

CITY OF DAYTON WASHINGTON

ORDINANCE NO. 1873

AN ORDINANCE ADOPTING NEW AND AMENDED 2014 COMPREHENSIVE PLAN POLICIES, TEXT, AND MAPS IN COMPLIANCE WITH RCW 36.70A (GMA); AND AMENDING ORDINANCE 1145.

WHEREAS, the City Council did consider the following Findings, and having fully considered all agency comments, public testimony and the entire public record; and,

WHEREAS, these amendments were identified as docket items as part of a series of amendments considered by the City under the umbrella of the 2014 Comprehensive Plan and Development Regulations Update. The final docket was approved by the City Council on Nov. 24, 2014 at their regularly scheduled meeting; and,

WHEREAS, the purposes of the amendments in this ordinance are:

- CP14-001 – Commercial Street Corridor. The purpose of the amendment is to recognize the Commercial Street Master Plan as a subarea plan of the City, clarifying the City’s support for improving the corridor to create an identity, attractions for tourism, and amenities for people who work and live in the City.
- CP14-002 - Parks Plan Element. The purpose of the amendment is to add the Park Plan Element approved by Resolution 1241 on Feb. 24, 2014 to the Comprehensive Plan, replacing pages 90 – 107. The plan was updated to meet the requirements of the Washington State Recreation and Conservation Office (RCO) for eligibility for RCO grant funding.
- CP14-003 - Comprehensive Plan Terms. The purpose of the amendment is to establish consistent terms for the Comprehensive Plan Land Use Map and in Comprehensive Plan text, and to establish distinct terms, different than those used for Zoning Districts.
- CP14-004 - Comprehensive Plan Map LU-1. The purpose of the update is to convert the LU-1 Map to a GIS format; utilize updated parcel layer and accurate City boundaries; to identify UGA and City land use designation on one maps; and revise terms and designations consistent with the Comprehensive Plan.
- CP14-005 - Comprehensive Plan Map LU-2. The purpose of the update to the Existing Land Use Map LU-2 is to reflect current use of properties within the City based on GIS land use coding.
- CP14-006 – Historic Preservation. The purpose of the amendment is to establish Historic Preservation Element; establish the Downtown Historic District as a subarea together with Design Guidelines; and establish policy for review of project(s) under a Certificate of Appropriateness.
- CP14-007 – City Topography. The purpose of the amendment is to accurately reflect elevations and topography of the City within the Comprehensive Plan.
- CP14-008 – Flood Hazards. The purpose of the amendment is to accurately reflect FEMA/FIRM zones and LOMR information within the Comprehensive Plan.

CP14-009 – City Topography. The purpose of the amendment is to accurately reflect elevations and topography of the City within the Comprehensive Plan.

CP14-010 – Capital Facilities Plans. The purpose of the amendment is to update the Comprehensive Plan to reflect most recently adopted capital facilities plans.

CP14-011– Housing Element. The purpose of the amendment is to update the Housing Element to address the need for infrastructure to support new development and encourage ways to accommodate aging-in-place.

CP14-012– Comprehensive Plan Definitions. The purpose of the amendment is to update the Comprehensive Plan to include definitions for terms used within the plan.

CP14-013 - Comprehensive Plan Map Amendment to LU-1. The purpose of the map amendment to LU-1 is to correct the UGA designation on Parcel ID 268459; and,

WHEREAS, on December 1, 2014, the City of Dayton issued to the Department of Commerce its 60 day notice of intent to adopt the 2014 Docket for Comprehensive Plan and Development Regulations, amendments; and,

WHEREAS, the proposed amendments have been found consistent with the comprehensive plan and comprehensive plan amendments and in compliance with RCW 36.70A (GMA); and,

WHEREAS, the City was the lead agency as defined in the State Environmental Policy Act (SEPA) and issued a threshold determination of non-significance (DNS) on Dec. 1, 2014, stating that the series of amendments with the 2014 Comprehensive Plan and Development Regulations Update would not have a probable significant impact on the environment. The comment and appeal period ended on December 18, 2014; and,

WHEREAS, public outreach to the community was performed. The public was invited to submit individual docket applications. Newspaper notice, notice to agencies, tribes and community groups; and posting of notice and docket items on the City website and City Hall was accomplished. Key stakeholders identified by the jurisdiction were also invited, to review and comment on the amendments; and,

WHEREAS, the Dayton Planning Commission conducted a public meeting on Nov. 18, 2014 where they were presented the draft amendments to the City of Dayton development regulations. On behalf of the City Council, they held public hearings on Dec. 16 2014, Jan. 6, 2015 and Jan.16, 2015 regarding the amendments; and written correspondence and testimony submitted prior to the close of the public hearings; and,

WHEREAS, the Dayton Planning Commission serves the City Council making advisory recommendation to the Dayton City Council in the matters of land use, plans, policies, codes and standards. After the close of the public hearings, on January 20, 2015, the Dayton Planning Commission recommended to the Dayton City Council, the amendments to the Comprehensive Plan contained herein; and,

WHEREAS, the Dayton City Council recognizes the Dayton Planning Commission's abilities to provide sound advice, together with providing the greatest possible benefits for the citizens of Dayton; and,

NOW, THEREFORE, BE IT ORDAINED BY THE DAYTON CITY COUNCIL:

Section 1. Under Substantive Authority of SEPA, RCW 36.70 Planning Enabling Act and RCW 36.70A GMA, Ordinance 1145 is hereby amended; and the 2008 Dayton Comprehensive Plan is hereby amended with the 2014 Comprehensive Plan Update as follows:

CP14-001 - Amendment to Comprehensive Plan Land Use Element, General Goals and Objectives Chapter, Page 36 and adoption of the Commercial Street Corridor Master Plan:

Community Objective A.1: Encourage downtown revitalization.

Policy Discussion

Past efforts toward the revitalization of Dayton's downtown core have included the combined forces of the Dayton Development Task Force; Dayton Chamber of Commerce, Palouse Economic Development Council, Port of Columbia and the City of Dayton's staff. Funds were obtained from a matching fund grant from the Washington Department of Community, Trade and Economic Development to conduct research and data gathering, activities. These have included a market analysis, consumer buying habits survey, business survey, design survey, and design plans.

Dayton Development Task Force (DDTF) has utilized the information from these studies to implement the National Main Street Program as it is an appropriate model for the revitalization of Dayton. Recognizing that both planning and zoning controls are critical in the pursuance of economic revitalization opportunities, the following goals and objectives were developed.

Although revitalization of Dayton's commercial area largely depends on private market decisions, the city can help create a positive climate for revitalization through flexible land use controls and by recognizing that in nearly all successful downtown revitalization efforts, city government plays an active role with downtown business and the community. To establish this successful partnership, the City of Dayton should continue to play an active role in economic development and working in conjunction with the Dayton Development Task Force and the community interest, keeping in mind the strong historical element in Dayton, to develop and implement a specific economic development plan to encourage downtown redevelopment.

In this effort, the "City of Dayton Commercial Street Corridor Master Plan" developed by the DDTF has been adopted with some modifications as a subarea plan and addendum to the Comprehensive Plan by Ord. # 1873.

Commercial Street Corridor Master Plan is included as Attachment A. Revisions added with adoption of the Commercial Street Corridor Master Plan (Subarea Plan):

1. Eliminate angle parking concept on North 1st, 2nd and 3rd Streets. See Pages 13, 14, 16, 18, & 22
2. Eliminate concepts proposed for the City parking Lot off 1st St. At this time, the City has no plans to develop the site beyond the use of this site for parking. See Pages 13, 16, & 17.

3. Page 15 – River to Front Street. The City recognizes that the concepts at project level must be reviewed in context of the Shorelines Master Program and Plans, as well as, Critical Areas Codes.

CP14-002 - Amendment to Comprehensive Plan by adoption of the Cooperative Park Master Plan (CPMP) as approved under Res. 1241 on 2/24/2013 as the Parks and Recreational Element of the Comprehensive Plan replacing pages 90 - 107. Parks and Recreational Element is included as Attachment B.

CP14-003 – Amendment to the Comprehensive Plan Land Use Element, Pages 26-28 as follows:

Land Use Designations Classification

In the process of developing a comprehensive plan it is necessary to take stock of existing land use patterns in order to assess the positive and negative impacts, which may occur as a result of change. Another important reason for documenting existing land use in the comprehensive plan is that land is often viewed as an investment, and a thorough understanding of existing land uses is necessary to protect and enhance that investment.

Past inventories by the Dayton Planning Department were used to create the existing land use maps. The Comprehensive Plan Land Use Map (illustrated in Figure LU-1) & LU-2) classify designates all land uses within the Urban Growth Area into broad categories. The designations on the maps are a representation of the goals and objectives that reflect land use trends, capabilities, and projections for the City of Dayton. Specific descriptions of each classification designation is ~~are~~ given below:

Low Density Residential "LDR"

This ~~classification~~ designation is intended to retain a low density for single-family character. This classification shall also allow for the usual agricultural enterprises such as commercial gardening, fruit and berries, poultry, animal husbandry and horticultural nurseries. The recommended base density is three - four dwelling units per gross acre.

Urban Density Residential "UDR"

This ~~classification~~ designation provides for a mixture of housing unit types including single-family and multi-family dwellings. The recommended base density is four to eight ~~six~~ dwelling units per gross acre. This classification is also intended to include provisions for historic preservation districts.

Central Commercial Business "CCCB" As the name implies, the Central Commercial Business District designation shall be maintained and promoted as the center for commercial/business activity. Development performance standards should be implemented and oriented toward quality shopping experiences and attracting pedestrian use. The types of uses, activities and structure usually associated with this type of characterization include but are not limited to retail stores; financial, insurance, real estate, and professional offices; entertainment facilities: theaters, and restaurants; and lodging facilities: hotels and upper-story apartment housing. Discouraged uses are those that are land consumptive, such as warehouses, automobile and equipment dealers, building supply outlets and other similar uses which diminish the area's compactness and convenience as an integrated shopping goods and service area. Also discouraged are uses that are automobile orientated capable of generating high traffic volumes, such as drive-in restaurants and gas stations.

Fringe General Commercial "FCGC"

The Fringe General Commercial District designation is intended for access and convenience. The Fringe General Commercial District designation is intended to accommodate automobile oriented and land consumptive commercial needs. A wide range of commercial uses and activities are encouraged. This district designation is the area outside the Central Commercial business area District. Development performance standards should be implemented and oriented toward both pedestrian and automobile use.

Industrial Manufacturing "I M"

This classification designation recognizes and provides for a combination the need to of environmental and development performance standards which seek maintain and improve air and water quality and assure safe and compatible levels of noise and lighting in order to provide for both light and heavy industrial activities.

Open Space and Recreation "OSPOS"

This classification designation acknowledges and promotes the uniqueness of the landscape such as adjacent to the Touchet River levee and encourages its traditional use for passive and active recreation.

Public/Quasi-Public "P"

The purpose of this designation is to note the major location of facilities that are in the public or semi-public ownership, or are operated for the purpose of benefiting the public. This includes public parks, schools, government buildings, cemetery, hospital, golf courses, and utility stations. This classification is merely intended to note most major facilities that are in public or quasi-public ownership. It includes public parks, public schools, governmental buildings, cemeteries, hospitals, golf courses, and utility stations. Church properties, although usually considered public/quasi-public use, are not part of this category.

Commercial, industrial, or residential development with this designation zone shall not be permitted. Other types of development shall be restricted to essential facilities, emergency or recreation purposes. The purpose of this zone is to note the major location of facilities that are in the public or semi-public ownership, or are operated for the purpose of benefiting the public. This includes public parks, schools, government buildings, cemetery, hospital, golf courses, and utility stations.

In the process of developing a comprehensive plan it is necessary to take stock of existing land use patterns in order to assess the positive and negative impacts, which may occur as a result of change. Another important reason for documenting existing land use in the comprehensive plan is that land is often viewed as an investment, and a thorough understanding of existing land uses is necessary to protect and enhance that investment.

Updated inventories by the Columbia County Assessor and Dayton Planning Department were used to create the updated Existing Land Use map, Figure LU-2.

CP14-004 - Adoption of the updated "Comprehensive Plan Land Use Map" as Figure LU-1 of the Comprehensive Plan, dated January 26, 2015. A reduced copy of LU-1 is included as Attachment C.

CP14-005 - Adoption of the updated "Existing Land Use Map" as Figure LU-2 of the Comprehensive Plan dated January 20, 2015. LU-2 is included as Attachment D.

CP14-006 – Amendment of Pages –58-66 of the Comprehensive Plan Housing Element as follows:

1. Remove the Historic Preservation Section(s) under the Housing Element of the Comprehensive Plan and establish and amend them in a new Historic Preservation Element that addresses historic districts as subareas, historic residential and commercial buildings, and landmark sites.
2. Establish the Downtown Dayton Historic District (DDHD) and the DDHD Design Guidelines as the Subarea Plan for the DDHD as part of the Comprehensive Plan. Downtown Dayton Historic District Design Guidelines are included as Attachment E.
3. The Historic Element shall read as follows:

HISTORIC ELEMENT

HISTORIC PRESERVATION PROGRAMS:

The City recognizes the importance of protecting and preserving its historical buildings, both those that now have historic importance and those that will gain historic significance over time. This is implemented through preservation planning, restoration and design guidelines. This overriding objective has enabled the City to pursue and receive designation as a state of Washington Certified Local Government(s) [CLG]. The City established a Historic Preservation Commission through Resolution No. 951 on July 14, 1992. This involved an appointed Commission that assists in the preparation of plans and ordinances, for the protection of local historic resources. It also seeks restoration-producing incentives for the public, provides preservation oriented public education, conducts a periodic survey of Dayton's historic resources, and advises the City in historic preservation matters.

HISTORIC REGISTER:

Nominations to both the National Register of Historic Places and the Washington Heritage Register are made on a Standard National Register Inventory-nomination form, available from the State Office of Archaeology and Historic Preservation. Completeness of documentation and clarity of writing are strictly required. [The preparer depending on the property involved needs Qualifications in architecture, history, landscape architecture, archaeology or other fields]. The nomination document becomes the archival resource on the property.

The state office first reviews all nominations originating in this state before being put before the state Advisory Council. The Council may list the property (site, building, structure, object, district, or group or resources) in the Washington Heritage Register, recommend it to the National Register, or reject it. All properties recommended to the National Register are automatically considered Washington Heritage Register Properties. The state council is the only body in the state that can make a recommendation to the National Register and the only body that can place a property on the Washington Heritage Register. Resources on either register that are later moved or altered are reviewed by the state council to determine whether they are still suitable. The National Park Service of the Department of Interior is the agency that approves national listings and administers the national program. The Park Service and other federal agencies also initiate listings.

The state council and Park Service use established criteria in evaluating nominations. State and National Register criteria are similar, the chief difference in listings being the absolute high quality of National Register resources. The National Register is intended to include not only those places of national significance but also places of state and local significance. This successful partnership between the federal and state level of government has prompted Congress to expand that partnership to provide for greater participation among local governments. A local government may participate directly in this program when the State Historic Preservation Officer certifies that the local government has established its own historic preservation commission and a program meeting federal and state standards. A local government that receives such certification is known as a Certified Local Government (CLG). Dayton is a CLG.

PRESERVATION BENEFITS:

Historic preservation is not only culturally but also economically valuable. Historic structures generate tourism and attention. Historic preservation is frequently used in rehabilitating run down residential areas and in providing a successful theme for downtown revitalization. Restored downtown buildings provide an interesting setting for shops and restaurants. Restoration work snowballs with the recognition that comes from listings on the registers and with inducements of grants and tax credits. In 2005 Dayton was recognized as a Preserve America City.

GRANTS:

The historic preservation partnership between the federal, state and local levels of government established through the National Preservation Act of 1980 allows the creation of the CLG Program. Obtaining status as a CLG can encourage the local government to develop and maintain its local preservation efforts in coordination with its development plans. CLGs are eligible to apply for earmarked grants from their State Historic Preservation Officer. At least 10% of the annual Historic Preservation Fund Grant made to States under the National Historic Preservation Act must be distributed among CLGs. There are many projects that can be assisted by state grants to CLGs. Some examples are:

- *Surveys and inventory of historic buildings and other historic features of a community such as parks, fences, roads, and bridges;*
- *Survey of local prehistoric and historic archaeological resources;*
- *Preparation of nomination of local properties to the National Register of Historic Places;*
- *Activities related to comprehensive community planning, such as providing staff support for a CLG's historic preservation commission, developing published design guidelines for use by historic preservation commissions in their review of new construction and alterations to properties within historic districts writing or amending preservation ordinances;*
- *Preparing preservation plans for the protection of local historic resources;*
- *Testing archaeological sites to determine their significance or programs for public education in historic preservation, such as preparing and producing exhibits and brochures concerning local historical resources and their protection, and the activities of the historic preservation commission preparing special events that educate the public about local history and the community's historic resources and preservation issues.*

CLGs may also apply for funds not specifically earmarked for CLGs, but so can other governments that are not CLGs as well as non-government institutions, organizations and individuals. Status as a CLG gives local governments an advantage in the competition for scarce funds, as their programs are already coordinated with their State Historic Preservation Office.

TAX INCENTIVES

The Tax Reform Act of 1986 permits owners and some lessees of historic buildings to take a 20% income tax credit on the cost of rehabilitating such buildings for industrial, commercial, or general residential purposes. The law also permits depreciation of improvements over 27.5 years for a residential property and over 31.5 years for non-residential programs. The rehabilitated building must be a certified historic structure that is subject to depreciation and the National Park Service must certify the rehabilitation as meeting standards.

During its 1985 session, the Washington State Legislature determined that as the state approached its centennial year, the preservation of a lasting legacy or historic resources was an important goal. In order to reach this goal, the legislature passed a law that allows a "special valuation" for certain historic properties within the state. The primary benefit of the law is that during the ten-year special valuation period, property taxes will not reflect substantial improvements made to the property.

Prior to the passage of this law, owners restoring historic buildings were subject to increased property taxes once the improvements were made. The legislature decided that restoration of these properties would be encouraged if tax relief were selected as a tool that could provide financial incentives necessary to promote rehabilitation of eligible historic properties.

Only CLGs are eligible to pass tax relief to the public. The local government identifies the types of historic properties that are eligible for special valuation and designates a local review board that will review applications. Eligible properties that undergo substantial rehabilitation may receive special valuation if the local review board approves the rehabilitation work. The work must have been conducted within two years prior to application and must equal in cost at least 25% of the assessed value of the structure prior to rehabilitation.

DAYTON'S NATIONAL REGISTER OF HISTORIC PLACES

The City of Dayton has three historical districts listed on the National Register of Historic Places – two residential and one commercial. These are the:

- Southside National Historic District,
- Washington Street National Historic District, and
- Downtown Dayton National Historic District.

There are also several individual residences listed outside the districts.

DAYTON'S LOCAL REGISTER OF HISTORIC PLACES

~~In addition there is one~~ The three districts noted above are also listed on the local Dayton Register of Historic Places along with the Downtown Dayton Historic District. There are also several individual listings of houses on the ~~Dayton Historic~~ local register.

In both the National and Dayton Historic Districts, buildings are designated as primary/contributing or non-contributing. Included among these is the oldest existing railroad station in Washington (1881) and the Columbia County Courthouse, the oldest Washington State Courthouse still in use. The areas in which these landmarks are located are shown ~~in~~ on the zoning historic-overlay map for map the Dayton Historic Register of Historic Places, shown on Figure HP-1 the next page below.

Any building, structure, site, object, or district may be designated for inclusion in the Dayton Register of Historic Places if it is significantly associated with the history, architecture, archaeology, engineering, or cultural heritage of the community; if it has integrity; and is at least 50 years old, or is of lesser age and has exceptional importance. [City of Dayton Municipal Code Section 5-24~~Historic Preservation Ordinance, Section 5, A~~]

(Placeholder for Historic District Map)

Goals and Objectives

~~Goal H-3~~ **HP-1:** Preserve and enhance the buildings and properties in Dayton that are historically significant or of architectural importance.

~~Community Objective H-3~~ **HP-1.1:** The City should encourage development that is compatible with the existing historic integrity of the community.

Policy Discussion

Dayton's historical structures are important to all residents of the City. Not only do these areas contain the City's beginnings, but they are also where the City's more prominent landmarks are located.

The main architectural themes have already been laid down and must be considered in the design of any new structures or renovation of existing structures. This does not mean that all structures must be lavish imitations of an architectural style whose heyday is past. But sensitivity to surrounding buildings and use patterns is essential to a successful development.

Preservation is to be approached in a positive nonrestrictive manner. The rights of property owners as well as cost to owners should be respected. It is for this reason that the Historic Preservation Commission should be a group of citizens who share interest and knowledge in historic preservation and will provide recommendations to the property owners.

The Dayton Historic Preservation Commission acts primarily in an advisory capacity to the City Council. Various responsibilities of this Commission ~~may~~ include though not limited to:

- a) Review of nominations to the National Register of Historic Places;
- b) Establish and maintain a local register of historic places;
- c) Review and comment upon projects which impact historic resources;
- d) Undertake public awareness efforts on historic preservation issues;
- e) Explore various local, state, and federal programs offering funding, preferential tax treatment, and technical assistance for historic properties; ~~and~~
- f) Make recommendations with regard to historic land use, zoning, and design standards, and
- g) Conduct reviews of projects through Certificates of Appropriateness (COA) for compliance with the Secretary of Interior Standards and/or District Design Guidelines as adopted by the City. COA review applies to both to projects in historic districts and on registered properties.

Community Objective HP-1.2: Adopt district design guidelines which are user friendly in implementing the Secretary of Interior Standards as applied to the Dayton Historic Districts.

Policy –HP-1.2.1

The purpose of design guidance is to provide an easy to read policy resource for property, owners, architects, designers, builders, developers, City staff, and the Historic Preservation Commission and City Council. Guidelines inform about design policies in the districts and provide direction on preserving the integrity of the community's historic resources through congruous new construction and alterations.

Policy –HP-1.2.2

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.

CP14-007 - Amendment to the Comprehensive Plan Land Use Element, Natural Environment Chapter, Page 32 as follows:

Topography

~~The topography of the planning area lies in the Touchet River Valley, at the confluence of the Touchet River and most westerly mile of Patit Creek and many of the hillsides surrounding the heart of the City.~~

~~The Valley floor is relatively flat (slopes are less than 1%) with the minimum elevation of 1,557 to 1,650 feet above sea level. The adjoining hillsides within the city rise to and a maximum elevation of 2,085 feet above sea level. within the city limits.~~

~~The Valley is bordered by moderate to steep sloping hillsides (slopes of 30 to 40 percent) to the north and east respectively and steep hillsides (slopes of 50 to 90%) in the southern portion of the community at Rock Hill bluff.~~

~~Generally the height with the higher ranges of slopes, especially when their soil types are low in strength and unstable nature, are costly to develop and in certain areas, are not suitable for development. This is because the natural conditions of these heights, especially on their edges, require certain preventive and protective measures to be taken in order to make them safe and suitable for a particular development.~~

~~The protection of steep slopes will be mitigated through the City's 2013 updated development regulations for critical areas and SEPA.~~

CP14-008 - Amendment to the Comprehensive Plan Land Use Element, Natural Environment Chapter, Page 34 as follows:

~~In 1996 and 1997, the City experienced anywhere from minor to severe flooding events. These flood events have even affected the existing floodplain delineations. As a result, the City has contacted Federal Emergency Management Agency (FEMA) to review the floodplain designations located on the Flood Insurance Rate Map (FIRM) maps. As a result, in 1997 To date, most of Mustard Hollow has been subsequently was removed revised from FIRM "A" Zone to a "X" Zone. from the Flood Insurance Rate Map by FEMA (the Federal Emergency Management Agency).~~

CP14-009 - Amendment to the Comprehensive Plan Land Use Element, Natural Environment Chapter, Page 35 as follows:

Wildlife

~~Dayton is a habitat for a variety of fish and wildlife. The fringes-riparian areas next to the river, streams, and rural also openspace portions are an occasional residence for squirrels, skunks, porcupine, deer, wild turkey, coyotes, raccoons, cougars and elk-moose may occasionally wander through. Developed areas house a variety of bird life that includes sparrows, robins, stella-lue jays, starlings, yellow finches, hummingbirds and in the less intensely developed area, owls, hawks, pheasant, quail, geese and ducks.~~

~~These developed areas also include small dDomestic animals: dogs, cats and other house pets along with a variety of domesticated farm animals are present throughout the City. A variety of livestock are often kept on larger properties as an allowed use or nonconforming use.~~

The Touchet River levee provides a habitat for seasonal and year-round game fish species. These species are believed to include steelhead (ESA listed as Threatened), rainbow trout, brown trout, whitefish, lamprey species (rare), speckled dace, red side shiner, northern pike minnow, suckers (maybe 2 species), piute sculpin, torrent sculpin, possibly bull trout (ESA listed as Threatened), margined sculpin (state listed as sensitive) and a few spring Chinook salmon (probably stray hatchery fish.)

CP14-010 - Amendment to the Comprehensive Plan to include the 6 year and 20 year Capital Improvement Programs (CIPs) approved by the City Council on February. 9, 2015 replacing Pages 54-55. The 6 year Capital Improvement Programs included as Attachment F-1 and 20 year Capital Improvement Programs is included as Attachment F-2.

CP14-011 - Amend the Comprehensive Plan Housing Element, Pages 63-65 as follows:

***Community Objective H-1.4:** Encourage ancillary residential development in the existing commercial buildings.*

Policy Discussion

Residential development can provide benefits for existing businesses and residents alike. Upper story housing will provide the opportunity for people to live close to shops and services and places of employment. Additionally, residents within the downtown area will help to create a localized market for nearby goods and services while encouraging activity in the vacant upper story, downtown buildings. It is important to note that residential use in these buildings shall be considered an ancillary activity and should not displace existing potential commercial use.

Policy H-1.4 Design features of mixed-use developments should include the following:

- a. Integration of the retail and/or office uses and residential units within the same building or on the same parcel;*
- b. Ground level spaces built to accommodate retail and office uses;*
- c. Off-street parking behind or to the side of the buildings, or enclosed within buildings; and*
- d. Opportunities to have safe, accessible pedestrian connections and bicycle facilities within and to adjacent to the residential development.*

***Community Objective H-1.6:** The City shall not enact any statute or ordinance that treats a residential structure occupied by persons with handicaps differently than a similar residential structure occupied by family or other unrelated individuals.*

Policy H-1.6 The City encourages the use of universal design in residential structures to support aging-in-place by city residents and to support all other sectors of the population.

***Community Objective H-2.4:** Assure new development provides infrastructure needed to support to the appearance, function and safety of the neighborhood.*

Policy H-2.4 Residential developments within the City, including mobile home parks, shall provide the following improvements, except when a deviation from standards is justified;

- a. Paved streets, paved alleys, curbs, sidewalks or paved walkways, and internal walkways;*
- b. Adequate parking;*
- c. Street lighting and street trees;*
- d. Stormwater treatment and control;*

- e. Public water supply;
- f. Public sewers; and
- g. Landscaping around the perimeter and parking areas.

CP14-012 - Amend the Comprehensive Plan definitions adding definitions to Pages 108-115 as follows:

Feasible

Feasible means, for the purpose of the City plans and codes, that an action, such as a development project, mitigation, or preservation requirement, meets all of the following conditions:

- (a) The action can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results;
- (b) The action provides a reasonable likelihood of achieving its intended purpose; and
- (c) The action does not physically preclude achieving the project's primary intended legal use.

In cases where these guidelines require certain actions unless they are infeasible, the burden of proving infeasibility is on the applicant. In determining an action's infeasibility, the reviewing agency may weigh the action's relative public costs and public benefits, considered in the short- and long-term time frames.

Goals

Goals reflect the vision of citizens and City Council.

Land Use Map

The land use map for the Comprehensive Plan designates the general location and extent of the uses of land in the City and UGA for, housing, commerce, industry, recreation, open spaces, public utilities, public facilities, and other land uses as required by the Growth Management Act. The full size map is available for review at the Dayton Planning Department and at the Dayton City Clerk's Office.

Objectives

Objectives of the Comprehensive Plan are attainable, feasible, credible, technically sound, and consistent with City's Comprehensive Plan goals and policies.

Policies

Policies embrace the general goals of the City. Policies define course or method of action selected from among alternatives and in light of given conditions to guide and determine present and future decisions

Precautionary Action

Precautionary action, also referred to as the "no risk approach," means in such instances where an absence of valid scientific information or incomplete scientific information relating to the city's critical areas, leading to uncertainty about whether development and land uses could lead to harm of critical areas or uncertainty about the risk to critical area function, such development and land use activities are strictly limited until the uncertainty is sufficiently resolved.

Shall

To guide the City of Dayton, the use of the terms "shall," "will," "should," and "may" in policies determine the level of discretion the city can exercise in making future and specific land use, budget, development regulation and other decisions. "Shall" and "will" in a policy mean that it is mandatory for the city to carry out the policy, even if a timeframe is not included. "Shall" and "will" are imperative and nondiscretionary--the city must make decisions based on what the policy says to do. "May" in a policy means that it is in the city's interest to carry out the policy, but the city has total discretion in making decisions. "Must" in a policy means a mandate; the action is required. "Should" in a policy means: noncompulsory guidance, in which cost, availability of funding, and public benefit associated with the policy's purpose are considered as part of the implementation decision; establishes that the county has discretion in making decisions.

Subarea Planning

This level of planning brings the policy direction of the comprehensive plan to a smaller geographic area. A subarea plan is meant to provide a detailed land use plan for a local geographic area. These plans are meant to implement the Dayton Comprehensive Plan and be consistent with the City's Comprehensive Plan's policies, development regulations, and Land Use Map.

Universal Design

Universal design as used in Housing Element, means the design of products, buildings, and environments to be usable by all people, to the greatest extent possible, and which allows people to age in place in their home without the need for adaptation or specialized design.

CP14-013 - Amendment to the Comprehensive Plan Land Use Map, LU-1, correcting the UGA designation on the Hendrickson Property (Columbia County Property ID 268459), from "Public" to "Urban Density Residential". Property corrected (ID 268459) is shown on Attachment G.

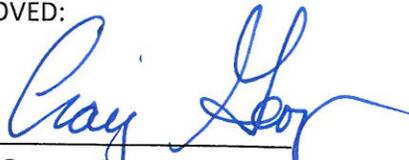
The Planning Department is directed to prepare a letter to Columbia County confirming that the City Council approved the UGA correction to the Comprehensive Plan Land Use and UGA Map for the Hendrickson property.

Section 2. Validity. If any section, paragraph, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that they would have passed this ordinance and each section, paragraph, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, paragraphs, clauses, or phrases may subsequently be found by competent authority to be unconstitutional or invalid.

Section 3. Effective Date. This Ordinance shall be effective from and after five (5) days after its passage and publication as required by Law.

Passed by the City Council, City of Dayton, this 9TH day of February, 2015.

APPROVED:



Craig George, Mayor

ATTEST:



Trina D. Cole, City Clerk

APPROVED AS TO FORM:



Gregory Lutchter, City Attorney

List of Attachments:

ATTACHMENT A - Commercial Street Corridor Master Plan w/revisions

ATTACHMENT B - Parks and Recreational Element

ATTACHMENT C - Comprehensive Plan Land Use Map - Figure LU-1

ATTACHMENT D - Existing Land Use Map - Figure LU-2

ATTACHMENT E - Downtown Dayton Historic District Design Guidelines

ATTACHMENT F-1 - 6 year CIP

F-2 - 20 year CIP

ATTACHMENT G - Comprehensive Plan Land Use Map, correcting UGA on Parcel ID 268459

ORDINANCE SUMMARY BY TITLE ONLY FOR PUBLICATION PURPOSES
ORDINANCE NO. 1873

AN ORDINANCE ADOPTING NEW AND AMENDED 2014 COMPREHENSIVE
PLAN POLICIES, TEXT, AND MAPS IN COMPLIANCE WITH RCW 36.70A
(GMA); AND AMENDING ORDINANCE 1145.

The full text of Ordinance 1873 adopted the 9th day of February, 2015 is available for examination at the City Clerk's Office, 111 S. 1st St., Dayton, WA during normal business hours, 9:00 a.m. to 4:00 p.m.

By: /s/ Craig George, Mayor
Authenticated By: /s/ Trina Cole, City Clerk-Treasurer
Approved as to form: /s/ Gregory L. Lutchter, City Attorney

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