

# Dayton Planning Commission

Regular Meeting—Agenda

Tuesday, July 28, 2020 at 6:30 PM

Via Zoom (see next page)



1. Call to Order
2. Roll Call and Establish Quorum
3. Review of Minutes
  - a. May 26, 2020
4. Communications from Citizens
  - a. Transient housing regulations – Winnie Brumsickle
5. Public Hearings
  - a. None scheduled
6. Old Business
  - a. Zoning ordinance (previously tabled, new items for consideration listed)
    - i. Parking regulations
7. New Business
  - a. Request for development of real property surplus procedures by the Affordable Housing Commission – *draft at next meeting*
  - b. Implementing the Comprehensive Plan
8. Adjournment

Next meeting: Tuesday, August 25, 2020 @ 6:30 PM

Dayton City Hall, 111 S. 1<sup>st</sup> St., Dayton, WA 99328 (or via ZOOM)

Meagan Bailey is inviting you to a scheduled Zoom meeting.

Topic: Regular Meeting of the Dayton Planning Commission

Time: Jul 28, 2020 06:30 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/88410119112>

Meeting ID: 884 1011 9112

One tap mobile

+12532158782,,88410119112# US (Tacoma)

Dial by your location

+1 253 215 8782 US (Tacoma)

Meeting ID: 884 1011 9112

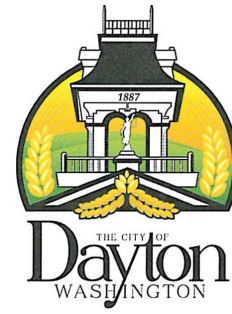
Find your local number: <https://us02web.zoom.us/u/kkTaAHw90>

# Dayton City Planning Commission

Regular Meeting—Minutes

Tuesday, May 26, 2020 at 6:30 PM

ZOOM



1. Call to Order

- a. Chair Kari Dingman called to order the regular meeting of the Dayton Planning Commission at 6:32 pm.

2. Roll Call and Establish Quorum

Members present: Chair Kari Dingman, Alicia Walker, Russell Levens, and Byron Kaczmarski

Members absent: Kathryn Witherington

Staff present: Meagan Bailey, Director of Planning and Community Development

Public present: None

3. Review of Minutes

- a. April 28, 2020

- i. A motion was made by Walker and seconded by Kaczmarski to approve the April 28, 2020 meeting minutes as presented; none opposed. Minutes approved.

4. Communications from Citizens

- a. None

5. Public Hearings

- a. None scheduled

6. Old Business

- a. NFIP, WA State Flood Damage Prevention Ordinance

- i. Staff presented the final draft ordinance amendments, which included revisions submitted by commission members.
    - ii. A motion was made by Levens and seconded by Walker to table the final draft Flood Damage Prevention Ordinance amendments due to COVID-19 and current restrictions and changes to the OPMA; none opposed.

Motion carries. Staff will bring the final draft back to the commission once restrictions are lifted.

7. New Business

a. Implementing the Comprehensive Plan

- i. Commissioners will review the goals of the Comprehensive Plan and discuss opportunities for implementation at the next regular meeting.

8. Adjournment

- a. A motion was made by Kaczmariski and seconded by Levens to adjourn the regular meeting of the Dayton Planning Commission at 6:40 pm; none opposed. The Chair adjourned the meeting.

Approved on July 28, 2020

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Kari Dingman, Planning Commission Chair

Date

Attest:

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Meagan Bailey, Director of Planning & Community Development

**From:** [Connie Westergreen](#)  
**To:** [Meagan Bailey](#)  
**Subject:** FW: To the Planning Commission  
**Date:** Tuesday, July 7, 2020 7:15:26 AM

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**From:** Winnie Brumsickle <[winnie@momentumhandbag.com](mailto:winnie@momentumhandbag.com)>  
**Sent:** Tuesday, July 7, 2020 6:42 AM  
**To:** Info <[info@daytonwa.com](mailto:info@daytonwa.com)>  
**Subject:** To the Planning Commission

[External Email]

We are considering Dayton as a place to relocate. We are interested in purchasing commercial and residential property. We would consider investing in Dayton if your ordinances provided for transient rental and residential use in the downtown core. We also would support any modification to town access that would slow down traffic through the core.

Thank you for leading in such an utterly marvelous little town. It's our hope to live there some day.

The Brumsickles

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**Winnie Brumsickle | 360.317.8373**

*Artist, Perfumer.... "Float the Goods"*

*Insta:* [Boathouse Mercantile](#)

Shop+Generally Raw Blog: [www.boathousemercantile.com](http://www.boathousemercantile.com)

*Island Quote for the Day: "Don't be mean, you might need a plumber."*

**ORDINANCE NO. XXXX**

**AN ORDINANCE OF THE CITY OF DAYTON, WASHINGTON AMENDING PORTIONS OF TITLE 11 OF THE DAYTON MUNICIPAL CODE AND ADOPTING REVISED REGULATIONS OF THE ZONING ORDINANCE**

**WHEREAS**, XXX; and,

**WHEREAS**, XXX; and,

**WHEREAS**, XXX; and,

**WHEREAS**, XXX and,

**WHEREAS**, XXX; and,

**WHEREAS**, XXX; and,

**WHEREAS**, XXX; and,

**WHEREAS**, the Dayton Planning Commission held a public hearing on the proposed amendments on XXX; and,

**WHEREAS**, the Dayton Planning Commission recommends the proposed amendments be approved and adopted by the Dayton City Council.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON DO ORDAINS AS FOLLOWS:**

**Section 1: Amendment.** Section 11-01.050 of the Dayton Municipal Code is hereby amended to include the following revisions:

11-01.050. – Definitions and interpretations of language.

"Apiary" means the assembly of one or more colonies of bees at a single location.

"Beekeeper" means a person owning, possessing or controlling one or more colonies of bees.

"Beekeeping equipment" means anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.

"Colony or hive" means an aggregate of bees consisting principally of workers, but having, when perfect, one queen and at times many drones, including brood, combs, honey and the receptacle inhabited by the bees.

"Honeybee" means all life stages of the common domestic honey bee, *Apis mellifer* species.

"Raqueen" means to replace a queen in a hive, usually to replace an old queen with a young one.

11-02.020. - Overlay zones/districts.

Overlay Zone Name:	Symbol
Downtown Commercial Historic District	DCHD
<u>Clay Street Transitional District</u>	<u>CSTD</u>
<u>South Side Historic District</u>	<u>SSHD</u>
<u>Washington Street Historic District</u>	<u>WSHD</u>

11-03.010. - Intent and purpose of residential zones.

The intent and purpose of the residential zone is to provide for residential uses and such other uses as may be compatible to the following zones:

- A. *Agricultural residential (AR)*. The intent of the agricultural residential zone is to retain a single-family, low-density residential character. The base density for the agricultural residential zone is three to four dwelling units per acre. Varied housing types may be allowed through approved planned residential development, manufactured home parks, and manufactured home subdivisions.
- B. *Urban residential (UR)*. The intent of the urban residential zone is to provide for a mixture of housing unit types including single-family, duplex, manufactured, and multifamily dwellings. The base density is four to six dwelling units per acre. This zone also includes provisions for the manufactured home subdivisions.

11-03.020. - Uses.

Use Chart	Residential Zones	
	AR	UR
<b>A. Residential Uses.</b>		
<u>Cottage housing development (DMC 11-01)</u>	<u>P</u>	<u>P</u>

Duplexes ( <del>two attached dwellings units with a minimum of 3,600 square feet of lot area for each unit</del> )	X	P
Multifamily ( <del>three or more attached dwelling units with a minimum of 3,600 square feet of lot area for each unit</del> )	X	P
<u>Single manufactured home</u>	<u>P</u>	<u>P</u>
<b>Agricultural Uses</b>		
<u>Apiary</u>	<u>A</u>	<u>A</u>

11-03.030. - Standards—Lot area, height, setback, lot coverage requirements and exceptions.

Lot Areas, Setbacks, Structure Heights and Lot Coverage Required or Permitted	Zones	
	AR	UR
Lot area minimum	10,800 s.f.	<del>7,200 s.f.</del> <u>NO MIN</u>
Principal Building Setbacks		
<u>Minimum front and rear yard setbacks for principal buildings including setbacks from front yards of a through lot</u>	<u>25'-20'</u>	<u>20'-10'</u>
<u>Minimum primary front (P), flank front (F) and rear (R) yard setbacks from principal buildings on a corner lot: P/F/R</u>	<u>2025'/1045'/2025'</u>	<u>1020'/10'/1020'</u>
Maximum Height for structures and buildings (exceptions listed below):		
Fence height: (refer to section 11-03.065 for vision clearance area requirements)		
On back property, <u>flank property</u> , or side property line or within the rear, <u>flank front</u> , or side yard setback ( <u>11-04.050 – Vision clearance area requirements still applicable</u> )	6'	6'



Fences on the front property line(s) or in the <u>primary</u> front yard setback(s) area	4'	4'
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11-03.050. - Building construction—All buildings in residential zones.

- A. All buildings built or installed must:
  1. Be built to the International Building and Residential Building Code requirements, or must be a designated manufactured house;
  2. Meet the State Energy Code requirements;
  3. Be installed on and attached to a permanent foundation; and the permanent foundation of a building must meet the requirements for footings and foundations contained in the International and Residential Building Codes or, for a designated manufactured house the footings and foundations must:
    - a) Be installed below the frost line to the ground level as required in the Uniform-International Building Code;
    - b) Be installed from the ground level to the house as required in the Washington Administrative Code and in the specifications provided by the manufacturer;
    - c) The area between the lowest inhabitable floor and the ground level at the perimeter of a designated manufactured house must be enclosed with solid material that provides an appearance similar to crawl space enclosures on permanent site-built single-family residences. The crawl space enclosure material and installation must meet the International and Residential Building Code requirements; and
    - d) Be permanently attached to all required utilities.

11-03.100. - Animal densities—Livestock and production animals and household pets restrictions.

A. ~~Livestock and production animal restrictions.~~ Livestock and production animals such as horses, cows, goats, sheep and fowl are allowed subject to DMC 11-03.020 and as follows:

1. In the AR zone, large sized livestock animals such as a horse, cow or similar-sized animals require a minimum of 40,000 square feet of usable pasture area for the first large animal with an additional minimum usable pasture area of 20,000 square feet per each additional large animal.
2. In the AR zone, moderate sized livestock animals such as a sheep, goat or similar-sized animals totaling 200 pounds or less require a minimum of 10,000 square feet of usable pasture for the first moderate sized animal with an additional minimum usable pasture area of 5,000 square feet per each additional animal.
3. In the UR zone, moderate sized livestock animals such as sheep, goats or similar-sized animals totaling 200 pounds or less will only be allowed where the lot, or combination of lots owned by the same person and where the livestock will be kept, has at least 10,000 square feet of usable pasture (open space) for the first moderate sized animal with an additional minimum usable pasture area of 5,000 square feet per each additional animal, to a maximum of three moderate sized livestock.
  - a) Fencing shall be of a non-penetrable type so as to reduce nuisance impact on adjacent land uses.
  - b) Male moderate size livestock must be de-scented and/or neutered using humane standards.
  - c) All confinement areas shall be kept in a manner as not to cause a noise, odor, or visual nuisance with respect to neighboring property. All enclosure areas shall be kept clean.
  - d) Food and animal waste must be removed to keep the areas free from insect infestations, rodents or disease, as well as to prevent obnoxious or foul odors, and must not constitute a nuisance. Manure shall not be allowed in any place where it can affect any source of drinking water.
  - e) Offspring of animals legally permitted under this chapter may be kept for a period not to exceed four months. Beyond this period, offspring must meet the per-animal limitations of this chapter.
4. Small sized production animals such as chickens, rabbits or similar sized animals:

- a) In the UR zone, a maximum of six small production animals are allowed on a lot 7,200 square feet or larger. A ~~variance-variation~~ may be requested to allow small production animals on a substandard sized lot in the UR zone (see 11-03.100 A5(a)).
  - b) In the AR zone, a minimum of 100 square feet of useable fenced or enclosed area is required for the first small production animal with an additional minimum area of 50 square feet per each additional animal.
5. The calculation of the number of livestock and production animals allowed shall be cumulative and the aggregate of the total number of animals shall not exceed the densities allowed in this section. For example, a 10,000 square foot lot in the UR zone may allow for six chickens or one goat, but not both.
- a) To offer slight variation to the code, the director may authorize the presence of small production animals in the UR zone that coincides with a ration of 1 animal: 1,200 square feet of lot space. An administrative permit shall be applied for and approved prior to bringing animals on site.
6. Swine are prohibited.
7. No feedlots or similar dense animal-raising facilities or operations are permitted.
8. Shelters, fenced areas or corrals for animals ~~shall may~~ be built ~~3025~~ feet or more from ~~any~~ property line ~~or 50 feet or more from an existing residential building on adjacent properties~~. Except that, a shelter, fenced area or corral for six or fewer small production animals ~~may shall~~ be ~~located 15 feet from a side or rear property line and 20 feet from a front property line~~ built 20 feet or more from any property line.

**11-03.105. – Beekeeping.**

A. The intent of this section is to establish standards for beekeeping in a manner which will not endanger the health, peace, and safety of the citizens of the city and which will assure that bee hives are appropriately placed, maintained and managed.

B. The keeping of bees for accessory use is permitted in the Urban Residential (UR) and Agricultural Residential (AR) zones, subject to the requirements of subsections B, C, and D of section 11-03.105:

a) Number of hives allowed:

i. No more than four production colonies or hives are allowed on properties 7,200 square feet or larger within the UR and AR zones;

ii. Properties less than 7,000 square feet shall be limited to two production colonies or bee hives.

b) Hive placement requirements:

i. Hives shall not located within 1- feet of any side or rear lot line and shall be screened by vegetation at least six (6) feet in height.

c) Hive, apiary management requirements:

i. All hives shall be registered with the Department of Agriculture and comply with Chapter 15.60 RCW and rules adopted thereunder;

ii. All hives shall consist of moveable frames and combs, unless exempted by the Department of Agriculture;

iii. Hives shall be managed for swarm prevention and gentleness;

iv. Hives shall be requeened if bee behavior is likely to cause a nuisance;

v. A consistent source of water shall be provided at the apiary when bees are flying unless the hive occurs naturally. The water may be "sweetened" with mineral salt or chlorine to enhance its attractiveness. This requirement is intended to discourage bee visitation at swimming pools, hose bibs, animal watering sources, bird baths, or where people congregate;

vi. Apiaries shall be managed and kept in a clean and orderly manner and appearance to prevent a nuisance;

vii. Hives shall not be placed where they are a threat to animals who are chained or penned up and cannot flee if they are attached;

viii. Nuisance: bees shall be considered a nuisance and subject to abatement under the provisions of Title 21 when any of the following occurs:

1. Colonies of bees are defensive or exhibit objectionable behavior, or interfere with the normal use of property, or the enjoyment of persons, animals or property adjacent to an apiary;

2. Colonies of bees swarm;

3. Hives of bees do not conform with the regulations within this code;

4. The hive becomes deceased, as defined by the Department of Agriculture; or,

5. The hive becomes abandoned by its beekeeper.

11-04.020. - Uses.

Uses in Commercial Zones	Zones	
	CC	FC
<b>A. Commercial uses.</b>		
<b>1. General retail sales and services:</b>		
Pedestrian oriented specialty retail stores or lower volume in and out customer service such as books, music, stationary, jewelry, pet shops not including kennels, printing, second hand shops, and similar shops with related services	P	<del>A</del> <del>P</del>
Specialty retail shops primarily providing in and out service that do not need major warehouse space such as cleaners, copying, laundries, convenience stores and similar	<del>A</del> <del>P</del>	P
<b>2. Hospitality businesses:</b>		
Drive in and take out restaurants	<del>A</del> <del>P</del>	P
<b>4. Vehicle sales, repair and other services:</b>		
Automobile, truck and farm equipment sales, repair, fuel, service and commercial	<del>X</del> <del>P</del>	P

garages		
Boats, snowmobiles, recreational vehicles and similar sales, repair, parts, fuel and service	<del>X</del> P	P
Vehicle parts <u>SALES</u> only	P	P
<b>5. Other commercial operations:</b>		
Bus station, and other public transportation facilities	<u>P</u> C	P
<b>B. Community facilities.</b>		
Governmental offices	<u>C</u> P	P
Parks and playgrounds	<u>C</u> P	P
<b>C. Residential.</b> <u>The first floor street front of a building and 60% of the building area on the first floor cannot be used for residential uses. At least 45% of the main floor area adjacent to the street front of the building shall be used for commercial space. The remaining 55% of the main floor area and other floors may be used for residential purposes.</u>		
Mobile home parks	X	<del>P</del> <del>X</del>
Multi-family (three or more units, <u>attached or detached</u> )	<del>P</del> X	P
<u>Short term rental units</u>	A	A

\*where existing and legally established Marijuana retail stores exist in the Urban Growth Area and are annexed into the City Limits, those retail store shall continue to exist. County managed development agreements or conditional use permits shall be adopted upon annexation.

11-07.040. - Clay Street Transitional District (CSTD) Overlay Zone.

The intent of the CSTD overlay zone is to allow flexibility of the type of uses along the north side of E. Clay St between S. 1st St. and lots on the east side of S. 4th St. as shown on the CSTD overlay map adopted under Ord. No. 1886. The CSTD allows existing single-family homes to be recognized as permitted by zoning. The following uses are allowed as "permitted principal and

accessory uses" in addition to the uses listed for the underlining zones (central commercial or fringe commercial):

- A. Single-family residence
- B. Duplex or multi-family based on 3,600 square feet of lot area per dwelling unit.
- C. Governmental offices.
- D. Schools.

11-08.020. - Off-street parking—Required spaces.

*Required Off-Street Parking*

Use Description	Required Off-Street Parking and Loading Spaces
A. Residential.	
1. Boarding houses, group homes and similar	1 <u>stall</u> for each two sleeping rooms
2. Duplex and multi-unit except housing for seniors	<del>1½</del> <u>1 stall</u> for each dwelling unit
3. Nursing homes, and congregate care facilities	1 <u>stall</u> for each 5 beds
4. Multi-unit housing for seniors	1 <u>stall</u> for each dwelling unit
5. Single-family houses and mobile homes	2 <u>stalls</u> for each dwelling unit
<u>6. Accessory Dwelling Units</u>	<u>1 stall</u>
<u>7. Cottage Development</u>	<u>1 stall per cottage house</u>

11-08.040. - Dimensions—Parking spaces and loading berths.

- A. Required parking spaces shall be no less than 18 feet in length and no less than **eight** **nine** feet in width. The minimum width of two-way traffic circulation aisles shall be 20 feet and minimum width of one-way traffic aisles shall be 12 feet. Graveled parking areas providing required parking must have an area 25 percent greater than required for a paved parking area

**Section 2: Severability.** If any section, sentence, clause, or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, or phrase of this ordinance.

**Section 3: Effective Date.** A summary thereof of this Ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF DAYTON, WASHINGTON, AT A REGULAR MEETING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020.**

City of Dayton

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Zac Weatherford, Mayor



Attested/Authenticated by:

\_\_\_\_\_

Trina Cole, City Administrator

Approved as to form:

\_\_\_\_\_

Quinn Plant, City Attorney

\_\_\_\_\_

**ORDINANCE SUMMARY BY TITLE ONLY FOR PUBLICATION PURPOSES  
ORDINANCE NUMBER XXXX**

**AN ORDINANCE OF THE CITY OF DAYTON, WASHINGTON AMENDING  
PORTIONS OF TITLE 11 OF THE DAYTON MUNICIPAL CODE.**

The full text of Ordinance XXXX, adopted the \_\_\_ day of \_\_\_\_\_, 2020, is available for examination at the City Clerk’s Office, 111 S. 1<sup>st</sup> St., Dayton, WA during normal business hours, 9:00 a.m. to 4:00 p.m., Monday – Friday.

By: /s/ Zac Weatherford, Mayor

Attest: /s/ Trina Cole, City Administrator

Approved as to from: /s/ Quinn Plant, City Attorney

Published: \_\_\_\_\_

*The Dayton Chronicle*