



Dallas City Council Agenda

Kenneth L. Woods, Jr., Presiding

Monday, August 5, 2024

7:00 PM

Dallas City Hall, 187 SE Court St. Dallas, OR 97338

All persons addressing the Council will please use the table at the front of the Council. All testimony is electronically streamed and recorded via the City of Dallas YouTube Channel:

<https://www.dallasor.gov/community/page/dallasyoutube>

AGENDA ITEM	RECOMMENDED ACTION
1. ROLL CALL, PLEDGE OF ALLEGIANCE	
2. INTRODUCTIONS, RECOGNITIONS, PROCLAMATIONS a) Historic Heritage Proclamation, Mayor Woods p.4	
3. PUBLIC COMMENT (SEE PAGE 3 FOR MORE INFORMATION) <i>This time is provided for citizens to comment on municipal issues and any agenda items other than public hearings.</i> <u>To submit public comment by live telephone, please call:</u> +1 253 215 8782 MEETING ID: 213 855 0622 *We encourage you to be logged into the public comment queue by 7:00pm*	
4. CONSENT AGENDA <i>The following items are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the Consent Agenda and considered separately.</i> a) Approve the July 15, 2024 Work Session Minutes p.5 b) Approve the July 15, 2024 City Council Meeting Minutes p.6	MOTION
5. ITEMS REMOVED FROM CONSENT AGENDA	
6. REPORTS OR COMMENTS FROM MAYOR AND COUNCIL MEMBERS	
7. REPORTS FROM CITY MANAGER AND STAFF a) Development Code Amendment Process p.8	MOTION
8. FIRST READING OF ORDINANCES a) Ordinance No. 1897 Amending Dallas City Code Sections 7.850 and 7.856, Relating to Itinerant Merchants as Mobile Vendors p.10	

COUNCIL

Mayor

Kenneth L Woods, Jr.

Council President

Michael Schilling

Councilor

Nancy Adams

Councilor

Carlos Barrientos

Councilor

Larry Briggs

Councilor

Kirsten Collins

Councilor

Kim Fitzgerald

Councilor

Micah Jantz

Councilor

David Shein

Councilor

Debbie Virden

CITY STAFF

City Manager

Brian Latta

Asst. City Manager

Emily Gagner

City Attorney

Lane Shetterly

Police Chief

Tom Simpson

Fire & EMS Chief

April Wallace

Economic &

Community

Development Director

Charlie Mitchell

Public Works Director

Gary Marks

Library Director

Mark Johnson

Finance Director

Cecilia Ward

City Recorder

Kim Herring

Our Mission: *We are a welcoming, safe and livable community dedicated to people and business*



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7:00 pm

9. SECOND READING OF ORDINANCES

- a) Ordinance 1896 Declaring 10 acres, more or less, of territory being Tax Lots 301 and 302 on Polk County Assessor’s Map 7.5.30 annexed to the City of Dallas and withdrawn from Southwestern Polk County Fire District; and designating the zoning of said property as Residential Medium Density (RM); and declaring an emergency p.15

ROLL CALL
VOTE

10. OTHER BUSINESS

11. ADJOURNMENT



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Submit public testimony at a Dallas City Council Meeting or Planning Commission Meeting by Phone

We encourage you to be logged into the public comment queue by 7:00PM to ensure your comments will be received

Step 1: Dial: **+1 (253) 215-8782**

Step 2: Enter Meeting ID: **213 855 0622**

Step 3: Press **#**. This will set your participant ID as your telephone number.

Helpful Tips:

- Make sure to call in before the meeting start time
- You will be asked to speak during the public comment portion of the meeting (See page 1 of the meeting agenda). You will be called upon by phone number once the public comment period begins. All testimony will be electronically recorded.
- Do not use your speakerphone when calling to submit public comments as it may affect call quality.
- Turn off the volume on YouTube if you choose to watch the video live on YouTube while simultaneously commenting via telephone, otherwise you may experience audio feedback.
- Press ***6** to unmute yourself when asked by the recording secretary or presiding officer.



City of Dallas, Polk County, Oregon
Proclamation

WHEREAS, *the City of Dallas was founded in 1874 along the banks of the La Creole River (which later became Rickreall Creek), and*

WHEREAS, *since 1874, the town has continued to grow and change with the needs of the community while maintaining its historic heritage, and*

WHEREAS, *Downtown Dallas is the heart of the community by playing host to numerous community events and small businesses while also serving as the heart of the town's history, and*

WHEREAS, *the City of Dallas, its residents, and visitors all cherish the historic architecture and stories present in downtown and believe it is necessary to preserve this history for future generations, and*

WHEREAS, *the City of Dallas successfully applied to have the historic downtown named to the National Register of Historic places, and*

NOW, THEREFORE, *I, Kenneth L. Woods, Jr., Mayor of the City of Dallas, do hereby proclaim August 6, 2024 as a day to celebrate our historic heritage in the City of Dallas, and I urge all citizens to continue to cherish the city, its history, and its future.*

Signed this 5th day of August 2024

Kenneth L. Woods, Jr., Mayor



**MEETING MINUTES
DALLAS CITY COUNCIL WORK SESSION
187 SE COURT ST, DALLAS OR 97338**

Monday, July 15, 2024

1 Mayor Kenneth L. Woods, Jr. called the City Council Work Session to order on Monday, July
2 15, 2024 at 6:00 pm.

3 **ROLL CALL**

4 **Councilors Present:** Council President Michael Schilling, Councilor Nancy Adams, Councilor
5 Carlos Barrientos, Councilor Larry Briggs, Councilor Kirsten Collins, Councilor Kim Fitzgerald,
6 Councilor Micah Jantz, Councilor David Shein and Councilor Debbie Virden

7 **Mayor or Councilors Excused:** none

8 **Also Present:** Mayor Kenneth L. Woods, Jr., City Manager Brian Latta, Assistant City Manager
9 Emily Gagner, City Attorney Lane Shetterly, Police Chief Tom Simpson, Fire & EMS Chief
10 April Wallace, Public Works Director Gary Marks, and City Recorder Kim Herring

11 **Johnson v. Grants Pass**

12 Mr. Shetterly and Mr. Latta led a discussion on the recent Grants Pass decision by the Supreme
13 Court and HB 3115 (2021). There are no immediate meaningful changes in the way the City of
14 Dallas regulates camping, including sitting, sleeping or lying, on public property will occur be-
15 cause of this decision.

16 **LOC Priorities**

17 Mr. Latta presented the packet of materials that contain the 2024 Voter Guide for the LOC Prior-
18 ities as well as the 2024 Legislative Summary. He recommended that the councilors review the
19 packet and choose their top five priorities. This item will return to the next work session for dis-
20 cussion. The City has until September 27, 2024 to choose the top five and complete the ballot.

21 **OTHER BUSINESS**

22 **ADJOURNMENT:** 6:45 pm



MEETING MINUTES
DALLAS CITY COUNCIL
187 SE COURT ST, DALLAS, OR 97338

Monday, July 15, 2024

1 Mayor Kenneth L. Woods, Jr. called the City Council meeting to order on Monday, July 15,
2 2024 at 7:00 pm.

3 **ROLL CALL**

4 **Councilors Present:** Council President Michael Schilling, Councilor Nancy Adams, Councilor
5 Carlos Barrientos, Councilor Larry Briggs, Councilor Kirsten Collins, Councilor Kim Fitzgerald,
6 Councilor Micah Jantz, Councilor David Shein, and Councilor Debbie Virden

7 **Mayor or Councilors Excused:** None

8 **Also Present:** Mayor Kenneth L. Woods, Jr., City Manager Brian Latta, Assistant City Manager
9 Emily Gagner, City Attorney Lane Shetterly, Police Chief Tom Simpson, Fire & EMS Chief
10 April Wallace, Finance Director Cecilia Ward, Public Works Director Gary Marks, and City Re-
11 corder Kim Herring

12 **PUBLIC COMMENT**

13 Robert Greenway provided comment on building codes and safety inspections.

14 **CONSENT AGENDA**

- 15 a) Approval of the June 3, 2024 City Council Work Session minutes
16 b) Approval of the June 3, 2024 City Council Meeting minutes
17 c) Approval of the June 17, 2024 City Council Meeting minutes
18 d) June 2024 Financial Report
19 e) Approval of the OLCC Full On-Premises Liquor License for Osaka Sushi & Chinese
20 Restaurant
21 f) Approval of the OLCC Full On-Premises Liquor License for Masala Bites Indian Res-
22 taurant

23 Councilor Shein moved to approve the Consent Agenda as presented. Councilor Briggs seconded
24 the motion. The vote was taken and the motion passed with a vote of 9-0.

25 **REPORTS OR COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

26 Mr. Latta reviewed the staff report that contained the recommendation from the Mayor to ap-
27 point two new members to the Historic Preservation Commission. There were four applications
28 considered and the Mayor recommended appointment of Juli Koprowski and Michael Sewell to
29 serve on the commission. These two positions would have an expiration date of December 31,
30 2028. Due to the changes in the development code, all positions will be assigned a four-year term
31 and the three commissioners currently serving will have terms expiring December 31, 2026. Af-
32 ter some discussion, Councilor Briggs made a motion to approve Juli Koprowski and Michael
33 Sewell to serve on the Historic Preservation Commission with terms expiring December 31,
34 2028; and, assign terms expiring December 31, 2026 for Brian Dalton, Rich Foster and Sue
35 Rhode. Councilor Shein seconded the motion. The vote was taken and the motion passed with a
36 vote of 8-1 with Councilors Adams, Barrientos, Briggs, Collins, Fitzgerald, Jantz, Schilling and
37 Shein voting YES and Councilor Virden voted NO.

38 **FIRST READING OF ORDINANCES**

- 39 a) **Ordinance No. 1896 – declaring 10 acres, more or less, of territory being Tax Lots**
40 **301 and 302 on Polk County Assessor’s Map 7.5.30 annexed to the City of Dallas**
41 **and withdrawn from Southwestern Polk County Rural Fire Protection District;**
42 **and designating the zoning of said property as Residential Medium Density (RM);**
43 **and declaring an emergency**

44 Mr. Latta presented the staff report. On June 17, 2024, the City Council held a land use
45 public hearing regarding the annexation of roughly 10 acres of land and assigning a city

1 zone of medium density residential. The Council approved the request by a majority
2 vote and this ordinance would enact the annexation. The Mayor declared that Ordinance
3 1896 passed its first reading.

4 **SECOND READING OF ORDINANCES**

5 a) **Ordinance No. 1895 – Amending Dallas City Code Section 5.522 Relating to Live-**
6 **stock, Chickens, Bees and Rabbits; and Declaring an Emergency**

7 Mr. Latta reviewed the staff report. The ordinance passed its second reading and the
8 Mayor called for a roll call vote. The vote was taken and the ordinance passed with a
9 vote of 9-0.

10 **RESOLUTIONS**

11 a) **Resolution No. 3533 – Delegating to the City Manager the authority to make rec-**
12 **ommendations to approve or disapprove applications for temporary or special**
13 **event liquor licenses pursuant to Dallas City Code 7.097**

14 Mr. Latta presented the staff report. The Dallas City Code currently states that the City
15 Council *may* delegate to the city manager the authority to make a recommendation to
16 approve or disapprove applications for temporary or special event licenses. The resolu-
17 tion would officially delegate the authority to the City Manager. The Mayor called for a
18 roll call vote and the resolution passed with a vote of 9-0.

19 **ADJOURNMENT: 7:24 pm**

20 **Read and approved this _____ day of _____ 2024.**

21 _____
22 _____


23 **Mayor**

24 _____
25 _____

26 **City Manager**



CITY COUNCIL STAFF REPORT

MEETING DATE: August 5, 2024
AGENDA ITEM NO. 7.a
TOPIC: Initiate a Development Code Text Amendment Regarding
Flags and Other Unresolved Code Amendments
PREPARED BY:  City Manager
ATTACHMENTS: None

RECOMMENDED ACTION:

Staff are seeking input on development related topics to be included in a package of text amendments to the City's development code.

BACKGROUND:

Early this year, the City Council adopted several amendments to the city's development code. There were a handful of topics that were included in the prior package of amendments on which the City Council desired to have further discussion. Those topics were:

- Bicycle Parking
- Townhome Garage Openings
- Driveway Widths
- Garage Setbacks
- Sidewalk Landscape Strips

In addition to these topics, the city staff have identified an inadvertent prohibition on any non-governmental agency adopted or endorsed flag that should be addressed as part of a future package of code amendments. At their July 20243 meeting the Public Administration Committee discussed the flag issue and recommended the City Council initiate a development code text amendment process to address this issue.

As staff begins the work to draft proposed amendments and to re-engage with the Council on the prior amendments, staff are seeking any additional development code amendments that the City Council would like to see in this package of amendments.

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I will note that there are some legal amendments that need to be adopted by the City Council by the end of the calendar year, based on state mandates contained in Senate Bill 1537. Those amendments will be achieved in a separate and standalone code amendment process.

SUMMARY TIMELINE:

7/22/2024 – Public Administration Committee discussed flag prohibition issue and recommends the City Council initiate a code amendment process to address this issue.

8/5/2024 – City Council will consider initiating a code amendment process.

FISCAL IMPACT:

None

RECOMMENDED MOTION:


I move to initiate a development code amendment process.

ATTACHMENTS:

None



CITY COUNCIL STAFF REPORT

MEETING DATE: August 5, 2024
AGENDA ITEM NO. 8.a
TOPIC: First Reading of Ordinance 1897 Amending Dallas City Code Sections 7.850 and 7.856
PREPARED BY:  City Manager
ATTACHMENTS: A – Draft Ordinance 1897

RECOMMENDED ACTION:

Council allows Ordinance 1897 to pass its first reading.

BACKGROUND:

This spring and summer the City received requests to permit mobile vendors, such as ice cream trucks, to operate in the City of Dallas. These types of businesses are similar to itinerant merchants, but their model of operations (i.e. constantly moving) does not fit within the regulatory framework of the itinerant merchant permit process. As such, the City of Dallas is currently allowing mobile vendors to operate within the city without any permits.

Because of the nature of their business and to ensure the general health, safety and welfare of the public, staff recommends amending the itinerant merchant code provisions to include a definition for mobile vendors and to add some basic rules regarding their operations. Staff presented the draft amendments to the Public Administration Committee on July 22, 2024 for their review and consideration. After review, the committee recommended an ordinance be created to amend the itinerant merchant rules, as presented, and the ordinance be presented to the City Council for adoption.

Ordinance 1897 is included with this report as **Attachment A**.

SUMMARY TIMELINE:

7/22/2024 – Public Administration Committee considered amendments to Sections 7.850 and 7.856 of Dallas City Code, and recommended the Council adopt an ordinance to enact the proposed amendments.

8/5/2024 – City Council will be presented with Ordinance 1897 amending Dallas City Code Sections 7.850 and 7.856 for its first reading.

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FISCAL IMPACT:

There will be nominal revenue from additional itinerant merchant permits for the mobile vendors.

RECOMMENDED MOTION:

N/A – Ordinance 1897 scheduled for its first reading.

ATTACHMENTS:

A – Draft Ordinance 1897

**CITY OF DALLAS
ORDINANCE NO 1897**

**AN ORDINANCE AMENDING DALLAS CITY CODE SECTION 7.850 AND 7.856,
RELATING TO ITINERANT MERCHANTS AS MOBILE VENDORS**

Be it ordained by the City Council of the City of Dallas, in the State of Oregon, as follows:

SECTION 1: **AMENDMENT** “7.850 Definition” of the Dallas Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

7.850 Definition

For purposes of sections 7.850 to 7.860:

1. "Food cart" is a type of itinerant merchant business that is a mobile food service operation offering prepared food for sale to walk-up customers.
2. "Itinerant merchant" is a person who sells or offers for sale to the public at large, goods, wares, or merchandise, other than from door-to-door or from place-to-place, from a motor vehicle, trailer, cart, wagon, or stand, on a nonpermanent or noncontinuous basis.

[Section 7.850 amended by Ordinance No. 1725, passed June 21, 2010; amended by Ordinance No. 1789, passed October 19, 2015.]

AFTER AMENDMENT

7.850 Definition

For purposes of sections 7.850 to 7.860:

1. "Food cart" is a type of itinerant merchant business that is a mobile food service operation offering prepared food for sale to walk-up customers.
2. "Itinerant merchant" is a person who sells or offers for sale to the public at large, goods, wares, or merchandise, other than from door-to-door or from place-to-place, from a motor vehicle, trailer, cart, wagon, or stand, on a nonpermanent or noncontinuous basis.
3. "Mobile vendor" is an itinerant merchant that sells or offers to sell its good, wares or merchandise without a fixed location, from a licensed motor vehicle, or from a bicycle, tricycle or other human powered or electric assisted mode of transportation, that is legal for travel on a public street, road or right of way

[Section 7.850 amended by Ordinance No. 1725, passed June 21, 2010; amended by Ordinance No. 1789, passed October 19, 2015.]

SECTION 2: **AMENDMENT** “7.856 Time Limit And Location” of the Dallas Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

7.856 Time Limit And Location

1. Except as provided in subsection (4), no itinerant merchant shall do business or leave any stand or structure associated with their business at the same location for more than 3 months in any calendar year.
2. If an itinerant merchant, other than a food cart merchant, ceases to operate a business for 14 consecutive days, the license for that itinerant merchant shall automatically terminate and all stands, signs, storage facilities and structures of any kind associated with the business shall be immediately removed.
3. Itinerant merchant activities may be allowed in conjunction with a special event for which a special event permit has been issued. Itinerant merchant activities not associated with a special event shall only be allowed in a commercial or industrial zone with the written permission of the lot owner. Furthermore, the proposed location must have adequate off-street parking, circulation, and other improvements deemed necessary by the city manager.
4. Notwithstanding subsections (1) through (3) above, food carts shall be permitted to remain in an approved location for a period of 6 months, and shall be permitted to renew a license to operate at the same location for successive 6 month periods upon submission of a new application and payment of the required fee for each six-month period.

AFTER AMENDMENT

7.856 Time Limit And Location

1. Except as provided in subsection (~~4~~5), no itinerant merchant shall do business, or leave any stand or structure associated with their business at the same location, for more than 3 months in any calendar year.
2. If an itinerant merchant, other than a food cart merchant, ceases to operate a business for 14 consecutive days, the license for that itinerant merchant shall automatically terminate and all stands, signs, storage facilities and structures of any kind associated with the business shall be immediately removed.

3. Itinerant merchant activities may be allowed in conjunction with a special event for which a special event permit has been issued. Except for mobile vendors, ~~It~~ itinerant merchant activities not associated with a special event shall only be allowed in a commercial or industrial zone with the written permission of the lot owner and, ~~Furthermore,~~ the proposed location must have adequate off-street parking, circulation, and other improvements deemed necessary by the city manager.

4. Mobile vendor activities are allowed on any public street, road or right of way that is open to the public. A mobile vendor must continue in motion while offering its goods, wares or merchandise, provided, that the vendor may stop for the purpose of engaging in a sale of its goods, wares or merchandise; for personal rest periods; and to comply with all traffic rules and regulations. When stopping for personal rest periods or to engage in a sale of its goods, wares or merchandise, a mobile vendor may not stop in an unsafe place or manner, or in such manner as to impede vehicle or pedestrian traffic.

~~4~~5. Notwithstanding subsections (1) through (3) above, food carts shall be permitted to remain in an approved location for a period of 6 months, and shall be permitted to renew a license to operate at the same location for successive 6 month periods upon submission of a new application and payment of the required fee for each six-month period.

PASSED AND ADOPTED BY THE CITY OF DALLAS CITY COUNCIL

_____.

Presiding Officer

Attest


Kenneth L. Woods, Jr., Mayor, City of Dallas

Brian Latta, City Manager, City of Dallas

Lane P. Shetterly, City Attorney, City of Dallas



CITY COUNCIL STAFF REPORT

MEETING DATE: August 5, 2024
AGENDA ITEM NO. 9.a
TOPIC: Second Reading of Ordinance 1896 Annexing 10 acres of land into the City limits of Dallas
PREPARED BY:  City Manager
ATTACHMENTS: A – Ordinance No. 1896

RECOMMENDED ACTION:

Staff recommends the City Council allow Ordinance No. 1896 to pass its second reading.

BACKGROUND:

On June 17, 2024, the City Council held a duly-advertised land use public hearing regarding the annexation of roughly 10 acres of land and assigning a city zone of medium density residential. The Council approved the request by a majority vote. **Attachment A** is the ordinance to make effective the annexation.

SUMMARY TIMELINE:

June 11, 2024 – Planning Commission recommended the City Council approve the annexation and zone change.

June 17, 2024 – City Council approved of the annexation and zone change, subject to the adoption of an ordinance.

July 15, 2024 – City Council allowed Ordinance No. 1896 to pass its first reading.

August 5, 2024 – City Council will consider Ordinance No. 1896 for its second reading and vote to adopt. This ordinance contains an emergency clause to enact the rule immediately.

FISCAL IMPACT:

None.

RECOMMENDED MOTION:

N/A – Ordinance scheduled to pass its second reading, and scheduled for a roll call vote.

ORDINANCE NO. 1896

An Ordinance declaring 10 acres, more or less, of territory being Tax Lots 301 and 302 on Polk County Assessor’s Map 7.5.30 annexed to the City of Dallas and withdrawn from Southwestern Polk County Rural Fire Protection District; and designating the zoning of said property as Residential Medium Density (RM); and declaring an emergency.

WHEREAS, the owner of Parcel 1 and Parcel 2 of Partition Plat 2012-0010, Book of Partition Plats for Polk County, Oregon, which is contiguous to the City of Dallas, did petition the City to annex that territory to the City and withdraw said territory from the Southwestern Polk County Rural Fire Protection District (ANX 24-02); and

WHEREAS, there are no electors residing on the subject property whose consent to annexation is required pursuant to ORS 222.125; and

WHEREAS, said territory is a part of the Southwestern Polk County Rural Fire Protection District; and

WHEREAS, as a further part of the same application, the applicant applied to designate the subject property as Residential Medium Density (RM) (ZC 24-02); and

WHEREAS, after due notice and a public hearing on June 11, 2024, the Dallas Planning Commission recommended to the City Council that it approve the requested annexation and withdrawal of said territory from the Southwestern Polk County Rural Fire Protection District, and the zoning designation of the subject property as RM; and

WHEREAS, after due notice, the City Council held a public hearing on said annexation petition and zone designation application on June 17, 2024, and at the conclusion thereof found that the proposed annexation and withdrawal of said territory from the Southwestern Polk County Rural Fire Protection District and the requested zone designation should be approved;

NOW, THEREFORE, THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. That the real property described on Exhibit 1 attached hereto and by reference incorporated herein be, and the same hereby is, declared to be duly annexed to the City of Dallas, Polk County, Oregon and shall forever be a part of the City of Dallas.

Section 2. That the approval of this annexation is based upon the following findings and conclusions:

- A. The sole owner of the territory to be annexed, consented in writing to the annexation, and filed a statement of consent to annexation with the City.
- B. There are no electors residing on the subject property whose consent to annexation is required pursuant to ORS 222.125.
- C. The subject property is located within the City’s Urban Growth Boundary and is planned and available for annexation and development.
- D. The proposed zoning for the annexed area as RM is consistent with the Comprehensive Plan.
- E. The subject property is contiguous to and a logical and orderly extension of the City.
- F. The property can be provided with the full range of urban facilities, and therefore approval of the annexation is consistent with the Dallas Comprehensive Plan.
- G. The application, as approved by the City Council, is consistent with the annexation policies contained in the Comprehensive Plan and meets the requirements of all standards of review.

Section 3. That the annexed territory described on Exhibit 1 is hereby declared to be withdrawn from the Southwestern Polk County Rural Fire Protection District.

Section 4. That the zoning designation of the real property described on Exhibit 1 attached hereto, is hereby established in part as Residential Medium Density, as shown on the map attached hereto as Exhibit 2 and by reference incorporated herein.

Section 5. That the staff report on this matter, dated June 17, 2024, inclusive of the exhibits attached thereto, be, and it hereby is, incorporated herein by reference, and the Findings and Conclusions therein are hereby adopted and approved in support of the annexation and zone designation.

Section 6. That the owner of the subject property shall enter into a development agreement with the City of Dallas to pay six percent (6%) of the

total project costs to improve the intersection of W. Ellendale Avenue and Levens Street, in mitigation of the significant effect of the zone change, as described in the staff report dated June 17, 2024.

Section 7. This ordinance being deemed necessary for the public health, safety and welfare, an emergency is hereby declared and this ordinance shall take effect on passage.

Read for the first time: July 15, 2024
Read for the second time: August 5, 2024
Adopted by the City Council: August 5, 2024
Approved by the Mayor: August 5, 2024

KENNETH L. WOODS, JR., MAYOR

ATTEST:

APPROVED AS TO FORM:

BRIAN LATTA
CITY MANAGER

LANE P. SHETTERLY
CITY ATTORNEY

EXHIBIT 1

Legal description for:

Annexation to the City of Dallas, Oregon

A tract of land situated in the northeast one-quarter of Section 30, Township 7 South, Range 5 West of the Willamette Meridian, Polk County, Oregon, said tract of land being Parcel 1 and Parcel 2 of Partition Plat 2012-0010, Book of Partition Plats for Polk County, Oregon, and the abutting right of way, said tract of land being more particularly described as follows:

Beginning at the northwest corner of said Parcel 1, said corner being marked by a 5/8" iron rod with a yellow plastic cap stamped "RICHARDSON PLS 1038"; and running thence: South 89°18'48" East 898.69 feet along the north line of said Parcels 1 and 2 to a like monument at the northeast corner of said Parcel 2, said monument being on the west right of way of James Howe Road;
thence South 89°18'48" East along the Easterly extension of said north line, a distance of 40.00 feet to a point intersecting the Dallas City Limits;
thence South 00°19'35" West 442.47 feet along said City Limits to a point on the Easterly extension of the south line of the aforementioned Parcel 2;
thence North 89°19'58" West along said Easterly extension, a distance of 40.00 feet to a like monument on the west right of way of James Howe Road, being the most Easterly southeast corner of said Parcel 2;
thence leaving said west right of way along the boundary of said Parcel 2 and the aforementioned Parcel 1 the following four courses:
thence North 89°19'58" West 339.95 feet to a like monument;
thence South 00°17'37" West 67.89 feet to a like monument;
thence North 89°19'18" West 558.55 feet to a like monument;
thence North 00°18'06" East 510.57 feet to the Point of Beginning, containing 10.41 acres of land, more or less.

Bearings based on the Oregon Coordinate Reference System (OCRS), Salem Zone, NAD83 (Epoch 2010.00)

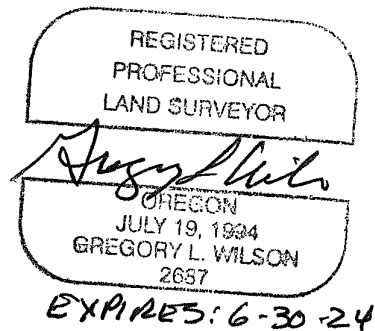
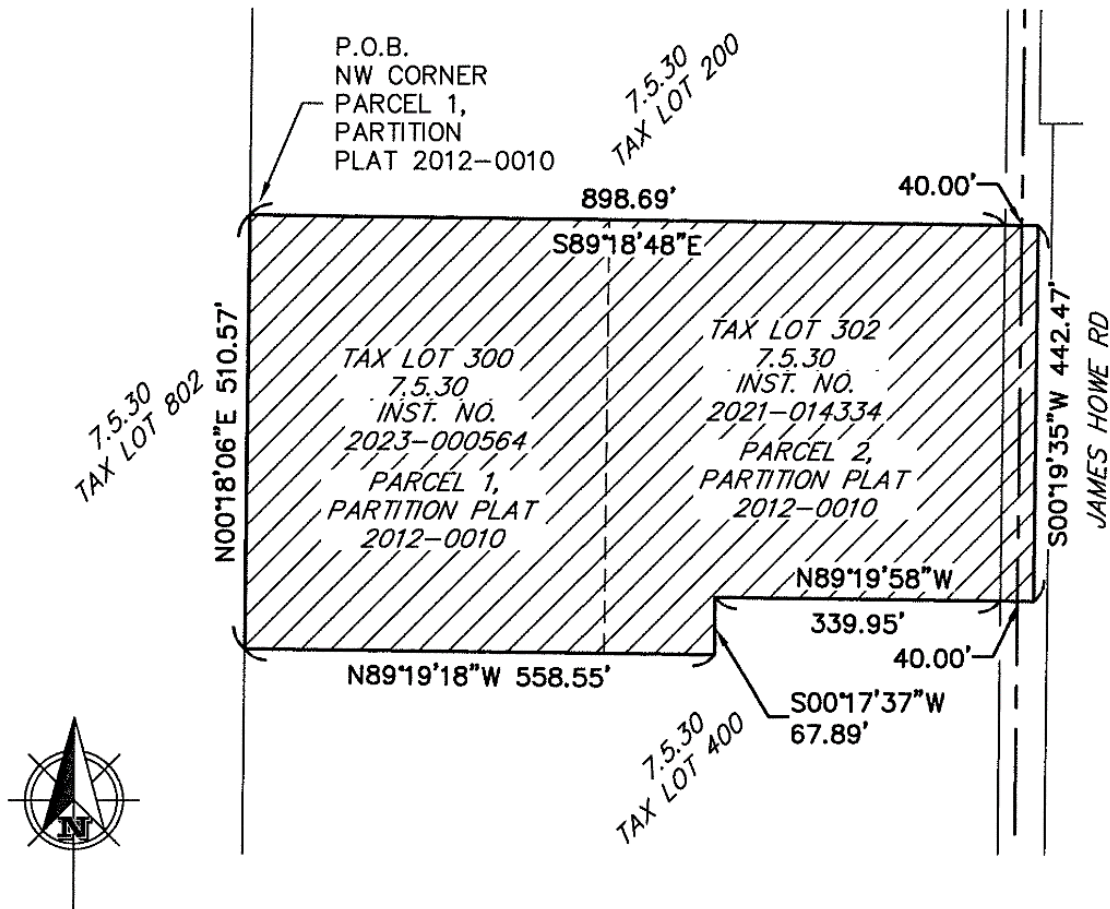


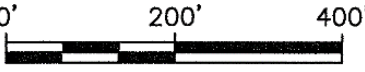


EXHIBIT 1








LEGEND

P.O.B. - POINT OF BEGINNING

<p>ANNEXATION TO THE CITY OF DALLAS, OREGON</p>	 <p>AREA OF ANNEXATION 10.41 ACRES</p>	<p>REGISTERED PROFESSIONAL LAND SURVEYOR</p> 
<p>OWNER TOKOLA PROPERTIES, INC. 1700 NW CIVIC DR. GRESHAM, OR 97030</p>	 <p>LOCATED IN THE N.E. 1/4 SEC. 30, T. 7 S., R. 5 W., W.M., POLK COUNTY, OREGON</p>	<p>OREGON JULY 19, 1994 GREGORY L. WILSON 2687</p> <p>EXPIRES: 6/30/2024</p> <p>BARKER SURVEYING 3657 KASHMIR WAY SE SALEM, OREGON 97317 PHONE (503) 588-8800</p> <p>DATE: 02/08/2024 DRAWN BY GL</p>

City Council Meeting
Monday, August 5, 2024
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EXHIBIT 2

-  Rezoning Site
-  **RM** Residential Medium Density
-  **RL** Residential Low Density
-  **CN** Neighborhood Commercial
-  **POS** Parks and Open Space

