has a separate primary residence and uses the STR as a secondary dwelling primarily for generating revenue via short- or long-term rentals. In this model the host is not typically on-site during the guest’s stay and may never intend to live at the dwelling themselves.

In reality, a short-term rental may take the form of any of these models, or a combination of them. The importance of describing the differences between these models is in understanding that the impacts and manner of addressing the impacts of STR operations in a community may be different depending on which model is used. For example, a home share where a community member is living in the home during the guest’s stay may be considered to be more accountable to their neighbors and community and able to address concerns better than in an income property situation where the owner may have never even visited the property. But an income property operated by a professional management company may be just as responsive and able to address concerns, perhaps moreso than a seasonal renter who is not in the business of renting properties.

III. LEGAL CONSIDERATIONS

a. Authority to regulate short-term rental operations

Cities in Oregon have legal authority to regulate short-term rental operations under their existing home rule authority, zoning authority, taxing authority, and general police power to preserve and promote the health, safety, and general welfare of the public. Local laws relative to short-term rentals may affect land use, building structures, business operations, and personal conduct. The authority of a city to regulate these areas are subject to constitutional limitations and applicable legal doctrines. The most commonly implicated legal considerations concerning restrictions on short-term rental operations are addressed in this section.

a. Due Process

The government may not deprive any person of life, liberty, or property without due process of law. Due process has both procedural and substantive implications. The procedural

requirements include the obligation of the government to provide fair notice and an opportunity to be heard. In general, Oregon laws applicable to municipal governments, particularly in the land use realm, are sufficiently prescriptive to meet procedural due process requirements. To satisfy the substantive aspect, the government must show that a compelling reason exists to justify the deprivation. Stated differently, the regulation must advance a substantial government interest. To pass due process muster, any regulation of short-term rental operations should be developed for the purpose of advancing clear and legitimate government objectives. The procedural requirements will be met so long as the regulations are developed and implemented in accordance with Oregon laws.

b. Equal Protection

Under Equal Protection guarantees, the government may not deny to any person within its jurisdiction equal protection of the laws. Practically speaking, this means that the government should be treating similarly situated persons similarly, unless there is a legitimate reason to treat them differently. In the short-term rental context, when properties are similarly situated, yet treated differently due to the use of the property as a short-term rental (as opposed to another use, such as for a long-term rental) a rational basis must exist for the disparate treatment. One possible difference might be if the effects of a regularly rotating tenancy are distinct from the effects of a long-term tenancy, and those effects are significant to the community.

c. Takings

The government may not take private property for public use without just compensation. A taking may be a physical taking of property or a regulatory taking of property, and a land use regulation that heavily burdens property rights may constitute an unconstitutional regulatory taking for which compensation must be paid. The basic analysis for whether a local government regulation is a taking is a balancing test weighing the following three factors: (1) the economic impact of the regulation on the property owner; (2) the extent to which the regulation interferes with the property owner's distinct, investment-backed expectations; and (3) the character of the governmental action. Any regulation that would restrict a property owner's ability to conduct short-term rental operations should be narrowly tailored to meet a specific, legitimate government objective, and should provide for an amortization period sufficient to recognize any investment-backed expectations of property owners, generally and individually, who have relied on their ability to conduct STR operations on their property to the extent that they could have done so prior to any regulations restricting their future ability to do so. This "phasing out" period is further addressed below as a nonconforming use.

d. Nonconforming Use

A nonconforming use is a land use that was lawfully established when it came into existence but would no longer be permitted under current law because the applicable zoning regulations have since changed. Mosier's Zoning Ordinance allows for a continuation of nonconforming uses with the expectation that the use will eventually end and will thereafter conform to current law. The person claiming to have a nonconforming use has the burden of establishing its existence. In the short-term rental context, nonconforming uses would need to be addressed if property owners use their properties for short-term rental operations and the City later adopts regulations restricting the use of those properties for short-term rental operations. In that situation, an amortization period to "phase out" the nonconforming uses within a definite time frame should be provided. This period of allowance would provide for a certain number of

years for the nonconforming uses to continue until the amortization period ends and the properties would thereafter operate short-term rentals only to the extent that current law would allow. Oregon courts have upheld a five-year amortization period and rejected any takings claim in a challenge to the city's short-term rental ordinance in *Cope v. City of Cannon Beach*, 115 Or.App. 11, 836 P2d 775 (1992), aff'd 317 Or 339, 855 P2d 1083 (1993). Under this court precedent, five years would generally be a sufficient amortization period to allow for nonconforming uses to come into compliance.

IV. REGULATORY OPTIONS

There is a wide range of strategies for addressing short-term rental operations. At the opposite ends of the spectrum are communities that allow unfettered STR operations throughout their jurisdiction, and those that prohibited or heavily restricted STR operations, such as entirely banning them in certain zones, or only allowing for the home share model where the host must live on-site.

Other strategies attempt to balance priorities by setting moderate restrictions on STR operations. Some of these restrictions are quantitative in nature, such as establishing a fixed cap number of STR units that may operate in each neighborhood, a maximum percentage of STRs units that may operate citywide, a minimum distance between STRs, or a maximum number of days that the dwelling may be rented each year. Other restrictions are operational in nature, such as requiring a local point of contact to be made available at all times, renters to agree to abide by a "good neighbor" policy, safety inspections of the units, or particular parking requirements for cars that are associated with the STR. How a city regulates short-term rentals necessarily depends on the priorities of the community and the reasons for developing the regulations. The next section discusses some of the reasons communities have decided to regulate short-term rentals.

V. REASONS TO REGULATE

As explained in the above "Legal Considerations" section, a city's regulations should be tied to identified and specific policy objectives. In this sense, *reasons* to regulate may be thought of as *justifications* for adopting the particular regulations that are chosen. Ideally, the justifications should be based on documented evidence of a city interest that needs to be addressed.

Common justifications that cities have made for adopting restrictive STR regulations include: preservation of quality of life and neighborhood character, decrease in nuisance complaints, reduction in parking congestion, and an interest in maintaining availability of rental units for long-term tenancies. Common justifications that cities have made for not regulating STRs, or for adopting more lenient STR regulations, include: allowing for revenue generation for the city and for property owners, lack of desire to interfere with market forces or negatively affect local tourism, and avoiding the addition of further administrative burdens on city staff that would necessarily occur in the processing of applications for permits or licenses, renewals, enforcement, and dealing with appeals.

In sum, the justifications for whether to regulate and how to regulate will be distinct to each community and the effects that the community is experiencing from the activity to be regulated.

VI. GUIDING PRINCIPLES AND RECOMMENDED PROCESS

Goal 4 of the Mosier City Council's 2018 Strategic Plan is to *Ensure Housing Security for Mosier Residents*, and one of the projects of that goal is to explore short-term housing policies. The City is currently in the exploration stage of this project. The foundational questions that should be explored are (1) whether there is a need to address short-term rental operations within the City, and (2) if the need exists, what regulatory approach and specific implementation measures would address those specific needs, and (3) how to effectively develop, implement, and enforce the strategies proposed.

1. Identify reasons for whether to regulate short-term rentals.

Research may be through public meetings, surveys, data gathering, and other means. Information that may be helpful might be the number of short-term rentals operating within the City of Mosier, the frequency at which the dwellings are rented, the number of long-term rentals compared to the number of short-term rentals, the quality and nature of any complaints related to the use of properties for short-term rentals, the effect on property values, if any, and an inventory of housing stock within the City that have the likelihood or possibility of being used as short-term rentals in the future. If the City adopts a transient lodging tax, the registration of transient lodging operators will provide additional information on short-term rental operations. This type of data will help to inform the City Council in its decision for whether to regulate this area.

2. Come up with clear policy objectives that are tied to the identified reasons to regulate.

The City has already made the exploration of short-term housing policies a goal to undergo within the next five years. If reasons are identified to regulate short-term rental operations, policy objectives should be identified or developed that correspond to the identified needs, such as through the City's Comprehensive Plan and zoning regulations.

3. Develop a regulatory framework and practical implementation measures.

The framework should take into account the legal considerations addressed in this memo, along with the administration and enforcement requirements of any adopted regulations. Regulations should be narrowly tailored to align with the City's policy objectives and to meet the specific needs that the Council has identified through this process.

VII. CONCLUSION

The best practices of a city in developing strategies for addressing STR operations begin with identifying specific impacts of the activity that it intends to regulate, aligning those impacts with clear policy objectives, and developing strategies to best address those needs.

Staples, Minn., August 24, 2017

Members Power Addition of Electric Vehicle Supply Category

STAPLES, Minn. (24 August 2017) – As the popularity of electric vehicles surges in the public and within government, education, and nonprofit organizations, so does the need for charging stations, software, and related services.

To help its public-serving members throughout the U.S., and Canada find viable solutions, [National Joint Powers Alliance](http://www.njpacoop.org/)[®] < <http://www.njpacoop.org/>> (NJPA) did extensive research and conducted a nationwide competitive solicitation in the category of, “Electric Vehicle Supply Equipment and Related Services.”

NJPA is pleased to announce it has awarded five vendors in its newest category: AeroVironment, ChargePoint Inc, Greenlots, LilyPad EV, and Siemens Industry. Through these awarded vendors, members can find everything they need to provide charging solutions for any size project or program, from just one vehicle to public parking spaces and ramps, up to a full fleet of vehicles.

[Contract Administrator](http://www.njpacoop.org/organizational/staff-directory) < <http://www.njpacoop.org/organizational/staff-directory>> Scott Carr says NJPA received an abundance of input from several members to understand what needs exist within the electric vehicle space.

“The EVSE industry is evolving very quickly with many complexities to understand,” Carr explained. “What we wanted to accomplish with this contract solicitation was to provide our members a variety of simplified charging solutions that make sense for them. Now, our members have the ability to pair our electric vehicle contracts with our charging infrastructure contracts for a turnkey solution.”

The contracts, which will streamline the purchase and service acquisition process, were effective as of July 25, 2017.

(<https://www.electrificationcoalition.org/>)

SMART CITY EXCHANGE

PROGRAM OVERVIEW

The EC helps facilitate city-to-city information sharing to advance the speed at which cities can facilitate the transition to electric mobility. In 2016, Columbus (<http://www.smart.columbus.gov/>) was awarded \$40 million in funding from the U.S. Department of Transportation and \$10 million from Paul G. Allen Philanthropies, through the Smart City Challenge. The EC is supporting the EV consumer adoption program as an organizing, technical, and strategic advisor.

For the Mobility Innovation Challenge (<https://mobilityinnovationchallenge.org/>), the EC, Smart Cities Lab and the Texas Innovation Alliance are dedicated to providing 20 forward-thinking cities a laboratory to grapple collectively with the challenges of the transportation revolution.



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MEMORANDUM

To: Colleen Coleman, City of Mosier, and Don Morehouse, ODOT

From: Derek Abe, Alta Planning + Design

Date: September 25, 2018

Re: Mosier TSP Tech Memo #6: Alternatives Analysis DRAFT

This memorandum describes several alternatives for enhancing the Mosier transportation system and achieving goals identified by the City and community stakeholders. This memorandum also identifies funding programs and proposed policies and amendments that support the implementation of these alternatives in the near future.

Overview

The Consultant team analyzed existing and future conditions to develop projects that would have the greatest impact toward a healthier, more inviting, connected, thriving, and sustainable Mosier community. These improvements would enhance the experience for residents, workers, and visitors alike.

The Mosier Transportation System Plan (TSP) process has involved community leadership and input in defining the vision and outcomes for the city. Stakeholders have been engaged and have provided input on the TSP through a series of public workshops and Public Advisory Committee meetings. Stakeholders reviewed several alternatives, many of which were developed from technical analyses by consultant teams and identified through previous planning efforts, including the 2015 Slow Mo' Main Street Concept Plan.

The following goals for Mosier transportation were developed in partnership with stakeholders:

1. Develop a transportation system that promotes safety throughout the city for all modes and ages, especially in the Downtown district.
2. Provide transportation options within Mosier that support connectivity among regional destinations and meet future mobility needs of the area. Options should consider all modes and ability levels and should also encourage connections among modes as a means to improve the quality of life in Mosier.
3. Develop a transportation system that supports a vibrant, successful Downtown business district; supports tourism (including bicycle tourism) as an economic strength; and supports regional economic activity, including agricultural production.
4. Develop a transportation system that support all modes, including pedestrians and bicyclists, through provision of dedicated facilities and related safety improvements.

5. Develop a transportation system that balances community mobility needs and transportation options with the need to protect the environment with the use of green street amenities that include street trees, bioswales and planted areas along city streets.
6. Identify a funding structure that supports a viable transportation system that is consistent with local, regional and state goals in coordination with regional planning efforts.
7. Develop a transportation system that provides mobility choices for individuals of all ages, abilities, incomes, races, and ethnicities, specifically those who experience unequal access to transportation.

Project Alternatives

This section outlines several alternative solution packages developed by the consultant team based on deficiencies identified in traffic studies, community input and values, existing policies and plans, and independent analyses. Project alternatives have been developed at the following locations throughout the City to address documented issues.

- Downtown
- US-30 West (Western City Limit to Idaho Street)
- US-30 East (Idaho Street to Eastern City Limit)
- North of US-30: Waterfront and Community Space
- 3rd Avenue and Mosier Community School

Downtown Circulation

Several improvements at key intersections downtown would potentially help to improve traffic circulation, calm traffic, and make downtown Mosier a more comfortable place for residents and visitors. In particular, locations on the freight route can be particularly uncomfortable or difficult to navigate safely. The alternatives listed below address traffic safety and better accommodations for pedestrian, bicycle and handicap access and mobility:

- Remove the conditional right turn restriction at the intersection of 3rd Avenue and Washington Street (WB to NB). Reduce corner radii at this location to facilitate tighter, slower turns (see sidewalk improvements for 3rd Avenue and Mosier Community School).
- Install a stop sign at 3rd Avenue and Washington Street in the (SB direction) to prohibit a free left-turn onto 3rd Avenue (EB).

Relocating the designated freight route through downtown can potentially improve traffic flow, reduce delay for freight vehicles, and provide safer, more comfortable pedestrian and bicycle environments at key locations along the existing freight route. The current route utilizes US-30, Washington Street, and 3rd Avenue. A few alternative circulation patterns have been proposed.

Relocating the freight route from Washington Street to Center Street in the SB direction would provide a number of key benefits:

- The existing EB-to-SB right turn from US-30 to Washington Street has poor sightlines due to the location and minimal setback of the Route 30 building, and the intersection corner and edge of

roadway are not well-defined. This is dangerous because vehicles also tend to cut the corner at speed. In contrast, the EB-to-SB right turn from US-30 to Center St provides much better visibility for operators without any sight obstructions due to the Dwelling Center building setback. Additionally, larger trucks may need to overshoot the SB lane to make the turn by encroaching on the NB travel lane on Washington Street. This can have a significant impact on traffic operations if approaching NB vehicles are at or approaching the intersection at the same time. At the Center Street location, clearer sight lines allow both trucks and approaching vehicles to see and react in time.

- Implementing an all-way stop at the intersection of 3rd and Center Street would provide a safe crossing for children and parents walking from Mosier Community School. Because this intersection has a less severe grade than Washington Street, it will be easier for large trucks to accelerate up the hill from a stop at the intersection to turn EB onto 3rd Avenue.
- This route reassignment does not add distance to the route and may reduce potential truck delays due to lower pedestrian activity and/or truck interactions.
- Coordination with the Mosier Fruit Growers on freight travel times, such that truck traffic occurs outside of school start and end times. This can be achieved through a memorandum of understanding between the City and freight community.

Additionally, relocating the route from Washington Street to Center Street in the NB direction would have the following complementary benefits:

- Allow the City to remove the conditional right turn stop restriction to create an all-way stop or traffic circle at the NE corner of 3rd Avenue and Washington Street. This would provide a much more comfortable pedestrian environment at this location.
- Relocating the NB freight route would simplify traffic operations along Washington Street with respect to vehicle demand and capacity at Route 30, Mosier City Hall and the potential future mixed-use development south of Mosier Market.

US-30 West (from Western City Limit to Idaho Street)

Alternatives for US-30 West have been identified as critical for increasing safety for all modes of travel and making Downtown a more welcoming and enjoyable destination for residents and to encourage visitors to spend time in this area. These recommendations improve access to key destinations in downtown Mosier and address points of conflict for pedestrians, motor vehicles, and bicycles. Transportation investments in this area have the highest potential for contributing to economic growth for Mosier because it is the center of existing and future businesses, development, and regional attractions.

- Enhance the Mosier Bike Hub. The project includes:
 - Construct sidewalk, street trees, vegetation, and landscaping on all sides of the Hub and restrict parking alongside the Hub on US-30.
 - High visibility crosswalks on eastern leg of intersection at US-30 and Main St, and on the east, west, and south leg of intersection at US-30 and Oregon St.

- Create a shared street environment that includes landscaping and other pedestrian crossing improvements along US-30 to calm traffic. These types of projects include:
 - Signs for reduced speed to 20 mph throughout downtown
 - Street trees, vegetation, and landscaping on north and south sides
 - Fill sidewalk gaps and maintain sidewalks in poor condition
 - Curb extension with curb ramps at southwest corner of Main
 - Curb extension with curb ramps at southwest corner of Washington
 - Curb extension with curb ramps at southeast corner of Center
 - High visibility crosswalks on western leg of intersection at Main St
 - High visibility crosswalks on western leg of intersection at Washington St
 - High visibility crosswalks on eastern leg of intersection at Center St
- Reconfigure intersection of US-30 and Rock Creek Rd to slow down turning vehicles and create safer pedestrian crossings (see Figure 1). The project includes:
 - Close southbound left turn from Rock Creek Rd. onto Hwy 30.
 - High visibility crosswalk north of US-30
 - High visibility crosswalk east of Rock Creek Rd
 - Landscaping/planting strips along south side of US-30
 - Landscaping/planting strips on both sides of Rock Creek Rd.
- On Rock Creek Road install a bike lane on the WB/SB direction (uphill climbing lane) and shared lane markings EB/NB (downhill), from US-30 to the HCRH Trailhead.

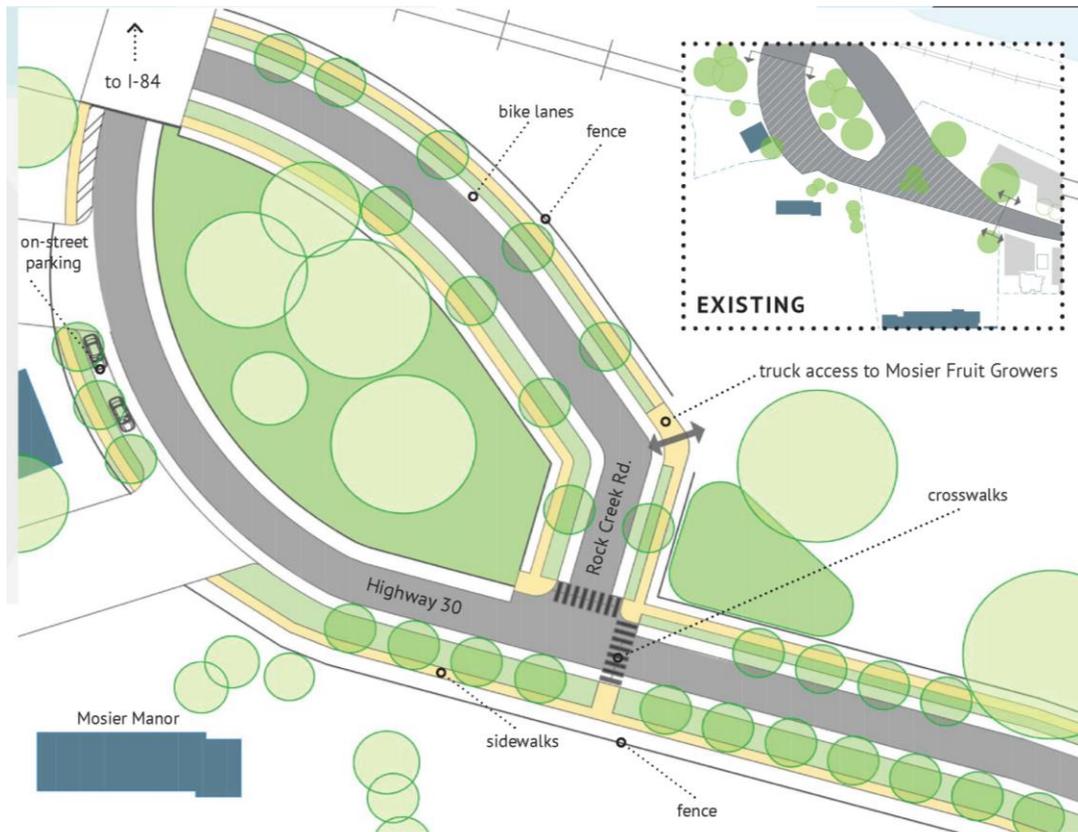


Figure 1. Proposed reconfiguration of the US-30 intersection at Rock Creek Road in Mosier, drawn from *The Slow Mo' Main Street Concept Plan, 2015*

- Other downtown improvements include:
 - Provide on-street parking adjacent to the Route 30 Property and Rack & Cloth business
 - Construct sidewalk along south side of Highway 30 between Center St and Washington St, at the southwest and southeast corner of Center St, and the southwest and southeast corner of Washington St.
 - Construct curb and gutter along southside of Highway 30 between Center St and Washington St, at the southwest and southeast corner of Center St, and the southwest and southeast corner of Washington St.
 - Provide Gateway/Informational signage directing visitors to Downtown and waterfront
 - Paved surface parking area north of the Totem Pole Plaza – extending east to the Joint Use Facility.
 - Create a full traffic diverter to close 2nd Avenue to through traffic at US-30; provide bike and pedestrian cut throughs to preserve neighborhood access. Additionally, provide designated on-street parking on 2nd Avenue to accommodate parking demand on Oregon Street.

US-30 East (from Idaho Street to Eastern City Limit)

Alternatives for US-30 East will increase safety, provide a more comfortable shared street environment and provide access across the Mosier Creek Bridge for all modes. The project includes:

- Provide welcome signs and Mosier information directing visitors to downtown east of the Mosier Creek Bridge.
- Add advanced yield signs at Mosier Creek Bridge
- Install pavement improvements from Idaho St to Mosier Creek Bridge
- Install sidewalk improvements from Idaho St to Mosier Creek Bridge
- Install marked crosswalks on both sides of the Mosier Creek Bridge
- Reduce posted speed limit to 20 mph west of the Mosier Creek Bridge
- Provide paved parking north of US 30 at Mosier Creek, for waterfront, Joint Use Facility, and Mosier Plateau Trail access
- Construct a separate Pedestrian-only bridge parallel to the bridge on North side
- Prohibit on-street parking east of Mosier Creek Bridge and install designated parking area west of Mosier Creek Bridge at current ODOT bridge construction staging area.
- Install signs to direct visitors to designated parking areas at Mosier Plateau trailhead

Mosier Creek Bridge Sensitivity

One-way traffic operations on the Mosier Creek Bridge were evaluated as part of the TSP to ensure that the bridge can continue to operate effectively through the 2037 planning horizon. The bridge traffic operations for both existing and future year conditions are summarized in Table 1. Traffic volume growth assumptions are based on ODOT's Future Volume Table.¹

Table 1. Mosier Creek Bridge Traffic Operations

Intersection ²	Volume to Capacity Ratio	Level of Service	Average Delay (sec)
Existing 2016			
Mosier Creek Bridge - west	0.28	A	3.5
Mosier Creek Bridge - east	0.26	A	3.3
Future 2037			
Mosier Creek Bridge - west	0.25	A	3.2
Mosier Creek Bridge - east	0.23	A	3.1

The operations analysis indicates very little delay is experienced by vehicles. The results of the future year operations analysis indicate that the one-way traffic operations on the Mosier Bridge will continue

¹ ODOT 2035 Future Volume Tables identify expected traffic volume growth at the Mosier Creek Bridge. At this location the projected growth, scaled to 2037, is 62%. This growth rate was applied to Existing 2016 volumes to obtain Future 2037 volumes.

² Traffic operations on the bridge were represented as two signalized intersections (one on each side) per ODOT guidance..

to operate effectively through the 2037 planning horizon.³ Although no future vehicular operational issues have been identified with the bridge itself, the recommendations pertaining to the bridge in this plan are proposed to improve cyclist/pedestrian circulation and safety in the immediate area.

North of US-30: Waterfront and community space

The waterfront is one of the City's greatest assets and key attractions. Year-round access to the waterfront across the railroad alignment will ensure that residents and visitors can enjoy the outdoor opportunities and amenities in Mosier and the Columbia River Gorge. Connecting these accessways to downtown is a key strategy. Recommendations suggest improving access to this area while also considering environmental impacts of increased visitors. A mix of amenities in the Rock Creek area can better accommodate visitors, maximize use of the space, improve transit access, and generate revenue.

- Improve road undercrossing under railroad tracks at Rock Creek Park with year-round access, that includes paving or permanent impervious roadway and effective barriers to winter flooding.
- Construct a raised, paved trail or permanent impervious walking surface connecting to downtown to the Columbia River waterfront along Mosier Creek, under the railroad bridge and I-84
- Install informational and wayfinding signage at Mosier Creek and Rock Creek access points
- Improve CAT service and amenities: provide more frequent service, and build a transit stop location near the Totem Pole Plaza

3rd Avenue and Mosier Community School

Several improvements are recommended for 3rd Avenue, one of the busiest streets in Mosier. Recommendations are also centered on addressing safety concerns and congestion at the Mosier Community School during school drop-off/pick-up times and creating complementary spaces for community use.

- Fill sidewalk along 3rd Ave from River Way near Mosier Community School to Mosier Creek Road
- Improve pavement conditions along 3rd Ave from River Way near Mosier Community School to Mosier Creek Road
- Install landscaping/planting strips along both sides of 3rd Ave from River Way near Mosier Community School to Mosier Creek Road
- Install bike facility on 3rd Ave (River Way near Mosier Community School to Mosier Creek Road),
- Designate school drop off/pickup circulation pattern in school parking lot and install associated signage.

³ The average vehicle delay was found to be slightly reduced in the future despite higher forecasted volumes. This is the result of more efficient operations with longer cycle lengths (time between switching directions for allowed movement). Although delay may decrease very slightly, longer queues may be experienced.

- Install a new convex mirror on 3rd and Huskey that will allow motorists to see around the blind corner. Study intersection to consider other traffic calming devices at this location, including a roundabout, traffic circle, or a two-way stop on Huskey and 3rd Ave (WB), or other stop controls.

Project Evaluation Matrix

Table 2 presents the project groups as evaluated against criteria derived from Mosier community goals (listed previously) and TSP criteria.

Table 2. Project Evaluation Matrix

Project Groups	Criteria								
	<ul style="list-style-type: none"> ● = Exceeds Criteria ◐ = Moderately fulfills criteria ○ = No effect on criteria ■ = Adverse impact 								
	Sustainability	Mobility + Connectivity	Safety	Economy	Health	Multiple Modes	Quality of Life	Equity	Connection to TSP Goals:
Downtown Circulation and Parking	◐	●	●	●	◐	◐	◐	◐	1,3
US-30 West	●	●	●	●	●	●	●	●	All: 1,2,3,4,5,6,7
US-30 East	◐	◐	●	●	◐	●	●	◐	All: 1,2,3,4,5,6,7
North of US-30	◐	◐	◐	●	◐	●	●	◐	All: 1,2,3,4,5,6,7
3rd Avenue and Mosier Community School	●	●	●	◐	●	●	●	●	All: 1,2,3,4,5,6,7

Project Cost Estimates

Table 3. Cost Estimates

Projects	Description	Units	Cost/Unit	Estimate
Downtown Circulation and Parking				
<i>Relocate freight route</i>				
Signs to indicate eastbound route (right turn from US-30 to Center St)	\$1000/ea	10	1000	
<i>All-way stop at 3rd Ave and Center St</i>				
Stop sign at each corner	\$1000/ea	4	1000	
High visibility crosswalk on all four sides	\$15/SF	150	15	
TOTAL:				
US-30 West				
<i>Enhance the Mosier Bike Hub. The project includes:</i>				
Construct sidewalk, street trees, vegetation, and landscaping on all sides of the Hub and restrict parking alongside the Hub on US-30.	\$5/SF	1000	5	
High visibility crosswalks on eastern leg of intersection at US-30 and Main St, and on the east, west, and south leg of intersection at US-30 and Oregon St.	\$15/SF	180	15	
Create a permanent impervious surface plaza area on Hwy 30 side of the triangle that includes interpretive maps, signage directing visitors to scenic area waysides, parks and trails. Design improvements to accommodate a public restroom at the site.				
<i>Create a shared street environment with landscaping and other ped crossing improvements along US-30 to calm traffic</i>				
Signs for reduced speed to 20 mph throughout downtown	\$1000/ea	10	1000	
Street trees, vegetation, and landscaping on north and south sides (5')	\$5/SF	30000	5	
Fill sidewalk gaps and maintain sidewalks in poor condition	\$65,000/mile	2	65000	
Curb extension with ADA-compliant curb ramps at southwest corner of Main	\$30,000/ea	1	30000	
Curb extension with ADA-compliant curb ramps at southwest corner of Washington	\$30,000/ea	1	30000	
Curb extension with ADA-compliant curb ramps at southeast corner of Center	\$30,000/ea	1	30000	
High visibility crosswalks on western leg of intersection at Main St	\$15/SF	60	15	
High visibility crosswalks on western leg of intersection at Washington St	\$15/SF	60	15	
High visibility crosswalks on eastern leg of intersection at Center St	\$15/SF	60	15	
<i>Reconfigure intersection of US-30 and Rock Creek Rd to slow down turning vehicles and create safer pedestrian crossings</i>				
Close southbound left turn from Rock Creek Rd. onto Hwy 30, repave and reconfigure intersection to a T-intersection.	\$25/SF	3000	25	
High visibility crosswalk north of US-30	\$15/SF	30	15	

High visibility crosswalk east of Rock Creek Rd	\$15/SF	30	15
Landscaping/planting strips along south side of US-30	\$5/SF	2000	5
Landscaping/planting strips on both sides of Rock Creek Rd	\$5/SF	2000	5
Add bike lane and shared lane markings on Rock Creek Road from US-30 to HCRH Trailhead.	\$16/LF	3168	16
Other downtown improvements			
Provide on-street parking adjacent to the Route 30 Property and Rack & Cloth business	\$25/SF	1200	25
Construct sidewalk along south side of Highway 30 between Center St and Washington St, at the southwest and southeast corner of Center St, and the southwest and southeast corner of Washington St.	\$15/SF	1300	15
Construct curb and gutter along southside of Highway 30 between Center St and Washington St, at the southwest and southeast corner of Center St, and the southwest and southeast corner of Washington St.	\$35/LF	260	35
Gateway/Informational signage directing visitors to Downtown and waterfront	\$1000/ea	4	1000
Paved surface parking area east of the Totem Pole Plaza – extending east to the Joint Use Facility.	\$15/sq ft	2500	15
Create a full traffic diverter to close 2nd Avenue to through traffic at US-30, Provide bike and pedestrian cut throughs to preserve neighborhood access. Provide designated on-street parking on 2nd Avenue to accommodate parking demand on Oregon Street.	ROM estimate	1	50,000
Install a low stress bike facility (bike lane) from River Way Dr to Center Street and from Washington St to the Mosier Creek Bridge	\$16/LF	1320	16
TOTAL:			
US-30 East			
<i>Create a shared street environment with landscaping along US-30 to calm traffic</i>			
Welcome signs and Mosier information directing to downtown east of the Mosier Creek Bridge	\$5000/ea	1	5000
Add advanced yield signs at Mosier Creek Bridge	\$1000/ea	2	1000
Install sidewalk improvements from Idaho St to Mosier Creek Bridge	\$10/SF	1800	10
Install marked crosswalks on both sides of the Mosier Creek Bridge	\$15/SF	60	15
Reduce posted speed limit to 20 mph West of the Mosier Creek Bridge	\$1000/ea	4	1000
Provide permanent, impervious surface parking north of US 30 at Mosier Creek and west of bridge, for Mosier Plateau Trail access	\$35/SF	8,000	35
Construct a separate Pedestrian-only bridge parallel to the bridge on the north side	\$350/SF	1250	350
Prohibit on-street parking east of Mosier Creek Bridge using signs	\$1000/ea	2	1000

Install signs to direct visitors to designated parking areas at Mosier Plateau trailhead	\$1000/ea	4	1000	
TOTAL:				
North of US-30				
Construct a permanent, impervious undercrossing under railroad tracks at Rock Creek Park, and protect roadway from seasonal floods	\$20/SF	12000	20	
Construct a raised, permanent impervious surface trail connecting to waterfront along Mosier Creek, under railroad bridge and I-84	\$50/LF	600	50	
Install informational and wayfinding signage at Mosier Creek and Rock Creek access points	\$1000/ea	4	1000	
Improve CAT and LINK service and amenities: build transit stop location near the Totem Pole Plaza	\$50,000/ea	2	50000	
TOTAL:				
Third Avenue and Mosier Community School				
Fill sidewalk gaps along 3rd Ave from River Way near Mosier Community School to Mosier Creek Road	\$10/SF	24,000	10	
Landscaping/planting strips on both sides of 3rd Ave	\$5/SF	40000	5	
Install bike facility on 3rd Ave (River Way near Mosier Community School to Mosier Creek Road), and associated signage from River Way near Mosier Community School to Mosier Creek Road	\$16/LF	4000	16	
Designate school drop off traffic circle with painted pavement markings	\$1/LF	500	1	
Install associated signage for school drop-off area	\$100/ea	3	100	
Construct a speed hump just west of Huskey (in the WB direction) to slow downhill traffic speeds	\$2500/ea	1	2500	
Install new convex mirror on Third and Huskey that will allow motorists to see around the blind corner		1500	1	1500
TOTAL:				
Project Total:				

City of Mosier Funding Projection

Recent transportation-related resources (averaging approximately \$83,500 per year for the past three years) have exceeded transportation-related expenditures (averaging approximately \$6,000 per year on street maintenance and repair within the same timeline) in Mosier. The historical funding and expenditures are used together with assumptions about growth to estimate the available funding for transportation projects through 2040.

Projected Revenues

Current revenue sources are expected to provide about \$2.4 million through 2040 (see Table 4) from recurring sources, and up to \$2.6 million possible from ODOT discretionary funding. Although there is no index for cost inflation, the revenue sources based on gas taxes should increase in proportion to the City's population growth. As a conservative estimate, the same levels of annual funding are assumed through 2040. It should be noted that technological advances might further improve vehicle fuel efficiency, potentially resulting in lower revenues unless funding methodologies are modified.

Table 2. Transportation Revenue Projection through 2040 (2016 Dollars)

Revenue Source	Projection
Oregon State Gas Tax	\$442,000
Oregon State Gas Tax - Bicycle & Pedestrian (1%)	\$5,000
Wasco County Road Tax	\$400,000
Transfers from General Fund	\$547,000
Miscellaneous	\$117,000
Street Fund Balance (2016)	\$60,000
Federal or State Project Funding/Grants*	\$2,600,000
Total Revenues	\$4,171,000

*one-time funding opportunity

Projected Expenditures

City expenditures for maintenance, operations and management of the transportation system are expected to increase over time with inflation. Based on historical data, transportation expenditures are expected to total approximately \$2.14 million in 2016 dollars. However, based on historic personnel and construction cost increases^{4,5} this amount is expected to increase to approximately \$4.3 million through 2040, roughly two times the current level.

⁴ Construction (maintenance) cost increases are estimated based on historical cost indices from 1995 to 2015, per RSMeans. <http://rsmeansonline.com/References/CCI/3-Historical%20Cost%20Indexes/1-Historical%20Cost%20Indexes.PDF>

⁵ Staff and operating cost increases are estimated based on Consumer Price Index conversion factors from 1995 to 2015, per Robert Sahr, Oregon State University. Revised April 10, 2014.

<http://liberalarts.oregonstate.edu/files/polisci/faculty-research/sahr/inflation-conversion/pdf/cv1995.pdf>

Table 3. Transportation Expenditures Projection through 2040 (2016 Dollars)

Expenditures	Projection
Personnel Services	\$490,000
Materials & Services	\$665,000
Capital Outlay	\$987,000
Total Expenditures	\$2,142,000

Transportation projects that enhance or expand the current transportation system are not included in this estimate. It is also important to note that the current spending on maintenance and preservation activities may not have kept up with the desired quality for infrastructure. To address deferred maintenance and future needs, maintenance costs may be higher than the historical spending indicates.

With revenues expected to remain relatively flat (due to small population increase expected in Mosier and no cost inflation index for gas taxes) and maintenance costs increasing, Mosier will need to increase the transfer of general funds or utilize other (new) funding sources to maintain the current levels of maintenance and operations.

Funding Balance for Transportation System Improvements

Overall, Mosier is expected to have about \$1 million available to fund transportation system plan projects and strategies through 2040. The funding for transportation system enhancements is expected to come from external funding sources such as federal or state grants. The City may wish to consider expanding its funding options to provide a funding strategy that will enable desired improvements to be constructed in a timely manner.

Potential Additional Funding Sources

New transportation funding options include local taxes, assessments and charges, and state and federal appropriations, grants, and loans. All of these resources can be constrained based on a variety of factors, including the willingness of local leadership and the electorate to burden citizens and businesses; the availability of local funds to be dedicated or diverted to transportation issues from other competing City programs; and the availability of state and federal funds. Nonetheless, it is important for the City to consider available opportunities for enhancing funding for the transportation improvements that will be identified in the TSP.

The following sources have been used by other cities to fund the capital and maintenance aspects of their transportation programs. There may be means to begin to or further utilize these sources, as described below, to address needs identified in the TSP.

Deferred Street Improvement Agreements

Deferred Street Improvement Agreements provide the City with a tool to hold developers accountable for necessary street improvements if it is determined that the required improvements are not feasible at the time of construction. Typically, a provision in the agreement ensures that if the property owner does not uphold the agreement, the costs for the improvements become a lien on the property.

Transportation Utility Fee (TUF)

A transportation utility fee is a recurring monthly charge that is paid by all residences and businesses within the City. The fee can be based on the number of trips a particular land use generates or as a flat fee per unit. It can be collected through the City's regular utility billing. Existing law places no express restrictions on the use of transportation utility fee funds, other than the restrictions that normally apply to the use of government funds. Some cities utilize the revenue for any transportation related project, including construction, improvements and repairs. However, many cities choose to place self-imposed restrictions or parameters on the use of the funds.

A transportation utility fee program was outlined for Mosier in 2015.⁶ The program was estimated to generate approximately \$4,000 annually to fund street repairs. Monthly rates would vary based on the water meter and be billed as part of the water/sewer bill. However, the City Commission rejected the proposed transportation utility fee at that time.

Street System Development Charge (SDC)

System development charges (SDC) are fees collected from new development and used as a funding source for all capacity adding projects for the transportation system. The funds collected can be used to construct or improve portions of roadways impacted by applicable development. The SDC is collected from new development and is a one-time fee. The fee is based on the proposed land use and size and is proportional to each land use's potential PM peak hour vehicle trip generation.

Many cities in Oregon implement SDC fees locally, while others charge a SDC fee jointly with their County. Typical charges per residential units vary widely in the state.⁷ Hood River charges approximately \$1,800 per residence with an update anticipated in 2018.

Local Improvement Districts

Local Improvement Districts (LIDs) can be formed to fund capital transportation projects. LIDs provide a means for funding specific improvements that benefit a specific group of property owners. LIDs require owner/voter approval and a specific project definition. Assessments are placed against benefiting properties to pay for improvements. LIDs can be matched against other funds where a project has system wide benefit beyond benefiting the adjacent properties. Fees are paid through property tax bills.

⁶ Transportation Utility Fee Memo, John Grim & Associates, December 2015.

⁷ http://www.orcities.org/Portals/17/Premium/SDC_Survey_Report_2013.pdf

LIDs are often used for sidewalks and pedestrian amenities that provide local benefit to residents along the subject street.

Debt Financing

While not a direct funding source, debt financing can be used to mitigate the immediate impacts of significant capital improvement projects and spread costs over the useful life of a project. Though interest costs are incurred, the use of debt financing can serve not only as a practical means of funding major improvements, but is also viewed as an equitable funding strategy, spreading the burden of repayment over existing and future customers who will benefit from the projects. The obvious caution in relying on debt service is that a funding source must still be identified to fulfill annual repayment obligations.

The Oregon Transportation Infrastructure Bank (OTIB) is a potential source for cities to borrow funds for transportation improvement projects. The OTIB is a statewide revolving loan fund. Projects eligible to receive funding include roadway improvements, bicycle and pedestrian access, and transit capital projects. Potential projects are rated by OTIB staff along with a regional advisory committee and require approval from the Oregon Transportation Commission.

Development Code Amendments

This section provides a preliminary list of proposed transportation policies and implementing ordinance amendments related to the following objectives:

- Ensure consistency with and implement provisions of the Transportation System Plan (TSP) update.
- Ensure consistency with state transportation planning requirements found in the Oregon Transportation Planning Rule (TPR). Smaller cities (below 10,000) may request an exemption to the TPR. However, in the absence of requesting an exemption, they must comply with TPR requirements for implementation (OAR 660-012-045).
- Provide a means for adequately funding future transportation maintenance activities.

The initial list of amendments includes:

- **Mosier Municipal Code**, Titles 15 (Zoning) and 16 (Land Divisions), amendments including the following sections:
 - **Definitions, Section 15.02.050.** The current definition of Public Facilities will be modified to become Major Public Facilities which will continue to be allowed as conditional uses in most zones. These will be larger or more significant facilities which could have a greater impact on surrounding uses. A new definition of Minor Public Facilities will be added and will generally include transportation improvements such as repair, maintenance or improvement of existing facilities, water, sewer, storm drainage and other similar improvements typically

located within the public right-of-way. These facilities will be permitted outright in all city zones (see below).

- **Allowed minor public facility uses, Section 15.01.060.** A new subsection is proposed for this section of the MMC to allow all minor public facilities as outright permitting uses in all zones.
- **Bicycle Parking Requirements, Section 1503.130(J).** Additional bicycle parking requirements are proposed for multi-family residential development with four or more dwelling units and several types of institutional uses. These changes will ensure that bicycle parking is provided for a wider range of development types and will ensure compliance with the Oregon Transportation Planning Rule (TPR).
- **Pedestrian Accessway Requirement, Section 15.06.040(E)(7).** Proposed changes to this section of the code will require that pedestrian accessways be provided through parking lots where necessary to provide a reasonably direct, safe and convenient pathway for pedestrians, consistent with community objectives and the TPR.
- **Pre-Application Conferences, Section 15.07.030.** A proposed change to this section will indicate that the Oregon Department of Transportation (ODOT) and other transportation service providers will be invited to attend pre-application conferences when the proposed application could affect state highways or other transportation facilities.
- **Notice of Hearing, Section 15.07.070(B) and (C).** A proposed change to these sections will ensure that ODOT and other transportation service providers are notified of public hearings for Type III decisions and that the Department of Land Conservation and Development is notified of proposed legislative amendments and associated public hearings 35 days in advance of the hearing, consistent with the TPR and other state requirements.
- **Significant Effect on Transportation Facilities, Section 15.10.020(B).** A proposed change to this section to add language regarding review and analysis of proposed zone changes or Comprehensive Plan amendments that could have a “significant effect” on the transportation system. The new Code language will provide a reference to TPR Section -0060 requirements to prevent the code section from becoming very lengthy and to accommodate future amendments of Section -0060 without necessitating amendment of this code section.
- **Street Design Generally, Section 16.02.020.** Amendments may be proposed to clarify criteria or standards for review of street designs which do not strictly conform to current code requirements.
- **Street Design Cross-Sections, Section 16.02.030(A) and (B).** References to existing street design cross-sections currently found in the Downtown and Local Street Network Plan (2002) will be revised to reference the new TSP (2018). Tabular information in the MMC will be updated or replaced with a reference to the TSP. References to additional or alternative cross-sectional requirements for streets in topographically constrained areas also may be added.
- **Private Accessway Standards, Section 16.04.050.** These standards may be modified to address partitioned lots, including flag lots, or other situations where turnarounds may be needed to provide adequate access for residents and/or emergency vehicles.

- **Bicycle and Multi-Use Pathway Standards, Section 16.02.030(G).** Minor changes to these standards are proposed to ensure that paved pathways are of an adequate width to meet functional needs and accessibility standards.
- **Mosier Comprehensive Plan policy updates.** Two types of amendments will be proposed:
 - Replacement of existing goals and policies with new goals and policy statements developed as part of the TSP process.
 - Replacement of background information related to transportation found on pages 36-37 of the Public Facilities chapter of the Comprehensive Plan with a similar, concise discussion of transportation facilities and conditions in Mosier or could be replaced with a reference to the TSP as the transportation element of the Comprehensive Plan.
- **New ordinance to establish a Transportation Utility Fee (TUF).** The City has previously contemplated establishing a TUF to help pay for the cost of regular maintenance of roadways, particularly maintaining adequate pavement conditions. An ordinance would be required to adopt the TUF and would establish the amount of the TUF to be assessed, and how the funds would be collected, administered and used.