



## Dallas City Council Agenda

**Kenneth L. Woods, Jr., Presiding**

**Monday, April 1, 2024**

**7:00 PM**

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

### 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

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) Presentation to Mayor and Council	
3. PUBLIC COMMENT ( <b>SEE PAGE 2 FOR MORE INFORMATION</b> )  <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> <b>+1 253 215 8782</b> <b>MEETING ID: 213 855 0622</b>  *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) Approval of the March 18, 2024 Work Session Meeting Minutes p.3 b) Approval of the March 18, 2024 City Council Meeting Minutes p.4	MOTION
5. ITEMS REMOVED FROM CONSENT AGENDA	
6. REPORTS OR COMMENTS FROM MAYOR AND COUNCIL MEMBERS	
7. REPORTS FROM CITY MANAGER AND STAFF a) Final Order and Notice of Decision for CPA 23-01 and ZC 23-02 p.6	MOTION
8. SECOND READING OF ORDINANCES a) Ordinance No. 1893 Amending Dallas City Code Section 6.325, relating to parking time limitations p.14	ROLL CALL VOTE
9. OTHER BUSINESS	
10. ADJOURNMENT	

**Our Motto: Come Thrive With Us, We Invest in People and Business**



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\*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.



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

**Monday, March 18, 2024**

1 Mayor Kenneth L. Woods, Jr. called the City Council Work Session to order on Monday, March  
2 18, 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, and Councilor David Shein

7 **Mayor or Councilors Excused:** Councilor Debbie Virden

8 **Also Present:** Mayor Kenneth L. Woods, Jr., Assistant City Manager Emily Gagner, City Attor-  
9 ney Lane Shetterly, Police Chief Tom Simpson, Fire & EMS Chief April Wallace, Finance Di-  
10 rector Cecilia Ward, Public Works Director Gary Marks, Economic & Community Development  
11 Director Charlie Mitchell, Library Director Mark Greenhalgh-Johnson and City Recorder Kim  
12 Herring

13 **SENIOR CENTER UPDATE**

14 Ms. Gagner presented the staff report and invited Steve Mohr, Executive Director of the Dallas  
15 Area Seniors, to come forward to give his presentation. Mr. Mohr came forward and gave some  
16 statistics about Dallas' senior population and fiscal forecast. He mentioned that the city could  
17 support the Seniors by becoming an "AARP Age Friendly City".

18 **ARPA PROJECT REVIEW**

19 Ms. Gagner presented the staff report which identified a surplus in ARPA funds and outlined two  
20 proposed projects to use those funds. There was a consensus to move forward with cost estimates  
21 for those proposed projects.

22 **OTHER BUSINESS**

23 **ADJOURNMENT:** 6:15 pm



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

**Monday, March 18, 2024**

1 Mayor Kenneth L. Woods, Jr. called the City Council meeting to order on Monday, March 18,  
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, and Councilor David Shein

7 **Mayor or Councilors Excused:** Councilor Debbie Virden

8 **Also Present:** Mayor Kenneth L. Woods, Jr., Assistant City Manager Emily Gagner, City Attor-  
9 ney Lane Shetterly, Police Chief Tom Simpson, Fire & EMS Chief April Wallace, Finance Di-  
10 rector Cecilia Ward, Public Works Director Gary Marks, Economic & Community Development  
11 Director Charlie Mitchell, and City Recorder Kim Herring

12 **INTRODUCTIONS, RECOGNITION, PROCLAMATIONS**

13 Police Chief Tom Simpson introduced Marty Watson who was a recent lateral hire for the Police  
14 Department.

15 **PUBLIC HEARINGS**

16 a) **Application for Comprehensive Plan Amendment and Zone Change of property lo-**  
17 **cated on Clow Corner Road**

18 Mayor Woods opened the public hearing at 7:03 pm and asked if there were any conflicts  
19 of interest or ex-parte contact to declare. Councilor Collins stated that she lived in the  
20 nearby neighborhood and wanted it shown on the record.

21 Mayor Woods called on Chase Ballew to present the staff report. Mr. Ballew presented  
22 the report.

23 Mike Reeder, legal representative for Ken Perkins, came forward and introduced Fred  
24 Evander, representative for Ken Perkins. Mr. Evander presented a PowerPoint identifying  
25 the criteria to be considered.

26 Mayor Woods called for public testimony. Janet Kenaston and Nancy Tidwell provided  
27 written comment in favor of the zone change. Susan Link provided comment opposed to  
28 the zone change.

29 Mandy Straus came forward to provide comment. It was discovered that her comment  
30 was regarding a different subject so Mayor Woods called for a recess of the hearing at  
31 7:37 pm. Ms. Strauss asked about the status of the construction at John Barnard Park. Ms.  
32 Gagner referred her to Jennifer Ward, Parks and Recreation Manager, who was present at  
33 the meeting and would step out to provide an update on the project.

34 Mayor Woods reconvened the hearing at 7:41 pm. After further discussion the hearing  
35 was closed at 7:48 pm.

36 Councilor Briggs moved and Councilor Adams seconded to adopt the recommendation of  
37 the Planning Commission to approve the Comprehensive Plan amendment and zone  
38 change, and direct the City Attorney to prepare an Ordinance amending the Dallas Zon-  
39 ing Map to reflect this action. Mayor Woods called for a roll call vote. The motion failed  
40 with a vote of 3-5 with Councilors Adams, Barrientos and Briggs voting yes. Councilors  
41 Collins, Fitzgerald, Jantz, Schilling and Shein voted no.

42 **CONSENT AGENDA**

43 a) **Approval of March 4, 2024 Work Session Meeting Minutes**

- 1       **b) Approval of March 4, 2024 City Council Meeting Minutes**
- 2       **c) Recommend approval of the limited on-premises OLCC Application for Pots &**
- 3       **Whatnots Pottery**
- 4       **d) February 2024 Financial Report**

5 Councilor Shein moved and Councilor Adams seconded to approve the Consent Agenda as pre-  
6 sented. The vote was taken and the motion passed with a vote of 8-0.

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

8 Mayor Woods participated in Senator Wyden’s Town Hall on Friday, March 15, 2024.

9 Councilor Adams thanked Mayor Woods for the State of the City Address on Thursday, March  
10 14, 2024.

11       **REPORTS FROM CITY MANAGER AND STAFF**

12       **a) FY2023 Plan of Action Letter**

13 Finance Director Cecilia Ward came forward and reviewed the staff report. Included in  
14 the agenda packet was the Plan of Action that needs to be voted on by the Council. If ap-  
15 proved it will be sent to the Secretary of State to be included with the annual audit.

16 Councilor Schilling moved and Councilor Shein seconded to adopt the City of Dallas  
17 FY2023 Plan of Action related to the City of Dallas FY 2023 audit. The vote was taken  
18 and the motion passed with a vote of 8-0.

19       **b) Ms. Gagner gave a quick update on the sound system. A consultant was brought in to di-**  
20 **agnose the static issue. One major problem has been fixed and the City is waiting for a**  
21 **quote for further work.**

22       **FIRST READING OF ORDINANCES**

23       **a) Ordinance No. 1893 Amending Dallas City Code Section 6.325, relating to parking**  
24 **time limitations**

25 Ms. Gagner reviewed the staff report. Mayor Woods declared Ordinance No. 1893 to  
26 have passed its first reading.

27       **RESOLUTIONS**

28       **a) Resolution No. 3523 Approving the application for an Oregon Parks and Recreation**  
29 **Department Local Government Grant Program grant for the construction of ten**  
30 **new pickleball courts at Dallas City Park and twenty accompanying diagonal park-**  
31 **ing spaces on the north side of Brandvold Dr., and authorizing the City Manager or**  
32 **the City Manager’s designee to sign and submit the application**

33 Ms. Gagner reviewed the staff report. Jennifer Ward, Parks and Recreation Manager, was  
34 available for questions. Mayor Woods called for a roll call vote. The resolution passed  
35 with a vote of 8-0.

36       **ADJOURNMENT: 8:09 pm**

37       **Read and approved this 1<sup>st</sup> day of April 2024.**

38

39 \_\_\_\_\_

40 **Mayor**


41

42 \_\_\_\_\_

43 **City Manager**



## CITY COUNCIL STAFF REPORT

**MEETING DATE:** April 1, 2024  
**AGENDA ITEM NO.** 7.a  
**TOPIC:** Final Order and Notice of Decision for CPA 23-01 and ZC 23-02  
**PREPARED BY:**  Brian Latta, City Manager  
**ATTACHMENTS:** A – Final Order and Notice of Decision

### **RECOMMENDED ACTION:**

Staff recommends the City Council adopt by motion the final order and notice of decision for the land use file CPA 23-01 and ZC 23-02 (**Attachment A**).

### **BACKGROUND:**

The City Council held a duly-advertised public hearing on February 18, 2024, and voted 5-3 to deny land use applications CPA 23-01 and ZC 23-02. **Attachment A** is the final order and notice of decision. Staff present these documents for your review and approval.

### **SUMMARY TIMELINE:**

February 13, 2024 – Planning Commission held a public hearing and forwarded the land use applications to the City Council with a recommendation to approve.

February 20, 2024 – City Council held a public hearing. The hearing was continued to March 4, 2024.

March 4, 2024 – Applicant requested the hearing be continued to the March 18, 2024 City Council meeting.

March 18, 2024 – City Council continued the public hearing. Council voted to deny the applications in a 5-3 vote.

April 1, 2024 – City Council presented with final order and notice of decision for review and approval.

### **FISCAL IMPACT:**

None.

### **RECOMMENDED MOTION:**

I move to approve the final order and notice of decision for land use applications CPA 23-01 and ZC 23-02.

ORDER AND NOTICE OF DECISION

DALLAS CITY COUNCIL, DALLAS, OREGON

In the matter of the application of Ken Perkins )  
Perkins for a Comprehensive Plan Map )  
Amendment and Zone Change for ) FINAL ORDER  
Property described as Tax Map 8.5.3, )  
Tax Lot 801, Parcel 3 )

File Nos. CPA 23-01 (Comprehensive Plan Amendment) and ZC 32-02 (Zone Change)

Applicant: Ken Perkins

Location: Clow Corner Road (Tax Map 8.5.3, Tax Lot 801, Parcel 3)

Current Comprehensive Plan Designation and Zoning: Industrial (I)

Proposed Comprehensive Plan Designation and Zoning: Residential/Medium-Density Residential (RM)

Lot Size: 5.36 acres

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This matter came before the Dallas City Council for hearing on February 20, 2024, and March 18, 2024, upon the recommendation of the staff and the Dallas Planning Commission that the application be approved. No request was made to keep the record open beyond the conclusion of the March 18 hearing. At the conclusion of the hearing on March 18, 2024, the City Council deliberated and voted to deny the application by a vote of five to three.

The record of the proceeding consists of the following:

- City Council Staff Report dated March 18, 2024, with attachments:
  - A. Staff Report to Planning Commission
  - B. Zoning Map prepared by City Staff
  - C. Notice of Public Hearing
  - D. Application Materials
  - E. Letters of Public Testimony

- City Staff PowerPoint Slide Deck<sup>1</sup>
- Testimony of the applicant and his representatives and interested parties presented at the City Council hearings on February 20, 2024 and March 18, 2024.
- Applicant’s PowerPoint slide deck.
- Applicant’s Hearing Letter from Mike Reeder, dated March 16, 2024, with attachments.

Findings and basis for decision.

The Dallas City Council adopts the findings of the City Council Staff Report dated March 18, 2024, and the Planning Commission Staff Report dated February 13, 2024, except as stated below.

Dallas Development Code 4.7.030.B.2. provides that “A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment [to the Comprehensive Plan land use district map] shall be based on all of the following criteria:

- “1. \* \* \*;
- “2. Approval of the request is consistent with the Comprehensive Plan;
- “3. \* \* \*;
- “4. The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan map or zoning map regarding the property which is the subject of the application; and
- “5. \* \* \*.”

The City Council finds that the application is not consistent with Comprehensive Plan Policies 2.1.3 or 2.1.4, found in Comprehensive Plan Chapter 2 – A Sustainable Dallas Economy and, therefore, does not satisfy Criterion 2, above. The Council further finds that the application is not in the public interest and, therefore, does not satisfy Criterion 4, above.

Discussion:

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<sup>1</sup> There are two City Staff PowerPoint slide decks in the record, one dated March 4 and one dated March 18. Other than the cover slide with the date, they are the same.



## 1. Consistency with Comprehensive Plan Policy 2.1.3

Comprehensive Plan Policy 2.1.3 provides:

“Provide for an adequate supply of industrial land to accommodate the types and amount of economic development and industrial growth anticipated in the future, as described in the city’s most recent Economic Opportunities Analysis. The supply of industrial land should provide a range of site sizes and locations to accommodate the market needs of a variety of industrial employment uses.”

The council finds that consistency with Plan Policy 2.1.3 is an approval criterion to be considered in determining whether to approve or deny this application, and is not limited in application to legislative or other administrative actions. As noted above, Dallas Development Code 4.7.030.B.2 provides that “A recommendation or a decision to approve, approve with conditions or to deny *an application for a quasi-judicial amendment* [to the Comprehensive Plan land use district map] shall be based on all of the \* \* \* criteria” identified in the section, specifically including consistency with the Comprehensive Plan. (Emphasis added.)

The subject property is 5.36 acres in size, and is currently designated and zoned Industrial. Immediately to the south of the subject property is a parcel (Parcel 2, Partition Plat 2023-0010) also zoned Industrial, 6.32 acres in size, that has been approved for development of a mini-storage facility. (March 18, 2024 City Staff Report, Attachment D.4.) Immediately to the south of that parcel is another parcel (Parcel 1, Partition Plat 2003-0010), 1.42 acres in size, also designated and zoned Industrial. (*Ibid.*) Immediately to the north of the subject property are two adjacent Industrial parcels, one being 40.12 acres in size, and the other being 11.95 acres. (Applicant PowerPoint Slide deck, Slide 11.) These are under common ownership and referred to as the “Salem Health Property.” (Applicant PowerPoint Slide deck, Slide 23.) The only property adjacent to the subject property within the Urban Growth Boundary that is not designated and zoned Industrial is the Ana Avenue residential neighborhood, zoned Low-Density Residential (RL), immediately to the west of the subject property. (March 18, 2024 City Staff Report, Attachment B.1; depicted in an aerial photograph in Applicant PowerPoint Slide deck, Slide 23.)

The City Council acknowledges that, in terms of gross acreage, there is an over-supply of Industrial designated and zoned land in the City. (Applicant PowerPoint Slide deck, Slide 9.) Nevertheless, the Council interprets the phrase “adequate supply of industrial land” in Policy 2.1.3 as calling for not only a *quantitative* evaluation, but a *qualitative* evaluation as well. Based on that interpretation, there are particular features and characteristics of the subject property that the Council finds support maintaining the subject property as Industrial land.

The subject property is one parcel of Industrial land located within a cluster of other Industrial designated and zoned parcels of various sizes. Viewed together, each of the Industrial parcels supports the designation and ultimate development of the others for industrial purposes, given their location in proximity to each other and to existing and planned transportation and public services. The Council finds that the redesignation of the subject property as Residential, and its ultimate development as RM-zoned property, would encroach on the existing cluster of Industrial zoned parcels, thereby making them less likely to develop for industrial purposes and more likely to be subject to future land use actions to redesignate them as Residential and to develop for residential purposes. Thus, the redesignation of the subject property for residential use would not only eliminate the potential of the subject property for industrial use, but would also negatively impact the future development potential of the adjacent industrial-zoned parcels for industrial use.

The range of site sizes in the cluster of Industrial parcels of which the subject property is a part, and their proximity to each other and to existing and planned transportation and public services lends support to their ability to accommodate the market needs of a variety of industrial employment uses and they should be protected for such purposes.

The City Council acknowledges that, based on the findings of the Dallas Housing Needs Analysis, there is a deficit of RM-zoned property in the City, which the redesignation of the subject property as RM would help to alleviate. On balance, however, the Council finds that the protection of the subject property for Industrial development and employment is of higher priority and, as a matter of sound policy, the subject property should not be redesignated and rezoned as RM.

The application is not consistent with Comprehensive Plan Policy 2.1.3.

## 2. Comprehensive Plan Policy 2.1.4

Comprehensive Plan Policy 2.1.4 provides:

“Provide for an adequate short-term supply of suitable industrial land to respond to economic development opportunities as they arise. ‘Short-term supply’ means suitable land that is ready for construction usually within one year of an application for a building permit or request for service extension.”

The council finds that consistency with Plan Policy 2.1.4 is an approval criterion to be considered in determining whether to approve or deny this application, and is not limited in application to legislative or other administrative actions. As noted above, Dallas Development Code 4.7.030.B.2 provides that “A recommendation or a decision to approve, approve with conditions or to deny *an application for a quasi-judicial amendment*

[to the Comprehensive Plan land use district map] shall be based on all of the \* \* \* criteria” identified in the section, specifically including consistency with the Comprehensive Plan. (Emphasis added.)

The discussion and findings set forth above under Comprehensive Plan Policy 2.1.3 are hereby incorporated by reference, and augmented herein.

Given that the subject property has access to existing and planned transportation and public facilities, the Council finds that it is ready for construction “within one year of application for a building permit or request for extension of service,” and is therefore part of the City’s “short-term supply” of Industrial land. Applicant asserts that Policy 2.1.4 is not applicable to this application because “the City has not inventoried ‘short-term industrial’ properties; and it has not determined what the needs are for ‘short-term’ industrial land.” [Applicant’s Hearing Letter from Mike Reeder, dated March 16, 2024, p.5.] As noted above, however, Plan Policy 2.1.4 is applicable to this application through Development Code Section 4.7.030.B.2.

As with Plan Policy 2.1.3, the Council finds that the phrase “adequate short-term supply of suitable industrial land to respond to economic development opportunities as they arise” in Policy 2.1.4 requires consideration of adequacy both in terms of *quality* as well as *quantity*. Based on that, and on the findings incorporated herein from the discussion of Plan Policy 2.1.3, above, the Council finds that the Industrial designation and zoning of the subject property should be protected and maintained.

The application is not consistent with Comprehensive Plan Policy 2.1.4.

### 3. Dallas Development Code Section 4.7.030.B.4

Dallas Development Code Section 4.7.030.B.4 provides, in relevant part:

“The change is in the public interest with regard to neighborhood or community conditions \* \* \*.”

The discussion and findings set forth above under Comprehensive Plan Policies 2.1.3 and 2.1.4 are hereby incorporated by reference, and augmented herein.

This decision requires the balancing of priorities for the use of the subject property for Industrial versus Residential uses. The Council recognizes the testimony of residents of the Ana Avenue neighborhood in support of the application because they do not wish to live near an Industrial zoned and developed property. Nevertheless, as stated above, the Council finds that, on balance, the protection of the subject property for Industrial development and employment is of higher priority and better serves the interest of the

community at large and, as a matter of sound policy, the subject property should not be redesignated and rezoned as RM.

The application does not satisfy Development Code Section 4.7.030.B.4.<sup>2</sup>

Order

Based on the foregoing, the application is denied.

Dated April 1, 2024

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Kenneth L. Woods, Jr.  
Mayor

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<sup>2</sup> The applicant cites Comprehensive Plan Policy 2.1.1 as applicable to this application, in support of the redesignation of the subject property as Residential/RM. Plan Policy 2.1.1 provides:

“Encourage the future development of industrial sites, primarily the type that would provide the best potential for employment growth and are able to effectively mitigate negative impacts upon the community and which do not place unreasonable demands on the City's infrastructure.”

In response, the Council incorporates the discussion and findings set forth above under Comprehensive Plan Policies 2.1.3 and 2.1.4, and Dallas Development Code Section 4.7.030.B.4, and finds that the subject property is of the type that provides the best potential for employment growth. Negative impacts on the community (principally, the residents of the Ana Avenue neighborhood) can be identified, addressed and mitigated through the development process. The Council adopts the findings in the March 18, 2024 Staff Report regarding the availability of public facilities, public services and transportation networks, including the proximity of the site to the planned extension of Fir Villa Road, a major collector that, together with the current access to the property on Ana Avenue, would provide additional capacity to serve industrial development on the subject property. The use of the property for Industrial purposes would not place unreasonable demands on the City's infrastructure. Plan Policy 2.1.1 does not support the application to change the designation and zoning of the subject property to RM.

# CITY OF DALLAS NOTICE OF DECISION

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**Applications:** Comprehensive Plan Amendment #CPA-23-01  
Zone Change #ZC-23-02

**Date of Notice:**

**Applicant/Owner:** Ken Perkins

**Property location:** Tax Map #8.5.3, Tax Lot #801 – Parcel 3, Partition Plat 2023-0010

**Request:** Change comprehensive plan designation and zoning on 5.31 acres from Industrial to Medium-Density Residential

On March 18, 2024, the Dallas City Council held public hearing on the above matter, and after deliberating voted to deny the application. A copy of the Council's decision is attached.


A copy of the decision, including the findings supporting the decision and a copy of the application materials, is available in-person Monday through Friday during regular business hours at:

Economic & Community Development  
Dallas City Hall  
187 SE Court Street  
Dallas, Oregon, 97338

This is the final decision of the City on the application. Any further appeals must be made to the Oregon Land Use Board of Appeals pursuant to ORS 197.805 – 197.860.



## CITY COUNCIL STAFF REPORT

**MEETING DATE:** April 1, 2024  
**AGENDA ITEM NO.** 8.a  
**TOPIC:** Ordinance 1893 – Amending Dallas City Code Section 6.325, relating to parking time limitations  
**APPROVED BY:**  City Manager  
**ATTACHMENTS:** A – Ordinance 1893

### **RECOMMENDED ACTION:**

Staff recommends the Council allow Ordinance 1893 to pass its second reading and place the ordinance for a roll call vote.

### **BACKGROUND:**

On May 15, 2017, the City Council approved Resolution No. 3374, delegating to the City Manager, or the City Manager’s designee, certain authority regarding traffic and parking control pursuant to Dallas City Code 6.000.

Dallas City Code Section 6.325 includes provisions regulating timed parking on certain streets. The authority granted under Resolution No. 3374, enables the City Manager to regulated timed parking on city streets. The proposed amendment, restates that authority under Section 6.325(4).

### **SUMMARY TIMELINE:**

March 18, 2024 – City Council considers Ordinance 1893 for its first reading.  
April 1, 2024 – City considers Ordinance 1893 for its second reading and will vote to adopt.  
May 1, 2024 – If approved, Ordinance 1893 will become effective, amending Section 6.325 of the Dallas City Code.

### **FISCAL IMPACT:**

None

### **RECOMMENDED MOTION:**

N/A – Ordinance 1893 scheduled for its second reading, and will be subject to a roll call vote.

### **ATTACHMENTS:**

A – Ordinance 1893

**CITY OF DALLAS  
ORDINANCE NO. 1893**

**AN ORDINANCE AMENDING DALLAS CITY CODE SECTION 6.325, RELATING  
TO PARKING TIME LIMITATIONS**

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

**SECTION 1:**        **AMENDMENT** “6.325 Time Limitations” of the Dallas Municipal Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

6.325 Time Limitations

1. Except as provided in subsection (3) of this section, no person shall stand or park a motor vehicle upon the street in excess of two hours between 8:00 a.m. and 5:00 p.m., except Sundays and holidays, on the following:
  - a. Main Street between its intersection with the north line of Washington Street and its intersection with the south line of Academy Street.
  - b. The north side of Washington Street from its intersection with the west line of Jefferson Street to its intersection with the east line of Church Street.
  - c. Court Street, from its intersection with the west line of Jefferson Street to its intersection with the east line of Church Street.
  - d. Mill Street from its intersection with the west line of Jefferson Street to its intersection with the east line of the alley between Main Street and Church Street.
  - e. Oak Street from its intersection with the west line of Jefferson Street to its intersection with the east line of Robb Street and Robb Street extended.
  - f. Jefferson Street from its intersection with the south line of Oak Street to its intersection with the north line of Washington Street.
2. The repositioning of a motor vehicle from one parked position to another parked position on either side of the street within the same block, and within a 30-minute period of time, shall not be treated as interrupting the continuity of the time the vehicle has been parked for the purposes of this section. For the purpose of this section, "block" as the area abutting both sides of a street:
  - a. Between two cross streets;
  - b. Between the city limits and the nearest cross street; or
  - c. Where there is only one cross street, (1) between a cross street and the dead end of a street; or (2) between a cross street and a line projected from the centerline of an intersecting street, such as a "T" intersection.
3. For the purpose of determining a block under subsection 2 above, when a block is

abutted by a street which, if extended through the block, would create a cross street, but no such street extends through the property, the block shall be the area commencing at the curbline of the cross street with the next lowest consecutive property address numbering, and extending in units of 600 feet along the block.

4. The City Manager, or the City Manager's designee, may exempt publicly owned vehicles, while being used for official public business, from the parking time limitations set forth in subsection (1) of this section.

[Section 6.325 amended by Ordinance No. 1689, passed July 21, 2008; amended by Ordinance No. 1799, passed March 16, 2015; amended by Ordinance No. 1812, passed December 4, 2017.]

## AFTER AMENDMENT

### 6.325 Time Limitations

1. Except as provided in subsection ~~(3)~~4 of this section, no person shall stand or park a motor vehicle upon the street in excess of two hours between 8:00 a.m. and 5:00 p.m., except Sundays and holidays, on the following:
  - a. Main Street between its intersection with the north line of Washington Street and its intersection with the south line of Academy Street.
  - b. The north side of Washington Street from its intersection with the west line of Jefferson Street to its intersection with the east line of Church Street.
  - c. Court Street, from its intersection with the west line of Jefferson Street to its intersection with the east line of Church Street.
  - d. Mill Street from its intersection with the west line of Jefferson Street to its intersection with the east line of the alley between Main Street and Church Street.
  - e. Oak Street from its intersection with the west line of Jefferson Street to its intersection with the east line of Robb Street and Robb Street extended.
  - f. Jefferson Street from its intersection with the south line of Oak Street to its intersection with the north line of Washington Street.
2. The repositioning of a motor vehicle from one parked position to another parked position on either side of the street within the same block, and within a 30-minute period of time, shall not be treated as interrupting the continuity of the time the vehicle has been parked for the purposes of this section. For the purpose of this section, "block" as the area abutting both sides of a street:
  - a. Between two cross streets;
  - b. Between the city limits and the nearest cross street; or
  - c. Where there is only one cross street, (1) between a cross street and the dead end of a street; or (2) between a cross street and a line projected from the centerline of an intersecting street, such as a "T" intersection.
3. For the purpose of determining a block under subsection 2 above, when a block is abutted by a street which, if extended through the block, would create a cross street, but no such street extends through the property, the block shall be the area commencing at the curbline of the cross street with the next lowest consecutive



- property address numbering, and extending in units of 600 feet along the block.
4. The City Manager, or the City Manager’s designee, may establish time limits different than those set forth in subsection 1, above, pursuant to any authority delegated by the city council to the city manager under section 6.000.1.d., and may exempt publicly owned vehicles, while being used for official public business, from the parking time limitations set forth in subsection (1) of this section.

[Section 6.325 amended by Ordinance No. 1689, passed July 21, 2008; amended by Ordinance No. 1799, passed March 16, 2015; amended by Ordinance No. 1812, passed December 4, 2017.]

PASSED AND ADOPTED BY THE CITY OF DALLAS CITY COUNCIL

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Presiding Officer

Attest

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

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Brian Latta, City Manager, City of Dallas

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Lane P. Shetterly, City Attorney, City of Dallas