DAYTON PLANNING COMMISSION

PUBLIC HEARING & MEETING
PRELIMINARY AGENDA

Tuesday, May 19, 2015 @ 6:30 p.m.
111 S. 1st Street, Dayton, WA 99328.

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1. CALL TO ORDER

2. ROLL CALL

3. MINUTES - Approval of 3/24/2015 & 4/14/2015 Meeting Minutes
   Attachments A & B

Action - Approval of minutes for 3/24/15
Action - Approval of minutes for 4/14/15

4. Public Hearing:

   The City of Dayton is proposing an Update to its Shoreline Master Program (SMP) as per RCW 90.58.100. The adoption of the SMP is a non-project action for "shorelines of the State", along those portions of the Touchet River within the city limits. The update includes the scientific characterization, development policies, and use regulations.

The hearing will include a briefing from the Planning Department regarding correspondence received regarding the SMP update.

Copies of the SMP and supporting documents are available on the city website: www.daytonwa.com or at City Hall by contacting Karen Scharer at 509-540-6747 or by email at kscharer@daytonwa.com

5. PREVIOUS BUSINESS –
   a. Continued discussion of the proposed SMP update.
   b. Briefing for Historic Preservation Updates

6. COMMUNICATIONS FROM CITIZENS – (Other than SMP)

7. NEW BUSINESS – None

8. OTHER - none

9. ADJOURN MEETING
   Next Scheduled Meeting –June 17, 2015 @ 6:30 pm

Attachments

DAYTON PLANNING COMMISSION

111 S. 1st Street, Dayton, WA

DRAFT Meeting Minutes

Tuesday, March 24, 2015 @ 6:30 p.m.
111 S. 1st Street, Dayton, WA 99328.

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1. CALL TO ORDER by Chair, Joe Huether at 6:30 pm

2. ROLL CALL: Joe Huether, Chair; Greg Abramson, Vice Chair; and Carol Rahn, present; Candace Jones, absent.

   Also in attendance - Karen Scharer, Dayton Planning Director

3. MINUTES REVIEW & APPROVAL: Greg moved to accept the minutes of 1/20/2014. The commission voted to accept the minutes as submitted.

4. CITIZEN COMMENTS: No comment.

5. PREVIOUS BUSINESS:

   Karen provided an overview regarding the adoption of the 2014 Comprehensive Plan Updates adopted by the City Council on 2/9/2015.

6. NEW BUSINESS:

   a. Election of Officers: Carol presided over the election process and nominated Joe as Chairman and Greg as Vice Chairman. The commission voted to approve the nominations.

   b. Urban Growth Boundaries (UGB): Karen presented a map showing potential revisions to the UGB as the County and the Economic Development Steering Committee (housing Subcommittee) are supportive of revising the UGA. Kim Lyonnais, Columbia County Planning Director has previously indicated that most land owners in the existing UGA are not interested in selling their property. This limits the potential for new housing as may be needed to accommodate workers when the proposed pulp mill becomes operational.

   Karen explained that the City staff sees that there the three areas that potentially could be removed from the Urban Growth Area (UGA) as they are mostly within the floodplain. Two areas seem reasonable to be included in the UGA and would provide for growth of Blue Mountain Station and residential area between Patit Rd. and existing UGA residentially designated areas to the south. The Commission agreed that the preliminary plan for revised UGA boundaries as something that is worth further pursuing. Karen stated that she would report back to the subcommittee. Next steps would be for the subcommittee to recommend

the County to prepare maps in more detail identifying the floodplains, property ownerships, and acreage of properties, and options to be considered.

c. Sign and Sidewalk Use Code Update: Karen provided a briefing for Sign and Sidewalk Use Code Update. There have been four workshops to date. The next steps are to take the comments and recommendations and draft a rough draft update of the sign code for the business community to consider before bringing to the Planning Commission for a Public Hearing.

d. Historic Preservation Comp. Plan Subarea and Design Guidelines: "*Augmentation to the Dayton Comprehensive Plan, adopting Washington St. and South Side Districts as subareas & adopting Local WSHD & SSHD Design Guidelines.*" Karen provided an overview of the project and indicated that the Planning Commission Public Hearing is scheduled for April 22, 2015.

7. OTHER: none

8. MEETING ADJOURNED – Joe adjourned the meeting at 7:14 PM

Next Scheduled Meeting – SMP Presentation/Workshop - April 14, 2015 @ 6:30 pm

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Joe Huether, Planning Commission Chair Date Signed

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Karen J Scharer, Planning Director Date Signed

DAYTON PLANNING COMMISSION

SMP Presentation/Planning Commission Workshop

Special Meeting Minutes

Tuesday, April 14, 2015 @ **5:30 p.m.**
111 S. 1st Street, Dayton, WA 99328.

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1. CALL TO ORDER by Chair, Joe Huether at 5:30 pm

   NOTE: The meeting was rescheduled to 5:30 pm, rather than the normal time of 6:30 PM as two members of the Planning Commission needed to leave the meeting early on the 14th. Public notice of the change in time was e-mailed to the list of people who previously stated interest in receiving notice of meetings, etc.; notice was given to the Waitsburg Times, Dayton Cornicle and Walla Walla Union Bulletin; and notice was posted to the City Website. The audience was advised that if they wanted, City staff would e-mail a copy or copy to a thumb~~s~~ drive, the presentation and discussion at the 4/14/15 PC meeting.

2. ROLL CALL: Joe Huether, Chair; Greg Abramson, Vice Chair; and, Candace Jones present. Carol Rahn absent.

   Also in attendance -
   Ray Oligher, ROL & Associates, LLC (SMP Consultant)
   Karen Scharer, Dayton Planning Director

   Members of the Public:

   Doug Johnson, 609 S. 2nd St, Dayton, WA 99328
   Paula Moisio St, PO Box 163, Dayton, WA 99328
   Mike Smith St, 1424 S. 2nd St., Dayton, WA 99328
   Dave & Lynne Leseman St, 316 W. Commercial Ave., Dayton, WA 99328
   Ginny Butler St, PO Box 14, Dayton, WA 99328
   Robert Yost St, 202, W. Commercial St., Dayton, WA 99328
   Art Hall St, 420 E Spring St., Dayton, WA 99328

4. Shorelines Mater Plan (SMP) Update:
   a. Presentation by Ray Oligher (See attached for overview of presentation).

   Mr. Oligher emphasized that the overall purpose and goal of the SMP is to achieve "No Net Loss" resulting from any development activities affecting the shoreline areas.

   Additionally, Ray & Karen explained a couple of scenarios how an existing house in the Native Conservation Area (NCA) would continue to be allowed as a non-conforming structure and that it could be expanded on the side that is furthest away from the shoreline.

   In a NCA, a 10 foot yard area is allowed to maintain the home even if native vegetation currently surrounds most of the home. If the NCA currently includes a grass yard, flower garden, or other, the property owner can maintain the landscaping and is not required to establish the area with native plantings. *(Proposed DMC 15-03.180).*

The NCA minimum widths inside Shorelines Jurisdiction are:

DMC 15-06.060 Native Conservation Area Minimum Widths

Environmental Designation	Native Conservation Area Width
Aquatic	N/A
High Intensity	50 ft Shoreward from OHWM
Natural	200 ft Shoreward from OHWM
Shoreline Commercial	75 ft shoreward from OHWM (1)
Shoreline Residential	100 ft shoreward from OHWM (1)
Urban Conservancy	150 ft shoreward from OHWM (1)

(1) Mitigation required for any development within the Native Conservation Area

b. Planning Commission & Audience Discussion & Questions:

Candy asked what the cost is for a Shoreline Exemption.

Response: Currently the cost of a Shoreline exemption application is $75. The City could consider a tiered fee, whereby the City might choose to further subsidize the cost for preparing a Shoreline~~s~~ Exemption for residential exemptions or define a type of "simple" exemption.

Candy asked if a house could be rebuilt if it was destroyed.

Response: Proposed DMC 15-03.180 A. states: - *"Any structure nonconforming as to height or setback standards that becomes damaged may be repaired or reconstructed, provided that:*

a. The extent of the previously existing nonconformance is not increased; and

b. The building permit application for repair or reconstruction is submitted within twelve (12) months of the occurrence of damage or destruction.

Candy asked how the sale of the property could affect the shoreline.

Response: A sale of the property would not change the SMP code and policies. Non-conforming structures would continue to be allowed.

Candy asked if a backyard patio could be constructed for a home already in the NCA.

Response: Yes. A 10 foot deep patio would be allowed. If an owner wanted a deeper patio, possibly a trade could be made to allow patio area in the NCA in return for grass area being planted with native vegetation.

Doug Johnson asked Ray who he means when referring to "we".

Response: "We" generally refers to the City Staff, proposed SMP, Department of Ecology.

Audience asked about process for building permit:

Response: One would need to draw up plans and a site plan and discuss with the City what options there are. Whether a public hearing with the hearing examiner is required because a variance is requested, or if a trade-off can be made, or if the project can be modified so that only an exemption is needed.

Candy asked if there has been much input from the public.

Response: Most input occurred during the "Visioning" back in September of 2014, (see SMP Visioning Summary Report – Final included in the agenda packet).
The SMP was written with those visioning comments in mind. Regarding the proposed SMP draft, there have been a few comments since publication at the end of March, people wanting to know what they can do with their property or what are the requirements should they have a specific project in mind.

Audience asked if the City or Department of Ecology has assigned any funding to the restoration areas identified.

Response: There may be some unused funding available as part of the SMP Grant or other state sources in Ecology, Dept. of Commerce, or even the Salmon Recovery Board. No one is suggesting that a property owner would be required to do restoration in the areas

Dave Leseman at 316 W Commercial asked what applies to his property.

Response: The property is zoned Agricultural Residential, and that portion of the property in the 200 foot Shorelines Jurisdiction is designated as "Urban Conservancy". In the first 150 feet of the 200 feet of the shorelines jurisdiction there is the NCA. New development in the NCA is for the most part not allowed, but may be allowed depending upon the specific circumstances of a property.

Audience asked what has changed since 1975 requiring the SMP Update

Response: As of 2003, Washington State is requiring all jurisdictions to update their SMP's. The jurisdictions are required to determine the current status of their shorelines (SMP Inventory and Analysis), and the updated SMP must protect the Shoreline Environment so that there is "no net loss" of shorelines function and habitat. If someone is proposing to disturb a shoreline area, they will need to offset that impact with a positive shoreline restoration (e.g. - possibly planting of native vegetation).

6. OTHER BUSINESS:
The commission canceled the April 22, 2015 Regular Planning Commission Meeting.
Note: The public hearing regarding Historic District Design Guidelines scheduled for April 22, 2015 has been cancelled.

7. ADJOURN MEETING
Next Scheduled Meeting May 19, 2015 @ 6:30 pm

Note: Attachments provided with the Agenda Packet:

Shoreline Master Program Update - Draft	Cumulative Impacts Analysis Report - Draft
Shoreline Restoration Program - Draft	Shoreline Inventory and Characterization Report - Final
SMP Visioning Summary Report - Final	
Link to Attachments at www.daytonwa.com	

For more information, please contact:

CITY OF DAYTON PLANNING DEPARTMENT
111 S. 1ST Street, Dayton, WA 99328
509-540-6747 -- kscharer@daytonwa.com

From: Short, Jaime (ECY)
To: Moore, David (ECY); Karen Scharer
Subject: FW: Dayton SMP for publication
Date: Friday, April 17, 2015 9:20:26 AM
Attachments: Draft Dayton SMP 2015-03-31 Published.docx

Thank you for the thorough review, Dave!

Karen,
As you'll see below, Dave had a few comments/questions for the wetlands section of your draft SMP. Feel free to give us a call if you need additional clarification. You have my info and Dave's number is 509-329-3474. Have a nice weekend! - Jaime

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From: Moore, David (ECY)
Sent: Thursday, April 16, 2015 2:29 PM
To: Short, Jaime (ECY)
Subject: RE: Dayton SMP for publication

Hi Jaime,
I have a few comments and changes in the attached file. I see that the CAO is incorporated by reference for wetlands and other sensitive areas. I think that's OK considering there likely are few associated wetlands in city limits but there should still be something about how wetlands are identified similar to what I saw in the Adams SMP provided below (starts after dashed line).

I pointed out a few instances where some terms used in the document, such as "qualified professional" and "creation" were not defined and I think they should be. On the definition of a qualified professional, I'm wondering if it's also possible to add in language similar to what the Spokane CAO has for a qualified biologist and a qualified wetland specialist:

Qualified Biologist: The holder of a B.S. or B.A. or equivalent degree in biology, environmental studies, fisheries, geomorphology, or related field, from an accredited university, and at least two years of field and/or laboratory experience in evaluation of land use impacts on fish and wildlife species and their habitats, with evidence of peer-reviewed publications or other related professional literature.

Qualified Wetland Specialist: A holder of a Society of Wetland Scientists (SWS) certification or has the equivalent in academic qualifications and field experience for making competent wetland delineation's, reports, and recommendations necessary to implement the provisions of this ordinance.

I also had a comment about defining unauthorized vegetation removal and procedures for replacement. If you have any questions, give me a shout over the wall.

Wetland Identification and Rating.

1. Identification of wetlands and delineation of their boundaries pursuant to this Section shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplements. All areas within shoreline jurisdiction meeting the wetland designation criteria in that procedure are hereby designated critical areas and are subject to the provisions of this Section. Wetland delineations are valid for five years; after such date the City, in consultation with Ecology, shall determine whether a revision or additional

assessment is necessary.

2. Rating. Wetlands shall be rated according to the Washington Department of Ecology wetland rating system, as set forth in the *Washington State Wetland Rating System for Eastern Washington* (Ecology Publication #14-06-030, or as revised and approved by Ecology), which contains the definitions and methods for determining whether the criteria below are met.

   a. Category I wetlands are those that 1) represent a unique or rare wetland type; or 2) are more sensitive to disturbance than most wetlands; or 3) are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; or 4) provide a high level of functions. Risk of any degradation to these wetlands must be avoided because their functions and values are too difficult to replace. Generally, these wetlands are not common and make up a small percentage of the wetlands in the region.

   b. Category II wetlands are difficult, though not impossible, to replace, and provide high levels of some functions. These wetlands occur more commonly than Category I wetlands, but still need a relatively high level of protection.

   c. Category III wetlands are wetlands with a moderate level of functions and can often be adequately replaced with a well-planned mitigation project. These wetlands generally have been disturbed in some ways and are often less diverse or more isolated from other natural resources in the landscape than Category II wetlands.

   d. Category IV wetlands have the lowest level of functions and are often heavily disturbed. These are wetlands that should be able to be replaced and, in some cases, improved. However, experience has shown that replacement cannot be guaranteed in any specific case. These wetlands may provide some important functions and also need to be protected.

3. Illegal modifications. Wetland rating categories shall not change due to illegal modifications made by the applicant or with the applicant's knowledge.