



Dallas City Council Agenda

Monday, November 2, 2009, 7:00 p.m.
 Mayor Jim Fairchild, Presiding
 Dallas City Hall
 187 SE Court Street
 Dallas, Oregon 97338

City Council

Mayor
 Jim Fairchild

Council President
 Brian Dalton

Councilor
 Warren Lamb

Councilor
 Jackie Lawson

Councilor
 Kevin Marshall

Councilor
 Wes Scroggin

Councilor
 David Shein

Councilor
 David Voves

Councilor
 LaVonne Wilson

Councilor
 Ken Woods, Jr.

Staff

City Manager
 Jerry Wyatt

Asst. City Manager
 Kim Marr

City Attorney
 Lane Shetterly

Community Development
 Director
 Jason Locke

Finance Director
 Cecilia Ward

Fire Chief
 Bill Hahn

Police Chief
 John Teague

Public Works Director
 Fred Braun

All persons addressing the Council will please use the table at the front of the Council. All testimony is electronically recorded. If you wish to speak on any agenda item, please raise your hand to be recognized after the Mayor calls the item, or sign in on the provided card.

<u>ITEM</u>	<u>RECOMMENDED ACTION</u>
1. ROLL CALL	
2. PLEDGE OF ALLEGIANCE TO THE FLAG	
3. APPROVAL OF MINUTES Approval of minutes of the Oct 19, 2009, Council meeting p. 3	Approval
4. QUESTIONS OR COMMENTS FROM THE AUDIENCE <i>This time is provided for citizens to address the Council or introduce items for Council consideration on any matters other than those on the agenda.</i>	
5. PUBLIC HEARINGS <i>Public comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.</i>	
a. Public hearing on revisions to the Dallas Development Code and Comprehensive Plan amendments. p. 7	Motion
6. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS	
a. Report of the Oct 26 Building and Grounds Committee meeting (Wes Scroggin, Chair) p. 25	Information
b. Report of the Oct 26 Public Works Committee meeting (Dave Voves, Chair) p. 27	Information
7. REPORTS OF SPECIAL COMMITTEES AND CITY OFFICERS	
City Manager's Reports	
a. Chamber Request p. 33	Motion
b. Park and Recreation Board Recommendations p. 34	Motion

Dallas City Council Agenda

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Our Vision

Our vision is to foster an environment in which Dallas residents can take advantage of a vital, growing, and diversified community that provides a high quality of life.

Our Mission

The mission of the City of Dallas is to maintain a safe, livable environment by providing open government with effective, efficient, and accountable service delivery.

Our Motto

*Commitment to the Community.
People Serving People.*

Dallas City Hall is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the City Manager's Office, 503-831-3502 or TDD 503-623-7355.

c. Parking Variance Request [p. 37](#)

Information

d. Holiday Scheduling [p. 41](#)

Information

e. Other

8. COMMUNICATIONS AND PETITIONS

9. RESOLUTIONS

10. FIRST READING OF ORDINANCE

11. SECOND READING OF ORDINANCE

12. OTHER BUSINESS

13. ADJOURNMENT

DALLAS CITY COUNCIL
Monday, October 19, 2009
Council Chambers

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The Dallas City Council met in regular session on Monday, October 19, 2009, at 7:00 p.m. in the Council Chambers of City Hall with Mayor Jim Fairchild presiding.

ROLL CALL

Council members present: Council President Brian Dalton, Councilor Warren Lamb, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave Voves, Councilor LaVonne Wilson and Councilor Ken Woods, Jr.

Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Public Works Director Fred Braun, Assistant Public Works Director Kenn Carter, Finance Director Cecilia Ward, Community Development Director Jason Locke, Fire Chief Bill Hahn, Police Chief John Teague, Assistant City Manager Kim Marr, and Recording Secretary Emily Gagner.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Fairchild led the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES

Mayor Fairchild declared the minutes of the October 5, 2009, Council meeting approved as presented.

QUESTIONS OR COMMENTS FROM THE AUDIENCE

Mayor Fairchild asked for comments or questions from the audience on items other than those on the agenda. There were none.

PUBLIC HEARINGS

REPORTS OR COMMENTS FROM COUNCIL MEMBERS

Councilor Wilson thanked the staff and especially Mrs. Marr for hosting the Council dinner.

Councilor Wilson commented about an article in the Itemizer Observer in which the Dallas Police Department warned of a phone scam. She thanked the Police Department for going to that extra effort.

REPORTS OF SPECIAL COMMITTEES AND CITY OFFICERS

EMPLOYEE/VOLUNTEER RECOGNITION AWARDS

Mr. Wyatt presented the employee of the quarter award to Troy Skinner, Building Inspector II, who has been with the City since February of 2006.

Mr. Wyatt presented the volunteer of the quarter award to Rennie Satak, who has volunteered at the Library for over 5 years.

GOVERNOR'S PHYSICAL FITNESS AWARD

Mayor Fairchild presented the Governor's Physical Fitness Award to Grant Boustead on behalf of the Oregon Governor's Council on Physical Fitness.

Mr. Boustead stated Dallas has been a great place to get involved and it has been a pure joy working here. He thanked the City of Dallas for giving him plenty of opportunities to jump in and get involved.

FISH TRAP AND HAUL PROGRAM AT MERCER DAM

Mr. Wyatt indicated staff has been working with Oregon Department of Fish and Wildlife (ODFW), the Rickreall Watershed Council (RWC) and the Polk County Sportsman's Club to provide fish access to spawning and rearing habitat above Mercer Dam.

1 Kenn Carter stated those groups want to trap Coho salmon below the dam, and then haul them
2 over the dam to the other side. Mr. Carter stated historically, ODFW was not keen on the idea of
3 keeping Coho salmon runs going after steelhead became endangered, but recently, they have
4 backed off that position and once again cooperate in these efforts. Mr. Carter stated steelhead
5 migrates up the river in early spring, so they would not be present when the salmon trapping will
6 be done.

7 Charles Redon of the Rickreall Watershed Council indicated surveys have been done in the
8 tributaries above the dam and there are several miles of good fish habitat above the dam, so
9 doing the trap and haul would bolster fish populations. He noted if the Council should ever
10 decide it's not something they want to do, they could stop it without ramifications.

11 Jason Duncan of the Polk County Sportsman's Club and RWC indicated that this is looking to be
12 a big year and he estimated there would be between 20 and 100 fish trapped. He stated there is a
13 lack of spawning habitat below the dam, but above the dam there are excellent spawning habitats
14 and the water temperatures will be good for the fish. He said this has the potential to make a
15 nice run of fish on the Rickreall.

16 Councilor Shein asked what the potential adverse impacts could be. Mr. Carter stated one
17 example would be that each spring staff places weirs in the tributary creeks to monitor the flow
18 into the reservoir and that involves some minor dredge and fill activity and sets up barriers to
19 fish. He indicated staff would have to adjust that process in some way to allow for the fish
20 movement. He noted he doesn't see problems if they just trap and haul Coho, because they are
21 not a threatened species.

22 Councilor Wilson indicated concern about running into legal issues with the City's sole water
23 supply with regard to federal aid or anything like that. Mr. Redon explained that ODFW has a
24 permit to do research, which includes trapping fish. ODFW has authorized the RWC to trap
25 Coho under that permit, and that research permit covers any damage done to steelhead. Mr.
26 Redon explained that gives a level of protection to the City.

27 Councilor Woods asked what would happen if this is a successful program and the Department
28 of Fish and Wildlife mandates the City do the same for steelhead. Mr. Carter stated they may
29 strongly encourage the City to do that and may have bargaining tools to try to get us to do it, but
30 he didn't think legally they could mandate the City to start a program.

31 Mr. Wyatt explained this could be an annual decision by the Council that could be stopped at any
32 time and without any restrictions on the City participation.

33 Councilor Voves *made a motion to approve the proposed 2009 Aaron Mercer Dam Coho*
34 *Salmon Trap and Haul Program.* Councilor Shein seconded the motion. Councilor Lawson
35 *amended the motion to state the program must be evaluated each year.* The amendment was
36 duly seconded and CARRIED BY A MAJORITY with Council President Brian Dalton,
37 Councilor Warren Lamb, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes
38 Scroggin, Councilor David Shein, Councilor Dave Voves, and Councilor Ken Woods, Jr. voting
39 YES and Councilor Wilson voting NO. The amended motion to approve the 2009 Aaron Mercer
40 Dam Coho salmon trap and haul program, which will be evaluated annually, CARRIED
41 UNANIMOUSLY with Council President Brian Dalton, Councilor Warren Lamb, Councilor
42 Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein,
43 Councilor Dave Voves, Councilor LaVonne Wilson and Councilor Ken Woods, Jr. voting YES.

44 DALLAS TAX RATE DISCUSSION

45 Mayor Fairchild indicated after he saw the recent article in the newspaper about the Dallas tax
46 rate, he talked with Mr. Schmidt at the Polk County Assessor's office to ask for clarification of
47 the 6% increase in Dallas. Mayor Fairchild pointed out the chart that Mr. Schmidt gave him that
48 was included in the Council packet and shows that the City's tax rate only increased by the 3%
49 the City is allowed to do based on Measures 5 and 47. He indicated the increase came from two
50 areas, the Dallas School District bond amount went up this year, and Chemeketa passed a bond
51 in 2007 and they sold those bonds this year.

52 Councilor Lawson asked if the 6% reported by the Itemizer Observer was incorrect. Mayor

1 Fairchild explained that the 6% increase reported is an aggregate of all tax districts as shown on
2 page 12 of the agenda packet.

3 **REPORT ON OCTOBER 13, 2009 PLANNING COMMISSION MEETING**

4 Mr. Wyatt reviewed the agenda of the October 13, 2009, Planning Commission meeting. He
5 reminded the Council of the workshop scheduled for 5:30 p.m. on Tuesday, October 27, to
6 discuss the Development Code updates.

7 **DEPARTMENT MONTHLY REPORTS**

8 Councilor Lamb asked if the Fleet Management chart showed percentage of time or
9 expenditures. Mr. Wyatt explained it showed time spent in each department. Council President
10 Dalton commented that the park restrooms get vandalized often. Mr. Wyatt explained staff is
11 working on a plan to minimize that.

12 **OTHER**

13 **COMMUNICATIONS AND PETITIONS**

14 Mr. Wyatt passed out a letter from Chelsea Pope, Executive Director of the Dallas Chamber of
15 Commerce and Visitors Center. Ms. Pope explained the Chamber is preparing for Summerfest
16 2010 and are requesting approval from the Council to hold Summerfest on July 29, through
17 August 1, 2010.

18 Councilor Lawson *made a motion to approve holding Summerfest 2010 on July 29, through*
19 *August 1, 2010.* Councilor Lamb seconded the motion. The motion CARRIED
20 UNANIMOUSLY with Council President Brian Dalton, Councilor Warren Lamb, Councilor
21 Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein,
22 Councilor Dave Voves, Councilor LaVonne Wilson and Councilor Ken Woods, Jr. voting YES.

23 **RESOLUTIONS**

24 **Resolution No. 3194:** A Resolution endorsing and declaring support for the Dallas School
25 District November 3, 2009, \$8.6 million school bond measure.

26 A roll call vote was taken and Mayor Fairchild declared Resolution No. 3194 to have PASSED
27 BY A MAJORITY VOTE with Council President Brian Dalton, Councilor Warren Lamb,
28 Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave
29 Voves, Councilor LaVonne Wilson and Councilor Ken Woods, Jr. voting YES and Councilor
30 Lawson abstaining.

31 **Resolution No. 3195:** A Resolution requesting and authorizing the Mid-Willamette Valley
32 Council of Governments to apply for technical assistance grant funding from the Oregon
33 Department of Land Conservation and Development on behalf of the City of Dallas.

34 Mr. Locke explained this Resolution is to authorize the Council of Governments (COG) to apply
35 for technical assistance grant funding on our behalf and act as our grant manager to do work for
36 us to update our Comprehensive Plan. The grant would total about \$40-60,000, and would keep
37 administrative costs down for the City. Mr. Wyatt pointed out the City's Comprehensive Plan is
38 over thirteen years old and needs to be addressed. Councilor Shein asked who would do the
39 work. Mr. Locke explained the COG would do it.

40 A roll call vote was taken and Mayor Fairchild declared Resolution No. 3195 to have PASSED
41 BY A UNANIMOUS VOTE with Council President Brian Dalton, Councilor Warren Lamb,
42 Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David
43 Shein, Councilor Dave Voves, Councilor LaVonne Wilson and Councilor Ken Woods, Jr.
44 voting YES.

45 **FIRST READING OF ORDINANCE**

1 **SECOND READING OF ORDINANCE**

2 **Ordinance No. 1708:** An Ordinance declaring 49 acres, more or less, of territory located east of
3 Kings Valley Highway and south of the city limits of the City of Dallas annexed to the City of
4 Dallas and withdrawn from Southwestern Polk County Rural Fire Protection District.

5 Mayor Fairchild declared Ordinance No. 1708 to have passed its second reading. A roll call vote
6 was taken and Mayor Fairchild declared Ordinance Number 1708 to have PASSED BY A
7 MAJORITY VOTE with Council President Brian Dalton, Councilor Warren Lamb, Councilor
8 Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave Voves,
9 Councilor LaVonne Wilson and Councilor Ken Woods, Jr. voting YES and Councilor Lawson
10 abstaining.

11 **OTHER BUSINESS**

12 Councilor Shein asked how close they are to fixing the backup power supply at the Wastewater
13 Treatment Plant. Mr. Braun explained the staff out there corrected problem, which was a
14 combination of a battery failure and a programming issue.

15 Councilor Shein stated he was pleased the City has the quarterly award for employees and
16 especially volunteers. He noted the City runs a very lean operation due in no small part to our
17 volunteers and we can't acknowledge that too much.

18 Councilor Lawson explained she abstained from two votes because she had been on a mission
19 trip which caused her to miss two Council meetings, and she did not have enough information to
20 make a decision.

21 Mr. Wyatt indicated the first community chat on the proposed street fee went well. He noted the
22 Councilors in attendance did a great job and the chat was well attended by the public. Mr. Wyatt
23 reported he had one question from the first chat that needed follow-up, which staff has done. He
24 stated he will wait to finish all three chats before posting answers to all the questions that are
25 raised. Mr. Wyatt advised it was a good opportunity to share information and explain to the
26 public why we need this. Councilor Marshall asked if the event was well attended. Mr. Wyatt
27 stated there were 10 citizens in attendance. City Attorney Shetterly clarified that only four
28 Councilors were at the community chat, so there was no quorum present and no requirement for
29 meeting laws.

30 There being no further business, the meeting adjourned at 8:04 p.m.

31 Read and approved this _____ day of _____ 2009.

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Mayor

ATTEST:

City Manager

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 5 a	Topic: Public Hearing: Development Code Revisions
Prepared By: Jason Locke, Com Dev Director	Meeting Date: November 2, 2009	Attachments: Yes <input type="checkbox"/> No
Approved By: Jerry Wyatt		

RECOMMENDED ACTION:

Hold the public hearing, and adopt the revised Dallas Development Code and Comprehensive Plan amendments as recommended by the Planning Commission or with any changes or revisions deemed appropriate by the Council.

BACKGROUND:

The City has undertaken a complete revision of the Dallas Development Code (please see summary memo from Scot Siegel following this report). The Planning Commission held a public hearing on September 15, 2009, and deliberated on the matter and made this recommendation to the City Council on October 13. It follows three work sessions held during the spring and summer, in addition to your meetings on the code evaluation held last year.

FISCAL IMPACT:

None

ATTACHMENTS:

- 1) Staff report
- 2) Memo from Siegel Planning

CITY OF DALLAS
City Council

STAFF REPORT
DATE: OCTOBER 26, 2009

FILE NO.	N/A
HEARING DATE	NOVEMBER 2, 2009 7:00 P.M. CITY HALL COUNCIL CHAMBERS 187 SE COURT STREET DALLAS, OREGON 97338
OWNER	N/A
APPLICANT	CITY OF DALLAS
REQUEST	AMENDMENTS TO DALLAS DEVELOPMENT CODE, ZONING MAP, AND COMPREHENSIVE PLAN
LOCATION	CITY
RECOMMENDATION	APPROVAL

CITY OF DALLAS

**COMMUNITY DEVELOPMENT
DEPARTMENT STAFF REPORT**



HEARING DATE: NOVEMBER 2, 2009
APPLICATION TYPE: DALLAS DEVELOPMENT CODE AMENDMENTS
OWNER: N/A
APPLICANT: CITY OF DALLAS

BACKGROUND INFORMATION: The City has undertaken a complete revision of the Dallas Development Code (Please see summary memo from Scot Siegel following this report).. The Planning Commission held a public hearing on September 15, 2009, and deliberated on the matter and made this recommendation to the City Council on October 13. It follows three work sessions held during the spring and summer, in addition to your meetings on the code evaluation held last year. We want to make sure the commissioners and public have ample opportunity to review the Code and ask questions. We are available to answer your questions and prepare minor revisions between hearings in response to your input.

Background

The code rewrite follows the approach and outline that we presented last year in the Phase 1 Code Evaluation Report and Outline (approved by City Council last November) with some refinements. The content of the Code is summarized on page 1-1. The document is organized into articles, chapters, and sections, each with consistent numbering and cross-references. A general questionnaire highlighting some of the key code provisions is attached for your use. This is the same questionnaire we provided to the three focus groups, which met during Phase 1 and again in June and August.

The Development Code rewrite is intended to implement the Dallas Comprehensive Plan and state law. It incorporates and updates existing City regulations and recommends new provisions consistent with best practices for integrating land use and transportation planning. It also incorporates design standards for building, landscapes, and sustainable development. The Code specifically addresses the following priorities, as identified in previous focus group meetings and discussion with staff and city council:

1. Add flexibility for employment uses, including both commercial and light industrial development; provide supportive development standards.
2. Clarify and streamline city codes related to mixed-use development within designated mixed-use nodes and in commercial districts.
3. Define “Innovative Techniques” to promote “affordable high density housing while conserving existing neighborhoods and natural resources.” (Comprehensive Plan, Section 3.4) Amend the code to:
 - Allow housing on small lots, including zero lot line/common wall homes, where appropriate, subject to design standards

- Provide greater certainty for the full range of housing types and densities needed in Dallas, consistent with the Dallas Comprehensive Plan and applicable State statutes (ORS 197.296 & 197.303-307).
 - Address “community comfort zones” by preserving Dallas’s unique history and character through appropriate design standards and performance-based land use standards (e.g., building design, low-impact development, historic preservation, etc.).
 - Provide two options for development review for flexibility: clear and objective standards and discretionary standards (adjustments) for design.
 - Require transitions between more and less intensive zoning districts – building height, setbacks, parking, landscaping, building design, etc. – based on the character and scale (form) of desired development.
 - Require some level of housing variety within large subdivisions and master planned developments. Variety may be in lot sizes, housing types, dwelling unit size, or affordability.
4. Update street standards consistent with the recently adopted Transportation System Plan.
 5. Update the City’s Master Planned Development procedure, including greater flexibility for commercial development in Mixed Use Nodes. Ensure that master plans achieve “public benefits” such as increased open space and integrated design.
 6. Update the city’s parking standards to be consistent with current smart growth practices. Provide downtown parking options, including but not necessarily limited to, shared parking, in lieu fee for off-site parking, or a combination of methods.
 7. Encourage sustainable development practices. The Dallas Comprehensive Plan discusses sustainability in general as it relates to economic development and natural resources, but it does not address sustainability or green building technology directly. City staff requested guidance toward implementing sustainable development through code changes. While there are limits to what can be accomplished through land use regulations, we have suggested some ways that the city can encourage green technology in new development.
 8. Implement the following focus group suggestions (October, 2008):
 - Flexible zoning for mid-size retail (e.g., grocery) and commercial services.
 - Flexible zoning for light industrial/office/commercial
 - Update the lot standards (area, coverage, setbacks) for different types of housing, including common wall homes, and homes with porches or patios
 - Keep code simple and user-friendly
 - Provide a “Clear Path” for land use and development decision making
 - Add pre-application procedure to code.
 - Tailor submittal requirements based on level of review (e.g., pre-app, preliminary plan, final plat, construction permits)
 - Incorporate storm water runoff “water quality” standards into code.
 - Separate engineering design standards from land use provisions to avoid conflicts between planning and engineering documents.
 - Ensure appropriate physical transitioning of street widths from existing streets to streets developed under new standards.
 - Provide for bonding of improvements prior to final plat approval, and warranty of improvements after the plat is recorded.

- Provide standards for zero lot line and attached housing.
- Require the dedication and improvement of open space for parks in new developments; and allow payment of an in lieu fee for small subdivisions.
- Allow density transfers (i.e., transfer density away from wetlands to more suitable areas), consistent with the Comprehensive Plan.
- Balance flexibility and certainty in development review (e.g., adjustments).
- Update and clarify the city's land use administrative procedures.

Other Amendments:

The Zoning Map would be amended to reflect the new zoning designations: elimination of the RA designation, inclusion of the RL, RM, and RH zones, and consolidation of the Industrial zones into a single zone. The Comprehensive Plan will be amended to reflect new density ranges and remove repetitive and conflicting language regarding the Nodes (see attached).

RECOMMENDATION:

Hold the public hearing, and adopt the revised Dallas Development Code and Comprehensive Plan amendments as recommended by the Planning Commission or with any changes or revisions deemed appropriate by the Council.

Jason Locke

Community Development Department Director

**PROPOSED
COMPREHENSIVE
PLAN
AMENDMENTS**

3. Encourage the development of adequate off-street parking facilities in the Central Business District.
4. Encourage the development of improved access to the Central Business District and the establishment of a convenient route for those not destined for the CBD, as shown on the Comprehensive Plan Map #1.

2.5 Other Commercial Zones

1. Encourage medically-related offices and service facilities to locate in the vicinity of the community hospital.
2. Encourage the "cluster" development of commercial activities on sites large enough to provide adequate street access, off-street parking and landscaping.
3. Discourage "strip" commercial development along arterial streets, by concentrating commercial uses in the CBD and in defined neighborhood commercial "nodes."

2.6 Mixed Use Nodes

1. **LaCreole Mixed Use Node:** Concentrate general commercial uses that are automobile-oriented and which require large areas for development to locate in the north Dallas commercial area (LaCreole Drive north of E Ellendale Avenue).
 - a) To implement this policy the city, working with affected property owners, shall develop a master-planned General Commercial node of approximately 30 buildable acres, as well as supporting multi-family and open space uses, as prescribed in Policy 3.2.1.
 - b) In addition to meeting setback, buffering and lot coverage standards of the underlying commercial zoning district, the master plan shall reserve at least 5% of the General Commercial area for use as central, open, publicly-accessible plaza(s).
2. **Barberry & Wyatt Mixed Use Nodes:** Two master-planned Neighborhood Commercial nodes are shown on the Dallas Comprehensive Plan Map to accommodate long-term commercial needs and to minimize the distance Dallas citizens must travel for routine shopping needs, as prescribed in Policies 3.2.2 (Barberry) and 3.2.3 (Wyatt):
 - a) **Barberry Mixed Use Node:** Approximately 15 acres of Neighborhood Commercial land south of E Ellendale Avenue, between Fir Villa and Hawthorne Avenue.
 - b) **Wyatt Mixed Use Node:** Approximately 5 acres of Neighborhood Commercial land north of the intersection of W Ellendale Avenue and Wyatt Avenue.
 - c) ~~Each of these commercial nodes must be preceded and supported by substantial multi-family development and open space, and must be provided with adequate public facilities, as required by Policy 3.2.3~~
 - d) ~~In addition to meeting setback, buffering and lot coverage standards of the underlying neighborhood commercial zoning district, the master plan shall reserve at least 10%~~

of the Neighborhood Commercial area for use as a central, open, publicly-accessible plaza.

Master-planned commercial developments shall only be approved following a thorough analysis of traffic and public facilities impacts. Transportation and public facilities improvements required as a result of this analysis shall be paid for by the commercial developer.

4. Zone changes from Low-Density Residential to Commercial are limited to the three identified commercial areas. Parcel-by-parcel commercial zone changes are not permitted in the absence of a master development plan, showing the relationships among neighboring land uses and transportation systems.

7. Identified river and stream corridors, wetlands, flood hazard, steep hillsides and slide hazard areas where building would be hazardous shall be considered unbuildable, and shall be used to define neighborhood boundaries.
8. High density residential zoning shall be limited to the area immediately adjacent to the Central Business District and neighborhood shopping centers.
9. Redevelopment of the second and third stories of buildings in the Central Business District for residential and commercial uses shall be encouraged.

3.2 ~~Master Planned Neighborhood / Multi-Family Nodes~~ ^{DISTRICTS}

A master plan of development, consistent with Residential Neighborhood Policies, shall be required and shall be approved by the Planning Commission prior to the approval of a zone change or annexation request involving residential land, and prior to development of mixed use areas identified in policies 1-3, below. ~~IN ACCORDANCE WITH DALLAS DEVELOPMENT CODE SECTION 2.5~~

3.2.1 ~~LaCreole Mixed Use Node: LaCreole Drive North of E Ellendale Avenue~~

- a) ~~In addition to General Commercial (see Policy 2.6) and low density residential land, a minimum of 30 buildable multi-family acres shall be designated and reserved exclusively for multi-family residential use between Kings Valley Hwy and E Ellendale Avenue.~~
- b) ~~Multi-Family residential development shall be connected to adjacent General Commercial and low density residential land with a combination of grid streets and accessways that encourage bicycle, pedestrian, automobile and delivery truck access.~~
- c) ~~Prior to granting land use permits for any new commercial or multi-family development in the LaCreole Drive node, the Planning Commission shall approve a street plan to connect LaCreole from E Ellendale Avenue to Kings Valley Hwy.~~
- d) ~~Prior to occupancy of any commercial or multi-family development, LaCreole Drive shall be fully improved along the subject property frontage, in accordance with City development standards.~~
- e) ~~The master plan of development must be coordinated with the Oregon Department of Transportation (ODOT), and approved by the Planning Commission, before a zone change to General Commercial or Medium/High Density Residential may be approved.~~
- f) ~~In addition to meeting setback, buffering and lot coverage standards of the underlying zoning district, the master plan shall include at least 10% of the multiple-family area for active recreational play areas.~~
- g) ~~The master plan must demonstrate how land for open space, in proportion to planned residential acreage will be provided, as indicated in Chapter 4, Parks and Open Space. Developed active recreational play areas shall be recognized as helping to meet the relevant level-of-service standards prescribed in Chapter 4.~~

3.2.2 Barberrry Mixed Use Node: South of E Ellendale Avenue, between Fir Villa and Hawthorne Avenue

- a) In addition to Neighborhood Commercial (see Policy 2.6) and Low Density Residential land, designate and reserve exclusively for Medium Density Residential use 20 additional buildable multi-family acres, near the planned intersection of Barberrry Avenue and E Ellendale Avenue.
- b) Multi-Family residential development shall be connected to adjacent Neighborhood Commercial and Low Density Residential land with a combination of grid streets and accessways that encourage bicycle, pedestrian, automobile and delivery truck access.
- c) Prior to the approval of any commercial development in the Barberrry Avenue node: at least 50% of the planned multi-family development shall be occupied; Barberrry Avenue shall be fully improved and connected to LaCreole Drive north of Rickreall Creek; and a traffic signal shall be installed at the intersection of Barberrry Avenue and E Ellendale Avenue.
- d) The small shopping center shall be designed to serve the east Dallas neighborhood and the maximum square footage of the "anchor" use or building shall be limited to 50,000 square feet of floor area (a large grocery store); other uses are limited to 25,000 square feet each.
- e) Uses that are not limited to the immediate neighborhood, such as car dealerships or large department or discount stores shall not be permitted, as prescribed in the Dallas Development Code.
- f) Primary vehicular access to the neighborhood commercial center shall take place from Barberrry Avenue; vehicular access shall not occur directly from E Ellendale Avenue.
- g) In order to encourage pedestrian access to neighborhood commercial centers, the Dallas Development Code shall include design standards which encourage direct pedestrian access to store fronts and placement of parking lots to the side or rear of buildings.
- h) In addition to meeting setback, buffering and lot coverage standards of the underlying residential zoning district, the master plan shall include at least 10% of the multiple-family area for active recreational play areas.
- i) The master plan shall demonstrate how land for open space or schools in proportion to planned commercial acreage will be provided, as indicated in Chapter 4, Parks and Open Space. Developed active recreational play areas shall be recognized as helping to meet the relevant level-of-service standards prescribed in Chapter 4.

3.2.3 Wyatt Mixed Use Node: North of the intersection of W Ellendale Avenue and Wyatt Street

- a) In addition to Neighborhood Commercial (see Policy 2.6) and Low Density Residential land, designate at least 15 acres of multi-family residential land near this planned intersection, through the planned development process.
- b) Medium Density residential development shall be connected to adjacent Neighborhood commercial and Low Density Residential land with a combination of grid streets and accessways that encourage bicycle, pedestrian, automobile and delivery truck access.
- c) Prior to the approval of any commercial development in the Wyatt Street node: at least 50% of the planned multi-family development shall be occupied; Wyatt Street shall be fully improved and connected to the fully improved NW Denton Avenue extension.

- d) The small shopping center shall be designed to serve the west Dallas neighborhood and the maximum square footage of the "anchor" use or building shall be limited to 30,000 square feet of floor area (a medium-sized grocery store); other uses are limited to 15,000 square feet each.
- e) Uses that are not limited to the immediate neighborhood, such as car dealerships or large department or discount stores shall not be permitted, as prescribed in the Dallas Development Code.
- f) In order to encourage pedestrian access to neighborhood commercial centers, the Dallas Development Code shall include design standards which encourage direct pedestrian access to store fronts and placement of parking lots to the side or rear of buildings.
- g) Primary vehicular access to the neighborhood commercial center shall take place from Wyatt Avenue or James Howe Road; vehicular access to the center shall be prohibited from W Ellendale Avenue.
- h) In addition to meeting setback, buffering and lot coverage standards of the underlying zoning district, the master plan shall include at least 10% of the multiple-family area for active recreational play areas.
- i) The master plan must demonstrate how land for open space, in proportion to planned commercial acreage will be provided, as indicated in Chapter 4, Parks and Open Space. Developed active recreational play areas shall be recognized as helping to meet the relevant level-of-service standards prescribed in Chapter 4.

3.3 Phasing & Adequate Public Facilities

Residential development shall be phased and provided with adequate sanitary sewer, water, storm drainage, transportation and park and recreational facilities, as prescribed in Chapter 7, Public Facilities Plan. In addition:

1. Except in areas identified for more intensive development, existing high-quality residential areas and housing stock within the community shall be maintained and conserved.
2. The development of close-in vacant land, readily serviceable by a full range of urban services shall have a higher priority than development of peripheral land that cannot be provided, efficiently, with a full range of urban services.
3. Vacant land within the current City limits shall have a higher priority than unincorporated areas.
4. Except in documented health hazard situations, annexation shall occur in areas where services can be most easily extended, as prescribed in Chapter 7, the Public Facilities Plan.

3.4 Innovative Techniques

To ensure that affordable, higher density housing is provided consistent with the conservation of existing neighborhoods and identified natural resources, the following policies shall be implemented through the provisions of the Dallas Development Code:

1. Minimum as well as maximum residential densities shall be required in all residential zones to ensure that buildable residential land within the Dallas UGB is used efficiently and the public costs of providing urban services are minimized. The following ~~minimum~~ densities shall apply to each net buildable acre (i.e., 43,560 square feet of buildable area, exclusive of streets, recreational areas, designated open space and public utilities):
 - a) ~~RA, RS, RLD, RL~~ ⁹ 04 dwelling units per net buildable acre
 - b) ~~RMD, RT, RM~~ ⁶ 16 dwelling units per net buildable acre
 - c) ~~RHD~~ ¹⁰⁻⁴⁰ ~~KH~~ 20 dwelling units per net buildable acre
2. The use of new and innovative design and development techniques, such as the planned development process, shall be encouraged to preserve natural amenities of a site, provide open space, ensure a smooth transition among different land uses, and provide for increased residential densities. At the time of rezoning, the City Council may require that a specific site be developed through the planned development process by adding a PD suffix to the zoning designation.
3. Master planning of multiple-ownership areas shall be required prior to annexations and zone changes, ~~in accordance with Policy 3.2.~~

3.5 Manufactured Dwellings

The City has adopted the following policies to address manufactured dwellings consistent with State law:

1. Manufactured dwellings shall be permitted on individual lots in all areas planned for low density residential use within the Urban Growth Boundary.
2. Manufactured dwellings shall meet the design requirements specified in the Dallas Development Code for "manufactured homes."
3. Manufactured dwelling parks shall be permitted through the planned unit development process or as approved in the master plan.

3.6 Publicly-Assisted Housing

To help improve this public image and at the same time provide assistance to low and moderate income renters and homeowners, the City shall:

1. Provide sufficient multi-family land to meet the needs of government-assisted housing.



September 8, 2009

Jason Locke
Community Development Director
City of Dallas
187 S.E. Court St.
Dallas, OR 97338

RE: Development Code Revisions

Dear Jason:

As one that has had many years of experience developing property within the City, I applaud your effort in revising the City's Development Code. I have read the drafts along with the revisions proposed and now believe we have a code that will serve the community of Dallas.

Specifically, the revisions as proposed allow for flexibility of planning subdivisions and homes within a subdivision. Providing specific criteria that are reasonable and can be met by applicants only ensures that land can be developed responsibly.

Please submit this letter to the Planning Commission to be included in the record, since I am unable to attend.

Thank you for inviting me to participate in the work sessions.

Sincerely,

Paul K. Trahan
Vice President
Land Acquisition and Development



Memorandum

To: City of Dallas City Council
From: Scot Siegel, AICP, LEED AP
Date: October 19, 2009
Re: *Dallas Development Code Update – Planning Commission Recommendation*

Enclosed you will find Draft #5 of the Dallas Development Code. We revised the document based on the Planning Commission's October 13 deliberation and input from the City Attorney. The code represents over one year of work with local stakeholders, including focus group meetings with local officials, builders, and economic development interests. "Draft 5" is the version that you will be considering at your public hearing on November 2nd.

Suggested Approach For Reviewing the Code Before The Public Hearing

The first two pages of this memo provide general background on the topics covered by the Development Code and the purpose behind the changes. The "reviewer's guide" on pages 3-5 explains some of the key changes, referencing each change by code section and page number. A slide presentation is also attached.

Background

The code rewrite follows the approach and outline that we presented last year in the Phase 1 Code Evaluation Report and Outline (approved by City Council last November) with some refinements. The content of the Code is summarized on page 1-1. The document is organized into articles, chapters, and sections, each with consistent numbering and cross-references. A general questionnaire highlighting some of the key code provisions is attached for your use. This is the same questionnaire we provided to the three focus groups, which met during Phase 1 and again in June and August.

The Development Code rewrite is intended to implement the Dallas Comprehensive Plan and state law. It incorporates and updates existing City regulations and recommends new provisions consistent with best practices for integrating land use and transportation planning. It also incorporates design standards for building, landscapes, and sustainable

development. The Code specifically addresses the following priorities, as identified in previous focus group meetings and discussion with staff and city council:

1. Add flexibility for employment uses, including both commercial and light industrial development; provide supportive development standards.
2. Clarify and streamline city codes related to mixed-use development within designated mixed-use nodes and in commercial districts.
3. Define “Innovative Techniques” to promote “affordable high density housing while conserving existing neighborhoods and natural resources.” (Comprehensive Plan, Section 3.4) Amend the code to:
 - Allow housing on small lots, including zero lot line/common wall homes, where appropriate, subject to design standards
 - Provide greater certainty for the full range of housing types and densities needed in Dallas, consistent with the Dallas Comprehensive Plan and applicable State statutes (ORS 197.296 & 197.303-307).
 - Address “community comfort zones” by preserving Dallas’s unique history and character through appropriate design standards and performance-based land use standards (e.g., building design, low-impact development, historic preservation, etc.).
 - Provide two options for development review for flexibility: clear and objective standards and discretionary standards (adjustments) for design.
 - Require transitions between more and less intensive zoning districts – building height, setbacks, parking, landscaping, building design, etc. – based on the character and scale (form) of desired development.
 - Require some level of housing variety within large subdivisions and master planned developments. Variety may be in lot sizes, housing types, dwelling unit size, or affordability.
4. Update street standards consistent with the recently adopted Transportation System Plan.
5. Update the City’s Master Planned Development procedure, including greater flexibility for commercial development in Mixed Use Nodes. Ensure that master plans achieve “public benefits” such as increased open space and integrated design.
6. Update the city’s parking standards to be consistent with current smart growth practices. Provide downtown parking options, including but not necessarily limited to, shared parking, in lieu fee for off-site parking, or a combination of methods.
7. Encourage sustainable development practices. The Dallas Comprehensive Plan discusses sustainability in general as it relates to economic development and natural resources, but it does not address sustainability or green building



technology directly. City staff requested guidance toward implementing sustainable development through code changes. While there are limits to what can be accomplished through land use regulations, we have suggested some ways that the city can encourage green technology in new development.

8. Implement the following focus group suggestions (October, 2008):
 - Flexible zoning for mid-size retail (e.g., grocery) and commercial services.
 - Flexible zoning for light industrial/office/commercial
 - Update the lot standards (area, coverage, setbacks) for different types of housing, including common wall homes, and homes with porches or patios
 - Keep code simple and user-friendly
 - Provide a “Clear Path” for land use and development decision making
 - Add pre-application procedure to code.
 - Tailor submittal requirements based on level of review (e.g., pre-app, preliminary plan, final plat, construction permits)
 - Incorporate storm water runoff “water quality” standards into code.
 - Separate engineering design standards from land use provisions to avoid conflicts between planning and engineering documents.
 - Ensure appropriate physical transitioning of street widths from existing streets to streets developed under new standards.
 - Provide for bonding of improvements prior to final plat approval, and warranty of improvements after the plat is recorded.
 - Provide standards for zero lot line and attached housing.
 - Require the dedication and improvement of open space for parks in new developments; and allow payment of an in lieu fee for small subdivisions.
 - Allow density transfers (i.e., transfer density away from wetlands to more suitable areas), consistent with the Comprehensive Plan.
 - Balance flexibility and certainty in development review (e.g., adjustments).
 - Update and clarify the city’s land use administrative procedures.

Reviewer’s Guide to Dallas Development Code (Draft #5)

Topics Related to Residential Districts

1. Chapter 2.2 contains the land use and zoning requirements for the residential zones. Table 2.2.020A (pages 2-4 through 2-10) lists the categories of uses that are allowed in each zone, and Chapter 1.3 provides examples of the types of uses that are included in each category.
2. Sections 2.2.030 through 2.3.080 and Table 2.3.030A (pages 2-11 through 2-39) provide development and design standards for residential developments. Different standards apply to attached dwellings versus single family and duplex housing.



- Density, including density bonus for projects meeting low-impact performance standards and density calculation for accessory dwellings (pages 2-11, 2-17, 2-23 through 2-31, and page 2-41)
 - Lot area, including flexible “averaging” of lot area in land divisions (page 2-1)
 - Lot coverage/impervious surface (pages 2-12 and 2-17)
 - Open space, including open area for cottage cluster (page 2-13)
 - Setbacks, including reduced setback for porches and special setback for development on oversized to facilitate future divisions (pages 2-13 through 2-14)
 - Adjustment criteria (page 2-15 and throughout design standards in Chapter 2.2)
 - Exceptions to general development standards (pages 2-15 through 2-16)
 - Building orientation standards (pages 2-18 through 2-21)
 - Housing variety standards for subdivisions creating, or having the potential to create 20 or more lots (pages 2-22 and 2-23)
 - Low-impact development – allows SDC credit for reducing storm water runoff into the public storm sewer system; allows density bonus for exceptional environmental performance (pages 2-23 through 2-31, and page 2-11)
 - Building design standards – clear and objective standards with adjustment option, i.e., “two-tracks” (2-32 through 2-37)
3. Section 2.2.120 contains special use standards for accessory dwellings, townhomes, bed and breakfast inns, group living, home occupations, manufactured homes, multiple family housing, vacation rentals, zero-lot line housing, temporary medical hardship dwellings, and agricultural uses in the RL zone.

Topics Related to Commercial and Industrial Districts

4. Chapter 2.3 contains the land use and zoning requirements for the Central Business District (CBD), Commercial General (CB) District, and Commercial Neighborhood (CN) District. Table 2.3.020B (pages 2-60 through 2-63) lists the categories of uses that are allowed in each zone, and Chapter 1.3 provides examples of the types of uses that are included in each category.
5. Sections 2.3.030 through 2.3.080 and Table 2.3.030A (pages 2-64 through 2-82) provide development and design standards for commercial and mixed-use developments.
- Minimum and maximum height, and increases for mixed use project (page 2-63)
 - Lot coverage, landscape/civic space, setback/build-to line (pages 2-64 & 2-65)
 - Exceptions (page 2-65)
 - Impervious surfaces (page 2-66)
 - Building Orientation and Large-Format Commercial (pages 2-67 through 2-69)
 - Building height bonus for mixed-use buildings (page 2-70)
 - Building design – varies for CBD, CG and CN (pages 2-71 through 2-80)



- Civic space and pedestrian amenity requirement (page 2-80 through 2-81)
 - Drive-up and Drive-through facilities (page 2-82)
6. Chapter 2.4 (pages 2-83 through 2-90) provide land use and development standards for Dallas’s industrial areas. We have recommended consolidated the General Industrial and Light Industrial zones into one Industrial District, because the standards are so similar between the two.

Community Design Standards (all districts)

7. Chapters 3.1, 3.2, 3.3, and 3.4, respectively, provide standards for access, landscaping, parking, and public facilities. The standards in Chapter 3.1 (Access and Circulation) and Section 3.4.010 (Transportation) implement the Dallas Transportation System Plan and the State Transportation Planning Rule

Administrative Procedures

8. Chapter 4.1 contains administrative procedures for land use approvals, including land divisions, conditional use permits, and site design review, among others. Please review the text and table on pages 4-1 through 4-4 and consider whether the applications have appropriate review procedures. The table on page 4-4 is cross-referenced to other code sections containing the applicable approval criteria.



1
2
3 Members Present: Chair Wes Scroggin, Kevin Marshall, and David Voves. Excused: David
4 Shein

5 Also Present: Mayor Jim Fairchild, City Manager Jerry Wyatt, City Attorney Lane Shetterly, As-
6 sistant City Manager Kim Marr, Community Development Director Jason Locke, Public Works
7 Director Fred Braun, and Recording Secretary Emily Gagner.

8 Chair Scroggin called the meeting to order at 4:00 p.m.

9 **Community Development Director's Report**

10 Mr. Locke handed out a copy of the past month's Pacific Power bill for the Dallas Aquatic Center
11 which showed a reduction in usage of 55% over last year. He stated the next step with the elec-
12 tricity and natural gas is to get a trend number and review our current rate schedule. He indicated
13 he felt the City could drop a rate on each, which will save even more money.

14 Mr. Locke discussed systems development charges (SDCs), stating the City currently requires full
15 payment of SDCs before issuing a building permit. He explained some jurisdictions opt to defer
16 those to some time in the future, such as six months after issuing the building permit, or at transfer
17 of ownership of the house, while other jurisdictions finance the SDCs in-house. Mr. Locke stated
18 this may be something the Council would like to consider.

19 Mr. Shetterly stated the City would want to secure any financing with a first-position lien. Coun-
20 cilor Marshall asked if that would make lenders more reluctant to lend money to people. Mr.
21 Shetterly explained municipal liens typically come before others anyway. Councilor Voves ex-
22 pressed concern that this proposal could generate a lot of staff clerical time if the building market
23 picks up. Mr. Locke indicated the conservative way to go would be to keep the status quo, adding
24 staff could research further to see what other jurisdictions are doing and the time involved.

25 Mr. Locke reported that membership remains strong at the Dallas Aquatic Center. He said reve-
26 nue is down 10% over last year, which is better than most other public-run aquatic centers, since
27 most are down 20 to 30%. Councilor Marshall asked if the Kroc Center was affecting attendance
28 at the Dallas Aquatic Center. Mr. Locke indicated that from what he has gathered, the Kroc Cen-
29 ter won't have a major impact on Dallas's operations, noting people like our facility.

30 **Other:**

31 There was some discussion about vacant industrial sites around town.

32 There was no other business and the meeting was adjourned at 4:20 p.m.

MEETING AGENDA

BUILDING AND GROUNDS COMMITTEE

Monday, October 26, 2009

4:00 p.m.

Wes Scroggin, Chair

Kevin Marshall

David Shein

David Voves

1. Community Development Director's Report
2. Other
3. Adjourn

Members Present: Chair David Voves, Kevin Marshall, and Wes Scroggin. Excused: David Shein.

Also Present: Mayor Jim Fairchild, City Manager Jerry Wyatt, City Attorney Lane Shetterly, Assistant City Manager Kim Marr, Public Works Director Fred Braun, and Recording Secretary Emily Gagner.

Chair David Voves called the meeting to order at 4:21 p.m.

Pedestrian Crossing at West Ellendale Avenue

Mr. Braun indicated staff had looked at the feasibility of a pedestrian crossing on West Ellendale at Jasper Street and found all warrants for such a crossing were met. He stated it would cost about \$3,000 to install ADA curb ramps, advanced warning signs and a thermoplastic crosswalk, and noted it would be up to the Council to proceed. In response to a question, Mr. Wyatt explained the residents on the south side of Ellendale must cross the street to get to their mailbox on the north side of the street. In response to a question, Mr. Braun explained that the warrants that must be met to install a blinking yellow light are much stricter and such a light would cost \$50-75,000. There was some discussion about whether to put the crossing on the west or east side of Jasper Street.

Mayor Fairchild indicated he would like staff to look at this further. Councilor Marshall asked if there has been any communication with the Post Office to see about moving the mailbox closer to Jasper Street. Councilor Voves stated if the Post Office moved the mailbox to the south side of the street, there would be no need for the crosswalk at all. Mr. Wyatt indicated staff could contact the Post Office. Councilor Voves directed staff to check with the Post Office to see if the mailboxes could be moved and at what cost so staff had a more definitive recommendation of the crosswalk placement. He then stated staff should take the revised proposal directly to the Council.

Public Works Director's Report

Mr. Braun reported staff had started the leaf harvest, adding staff would make a brochure available to the public explaining the program.

Mr. Braun explained one effort the City is pursuing regarding the Wastewater Treatment Facility (WWTF) has to do with inflow and infiltration, which is when rain water gets into the sewer pipes through cracks in the pipes or storm drains connected to the sanitary sewer system. He advised that flows at the WWTF pick up from less than 2 million gallons per day (mgd) in dry weather to an average of 4-5 mgd when it is raining. He noted when the creek level comes up, that flow can get as high as 20 mgd. Mr. Braun reported that staff had purchased a number of flow monitoring devices to place in the manholes to see where the rain is coming from.

Mr. Braun stated staff has proceeded with switching out the old water meters to the automated readers and have completed the test project at West Ellendale. He added staff has begun switching out the remaining portion of that book along East Ellendale going out of town, which is the most labor intensive area to read. He noted it will take ten years to swap out all the meters in town, but once that is done, staff will no longer need to go out to read meters.

Mr. Braun discussed the lead and copper issue where some homes in town that were tested last year tested positive for lead in their water due to a piping issue with copper pipes and lead solder. He

1 explained staff completed the installation of soda ash injection and the corrosion inhibitor system in
2 August. He noted staff would go back in January and test the homes to see if we are on the right
3 track. Mr. Braun advised that staff would be meeting with the Polk County Health Department to
4 review with them the possible effects of lead in the water.

5 Mr. Braun reported staff began the process of doing their regular winter preparations, including test-
6 ing all the equipment, getting the tire chains out, filling the anti-icing compound tank, and obtaining
7 additional grit.

8 Mr. Braun indicated there was a seismic survey of city hall completed in 2006 which indicated the
9 building's biggest issue is with the ledgers that hold the floor and ceiling joists to the concrete wall.
10 He stated in an earthquake it would be likely that the floor and ceilings would collapse, making City
11 Hall a very high risk. He reported staff is in the process of applying for grants to correct that issue.

12 Mr. Wyatt stated the City had received a request from Lisa Koloen from the tannery to see if we
13 wanted to purchase her water rights. He noted the price she is asking is steep, and the City couldn't
14 move the water rights up the creek. He indicated the City's main interest would be for water con-
15 servation. Mr. Braun explained staff is working with other agencies that buy up water rights to leave
16 the water in the creeks for the fish to see if they would be interested in this project.

17 **Other**

18 Mayor Fairchild reported that the state has opened another round of trail systems grants. He asked if
19 the City could apply for grant money to add lighting and do general clean-up in the area of the trail
20 between Levens and Main Street. Mr. Wyatt indicated he would look into it.

21 There was no other business and the meeting was adjourned at 4:47 p.m.

MEETING AGENDA

PUBLIC WORKS COMMITTEE

Monday, October 26, 2009

4:00 p.m.

David Voves, Chair
Kevin Marshall
Wes Scroggin
David Shein

1. Pedestrian Crossing at West Ellendale Avenue
2. Public Works Director's Report
3. Other
4. Adjourn

MEMORANDUM

To: Jerry Wyatt, City Manager

From: Fred Braun, Director of Public Works

Date: October 22, 2009

Subject: Request for Crosswalk evaluation on SW Jasper St @ West Ellendale.

Background:

Staff was directed to evaluate the warrants and general criteria for installation of a pedestrian crossing on West Ellendale Avenue at SW Jasper Street. The location is at an uncontrolled intersection. The evaluation was made based upon MUTCD and specific criteria developed by other communities.

Marked crosswalks are intended to provide pedestrians with a feeling of confidence that it is safe to cross a street at the marked location and to give motorists adequate warning to expect pedestrians to be in the roadway. They are also to encourage pedestrians to cross roadways where there are adequate facilities to accomplish these purposes. Care should be taken to insure that marking crosswalks at some locations does not detract from other similar locations without markings. The following are general criteria to be satisfied in addition to the warrant criteria when considering installation of marked crosswalks:

1. Marked crosswalks must connect to established sidewalks at both ends.
2. ADA accessible ramps shall be included at both ends of crosswalk installations unless there are engineering reasons they cannot be provided.
3. Adequate street lighting must be provided for the safety of pedestrians.
4. Street parking must be restricted adjacent to crosswalks to allow for adequate sight lines for both the motorists and the pedestrians.

A crosswalk at a mid-block location may be installed when the location satisfies the general criteria and meets the warrant criteria for a mid-block crosswalk listed below:

- a. The crossing volume is not caused by a correctable gap in the sidewalk system.
- b. There is minimum distance of 300 feet to nearest protected crossing. A protected crossing is a crossing controlled by stop signs or signals.
- c. No unsafe visibility or site conditions would be created.
- d. Posted speed is 35 mph or less.
- e. On an average day, a minimum of 50 pedestrians cross the street within 50 feet of the proposed crossing, during any one hour. This may be reduced to 25 pedestrians if the crossing is located at an uncontrolled intersection.
- f. The average daily two-way traffic volume on the street is above 3500 vehicles per day. The traffic volume may be reduced by 50% if the proposed crossing is located at an uncontrolled intersection.

Discussion:

The total daily pedestrian volumes exceeded the minimum standard of 25 within 50 feet of the intersection. Lighting, sight distance, and other warrants were evaluated and found to be satisfactory. A crossing could be installed at this location, provided that adequate markings and advance signage are installed. ADA compliant curb ramps should be installed along the south side of the intersection. The estimated cost of this work is \$3000, including curb ramps.



November 2, 2009

Jerry Wyatt
City of Dallas
187 SE Court Street
Dallas, OR 97338

Dear Mr. Wyatt, Mayor Fairchild and Members of the Council,

We looking forward to our annual Christmas Tree Lighting Ceremony by Santa, scheduled for Friday, December 4th. We are expecting a large crowd again this year and are planning accordingly.

We would like permission to work with city staff for items including;

- Closing the parking stalls around the courthouse lawn for public parking from 3:00PM thru 9:00PM.
- A police escort for Santa and his entourage. We would work with the Police Department in determining the best location to start from, and would want the escort to bring the vehicles to the Courthouse Lawn at approximately 6:30PM.
- The use of candlesticks and caution tape to assist in crowd control.
- Participation from the Fire Department in having vehicles on display as well as promoting Breakfast with Santa the following day.

We appreciate the continued support of the City in our effort to host events for our community. Please let me know if you have any questions, concerns or recommendations.

Thank you for your continued support!

Sincerely,

A handwritten signature in black ink that reads "Chelsea".

Chelsea Pope
Executive Director

cc: Dallas Area Chamber of Commerce Board of Directors

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 7 b	Topic: Park and Recreation Board Recommendation
Prepared By: Emily Gagner	Meeting Date: November 2, 2009	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Motion to direct the City Attorney to draft a Resolution establishing park hours from dawn to dusk.

Motion to direct the City Attorney to draft an Ordinance to establish “no smoking” in any Dallas park.

BACKGROUND:

The Dallas Parks and Recreation Board met on October 27 for a regular meeting. In that meeting, the Board made two recommendations to the Council.

The first recommendation is to close all City parks, including the Delbert Hunter Arboretum, from dusk until dawn. The Board feels this will help cut down on vandalism and unnecessary noise in the park.

The second recommendation is to incorporate a no-smoking policy for all Dallas parks, including the Delbert Hunter Arboretum. The Board discussed the fact that many cities have begun to establish similar policies and noted Dallas’s current policy is vague and difficult to understand.

The Park and Recreation Board did not specify whether either of these policies should also include the Park Trail, so that would need to be determined by the Council. Staff does recommend including the Skate Park and tennis courts in the dawn to dusk closure, but excluding the Aquatic Center grounds.

FISCAL IMPACT:

None

ATTACHMENTS:

None

CITY OF DALLAS PARK AND RECREATION BOARD

October 27, 2009, Meeting Minutes

Members present were: Mayor Jim Fairchild, Richard Hoffman, Rich Slack, Judy Boustead, Barbara Chaney, Jackie Lawson, and Christopher Castelli. Standing in for the Arboretum was Ken Kentch.

Staff members present were: City Manager Jerry Wyatt, Assistant City Manager Kim Marr, Park Supervisor Ron Lines, and Recording Secretary Patti Senger.

Excused were: Al Perkins, Reese Linn, Carol Mannen, Mellisa Spivey, Sue Rohde, and June Krause.

Chair Rich Slack called the meeting to order at 7:00 pm. Richard Hoffman made a motion to approve the minutes, Chris Castelli seconded, and they were accepted as presented.

Jerry Wyatt reported that the City is reviewing every board and commission, looking at their role and function. He stated that there are changes to the agenda and that the line items are listed as topics for discussion, rather than reports as has been done in the past. The City of Dallas is a Tree City USA, and the Park and Recreation board is charged with overseeing trees and tree care and the City is at a point where the board needs to be more active and involved. A mission statement needs to be developed from the board and new projects identified. He informed the board that a survey was put together and he would like to hear back from each member. He said the Park and Recreation board is extremely important to the community and it may require monthly meetings with board members who will take it seriously and removal of members who are not committed or attending meetings. Mr. Wyatt stated that action items need to be established, goal dates set, and funding prioritized. Mr. Wyatt announced that \$5,000 would be allocated annually for capital improvements in the park system and it would be up to the board to decide which projects to carry out.

Mr. Wyatt discussed the City's presence in recreation and that Kids, Inc. as a volunteer based organization is functioning at capacity, adding that the volunteers have done a tremendous job. He recommended that the board participate and work with them as they form their mission statement and create and implement transitional guidelines for volunteers and coordinators. There was discussion about the board helping the Sports Marketing program at Dallas High School and suggestions of improvements to the brick paver program. Mr. Wyatt stated that he wants to organize and implement an "adopt-a-park" program including sections of the park and the Rickreall Creek Trail. Mr. Hoffman reported that he had approached Rotary Club about the Japanese Garden. Mr. Wyatt informed the board about the four cottonwood trees in the Japanese Garden that need to be removed at a cost of \$9,000. Mr. Lines added that the garden is a fragile area and the trees need to be removed carefully to avoid damage to the ground below. There was discussion about the 48 cottonwoods in other areas of the park that need to be removed.

Mr. Wyatt informed the board about incorporating more bike and hiking trails in and around Dallas. He stated that the President and members of the Black Rock Board have approached the City and would like to incorporate a trail from E. Ellendale, past the Mercer Reservoir, out to Black Rock. He stated that with this may bring in business to Dallas and the City would like to advocate for that. Kim Marr stated that people come from all over the country and the world to bike at Black Rock. Mr. Wyatt added that a movie was filmed out there, that it is on the front cover of a Biking Magazine, and suggested the Board do a tour. Mr. Castelli offered to bring a Department of Forestry map.

Mr. Wyatt talked about encouraging volunteerism and awareness of the park and facilities upkeep. He added that he wants to get the community and the youth involved.

Mr. Wyatt stated that he would like the Park and Recreation Board to be involved in updating the Comprehensive Plan with the open spaces and to incorporate future recreation plans, the trails, and the adopt-a-park program.

Ms. Lawson suggested that she would like to see a no smoking policy at the Dallas City Parks and Ken Kentch added that he would like to see a “dusk to dawn” closing of the Park and the Arboretum. There was discussion about both of these proposals. Mr. Hoffman asked about a portable security camera and Mr. Wyatt responded that staff is working on purchasing a surveillance system.

Ms. Boustead made a motion to *recommend to City Council to close all Dallas City Parks, including the Delbert Hunter Arboretum from dusk until dawn.* The motion was seconded by Ms. Chaney and passed unanimously.

Ms. Lawson made a motion to *recommend to City Council to incorporate a no smoking policy for all Dallas City Parks, including the Delbert Hunter Arboretum.* The motion was seconded by Mr. Castelli and passed unanimously.

There was discussion of a non-emergency number posted on signs and Mr. Wyatt responded that will be added when the signage is replaced and updated. After discussion about the dangers of dogs off leash in the City Park, and public awareness about Central Bark, Mr. Slack suggested that the dog park information could be posted on the City Park signs as well and Mr. Hoffman suggested it could be promoted in the newsletter.

Chair Rich Slack adjourned the meeting at 7:55 p.m.

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 7 c	Topic: Parking Variance Request
Prepared By: Emily Gagner	Meeting Date: November 2, 2009	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

None

BACKGROUND:

The City received a letter from Blake Brinker, Senior Deacon of the Jennings Masonic Lodge #9, for permission to operate a fundraiser selling Christmas trees from December 3-5. Specifically, they would like to park a mini camper trailer on Court Street for their office space. DCC 6.345 allows the City Manager to authorize a variance from parking regulations.

FISCAL IMPACT:

None

ATTACHMENTS:

Parking variance application



Fee: \$25.00
Rec'd:

APPLICATION FOR A PARKING VARIANCE

Applicant's Name: Blake Brinker / Jennings Masonic Lodge #9

Applicant's Address: 484 Bovard St
Dallas, OR 97338

Reason for Variance Request (please read the back of this form to make sure you meet the conditions set forth in Dallas City Code 6.360): _____

Please see attached letter

Attach an additional sheet if necessary.

Please describe the location where you are requesting to park: _____
SE Court Street (please see attached map)

After a review by the staff, this request will be considered by the city manager. The city manager does have the right to attach conditions to any variance he grants.

Application approved: Yes No

City Manager

Date

City of Dallas: Attn. Jerry Wyatt,

This is a request letter on behalf of **Jennings Masonic Lodge #9 A.F. & A.M.** (Dallas, Oregon) for permission to operate a fundraiser for our lodge and another local charitable organization (to be determined) on Polk County Courthouse/City of Dallas property on **December 3-5, 2009**. Our lodge has been in Dallas doing philanthropic work and helping better our community one person at a time since around 1854, and presently we have a renewed sense of community involvement within us! We would like to hold the 1st *Annual Jennings Masonic Lodge Christmas tree Sale*.

Details of Operation

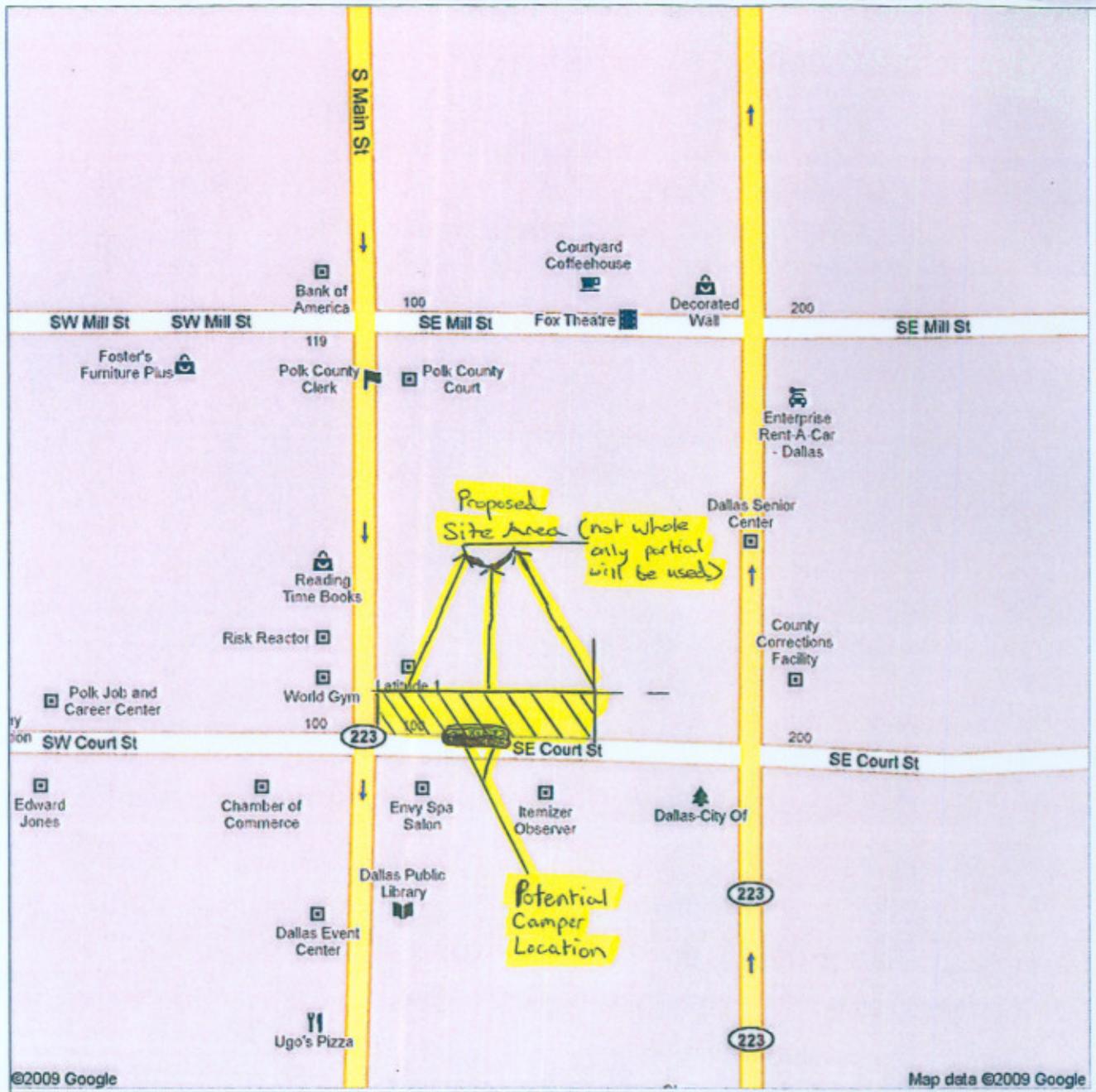
- ❖ **We are requesting permission to set up and operate our Christmas tree Sale on the South end of the Courthouse lawn, but will primarily be using the sidewalk and/or street with careful attention to keep the foot traffic down to as little as possible on the Courthouse grass. It will be posted with a sign of some fashion.**
- ❖ We are extremely mindful of contributing to the overall quality of life and safety of Dallas area patrons and respecting our fine community's property.
- ❖ We are working with the Dallas Area Chamber of Commerce and are participating as a member of Winter Fest which occurs the same weekend of the intended sale.
- ❖ We are intending on having a mini camper trailer on the Court Street side (see map) for our "office", as well as a kiosk to provide hot cocoa & coffee for patrons and are requesting permission from the city to do so. We have received verbal permission to place a trailer in that location at this point. (10/23/09)
- ❖ We are consulting with experienced community members who have a history in Christmas tree sales, and other past like kind community events to contribute to our ability to conduct the best Christmas tree sale in town!
- ❖ Contingent on your approval of course, we will be moving our supplies and trees onto the site between 24-72 hours prior to December 3, 2009, and will be removing all of supplies/trees/etc. within 24 hours of 12:01 a.m. of December 5, 2009. We will leave the area as we found it.

For additional information, or questions please contact me:

Thank you all for evaluating our request,

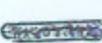


Blake Daniel Brinker
Senior Deacon
Jennings Masonic Lodge #9
484 Bovard Street
Dallas, Oregon
Direct-503.910.1808
Office-503.623.2333
Email-dallaki33@yahoo.com



Key

 = Proposed Site Area (not whole area will be used)

 = Proposed Camper Location

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 7 d	Topic: Holiday Schedule
Prepared By: Emily Gagner	Meeting Date: November 2, 2009	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

BACKGROUND:

The busy holiday season is fast approaching, and I wanted to make sure the Council was aware of upcoming events.

The annual Mayor and City Manager’s Coffee is going to be Friday, December 11 from 4:00 to 5:00 p.m. in the Civic Center.

The second annual Community Holiday Dinner for those members of our community in need will be held Thursday, December 17 from 4:30 to 6:30 p.m. This year’s dinner will be held at the United Methodist Church on LaCreole Drive.

I also want to remind you of those days City Hall will be closed for holidays:

- November 11
- November 26-27
- December 24 (afternoon only)
- December 25
- January 1

FISCAL IMPACT:

None

ATTACHMENTS:

None