



# DAYTON PLANNING COMMISSION MEETING MINUTES

Thursday, September 12, 2013

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1. CALL TO ORDER by Joe Huether at 6:30 p.m.
2. ROLL CALL– Joe Huether, Chair; Greg Abramson, Vice Chair; Candace Jones present. Leslie Sweetwood – excused absence.
3. MINUTES REVIEW & APPROVAL – Greg made a motion and Candace seconded the motion to approve the minutes of 8/20/2013, as revised on 9/12/13 adding signature lines.
4. COMMUNICATIONS FROM CITIZENS - none
5. UNFINISHED BUSINESS –

Development Regulations: Karen provided the PC with copies of the written comments received and a memo she wrote responding to comments (memo attached).

Issues addressed at the meeting include:

Animals and Pets – Karen indicated that staff spends lots of city time taking calls and attempting to deal with the “problems” of animals and especially cats. Karen indicated she would provide more information regarding the problems at the next meeting Sept. 17<sup>th</sup>, 2013. Candace recommended speaking to the vet – Kennie Reeves regarding the cat problem in Dayton.

Karen indicated she would provide more information regarding how other jurisdictions are regulating animals and also provide a recommendation to the commission at the next meeting. Candace stated that she would like to hear from Jim Costello, Public Works as to the degree of problems associated with animals in the city.

CAO Maps – Karen explained that there are numerous CAO map screen shots provided in the packet to view hazards, and associated map legends. Maps (low quality pdf) are available for the public to view on line.

Floods - The city flood mapping project began in 2008 but was never completed. The most recent FIRM maps from FEMA are of 1988. FEMA has issued a number of “Letter of Map Amendment” documents which have revised the flood map line(s). These revisions should be recognized on a Community Flood Map for Dayton so that this information is readily available to the public and city decision makers. FEMA at this time does not intend to update the 1988 map.

Critical Aquifer Areas for Dayton are actually the well protection areas as shown on the wellhead protection maps as part of the Water System Plan for Dayton.

The city is looking into the most efficient way to map zoning, critical areas, and other within the next year.

Tent Structures – The proposed code would allow and regulate tent structures. Blue colored canvases would not be allowed. Karen guessed that this provision was added to the draft in 2008 so to exclude blue tarps used as canopies. Joe stated the issue was the quality of the canvas and that tarps can come in a variety of colors. No recommendations were made to change the wording of the draft.

Solar Panels – Candace questioned if solar panels are allowed. Karen indicated that she spoke to county staff and found out that some panels require a permit and others may not. The need for a permit is dependent on the specific solar panel, its weight, and the existing or proposed roof structure. One should contact the County Building Department if they intent to place panels on their roof.

6. PUBLIC HEARING on Proposed 2013 Draft Development Regulations:

- a. The public hearing on the proposed development regulations was opened at 7PM by the Planning Commission.

There were no objections to the Commissioners participating, receiving testimony and acting on this development regulation(s) update.

- b. STAFF/Karen Scharer presented:

- Hearing Notice was issued on Sept. 21, 2013 together with the SEPA DNS and 60 Notice to the Department of Commerce.
- A series of written comments were received by the Planning Department (see attached).
- The planning department two memos of 9/15/2013 and 9/12/2013 (attached).
- Set of Draft CAO Maps from the resources listed in the draft CAO, Title 17.

Karen gave an overview of the major changes included in the development regulations.

- c. PUBLIC COMMENT & DISCUSSION:

Kathy George indicated she would review staff responses.

B&B vs Boarding House - The staff comments regarding boarding house and B&B were discussed. Karen clarified that it is probably a building code occupancy definition which would treat the two uses differently. Greg clarified that a Boarding house is a residence, while the B&B is a commercial use.

Craig George indicated that the two uses are probably taxed by the state differently. Kathy George clarified her question. Can a room be rented as a B&B room and then a Boarding Room? Only if the building codes for each are met.

Pets and Animals – Karen stated that jurisdictions vary greatly how they each regulate pets and animals.

Joe commented that under nuisance and animal control regulations the “problems” as they might come up can be regulated.

Kathy George testified that it takes a long time for responses to nuisance and animal control complaints.

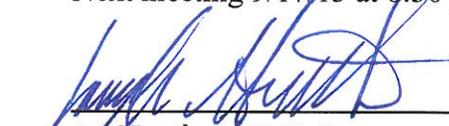
Candace commented that whether using the nuisance or zoning regulations the issue is the same, as the response time to violations of code will still be an issue.

Code Enforcement – A discussion regarding code enforcement ensued. Karen clarified that some changes to the nuisance provisions are to be updated by other staff. Karen stated some conflicting code enforcement provisions currently in the Zoning Code will be repealed.

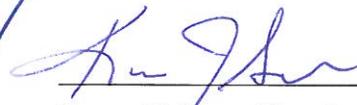
Greg stated that diagrams should be provided for the Vision Clearance Triangle. Public Hearing was closed for the night at 7:36 pm and will be continued to 7pm on 9/17/13.

7. NEW BUSINESS - None
8. MEETING ADJOURN- The meeting was adjourned at 7:36 pm.

Next meeting 9/17/13 at 6:30 pm.

  
Joe Huether, PC Chair

10-15-2013  
Date Signed

  
Karen J Scharer, Planning Director

10/15/13  
Date Signed

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## ATTACHMENT A

Date: September 10, 2013  
TO: Dayton Planning Commissioners and Mayor Craig George  
FM: Karen Scharer, Planning Director  
RE: Overview of Mapping & Comments Received Regarding Draft Development Regulations

MAPPING - The maps enclosed includes what staff found to be of most interest to the City and PC. This is not an exhaustive set of information held by the state and other agencies regarding critical areas and hazards.

COMMENTS -

8/22/13 Department of -  
Commerce

letter acknowledging receipt of notice & proposed development regulations on 8/21/13

8/21/13 Steve Martin-

e-mail regarding typo for 11-03.100 (*fixed before hard copies to PC*)  
Webpage link error message (*fixed*)

7/25/08 Tom Schirm, WDFW Definition of Alternative Watercourses - *Revised by staff.*  
17-06.062C. Discrepancies in creek buffers for Riparian Habitat  
*Staff has revised buffer to 150"*

8/23/2013 Leslie Sweetwood 11-03.100 Space needed for Chickens – referenced a website.  
*Staff reduced the minimum area for production animals from 500 sf down to 100 sf for the first animal. (50 sf remains the same for each additional animal).*

8/27/2013 David Moore, ECY &  
8/28/2013 David Moore, ECY Wetland CAO provisions should include best available science and Dayton should include the model ord. template.  
*Staff is in the process of incorporating the model ord. into the draft.*

8/26/2013 Paul Gonseth, WSDOT No Comment

9/9/13 Katherine George 11-01.050 Can a Bed and Breakfast also be a boarding house? *No, a B&B is limited to a maximum stay of 30 days*

Should roosters, miniature goats, and potbellied pigs be allowed in the UR and AR zones? *See 11.01.050 (page 13) for pet definition and 11-03.100 B. for per limitations in the AR &UR zones. Chickens are listed as a production animal. Roosters are not mentioned in the code.*  
*Update will include reference to Chapter 6-8 for animal control.*

11-03.020 D. Why is a Vet clinic not allowed in the AR zone? *Staff recommends that the use be allowed as a CUP.*

11-03.040 Why are tents restricted from being blue? *The tent provisions were drafted back in 2008 but never adopted. Possibly the PC at that time did not want to see blue tarps used for canopies.*

11-02.060 G sic (11.03.060) Limitations on Home Businesses – window displays – does this apply to bed & breakfast? *Yes.*

11-03.080 applicability to AR & UR. *This section refers to landscaping which applies to both zones under certain circumstances.*

11-04.020 B – Allows community centers in the CC zone but not churches (religious facilities). *Staff recommends churches be allowed as similar social/community centers are allowed (permit in the CC zone). The city may not discriminate against religious facilities. Kathy's question referenced the FC zone, the Staff is not sure whether this addresses her comment, but will follow up.*

Vision Clearance Requirements – What is the city doing about properties not in compliance? *The city is in the process of updating Chapter 9-26 and procedures regarding abatement. Please bring specific issues to the cities attention so that the city can review.*

Landscaping Downtown – How can the 1 tree for 50' be applied to downtown? *Staff will research this question, however it is unlikely*

any changes to the downtown street tree plan will occur in the near future.

11.05.020 allows leather processing which is smelly in the industrial zone. 11-05.030 B 6 requires venting a minimum of 100' from a residential zone. (This is what the current code allows)

11-05.030 reference to Church spires in the IN zone? This is a general reference to exceptions to height limits, giving examples to the type of structures which may exceed the height. The code text can also be found in other locations regarding height exceptions.

11-08.040 Barrier free parking space is required to be paved. This assures the parking is indeed barrier free accessible to all.

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## ATTACHMENT B

Date: September 12, 2013

TO: Dayton Planning Commissioners and Mayor Craig George

FM: Karen Scharer, Planning Director

RE: Comments Received Regarding Draft Development Regulations

### ADDITIONAL COMMENTS -

Verbal Comment:

City should not allow **windmills** in the residential zones do to noise they make.

*Examples of regulations:*

*Spokane Valley – Windmills are not allowed in residential areas.*

*Cedar Rapids – Allowed as a CUP in residential areas*

*Staff recommends that windmills be only allowed as a conditional use permit in residential zones.*

Verbal Comment:

City should limit the total number of **pets and small animals** on a property.

*Seattle allows up to 8 chickens on a 7,200 sf lot, and more if your lot is 10,000 sf or more.*

*Mill Creek requires 1 acre to have any type of fowl and a max of 3 per acre. However, a total of 6 hens / rabbits are allowed on a lot 7,200 sf in size. Roosters are prohibited.*

*Lakewood allows up to 16 poultry, birds or rabbits per acre.*

*College Place – Fowl & rabbits - 25 per 6,000 sf*