

# Planning Commission Policy Options

## Street Maintenance Crisis Resolution

### OPTION A: Grandfather Clause Implementation

**Approach:** Create a grandfather clause for streets developed before current code adoption (1990) or before a specific cutoff date.

#### Proposed Policy:

- Automatically accept maintenance responsibility for all streets currently maintained by the city
- Establish grandfathered status for pre-1990 streets that meet minimum safety standards
- Apply current code requirements only to new subdivisions going forward

#### Pros:

- Legitimizes current maintenance practices
- Minimal disruption to current property owners
- Simple implementation - just codify status quo
- Avoids potential legal challenges from property owners losing services

#### Cons:

- May lock city into maintaining substandard streets indefinitely
- Could be costly long-term without clear standards
- Doesn't address fairness issues (Dragnet Drive, Squaw Creek Road still excluded)
- May violate equal protection if arbitrarily applied

**Council Decision Required:** Whether to create grandfather clause and what cutoff date/criteria to use

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## **OPTION B: Comprehensive Street-by-Street Evaluation**

**Approach:** Evaluate every street against objective criteria to determine maintenance eligibility.

### **Proposed Policy:**

- Apply consistent engineering and safety standards to all streets
- Formal acceptance for streets meeting criteria regardless of age
- Clear rejection with transition timeline for substandard streets
- Upgrade pathways for streets that don't initially qualify

### **Evaluation Criteria:**

- Right-of-way width compliance
- Surface construction standards
- Safety and sight distance requirements
- Number of lots served (public benefit)
- Emergency vehicle access
- Integration with city street system

### **Pros:**

- Treats all property owners equally
- Based on objective, defensible standards
- Allows upgrade pathways for improvement
- Addresses current inequities (could include Dragnet Drive/Squaw Creek Road if they meet standards)

### **Cons:**

- May require ending maintenance on some currently maintained streets
- Could be expensive if many streets need upgrades
- Time-intensive evaluation process
- May face resistance from property owners losing services

**Council Decision Required:** What standards to apply and transition timeline for changes

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## **OPTION C: Modified Acceptance Procedures**

**Approach:** Streamline and modify current code requirements to make acceptance more practical for existing streets.

### **Proposed Policy:**

- Reduce inspection requirements for streets already in use
- Allow acceptance based on "as-built" condition rather than full code compliance
- Create alternative standards for older streets (reduced width, etc.)
- Fast-track acceptance for streets serving multiple properties

### **Modified Requirements:**

- Simplified inspection checklist for existing streets
- Reduced right-of-way requirements for established neighborhoods
- Focus on safety and accessibility rather than full code compliance
- Require maintenance agreements rather than full construction compliance

### **Pros:**

- More flexible than strict code application
- Could bring more streets into compliance quickly
- Recognizes practical limitations of retrofitting existing areas
- Maintains some standards while being realistic

### **Cons:**

- Creates two-tier system (old vs. new standards)
- May face legal challenges for unequal treatment
- Could set precedent for relaxed standards
- Still requires case-by-case evaluation

**Council Decision Required:** What modified standards to accept and legal framework for different requirements

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## **OPTION D: Public Right-of-Way Conversion Process**

**Approach:** Create formal process for dedicated public right-of-ways to become city-maintained streets through property owner petition.

### **Proposed Policy:**

- Property owners can petition for city acceptance of dedicated streets
- Requirements: majority property owner support, meet minimum standards, pay for upgrades
- City retains discretion to accept or reject based on budget and priorities
- Clear timeline and cost-sharing arrangements

### **Process:**

1. Property owner petition with majority support
2. Engineering assessment and cost estimate
3. Public hearing and Planning Commission review
4. City Council acceptance decision
5. Performance guarantee or upfront payment for any needed improvements

### **Pros:**

- Gives property owners pathway to city maintenance
- Property owners bear cost of bringing streets to standard
- City maintains control over acceptance decisions
- Could resolve inequities through property owner initiative

### **Cons:**

- May be too expensive for most property owners
- Creates potential for neighborhood divisions over costs
- Administrative burden for petition process
- No guarantee of acceptance even if standards met

**Council Decision Required:** Cost-sharing formula and acceptance criteria for petitioned streets

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## **OPTION E: Hybrid Approach with Multiple Pathways**

**Approach:** Combine elements from multiple options to address different categories of streets.

### **Proposed Policy Framework:**

- **Category 1:** Currently maintained streets meeting basic safety standards → Automatic grandfather acceptance
- **Category 2:** Dedicated rights-of-way not currently maintained → Evaluation-based acceptance with upgrade requirements
- **Category 3:** Substandard streets → Property owner petition process with cost-sharing
- **Category 4:** Private streets/easements → Remain private with clear maintenance agreements

### **Implementation:**

- Phase 1: Automatic acceptance of qualifying currently-maintained streets
- Phase 2: Evaluation process for unmaintained dedicated streets (Dragnet Drive, Squaw Creek Road)
- Phase 3: Petition process for remaining streets seeking city maintenance

### **Pros:**

- Addresses different situations with appropriate solutions
- Minimizes disruption while solving inequities
- Provides multiple pathways for property owners
- Allows prioritization of resources

### **Cons:**

- Complex to implement and explain
- May still create unequal treatment
- Administrative burden of multiple processes
- Potential for confusion and disputes

**Council Decision Required:** Which categories to create and criteria for each pathway

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## **OPTION F: Status Quo with Clear Policies**

**Approach:** Formalize current practices through proper legal procedures without major changes.

### **Proposed Policy:**

- Formally accept all currently maintained streets through retroactive inspection process
- Clearly designate all other streets as private maintenance responsibility
- Establish formal maintenance agreements going forward
- No new city street acceptances except through full subdivision process

### **Implementation:**

- City engineer inspects and documents all currently maintained streets
- Formal acceptance resolutions passed for each street
- Clear notification to all other property owners of private maintenance responsibility
- Codify current maintenance practices with legal backing

### **Pros:**

- Minimal disruption to current situation
- Simple implementation
- Provides legal basis for current practices
- Low cost and administrative burden

### **Cons:**

- Doesn't address fundamental inequity issues
- Leaves Dragnet Drive/Squaw Creek Road situation unresolved
- May not satisfy legal requirement for equal treatment
- Locks in potentially arbitrary decisions

**Council Decision Required:** Whether to formalize status quo or pursue changes

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## **PLANNING COMMISSION DIRECTION NEEDED**

### **Primary Questions for Commission Decision:**

1. **Which option(s) should staff develop into detailed proposals?**
2. **Should grandfather provisions apply to currently maintained streets?**
3. **What standards should be used for evaluating street acceptance?**
4. **Should property owners have a petition pathway for street acceptance?**
5. **How should transition timeline be structured for any changes?**
6. **What community engagement process should be used?**

### **Recommended Commission Action:**

- Select preferred option(s) for detailed development
- Provide guidance on evaluation criteria and standards
- Direct staff on community engagement priorities
- Set timeline for bringing recommendation to City Council