

Dayton City Planning Commission

Regular Meeting—Agenda

Tuesday, April 17th, 2018 at 6:30 PM

114 South 2nd Street, Dayton, Washington 99328



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1. Call to Order
 2. Roll Call and Establish Quorum
 3. Review of Minutes
 - a. March 20th, 2018
 4. Communications from Citizens
 5. Public Hearings
 - a. 6:35 PM – Chapter 17-02: Frequently Flooded Areas
 6. Old Business
 - a. Title 11: Zoning
 - i. Staff presentation on Air B&B and Tiny Homes
 - ii. Deliberation on Air B&B and Tiny Homes
 7. New Business
 - a. Dayton Historic Preservation Commission – Title 5 Edits
 - i. Request to schedule Public Hearing at next regular meeting.
- Adjournment
- b. Next meeting: Tuesday, May 15th, 2018 at 6:30 PM



DAYTON CITY PLANNING COMMISSION

114 S. 2nd Street, Dayton, WA

Meeting Minutes

Tuesday, March 20, 2018 – 6:30 p.m.

Call to Order: by Chair, Joe Huether at 6:30 p.m.

Roll Call: Members Present: Joe Huether, Carol Rahn, Kathryn Witherington and Byron Kaczmariski.

Also in attendance: Dena Martin, Planning Clerk

A quorum of Council members was present.

Minutes: The February 20th, 2018 meeting minutes were reviewed.

- A motion to approve the minutes of the February 20th, 2018 meeting minutes as distributed was made by Rahn and seconded by Witherington. Motion passed.

Communication from Citizens: (none)

Public Hearing: (none)

Old Business:

- Title 11: Zoning
 - Approved final review of current draft including new edits by Planning Director Meagan Bailey to requirements for pre-existing, nonconforming structures (11-09.030(B)).

New Business:

- Initial discussion of short-term rentals.
 - All commission members spoke in favor of allowing short term rentals and feel they benefit the community's economic development by increasing lodging options for tourists.
 - The commission wishes to ensure there are not negatives or pitfalls to allowing short-term rentals that they may not be aware of.
 - The commission requested that staff research and prepare a list of pros and cons relevant to Dayton, specifically, and bring to the next meeting for further discussion.
- Initial discussion of Tiny Homes.
 - All commission members spoke in favor of allowing Tiny Homes in the City. Discussed the possibility of lots or areas dedicated specifically to, and/or zoned specifically for, Tiny Homes, possibly to address issues of aging community members and/or homelessness.

- The commission recognized that Tiny Homes are not approved for use as long-term dwellings by the State, but felt the issue is in a “state of flux” and those regulations may change in time.
- The commission requested that staff research what would be require to modify Tiny Homes to be allowed in the City on a diverse level (both with and without chassis).
- Reviewed final edits to Chapter 17-02 of the City code and set Public Hearing.
 - Review of the edits to Chapter 17-02 of the DMC as presented by the Department of Ecology commenced; no concerns regarding the changes were brought forth.
 - A motion was made by Rahn and seconded by Witherington to set a Public Hearing on proposed amendments to Chapter 17-02. Motion was approved and a Public Hearing will be set for April 17 at 6:35 p.m.

Adjournment: at 7:07 p.m.

Announcements:

- Next Scheduled Commission Meeting: Tuesday, April 17th, 2018 @ 6:30 pm.

Approved, April 17th, 2018,

Joseph Huether, City Planning Commission Chair Date

Attest:

Meagan Bailey, Planning Director

Columbia County
Department of Planning and Building

Staff Report
Chapter 17-02 Ordinance 1932

Amending Dayton Municipal Code: Chapter 17-02: Frequently Flooded Areas

To: City of Dayton Planning Commission
For: Recommendation
By: Department of Planning and Building
Date: April 17th, 2018

SEPA Determination: Determination of Nonsignificance per WAC 197-11-340(2)
Public hearing: April 17, 2018

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**Proposal:** The Department of Planning and Building received notice that the Dayton Municipal Code, Chapter 17-02: Frequently Flooded Areas, is out of compliance. Given this notice, Planning Director Meagan Bailey implemented the necessary revisions to the code as illustrated in the attachment. While administrative and minor in context, full compliance with all State and Federal regulations is a must—given the proposed amendments.

**Analysis:** Department of Ecology Flood Engineer Lynn Schmidt brought to the attention of Columbia County Planning and Building Department Planning Director Meagan Bailey that Chapter 07-02: Frequently Flooded Areas of the Dayton Municipal Code was out of compliance with federal standards. Schmidt recommended amendments to bring the code into compliance with National Flood Insurance Program minimums and Bailey presented those amendments to the Dayton Planning Commission. The two amendments include:

- Chapter 17-02.022 – Areas of special flood hazard were previously identified by the Federal Insurance Administration in (44CRF 60.3(c) (1) (d)(2)) and are now identified “in a scientific and engineering report entitled “the Flood Insurance Study for Columbia County” dated May 4, 1988, and any revisions thereto.”
- Chapter 17-02.025 – An additional requirement was added to the section on “Alteration of watercourses” reading, “It is required that maintenance be provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.”

**Findings of Fact:**

1. The proposal was made by Department of Ecology Engineer, Lynne Schmidt.
2. The recommended changes were compiled and presented to the Dayton Planning Commission by Planning Director, Meagan Bailey.

3. The Planning Commission reviewed and unanimously agreed that the amendments as presented should move forward to a public hearing during the Dayton Planning Commission March, 20<sup>th</sup> 2018 meeting.
4. A public hearing on the proposed amendments has been set for April 17<sup>th</sup>, 2018 with the Dayton Planning Commission.
5. SEPA Checklist was completed and reviewed by the Lead Agency, and a determination of nonsignificance (DNS) was issued per WAC 197-11-340(2).
6. The Determination of Nonsignificance was advertised within the Paper of Record on 03/29/2018.
7. The Notice of Public Hearing was advertised within the Paper of Record on 03/29/2018.
8. Notice of the Determination of Nonsignificance was sent to the Department of Ecology on 03/21/2018. No comments received.
9. Comment close for the Determination of Nonsignificance on 04/13/2018.
10. Request for expedited review was sent to the Department of Commerce on 03/21/2018, with confirm of receipt of the request on 03/21/2018.
11. The proposed amendments are within full compliance of all environmental and developmental regulations.

**Discussion:** The amendments as presented will ensure the City of Dayton is within full compliance with Federal and State regulations. Given, staff requests a recommendation to either:

1. Recommend adoption of the draft amendments as presented to City Council;
2. Recommend adoption with additional edits to City Council;
3. Deny any recommendation until further review.

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Meagan Bailey, Planning Director

## CHAPTER 17-02. - FREQUENTLY FLOODED AREAS

### 17-02.022. - Establishing areas of special flood hazard.

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled " The Flood Insurance Study for Columbia County" dated May 4, 1988, and any revisions thereto. (44 CFR 60.3(e)(1)(d)(2)) with an accompanying flood insurance rate map (FIRM), and any revisions thereto, are hereby adopted by reference and declared to be a part of this title. The flood insurance study and the FIRM are on file at City Hall. The best available information for flood hazard area identification as outlined below shall be the basis for regulation until a new FIRM is issued which incorporates the data utilized.

When base flood elevation data has not been provided (A zones) in accordance with this section, the planning director shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer DMC 17-02.033, specific standards.

Where base flood elevation data is provided through the flood insurance study, FIRM, or required as in this section, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

For all new or substantially improved flood-proofed structures where base flood elevation data is provided through the flood insurance study, FIRM, or as required in this section:

- A. Obtain and record the elevation (in relation to mean sea level) to which the structure was flood-proofed;
- B. Maintain the flood-proofing certifications required in section 17-01.082; and
- C. Maintain for public inspection all records pertaining to the provisions of this title.

### 17-02.025. - Alteration of watercourses.

Notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Federal Insurance Administrator, (44 CFR 60.3(b)(6)). All permits of federal and state agencies must be obtained prior to any alteration or relocation. It is required that maintenance be provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

11-03.020. - Uses.

All uses in residential zones shall either be permitted as a principal use, as an accessory use or as a conditional use, or prohibited as indicated in the Use Chart of this section. If a use is not listed, it is prohibited unless the planning director determines that a proposed use is similar in aspects such as size, density, effect and impact on surrounding users as a listed use. All restrictions that apply to a listed use shall apply to any use which is permitted as a similar use.

| Use Chart                                                                                                                       | Residential Zones |                |
|---------------------------------------------------------------------------------------------------------------------------------|-------------------|----------------|
|                                                                                                                                 | AR                | UR             |
| <b>A. Residential.</b>                                                                                                          |                   |                |
| Accessory dwelling unit (ADU)<br>> <sup>1</sup> Accessory only to one primary single-family dwelling, also see DMC 11-01.020 G. | A <sup>1</sup>    | A <sup>1</sup> |
| Adult family home                                                                                                               | P                 | P              |
| Boardinghouse                                                                                                                   | A                 | P              |
| Duplexes (two attached dwellings units with a minimum of 3,600 square feet of lot area for each unit)                           | X                 | P              |
| Group home                                                                                                                      | P                 | P              |
| Manufactured and mobile home parks                                                                                              | C                 | C              |
| Multifamily (three or more attached dwelling units with a minimum of 3,600 square feet of lot area for each unit)               | X                 | P              |
| Pets, household                                                                                                                 | A <sup>2</sup>    | A <sup>2</sup> |
| Private garages and storage buildings, including carports                                                                       | A                 | A              |
| Private recreational facilities (pools, patios, and similar)                                                                    | A                 | A              |
| Single-family dwelling                                                                                                          | P                 | P              |
| Tent structure, residential—See DMC 11-03.040 for limitations                                                                   | A                 | A              |

|                                                                           |                |                |
|---------------------------------------------------------------------------|----------------|----------------|
| Vacation rental                                                           | P              | P              |
| <b>B. Agricultural Uses.</b>                                              |                |                |
| Feedlots                                                                  | X              | X              |
| General farming                                                           | P <sup>2</sup> | A <sup>2</sup> |
| Large sized livestock                                                     | P <sup>2</sup> | X              |
| Moderate sized livestock                                                  | P <sup>2</sup> | X              |
| Small production animals                                                  | P <sup>2</sup> | A <sup>2</sup> |
| Marijuana producers and production including medical marijuana            | X              | X              |
| Medical marijuana cooperative                                             | X              | X              |
| <b>C. Community Facilities.</b>                                           |                |                |
| Community centers and similar facilities                                  | C              | C              |
| Fire and police stations                                                  | C              | C              |
| Hospitals                                                                 | X              | C              |
| Medical clinics                                                           | X              | C              |
| Parks                                                                     | P              | P              |
| Religious facilities, faith centers and churches                          | C              | C              |
| Schools                                                                   | C              | C              |
| Utility transformers, pump station, etc.                                  | C              | C              |
| <b>D. Commercial Uses. (Limitations on Commercial Uses—See 11-03.060)</b> |                |                |
| Bed and breakfast guest house                                             | A              | A              |



|                                                                                                                                                                                          |   |   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| Inn                                                                                                                                                                                      | X | C |
| Communication towers including phone, radio, TV and similar                                                                                                                              | A | A |
| Community residential facilities (CRF)                                                                                                                                                   | X | C |
| Day care facilities                                                                                                                                                                      |   |   |
| Day care center                                                                                                                                                                          | C | C |
| Mini Day Care Center                                                                                                                                                                     | C | C |
| Family day care home                                                                                                                                                                     | A | A |
| Home business or occupation                                                                                                                                                              | A | A |
| Kennels                                                                                                                                                                                  | A | X |
| Marijuana processor and processing                                                                                                                                                       | X | X |
| Marijuana retailers and retail stores with or without a medical marijuana endorsement                                                                                                    | X | X |
| Nursing homes                                                                                                                                                                            | C | C |
| Professional, administrative and service offices                                                                                                                                         | A | A |
| Retail nurseries and greenhouses                                                                                                                                                         | A | A |
| Veterinary clinic                                                                                                                                                                        | X | C |
| <sup>1</sup> Accessory only to one primary single-family dwelling, also see DMC 11-01.020(G)<br><sup>2</sup> See DMC 11-03.100 for limitations to pets, livestock and production animals |   |   |

" *Bed and breakfast guest house* " means a dwelling unit which serves as the primary residence for the owner/operator within in which three to no more than five bedrooms are available for paying guests. Nightly lodging accommodations may serve guests and/or travelers for a period of no longer than 30 days and may serve breakfast only to those people registered to use the facility for lodging.

P—Permitted use; C—Conditional use; A—Accessory use; X—Not allowed

## Tiny Homes



AKA: Park Model RV's

### Local Building Code Requirements

- Must be permanently attached to a foundation.
- Must have permanent utilities.
- Pre-manufactured homes must have a Washington State Labor and Industries Stamp.
- Must be engineered to a 30 pound per square foot snow load.
- Meet Washington State Energy Code Requirements.
- Meet International Residential Code Requirements.

### Local Building Code Requirements



No Foundation

Snow load not engineered

Utilities are not permanent

### Washington State Energy Code

- R-49 Insulation in the ceiling and venting
  - Minimum thickness is 14 inches
  - SIPS panels insulated at R-38 alternatively
- R-21 Insulation in the walls.
  - Minimum 2X6 Construction to achieve this
- R-30 Insulation in the floor cavity.
  - Minimum 2X10 Construction to achieve this

### Washington State Energy Code



R-21 2X6 required  
typically 2X4 framed

Minimum 15 inch clearance and vented  
not enough room

R-30 2X10 required  
typically 2x6 framed

### International Residential Code

- Ceiling height of 7 feet minimum.
- Habitable rooms
  - 70 square feet minimum
  - Not less than 7 feet in any direction
- Minimum clearances
  - Kitchen cabinets
  - Bathroom fixtures

### Where Allowed

- Park model recreational vehicles are allowed in mobile home parks.
  - A park model RV in a mobile home park may be lived in year round.



### Alternatives to a Tiny House

- Small single family dwelling.
  - Built to all applicable codes
  - Permanent foundation and utilities
- Manufactured Home
  - Built to Labor and Industries standards
  - Permanently attached to foundation
  - Wheels and hitch removed

### Small Single Family Dwelling



This home is stick built on a foundation and measures 558 square feet

### Manufactured Home



Single wide manufactured home with Washington State Labor & Industries Stamp