



Falls City Oregon City Council Meeting

Monday, December 4, 2023 at 6:00 pm

Meeting Location

320 N Main St • Falls City, OR 97344

How to Attend and/or Participate

1. In Person: 320 N Main St. Falls City, OR 97344
2. Call-in: a. 1-253-215-8782 b. ID 878 7406 4319
You will be muted but may “raise your hand” to indicate you wish to comment.
3. Web Application: Zoom Webinar <https://us06web.zoom.us/j/87874064319>
You will be muted but may “raise your hand” to indicate you wish to comment during Public Comments.
4. Write-In: Using regular mail or email. a. info@fallscityoregon.gov; 299 Mill St. Falls City, OR 97344

The City of Falls City does not discriminate in providing access to its programs, services, and activities on the basis of race, color, religion, ancestry, national origin, political affiliation, sex, age, marital status, physical or mental disability, or any other inappropriate reason prohibited by law or policy of the state or federal government. Should a person need special accommodations or interpretation services, contact the City at 503.787.3631 at least one working day prior to the need for services and every reasonable effort to accommodate the need will be made.

1. CALL TO ORDER & ROLL CALL

Mayor TJ Bailey, Council President Houghtaling, Councilor Nick Backus, Councilor Martha Jirovec, Councilor Tony Meier, Councilor Dennis Sickles, Councilor Lori Jean Sickles

2. PLEDGE OF ALLEGIANCE

3. ANNOUNCEMENTS, APPOINTMENTS, APPRECIATIONS, & PROCLAMATIONS

4. PUBLIC COMMENTS & LETTER COMMUNICATIONS

In order to encourage an environment of openness, courtesy and respect for differing points of view, please refrain from behavior that is disruptive to the meeting such as making loud noises, clapping, shouting, booing, or any other activity that disrupts the orderly conduct of the meeting. Abusive language will not be tolerated.

Please limit your commentary to 3 minutes or less.

5. PUBLIC HEARINGS

Public comment will be allowed in items appearing on the section of the agenda following a brief staff report representing the item and action requested.

a. CUP 23-01 - 7 Star Gas Station

Attachments:

- **Staff Report** (CUP_23-01_staff_report_-_7_Stars_Fuel.pdf)
- **Exhibit A** (Exhibit_A_-_7star_Application.pdf)
- **Exhibit B** (Exhibit_B_-_Applicant_s_Revised_Site_Plan.pdf)
- **Exhibit C** (Exhibit_C_-_Applicant_Response_to_Criteria_of_Approval_-_7_Stars_Fuel_-_Falls_City.pdf)

6. CONSENT AGENDA

a. November 6, 2023 Minutes

Attachments:

- **Minutes** (2023.11.06_Council_Minutes.pdf)

7. REPORTS OR COMMENTS FROM MAYOR AND COUNCIL MEMBERS

a. Mayor's Report

b. Councilor Comments

c. Public Works Committee Report

Attachments:

- **Minutes** (PW_Minutes.pdf)

d. Historic Landmark Committee Report

Attachments:

- **Minutes** (HLC_Minutes.pdf)

8. REPORTS FROM CITY MANAGER & STAFF

a. Falls City Public Works Report

Attachments:

- **November Report** (Public_Works_Report.pdf)

b. City Manager's Report

Attachments:

- **Manager Report** (2023.12.04_Monthly_Manager_s_Report.pdf)

9. RESOLUTIONS

a. Resolution 10-2023

Attachments:

- **Staff Report** (Resolution_10-2023_SR_FY23-24_Supp_Budget_1.pdf)

- **Resolution 10-2023** (Resolution_10-2023_-_Falls_City_23-24_Budget_Adjustment_1.pdf)

10. ORDINANCES

a. Ordinance 564-2023

Attachments:

- **Staff Report** (NPS_-_11.06.2023_SR_Main_Street_Parking_-_SS.pdf)
- **Ord. 564-2023** (NPS_-_Ordinance_564-2023_North_Main_Street_Parking_-_South_Side.pdf)

11. CITY MANAGER EVALUATION

12. GOOD OF THE ORDER

13. ADJOURN

Posted for Public at the City Hall Bulletin Board, Community Center, Falls City Website, Frink's General Store, Post Office, Falls City Market, & LCB Bulletin Board

Contact: Jeremy Teal, City Recorder (jteal@fallscityoregon.gov 503.787.3631) | Agenda published on 11/30/2023 at 10:18 AM

CITY OF FALLS CITY

299 Mill Street
Falls City, OR 97344
503-787-3631

STAFF REPORT

CONDITIONAL USE PERMIT (CUP) 23-01 AND VARIANCE (VAR) 23-04

7 Star Automobile Service Station at 319 N. Main Street

Staff Report date: November 27, 2023

City Council hearing date: December 4, 2023

NATURE OF APPLICATION: Conditional Use Permit for a proposed automobile service station (new canopy, four pump service bays and above-ground tanks) to be located adjacent to and east of the existing retail building, located on the property addressed below. Also, Variance approval is requested to reduce the codified off-street parking space number identified in the Falls City Zoning and Development Ordinance (FCZDO). The proposal also includes new paving, landscaping, bollards, parking lot striping and fence enclosure.

APPLICABLE CRITERIA FCZDO Sections 2.102, 2.103, 2.201, 3.201.C and 3.202.E.

PROPERTY LOCATION: 319 N. Main Street (Tax Lots 400 & 401 on Polk County Tax Assessor's Map 8-6-21BC).

APPLICANT/OWNER: 7 Star Grocery and Fuel

ZONE DESIGNATION: Commercial-Residential (CR)

COMP. PLAN DESIGNATION: Commercial-Residential (CR)

FILE NUMBERS: CUP 2023-01 / VAR-2023-01

EXHIBITS:

- A: Applicant's application form
- B: Applicant's Site Plan
- C: Applicant's written response to approval criteria
- X: Structural calculations to canopy (not exhibit to this report)

I. BACKGROUND

On October 3, 2023, staff received the applicant's Conditional Use Permit application (Exhibit A) and structural calculations for the proposed service bay canopy. In the city CR zone, *Automobile Service Stations* are subject to Conditional Use approval through a Type III procedure, requiring notice and a public hearing. On October 13, 2023, staff deemed the Conditional Use application incomplete. Subsequently, the applicant provided additional information on November 13, 2023, in addition to the Variance application. Staff deemed both applications complete as of that date and on November 14, 2023, mailed notice of this hearing to all property owners of record within 250 feet of the subject property.

The applicant's Variance proposal is specific to a code standard found in FCZDO Section 2.202 where the required off-street parking minimum number identified for *Retail*, as a use category, is one space for every 300 square feet of building floor area. As the applicant's site plan (Exhibit B) shows, the floor area of the existing convenience store is 3,960 square feet. Applying the code ratio of one space per 300 square feet, the minimum off-street parking number is 13. Staff observe no codified parking ratio for *Automobile Service Stations*. The applicant's site plan shows the location of nine proposed parking spaces that will be striped on-site after the property is paved to the area as shown on Exhibit B.

II. PROCEDURE

The combined Conditional Use / Variance proposal is subject to the city Type III process (FCZDO 3.105) where the City Council, acting as the Planning Commission, conducts a quasi-judicial public hearing. One hearing can be conducted for the combined application proposal (Conditional Use and Variance).

III. WRITTEN COMMENTS

As previously stated, staff mailed notice of the hearing to all property owners within 250 feet of the subject property on November 14, 2023. No written comments have been received in response to notice (as of this report date).

IV. APPEAL

The decision of the Planning Commission / City Council shall be the final land use action of the city concerning these applications unless the decision is appealed to the Oregon State Land Use Board of Appeals (LUBA).

V. FINDINGS IN RESPONSE TO GENERAL CITY DEVELOPMENT STANDARDS

FCZDO Section 2.102.06.A (Development Standards for city CR zone) states:

A. Commercial uses shall be subject to the development standards, sign provisions and limitations on use set forth in the Commercial-Industrial Zone.

Landscaping

Findings - Landscaping: Staff finds the following provisions in FCZDO Section 2.103.10 (Landscape standards of the City CI zone, cited below) to be relevant in review of the applicant's Conditional Use application.

A. A minimum of six (6) percent of the total lot area shall be landscaped. Plant materials should achieve a balance between low-lying and vertical shrubs and trees.

B. Landscaping required by this sub-section shall be reviewed by the Planning Commission as a part of the Site Design Review application. Landscaping shall be installed prior to the issuance of an occupancy permit or, alternatively, its installation within six (6) months of occupancy may be guaranteed through a performance bond or other instrument acceptable to the City Attorney.

C. All landscaping shall be continually maintained, including necessary watering, weeding, pruning and replacement of plant materials, in a substantially similar manner as originally approved by the Planning Commission, unless altered with their approval.

Findings - Landscaping: Staff finds the applicant's Conditional Use proposal to address landscaping as a percentage of the site (Exhibit B) and that the amount identified (45%) is sufficient to meet the city standard. Staff also finds in favor of conditions that reflect assurance and maintenance standards as described in B and C above.

Signs

Findings - Signs: FCZDO Section 2.103.11 (sign standards of the City CI zone) are also applicable although staff also finds these standards can be addressed via separate city sign permit.

A. One free-standing or ground mounted identification sign shall be allowed for a development. Such signs shall be limited to 40 square feet of area, but may be double-faced. Identification signs shall not exceed 25 feet in height.

B. On-building signs shall be limited to 20 square feet in area and shall not project outward from the surface of the building more than 12 inches.

C. Signs may be internally or indirectly illuminated but shall not be intermittently lit or flashing.

Findings - Signs: In review of the above, staff observe the site to contain an existing sign that appears to be under 40 square feet. Staff finds in favor of a condition of approval that would require a city sign permit (administrative) for additional signage.

Fences

Findings - Fences: Standards in FCZDO Section 2.201.08 (Walls, Fences and Hedges) are also applicable as the applicant's proposal is shown to include a fence at six feet in height.

B. Standards

1. Fences, walls and hedges may be located in any required yard or along the edge of any yard, subject to the maintenance of clear-vision areas. A fence, wall or hedge may not exceed six (6) feet in height without approval of a variance.

2. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair including noticeable leaning, missing sections, broken supports, non-uniform height, and uncontrolled growth of vegetation.

3. Fences, walls and hedges shall not exceed four (4) feet in height along the front property line or within a front yard setback. Fences, walls and hedges shall not exceed four (4) feet in height for a distance of 10 feet from the front property line on side yards adjacent to a street.

4. In no instance shall a fence extend beyond the property line including into a public right-of-way. It is the responsibility of the property owner to determine the property line.

Findings - Fence: In review of the above, staff observe applicant's Conditional Use proposal to include a fence enclosure. Notes to the site plan (Exhibit B) indicate the proposed fence will be six feet in height and set back sufficiently from the street frontage.

Off-street Parking

Findings – Off-street Parking: Code provisions in FCZDO Section 2.202 (Off-street Parking) are also applicable as the applicant's proposal introduces a new structure, modifying existing on-site parking. Below is a code provision from FCZDO Section 2.202.04:

Off-street vehicle parking shall be provided as required by Section 2.202.07, Design Requirements, and approved by the City in the amount not less than listed below. Where square feet are specified, the area measured shall be the gross floor area primary to the functioning of the particular use of the property, but shall exclude space devoted to off-street parking or unloading.

Findings – Off-Street Parking: In review of the above and a table shown to FCZDO 2.202 (part describing a ratio of one space per 300 square feet of floor area for *Retail*) staff incorporate the findings herein prepared in response to the applicant’s Variance application (VAR 23-04).

Street Frontage Improvements

Findings – Street Frontage Improvements: Standards described in FCZDO Section 2.211 (Street Standards) are typically reviewed for proposals that include new site development, redevelopment, and large building additions. The applicant’s plans were reviewed by the City Engineer for review. In part, development standards in FCZDO Section 2.211 explain how no street frontage improvements are necessary if applicant demonstrates to the satisfaction of the City Engineer that the condition and sections of the existing streets meet the City standards. The applicant has done so.

VI. FINDINGS IN RESPONSE TO APPLICABLE APPROVAL CRITERIA

Applicable sections of the FCZDO are shown in ***bold italics*** (below). Staff incorporate the applicant’s written response to these criteria, Exhibit C.

Conditional Use Permit -- Criteria for Approval: ***Approval or denial of the application shall be based upon the following criteria:*** [FCZDO Section 3.201.C]

1. The use is listed as a conditional use in the underlying district.

Findings: According to the applicant, the gas dispensing is an ideal match for the existing grocery store and will complement the use well. The applicant also explains how there is room on-site to fit the canopy and gas dispensers.

Staff concur and observe *Automobile Service Stations* listed under Conditional Uses of the CR zone. Staff therefore conclude this criterion is met.

2. The characteristics of the site are suitable for the proposed use, considering size, shape, location, topography, location of improvements and natural features.

Findings: According to the applicant, flow (referring to vehicles) through the gas dispensers works well with the existing site. The applicant also explains how cars may enter the site through two existing curb cuts (along Main Street) for access to the gas dispensers.

Staff concur and observe how the subject property is relatively flat and has sufficient depth to accommodate the service bay pump stations, parking and tank storage as proposed.

Staff therefore conclude this criterion is met.

3. *The proposed development is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use.*

Findings: According to the applicant, the addition of a gas dispensing station will provide more options for local residents.

Staff concur and observe existing curb cuts along Main Street to be of sufficient width to accommodate large vehicles, including fuel truck delivery. Staff also observe the applicant's site plan to include notes indicating that the site will be paved, then striped for parking. Staff also observe the how the applicant's parking lot striping plan identifies a total of nine spaces to be provided. Staff incorporate the applicant's response to the Variance criteria (also shown to Exhibit C) in request to reduce the minimum number of off-street spaces and to ensure adequate vehicle flow through the site. Finally, staff observe how the City Engineer has reviewed the applicant's site plan with respect to the adequacy of existing transportation systems and public facilities to find there are no concerns.

Staff therefore conclude the criterion is met.

4. *The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district.*

Findings: According to the applicant, the use will not limit or impair the site or surrounding uses.

Staff observe how fuel storage and pump stations are subject to several fire protection and prevention regulations. Some of these regulations are subject to review as part of the applicant's Building Permit that must be obtained via application through Polk County. Plans and materials submitted to Polk County for the Building Permit will need to show compliance with certain fire protection / prevention regulations identified as part of the Oregon Fire Code. Also, fuel stations are subject to other regulations (health / environmental) administered and enforced by the Oregon Department of Environment Quality (DEQ). Staff recommends a condition of approval requiring the applicant to obtain and maintain permit and operational compliance with State and Federal regulations.

Staff also observe how fuel dispensing areas will need to be adequately luminated at night to meet other fire protection / prevention standards and guidelines. Certain safety guidelines are described in documents produced by the Occupational Safety and Health Administration (OSHA). The applicant's site plan (Exhibit B) includes notes about lighting, explaining how the new canopy is to include four 150w LED lights, surface mounted to the underside of the roof structure. Staff recommends a condition of approval that would require all canopy fixtures to be recessed into the canopy or shielded so that the light source (diodes) cannot be seen from abutting properties or abutting streets. Similarly, all wall-mounted or pole-mounted fixtures (if proposed) should be shielded so that the light source cannot be seen from abutting properties.

Staff requested a fence detail (section showing height, materials, etc.) from the applicant to assess whether above-ground tanks will be seen from the street frontage and abutting properties. The applicant's site plan (Exhibit B) includes notes about the proposed fence enclosure, indicating it will be six feet in height and cedar (material) and picket (for style).

Staff observe additional notes to applicant's site plan, indicating that all above-ground tanks are ten feet in height. At ten feet, staff finds the proposed six-foot fence to be insufficient for visually screening these tanks. Staff also observe no code standard specific to visual screening of above-ground tanks. Accordingly, if Council desires additional means for visually screening these tanks (e.g., additional landscape planted or painting) findings in response to these criteria (and specifically Criterion No 4 above) are necessary in addition to a condition of approval.

With the recommended conditions (described above) staff concludes this criterion can be met.

5. *The proposal is compatible with applicable goals and policies of the Comprehensive Plan.*

Findings: According to the applicant, the proposed use is compatible with the existing use. The applicant also states that the users of the new use will also utilize other local businesses adjacent to this site.

In review of the Comprehensive Plan, staff did not find goals or policies that speak to the operation of automobile service stations. Staff observe certain goals and policies of the Comprehensive Plan that speak generally in support of local businesses.

Staff conclude the criterion is met.

Variance -- Criteria for Approval [FCZDO Section 3.202.E]

E. Variance Criteria: The Planning Commission may allow a variance from a requirement or standard of this Ordinance after a public hearing conducted in accordance with the review procedures, provided that the applicant provides evidence that the following circumstances substantially exist. Approval shall not be granted unless each of these criteria is met.

1. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to the date of this Ordinance, topography, or other circumstances substantially exist.

Findings: According to the applicant, to provide better on-site traffic flow, eliminating two parking spaces will allow traffic work around the gas pumps and into or from the existing parking area. The applicant also explains how this will allow the site to be maximized with the existing building and new added use.

Staff observe the subject property to be developed as a retail convenience store. The applicant's proposal to introduce operation of a fuel station in concert with the convenience store, is one circumstance applicable to this property that does not apply to other properties in the same zone or vicinity. Staff also concur with the applicant's statement with respect to vehicle flow through the site. While more striped parking can be introduced, it consequently reduces the vehicle aisle width, causing conflict with a different code standard in FCZDO Section 2.202.07, describing a minimum 16-foot vehicle aisle. Staff therefore conclude the criterion is met.

2. ***Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or zone.***

Findings: According to the applicant, the proposed variance will allow better traffic flow through the site, and the loss of four parking spaces will not have an impact on the existing grocery store. The applicant also states that the gas pumps would not add to the parking demand.

Staff concur. As stated in response to Criterion No. 1, applicant's proposal to introduce operation of a fuel station in concert with the convenience store, is one circumstance applicable to this property that does not apply to other properties in the same zone or vicinity. In part, customers in need of fuel and other items at the convenience store can park their vehicles for a short period at the fueling station in-lieu of parking in one of nine striped spaces also available.

Staff conclude the criterion is met.

3. ***The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located, or otherwise conflict with the objectives of any City plan or policy.***

Findings: According to the applicant, the variance will not be detrimental to public welfare or create a hazardous condition.

Staff observe the variance proposal to be limited in scope (i.e., specific to parking number and no other code standard). In part, the loss of four parking spaces (i.e., four less necessary to meet the code standard) is compensated by the addition of four pump service bays, allowing customers to park their vehicles for a short period when fueling. Staff also observe how there will be nine on-site striped spaces available to serve customers not in need of fuel.

Staff conclude the criterion is met.

4. ***That the special conditions and circumstances on which the application is based do not result from the negligent or knowing violation of this Ordinance by the applicant.***

Findings: According to the applicant, there is no negligent or violations being created by allowing the variance.

As stated above, staff observe operation of the proposed fuel station, in concert with the convenience store, to be a circumstance unique from other properties in the same zone or vicinity. Staff also observe the applicant to be aware of the parking standard subject to variance consideration and how the applicant has explored other alternative on-site striping plans and adjustments to the canopy / service bay location.

Staff conclude the criterion is met.

5. ***The variance requested is the minimum variance which would alleviate the hardship.***

Findings: According to the applicant, Approving the variance will remove the hardship and allow the project to succeed.

As stated above, staff observe the loss of four parking spaces (number needed to meet the code standard) to be compensated by the addition of four pump service bays, allowing customers to utilize these bays when fueling and purchasing other items from the convenience store. Parking space dimensional standards (orientation, width, depth, etc.) are described in FCZDO Section 2.202.07. Fuel service bays are not recognized to these standards and other code standards.

Staff conclude the criterion is met.

6. *Strict adherence to the requirement or standard is unnecessary because the proposed variance will reasonably satisfy both of the following objectives:*

- a. Granting the variance will not create significant adverse affects to the appearance, function or safety of the use or uses on the subject property; and***
- b. Granting the variance will not impose limitations on other properties in the area, including uses which would be allowed on vacant or underdeveloped sites.***

Findings: According to the applicant, the variance will not create significant adverse affects or impose restrictions on other properties.

As stated above, staff observe the variance proposal to be limited in scope. Herein staff also explains how the applicant has explored other alternative striping plans and adjustments to the canopy / service bay location. While the subject property can be striped to add more parking, staff finds the plan for adding such (beyond the number proposed) to raise other questions about on-site vehicle circulation and potential conflicts. For example, if striping for parking is added along the site frontage (parallel to Main Street) there could be vehicles conflicts near the site entrance (e.g., vehicle exiting a space while other vehicle from street is entering property).

Finally, staff concur with the applicant’s statement with respect to “b” above, finding the proposed variance will not impose limitations on other property including uses which would be allowed on vacant or underdeveloped sites.

Staff conclude the criterion is met.

7. *Approval of the application does not conflict with policies and objectives of the Comprehensive Plan.*

Findings: According to the applicant, the variance will not conflict with policies and objectives of the Comprehensive Plan.

Staff concur and incorporate findings prepared in response provided to Conditional Use Permit approval criteria (above) in this report. Staff conclude the criterion is met.

VII. CONCLUSION AND RECOMMENDATION

Based on the facts and findings in this staff report, Staff recommends that the City Council approve Conditional Use Permit 23-01 and Variance 23-04, subject to the following conditions of approval:

A. Prior to Building Permit issuance, the applicant shall:

1. Provide building plans to the City of Falls City (same set intended for review by Polk County) that demonstrate compliance with current State of Oregon Building Code and State of Oregon Fire Code in effect as of date of application for building permit.
2. Obtain all other permits as required from State and Federal agencies pertaining to the operation of fuel stations / dispensing facilities and fuel storage tanks.
3. Ensure the parking lot re-stripe plan shows compliance with applicable standards of the American Disabilities Act (Chapter 11, OSSC).

B. Prior to Final Inspection or Issuance of a Certificate of Occupancy, the applicant shall:

1. Ensure all barriers are in place, consistent with current State of Oregon Building Code and Oregon Fire Code, for fire protection and prevention. After final inspection, operation of the fuel station, including fuel tank storage, shall maintain permit and operational compliance with State and Federal regulations.
2. Ensure all exterior canopy lighting is recessed into the canopy or shielded in a way so that the light source (diodes) cannot be seen from abutting properties or abutting streets. Similarly, all wall or pole-mounted fixtures shall be shielded so that the light source (diodes) cannot be seen from abutting properties or abutting streets.
3. Ensure off street parking areas are durable, hard surface and striped to the minimal dimensional standards of nine (9) feet wide and 18 feet in length as described in FCZDO Section 2.202.07.
4. Ensure all landscaping is planted prior to the issuance of an occupancy permit or, alternatively, planted within six (6) months of occupancy may be guaranteed through a performance bond or other instrument acceptable to the City Attorney.
5. Ensure all landscaping is continually maintained, including necessary watering, weeding, pruning and replacement of plant materials, in a substantially similar manner as originally approved by the Planning Commission, unless altered with their approval.
6. Ensure all fencing is in place, consistent with the location shown to the approved plan. The fence enclosure shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair including noticeable leaning, missing sections, broken supports, non-uniform height, and uncontrolled growth of vegetation.
7. Ensure all signs (added to existing or new) meet city standards via separate Sign Permit through the city.

VII. CITY COUNCIL ACTION OPTIONS

The following action options are available:

- A) Make a motion to adopt the staff report findings and approve Conditional Use Permit 23-01 and Variance 23-04, subject to the conditions of approval set forth in the staff report.
- B) Make a motion to adopt the staff report findings and approve Conditional Use Permit 23-01 and Variance 23-04, subject to the conditions of approval set forth in the staff report, as modified to reflect the following changes ...

Note: Staff recommend that the motion-maker include specific text to be added / removed.

- C) Make a motion to continue the public hearing to a date and time certain and indicate how additional information is needed to allow for a future decision.
- D) Make a motion to deny Conditional Use Permit 23-01 and Variance 23-04.

Note: Staff recommend that the motion-maker explain reasons for denial. Alternative findings for denial are not identified in this report.

City of Falls City
Land Use Application

File # C023-01
Date Rec'd: 10/3/23
Fee Paid: 850.00
Receipt No.: 585943
Rec'd By: [Signature]

Type I-A Action:

- Access Permit
- Home Occupation Permit
- Property Line Adjustment
- Manufactured Home Placement Permit
- Sign Permit
- Certification of Appropriateness (COA)
(Historic Preservation Officer)

Type IV Action:

- Annexation
- Zone Change
- Comprehensive Plan Map Amendments
involving more than five (5) adjacent land
owners

Type I-B Action:

- Flood Plain Development Permit
- Site Design Review
- Temporary Hardship Dwelling
- Partitions
- Property Line Adjustments with Discretion

Other

- Pre-Application Conference
- Land Use Verification Letter

Type II Action:

- Code Interpretation (standalone application)
- Modification to Approval
- Partition Plat Modification

Type III Action:

- Comprehensive Plan Map Amendments
involving 5 or fewer adjacent land owners
- Conditional Use Permit
- Manufactured Home Park
- Planned Unit Development
- Subdivision
- Variance
- Non-Conforming Use
- Certificate of Appropriateness (COA)
(Historic Landmark Commission)
- Designation of a Historic Resource to the
Local Landmark Register
- Removal of a Historic Resource from the
Local Landmark Register

Please submit completed application and fees to: City of Falls City, 299 Mill Street, Falls City OR 97344

Last updated on 11/27/2017 (LA 2017-01)

2.102 COMMERCIAL-RESIDENTIAL ZONE (CR)

2.102.01 PURPOSE

To provide for a mixture of residential uses and general commercial uses in areas of mixed land use.

2.102.02 AREA OF APPLICATION

This district is to be applied to those areas designated Commercial-Residential on the Comprehensive Plan Map.

2.102.05 CONDITIONAL USES

The following uses are allowed subject to the provisions of Section 3.201, Conditional Use Permits, and completing a Site Design Review, subject to the provisions of Section 3.203.

- A. Any conditional use permitted in the Residential Zone.
- B. Recreational vehicle park and/or campground facility, subject to the provisions of Section 2.209.05.
- C. Automobile, truck, motorcycle, trailer, recreational vehicle and boat sales and repair.
- D. Retail tire sales, service and repair; tire recapping, service and repair, paint and body shop.
- E. **Automobile service station**, including towing services and vehicle washing and polishing facilities, and services.
- F. Part and accessory sales for automobiles, trucks, motorcycles, trailers, recreational vehicles and boats.
- G. Lumber yard and contracting supplies for lumber, stone, masonry or metal (sales only). Falls City Zoning & Development Code 29 Adopted Nov. 2006
- H. Special trade contracting facilities, such as floor layering, building equipment, masonry and stone, plumbing, electrical, metal work or painting.
- I. Welding shop and blacksmith where activities are conducted wholly within a building.
- J. Newspaper, periodical, publishing and printing.
- K. Tractor and farm equipment, logging equipment, sales and service.
- L. Veterinary clinic.
- M. Cabinet shop, conducted wholly within a building.
- N. Tent and awning shop.

Applicant(s) Central Service Inc. Telephone: 541-550-7230

Address: 133 NE Greeley, Bend, OR 97701

Owner(s): Harpinder Singh Telephone: 503-787-3535

Address: 319 N Main St.

Engineer/Surveyor: _____ Telephone: _____

Address: _____

General Information

Map Page and Tax Lot No.: 8.6.21BC Zone: Commercial

Location: 319 Main St. N, Falls City, OR 97344

Legal Description: _____

Existing Zoning/Comprehensive Plan Designation: _____

Current Use/Structures: Store parking lot

Proposed Use: Gas Station

Topography: _____

Surrounding Uses: North: Commercial

South: Government/Residential

East: Church

West: Commercial

Acreage of Site: .22

Number/Size of New Lots or Parcels: _____
(Attach site map, if applicable)

Natural Features/Hazards of the Subject Site: _____

Public Utility Providers (gas, electric, water, sewer, telephone): _____

Easements: _____

Volume and Page Number

(As recorded in the office of the County Clerk)

Deed Restrictions: _____

Please submit completed application and fees to: City of Falls City, 299 Mill Street, Falls City OR 97344

Last updated on 11/27/2017 (LA 2017-01)


SUBMITTAL REQUIREMENTS: Please see the Falls City Zoning and Development Code for a list of the submittal requirements for each type of land use application.

All land use applicants shall be charged the ACTUAL COST to the City of Falls City of rendering a decision on their land use application. Cost shall include but not be limited to: contract planning services, City of Falls City staff time, city attorney time, cost of supplies, printing, legal notices, stamps, and city engineer time spent on reviewing the application.

The applicant will be required to pay the amount set by the ordinance. When a final decision is rendered by either staff or City Council the city will send a final invoice to the applicant. Building permits will not be issued until the land use fees are paid in full to the city.

In the event an applicant chooses to withdraw an application prior to a final decision being made, the cost as set forth by the ordinance or the actual cost, whichever is greater, must be paid in full.

I certify that I have read, understand, and agree to the charges outlined above:



Applicant(s) Signature

9/29/23

Date

Applicant(s) Signature

Date

.....
We, the following:

Name: Harmonjot Singh Thind Telephone: _____

Address: _____

Being the owner(s) of record or contract purchasers of the subject property respectfully petition the City of Falls City Planning Commission and/or Council for permission to (describe request you are making.)

The applicant(s) shall certify that:

- ◆ The request does not violate any deed restrictions that may be attached to or imposed upon the subject property.
- ◆ If the application is granted, the applicant will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval.
- ◆ All of the statements in this application and the statements in the prior plan, any attachments, and exhibits submitted with this application are true; and the applicants so acknowledge that any permit issued, based on this application, may be revoked if it is found that any such statements are false.

Dated this _____ day of _____, 20____.

Signature of each owner of the subject property

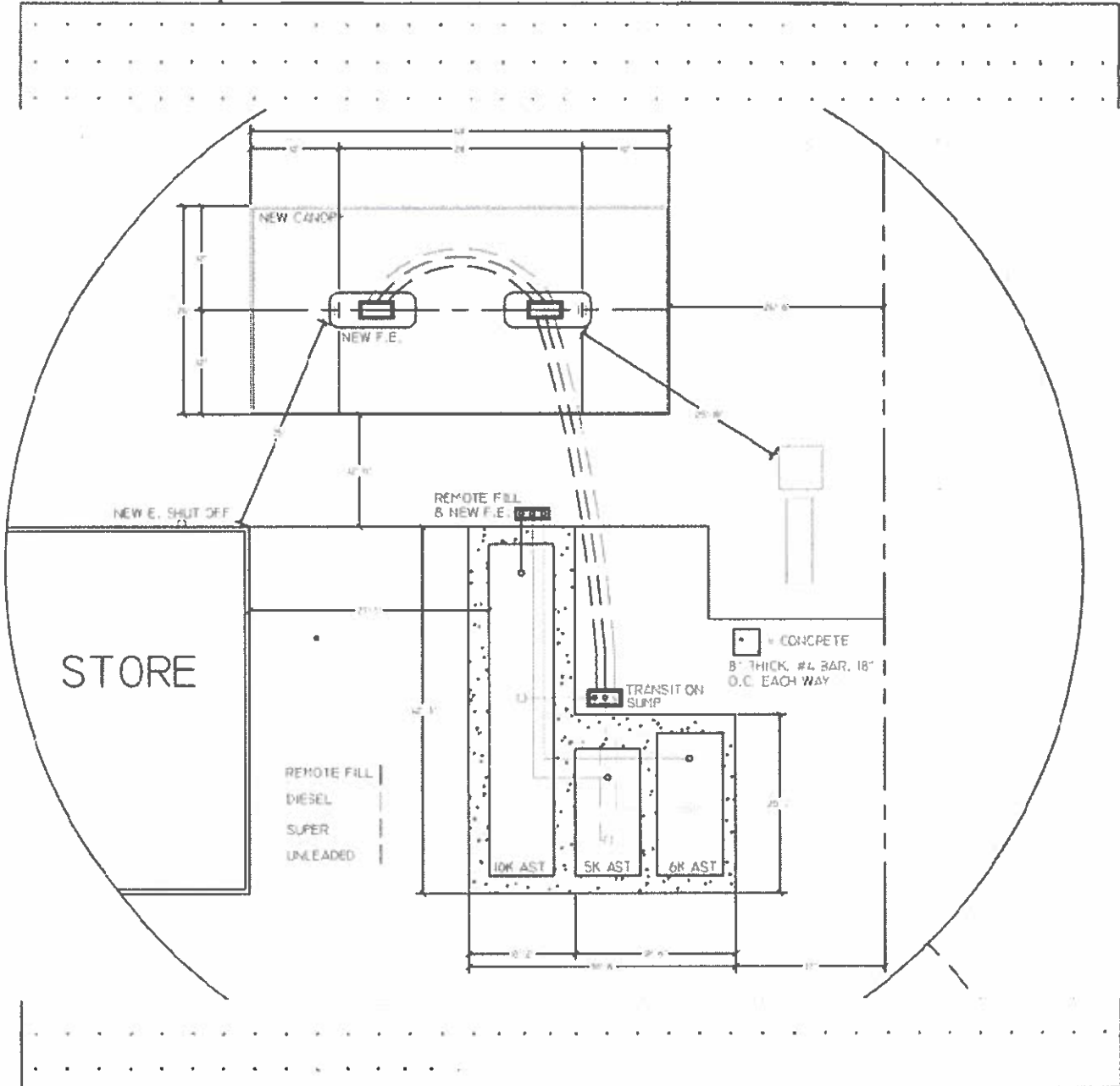
Print name after signature.

Please submit completed application and fees to: City of Falls City, 299 Mill Street, Falls City OR 97344

Last updated on 11/27/2017 (LA 2017-01)

SITE PLAN MUST SHOW ALL PROPERTY LINES AND DIMENSIONS

□ Drawn to Scale: 1 square = _____ Feet Not Drawn to Scale: Total Acres



I certify that the above information is accurate to the best of my knowledge. I AM THE || Owner or || Authorized Agent

NAME (please print): _____ Telephone # _____

Applicant's Signature: _____ Date: _____

Applicant's Mailing Address: _____ City: _____ Zip: _____

FOR OFFICE USE ONLY

PLANNING: _____ Date: _____

PUBLIC WORKS: _____ Date: _____

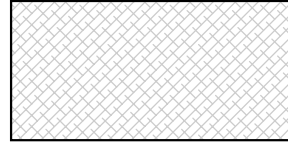
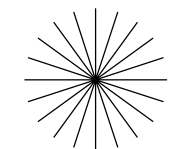



Please submit completed application and fees to: City of Falls City, 299 Mill Street, Falls City OR 97344
 Last updated on 11/27/2017 (LA 2017-01)

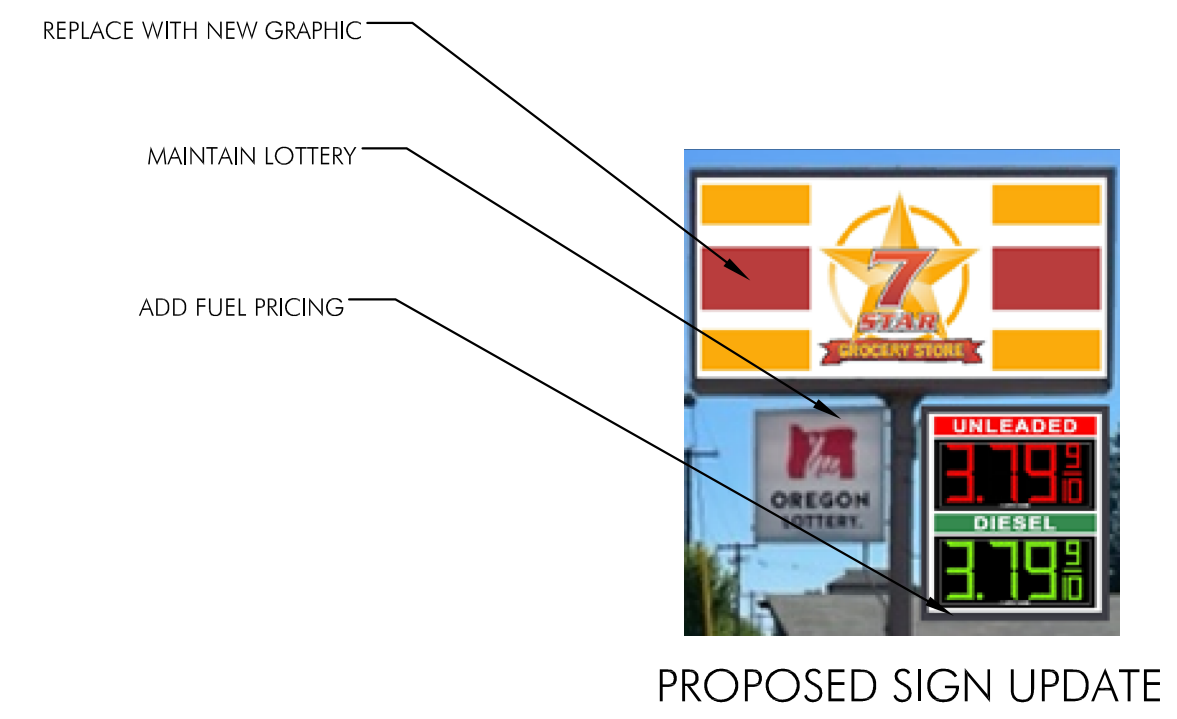
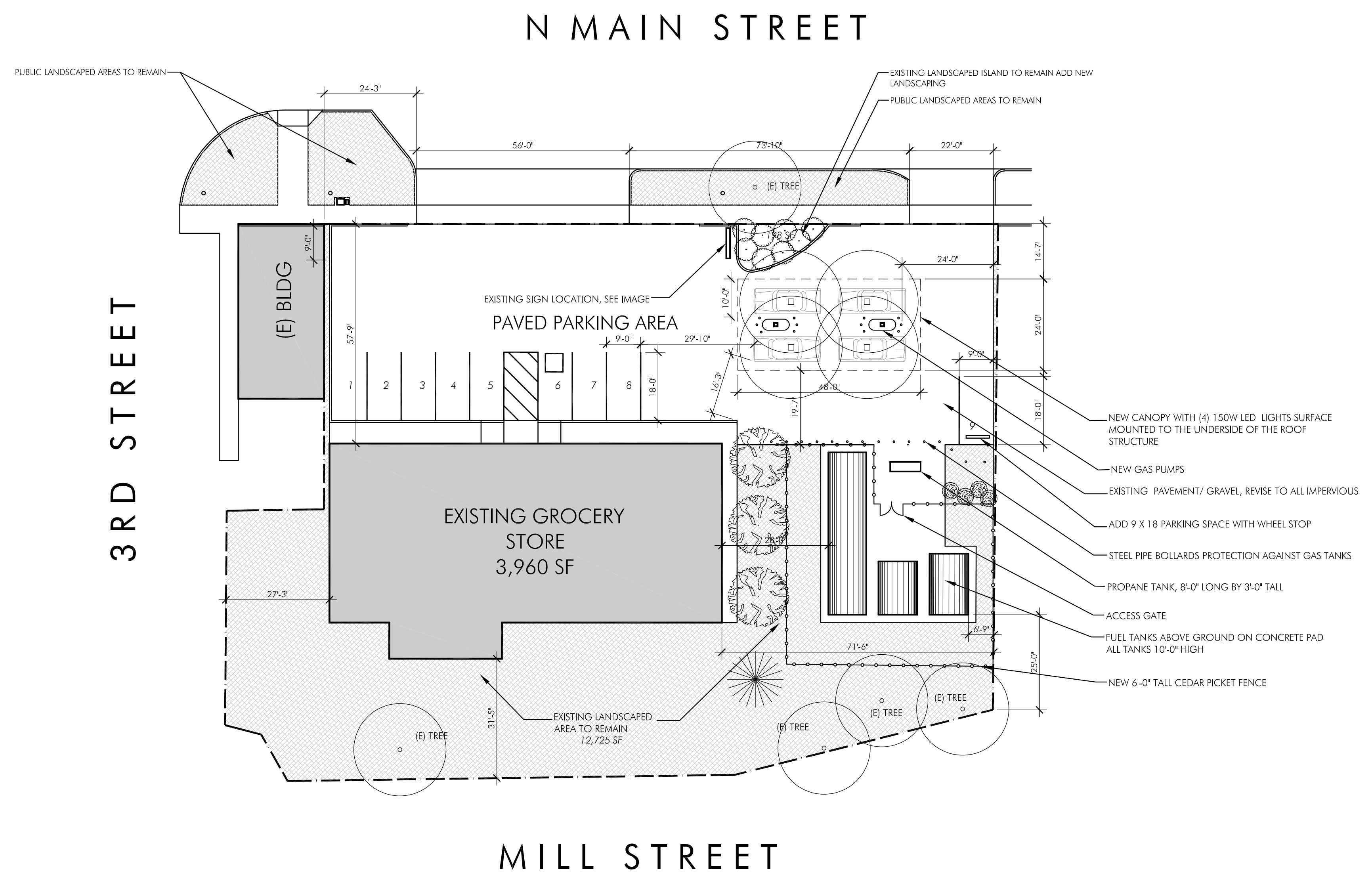
Exhibit B

SITE SUMMARY:

SITE AREA = 28,750 SF	100%
BLDG = 3,960 SF	14%
PAVEMENT = 12,367 SF	41%
LANDSCAPED = 12,423 SF	45%
PARKING SUMMARY = 3,960 SF / 300 = 13 SPACES REQUIRED, 9 PROVIDED	

SITE PLAN LEGEND:

-  EXISTING GROUND COVER, GRASS TO REMAIN, ON SITE AND WITHIN THE PUBLIC WAY
-  PICEA GLAUCA 'PEDULA' / WEeping WHITE SPRUCE 8-10' TALL MIN
-  CORNUS NUTTALLII X FLORIDA EDDIE'S WHITE WONDER DOGWOOD, 2" CAL
-  RHAPHIOLEPIS INDICA 'BALLERINA' / BALLERINE INDIAN HAWTHORN, 2 GALLON
-  ABELIA X GRANDIFLORA 'KALEIDOSCOPE' / KALEIDOSCOPE GLOSSY ABELIA, 2 GALLON



2 PROPOSED SIGN ADJUSTMENTS NO SCALE

1 PROPOSED SITE PLAN 1:20 @ 22 x 34



SITE IMPROVEMENTS
7 STAR GROCERY AND FUEL
319 N MAIN STREET FALLS CITY, OREGON 97344

SHEET A1

Applicant's response to approval criteria and relevant standards of the Falls City Development Code are shown in red.

From Section 3.201.C. of the Falls City Development Code – Conditional Use Permits:

C. Criteria for Approval: Approval or denial of the application shall be based upon the following criteria:

1. *The use is listed as a conditional use in the underlying zone.*

Applicant Response: The gas dispensing is an ideal match for the existing grocery store and will complement the use well. There is room on site to fit the canopy and gas dispensers. Existing access to the site will not be altered to provide the new use.

2. *The characteristics of the site are suitable for the proposed use, considering size, shape, location, topography, location of improvements and natural features.*

Applicant Response: Flow through the gas dispensers works well with the existing site, cars may enter through either existing curb cut and access the gas.

3. *The proposed development is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use.*

Applicant Response: The addition of a gas dispensing station will provide more options for local residents.

4. *The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying zone.*

Applicant Response: The use will not limit or impair the site or surrounding uses.

5. *The proposal is compatible with applicable goals and policies of the Comprehensive Plan.*

Applicant Response: The proposed use is compatible with the existing use. The users of the new use will also utilize other local businesses adjacent to this site.

From Section 3.202.E. of the Falls City Development Code - Variance: *Reduction in Parking from 13 to 11.*

E. Variance Criteria: The Planning Commission may allow a variance from a requirement or standard of this Ordinance after a public hearing conducted in accordance with the review procedures, provided that the applicant provides evidence that the following circumstances substantially exist. Approval shall not be granted unless each of these criteria is met.

1. *Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to the date of this Ordinance, topography, or other circumstances substantially exist.*

To provide better onsite traffic flow eliminating two parking spaces will allow traffic work around the gas pumps and into or from the existing parking area. This will allow the site to be maximized with the existing building and new added use.

2. *Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or zone.*

The proposed variance will allow better traffic flow through the site, and the loss of 4 parking spaces will not have a impact on the existing grocery store. The gas pumps would not add to the parking demand.

3. *The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located, or otherwise conflict with the objectives of any City plan or policy.*

The variance will not be detrimental to public welfare or create a hazardous condition.

4. *That the special conditions and circumstances on which the application is based do not result from the negligent or knowing violation of this Ordinance by the applicant.*

There is no negligent or violations being created by allowing the variance.

5. *The variance requested is the minimum variance which would alleviate the hardship.*

Approving the variance will remove the hardship and allow the project to succeed.

6. *Strict adherence to the requirement or standard is unnecessary because the proposed variance will reasonably satisfy both of the following objectives:*

- a. *Granting the variance will not create significant adverse affects to the appearance, function or safety of the use or uses on the subject property; and*
- b. *Granting the variance will not impose limitations on other properties in the area, including uses which would be allowed on vacant or underdeveloped sites.*

The variance will not create significant adverse affects or impose restrictions on other properties.

7. *Approval of the application does not conflict with policies and objectives of the Comprehensive Plan.*

The variance will not conflict with polices and objectives of the Comprehensive Plan.

FALLS CITY CITY COUNCIL		MONDAY, NOVEMBER 6, 2023
The Falls City City Council met in regular session on Monday, November 6, 2023 at 6:00 p.m. in the Community Center located at 320 N. Main Street		
Council Members Present: Council President Amy Houghtaling, Councilor Nick Backus, Councilor Martha Jirovec, Councilor Tony Meier, Councilor Dennis Sickles, and Councilor Lori Jean Sickles		
Staff Present: City Manager AJ Foscoli, City Recorder Jeremy Teal		
AGENDA		ACTION
Announcements, Appointments, Appreciations & Proclamations	Mayor Bailey recognized the award Falls City Thrives was presented by the Willamette Health Coalition.	
Public Comment	<p>Mayor Bailey opened the public comments at 6:03 pm</p> <p>Boyd Lamprecht, 970 Mitchell, noted the County would be making improvements on Mitchell with the bridge project and would be cutting timber to allow for more space. He mentioned he had made a deal with the County previously and was here to inform the Council and Staff regarding his cutting services of the timber on City property.</p> <p>Wendy Conway, 363 S Main, noted she had an idea to bless the City of Jerusalem with a proclamation.</p> <p>Mr. Lamprecht also offered to cut the dead trees at the lower park for the City.</p> <p>Mayor Bailey closed the public comments at 6:12 pm</p>	
Consent Agenda a) October 10, 2023 Minutes	It was moved by Councilor Meier to approve the Consent Agenda as presented. The motion was duly seconded by Councilor Backus and CARRIED with a vote of 6-0 with Councilors Backus, Jirovec, Meier, D Sickles, LJ Sickles and Council President Houghtaling voting YES.	
Reports or Comments from Mayor and Council Members a) Mayor's Report	Mayor Bailey stated there were many trailers and RVs around town and the City was diligently working to get them taken care of. He noted the next Skate Park meeting would be Monday, November 13.	

<p>b) Councilor Comments</p>	<p>Council President Houghtaling reported that the Willamette Health Council board approved to build a medical resource center in Falls City. She noted there would be a doctor, a nurse, a dentist and mental health and that the City wouldn't need to get grants, as it will be entirely paid for and would have a fully funded staff person. She stated the WHC would hold an informational meeting to gather info on what resources were needed. She mentioned that citizens would shape what this becomes. She noted the Thanksgiving Dinner still needed volunteers and money was always the best to purchase what is needed.</p> <p>Councilor Jirovec noted the Thanksgiving prep work would be on Thursday the 16th. She mentioned that RDI finished their report and would be reporting to Thrives on Thursday. She stated some events would be taking place in January in the LCB and a schedule would be set up through Thrives and volunteers. She advised the City Manager's review would be in December and asked about supplementals and quarterly reports.</p> <p>Mr. Foscoli noted the supplementals and quarterlies would be in the December agenda.</p>
<p>c) Public Works Report</p>	<p>Councilor Meier stated the decision was unanimous to make North Main Street no parking on both sides.</p>
<p>d) Historic Landmark Committee Report</p>	<p>Council President Houghtaling noted the next meeting would be Wednesday, November 8 at 6 pm. She mentioned the committee was to apply for grants to record oral history of the residents of Falls City. Mr. Teal noted the digital recorder and digital camera were available.</p>

<p>Reports from City Manager & Staff</p> <ul style="list-style-type: none"> a) Fire Report b) Sherriff Report c) Public Works Reports d) City Manager’s Report 	<p>Mr. Teal reported the Fire Department gave out candy to 85 kids on Halloween.</p> <p>Councilor Jirovec asked if there could be other statistics from other cities in comparison on the report. Council President Houghtaling noted the County wouldn’t have that information.</p> <p>There were no comments.</p> <p>Mr. Foscoli gave his report regarding the switch to Glaze Creek due to the amount of rain. He mentioned the turbidity was low but within range and the newly repaired intake box should limit trips to the intake. He noted the wastewater project missed out on laying the liner due to the late start due to DEQ. He reported that the late start would not effect funding, but may impact the football field. He stated he had asked for a revision of the DEQ permit for runoff into the creek. He noted the LCB was full and the code enforcement with Polk County was going to have a vacancy when the current officer becomes a deputy. He stated that he could be appointed as Sheriff and Mr. Teal could be deputized and that the City was being as proactive as it could. He advised that the Safe Routes to School project was rescoped and the project was doable with the grant, but the City was denied a matching grant. He noted that the City may hold off a year and apply for the grant next year.</p> <p>Council President Houghtaling thanked Mr. Teal for his research regarding Mr. Fornier’s complaints at the last Council meeting and for posting the agendas all over town as requested. Mr. Foscoli noted the agenda was also posted on Facebook.</p> <p>Councilor LJ Sickles asked if Public Works had investigated the flooding on North Main. Mr. Foscoli noted that the City did investigate and there was no evidence of flooding.</p>
<p>Ordinances ORDINANCE 562-2023 – No Parking on North Main Street</p>	<p>Mr. Foscoli reported the City had done its due diligence in research and with the Public Works committee.</p>

Read and approved this ____ day of _____ 2023.

Mayor: _____

ATTEST:

City Recorder: _____

City of Falls City
Public Works Committee Meeting
Thursday November 16, 2023 6:00PM
Meeting Location: 320 N. Main Street

Committee Members Present

Mike McConnell, Tony Meier, Tracy Young, Cliff Lauder, Guy Mack. Members absent Jeff Propp, Gordon Hanson, Tracy Young.

1) Call to Order

Chair McConnell called the meeting to order at 6:04 PM, took roll call.

2) Pledge of Allegiance

Chair McConnell led the Committee in the Pledge of Allegiance.

3) Motion to Adopt the entire Agenda

Member Meier moved and member Lauder seconded: **that we approve the entire agenda.** Motion carried 4-0-0. Ayes: Mike McConnell, Tony Meier, Cliff Lauder, Guy Mack.

4) Consent Agenda: Motion Action Approving Consent Agenda Items

Member Meier moved and member Mack seconded: **that we approve Consent Agenda Item, PWC Minutes October 19, 2023.** Motion carried 4-0-0. Ayes: Mike McConnell, Tony Meier, Cliff Lauder, Guy Mack.

5) Public Comment - None

6) New Business

A. 4 Way Stop Intersection

PWC read the Staff Report about speeding on Bridge and Chamberlain Streets and the proposal of making the intersection of S. Main, Parry, Bridge and Chamberlain a 4 way stop. After general discussion the committee's thoughts were that Bridge/Chamberlain are main traffic flow streets and that it is best not to break the flow with stop signs. The best solution would be enforcement of current traffic laws but this remains out of reach for the City. PWC is willing to revisit this issue, especially after the new Health/Resource buildings are in place on the old Mill Lot across from the Post Office.

7) Old Business - None

8) Correspondence, Comments and Ex-Officio Reports

9) Committee Announcements

10) Adjourn

Member Mack moved and member Lauder seconded: **that we adjourn.** Motion carried 4-0-0 Ayes. Mike McConnell, Tony Meier, Cliff Lauder, Guy Mack. Meeting adjourned at 6:21..

_____ Public Works Committee Chair McConnell

Attested: _____ Public Works Committee Member

City of Falls City
Historic Landmark Commission
Wednesday November 8, 2023 at 6:00 pm
Meeting Location: 320 N Main Street Falls City

Commission Members Present

Amy Houghtaling, Mike McConnell, Paul King, Nick Backus, Guy Mack. Commission was joined by FCHS instructor, Josh Wagner and FCHS Principal, Micke Kidd.

1) Roll Call

Chair Houghtaling called the meeting to order at 6:01 PM, took roll call.

2) Pledge of Allegiance

Chair Houghtaling led the Commission in the Pledge of Allegiance.

3) Motion to Adopt the entire Agenda

Member Backus moved and member McConnell seconded **to adopt the Entire Agenda**. Motion passed 5-0-0 Ayes. Amy Houghtaling, Mike McConnell, Paul King, Nick Backus, Guy Mack.

4) Consent Agenda Motion

Member King moved and Chair Houghtaling seconded to approve minutes for 10/11/23. Motion passed 4-0-0 Ayes. Amy Houghtaling, Mike McConnell, Paul King, Nick Backus.

5) Public Comment - None

6) Old Business - None

7) New Business

a. Possible Oral History Project

Chair Houghtaling informed us that Member King suggested collecting Oral Histories of Falls City, Commission agrees. Project would be audio recordings and possibly video or photographs of former and current residents of Falls City.

Josh Wagner, FCHS Instructor, asked what was the end goal? Where would the histories reside? City Website, Polk County Museum, FCHS, YouTube? Mr. Wagner informed the Commission that he has a photographer interested in documenting the participants as well as a High School student that might assist. He also suggested the best time to do this project (interviewing/photographing) would be over the Summer Break and Mr. Wagner could teach a class in audio and video/photographing editing. Member McConnell suggested that after the interviews were finished, the participants could gather together for additional discussion. Many other good suggestions as how to accomplish this project were presented by various members.

b. Survey For Interest in Providing Oral History

Survey could be posted on Face Book, City website, in Utility billing, etc. to see who might be interested in providing their recollections of Falls City's past. Commission should also make a list of potential Interviewees to reach out to (Please see Attached List).

8) Correspondence, Comments and Ex-Officio Report

9) Committee Announcements

Next meeting December 13, 2023.

9) Adjourn

Member Mack moved and Member Backus seconded **we adjourn**. Motion carried 5-0-0 Ayes. Amy Houghtaling, Mike McConnell, Paul King, Nick Backus, Guy Mack. Meeting adjourned at 7:00 pm.

_____ Historic Landmark Commissioner Chair Houghtaling

Attested: _____ Historic Landmark Committee Member

Potential Interviewees

Ron/Paulette Carey
Michael Cox
Wayne/Leotta Scott
Philip Ames
Kenny Graham
Jim Krummel
Bruce/Keith/Jim Ferguson
Karen/Steve/Tom Gilmore
Mary/Ramona Frink
Shirley McBeth
George/Mike Roberts
Alan Wade
Jack/Mary Kidd
Doug Inman
Milli Woolers (?)

Nancy Hibbs
Michael/Joey(?) McAllister
Bill Gilbert
Philip Jones
David Graham
Lois Grippin
Rick/Steve Ferguson
Bill Diehm
John/Cheryl Barton
Bonnie Overhauser (?)
Dennis/Lori/etc..Sickles
Don Poe
Julie Sutherland
Brian Dowell

There are many more I could name but I am limiting this now and we can add ,more later.



City of Falls City

299 Mill St • Falls City, Oregon • 97344
Ph. (503) 787-3631 • www.fallscityoregon.gov

Public Works Report November of 2023

Administration

Normal operations.

Water Division

Normal operations.

Sewer Division

Normal operations.

Streets Division

Normal operations.

Parks & Cemeteries Division

A tree fell in the lower park on the 6th.

Non-Sewer Wastewater Division (TMDL)

Normal operations.



City of Falls City
299 Mill Street
Falls City, OR 97344
Ph 503.787.3631

City Manager's Report December 6, 2023

Introduction

As the calendar year is coming to an end, we are happy to announce that so far, minor exceptions aside, there have been no major disruptions in service and/or emergencies that our staff have had to deal with. The delay in the lagoon building project has certainly been inconvenient, but with Strider Construction and DEQ's collaboration, we will do our best to make sure that the project gets completed as soon as possible and under budget.

Wastewater Project – We continue meeting with Strider Construction on a biweekly basis to check on their progress building our new lagoon system. The next meeting is scheduled for Dec. 13th at which time the work schedule for the construction at the High School will be discussed. High School officials have been invited to attend in order for them to give input on any logistics that may impact access to the site. As there will be no students nor staff on campus, the expectation is that there will be no disruptions to any academic or extracurricular activities. Once the bulk of the construction work at the High School is complete, there will be some minor follow-up tasks that will be confined to small areas of campus (electrical panel work etc.) As much as possible, Strider is encouraged to work on these tasks on Friday when there are no students on campus.

Towing Services – City staff is continuing to tag vehicles that are illegally parked in the city's right-of-way. As compliance can only be voluntary at this time, we are pursuing direct conversations with offenders to ascertain if there are any barriers that are preventing the removal of these vehicles.

Visit by Congresswoman Salinas Staff – Brandon Jordan, Congresswoman Salinas' field representative made a site visit to Falls City to become more familiar with the community and the challenges it faces. One encouraging note from the meeting was the plans by the Congresswoman's office to add a grant-writing specialist to their staff to help keep the communities in her jurisdiction aware of funding opportunities. This will be very beneficial to the community's efforts of putting together a local grant research/writing committee to help find additional grants for community projects.

Sincerely,

Note: If you have questions/concerns, please respond to me individually by email, phone, or in person. This way we avoid violating any public meetings laws with a "reply all" response, or multiple councilors discussing on the same thread.

Clerk's Report

City Hall

- Agendas are posted at these locations and will be from this point forward:
Community Center, City Hall, Frinks Market, Falls City Market, Post Office, LCB Bulletin Board

Public Works

- **Speed test** County has setup the speed trailer at the entrance to Falls
City

AGENDA REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: AJ FOSCOLI, CITY MANAGER
SUBJECT: RESOLUTION 10-2023, FALLS CITY 2023-2024 BUDGET ADJUSTMENT 1
DATE: DECEMBER 4, 2023

SUMMARY

A budget amendment request to adjust budget after the first financial quarter (Q1) of FY 23-24 .

BACKGROUND

Oregon Local Budget Law requires that a city budget be balanced, and that the agency will not spend more than budgeted. The law does allow provisions for adjustments for unforeseen revenues, or expenditures that would not have been known were needed at the time of the preparation of the budget.

This supplemental budget does not change any fund's overall expenditures by 10% or more.

PREVIOUS COUNCIL ACTION

N/A

ALTERNATIVES/FINANCIAL IMPLICATIONS

None.

STAFF RECCOMENDATION

Staff recommends the City Council approve the resolution allowing the adjustment and making appropriations.

ATTACHMENTS

Resolution 10-2023, Falls City 2023-2024 Budget Adjustment 1

PROPOSED MOTION

I move that the Falls City Council adopt Resolution 10-2023, FALLS CITY 2023-2024 BUDGET ADJUSTMENT 1

Falls City 2023-2024 Budget Adjustment 1
Resolution 10-2023

Fund	Account	Original Budget	Increase	Decrease	Revised Budget	
1. General Fund: 1.01 Administrative						
Expenditures	Equipment O & M	\$ -	\$ 1,672.44	\$ -	\$ 1,672.44	1. Need to include a budget amount
2. General Fund: 1.01 Administrative						
Expenditures	Facilities O & M	\$ 2,500.00	\$ (2,359.17)	\$ -	\$ 140.83	2. Need to adjust budget amount to \$500
3. General Fund: 1.01 Administrative						
Expenditures	Trvl, Trng, Dues, Statutory	\$ 1,500.00	\$ 2,520.26	\$ -	\$ 4,020.26	3. Need to adjust budget amount to \$5,000
4. General Fund: 1.01 Administrative						
Expenditures	Utilities Water/Sewer	\$ -	\$ 877.80	\$ -	\$ 877.80	4. Need to include a budget amount
5. General Fund: 1.01 Administrative						
Expenditures	Utilities Internet/Phone	\$ -	\$ 1,842.71	\$ -	\$ 1,842.71	5. Need to include a budget amount
6. General Fund: 1.01 Administrative						
Expenditures	Utilities Power	\$ -	\$ 488.24	\$ -	\$ 488.24	6. Need to include a budget amount
7. General Fund: 1.01 Administrative						
Expenditures	LCB Expense	\$ -	\$ 899.14	\$ -	\$ 899.14	7. Need to include a budget amount
8. General Fund: 1.01 Administrative						
Expenditures	Worker's Comp	\$ 1,000.00	\$ 10,938.13	\$ -	\$ 451.35	8. Need to adjust budget amount to \$2,000
9. General Fund: 1.01 Administrative						
Expenditures	City Clerk Gross Payroll	\$ -	\$ 10,938.13	\$ -	\$ 10,938.13	9. Need to include a budget amount
10. General Fund: 1.03 Parks						
Expenditures	Operational Expenses	\$ 1,000	\$ (483.63)	\$ -	\$ 516.37	10. Need to adjust budget amount to \$2,000
11. General Fund: 1.03 Parks						
Expenditures	Equipment O & M	\$ 2,000	\$ (403.69)	\$ -	\$ 1,596.31	11. Need to adjust budget amount to \$4,000
12. General Fund: 1.03 Parks						
Expenditures	Facilities O & M	\$ 3,000	\$ (1,269.38)	\$ -	\$ 1,730.62	12. Need to adjust budget amount to \$5,000
13. General Fund: 1.03 Parks						
Expenditures	Insurance	\$ -	\$ 2,102.84	\$ -	\$ 2,102.84	13. Need to include a budget amount \$2,000
14. General Fund: 1.03 Parks						
Expenditures	Utilities Water/Sewer	\$ -	\$ 921.53	\$ -	\$ 921.53	14. Need to include a budget amount \$4,000
15. General Fund: 1.03 Parks						
Expenditures	Utilities Power	\$ -	\$ 393.87	\$ -	\$ 393.87	15. Need to include a budget amount \$1,200
16. General Fund: 1.03 Parks						
Expenditures	Worker's Comp	\$ -	\$ 451.34	\$ -	\$ 451.34	16. Need to include a budget amount \$2,000
17. 11 STREET FUND						
Revenues	Beginning Fund Balance	\$ 60,000	\$ (60,000.00)	\$ -	\$ -	17. Need to adjust budget amount to \$0
18. 11 STREET FUND						
Expenditures	Insurance	\$ -	\$ 4,205.63	\$ -	\$ 4,205.63	18. Need to include a budget amount \$4,500
19. 11 STREET FUND						
Expenditures	Utilities Power	\$ -	\$ 1,611.62	\$ -	\$ 1,611.62	19. Need to include a budget amount \$6,000
20. 20 WATER FUND						
Revenues	Lot Fee	\$ -	\$ 225.00	\$ -	\$ 225.00	20. Need to include a budget amount \$500
21. 20 WATER FUND						
Expenditures	Insurance	\$ 11,000	\$ 13,810.97	\$ -	\$ 24,810.97	21. Need to adjust budget amount to \$25,000
22. 20 WATER FUND						
Expenditures	Utilities Internet/Phone	\$ -	\$ 863.40	\$ -	\$ 863.40	22. Need to include a budget amount \$4,000
23. 20 WATER FUND						
Expenditures	Utilities Power	\$ -	\$ 1,499.35	\$ -	\$ 1,499.35	23. Need to include a budget amount \$6,000
24. 20 WATER FUND						
Expenditures	Utilities Other	\$ 8,000	\$ (7,709.52)	\$ -	\$ 290.48	24. Need to adjust budget amount to \$1,000
25. 20 WATER FUND						
Expenditures	Worker's Comp	\$ 1,000	\$ (548.65)	\$ -	\$ 451.35	25. Need to adjust budget amount to \$2,000
26. 20 WATER FUND						
Expenditures	City Clerk Gross Payroll	\$ -	\$ 2,911.21	\$ -	\$ 2,911.21	26. Need to adjust budget amount to \$12,000
27. 20 WATER FUND						
Expenditures	PW Supervisor Gross Payroll	\$ -	\$ 6,512.84	\$ -	\$ 6,512.84	27. Need to adjust budget amount to \$25,000
28. 20 WATER FUND						
Expenditures	PW Worker Gross Payroll	\$ -	\$ 6,512.84	\$ -	\$ 6,512.84	28. Need to adjust budget amount to \$20,000
29. 13 SEWER FUND						
Revenues	'23 CDBG Wastewater Grant	\$ -	\$ 2,500,000.00	\$ -	\$ 2,500,000.00	29. Need to adjust budget line from '17 to '23
30. 13 SEWER FUND						
Expenditures	Operational Expenses	\$ -	\$ 10,610.58	\$ -	\$ 10,610.58	30. Need to adjust budget amount to \$40,000
31. 13 SEWER FUND						
Expenditures	Professional Services	\$ 21,000	\$ (20,947.00)	\$ -	\$ 53.00	31. Need to adjust budget amount to be in line with Operational
32. 13 SEWER FUND						
Expenditures	Equipment O & M	\$ 6,000	\$ (2,760.74)	\$ -	\$ 3,239.26	32. Need to adjust budget amount to be in line with Operational
33. 13 SEWER FUND						
Expenditures	Facilities O & M	\$ 3,000	\$ (2,980.50)	\$ -	\$ 19.50	33. Need to adjust budget amount to \$1,000
34. 13 SEWER FUND						
Expenditures	Insurance	\$ 6,000	\$ 1,885.69	\$ -	\$ 7,885.69	34. Need to adjust budget amount to \$8,000
35. 13 SEWER FUND						
Expenditures	Utilities Internet/Phone	\$ -	\$ 531.66	\$ -	\$ 531.66	35. Need to adjust budget amount to \$2,000
36. 13 SEWER FUND						
Expenditures	'23 CDBG Wastewater Grant	\$ 2,500,000	\$ (2,460,943.69)	\$ -	\$ 39,056.31	36. Align with Revenue from CDBG Grant
37. 13 SEWER FUND						
Expenditures	Worker's Comp	\$ 10,000	\$ (9,548.65)	\$ -	\$ 451.35	37. Need to adjust budget amount to \$2,000
38. 13 SEWER FUND						
Expenditures	Benefits	\$ 24,389	\$ (24,389.00)	\$ -	\$ -	38. Need to adjust budget amount to \$25,000
39. 13 SEWER FUND						
Expenditures	City Clerk Gross Payroll	\$ -	\$ 1,587.93	\$ -	\$ 1,587.93	39. Need to adjust budget amount to \$6,000
40. 13 SEWER FUND						
Expenditures	PW Supervisor Gross Payroll	\$ -	\$ 3,552.46	\$ -	\$ 3,552.46	40. Need to adjust budget amount to \$12,000
41. 11 STREET FUND						
Expenditures	PW Worker Gross Payroll	\$ -	\$ 7,025.40	\$ -	\$ 7,025.40	41. Need to adjust budget amount to \$28,000
Total		\$ 2,661,389.00			\$ 2,652,951.61	

Vote:

AYE _____ NAY _____ ABSTAIN _____ ABSENT _____

Attest:

TJ Bailey, Mayor Jeremy Teal, City Recorder

STAFF REPORT

TO: HONORABLE MAYOR, AND CITY COUNCIL
FROM: CITY MANAGER, AJ FOSCOLI
SUBJECT: MAIN STREET ILLEGAL PARKING
DATE: 12/04/2023

SUMMARY

Mitigating illegal parking in the city's right-of-way.

BACKGROUND

The Public Works Committee agreed to the No Parking on the North side of North Main and suggested implementing the same restrictions on the South side of North Main as well. The area between Ellis Street and the city limits as a "No-Parking" zone. The city will rely on the Polk County Sheriff Office's Community Service Deputy to assist the city in identifying vehicles for tagging and towing. The protocol has been working in the past year when the Polk County Sheriff Office has been at full staffing.

As this is an ordinance, the issue will be reviewed and deliberated on at 2 City Council Meetings before it goes into effect.

FINANCIAL IMPLICATIONS

None.

STAFF RECOMMENDATION

Staff recommends the City Council to support the proposed Ordinance No. 564-2023

PROPOSED MOTION

Recommend a motion to support the proposed Ordinance No. 564-2023

EXHIBIT

A- ORDINANCE NO. 564-2023

ORDINANCE NO. 564-2023

AN ORDINANCE ESTABLISHING A NO PARKING ZONE ON NORTH MAIN STREET; ADDING TO THE PARKING PROHIBITED SCHEDULE IN FALLS CITY CODE CHAPTER 72; SECTION 1; AND DECLARING AN EMERGENCY

The City of Falls City does ordain as follows:

Section 1. That parking of motor vehicles be, and it hereby is, prohibited on North Main Street beginning at the Falls City Entrance sign west to the corner of the east side of the intersection with Ellis Street, on the South side of North Main Street.

Section 2. That the Parking Prohibited Schedule in Falls City Code Chapter 72 be, and it hereby is, adding as set forth in Section 1.

Section 3. That the City Manager, or his designee, shall post such signage and street markings as may be necessary and appropriate to implement this ordinance and provide appropriate parking controls.

Section 4. This ordinance being necessary for the peace, health and safety of the people of Falls City, an emergency is hereby declared and this Ordinance shall take effect upon final passage by the Council.

Read for the first time _____, 2023

Read for the second time _____, 2023

Adopted by the Falls City Council _____, 2023

Approved:

TJ Bailey , Mayor

Attest:

Jeremy Teal, City Recorder