



DAYTON PLANNING COMMISSION

PRELIMINARY AGENDA

Tuesday, March 24, 2015 @ 6:30 p.m.

111 S. 1st Street, Dayton, WA 99328.

1. CALL TO ORDER
2. ROLL CALL
3. MINUTES - Approval of 1/20/2015 meeting minutes - Attachment A
Action - Approval of minutes for 1/20/15
4. COMMUNICATIONS FROM CITIZENS
5. PREVIOUS BUSINESS –
Briefing - Staff overview regarding the adoption of the 2014 Comprehensive Plan & Development Regulations Update.
6. NEW BUSINESS –
 - a. Election of Officers Attachment B. *On back of agenda.*
 - b. Urban Growth Area Boundaries – Discussion of options for revision to the UGA - Attachment C.
 - c. Briefing for Sign and Sidewalk Use Code Update - Attachment D
 - d. Briefing for Historic Preservation - Comp. Plan Update
“Augmentation to the Dayton Comprehensive Plan, adopting Washington St. and South Side Districts as subareas & adopting Local WSHD & SSHD Design Guidelines.”
 - *Overview of Project*
 - *Timeline (Planning Commission Public Hearing scheduled for April 22, 2015)*
7. OTHER - none
8. ADJOURN MEETING
Next Scheduled Meeting –April 14, 2015 @ 6:30 pm (Special Meeting - SMP Workshop)

Attachments

Attachment B

PC RULES - SECTION VII- ELECTION OF OFFICERS

1. The Officers of the Planning Commission shall be a Chairperson and a Vice-Chairperson elected by the appointed members of the planning Commission.
2. The election of Officers shall take place each year in the month of March. The term of each Officer shall run until the subsequent election.
3. The Chairperson will appoint a person, not the current Chairperson or Vice-Chairperson, to run the election of Officers.
4. Election of each Officer shall be by vote with the nominee receiving the majority of the votes for a particular office being declared elected.
5. In the event the Chairperson position is vacated, the position shall be replaced by the Vice-Chairperson, and the Vice-Chairperson position shall be replaced by a vote of the members of the Planning commission.



DAYTON PLANNING COMMISSION

111 S. 1st Street, Dayton, WA

DRAFT Meeting Minutes

Tuesday, January 20, 2015

1. CALL TO ORDER by Chair, Joe Huether at 6:31 pm
2. ROLL CALL: Joe Huether, Chair; Greg Abramson, Vice Chair; Candace Jones and Carol Rahn, present.

Also in attendance - Karen Scharer, Dayton Planning Director
Kathy Berg, City Council Member
Byron Kaczmarek, City Council Member

3. MINUTES REVIEW & APPROVAL – Candy moved to accept the minutes of 1/14/2014. The commission voted to accept the minutes as submitted.
4. CITIZEN COMMENTS - No comment.
5. PREVIOUS BUSINESS –

2014 Comprehensive Plan & Development Regulations Update.

- Karen gave an overview of corrections and changes proposed based on the comments of the Jan. 14, 2015 Meeting and Public Hearing.
 - The proposed amendments have been separated into two ordinances and a resolution for consideration.
 - The development standards for vegetation clearance were partially reorganized to include definitions for sight triangles. Also some provisions for trimming are listed as a range, such as, 7 to 9 feet rather than a firm number of 8 feet.
 - Replacement maps with corrections to map attachments K-2 Wellhead Protection, and K-6 Wetlands, HUC 12, & Streams were provided.
- Candy questioned the Legend on the LU-2, Existing Land Use Map. It was clarified that the golf course is publicly owned and privately operated. Karen concurred that the land use label does not accurately reflect the property use, however the purpose of the map is for planning purposes and will become outdated with change of uses on properties over time. Karen stated that she would contact the County to review and determine if a more accurate label can be provided.

- Joe moved that the Planning Commission recommend the City Council adopt the 2014 CP & DR Update amendment package as presented, which includes updated map attachments and a revision to the legend of the LU-2 map regarding labels for parks. Carol seconded the motion. The commission voted to approve the motion.

6. NEW BUSINESS - none

7. OTHER – none

8. MEETING ADJOURNED – Joe adjourned the meeting at 6:49 PM

Next Scheduled Meeting –February 17, 2015 @ 6:30 pm

Joe Huether, Planning Commission Chair

Date Signed

Karen J Scharer, Planning Director

Date Signed

2014 CP & DR Update Public Hearing Comments and Testimony Received, and other meeting comments as of 1/20/2015:

Anne D. Strode & Terry Steinhoff – 12/16/2014 Letter re: Support for corner lot setback reduction

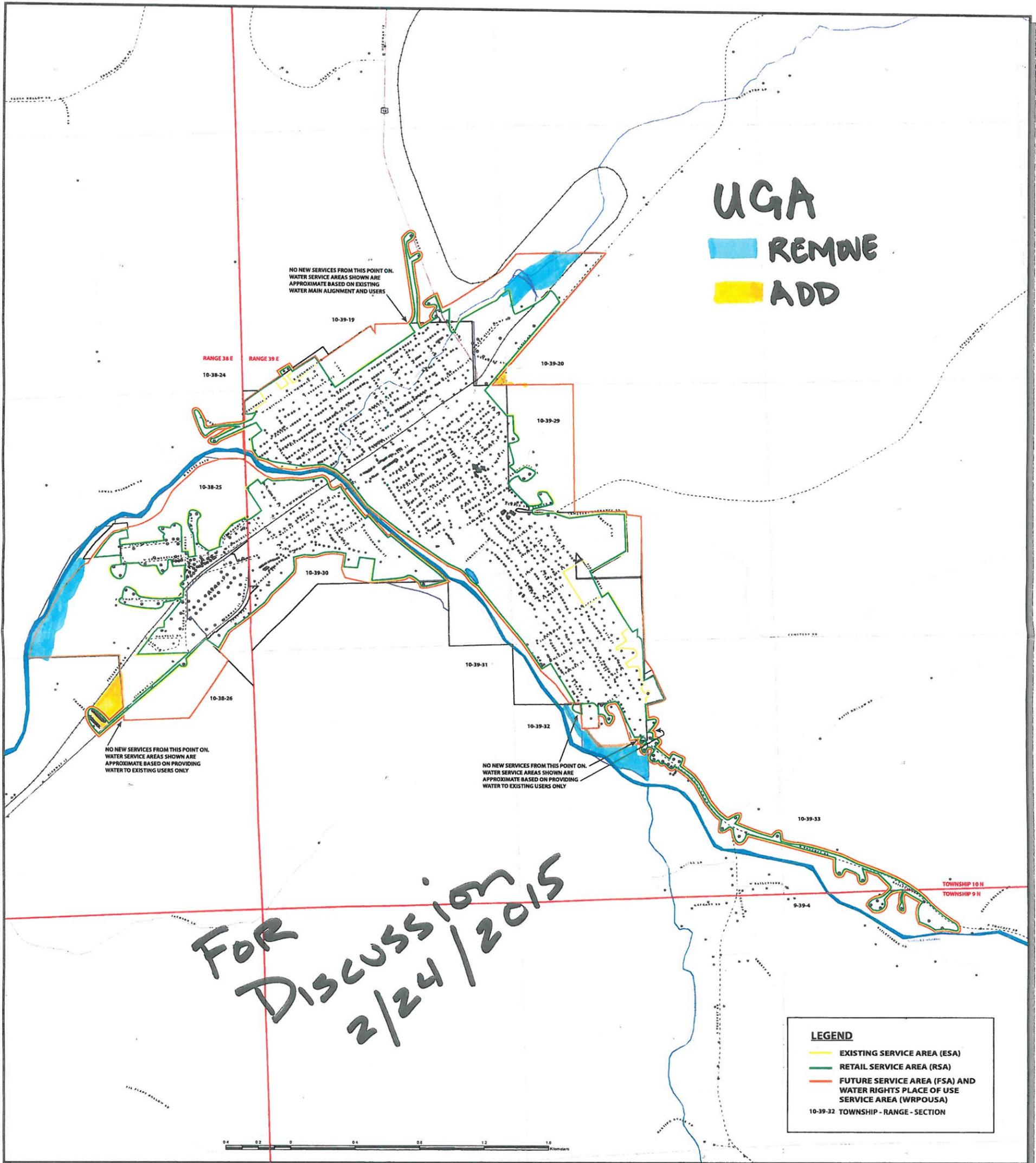
Thomas B Schirm (DFW) 12/18/2014 Letter re: wildlife

Sue Enger, MRSC, 12/23/2015, email re: Minor Variances

Howard Boggs, Anderson Perry 1/5/2015 email re: Development Standards

Marcene Hendrickson – 1/6/2015 Testimony

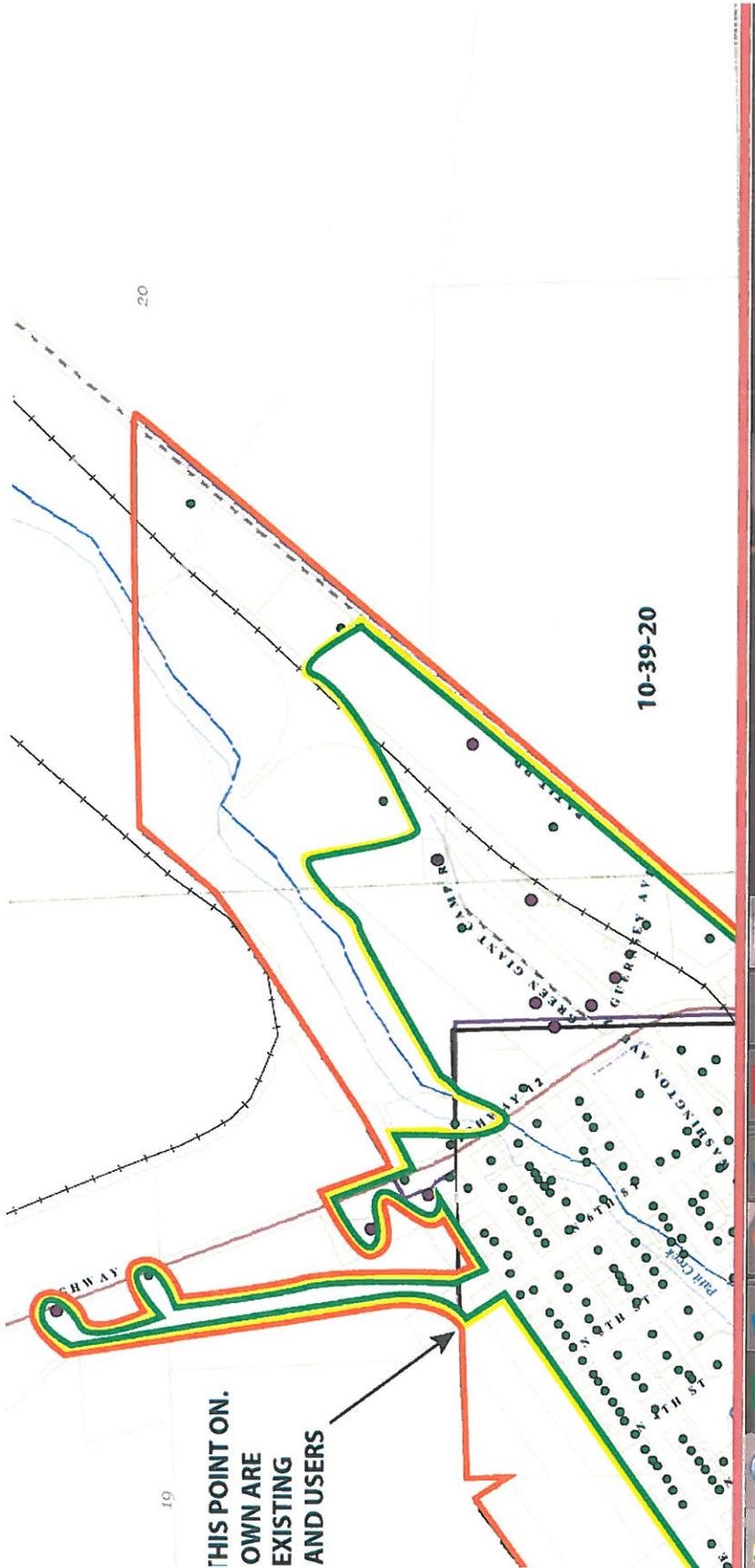
Anne D. Strode – 1/6/2015 Testimony



FOR Discussion
2/24/2015

Legend	
• County Addresses with Water Service	— State Route
• Address	— Paved County Rd
□ City Limits	— Private Rd
□ Urban Growth Area	— National Forest Primary Rd
— Railroad	— Gravel County Rd
	— Recreational
	— Graded County Rd
	— Non-County Roads
	— Path
	— DAM
	— Major Trail
	— Trail
	— AIR
	— Bridges
	— Parcels
	— Active Railroad
	— Abandoned Railroad
	— Intermittent Stream
	— Perennial Stream
	— Water

Columbia County, WA
 Water Services
 outside
 City of Dayton



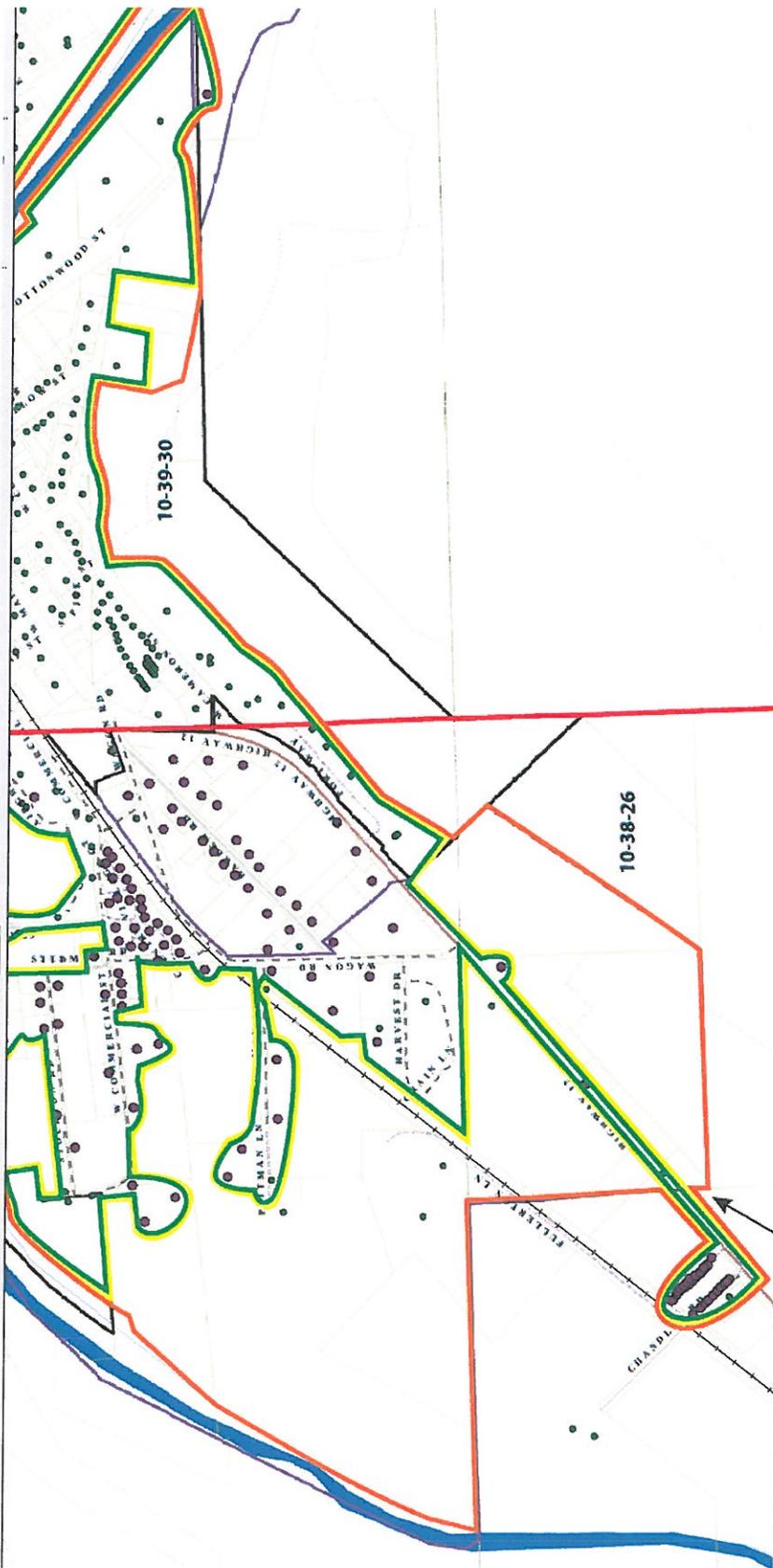
20

10-39-20

19

THIS POINT ON.
OWN ARE
EXISTING
AND USERS







CEMETERY RD

10-39-31

10-39-32

10-39-33

NO NEW SERVICES FROM THIS POINT ON.
WATER SERVICE AREAS SHOWN ARE
APPROXIMATE BASED ON PROVIDING
WATER TO EXISTING USERS ONLY

Remove
From
UGA

CITY of DAYTON Sign & Sidewalk Use Code Update

Community Workshops #1 & 2: 3-5pm and 6-8pm Wed., February, 18th St. Joseph's Parish Annex 112 S 1 st St.	Community Workshop #3: 6-8pm Thurs., February, 26th Delany Bldg. 111 S 3 rd St.
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Draft Notes - Opinions & Topics Discussed During Workshops

- **General - Commercial Signs** - Sign allowance is currently the same in the Central Leavenworth-a good example of uniform signage requirements that work well for the business community. Should Dayton consider a similar adoption Commercial (Downtown), Fringe Commercial and Industrial zones.
 100 sq. ft. w/60 sf max for one sign & max. of 3 signs
(Window signs are excluded, but subject to limitations)
 - Larger signs and/or additional signage should be permitted in the Fringe Commercial Zone as the speed limit is mostly 35 mph &, area is more auto orientated than the downtown.
 - Size based on building street frontage was neither opposed nor greatly supported in the first two meetings, but seemed to be supported more at the third meeting.
 - Many supported allowing more signs per business. Examples of the hotel and drug store were discussed as they both have over three signs. One individual thought that with window signage being exempt from the regulations, only one building sign per business is needed.
 - City utility easements limit placement of pole or monument signs on Cameron St., requiring signs to be back of the easement and limiting sign visibility.

- **Specific Application of New Code** - Concern was raised as to how existing signage will be treated with adoption of new regulations. If a sign permit was issued or previously exempt then it would be considered a "legal non-conforming sign". Karen Scharer, City Planning Director, recommended that individual owners meet with her regarding their specific circumstances.

 Karen agreed to meet with individual property owners and provide a review of their signage under the existing code. As of 3/5/15 three property owners have requested to meet with Karen.

- **Corner Properties** –
 - Allowance of one additional sign on corner properties was generally supported.
 - The question was raised if a corner property exceeds the maximum sign area would more signage be allowed. There wasn't clear direction from the group as to whether additional sq. ft. of signage should be permitted.

- **Murals** - Karen explained that they are regulated as a sign when they contain a symbol, logo, business name or reference the type of goods sold in the business. Everyone remembered the “Octopus” sign in Walla Walla which was ultimately required to be removed.
- **Ghost Signs** - Ghost signs currently are not permitted. There was discussion that Dayton’s Ghost signs should be recognized and allowed under the code.
- **Historic Signs-**
 - There was support for retention of those historic signs where the business is still in operation, Suffield Furniture with signage over 100 sq. ft. is an example.
 - How can we allow such signs and still give these such businesses flexibility to also have other signage? What should qualify as a historic sign?
 - The code should somehow distinguish historic signs from abandoned signs. Historic signs should be retained.
- **Promoting Downtown Business -**
 - It was noted that when entering the City from the east, trees along Main St. block signage.
 - Buildings look dark whether businesses are open or not.
 - Can traffic be slowed down to improve business exposure? Or, how can we improve our signage so that people will want to stop?
 - Having a sign expert assist the downtown merchants with recommendation to improving their signage and appeal to traffic through town was supported. All agreed that completing such an evaluation would be beneficial and should occur before the city staff forwards recommended code changes to the Planning Commission and City Council. It was recommended that help be requested from the DDTF and Chamber.
 - Wayfinding for businesses – drug store, bank, bakery, etc
Look at Almagordo, NM & Leavenworth, WA were given as good examples
- **Unified Look to Signage –**
 - It was suggested that similar to the “Wayfinding Sign Program” a somewhat unified look be created for building and/or sidewalk signage. This is something that the merchant group would want to consider.
 - It was noted that the DHPC is involved in the review of signage within the Downtown Dayton Historic District, but not beyond the DDHD.
 - Leavenworth-a good example of uniform signage requirements that work well for the business community.
- **Awning Signs** – It was suggested that awning signs be exempt from the sign code, or, possibly treat multiple awning signs for one business as one sign. There was no consensus on how to treat awning signs. Current code includes such signage in the total allowed signage. Both the drug store and hotel awning signs were discussed as examples.
- **Lighting –**
 - The code should clarify what type of lighting is allowed and the light intensity (illumes).
 - Clarification of LED lighting is needed

- **Sandwich Board/A-Frame Signs –**
 - Should businesses on side streets be able to place a sandwich board on Main St? The group thought that sharing a sandwich board sign with the corner business would be acceptable.
 - Karen clarified that businesses are not allowed to obstruct the street intersection sight triangle.
 - Some voiced that they would like uniformity in placement and type of signs along Main St., similar the Wayfinding signs. The Merchant group and Chamber of Commerce would likely be the best to encourage uniformity.
 - Businesses seemed to be aware of the limitations and requirements for sandwich boards: size, removal when the business is closed, proof of insurance, signature to a hold harmless agreement, etc.
 - Many other jurisdictions do not require proof of insurance and signature on a hold harmless agreement.
 - Wider sidewalks evokes a historic feeling; there is support to increase the sidewalk clearance for pedestrian right-of-way from the current 4ft to 5ft. 2/18
 - General feeling was that the minimum unobscured 4' width of the sidewalk is sufficient. 2/26
 - It was generally agreed that Dayton's allowance of 15 sq. ft., 5 ft. height and 3 ft. width seems excessive for a sandwich board. General consensus was that a 4 ft. max. height is reasonable and a 2 – 2.5 foot width would be sufficient. The size limit of 8 sq. ft. would allow some flexibility for having a 2' x 4' sign or a 2.5' x 3.2' sign. This discussion was in context of allowing a "flagpole sign" as listed below should a business prefer a taller sign on the sidewalk.
- **Chalk Signs –** Chalk signs on sidewalks was mentioned. The idea did not seem supported. There are limits as to what can be applied to Main Street per code.
- **Flagpole Hole Signs –**
 - The use of the flagpole holes for alternative temporary signage on the sidewalk was suggested. It was suggested that a wrought iron pole could provide the support to hang a sign visible to pedestrians and vehicles. Such a sign was thought to be a good aesthetic while improving visibility from the street. Such a sign could be placed out when the business was open and removed when closed.
 - The height of the sign supported by a wrought iron pole would be between about 4'-5.5'. The total sign area would be about 2 sq. ft. on each side.
 - This sign would be used as an alternative to a sandwich board.
 - Signs would not be allowed on those holidays that flags are displayed.
 - Attendees were supportive of Flagpole Signage at all meetings.
 - Could a business request the city drill a hole for their sign?

- **Sidewalk Objects –**
 - Permitting process for sidewalk objects, flower planters etc is not well explained by the city.
 - City approval & insurance is required by code.
 - Many other Cities do require a permit approval, insurance, hold harmless and maintenance agreement for the object.
 - It was generally supported at the 2/26 mtg that a hold harmless agreement be maintained, but not require proof of insurance.
 - Benches & bike racks should be appealing to be inviting and encourages people to visit the downtown.
- **Other:**
 - Attraction signs were discussed as a City/Business District promotion (aka signs where visitors can pose with their heads through the holes, especially in front of the Palouse Museum)
 - Sign permit fee is \$20 & there is a separate fee for when a building permit is required. Exempt signage does not require a “sign permit” but may require a building permit to assure it is mounted safely.
 - The code should not be too long and detailed, or difficult to read and interpret.
 - Signs need to be reasonable ... not obnoxious! Karen clarified that she cannot police content.

Title 12 - SIGNS

CHAPTER 12-1. - SIGN AND LIGHTING CODE

12-1.04. - Purpose.

Standards regulating the design and use of signs and lighting are intended to minimize adverse impacts on the use and enjoyment of adjacent property and public right-of-way, and to protect residential areas from negative visual and aesthetic impact, glare, deprivation of light and general commercial intrusion. Signs and lighting should be of a size, scope and visibility that is inoffensive to the character of the district where the sign is located.

(Ord. No. 1637, § 1, 11-9-1999)

12-1.08. - Definitions.

"Sign area" is determined by finding the area of the smallest rectangle that when drawn would encompass all writing, symbol(s), and/or picture(s) that are part of the sign. The surface area of the sign, measured by the height and width of the sign structure unless otherwise specified in this code.

"Sign" means an exterior structure that carries or constitutes a message which is designed, intended or used to attract attention and convey information for purposes of commercial advertisement or location of a place, product, or service, or the promotion or advocacy of an idea, proposition, or person, excluding traffic control devices.

"Sign, abandoned" means a sign that no longer correctly identifies, exhorts, or advertises any person, business, lessor, owner, product, or activity conducted or available on the premises where such sign is located.

"Sign, freestanding" means a permanent sign that is attached to, constructed on, or supported by some structure (such as a pole) that is not itself an integral part of or attached to a building or having a principle function other than the support of a sign. No freestanding sign shall project over a public right-of-way unless an adjacent structure is built out to or over the property line, so that it blocks the visibility of a freestanding sign on the adjoining property; then such freestanding sign may be located so that the sign structure is on private property and the sign cabinet may project over the sidewalk subject to all other sign restrictions.

"Sign, incidental" means an informational sign that has a purpose secondary to the use of the lot on which it is located, such as "no parking," "entrance," "telephone," and similar directives. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental.

"Sign, non-conforming" means a sign that on the date it was placed was in compliance with the governing sign code at that time, but which does not conform with one or more of the regulations set forth in this code. Non-conforming signs will be allowed to continue so long as the sign is not altered or relocated in any way which requires a permit under this code, unless such alteration or relocation is exempt under this code.

"Sign, off-premises" means a sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other activity that is conducted, sold, or offered at a location other than the premises on which the sign is located.

"Sign, two-sided" means a sign in which only one side can be read at one time from any location and where such sign faces are part of the same sign structure, are not more than 42 inches apart, and the sign faces are identical. If the sign meets these criteria, the sign will be counted as a single sign and the area of the sign shall be computed by the measurement of one of the faces.

"Sign, sandwich board" means an A-frame, two-sided, portable sign not permanently attached to the ground or other permanent structure, placed in front of a sponsoring business on the lot upon which the business is located or the adjoining public right-of-way.

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"Sign permit" means a permit issued that authorizes the recipient to erect, move, enlarge, or substantially alter a sign.

"Sign, roof" means any sign erected and/or constructed on or over the roof of a building, supported by the roof structure, and extending above the roof.

"Sign, window" means any sign, picture, symbol, or combination thereof, designed to communicate information, which is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

(Ord. No. 1637, § 2, 11-9-1999)

12-1.12. - Sign administration.

No sign, except those exempted in this code shall be erected, altered or relocated by any person without a permit issued by the city.

1. It shall be the duty of the city planner to interpret and enforce sign requirements of the City of Dayton.
2. The building official shall issue all permits for the construction, alteration, and erection of signs in accordance with the provisions of the city building code.
3. It shall be the duty of the board of adjustment to review any appeals of the city planner's decisions in regards to signs.

(Ord. No. 1637, § 3, 11-9-1999)

12-1.16. - Exempt signs.

The following signs shall be exempt from all requirements of this code and shall not require permits; however, this subsection is not to be construed as relieving the user of such signage from the responsibility for its erection and/or maintenance:

1. Changing the advertising copy or message on a sign specifically designed for the use of replaceable copy.
2. Repainting, maintenance, and repair of the existing signs or sign structures, providing work is done on-site and no structural change is made.
3. Incidental signs.
4. Window signs.
5. Signs addressing a political event or electoral position erected on private property provided the signs are removed within 15 days from the end of the political event or election.
6. A non-illuminated residential nameplate sign, not exceeding three square feet, placed flat against the building in which it pertains.
7. One temporary, non-illuminated sign, not exceeding eight square feet in area, advertising property for sale or rent is permitted.
8. Signs of public service companies indicating danger and aid to service or safety.
9. Temporary signs communicating special events and promotions may be displayed for a period of time not to exceed eight weeks. These signs are not included in the maximum signage requirements. Only one sign per parcel and/or business whichever is less may be displayed at a time and the sign cannot exceed 50 square feet.
10. Regulatory, informational identification or directional signs installed by, or at the direction of a government entity.

(Ord. No. 1637, § 4, 11-9-1999)

12-1.20. - Prohibited signs.

The following categories of signs are prohibited, in addition to those signs that do not meet the requirements of this code:

1. Signs that interfere with or obstruct any instrument of traffic control or street identifying signs, or that cause visual obstruction of any public right-of-way.
2. Permanent exterior flashing or pulsating lights except those that display date, time and/or temperature exclusively.
3. Lighting which prevents, or tends to prevent, interpretation of traffic-control lights or signs.
4. Beacon lights, laser lights or searchlight as a sign or is displayed for the purpose of attracting attention for an advertising/commercial purpose.
5. Signs affixed to a utility pole.
6. Signs on public property, except when authorized by the appropriate public agency.
7. Signs attached to or placed on any stationary vehicle or trailer so as to be visible from a public right-of-way for the primary purpose of providing advertisement of services or products or for the purpose of directing people to a business. This provision shall not apply to the identification of a firm or its principal products on vehicles which are operating in the normal course of business.
8. Off-premises signs.
9. Abandoned signs.

(Ord. No. 1637, § 5, 11-9-1999)

12-1.24. - General sign requirements.

The following provisions shall apply to all zoning districts unless otherwise indicated by the identification of a specific district:

1. An establishment in a commercial or industrial zone shall be permitted a maximum of three signs identifying the establishment and general type of business being conducted upon the premises. The surface area of the combined signs shall not exceed 100 square feet with no individual sign having more than 60 square feet.
2. Signs attached to and extending from a building may be erected a minimum height of ten feet above ground level and/or sidewalk level.
3. A sign or any portion thereof, attached to a building shall not extend higher than said building.
4. Sign installation shall conform to the state electrical code where applicable. An electrical permit shall be obtained prior to issuance of a permit to erect a sign that contains electrical components.
5. All signs, together with their supports, braces and guys, shall be maintained in a safe, secure manner and in good repair.
6. Pole signs are not allowed in any residential zone. In commercial and industrial zones pole signs shall not be more than 30 feet high.
7. Bed and breakfast establishments may have one identification sign, not exceeding six square feet in area, which may be indirectly illuminated with low intensity light. The sign may be freestanding but shall not exceed four feet above the average grade along the front of the building.
8. Churches, hospitals and school buildings within a residential district may have one attached identification sign not exceeding 20 square feet in surface area or 20 feet above the average grade along the front of the building. In addition, one freestanding identification sign or reader board not exceeding 25 square feet in surface area or 20 feet in height measured from ground level to the top of the sign. Low intensity illumination shall be permitted on said signs.
9. Home businesses shall be allowed one sign not to exceed an area of two square feet.

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10. Any legal business use in a residential area not addressed specifically in this code shall be allowed one sign not to exceed an area of four square feet.
11. In commercial districts, one sandwich board shall be allowed per business not to exceed five feet in height or three feet in width adjacent to the business to which it pertains during business hours, only if:
 - a. Business owner(s) first sign an agreement with the City of Dayton agreeing to indemnify the City of Dayton for any resulting damage to other persons or other persons' property caused by the placement of the sandwich board sign on the sidewalk and also agreeing to hold the City of Dayton harmless for any resulting damage to the business owner's person, property or employees caused by the placement of the sandwich board sign on the sidewalk;
 - b. Business owner(s) must provide proof of insurance for potential liability resulting from injury or damage caused by the sandwich board sign, in the amount of at least \$50,000.00 per incident and at least \$25,000.00 per person to insure that the business has the ability to pay for resulting damage to persons and/or property and to also indemnify the City of Dayton against liability for such damages.
 - c. The placement of the sandwich signboard must allow a four-foot, unobstructed area for traffic, sufficient for wheelchair travel and sidewalk traffic.
12. Any sign for which the purpose is discontinued for a period of 90 consecutive days, regardless of any intent to resume or not to abandon such purpose shall be presumed to be abandoned and shall not thereafter be re-established except in full compliance with this code.
13. Incandescent light sources shall not be directed toward any public right-of-way.
14. Exterior light sources shall not extend above the height of the nearest building to which the light pertains.
15. Off-street parking area lighting sources shall not be constructed in excess of 20 feet in height.

(Ord. No. 1637, § 6, 11-9-1999)

12-1.28. - Enforcement and penalties.

The following section sets out treatment of non-conforming signs and the enforceable penalties for violation of this code.

1. *Non-conforming signs.*
 - a. A non-conforming sign, which is non-conforming due to its size, shall not be replaced with a sign that is larger than the original non-conforming sign.
 - b. If a business has more signs than is allowed by this code, new signs shall only be allowed in replacement of existing signs.
 - c. Any sign removed from more than 30 days shall lose its non-conforming status and can only be replaced if it is brought into compliance with the requirements of this code.
 - d. Portable non-conforming signs shall be removed within three months of the effective date of this code or, if located within an area being annexed to the city, within three months of the effective date of annexation, whichever is later.
2. *Enforcement provisions.* For any sign that violates any provision of this code, and does not qualify as a nonconforming sign or an exempt sign, the city shall utilize the following enforcement provisions which include removal of the sign and/or imposition of a penalty:
 - a. The following signs may be summarily removed by the city planner or other city employee as duly authorized by the city planner:
 1. Signs located on public or private property that create an immediate threat to the safety of the public;

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2. Unauthorized signs that are placed on any utility pole, public property, public building or public structure, or on any traffic sign;
3. Signs placed in the right-of-way not permitted by this code.
- b. Signs on private property that violate a provision of this code, except as provided in subsection 2.a.1, the city planner shall notify the owner of the sign, business, building, structure, or premises, by written notice sent by first class mail:
 1. Notice shall advise the owner of the sign, business, building, structure, or premises to bring the sign into compliance or to remove it by a specified date;
 2. The city planner shall have discretionary power to set a time limit for compliance not to exceed 30 days from the date of mailing the written notice;
 3. The written notice shall describe the violation, the appeal process, and the enforcement provisions including the penalties that may be assessed;
 4. The owner may appeal the determination of the city planner that the sign is in violation of this code to the city's board of appeals within ten working days of the mailing of the city planner's initial notification to the owner. If no appeal is made within said period, the owner has waived their right to appeal the violation. Such determination constitutes an administrative determination. On appeal the board of adjustment will determine if the city planner has properly applied the provisions of this code.
 5. Upon the owner's failure to comply with the provisions of this code or failure to remove the sign, the city planner may arrange to have the sign removed at the owner's expense:
 - a. If the owner has appealed to the board of adjustment and the 30-day time limit for compliance has passed prior to a determination by the board of adjustment, the removal of the sign by the city planner will be stayed until 48 hours after the determination by the board of adjustment has been made.
 - b. The city planner will inform the owner(s) of the sign or their right to retrieve the removed sign and the period of time the removed sign will be held on their behalf.
 - c. The city may dispose of a sign that has not been retrieved after a reasonable period of time.
3. *Penalty.* Any person found in violation of any provision of this code shall be found guilty of a misdemeanor punishable by a fine of not more than \$250.00 for each day the violation continues from date of citation.

(Ord. No. 1637, § 7, 11-9-1999)

12-1.32. - Severability.

If any provision of this code or its application to any person or circumstance is held invalid, the remainder of this code, or the application of the provision to other persons or circumstances, shall not be affected.

(Ord. No. 1637, § 8, 11-9-1999)

Section 1: Ordinance 1873 is hereby amended, revising the Historic Element Policy HP1.2.2 of the 2014 Comprehensive Plan Update to read as follows:

Policy -HP1.2.2

Design guidelines should assure the distinct rhythms, distinctive colors, spacing of details, and diversity of architectural textures which give the historic buildings their architectural styling are retain when possible. The Design guidelines should be adopted as part of a subarea plan for each historic district in the City.

The Downtown Dayton Historic District and Design Guidelines were adopted as the Subarea Plan of the Comprehensive Plan for the Downtown Dayton Historic District, under Ordinance # 1873 on February 9, 2015.

The Dayton Register Washington Street Historic District together with Design Guidelines were adopted as the Washington Street Historic District Subarea Plan of the Comprehensive Plan under Ordinance # on 2015.

The Dayton Register South Side Historic District together with Design Guidelines were adopted as the South Side Historic District Subarea Plan of the Comprehensive Plan, under Ordinance # on 2015.

Section 2: Ordinance 1873A adopting Title 20 of the Dayton Municipal and DMC 20-01.010 is amended as follows:

20-01.010 Established:

A. The City of Dayton Comprehensive Plan and Comprehensive Plan Maps adopted by Resolution 1145 on July 28, 2008; has been recognized and amended as the “2014 Comprehensive Plan Update” by Ordinance 1873 effective on 2/24/2015 to comply with the Growth Management Act. The 2014 Comprehensive Plan Update is incorporated herein by reference. In part the update includes the following. A complete copy of the updated Comprehensive Plan is available at the City of Dayton, City Hall.

1. Commercial Street Corridor Master Plan (subarea plan)
2. Downtown Dayton Historic District (subarea plan)
3. Comprehensive Plan Land Use Map - Figure LU-1
4. Existing Land Use Map - Figure LU-2
5. Historic Preservation as a new element of the Comprehensive Plan.

B. The City of Dayton 2014 Comprehensive Plan Update adopted by Ordinance 1873 has been amended and augmented with two subareas by Ordinance # adopted on 2015. The amendments and subareas amendments are incorporated herein by reference. A complete copy of the updated Comprehensive Plan is available at the City of Dayton, City Hall.

1. **Washington Street Historic District (subarea plan)**
2. **South Side Historic District (subarea plan)**