

RESOLUTION NO. 1277

CITY OF DAYTON, WASHINGTON

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON
AUTHORIZING THE SCOPE OF WORK AND PUBLIC PARTICIPATION PLAN FOR THE
HISTORIC PRESERVATION POLICY, CODE AND PROCESS UPDATE PROJECT.**

WHEREAS, the City of Dayton 2016 work program for the Dayton Planning Department includes the Historic Preservation Policy, Code and Process Update Project.

WHEREAS, code provisions of Dayton Municipal Code (DMC) 5-18 are not fully consistent with city policy, other DMC Chapters and provisions within DMC 5-18.

WHEREAS, the City recognizes a number of South Side Historic District and Washington Street Historic District property owners are frustrated with the requirements and processing of a Certificate of Appropriateness (COA) under the Dayton Municipal Code Chapter 5-18 and as stakeholders, they desire for their comments and testimony to be considered by the city.

WHEREAS, the Dayton Historic Preservation Commission provided comment on the draft the scope of work, schedule and public participation plan for this project at their January 27, 2016 regular meeting.

WHEREAS, the City considers it in the best public interest to identify the scope, schedule and public participation plan of this project to clarify opportunities for stakeholder and public comment; and for agreement as to the process steps of the project;

NOW, THEREFORE, the City Council of the City of Dayton, Washington does hereby resolve as follows:

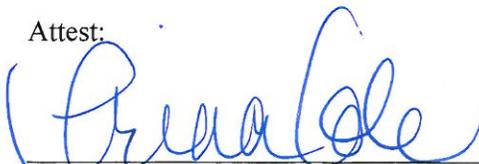
The City will utilize the scope of work, schedule and public participation plan for the Historic Preservation Policy, Code and Process Update Project to guide this project (included as Exhibit A).

PASSED by the City Council of the City of Dayton, Washington this 8TH day of February, 2016.



Craig George, Mayor

Attest:



Trina Cole, City Clerk-Treasurer

CITY OF DAYTON
Scope of Work
Historic Preservation Policy, Code and Process Update Project

A. GLOSSARY

COA – Certificate of Appropriateness

DHPC – Dayton Historic Preservation Commission

DMC – Dayton Municipal Code

DMC 5.18 - Dayton Municipal Code Chapter 5.18, Historic Preservation Chapter

SSHD – South Side Historic District

Reference is used with the “Local” (Register) or “National Register” of Historic Places.

STV – Special Tax Valuation

WSHD – Washington Street Historic District

Reference is used with the “Local” (Register) or “National Register” of Historic Places.

B. PROBLEM STATEMENTS

1. DMC 5-18. is organized and/or subtitled, so as to result in tendency for misinterpretation. Sections of the code have been either miss-quoted and/or miss-applied. One example is the interpretation of DMC 5-18.02(C.) as applied to individual properties in the Dayton Register of Historic Places and as applied to properties within a Dayton Register Historic District.
2. Code provisions of this Chapter are not fully consistent with city policy, other DMC Chapters and provisions within DMC 5-18.
3. A number of SSHD and WSHD property owners are dissatisfied with the requirements for COAs under DMC Chapter 5-18 Code and consider the code to disregard individual property rights.*

C. GOALS OF PROJECT

1. Adopt Historic Preservation Code amendments consistent with the Comprehensive Plan and with wide support by stakeholders (individual and district property owners, DAHP, DHPC, DPC, city staff and community groups).
3. Eliminate inconsistencies with City Policy within the Historic Preservation Code.
4. Develop consistencies between city policy, Historic Preservation Codes, DHPC Rules, and application forms. Also, eliminate redundancy in Historic Preservation Codes and DHPC Rules.
5. Develop provisions to allow for exceptions when a property owner has a financial hardships.
6. Reduce review time of COAs and STVs, while maintaining compliance with the Open Public Meetings Act.

D. DELIVERABLES & RESPONSIBILITIES

	Planning Dept.	DHPC	DPC	CC
Survey for SSHD and WSHD property owners & tabulate results	L	R		
Develop Key Options for policy and code amendments	L	R ¹		
Open house / Workshops – Education displays & materials encouraging Input for Key Options	L	R ¹		
Public Hearings – Public Testimony			L	R (optional)
Written Recommendations	R	R	R	
Draft Ordinance	L	S		
Adopt Amendments	S			L
Revise Rules and Forms	S	L		

L = Lead Responsibility R = Responsibility S = Support
¹DHPC appointed subcommittee

E. TIMELINE

See attached schedule.

****Background:***

There are strong differing opinions of district property owners regarding individual property rights, and also the need for all owners to preserve the historic character their homes and the districts.

The local WSHD and SSHD were each created by the Dayton City Council in 2008 and 2009 respectfully. District(s) formation occurred after residents of each district cast a majority vote in favor of forming their district. In 2015, a number of WSHD and SSHD property owners came forward during DHPC meetings to explain that before the vote in 2008 they understood a district property owner could choose (at a future date) to have their property removed from a district. Codes were available for public review and community meetings were held in Oct. 2008 where it was clearly stated that property owners would not have an option to withdraw (from the district) should the district be formed. However, previous versions of COA application instructions at the time were confusing and easily misinterpreted. The COA application reference to property owners “opting out” of their individual property listing on the Dayton Register was misinterpreted by some to allow property owners in districts the choice of “opting out” of a district.

Schedule – Historic Preservation Code Review / Update –2016

Timeline	Task	Notes
10-2015 - 11/2015	Residential District Survey	
1/2016	Scope of Work	
1/2016	Process/Public Participation Plan	(P/P)
1/2016	Survey Prepared for DDHD	Send with Open house notice
1/2016	DHPC recommendations on P/P	
2/2016	Council approval of P/P	
Staff analytical work		
12/2015 – 4/2016	Identify code revision options (DMC 5-18 & DMC 11-07) for: districts, COA, process, DHPC membership, Update data, history/background information, district ownership information	
City/DHPC Open House and Workshops		
Wed. 2/24/2016	Open house and Workshop focus on: Moving Forward - Options for Districts & Permit review process	2 - 4 pm & 5 -7 pm prior to DHPC Regular Meeting
Sat. 2/27/2016	Open house and Workshop focus on: Moving Forward - Options for Districts & Permit review process	10 am – 1 pm
Mon. 2/29/2016	Open house and Workshop focus on: Moving Forward - Permit review process options	4 – 6 pm and 6:30 – 8 pm (only City staff)
DHPC Meetings, Review Recommendation		
3/23/2016	DHPC discussion of workshops held and options for policy and code change	
TBD	2 nd Meeting Discussion	Direction given to City Planning Staff for DHPC recommendation
TBD	3 rd Meeting Discussion <u>Optional</u>	Direction given to City Planning Staff for DHPC recommendation
4/27/2016	Recommendation on amendments <i>Alternative rec. may be provided by staff.</i>	Forward to DPC for public hearing
SEPA & Public Hearing Notice		
5/2016	Conduct SEPA review	Analyze environmental consequences that would result from the proposed changes.
5/2016	Send Notice of SEPA TD & Hearing	30 days prior to public hearing

5-6/2016	Send Commerce 60 Day Notice of Intent to Adopt	
Dayton Planning Commission (DPC) review and hearing		
5/17/2016	Planning Commission review of revisions to the comprehensive plan and development regulations.	Comprehensive Plan changes only if needed.
6/21/2016 & TBD	Planning Commission public hearing(s) on amendments	
6/2016	Planning Commission discussion of hearing testimony and possible modifications	Staff prepares draft ordinance
7/2016	Planning Commission Recommendation on amendments	Updated ordinance forwarded to State Dept. of Commerce .
City Council review and action		
7-8/2016	Schedule City Council study sessions on proposed amendments and Planning Commission recommendation(s) & Alternatives	
8-9/2016	<u>Optional</u> - City Council public hearing on proposed amendments	
9/2016	City Council Action	
9/2016	Publish Notice of Adoption in paper	
9/2016	Submit final Ordinance to State	
Rules and Forms Update		
9/2016 – 10/2016	DHPC drafts and approves rule and form changes consistent with amendments.	

**DAYTON HISTORIC PRESERVATION
CODE AND PROCESS
PROJECT 2016**

PUBLIC PARTICIPATION PLAN

1. Purpose and mission

Public participation is an essential part of the City of Dayton’s planning process. This public participation program provides the framework for public input on the review, amendment, and ultimate update of the city’s Historic Preservation Code DMC 5-18.

In designing this program, the City of Dayton attempts to involve the broadest cross-section of the community, particularly encouraging involvement of both groups and individuals.

2. Early and continuous participation

From the onset of the process, including the creation of the participation program, the city staff will seek public involvement by using methods that include surveys, information bulletins, and distribution lists for all interested parties to receive regular notices, meeting advertisements, and a webpage with up to date content. The public will be well advised of the opportunities for involvement and particularly encouraged to participate in providing views and comments on key options available for code and process updates.

The following groups of stakeholders have been identified and each (along with individuals) will be given notice of initial opportunities to comment and to also request emailed notice of future opportunities.

Stakeholders groups currently identified:

Dayton City Council

Dayton Mayor and City Staff

DPC - Dayton Planning Commission

DHPC – Dayton Historic Preservation Commission

DDHD – Downtown Dayton Historic District property owners

SSHD – South Side Historic District property owners

WSHD – Washington Street Historic District property owners

Individual -Dayton Register of Historic Places property owners

DAHP – WA ST Department of Archeology and Historic Preservation

Dayton Chamber of Commerce (Downtown Merchants)

3. Communication and information

City staff will encourage participation through outreach and educational efforts, including a webpage with bi-monthly updates. A bulletin-type publication posted, and updated regularly at City Hall. This bulletin is designed to describe the opportunities for public involvement, and provide contact information, including the web site, and email, address for public inquiry and comment.

4. Public meetings and notice

All public meetings will be advertised by formal public notices posted and published in consistent locations including City Hall, Dayton Library, "The Waitsburg Times" (local weekly newspaper). Interested parties will be further notified through an email notice distribution list.

5. Provisions for open discussion and written comments

Public workshops will be advertised and made accessible to a broad audience of stakeholders. Discussion will be ensured and encouraged by designated time for facilitated discussion. Public hearings will be held prior to adoption of amendments.

Written comments will be accepted and encouraged at all venues and in various forms, including email messages and facsimiles. Notice of public comments periods will encourage written comments and provide contact information. Comments should be addressed to the City of Dayton Planning Dept., 111 S. 1st Street, Dayton, Washington 99328; 509-540-6747; or (E-mail Address) kscharer@daytonwa.com.

Planning staff will encourage public comments be in writing so they can be forwarded to the DHPC, DPC and be officially recognized as part of the public hearing process.

6. Consideration of public comments

All comments on draft proposals and alternatives will be accepted and brought to the attention of the DHPC and DPC for their consideration prior to their decision to forward a recommendation. Written comments will also be available to each City Council Member and will be kept on file for public review. Those commenting will receive notification of opportunities for further involvement and commenting, should new opportunities be added.