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CITY OF NORTH PLAINS

CITY COUNCIL AGENDA STATEMENT

COUNCIL AGENDA DATE: August 15, 2005

TO: Mayor and City Council

FROM: City Manager *DKO*

SUBJECT: Resolution No. 1287 Approving an Agreement Concerning Development Activities and Public Facilities for Identified Annexation Areas.

HISTORY: During the last annexation campaign, there were several concerns raised regarding the pace of development of the expansion area. The concern was that the development of the area would take place too quickly. The applicant for the annexation had proposed a buildout period of seven to ten years, and the financial projections were based upon a seven year buildout.

The applicant of the annexation request has proposed a written agreement regarding phasing of development of the annexed areas if the voter's approve the annexation. Attached is a proposed agreement between the city and applicant concerning the sequence of development and construction of public facilities and infrastructure.

PROPOSAL: Section 1 of the agreement establishes a sequence of development. This section lists the estimated number of dwelling units to be constructed over four-three year time periods. It allows for a 10% deviation in the number of dwellings with a maximum number of 700 dwelling units.

Section 2 allows for a carry-over of dwelling units from one time period to the next if the maximum number of dwelling units are not constructed within a time period. In other words, the first time period allows 260 dwelling units to be constructed within the first three year period. If only 200 dwelling units are constructed within that time period, the other 60 dwelling units can be added to the next three year period.

The agreement also references a master plan approval that is required prior to any building permits being issued. This master plan will go through the normal public input process. There is a phasing plan that has been submitted by the applicant, however, it is not referenced in the agreement. This is due to the fact that as development occurs, there may be minor modifications to the phasing as far as location due to topographic reasons or availability of infrastructure. The basis of this agreement is more the number of dwelling units and three year phases rather than location of each phase.

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Section 4 pertains to public facilities and infrastructure. It makes it clear that the developer will have to pay city system development charges, hook-up charges and other fees associated with the development of the annexation area, and it will be the responsibility of the owners to construct, at owner's expense, all new infrastructure to serve the annexation areas.

FISCAL IMPACT: The fiscal impact is to assure that there will be no fiscal expenditures to provide infrastructure by the city for the expansion areas.

POSITIVE IMPACTS: Agreement will clarify the timing of construction of the phases.

NEGATIVE IMPACTS: None identified.

RECOMMENDATION: It is recommended that the Council adopt Resolution No. 1287 approving the Agreement Concerning Development Activities and Public Facilities for Identified Annexation Areas.