

CITY OF DUNDEE
CITY COUNCIL MEETING
Fire Hall Community Room

801 N. Highway 99W, Dundee, OR 97115
City Hall Phone: (503) 538-3922 Website: www.DundeeCity.org

The Mission of City Government is to provide essential, quality public services in support of the livability, safety and viability of the Dundee community.

AUGUST 6, 2019 7 - 9 PM.

Times printed are estimates. Actual time may vary.

1. Open Regular City Council Meeting
2. Pledge of Allegiance
3. Amendments to the Agenda, if any
4. Public Comment: Each speaker will be allowed up to 5 minutes to speak after being recognized by the Mayor. Councilors will generally not respond to comments except to ask clarifying questions. Council may direct concerns raised by the speaker to the City Administrator or place the issue of concern on the agenda for Council discussion.
5. Presentation: If I Were Mayor Contest – Presentation of Award
6. Consent Agenda: The following items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member (or a citizen through a Council member) so requests, in which case the item will be removed from the Consent Agenda and considered separately. If any item involves a potential conflict of interest, Council members should so note before adoption of the Consent Agenda.
 - 6.1 City Council Minutes, July 16, 2019 Pages 1-10
Action Required: Motion to Accept the Consent Agenda
7. Old Business:
 - 7.1 Highway 99W Improvement Project
Discussion
 - 7.2 Tourism Committee Vacation Rental Policy Recommendations Pages 11-16
Action Requested
8. New Business:
 - 8.1 Outside Water Request Pages 17-28
Action Requested
 - 8.2 Dogs Running at Large Pages 29-30
Discussion
9. Council Concerns & Committee Reports
10. Mayor's Report
11. City Administrator Report

12. Public Comment: Each speaker will be allowed up to 5 minutes to speak after being recognized by the Mayor. Out of courtesy for the speaker, please refrain from talking.

13. Adjourn

Pending Business:

1. Public Works
 - 1.1 Highway 99W Street Lighting
 - 1.2 ODOT Phase B Highway 99W Improvements

2. Planning/Land Use
 - 2.1 Dundee Riverside District Code Amendment
 - 2.2 Exterior Lighting – Code Update/Street Light Standards
 - 2.3 Helipad Standards
 - 2.4 Pending Type II or Type III Land Use Applications:
 - 2.4.1 (none)

3. City Council
 - 3.1 Update SDC Methodologies
 - 3.2 LID 2013-01 Final Assessment Ordinance
 - 3.3 Storm Drain Master Plan Update

4. Parks & Trails
 - 4.1 Harvey Creek Trail Property Rehabilitation
 - 4.2 WWTP Nature Park

5. Next Available Ordinance & Resolution No's.
 - 5.1 Ordinance No. 570-2019
 - 5.2 Resolution No. 2019-10

The meeting location 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 in advance of the meeting to the Administrative Assistant at City Hall (503) 538-3922.

**CITY COUNCIL MEETING
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City of Dundee
City Council Meeting Minutes
July 16, 2019

Call to Order

Mayor David Russ called the meeting to order at 7:00 P.M.

Council and Staff Attendance

Present: Mayor David Russ; Tim Weaver, Council President; Councilors Kristen Svicarovich, Jeannette Adlong, Storr Nelson, and Patrick Kelly. Absent: Councilor Ted Crawford. Staff members: Rob Daykin, City Administrator; Tim Ramis, City Attorney; Greg Reid, City Engineer; and Melissa Lemen, Administrative Assistant.

Public Attendance

Saj Jivanjee, Developer, and R. Mike Henry, P.E., HBH Consulting Engineers; Mike Sherwood, 876 SW Alder Street; Ed Carlisle; Andrea Carlisle; Reid Stewart, ACOM/Verizon; Rebecca Minifie; Keeley O'Brien, O'Brien & Company; Daniel Tremblay; and Matt Frey, 809 SE Elm Street.

Agenda Changes

Item 5.2 City Council Minutes, July 2, 2019 was added to the Consent Agenda.

An Executive Session was added to the agenda in accordance with ORS 192.660 (2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Public Comment

Saj Jivanjee, Developer, and R. Mike Henry, P.E., HBH Consulting Engineers, approached Council and provided copies of their proposed site plan and sewer system information with regard to the Fox Farm Resort development. Jivanjee voiced his appreciation of Council's previous support of the water resources needed for his project. He discussed at length his desire to be forthcoming and work with the City to help build community, while also protecting his investment and moving forward in a way in which Fox Farm Resort provides the most benefit to the local area. Jivanjee discussed that after much thought, he has determined that giving up 42 RV sites and replacing them with 42 cottages would better meet the demand of the area. He explained that his project engineer, R. Mike Henry, P.E., completed calculations to see what the impact would be for the use of water for the discussed changes to the model; a copy of the report was provided to Council. Jivanjee pointed out that Fox Farm Resort is a sustainable development and lengthy discussion ensued. P.E. Henry explained that the whole sewer system is going to be treated on-site and recirculated water will be a Class A affluent which will be used to for irrigation on-site; the site will be self-contained. Additionally, he discussed that all water used will be for domestic purposes only, for use inside the units only; none of the water will be used outside of the units. Henry also explained that the addition of 44 cottages was the original thought, though it has been determined that they can only accommodate 42 cottage units. He pointed out that with regard to water; there will be an approximate 250 gallons per day more usage with the new model in comparison with the one he originally presented to Council, though he pointed out that this is a pretty small percentage of the usage.

C. Nelson inquired about what occupancy rate is being assumed to reach the 250 gallons per day usage difference to which Jivanjee confirmed to be 70%. Jivanjee discussed that he hasn't seen

cottages or RV space over the whole year rated for more than 45-55%. He pointed out that in the winter months RV's are not used as much, and explained that his hope is that the cottages will be used more during that time period. Jivanjee explained that his sewer system provides limitations as to what he can do; he is unable to increase the units as DEQ will not allow it and, thus, his water usage demand will reflect this limitation as well. Henry discussed that DEQ requires them to design at 80% occupancy for the summer times, as well as requires them to design at 50 gallons per unit per day, though their research of RV parks reflects a lesser use per day. Jivanjee discussed that his research indicates that many RV's travel with a full tank of water and that they oftentimes use their own resources, though M. Russ and C. Svicarovich pointed out that these users may also then fill up their water before leaving the Resort as well. Jivanjee provided additional lengthy discussion regarding all of the improvements will be completing as a part of the project.

The site plan was reviewed and Council questions were addressed. Jivanjee noted that they will be removing the billboard sign along Highway 99W. M. Russ voiced appreciation for the information provided.

C. Svicarovich discussed that she was not present at the meeting when the original decision was made by Council to extend City water to the development. She discussed that she has a great concern with regard to the water, which is a limited resource for the City, and encouraged Council to consciously and wisely consider the request to properties not within the City limits. C. Svicarovich acknowledged that the development would bring value to the area and the community though pointed out that there are tradeoffs.

The consensus of Council was to support the changes presented for Fox Farm Resort. Jivanjee expressed his appreciation to Council and informed that if there are any additional changes he will notify Council.

Mike Sherwood, 876 SW Alder Street, introduced himself to Council and provided a packet of information regarding his concerns about the design of Alder Street in the new development and the plans for going forward with extending Alder Street improvements to 9th Street. He reviewed the information provided with Council in detail. Sherwood discussed his concerns with the current design, costs, review process and provided his recommendations. He recommended that Council review the TSP with the current design; it is his belief that the way it is built today provides an extremely unsafe street if parking is allowed on the west side next to the curb.

C. Svicarovich pointed out that the Street today matches the current TSP. She offered clarification that the centerline of a street is almost never the centerline of the asphalt pavement area. She reviewed where the centerline of the street is located on the drawings provided. Detailed discussion ensued and she explained how the current configuration does indeed match the TSP. C.E. Reid offered that 28 feet of a 36 foot street was built; in the future this will meet the full collector standard. Additional discussion ensued and C. Svicarovich reviewed that what has been built has been built to the City's TSP standard from the centerline.

M. Russ voiced that Council will consider Sherwood's comments moving forward. Sherwood expressed frustration with regard to the information provided and M. Russ pointed out that the only way to truly identify the centerline would be through survey; it cannot be visually identified. Additional brief discussion ensued and Council thanked Sherwood for his comments. Sherwood encouraged Council to visit Alder Street and noted that he would be available to discuss the conditions present.

Consent Agenda

A motion was made and seconded to approve Consent Agenda Item 5.1 Financial Report Ending June 30, 2019, and Item 5.2 City Council Minutes, July 2, 2019. The motion passed unanimously.

Old Business

Planning Commission Appointment

C.A. Daykin informed that Katie McFall did not qualify as an applicant for Planning Commission as she is not a Dundee resident and does not own property within the City. He explained that he discussed this information with McFall and she has withdrawn her application. The Council expressed appreciation to the applicant present, Edward Carlisle. A motion was made and seconded to appoint Edward Carlisle to the Dundee Planning Commission to fill the unexpired term. The motion passed unanimously.

Cell Tower Lease

Reid Stewart, Acom Consulting, Inc., 1630 NE Irving Street, #76, Portland, OR 97232, and representing Verizon Wireless for the proposed communication facility, introduced himself to Council. Stewart reviewed that previously Verizon Wireless had withdrawn their land use application and the lease with the City had been put on hold. He explained that Verizon Wireless would like to reapply for land use for the proposed Verizon Wireless Communications Facility at 801 N. Highway 99W. Stewart referenced the basic lease terms, as outline on page 33 of the agenda packet, and indicated that these are the same terms being proposed by Verizon Wireless at this time. He asked for Council feedback with regard to these terms and noted that once this information can be agreed upon they would next like to move forward with the land use portion. Stewart explained his belief that the original proposal was for a black monopole structure, though they are now proposing a stealth tree design as he explained this may be a more favored option at this time; either design style is acceptable to Verizon and both would allow for collocation.

M. Russ inquired about the height of the structure to which Stewart clarified would be an approximate 70 foot tower, with 5-10 feet of additional tree structure placed above that with the stealth tree option. C.A. Daykin explained that the stealth tree concept came up at the Planning Commission level. Stewart referenced the example on page 34 of the agenda packet, and indicated that if Council desires to move forward with this design additional photo simulations could be provided that show the updated design from various standpoints, as well as updated plans that reflect the option chosen.

C. Nelson pointed out that the original lease terms are from 2017. M. Russ discussed the average CPI and pointed out that it has been two years since the price was proposed. Discussion ensued and the consensus of Council was to propose an increase in the rental use of City property to \$32,000 a year. The consensus of Council was also to increase the fee reimbursement from Verizon to \$3,000. Discussion was had with regard to the annual 2% rental increases. Stewart pointed out that Verizon would likely be more amenable to doing some sort of a legal fee or signing bonus as opposed to increasing the annual percentage of rental fees. The consensus of Council was to double the \$1,500 sign-on bonus to \$3,000, and allow discussion to unfold at the Planning Commission level with regard to the tower design before making a decision in that regard.

C. Adlong expressed concern about the long-term nature of the proposed lease, and inquired about unforeseen circumstances which could potentially arise and cause the City to want to terminate the lease early. She pointed out that there are no specific details mentioned pertaining to the maintenance of the property. C.A. Daykin and Stewart confirmed that maintenance is covered in the lease agreement. C. Atty Ramis discussed that it doesn't appear that the City

would have the right to terminate the lease because they are not happy with the maintenance, though the City could terminate for clear violations in any of the covenants of the lease. Through the land use process, C. Atty Ramis explained, the City could condition it to specifically require some identified measure of maintenance or condition; if that is not complied with then the City could use land use power rather than the lease authority. Stewart offered that typically the requirement is maintaining whatever standards were approved for the conditional use permit that then must be maintained throughout the term. He noted that he has never had an issue with this concern in any jurisdiction or state site. Stewart explained that due to the costs in capital investment in the site, Verizon does desire to lease for a term of 20-25 years.

A **motion** was made to affirm the September 19, 2017 decision of authorizing the City Administrator to execute the land lease agreement with Verizon subject to the final review and approval by the City Attorney with the modifications as discussed tonight to increase the rental use for the City property to \$32,000 a year, to increase to an additional \$3,000 to be paid to the City following the execution of the agreement and prior to the commencement date, and the legal fees increased to \$3,000. The **motion** passed unanimously.

Matt Frey, 809 SE Elm Street, introduced himself to Council and voiced concern with regard to the proposed cell tower. He discussed that he has been a homeowner in Dundee for five years and expressed concern about potential decreased home and property values because of the eye sore effect of the proposed cell tower. He explained that the tower would be within view of his home as well as many other areas of Dundee, especially given the height of the proposed tower. Frey also expressed concern regarding the pure environmental aesthetics of the tower; he discussed his feeling that it would be an eye sore in Dundee, especially during a time of development and beautification within the downtown area.

Kelley O'Brien, 249 SW 9th Street, introduced himself to Council. He voiced appreciation that the City would receive revenue from the proposed cell tower, as well as voiced appreciation for the how much the City has put into beautification of the downtown area, including future planning for the area. He discussed his opinion that having a 75 foot tree in the heart of the City of Dundee would be an enormous eye sore. Though the revenue would be nice, O'Brien supported that it will pale in comparison to the developments and hotels which will come to the area one day. Though O'Brien acknowledged that the tower is needed somewhere, he suggested that a different location elsewhere in the City would be a better option.

Saj Jivanjee, Developer, approached Council and indicated that he has been working with the City of Portland on some issues very closely related to the discussed, and offered to provide some insight of the legal implication of making a decision regarding the cell tower. Jivanjee pointed out that the City is making a land use decision on their own City property. He explained that the City can dominate the land use process because there is no third party review to say that a cell tower can be placed. He noted that it's more of an economic decision rather than a land use decision. Jivanjee shared his opinion that he is not sure whether legally the City Council can make this decision; the owner cannot make the land use decision at the same time. Additional lengthy discussion ensued and he encouraged Council to be careful and seek legal counsel before making the decision about the cell tower. He voiced concern about a cell tower potentially being the tallest structure in the City, and suggested that there are likely many other options. Jivanjee offered to provide the City a piece of his land in the light industrial area for a cell tower; he offered that the City could also receive the revenue. He pointed out that it is not an economic decision but rather a major decision reflecting what the City wants in terms of urban design; the economic benefit from everything else would be far greater than the cell tower.

M. Russ voiced appreciation for Jivanjee's offer and suggested that if he is indeed serious to discuss his thoughts with Reid Stewart. Jivanjee discussed his belief that there is a partnership between himself and the City; whatever the City does impacts him and whatever he does impacts the City. Additional discussion ensued.

2020 SCA Grant Project

C.A. Daykin discussed that City Staff reviewed the preferred Myrtle Street project, though they came back with some costs which were somewhat alarming. He explained that even breaking the project into two one-year projects was still greatly exceeded the annual maximum SCA grant allowance of \$100,000. C.A. Daykin discussed that C.E. Reid has done some additional refinement since the report was completed on page 53. He discussed the importance of timing with regard to the Myrtle Street project, with the hope to be able to get in and get out with the project in anticipation of trying to do a combined finding to improve Ninth Street that would combine a leg of Alder Street as one project (with multiple funding sources). Additional detailed discussion ensued. C.A. Daykin pointed out that one project which could be considered that could be completed with minimal design considerations would be completion of the rebuild of Red Hills Drive.

C. Svicarovich recalled that during a previous Council discussion where the recommendation was Myrtle Street, Alder Street had not been selected due to some of the design challenges in that location. She voiced support that the Red Hills Drive project does make the most sense for moving forward with at this point in time.

C.A. Daykin discussed that since the original report was provided for the agenda packet, there has been some additional refinement done with regard to the Myrtle Street project. He explained that one thing reviewed was minimizing the amount of curb removed, and not changing the existing sidewalk configuration from a 4 foot separated to a 5 foot abutting the curb, and putting that burden of repairs of the sidewalk directly on the property owners for areas where sidewalk segments are repaired to address tripping hazards. C.A. Daykin discussed that even with this change the project would still be costly and require two years to complete. M. Russ pointed out that moving forward with this plan would also result in a patchwork sidewalk. C.E. Reid discussed that the cost is approximately \$100,000 to complete the driveways and sidewalks; if these repairs are minimized to include only the pieces of curb which are pushed up by the trees, remove the trees, and remove those pieces of sidewalk then the City could save approximately \$85,000. Even with that change, C.E. Reid discussed that the City would still need to obtain the additional funding required to complete the project or do an LID to provide those funds. Full sidewalk, curb and driveway costs for the 14 involved properties on Myrtle Street would be approximately \$6,500 per property; if the City picked up 50% of those costs this would be lowered to approximately \$3,000 per property. C.E. Reid discussed that other options Council could consider would be to leave the 4 foot setback sidewalk, just remove the trees and then fix only the pieces of sidewalk needing repaired.

C.E. Reid pointed out that Alder Street is being reviewed again because, as he and C.A. Daykin discussed, it would not need to be developed all of the way to Ninth Street. The curb returns could be avoided and that truncated project could be completed. C.E. Reid explained that the three properties on the corner have remonstrance agreements and construction deferrals for the undergrounding and street improvements. He pointed out that there would still be the $\frac{3}{4}$ street improvement until reaching those three properties, then the full width alternative could be completed after additional right-of-ways are obtained from the properties on the uphill side of Alder. C.E. Reid pointed out that pulling out the sidewalks and the driveways of that portion of the project only saves \$62,000; an LID could potentially be divided amongst the property owners at a cost ranging from \$13,000 to \$25,000 depending on the frontage of the property.

C. Nelson inquired as to what the street width is for the Red Hills Drive project to which C.E. Reid discussed is not full width and a substandard street of approximately 18 feet; this street width would not be changed. C.E. Reid addressed additional questions from Council. C. Adlong pointed out that not many people reside on that stretch of Red Hills Drive in comparison with the number of people who live on Myrtle Street, including more traffic as well. C.E. Reid discussed that both roadways are in poor condition, but Red Hills Drive will deteriorate more quickly due to the hill factor. Discussion ensued.

C. Nelson discussed his belief that both the north and south sections of Myrtle Street are larger projects than an SCA Grant could assist with. He voiced support that Alder Street should be included with the Ninth Street work, as far as design and construction, and noted that he is in favor of the Red Hills Road project for the SCA Grant project. M. Russ noted that he would much rather see the City address Myrtle Street at this point but based on costs and complications he felt Red Hills Drive would also be best for the SCA Grant. C. Nelson pointed out that some of the streets in poor condition on the river side of Dundee have been addressed with the paving project that was recently completed. C. Weaver pointed out that though not as many people live on Red Hills Drive, the roadway is used by many and becoming a more popular alternative route. C.E. Reid explained that one option discussed was potentially widening Red Hills Drive similarly to what was done on Dogwood or Alder Street, to stripe it and provide a space for pedestrians and bikers. Discussion ensued and it was noted that widening Red Hills Drive would likely be a challenging task due to the cross slopes and existing improvements. Additionally, C. Weaver pointed out that if this roadway were widened traffic in that area would likely increase in volume and speed as well.

C.A. Daykin discussed that the final application is due at the end of July, and final direction from Council is sought tonight. The consensus of Council was to move forward with the Red Hills Drive project for the 2020 SCA Grant application.

New Business

Viewmont Greenway Trail Bids

C.A. Daykin discussed that the City received very good bid prices on the trail improvement. He provided Council with an additional map of the Viewmont Greenway path improvements and explained that the area highlighted in yellow represents the gravel trail that would remain gravel. C.A. Daykin pointed out that \$1,000 was budgeted to top dress it with ¼" minus rock, but with the savings seen in the asphalt, consideration is being given to paving this area as well which would help with ongoing trail maintenance and erosion issues. C. Nelson inquired about the width of the trail to which C.E. Reid noted to be 8 feet in the main section with the alternate section 6 feet in width. C. Nelson pointed out that the narrower 6 foot section will be more expensive to pave. He explained that the contractor can use a paving machine to complete the 8 foot width section of work, while the 6 foot section would be considered hand paving which is a slower and more expensive process. C. Nelson voiced that if the contractor were willing to extend the unit price or a similar price he would be in favor of paving it, though he is doubtful of similar pricing. C.A. Daykin discussed that the trail likely won't be paved anytime soon, so he offered to obtain that pricing information and bring it back to the next Council meeting. C. Adlong suggested that replacing some of the trees that have been mowed down would also be a beneficial option. A **motion** was made and seconded to award the contract for the Viewmont Greenway Improvements – AC Paving, Part 2, to H&H Paving for the price of \$16,307.20. The **motion** passed unanimously. It was noted that K&E recently bought out H&H Paving, though they will continue doing business for now under the same name.

Council Concerns and Committee Reports

C. Nelson inquired about what time limit was set for the Farmer's Market banner placed at the entrance to town. The time frame was noted to be 30 days and C.A. Daykin informed that he will look into the matter tomorrow.

Mayor's Report

M. Russ discussed that he reviewed the flag cinder blocks with Chief Stock. He explained that at this time the Fire Department would like to keep them in place through Labor Day, which is the next time the flags will be placed. M. Russ discussed his hope that the lights will be going in soon and pointed out that when that happens things should change. M. Russ inquired as to whether holes are planned to be placed for flags to which C.A. Daykin offered that perhaps the light poles could be modified though he indicated Staff would need to talk to PGE about that possibility. Discussion ensued and C.E. Reid offered that placing holes in the sidewalk could be considered as well.

City Administrator's Report

C.A. Daykin discussed that PGE just modified their approved list of materials on June 1, 2019, and they are now offering a 3,000 Kelvin bulb for the Westbrook fixture. He explained that the lighting consultant DKS is ready to go and are hopeful they will have the specs in the next couple of weeks. C.A. Daykin discussed that once this information is received; it can be repackaged with the City's bid documents and go out to bid. A potential timeframe for completion of the work was briefly discussed and C. Svicarovich pointed out that oftentimes the material order for poles is 8-12 weeks.

C.A. Daykin discussed that, with regard to the fire station repair project, Porter Construction did not close out their project and the City did not release retainage. He explained that about a \$60,000 balance is being carried over into this year's fiscal year which will then require a supplemental budget to reallocate that to pay the retainage and other ongoing costs. C.A. Daykin discussed that Baldwin has been slow to get suitable bids from contractors to complete the sealing of the concrete. He noted that Jim Omundson is becoming somewhat frustrated; some additional time will be provided but then Attorney Scott (who arbitrated the agreement) may become involved.

With regard to the Viewmont Greenway, C.A. Daykin discussed that a neighbor to the property complained that she is unhappy with people who walk their dogs off leash as their pets are coming into her yard. She has asked for the City to place a sign at the park which shows a leashed dog, though C.A. Daykin explained that under the Dundee Municipal Code leashing is not required. He offered that a sign could be placed suggesting that leashing pets is a good idea. Brief discussion ensued with regard to the Code language, and M. Russ suggested that this information should be reviewed. The consensus of Council was to place a dog leash sign next to the dog waste station.

C.A. Daykin informed that he did put in a request for George Fox University (GFU) Serve Day, September 11, for improvements to the picnic area, plantings and additional work related to the Viewmont Greenway. He explained that he talked with Bryan Stewart, Chehalem Park & Recreation District, to try to coordinate with him ahead of the event due to potential scheduling challenges.

C.A. Daykin informed that ODOT will be providing a presentation at the next City Council meeting to provide an update on the final Highway 99W improvements. He discussed that due to the fact that that the project is a full depth reconstruction of the Highway (going down 4 feet), it will be a conflict with the existing City waterline on the east side of the highway and waterline

crossings, and as the agency that owns them the City is responsible for relocation and the associated costs. C.A. Daykin discussed that City Staff will be working with MurraySmith to update the City model for the hydraulic analysis for the Water Master Plan. He explained that they are working with the previous firm they had worked with to transfer that data to MurraySmith. It was noted that the goal is to assess what infrastructure is needed for fire flow and connection purposes prior to rebuilding what will need to be removed from the highway location. M. Russ inquired as to whether the waterline will need to be dropped down or relocated to which C.A. Daykin explained that this information is not yet known; there is a sewer line in close proximity. C.A. Daykin also explained that the City has asked ODOT to include this work as part of their contract documents even though the City would be responsible for paying it; it does not make sense for the City to incur all of the traffic control and back up traffic one year, only to have ODOT come back and do the same thing the following year. Brief discussion ensued.

C.E. Reid discussed that, with regard to the 2019 Paving Projects, he is trying to get that contract out and as part of that he is extending the work on Cedar Street that Council approved. He discussed concerns with regard to the unpaved driveway approaches along Cedar Street. C.E. Reid pointed out that the street is not curbed and will be similar to Red Hills Drive. He explained that the challenge he had in coming up with the final extension and design is that some of the driveways have asphalt and many of them are still gravel; most of them are gravel with a small piece of concrete right up against the garage which he explained in many cases is 15-20 feet away from the paved roadway and sometimes outside of the right-of-way. C.E. Reid explained that some properties also have a second driveway going to a barn/shop at the back of their property or have expanded their driveways with gravel to widen it and/or extend it to the street. After discussion with C.A. Daykin and review of previous similar projects, C.E. Reid explained that in the past the City has completed the first 5 feet of gravel to try to minimize the rock from getting onto the street. He pointed out that this doesn't meet the 10 foot standard, but completing the 10 foot standard also doesn't reach the driveway; and funding is not available to complete that length of improvement for everyone. C.E. Reid also explained that the gravel parking areas created along the frontages will also not be paved; the access to driveways would be paved along with 5 feet; any existing driveways would be paved up to the 5 feet on each to help minimize rock on the street. M. Russ noted that some of the driveways may have been placed without permits to which C.E. Reid confirmed could indeed be the case. C. Nelson inquired about where the drainage swale would be in relation to the 5 foot mark. C.E. Reid pointed out that where the driveways have a culvert is where the 5 feet of concrete will go. He noted that there is one driveway that has a substandard culvert that is failing which will not be paved over (only 3 ½ feet will be paved up to the culvert in this area). M. Russ suggested communicating this information to the property owner prior to the work being done to provide them an opportunity to upgrade their culvert if they desire. C.E. Reid discussed that if he receives Council approval, he would like to discuss with the contractor about providing the property owners with an option that if they wanted to pave the rest of their driveway they could pay for that portion themselves. It was noted that H&H Paving would also need to indicate their willingness to take on the additional work prior to this option being offered; this potential option would be between the property owner and the contractor directly. Discussion ensued. The consensus of Council was to support C.E. Reid's proposed plan with regard to paving the first 5 feet of existing driveways on Cedar Street which are included in the 2019 Paving Project.

Public Comment

None.

Executive Session

The City Council entered Executive Session at 7:36 P.M. in accordance with ORS 192.660 (2) (h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. Executive Session ended at 8:43 P.M. and the Council did not reconvene.

David Russ, Mayor

Attest:

Rob Daykin, City Administrator/Recorder

AGENDA REPORT

To: Mayor Russ and City Council
From: Rob Daykin, City Administrator
Date: August 1, 2019
Re: Tourism Committee Vacation Rental Policy Recommendations

The Tourism Committee recommends the review of the City's vacation rental¹ regulations and noted concerns with the following issues:

1. Parking. The Committee suggests a garaged parking area only be counted as one space for the purposes determining the required off-street parking spaces, even if the garage is able to accommodate more than one space. Committee members assert there is an increase in vehicle parking at many vacation rentals and the designated off-street parking is not being utilized appropriately. The Dundee regulation requires an off-street parking space per guest room (bedroom). For example, a three bedroom house requiring three off-street parking spaces may be accommodated by a garage with a double car driveway. However, guests are not required to use the designated parking areas and may choose to park on the street for convenience.
2. Volume Control. This issue is regarding the concern of too many vacation rentals and the displacement of housing for long-term residency. The Committee noted two possible strategies: 1) establishing a minimum distance between vacation rentals and 2) imposing a maximum limit on the number of vacation rentals based on a percentage of available dwellings. If the idea is to limit the number of vacation rentals to any particular neighborhood, then the former strategy may be best. If the preference is to limit the number of overall vacation rentals, then the latter strategy of a maximum cap makes sense. Of course, if both issues are of concern, combining the two strategies may be appropriate.
3. Local Representative. The current regulation requires notice to the guest and neighboring properties within 100 feet of the vacation rental of the local contact person responsible for maintenance and responding to emergencies. Our regulation does not stipulate the location of the local contact person relative to the vacation rental. I have not received complaints of a local contact person not responding to inquiries within a reasonable period of time.²

¹ "Vacation rental" means a dwelling unit built for permanent use that is rented out in its entirety for the purpose of overnight lodging to visitors for less than 28 days at any one time. Vacation rental does not include a dwelling in which individual rooms are rented out separately; this type of use would fall under "bed and breakfast establishment."

² I received my only complaint in 2018, including concerns with noise, number of guest vehicles, and interior lighting, with a specific vacation rental. These concerns were addressed by the police and Vacation Rental manager, and I have not heard of any further complaints.

4. Permit Display. A vacation rental business license must be posted on the premises. The Tourism Committee recommends a similar requirement for online travel sites.
5. Three Bedroom Maximum. There is no limit on the number of guest rooms for a vacation rental; however, if there are over three guest rooms then a conditional use process is required. The conditional use process involves a hearing before the Planning Commission and allows the imposition of additional conditions to mitigate issues that come up during the public hearing process³. Rather than imposing a conditional use process for vacation rentals over three bedrooms, it may make more sense to simply limit the vacation rental use to a dwelling with no more than five bedrooms for example to limit the possibility of a very large “residence” being constructed or remodeled that would be out of character with the residential neighborhood.

Vacation Rentals were first permitted in 2014 following extensive Planning Commission review of the issues and sample regulations in use by other communities and that led to adoption of DMC 17.203.240 by the City Council. Prior to the adoption of the Vacation Rentals regulation, the only transient rental activity previously permitted in the residential zones were Bed & Breakfast establishments. The main difference between the two is the owner or manager must reside in the Bed & Breakfast with the guests, but the Vacation Rental means the dwelling is rented out in its entirety to the transient guests. Since the owner or manager is not residing on the premises, additional requirements were adopted to protect the peaceful enjoyment of neighboring residential uses.

Establishing a Vacation Rental requires completion of a Type I land use application (for three or fewer guest rooms), registration of the operator for collecting and reporting the TRT to the City, and an annual business license. The Type I application is approved administratively and is a one-time process. Once approved, the City sends notice to neighboring properties (within 100 feet of the Vacation Rental property) that provides Vacation Rental local manager contact information. Each Vacation Rental is considered a separate business for purposes of the annual business license, including whether other businesses are operating on the same property or not.

Recommendations

Following review and discussion at the August 6 meeting, Council may take a number of actions, including:

1. Take no action and continue to monitor Vacation Rental activities.
2. Table to a future Council meeting to continue discussion of the Vacation Rental issues with consideration of additional information requested of the City Administrator.
3. By motion of the City Council direct the Planning Commission to start the Type V Legislative Review process to amend the Dundee Development Code as it relates to Vacation Rentals. The motion should include specific issues that the Council wishes the Planning Commission to address.

³ A Conditional Use may not be denied simply due to the objections raised at the hearing.

17.203.240 Vacation rentals.

All short-term vacation rentals shall conform to the following standards:

A. Purpose. The purpose of this section is to provide a process and standards for allowing short-term vacation rental units. Vacation rental units shall be allowed anywhere residential uses are allowed, except they will not be allowed in multifamily dwellings.

B. Review Process. Vacation rentals shall be processed as a Type I application when the dwelling has three or fewer bedrooms, and as a conditional use application when the dwelling has four or more bedrooms.

C. Notice. A written notice of the vacation rental decision shall be sent to all neighboring properties within 100 feet of the proposed vacation rental. The notice shall contain all of the following information:

1. The name, address, and telephone number of a local contact person responsible for maintenance and responding to emergencies, so that residents may report any problems with the vacation rental.

2. The contact information for the city of Dundee.

D. Business License and Transient Room Tax. The owner of the vacation rental unit shall annually renew a business license with the city of Dundee, and shall comply with Chapter 3.04 DMC, Transient Room Tax.

E. Standards.

1. Off-Street Parking. A minimum of one off-street parking space per guest room, pursuant to DMC 17.304.040, must be provided on the site.

2. Trash and Recycling Facilities. The applicant shall provide for regular trash collection. Available bins must have adequate capacity for the renters, and no uncontained garbage is allowed on the site.

3. Pets. Pets shall comply with DMC Title 6.

4. Noise Limits. All activities associated with the vacation rental shall comply with the noise standards in Chapter 8.28 DMC.

5. RVs and Other Temporary Shelters. The premises of the vacation rental may not include any occupied recreational vehicle, trailer, tent, or other temporary shelter during the rental occupancy.

6. Landscaping. The property shall be landscaped and continuously maintained in good repair in the manner of a permanent residence.

7. Nuisances. All activities associated with the vacation rental shall not cause a nuisance as defined in Chapter 8.16 DMC.

8. Posting of Information. The applicant shall keep posted a list of information about the vacation rental adjacent to the front door inside the dwelling. At a minimum, the posting shall include the following information:

a. The name and contact information for a local contact person responsible for maintenance and responding to emergencies.

b. The current annual vacation rental business license.

c. The contact information for the city of Dundee.

d. Any requirements for the vacation rental to ensure it complies with this code.

9. Guest Register. The owner or local representative shall maintain a guest register listing each tenant of the vacation rental along with the number of dwelling occupancy days. The register shall be available for city inspection upon request.

10. Accessory Dwelling Units. Accessory dwelling units shall not be used as vacation rentals.

F. Complaints and Permit Revocation. Complaints regarding the use of the vacation rental shall be reviewed by the city administrator or designee. The city shall notify the property owner in writing of any corrective action necessary to mitigate the complaint, and the owner shall have 30 days to correct the identified issue. If the city receives two or more unresolved complaints within a 12-month period, the city administrator may schedule a hearing before the planning commission to consider adding additional conditions for mitigation or revoking the vacation rental permit. The owner may appeal the planning commission decision to the city council.

July 31, 2019

Dear City Council,

On behalf of the Travel Dundee Tourism Committee, we would like to encourage the City Council to revisit the Vacation Rental Ordinances to ensure they are meeting the long term desires of the community along with the growing demand of tourism in the area.

As a committee we believe that the short term rental (STR) market of the lodging industry has the most immediate potential for growth in Dundee with our type of housing stock and the increasing demand as a tourism destination. It has been witnessed in other growing tourism areas, STR laws can make or break the success of community approval in regards to the growth of this lodging style. We would suggest that the STR Ordinances of Dundee be reviewed to ensure they are best for protecting the future of the community while still permitting homeowners to utilize their properties as they choose, as it falls in line with the desired development of our town.

From the tourism committees perspective, here are the points that we would suggest being reviewed to ensure they are inline with our long term desires for community development:

- Parking
- Volume Control
- Local Representative
- Vacation Rental permit number to be displayed on OTAs
- Remove or adjust maximum of 3 bedrooms

Parking: Should garage space be considered parking? If so, perhaps it could only count for one off-street parking space no matter the size. Many tourism committee members have noticed the increased vehicle parking at many STR and the designated off-street parking not being utilized appropriately.

Volume Control: The increase of vacation homes in the market is clear to most people in the community of Dundee and the Yamhill County at large. More and more homes are being converted for this type of overnight lodging vs being lived in full time. The City of McMinnville noticed the increase of STRs needed to be controlled better than prior and recently changed their ordinances to adjust their desired growth. They did this with applying a minimum distance between each STR. Controlling the distance between rentals or finding a percentage cap of rentals to housing market are two strategies to consider when trying to control the volume of STRs in the community.

Local Representative: It is recommended that a local representative be in place for every STR; someone who can be responsive to neighbors, the city and public safety, along with the guests needs as they are in the home. The City of Carlton currently requires a local representative within 10 vehicular miles of the STR and the City of McMinnville requires someone within city limits that can be called in case of an emergency. With a local representative the hope would be to reduce the possibility of unresponsive homeowners or managers.

Vacation Rental Permits Displayed: By requiring STR owners and managers to display their permit number on Online Travel sites, the city can more easily determine whether a rental is appropriately permitted or not. This would make it easier to follow up with property owners who are not in compliance. Whether that be not paying taxes, not having their permit up to date, or a variety of other reasons that could come into play.

3 Bedroom Maximum: Adjusting the three bedroom maximum rule is more about offering a diverse variety of lodging to travelers. Currently the Dundee vacation rental market is flooded with 3-bedroom homes which do not always meet the needs of travelers looking to experience our town. Some families are larger, and need more space. From the Tourism Committee's perspective, if the rental is following all of the STR rules (off-street parking, safety, # of guests per room, etc) the max bedroom count should not be a factor. Having more diverse sizes of homes in the vacation rental market will give travelers the opportunity to experience Dundee where they many have not have otherwise simply due to not having a home that could accommodate their family.

In 2014, the City of Dundee was wise to develop codes in regards to the growth of the tourism industry in the valley. Sighting that vacation rentals could promote local economic development as users of local vacation rentals spend their time and money in local establishments. Nearly five years later we see this to come to light and the positive growth of tourism still continues to outweigh any negative growths. As the Tourism Committee continues to support both the growth of the industry and travel, we recommend looking at potential slight revisions to the STR ordinances to ensure the community can grow as it desires in relation to overnight lodging and long-term living.

We recommend that the City puts together additional work sessions with stakeholders and community members to review all of the possible changes that could benefit our town as we continue to grow with tourism and STRs. The suggested timeline for the first work session would be in September with a follow up work session in November to be able to implement a change by January of 2020.

Should City Council be interested in revisiting the ordinances, the Tourism Committee would be happy to form a sub-committee to help drive work sessions to dive deeper into what the future of Dundee wants to become in relation to STRs.

All our best,

Travel Dundee Tourism Committee

Prepared by:

Megan Carda

Travel Dundee Committee Member

Co-Owner of Lifestyle Properties Vacation Rentals, PinotCar and Trellis: Wine Bar & Kitchen

megan@lifestylepropertiesoregon.com

AGENDA REPORT

To: Mayor Russ and City Council
From: Rob Daykin, City Administrator
Date: August 1, 2019
Re: Outside Water Service Request

Rudy Gomez is requesting City water for a new residence he plans on constructing on a 4.4 acre parcel located outside of the City and abutting the city limits at Eleventh Street. Currently, the property is a filbert orchard that does not require irrigation. The City's water main was extended along the frontage (about 200 feet) of the 4.4 acre parcel in 2005 to accommodate Partition No. 2004-11 (Bergen). Currently, the only outside water connections from the Eleventh Street water main are 1115 SW Eleventh Street and 1290 SW Eleventh Street¹.

While the decision to approve a water connection to property outside of the city limits is at the discretion of the City Council pursuant to Dundee Municipal Code section 13.12.040, Council has in recent years imposed additional conditions on properties in close proximity to the City. As the inventory of undeveloped properties within the Dundee urban growth boundary are depleted, the City will need to start the planning process to expand the urban growth boundary in order to accommodate a twenty-year supply of residential, commercial and industrial lands. It is likely that the 4.4 acre parcel would be included in the next urban growth boundary expansion. That part of SW Eleventh Street that is under Yamhill County's jurisdiction (County Road No. 77) has a 40 foot wide right of way. As a condition of approval for Partition No. 2004-01, ten feet on the north side of Eleventh Street next to the partition was dedicated to the City of Dundee for additional right of way². Assuming the 4.4 acre parcel is annexed into the City, a future subdivision will trigger the need for an additional ten feet of right of way. To avoid conflicts with the future urban development of the 4.4 acre parcel, Council may wish to condition the approval of outside water on the dedication of ten feet to the City of Dundee for public right of way, or at the least, impose a 30 foot setback from the property line adjacent to Eleventh Street to accommodate future dedication and the City's current 20 foot front yard setback for low and medium density residential zones. Also, another recommended condition for City water is to require underground utility connections to the proposed new residence.

¹ The historical record of the outside water users named the SW Eleventh Street Rural Line is lacking. Carleton Lee (1115 SW Eleventh Street) informed me the rural system goes back to the 1950's and there were more outside users previously, however, annexations over time converted those to inside the City customers. Note: The outside water connection to the house at 1115 SW Eleventh Street was approved by the Council on 10/9/1989.

² Partition No. 2004-01 also has a construction deferral agreement for $\frac{3}{4}$ street improvements, including sidewalks and storm drain facilities. The 2004 partition of the 2 acre parcel resulted in two parcels, of which the larger parcel may easily be subdivided. Street improvements along the entire frontage of the Partition No. 2004-01 property will likely be a condition of a subdivision for the larger parcel.

In 2002 there were 85 outside city customers. In 2012 the City conveyed ownership of the Fryer Road Water Line and most of the NE Dundee Water Line (Fox Farm Road) to Hiland Water Corporation. In 2014, Boyd Water Line was consolidated with the Ward Water line and inactive uses were removed as the result of the Bypass construction project. Today, the number of approved outside city water customers is 71 per the table below.

<u>Rural Lines</u>	<u>Residential</u>	<u>Commercial</u>
Dayton Avenue System	30	-
Niederberger Road (Paragon)	3	4
Fox Farm Road	-	3
*SW Eleventh Street Rural Line	2	-
*Ward/Boyd Water Line	5	2
*River Road Water Line	5	1
Individual Accounts	<u>13</u>	<u>3</u>
Totals	58	13

*Served with a master meter, City not responsible for maintenance of service lines or billing of individual customers.

- Notes: 1) Niederberger Road count does not include two temporary hardship residences served from an approved residential meter connection.
- 2) Not included with the Fox Farm Road count is the intertie meter with Hiland Water Corporation for emergency purposes. Only use was in September 2014.
- 3) One of the authorized uses approved by Council on property just north of the ARCO gas station has not yet been connected.

Earlier this year consultant engineer MurraySmith determined that the remaining production capacity for the existing City wells is the equivalent of about 500 new residences. As Council is aware, the Riverside District area alone may build twice that number of dwellings and additional water supply will be needed to accommodate its full development. In prior memos I have encouraged the Council to consider the significant expense in developing additional supply, especially if it involves construction of a new water treatment plant facility, and the impact of additional debt to ratepayers. It may be preferable to complete engineering design and permitting for a water treatment facility about 18 months prior to the DEQ loan used to finance the 2012 wastewater facility construction retiring in 2032. SDCs and service revenues will fund the pre-construction costs, allowing the issuance and repayment of new debt following the retirement of the DEQ loan. While Council may choose to prohibit allocating the remaining water production capacity to outside users until a new water supply is planned or developed, there is also a benefit to the City for continuing the current outside service policy by increasing service revenues and SDCs that support needed water system improvements identified in the capital improvement plan for the next ten years, and by having a process to consider land use compatibility for outside properties and their uses when they are eventually annexed into the City.

Recommendation: Motion to authorize (or deny) City water connection requested by Rudy Gomez (with the following conditions _____).

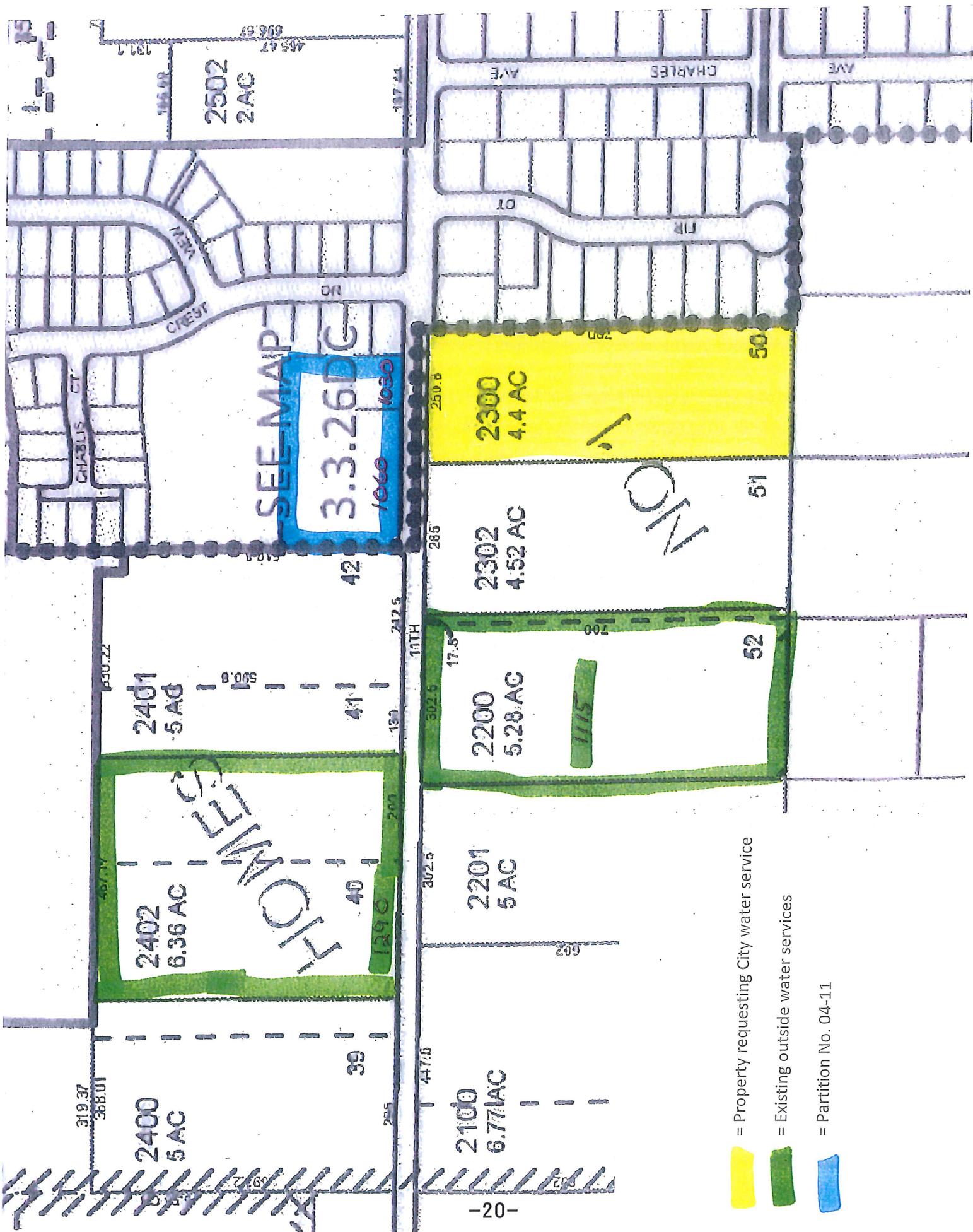
13.12.040 Service outside of city limits.

A. Water service may be provided, at the discretion of the city council, to property outside of the city limits if the city council determines that the city has excess capacity and the following three criteria are met:

1. The city council finds that a genuine hardship exists due to quality and/or quantity of water for domestic consumption and authorizes the application for water service outside of the city limits.
2. The property to be served is within 400 feet of the city's water main and the city engineer finds that the service connection may be made without detriment to existing users.
3. Prior to connecting to the city water main the owners of the property shall execute and record an agreement to annex to the city at such time as annexation is legally possible and is requested by the city. This agreement shall be deemed an annexation contract under ORS 222.115.

B. All water used in an area outside of the city limits: (1) shall be for human consumption only, including washing, bathing, drinking, food preparation, and other uses to the extent accommodated by the city prior to September 15, 2009, and (2) shall not be used for irrigation or other exterior uses, except for use in a community garden for growing produce (not for resale), less than one-half acre in size and available for use by the general public. Such water will be provided to users outside of the city limits as long as there are sufficient quantities available for areas within the city limits. If an emergency occurs, the water service to users outside of the city limits will be the first to be terminated. The existence of an emergency due to insufficient quantities of water for use within the city limits will be determined by the city council in its sole discretion.

C. Subsection (A) of this section shall not be deemed to affect existing services to property located outside the limits as of September 15, 2009, except that extensions or enlargement of their services shall not be allowed.



- = Property requesting City water service
- = Existing outside water services
- = Partition No. 04-11

July 22, 2019

City of Dundee
PO Box 220
620 SW 5th Street
Dundee, OR 97115

Re: Water Meter Request

I have purchased 4.4 acres located just outside the city limits on 11th Street in Dundee and would like to request a city water meter for domestic consumption. The property does not have an existing water source and it would be a financial hardship to install a well and a septic system. The county has approved the property for septic.

If water request is approved, we would use the city water for our proposed 2600 square foot home only. The property currently is a self-sustaining filbert orchard so no irrigation is needed.

The property lot number is R3326-23000 lot 50.

Please feel free to contact me if you have any questions or concerns at (503) 313-4491.

Thank you

Rudy Gomez

Yamhill County
DEPARTMENT OF PLANNING AND DEVELOPMENT
525 NE 4TH STREET · McMINNVILLE, OREGON 97128
Phone: (503) 434-7516 · Fax (503) 434-7544 · TTY: (800) 735-2900 ·
Internet Address: <http://www.co.yamhill.or.us/plan/>

July 11, 2019

Rudy Gomez
1260 SW Charles St.
Dundee OR 97115

Re: Soils Evaluation,
Tax Lot 3326-2300

Dear Mr. Gomez,

This site has been approved for an ATT/Sandfilter with an equal distribution onsite drainfield around pit 1 and 3. This system has been sized for a 4 bedroom single family dwelling per DEQ guidelines and minimum requirements to equal a max of 450 gallons perday. Additional flow or gallons per day will require an increase in tankage, drainfield and potential treatment. The approved drain field area will require 150 linear feet of drain line and a minimum trench depth of 18 inches and maximum trench depth of 24 inches. A 48 inch curtain drain will be required above the drainfield and must day light to the surface, a rodent guard is required for the curtain drain.

The area surrounding the approved area must be tilled to depth of 8 inches and all field tiles must be diverted away from the drainfield area.

The minimum tank size for this parcel is 1000 gallons and will require antibuoyancy measures.

A plot plan, tank and treatment unit schematics and operation and maintenance contract are required to issue permit, and an operation and maintenance agreement is required for the life of the system.

The minimum tank size requirement for this site is a 2000 gallon primary tank, additional tankage may be needed to store effluent and/or disperse treated effluent. Please contact your consultant for full plans

Only install during the dry months of the year.

A stake out is required before permit issuance.

Stay to the approved area.

Keep to all setbacks

Any alteration to the natural conditions in the area approved for the on-site system or replacement area may void this approval. This site evaluation approval stays with the land. Land use approval is needed when applying for a construction installation permit. Any subdivision, partitioning or alteration of this parcel may void this report.

If you have any questions, please call me at (503)-434-7516 ext 3654

Sincerely,


Kimberlee Aldrich
WWS

Cc: A-Affordable Septic

Soil Notes Form

Date: <u>6/19/19</u>	Tax Lot# <u>3326-2300</u>	Lot#	Parcel Size: <u>4.4 acres</u>
Applicant: <u>Ruben Gomez</u>		Evaluator: <u>Kim March</u>	

Pit 1	Depth	Texture	Color	Roots	Structure	Redox	Notations
Horizon 1	0-7	sil	10YR 3/2	F-vf	WSR 2	u/c	Completed
Horizon 2	7-16	sil	10YR 3/2	few	SSBK 2	NO	
Horizon 3	16-37	sil	10YR 4/1	none	WSR 2	u/c	depleted horizon
Horizon 4	37-42	sil	10YR 5/3	none	WSR 2	u/c	45° 16, 503
Add'l	42-59	S-i	2.5Y 5/1	none	POK	u/c	-123° 01, 292

Pit 2	Depth	Texture	Color	Roots	Structure	Redox	Notations
Horizon 1							45° 16, 505
Horizon 2							-123° 01, 276
Horizon 3							Redox in horizon out to surface
Horizon 4							Denial
Add'l							

Land Landscape Notes: Hazardous material - heavy compaction of soil
damage to the concrete wall noted to be ripped to
8"

Slope: 6% Aspect: _____ Groundwater: Temporary

SYSTEM SPECIFICATIONS

using pit 1+3 #denial	Type: <u>ATT w/ 48" diameter</u>	Design Flow: <u>450</u> gpd
	Initial: <u>ATT w/ curtain drain</u>	Replmnt: <u>ATT 14" curtain drain</u>
	Field Size: <u>150</u> Lin/Ft	Field Size: <u>150</u> Lin/Ft
	System Sizing: <u>50</u> /150 gpd	System Sizing <u>50</u> /150 gpd
	Min Field Depth: <u>18</u> Max: <u>20</u>	Min Field Depth <u>18</u> Max: <u>20</u>
Other: _____		

Special Conditions: when one side of pit is 12" it might be divided
average depth is 1.5 ft

Soil Notes Form

Date: <u>6/19/19</u>	Tax Lot# <u>3326-2300</u>	Lot#	Parcel Size: <u>4.4 32.1</u>
Applicant: <u>Rudy Gomez</u>		Evaluator: <u>Kenn Miller</u>	

Pit# <u>3</u>	Depth	Texture	Color	Roots	Structure	Redox	Notations
Horizon 1							<u>45° 16, 478.</u>
Horizon 2							<u>-123° 01, 292</u>
Horizon 3	<u>Soil from Pit 1</u>						
Horizon 4							
Add'l							

Pit# <u>2</u>	Depth	Texture	Color	Roots	Structure	Redox	Notations
Horizon 1							
Horizon 2							
Horizon 3							
Horizon 4							
Add'l							

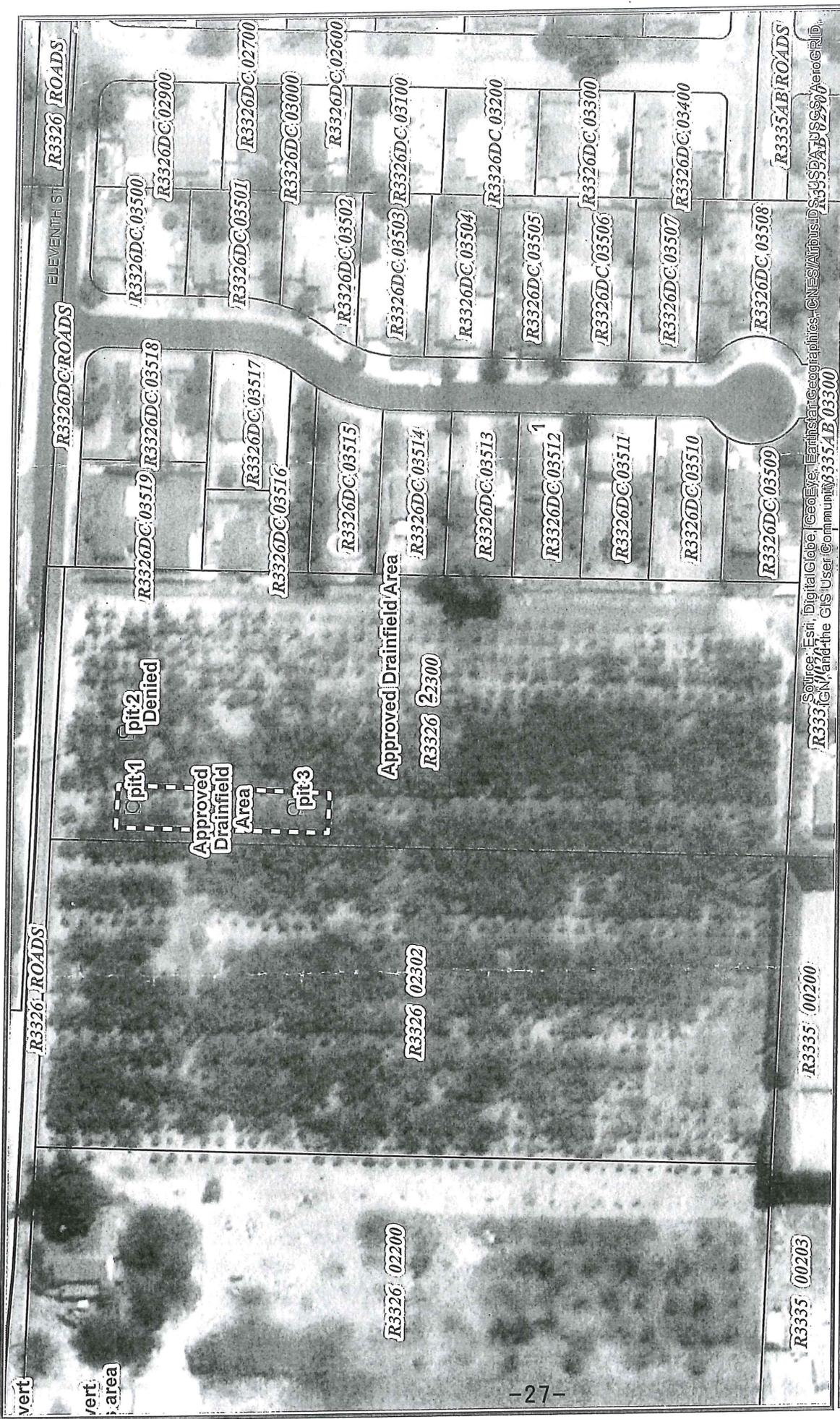
Land Landscape Notes:

Slope: _____ Aspect: _____ Groundwater: _____

SYSTEM SPECIFICATIONS

Type: _____	Design Flow: _____ gpd
Initial: _____	Replmnt: _____
Field Size: _____ Lin/Ft	Field Size: _____ Lin/Ft
System Sizing: _____ /150 gpd	System Sizing _____ /150 gpd
Min Field Depth: _____ Max: _____	Min Field Depth _____ Max: _____
Other: _____	

Special Conditions:



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, AeroGRID, IGN, and the GIS User Community

Site Evaluation

for
Tax Lot 3326-2300



Jul 11, 2019



Prepared by
Yamhill County Planning, ka

AGENDA REPORT

To: Mayor Russ and City Council
From: Rob Daykin, City Administrator
Date: August 1, 2019
Re: Dogs Running At Large

At the July 16 meeting several councilors expressed interest in reviewing the requirement for a dog to be on a leash when the animal is in public. DMC 6.04.020 prohibits an owner from intentionally or negligently permit his dog to run at large. For the purpose of DMC 6.04.020, the definition of “running at large” means a dog which is off or outside the premises belonging to the owner, keeper, or person having control, custody, or possession of the animal, or not in the company of and under the control of its owner or keeper by means of an adequate leash, pen, cage, vehicle, or other means of confinement or immediate supervision¹. This is similar to the Yamhill County and City of Newberg dog regulation. Immediate supervision implies that the animal is at heel and/or responds to voice control of the owner. This could be made clearer by replacing the word supervision with “control and command of its owner or keeper”². If the Council decides that dogs should be leashed (or otherwise confined in some manner) when in public, then deleting “or immediate supervision” from the definition will accomplish that purpose.

Following review of this issue, staff will prepare an ordinance to amend Chapter 6.04 of the Dundee Municipal Code as directed by the City Council.

¹ The definition has a logic flaw...”or not in the company” should state “**and** not in the company”.

² This is the language used in the Yamhill County dog regulation.

