



DAYTON PLANNING COMMISSION PUBLIC HEARING & MEETING MINUTES

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

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

Members of the Public:

Ruth and Jerry Dedloff, 914 N Touchet Rd, , Dayton, WA 99328

Dwight Richter, 903 S. 3rd St, Dayton, WA 99328

Mike Smith, 1424 S. 2nd St., Dayton, WA 99328

3. **MINUTES** - Carol moved to approve the 3/24/2015 & 4/14/2015 Meeting Minutes and Greg 2nd the motion. The commission voted to approve the minutes.

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.

Joe opened the public hearing at 6:35 pm.

Karen gave an overview of the process to date for updating the SMP (see 4/14/14 PowerPoint). Subsequent to the 4/14/15 meeting:

- SEPA TD comment period ended with no appeals;
- Cumulative Impact Analysis was finalized (no changes to the draft),
- Open house occurred on 4/15/2015 (one attendee), and
- Comments were received from the Department of Ecology (attached to the agenda packet.
- No other written comments were received.

Ruth and Jerry Dedloff testimony:

- 1) Questioned why the environmental designation is Shoreline Commercial for 207 South Cottonwood?

Answer by Karen: The zoning of the property is Fringe Commercial. The property has been zoned FC since at least 1993. The current use as a single family residence is "non-conforming under zoning and would also be nonconforming under shorelines. Both the zoning & shorelines designation allows for a higher intensity of use than residential. The house is allowed to remain as a nonconforming use. Under the zoning classification there would be limits to reconstruct if the building was destroyed. Karen also repeated the information

provided at the 4/14/15 meeting regarding adding an addition to a home in the Native Conservation Area.

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

- 2) Page 6 reference to Smith Hollow, is this the school or where?

Answer by Karen: the reference is to the school.

- 3) Page 15 Definition of Land disturbing activities. Is removal of blackberries a “Land disturbing activity”?

Land Disturbing Activities: Any activity resulting in a movement of earth, or a change in the existing soil cover, both vegetative and non-vegetative, or the existing topography. Land disturbing activities include, but are not limited to, clearing, grading, filling, excavation, or addition of new or the replacement of impervious surface. Compaction, excluding hot asphalt mix, which is associated with stabilization of structures and road construction, shall also be considered a land disturbing activity.

Is a permit required for removing the blackberries? Soil will be disturbed.

Answer by Karen: Karen was unsure if a written exemption would be required, for removal of blackberries and she agreed to research the question.

- 4) If a house is within the Native Conservation Area, can a foundation to an existing home be replaced?

Answer by Karen: Yes, the foundation can be repaired and or replaced under an exemption.

Joe explained that whatever work is done in the shorelines jurisdiction, the result must be that there is no net loss in function and value to the shoreline. If you disturb the shoreline then you would need to mitigate for the impacts.

- 5) Ruth questioned what discretionary judgement the person has making decisions regarding implementation.

Joe answered that the Planning Director must follow the policies and codes adopted and stated in the SMP.

Candy explained that the State is mandating the update to the SMP. The city is looking to implement the best provisions that will be least restrictive and still implement the goals and requirements by the State.

- 6) Ruth questioned how would the following apply?

“DMC 15-06.030 Existing Uses

Uses that are not allowed under the new SMP but exist in relation to legally established residential or industrial structures become nonconforming uses at the time of enactment of the SMP”.

Karen provided an example of boating facilities being currently allowed but will not be allowed in with adoption of the updated SMP.

Karen explained that there isn't a table under the current code to compare.

- 7) Ruth questioned how the sign provisions would apply to a business use on her property.

Karen answered by referring to the table which states that on premise business signs are allowed with an exemption.

- 8) Ruth questioned what the costs are for application.

Karen provided the following:

Application	Type	Notice	Public Hearing	Fee
Exemption	Type I	No	No	\$75
Substantial Development	Type II	Yes	No	\$200
CUP	Type III	Yes	Yes	\$250 plus Hearing Examiner costs
Variance	Type III	Yes	Yes	\$250 plus Hearing Examiner costs

Karen explained that Hearing Examiner costs would likely run from \$600 to over \$1000 +.

It is possible that additional fees would be required for a project requiring SEPA review, building permits, etc.

- 9) Ruth stated that she has concerned that fees would be too high to replace the foundation.

Joe responded that foundation replacement would be an exemption (\$75).

- 10) Ruth questioned when an exemption would be needed for trimming. Karen explained that the City would work with property owners to allow trimming without a written exemption.

Candy stated that there is the 10 foot setback around homes which allows for maintenance of structures

Dwight Richter testimony:

- 1) Dwight stated that all the regulations and costs associated with permits becomes a disincentive for anyone to want to improve their property.

- 2) Dwight questioned what the timeline is for adoption. Karen provided the following:
- 6/16 /2015 - Planning Commission Meeting/recommendation to City Council –Karen
 - 7/21/2015 - City Council - Presentation of PC Recommendation Ray & Karen
 - 8/10/2015 Council public hearing or opportunity to further discuss/ask questions
 - 9/14/2015 – Council adopts
 - 9/30/2015 - Current scheduled deadline for adopted plan to Ecology

Joe closed the hearing at 7:23 PM.

The Commission confirmed that an additional hearing would not be necessary. Karen stated that she would be consulting with the Shorelines consultants and then would provide the Planning Commission a copy of the SMP with all recommended document revisions prior to the next PC meeting.

- 5. **COMMUNICATIONS FROM CITIZENS** – (Other than SMP) - None
- 6. **NEW BUSINESS** – None
- 7. **ADJOURN MEETING** - The hearing was adjourned at 7:32 pm
Next Scheduled Meeting June 16, 2015 @ 6:30 pm

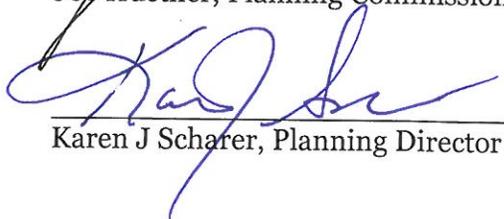
Signed by:



 Joe Huether, Planning Commission Chair



 Date Signed



 Karen J Scharer, Planning Director



 Date Signed