

Dayton City Planning Commission  
Regular Meeting—Agenda  
Tuesday, October 22, 2019 at 6:30 PM  
111 South 1<sup>st</sup> St., Dayton, Washington 99328

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1. Call to Order
2. Roll Call and Establish Quorum
3. Review of Minutes
  - a. September 24, 2019
4. Communications from Citizens
5. Public Hearings
  - a. 2019 Comprehensive Plan Update – 6:35 pm
    - i. Ordinance 1955: Adopting the 2019 Comprehensive Plan
    - ii. Ordinance 1956: Amending Chapter 10-09 of the Dayton Municipal Code
    - iii. Ordinance 1957: Amending Title 11 of the Dayton Municipal Code
6. Old Business
7. New Business
  - a. DMC Chapter 1-13. – Planning Commission
    - i. Potential addition of “parks and rec” responsibilities under PC
8. Adjournment

Next meeting: Tuesday, November 26, 2019 @ 6:30 pm  
Dayton City Hall, 111 S. 1<sup>st</sup> St., Dayton, WA 99328

# Dayton City Planning Commission

Regular Meeting—Minutes

Tuesday, September 24, 2019 at 6:30 PM

111 South 1<sup>st</sup> St., Dayton, Washington 99328



1. Call to Order
  - a. Chair Kari Dingman called to order the regular meeting of the Dayton Planning Commission at 6:41 pm.
2. Roll Call and Establish Quorum
  - a. Members present: Kari Dingman, Byron Kaczmarski, Alicia Walker, and Kathryn Witherington  
Members absent: None  
Staff present: Trina Cole, City Administrator/Treasurer  
Public present: None
3. Review of Minutes
  - a. August 20, 2019
    - i. A motion was made by Witherington and seconded by walker to approve the August 20, 2019 meeting minutes as presented; none opposed. Motion carries.
4. Communications from Citizens
5. Public Hearings
  - a. None Scheduled
6. Old Business
  - a. 2019 Comprehensive Plan
    - i. Final discussion of the 2019 Comprehensive Plan continued, with no additional changes requested for incorporation.
    - ii. Byron Kaczmarski recused himself from further action/discussion on the 2019 Comprehensive Plan.
    - iii. A motion was made by Witherington and seconded by Walker to schedule a public hearing during the next regular meeting of the Dayton Planning Commission to take testimony for or against the final draft 2019

Comprehensive Plan; none opposed.

1. **A public hearing will be scheduled for October 22, 2019 at 6:35 pm at Dayton City Hall, 111 S. 1<sup>st</sup> St., Dayton, WA 99328**

- b. Special event permits
  - i. *Tabled*
7. New Business
8. Adjournment
  - a. A motion was made by Walker and seconded by Witherington to adjourn the regular meeting of the Dayton Planning Commission at 6:47 pm; none opposed. Meeting adjourned. Next meeting: Tuesday, November 26, 2019 @ 6:30 pm at Dayton City Hall (111 S. 1<sup>st</sup> St., Dayton, WA 99328)

Approved October 22, 2019

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Kari Dingman, Planning Commission Chair

Date

Attest:

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Meagan Bailey, Planning Director



# **Dayton, Washington Planning and Community Development Dayton Comprehensive Plan Update Staff Report – Oct. 22, 2019**

*Periodic Update of the City of Dayton Comprehensive Plan and Development Regulations*

*Ordinance numbers: 1955, 1956, and 1957*

## **Background**

In 2017, the Columbia County Planning Department initiated discussion regarding overseeing a regional Comprehensive Plan update. The proposed scope of work included interlocal agreements between the City of Dayton and Columbia County, and the Town of Starbuck and Columbia County, to allow Columbia County to act as Lead Agency to process all three Comprehensive Plan updates simultaneously. Following discussions between jurisdictions and with the State, Columbia County brought forth an interlocal agreement to the City of Dayton – signed and official on March 14<sup>th</sup>, 2018. The interlocal agreement authorized the Columbia County Planning Department to take lead on the update process and coordinate with the Department of Commerce regarding the update process and to assist City Council with the process. The goal of the regional update was to ensure policies were in place to achieve the joint goals of all jurisdictions, including long-term economic development and improved housing options and regulations. The following background summary briefly outlines the update process.

1. The City of Dayton and Columbia County entered into an interlocal agreement on March 14<sup>th</sup>, 2018 to allow Columbia County to take lead on the 2019 regional Comprehensive Plan update (exhibit 1).
2. Planning Director Meagan Bailey (staff) was the assigned staff for the project and worked with City Council by attending monthly meetings and providing ongoing updates.
3. Staff completed a thorough review of the existing Comprehensive Plan and completed the Department of Commerce update checklist. This checklist was used to ensure the receipt of the Commerce grant, as well as offer direction and to identify where updates were needed (exhibit 2).
4. Staff completed a thorough review of the existing critical areas ordinance (CAO) and completed the Department of Commerce update checklist. Per this review, it was determined that the CAO required no update (exhibit 3).
5. Request for docket items was published in the Waitsburg Times and the Dayton Chronicle on June 14<sup>th</sup>, 2018. Three dockets were received from the public.
6. Following all interlocal agreements being signed and in place, staff moved forward by submitting a Request for Proposals (RFP's), requesting Statements of Qualifications (SOQ's) from private consultants to aid in the update process (exhibit 4).
7. Three SOQ's were received. Staff, City Council, and Starbuck Council representatives all reviewed the SOQ's received and completed grading sheets based on the submittal.
8. All scores were combined, and White Bluffs Consulting (WBC) received the highest graded score and was selected as the consultant for the project. Following discussion, a contract was finalized, and a scope of work agreed upon. Columbia County and WBC finalized the contract on September 6<sup>th</sup>, 2018. Two contract amendments were processed – first on October 22<sup>nd</sup>, 2018, and the second on February 19<sup>th</sup>, 2019 following an increased need for services (exhibit

- 5).
9. On October 10<sup>th</sup>, 2018, DPC held a public hearing on the proposed docket items. With there being no public comment received, Dayton Council adopted the docket list as presented for processing (exhibit 6).
  10. A Public Participation Plan was compiled and made available to the public on October 26<sup>th</sup>, 2018. This document offered consistent guidance on outreach efforts (exhibit 7).
  11. The initial Kick-Off Open House was held on November 29<sup>th</sup>, 2018 at the Youth Building at the County Fairgrounds. The consultant was present and gave a presentation and requested visioning from the public present. The meeting was advertised in the Dayton Chronicle on November 8<sup>th</sup> and November 22<sup>nd</sup>, 2018. Color ads were also utilized, flyers were posted around the community, and the event was documented on the County website (exhibit 8).
  12. Docket #1 – the urban growth boundary was reviewed, and the County has offered support to adopt in the Columbia County Periodic update (exhibit 9).
  13. Docket #2 – language was added into the Comprehensive Plan to adopt the Blue Mountain Region Trails plan by reference.
  14. Docket #3 – language was added into the Comprehensive Plan to address ongoing desire to improve retail development in the downtown corridor.
  15. Docket #4 - on February 13<sup>th</sup>, 2019, Dayton City Council adopted resolution 1371 formally supporting the new Countywide Planning Policies (exhibit 10).
  16. Docket #5 – on January 19<sup>th</sup>, 2019, the Dayton Planning Commission reviewed the final drafted docketing procedures and signed findings of fact and conclusions of law formally supporting the updated procedures (exhibit 11).
  17. Docket #6 – language was added into the Comprehensive Plan to add adopt the Cooperative Park Master Plan by reference.
  18. Docket #7 and #8 – rejected by City Council per Resolution 1354 (exhibit 12).
  19. Staff and the consultant jointly worked on the Comprehensive Plan. The updated included reviewing all elements, incorporating extensive changes to the language, and a thorough reformat and redesign.
  20. Additional regulations were reviewed and supported by the Dayton Planning Commission to promote infill development, namely, “Cottage Developments” (exhibit 13).
  21. Staff conducted interviews with various community members and/or representatives, including local fire department, sheriff’s department, school district representatives, council, county assessor, the port, and more. Notes of all meetings are held within the record. Information received during these meetings has been incorporated into the updated draft.
  22. The Wrap-Up Open House was held on May 21<sup>st</sup>, 2019 at the Youth Building at the County Fairgrounds. The consultant was present and gave a presentation and requested additional feedback on the draft plan. The meeting was advertised in the Dayton Chronicle and Waitsburg Times on April 18<sup>th</sup> and May 2<sup>nd</sup>, 2019. Color ads were also utilized, flyers were posted around the community, and the event was documented on the county website (exhibit 14).
  23. The final draft was submitted to the Department of Commerce on May 28<sup>th</sup>, 2019 – initiating the 60-day review period, with an end date of July 27<sup>th</sup>, 2019 (exhibit 15).
  24. A SEPA Checklist was completed and a DNS was issued on July 11<sup>th</sup>, 2019 (exhibit 16). Additional information can be found below, under “SEPA”.
  25. Comments received during this review period were retained and are listed below, under “discussion”.
  26. On July 15<sup>th</sup>, 2019, the Department of Commerce submitted their comment letter (exhibit 17).

27. Staff incorporated the received comments into the final draft. The final draft of the Comprehensive Plan is scheduled to be presented to the Dayton Planning Commission on August 20<sup>th</sup>, 2019, and a public hearing on the final draft will be requested.
28. The Dayton Planning Commission reviewed the final draft at the regular August meeting, and again at the regular September meeting. A public hearing was scheduled for October 22, 2019 at 6:35 pm following considerable review of the final draft.
29. Legal notice for the hearing was published in the paper of record on October 10 and October 17, 2019 (exhibit 18).

### **Development Regulations**

The following regulations, as proposed to be codified within the Dayton Municipal Code, have been reviewed by the Dayton Planning Commission, and are part of the 2019 periodic update.

1. Ordinance 1956: Title 10 – Administration of Development Regulations
  - a. Amended. Chapter 10-09 – Comprehensive Plan/Development Regulations Review and Amendment Procedures
2. Ordinance 1957: Title 11 – Zoning Code
  - a. Amended. Chapter 11-01 – General Provisions and Definitions
  - b. New. Chapter 11-03.035 – Residential Zone Infill

*The City of Dayton Comprehensive Plan 2019 update is proposed to be adopted as Ordinance 1955. This Comprehensive Plan will not be codified in the Dayton Municipal Code.*

### **SEPA:**

Columbia County is Lead Agency for this project. The Lead Agency for this proposal has received and reviewed the SEPA Checklist and associated SEPA materials and has issued a Determination of Nonsignificance (DNS) per Chapter 197-11 WAC. The comment period for the DNS was from July 11<sup>th</sup>, 2019 to July 26<sup>th</sup>, 2019. Notice of the DNS was advertised in the Dayton Chronicle on July 11<sup>th</sup>, 2019. The DNS was submitted to the Department of Ecology on July 11<sup>th</sup>, 2019. No comments were received. Associated materials are attached herein as exhibit 19.

### **Discussion:**

Formal comments received during the Department of Commerce 60-day review period are summarized here:

#### **David Ocampo, Columbia County Public Transportation, July 28<sup>th</sup>, 2019 & July 17<sup>th</sup>, 2019**

Email discussion regarding contextual language within the Columbia County Comprehensive Plan were exchanged. It was indicated within the emails that the language update was for the County Comprehensive Plan; however, this language was also incorporated into the Dayton Comprehensive Plan. The email exchange can be found within exhibit 20.

#### **William Simpson, Department of Commerce, July 15<sup>th</sup>, 2019**

The letter as received is attached herein as exhibit 17. Minor changes were recommended and were incorporated into the final draft.

**Public Participation:**

Throughout the entire update process, extensive efforts were taken to ensure ongoing and active public participation. The Public Participation Plan was used as a tool to guide outreach efforts throughout the update process. To assist in documenting the efforts, a participation tracker was utilized. The tracker is organized by date and is continuously being updated as additional efforts take place. The tracker can be viewed herein as exhibit 21.

**Conclusions:**

1. Public participation was utilized throughout the entirety of the update process.
2. The public was given ample opportunity for involvement, including council meetings, email notification, and through use of the County website.
3. The plan was entirely redesigned and almost entirely rewritten through this update process.
4. All docket items were addressed and completed.
5. The draft Comprehensive Plan update is compliant with the goals and policies of the Growth Management Act.
6. The update to the Comprehensive Plan and the associated development regulations will assist the City of Dayton in achieving the goals as defined within the plan.

**Request:**

After holding the duly advertised public hearing, the City of Dayton Planning Commission hereby recommends to the Dayton City Council **adoption** of the 2019 Comprehensive Plan Update and associated development regulations, hereby referred to as City of Dayton Ordinance 1955, 1956, and 1957.

Date signed: October 22, 2019

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Meagan Bailey, Director of Planning and Community Development

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Kari Dingman, Chair of the Dayton Planning Commission

**ORDINANCE NO. 1955**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON,  
ADOPTING THE 2019 COMPREHENSIVE PLAN AS PART OF THE 2019 COMPREHENSIVE  
PLAN UPDATE**

**WHEREAS**, RCW 36.70A, ALSO KNOWN AS THE GROWTH MANAGEMENT ACT ("THE ACT"), REQUIRES LOCAL GOVERNMENTS SUBJECT TO THE REQUIREMENTS OF THE ACT TO ADOPT COMPREHENSIVE PLANS AND IMPLEMENT REGULATIONS CONSISTENT WITH THE ACT; AND,

**WHEREAS**, IN ACCORDANCE WITH THE ACT, THE MOST RECENT UPDATE TO THE CITY OF DAYTON COMPREHENSIVE PLAN WAS COMPLETED IN 2015; AND,

**WHEREAS**, THE ACT REQUIRES THE CITY OF DAYTON TO TAKE LEGISLATIVE ACTION TO REVIEW AND, IF NEEDED, REVISE ITS COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS TO ENSURE THEIR CONTINUED COMPLIANCE WITH THE REQUIREMENTS IN CHAPTER 36.70A BY JUNE 30, 2020 (ALSO KNOWN AS THE "PERIODIC REVIEW"); AND

**WHEREAS**, THE DAYTON CITY COUNCIL ADOPTED RESOLUTION NO. 1354 ON OCT. 10, 2018, REJECTING ITEMS FOR PROCESSING DURING THE PERIODIC UPDATE PER DAYTON MUNICIPAL CODE CHAPTER 10-09 - AMENDING THE COMPREHENSIVE PLAN; AND,

**WHEREAS**, THE ITEMS THEREFORE NOT REJECTED CREATED THE FINAL DOCKET LIST FOR THE 2019 COMPREHENSIVE PLAN UPDATE, AND INCLUDED ITEMS SUBMITTED BY MEMBERS OF THE PUBLIC, AS WELL AS STAFF SUBMITTED REQUESTS AND STATE MANDATED UPDATES; AND,

**WHEREAS**, THE CITY PROVIDED PUBLIC NOTICE AND INVITED AND ENCOURAGED PUBLIC PARTICIPATION IN THE CONSIDERATION OF THE PROPOSED UPDATES, INCLUDING THE USE OF AN EMAIL REGISTRY, BROAD AND EFFECTIVE NOTICING MEASURES, AND COLOR POSTERS IN HIGHLY VISITED AREAS IN THE COMMUNITY; AND,

**WHEREAS**, ON MAY 28, 2019, THE PLANNING DIRECTOR TRANSMITTED TO THE WASHINGTON STATE DEPARTMENT OF COMMERCE ("COMMERCE") THE PROPOSED UPDATED AS PART OF THE 2019 PERIODIC PLAN AND CODE UPDATE; AND SAID TRANSMITTAL HAVING SATISFIED THE REQUIREMENTS OF THE GROWTH MANAGEMENT ACT; AND,

**WHEREAS**, COMMERCE RECEIVED THE DRAFTED AMENDMENTS AT LEAST 60 DAYS PRIOR TO THE ANTICIPATED ADOPTION OF THE UPDATES; AND,

**WHEREAS**, ON JULY 15, 2019 COMMERCE PROVIDED A COMMENT LETTER INDICATING GENERAL ACCEPTANCE OF THE DRAFT PLAN, WITH SUGGESTED CHANGES, WITH NO MANDATORY CHANGES IDENTIFIED; AND,

**WHEREAS**, UNDER THE STATE ENVIRONMENTAL POLICY ACT ("SEPA"), THE PLANNING DIRECTOR ISSUED A DETERMINATION OF NONSIGNIFICANCE ("DNS") ON JULY 11, 2019; AND

**WHEREAS**, NO COMMENTS WERE RECEIVED DURING THE COMMENT PERIOD FOR THE ISSUED DNS; AND,

**WHEREAS**, THE PLANNING DIRECTOR REVIEWED THE CURRENT CRITICAL AREAS ORDINANCE, AND THROUGH COMPARISON WITH RCW 36.70A.030 DETERMINED THAT THE CURRENT VERSION AS ADOPTED IS COMPLIANT WITH ALL STATE REQUIREMENTS; AND,

**WHEREAS**, THE CITY OF DAYTON HELD DULY ADVERTISED PUBLIC MEETINGS CONCERNING VARIOUS ITEMS AS WELL AS ITEMS ASSOCIATED WITH THE 2019 COMPREHENSIVE PLAN UPDATE BETWEEN NOVEMBER 2018 AND OCTOBER 2019; AND,

**WHEREAS**, NOTICE OF PUBLIC HEARING WAS PUBLISHED IN THE NEWSPAPER OF RECORD ON OCTOBER 10, 2019 AND OCTOBER 17, 2019, PUBLISHED ON THE CITY WEBSITE, POSTED AT CITY HALL AND THE DAYTON MEMORIAL LIBRARY AT LEAST 14 DAYS PRIOR TO THE HEARING, OFFERING BROAD AND EFFECTIVE NOTICING FOR THE HEARING SCHEDULED FOR OCTOBER 22, 2019; AND,

**WHEREAS**, AT THE SCHEDULED PUBLIC HEARING, THE CITY OF DAYTON PLANNING COMMISSION CONSIDERED ALL TESTIMONY FOR OR AGAINST THE PROPOSED AMENDMENTS; AND,

**WHEREAS**, THE CITY OF DAYTON PLANNING COMMISSION THEREAFTER MADE THEIR RECOMMENDATION TO ADOPT THE 2019 COMPREHENSIVE PLAN AND ASSOCIATED AMENDMENTS TO THE DEVELOPMENT REGULATIONS AS PRESENTED.

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

SECTION 1: FINDINGS AND CONCLUSIONS. THE CITY COUNCIL OF THE CITY OF DAYTON BASES ITS FINDINGS AND CONCLUSIONS ON THE ENTIRE RECORD OF TESTIMONY AND EXHIBITS, INCLUDING THE RECOMMENDATION FROM THE CITY OF DAYTON PLANNING COMMISSION. PART OF THE RECORD CONSIDERED IS THE FINAL STAFF REPORT FROM THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT ("STAFF REPORT"), HEREIN ADOPTED BY REFERENCE AS "EXHIBIT A".

SECTION 2: ADOPTION. THE CITY COUNCIL OF THE CITY OF DAYTON HEREBY ADOPTS THE AMENDED COMPREHENSIVE PLAN ("2019 COMPREHENSIVE PLAN") INCLUDED HEREIN AS "EXHIBIT B".

SECTION 3: TRANSMITTAL TO COMMERCE. THIS ORDINANCE AND ASSOCIATED EXHIBITS SHALL BE TRANSMITTED TO COMMERCE WITHIN 10 DAYS OF ADOPTION.

SECTION 4: 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 5: EFFECTIVE DATE. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECTIVE FIVE (5) DAYS AFTER ITS PASSAGE AS REQUIRED BY LAW.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF DAYTON, WASHINGTON, AT A REGULAR MEETING THIS 13<sup>TH</sup> DAY OF NOVEMBER 2019.**

APPROVED:

\_\_\_\_\_  
Zac Weatherford, Mayor

ATTEST:

\_\_\_\_\_  
Trina D. Cole, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Quinn Plant, City Attorney

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**ORDINANCE SUMMARY BY TITLE ONLY FOR PUBLICATION PURPOSES  
ORDINANCE NO. 1955**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON,  
ADOPTING THE 2019 COMPREHENSIVE PLAN AS PART OF THE 2019 COMPREHENSIVE  
PLAN UPDATE**

The full text of the Ordinance No. 1955 adopted the 13<sup>TH</sup> day of November 2019, is available for examination at the Dayton City Hall, 111 South 1<sup>st</sup> Street, Dayton, WA during normal business hours, 7:00 a.m. to 4:00 p.m., Monday - Thursday.

By: /s/ Zac Weatherford, Mayor

Attest: /s/ Trina Cole, City Clerk-Treasurer

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

Published: \_\_\_\_\_  
*The Dayton Chronicle*

**ORDINANCE NO. 1956**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON,  
REVISING CHAPTER 10-09. - AMENDING THE COMPREHENSIVE PLAN, AS PART OF  
THE 2019 COMPREHENSIVE PLAN UPDATE**

**WHEREAS**, RCW 36.70A, ALSO KNOWN AS THE GROWTH MANAGEMENT ACT ("THE ACT"), REQUIRES LOCAL GOVERNMENTS SUBJECT TO THE REQUIREMENTS OF THE ACT TO ADOPT COMPREHENSIVE PLANS AND IMPLEMENT REGULATIONS CONSISTENT WITH THE ACT; AND,

**WHEREAS**, IN ACCORDANCE WITH THE ACT, THE MOST RECENT UPDATE TO THE CITY OF DAYTON COMPREHENSIVE PLAN WAS COMPLETED IN 2015; AND,

**WHEREAS**, THE ACT REQUIRES THE CITY OF DAYTON TO TAKE LEGISLATIVE ACTION TO REVIEW AND, IF NEEDED, REVISE ITS COMPREHENSIVE PLAN AND DEVELOPMENT REGULATION TO ENSURE THEIR CONTINUED COMPLIANCE WITH THE REQUIREMENTS IN CHAPTER 36.70A BY JUNE 30, 2020 (ALSO KNOWN AS THE "PERIODIC REVIEW"); AND

**WHEREAS**, THE DAYTON CITY COUNCIL ADOPTED RESOLUTION NO. 1354 ON OCT. 10, 2018, REJECTING ITEMS FOR PROCESSING DURING THE PERIODIC UPDATE PER DAYTON MUNICIPAL CODE CHAPTER 10-09 - AMENDING THE COMPREHENSIVE PLAN; AND,

**WHEREAS**, THE ITEMS THEREFORE NOT REJECTED CREATED THE FINAL DOCKET LIST FOR THE 2019 COMPREHENSIVE PLAN UPDATE, AND INCLUDED ITEMS SUBMITTED BY MEMBERS OF THE PUBLIC, AS WELL AS STAFF SUBMITTED REQUESTS AND STATE MANDATED UPDATES; AND,

**WHEREAS**, THE CITY PROVIDED PUBLIC NOTICE AND INVITED AND ENCOURAGED PUBLIC PARTICIPATION IN THE CONSIDERATION OF THE PROPOSED UPDATES, INCLUDING THE USE OF AN EMAIL REGISTRY, BROAD AND EFFECTIVE NOTICING MEASURES, AND COLOR POSTERS IN HIGHLY VISITED AREAS IN THE COMMUNITY; AND,

**WHEREAS**, ON MAY 28, 2019, THE PLANNING DIRECTOR TRANSMITTED TO THE WASHINGTON STATE DEPARTMENT OF COMMERCE ("COMMERCE") THE PROPOSED UPDATES AS PART OF THE 2019 PERIODIC PLAN AND CODE UPDATE; AND SAID TRANSMITTAL HAVING SATISFIED THE REQUIREMENTS OF THE GROWTH MANAGEMENT ACT; AND,

**WHEREAS**, COMMERCE RECEIVED THE DRAFTED AMENDMENTS AT LEAST 60 DAYS PRIOR TO THE ANTICIPATED ADOPTION OF THE UPDATES; AND,

**WHEREAS**, ON JULY 15, 2019 COMMERCE PROVIDED A COMMENT LETTER INDICATING GENERAL ACCEPTANCE OF THE DRAFT PLAN, WITH SUGGESTED CHANGES, WITH NO MANDATORY CHANGES IDENTIFIED; AND,

**WHEREAS**, UNDER THE STATE ENVIRONMENTAL POLICY ACT ("SEPA"), THE PLANNING DIRECTOR ISSUED A DETERMINATION OF NONSIGNIFICANCE ("DNS") ON JULY 11, 2019; AND

**WHEREAS**, NO COMMENTS WERE RECEIVED DURING THE COMMENT PERIOD FOR THE ISSUED DNS; AND,

**WHEREAS**, THE CITY OF DAYTON HELD DULY ADVERTISED PUBLIC MEETINGS CONCERNING VARIOUS ITEMS AS WELL AS ITEMS ASSOCIATED WITH THE 2019 COMPREHENSIVE PLAN UPDATE BETWEEN NOVEMBER 2018 AND OCTOBER 2019; AND,

**WHEREAS**, THE DAYTON PLANNING COMMISSION REVIEWED THE PROPOSED REVISIONS HEREIN AT DULY ADVERTISED PUBLIC MEETINGS ON DECEMBER 18, 2018 AND JANUARY 15, 2019, AND THE CHAIR SIGNED FINDINGS OF FACT AND CONCLUSIONS OF LAW ON JANUARY 15, 2019, RECOMMENDING THE REVISIONS HEREIN BE ADOPTED AS PART OF THE 2019 COMPREHENSIVE PLAN UPDATE; AND,

**WHEREAS**, NOTICE OF PUBLIC HEARING WAS PUBLISHED IN THE NEWSPAPER OF RECORD ON OCTOBER 10, 2019 AND OCTOBER 17, 2019, PUBLISHED ON THE CITY WEBSITE, POSTED AT CITY HALL AND THE DAYTON MEMORIAL LIBRARY AT LEAST 14 DAYS PRIOR TO THE HEARING, OFFERING BROAD AND EFFECTIVE NOTICING FOR THE HEARING SCHEDULED FOR OCTOBER 22, 2019; AND,

**WHEREAS**, AT THE SCHEDULED PUBLIC HEARING, THE CITY OF DAYTON PLANNING COMMISSION CONSIDERED ALL TESTIMONY FOR OR AGAINST THE PROPOSED AMENDMENTS; AND,

**WHEREAS**, THE CITY OF DAYTON PLANNING COMMISSION THEREAFTER MADE THEIR RECOMMENDATION TO ADOPT THE 2019 COMPREHENSIVE PLAN AND ASSOCIATED AMENDMENTS TO THE DEVELOPMENT REGULATIONS AS PRESENTED.

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

SECTION 1: FINDINGS AND CONCLUSIONS. THE CITY COUNCIL OF THE CITY OF DAYTON BASES ITS FINDINGS AND CONCLUSIONS ON THE ENTIRE RECORD OF TESTIMONY AND EXHIBITS, INCLUDING THE RECOMMENDATION FROM THE CITY OF DAYTON PLANNING COMMISSION. PART OF THE RECORD CONSIDERED IS THE FINAL STAFF REPORT FROM THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT ("STAFF REPORT"), HEREIN ADOPTED BY REFERENCE AS "EXHIBIT A".

SECTION 2: ADOPTION. THE CITY COUNCIL OF THE CITY OF DAYTON HEREBY ADOPTS AMENDED CHAPTER 10-09 OF THE DAYTON MUNICIPAL CODE, REFERENCE AS "EXHIBIT B".

SECTION 3: TRANSMITTAL TO COMMERCE. THIS ORDINANCE AND ASSOCIATED EXHIBITS SHALL BE TRANSMITTED TO COMMERCE WITHIN 10 DAYS OF ADOPTION.

SECTION 4: 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 5: EFFECTIVE DATE. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECTIVE FIVE (5) DAYS AFTER ITS PASSAGE AS REQUIRED BY LAW.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF DAYTON, WASHINGTON, AT A REGULAR MEETING THIS 13<sup>TH</sup> DAY OF NOVEMBER 2019.**

APPROVED:

\_\_\_\_\_  
Zac Weatherford, Mayor

ATTEST:

\_\_\_\_\_  
Trina D. Cole, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Quinn Plant, City Attorney

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**ORDINANCE SUMMARY BY TITLE ONLY FOR PUBLICATION PURPOSES**  
**ORDINANCE NO. 1956**  
**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON,**  
**AMENDING CHAPTER 10-09 OF THE DAYTON MUNICIPAL CODE AS PART OF THE**  
**2019 COMPREHENSIVE PLAN UPDATE**

The full text of the Ordinance No. 1956 adopted the 13<sup>TH</sup> day of November 2019, is available for examination at the Dayton City Hall, 111 South 1<sup>st</sup> Street, Dayton, WA during normal business hours, 7:00 a.m. to 4:00 p.m., Monday - Thursday.

By: /s/ Zac Weatherford, Mayor

Attest: /s/ Trina Cole, City Clerk-Treasurer

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

Published: \_\_\_\_\_  
*The Dayton Chronicle*

2020 COMPREHENSIVE PLAN AMENDMENTS - CODE AMENDMENTS RELATING TO  
DOCKETING PROCEDURES FOR AMENDING THE COMPREHENSIVE PLAN  
(AMENDED CODE SECTION)

**Chapter 10-09 - Comprehensive Plan/Development Regulation Review  
and Amendment Procedures**

**10-09.010 - Purpose.**

The purpose of this chapter is to establish procedures, pursuant to Chapter 36.70A RCW, for the review and amendment of the comprehensive plan and implementing development regulations found in specific chapters of Dayton Municipal Code, titles 10, 11, 12, 15, 17, 19, and 20.

**10-09-020 - Applicability.**

This chapter shall govern comprehensive plan map and text amendments, excepting revisions which under state law may be adopted out of cycle. Development regulation amendments that are associated with comprehensive plan amendments being processed through this chapter shall utilize the same review process.

**10-09.030 - Definitions.**

Unless expressly noted otherwise, words and phrases that appear in this chapter shall be given the meaning attributed to them by this section, or chapters contained in Title 11. When not inconsistent with the context, words used in the present tense shall include the future; the singular shall include the plural and the plural the singular; the word "shall" is always mandatory and the words "may" and "should" indicate a use of discretion in making a decision.

**Annual review docket** means the annual list of proposed comprehensive plan amendments and related development regulations that the City Council determines, after review and consultation with the Planning Director and Planning Commission, to be included for review and consideration for any given year. It excludes items listed on the periodic review docket.

**Application**, for purposes of this chapter, means the application to amend the comprehensive plan or related development regulations.

**Comprehensive plan (plan)** means the comprehensive plan adopted to comply with Chapter 36.70A RCW, including all mandatory and adopted optional elements and subarea plans as they exist or hereafter may be amended by Dayton City Council.

**Comprehensive plan amendment** means an amendment or change to the text or maps of the comprehensive plan.

**Development regulation** means the controls placed on development or land use activities including, but not limited to, zoning ordinances, critical area ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and site plan ordinances, together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020.

**Docketing** refers to compiling and maintaining a list of proposed changes to the comprehensive plan or implementing development regulations either annually or for a periodic update cycle in a manner that will ensure such suggested changes will be considered by the city and will be available for review by the public.

**Findings of fact and legislative intent** means the formally adopted document that establishes both the factual basis for the comprehensive plan amendment and amendment to development regulations and serves as the interpretive guide for legislative intent.

**Periodic review or update** refers to the review and, if needed, resulting revisions to the comprehensive plan and development regulations required at multi-year intervals by RCW 36.70A.130 or other state law.

**Periodic review docket** refers to the docket developed by the Planning Director and approved by the Dayton City Council that includes the proposed periodic review work items that are required at multi-year intervals by RCW 36.70A.130 or other state law.

**Planning Director** means the person appointed by council to fulfill the long and short range planning duties of the city.

**Site specific amendment** means an amendment to the comprehensive plan or development regulations that affects one (1) or a small group of parcels, most frequently an amendment to the land use map and/or zoning atlas.

**Work plan or work plan items** refers to a list of proposed department tasks, maintained by the Planning Director and approved by council, that may be related to commitments made during previous updates, review, research, and/or updates to policies and regulations for which no amendment to the comprehensive plan is required. City-initiated plan amendments

not a part of the periodic review will also be a part of the work plan, to be evaluated for inclusion on a future annual docket. Work plan items may span multiple years and may be proposed by Council, Planning Commission, Planning Director, or the Department Head responsible for the administration of a development regulation. Members of the public may also request an item to be placed on the work plan, on the same schedule as plan amendment applications per section 10-09.060(A). Work plan items are exempt from the "once a year" plan amendment adoption requirement.

**10-09.040 - Review process and approving authority.**

All amendments to the comprehensive plan and development regulations shall be approved by Dayton City Council, processed as a Type V decision pursuant to chapter 10-01. SEPA threshold determinations associated with Type V decisions that are reviewed under this chapter shall be processed as Type II decisions that may be appealed to the hearing examiner. Appeals or further review of the hearing examiner's written decision shall be by the Growth Management Hearings Board according to the procedures set forth in Chapter 36.70A RCW.

**10-09.050 - General procedures.**

- A. Amendments to the plan text or maps may be initiated by the public, Council, the Planning Commission, the Planning Director, or the Department Director responsible for the administration of a development regulation.
- B. An amendment must be included on a docket before it can be considered by Council. Items will first be docketed, followed by review, public hearing, and recommendation by the Planning Commission, and then considered for final approval, denial, or deferral by City Council.
- C. A rezoning application that requires a plan amendment shall be treated as a Type IV application, subject to amendment application and docketing procedures under this chapter.
- D. Plan amendments may be considered by Council no more frequently than once a year and all proposed amendments, as included on the annual docket and periodic docket, shall be considered concurrently so that the cumulative effect of

the various amendments can be ascertained, with the exception of the following:

- a. The adoption of emergency amendments or interim maps or regulations or moratoria pursuant to RCW 36.70A.390;
  - b. The adoption of amendments to resolve an appeal of the comprehensive plan or development regulations filed with the Growth Management Hearings Board or with the courts;
  - c. The initial adoption of a subarea plan;
  - d. The adoption of amendments to the capital facilities element of the comprehensive plan that occurs concurrently with the adoption or amendment of the city budget;
  - e. The adoption or amendment of development regulations that implement the comprehensive plan and for which no amendment to the comprehensive plan is required;
  - f. Amendments to the comprehensive plan that are only procedural in nature or affect only procedural requirements;
  - g. Amendments to this chapter 10-09; and
  - h. Amendments to the comprehensive plan that are merely to correct errors.
- E. All plan amendments adopted by Council shall be consistent with Chapter 36.70A RCW and shall comply with Chapter 36.70A RCW and Chapter 43.21C RCW.
- F. All development regulations adopted to implement the comprehensive plan and amendments thereto shall be consistent with the adopted comprehensive plan.
- G. Unless specifically authorized by Council, no docketed plan amendment application from the public that is denied by Council may be reinitiated for three (3) years after its consideration by the Council.

- a. The Council may approve an earlier reapplication if the applicant demonstrates a substantial change in circumstances. In no case may such a petition be considered in consecutive years.
- b. This limitation does not apply to amendments previously proposed by Council, Planning Commission, Planning Director, or the Department Director responsible for the administration of a development regulation.

**10-09.060 - Annual docket application review procedures.**

A. The annual docket application review will occur pursuant to the schedule below:

**TABLE A. ANNUAL DOCKET APPLICATION REVIEW**

DUE BY	PROCESS
July 1	Notice shall be published no less than 28 days prior to the docket application due date informing the public of the current calendar year docket close date
August 1	Applications due
September 1	List of all amendments (public, Council, Planning Commission, or staff requests) presented to the Planning Commission
October 1	Planning Commission reviews the proposed docket items, holds public hearing on docket items, and makes recommendation to Council
November 30	Council determines the docketing request outcomes (include, exclude, or defer)
November 30	Council approval of docket by Resolution no later than the end of November

- B. For inclusion on any given annual docket, applications initiated by the public must be submitted before August 1 of the prior year. Applications received on or after August 1 of each calendar year shall be reviewed during the next annual docket cycle. A legal ad noting the close date of the current calendar year docket cycle should be published in the paper of record no less than 28 days before the close date
- C. The Planning Director shall forward to the Planning Commission a complete listing of all new applications for amendments requested by the public, Council, Planning Commission, or the Planning Director, no later than September 1 of each year. The list shall also include any applications deferred from a previous docket.
- D. The Planning Director shall review the proposed annual docket items with the Planning Commission by October 1 of each year. The Planning Commission shall review and, after holding a duly advertised public hearing, make a recommendation to Council of any proposed amendments that should be included on or excluded from the annual review docket, or be deferred to the next annual cycle or periodic review docket cycle pursuant to section 10-09.090.
- a. **Include.** The Council's decision to include an application in the annual docket is procedural only and does not constitute a decision by the Council as to whether the proposed amendment will ultimately be approved.
  - b. **Exclude.** The Council's decision to exclude an application from the docket terminates the application without prejudice to the applicant or the proposal.
  - c. **Defer.** The Council's decision to defer an application means the application may be considered, as specified by the Council, either for the next annual docket cycle or the next periodic review docket cycle.
- E. In making its docket recommendation, the Planning Commission should consider the following:
- a. The application is deemed complete;
  - b. The application, in light of all proposed amendments being considered for inclusion in the year's annual docket, can be reasonably reviewed within the staffing resources and operational budget allocated to the Department by Council;

- c. The proposed amendment would not require additional amendments to the comprehensive plan or development regulations not otherwise addressed in the application, and is consistent with other goals, objectives, and policies of the comprehensive plan;
  - d. The proposed plan amendment raises policy, land use, or scheduling issues, or that the proposal is comprehensive enough in nature that it would more appropriately be addressed as part of a periodic review cycle;
  - e. The application proposes a regulatory or process change that for which no amendment to the comprehensive plan is required and should be reviewed for potential consideration as a part of the work plan;
  - f. The application lacks sufficient information or adequate detail to review and assess whether or not the proposal meets the applicable approval criteria. A determination that the proposal contains sufficient information and adequate detail for the purpose of docketing does not preclude the Department from requesting additional information at a later time.
- F. The selected proposed amendments collectively shall be known as the annual review docket for the next calendar year, and shall be adopted by Council Resolution, preferably by October 31 but no later than November 30 of each calendar year.

**10-09.070 - Application requirements.**

- A. All applications for amendment of the comprehensive plan or development regulations submitted by the public shall, in a format established by the city, contain the following:
  - a. Application form signed by the owner(s) of record, address, telephone numbers and agent information;
  - b. A description of the proposed amendment including proposed map or text changes;
  - c. The location of the proposed amendment shown on an assessor's map dated and signed by the applicant, if the proposal is for a land use map or zoning atlas amendment;
  - d. A legal description and a notarized signature of one (1) or more owners, if a change in the zoning atlas is

requested by owner(s) concurrent with a requested land use map amendment;

- e. An explanation of why the amendment is being proposed and, if applicable, how or why the map or text is in error;
- f. An explanation of anticipated impacts to be caused by the change;
- g. An explanation of how the proposed amendment is consistent with GMA, the countywide planning policies, the comprehensive plan and adopted findings of fact and legislative intent;
- h. An explanation of how the change affects development regulations or how the amendment brings the development regulations into compliance with the plan;
- i. If applicable, an explanation of why existing comprehensive plan language should be added, modified, or deleted;
- j. A SEPA checklist, if required; and
- k. Fees as set by the Council.

B. The city may prescribe additional application requirements.

C. Persons wishing to initiate an amendment are encouraged, but not required, to use the pre-application procedures of section 10-02.010.

**10-09.080 - Plan amendments—Review and public notice procedures.**

A. Review of annual docket items shall occur pursuant to the schedule below:

**TABLE B. REVIEW OF DOCKETED PROPOSED AMENDMENTS**

DUE BY	PROCESS
November 30 of prior year	Docket approval, per section 10-09.060 and posted to web site
Throughout the year	Planning Commission to hold work sessions public hearing(s) on proposed amendment(s)
No later than	Council to review and make a decision to approve, deny, or defer action on each item on the docket

November 30

(may include identification of items that will be continued into next docket cycle)

- B. Public Notification. Information regarding any proposal pursuant to this chapter shall be broadly disseminated to the public at minimum as provided in subsection 1 below, as well as by any of the other following methods as determined to be appropriate by the Planning Director.
- a. Publishing a paid public notice at least ten (10) days prior to a public hearing in the official newspaper of record;
  - b. Distributing a press release;
  - c. Posting notice on the Department's website;
  - d. Posting notice at City Hall, the County Courthouse, and/or the local library, and other "hot spots" of public involvement.
- C. Public Notification - Site-specific comprehensive plan map and zoning atlas amendments. Where public notice is otherwise required by this chapter, such notice shall be mailed directly to the owners of the affected properties, and to all property owners within 300 feet of the subject property.
- D. Public Participation. In addition to public notice as otherwise required by this chapter, the public shall have the opportunity to participate in the city legislative matters via public hearing before the Planning Commission, via public hearing before the Council if the Council opts to hold its own public hearing, by written comment, and by other forums as appropriate (per RCW 36.70A.140).
- E. The Planning Commission shall evaluate the proposed amendments as follows:
- a. Does the proposed amendment or revision maintain consistency with other plan elements or development regulations? If not, are amendments or revisions to other plan elements or regulations necessary to maintain consistency also under annual review by the Planning Commission and Council?;
  - b. Do all applicable elements of the comprehensive plan support the proposed amendment or revisions?;
  - c. Does the proposed amendment or revision more closely meet the goals, objectives and policies of the comprehensive plan?;
  - d. Is the proposed amendment or revision consistent with the countywide planning policies?;

- e. Does the proposed amendment or revision comply with the requirements of the GMA?; and
  - f. Are the assumptions underlying the applicable portions of the comprehensive plan or development regulations no longer valid because new information is available which was not considered at the time the plan or regulation was adopted?
- F. The Planning Commission shall hold one (1) public hearing on the proposed amendments and shall forward Council its recommendations and findings of fact and legislative intent.
- G. Upon receipt of a recommendation on all or any part of a plan, plan amendment or development regulation from the Planning Commission, Council shall schedule review of the proposal to consider and take action on the proposed amendments. The Council's decision to either approve, deny, or defer action on each item in the annual review docket concludes that year's annual docket cycle, which should occur no later than November 30 of each calendar year.
- H. With each adopted amendment Council shall also adopt findings of fact and legislative intent to support the change in the comprehensive plan and/or development regulations. Council may choose to incorporate by reference the findings of fact and legislative intent prepared by either the Department or the Planning Commission if Council so agrees and desires. Council may also decide to adopt its own findings of fact and legislative intent.
- I. Findings shall identify, as applicable, the following:
- a. The local circumstances, if any, that have been relied on in reaching a decision on the proposed amendment; and
  - b. How the planning goals of Chapter 36.70A RCW have been balanced in the decision on the proposed amendment.
- J. The Planning Director shall notify the State of Washington pursuant to RCW 36.70A.106 prior to the adoption of comprehensive plan amendments, development regulations or annual review amendments.
- K. Within ten (10) days of adoption, the Planning Director shall transmit the adopted plan amendment(s) to the state.

**10-09.90 - Periodic review and update procedures.**

A. The periodic review cycle is established in accordance with RCW 36.70A.130. The periodic review docket shall include:

- a. A comprehensive review to provide for a cumulative analysis of the twenty-year plan and its implementing regulations based upon official population growth forecasts and other relevant data in order to consider substantive changes to planning policies language, and changes to the urban growth areas;
- b. Items deferred by the Dayton Council in a prior year to be placed on the periodic review docket;
- c. City priority review and update items that can be reasonably reviewed within the staffing resources and operational budget allocated to the Department by the Council; and
- d. Items identified for review and updates due to legislative changes, as identified on the Department of Commerce periodic review checklist.

B. The periodic review docket shall be separate from the annual review docket; the dockets may, however, be considered concurrently as per section 10-09.050(D).

**10-09.100 - Appeals.**

Appeals of decisions to amend the comprehensive plan or development regulations shall comply with the procedures set forth in Chapter 36.70A RCW.

**10-09.110 - Severability.**

If any provision or provisions of this chapter or its/their application to any person or circumstance is held invalid, the remainder of this chapter and the application of such provision or provisions to other persons or circumstances shall not be affected.

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FOR COMPREHENSIVE PLAN DOCKETING PROCEDURES

**WHEREAS:** The City of Dayton Planning Commission having held public meetings on December 18<sup>th</sup>, 2018, and January 15<sup>th</sup>, 2019, and having fully considered the entire record and all public testimony, correspondence, Growth Management requirements and all those matters of record presented to the Planning Commission, recommends adoption of these amendments to the Dayton Municipal Code during the 2020 Comprehensive Plan amendment cycle.

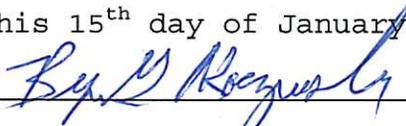
**NOW:** The City of Dayton Planning Commission recommends to Dayton City Council its approval of the Comprehensive Plan Docketing Procedures as supported by the following findings:

1. Discussion regarding these proposed amendments took place during the Dayton Planning Commission regular meetings on 12/18/2018 and 1/15/2019; and,
2. Notice of the regular meeting schedule, including location, date, and time was advertised in the Paper of Record on January 25<sup>th</sup>, 2018; and,
3. Notice of the regular meeting schedule for 2019, including location, date, and time was advertised in the paper of record on December 27<sup>th</sup>, 2018; and
4. It is unlikely that adopting the policies will have a disruptive effect on the stability and continuation of land use patterns on land in Columbia County; and,
5. The policies do not unreasonably restrict or prevent use of land within the City of Dayton; and,
6. The public interest will best be served by the policies.
7. Final adoption of the Docketing Procedures herein will occur in conjunction with the adoption of the City of Dayton's 2020 periodic update to the Comprehensive Plan and associated development regulations.

CONCLUSIONS

Based on the above Findings, and following review of the record, and the recommendations of the Planning Director and after consideration of the City of Dayton Comprehensive Plan, consideration for the public health, safety and welfare of the citizens of the City of Dayton, the Planning Commission recommends approval of the Comprehensive Plan Docketing Procedures herein to the Dayton City Council, to be adopted as part of the 2020 Comprehensive Plan and associated development regulations.

Dated this 15<sup>th</sup> day of January, 2019

  
\_\_\_\_\_

Byron Kaczmariski, Chair

  
\_\_\_\_\_

Meagan Bailey, Planning Director

**ORDINANCE NO. 1957**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON,  
REVISING TITLE 11. - ZONING, AS PART OF THE 2019 COMPREHENSIVE PLAN  
UPDATE**

**WHEREAS**, RCW 36.70A, ALSO KNOWN AS THE GROWTH MANAGEMENT ACT ("THE ACT"), REQUIRES LOCAL GOVERNMENTS SUBJECT TO THE REQUIREMENTS OF THE ACT TO ADOPT COMPREHENSIVE PLANS AND IMPLEMENT REGULATIONS CONSISTENT WITH THE ACT; AND,

**WHEREAS**, IN ACCORDANCE WITH THE ACT, THE MOST RECENT UPDATE TO THE CITY OF DAYTON COMPREHENSIVE PLAN WAS COMPLETED IN 2015; AND,

**WHEREAS**, THE ACT REQUIRES THE CITY OF DAYTON TO TAKE LEGISLATIVE ACTION TO REVIEW AND, IF NEEDED, REVISE ITS COMPREHENSIVE PLAN AND DEVELOPMENT REGULATION TO ENSURE THEIR CONTINUED COMPLIANCE WITH THE REQUIREMENTS IN CHAPTER 36.70A BY JUNE 30, 2020 (ALSO KNOWN AS THE "PERIODIC REVIEW"); AND

**WHEREAS**, THE DAYTON CITY COUNCIL ADOPTED RESOLUTION NO. 1354 ON OCT. 10, 2018, REJECTING ITEMS FOR PROCESSING DURING THE PERIODIC UPDATE PER DAYTON MUNICIPAL CODE CHAPTER 10-09 - AMENDING THE COMPREHENSIVE PLAN; AND,

**WHEREAS**, THE ITEMS THEREFORE NOT REJECTED CREATED THE FINAL DOCKET LIST FOR THE 2019 COMPREHENSIVE PLAN UPDATE, AND INCLUDED ITEMS SUBMITTED BY MEMBERS OF THE PUBLIC, AS WELL AS STAFF SUBMITTED REQUESTS AND STATE MANDATED UPDATES; AND,

**WHEREAS**, THE CITY PROVIDED PUBLIC NOTICE AND INVITED AND ENCOURAGED PUBLIC PARTICIPATION IN THE CONSIDERATION OF THE PROPOSED UPDATES, INCLUDING THE USE OF AN EMAIL REGISTRY, BROAD AND EFFECTIVE NOTICING MEASURES, AND COLOR POSTERS IN HIGHLY VISITED AREAS IN THE COMMUNITY; AND,

**WHEREAS**, ON MAY 28, 2019, THE PLANNING DIRECTOR TRANSMITTED TO THE WASHINGTON STATE DEPARTMENT OF COMMERCE ("COMMERCE") THE PROPOSED UPDATES AS PART OF THE 2019 PERIODIC PLAN AND CODE UPDATE; AND SAID TRANSMITTAL HAVING SATISFIED THE REQUIREMENTS OF THE GROWTH MANAGEMENT ACT; AND,

**WHEREAS**, COMMERCE RECEIVED THE DRAFTED AMENDMENTS AT LEAST 60 DAYS PRIOR TO THE ANTICIPATED ADOPTION OF THE UPDATES; AND,

**WHEREAS**, ON JULY 15, 2019 COMMERCE PROVIDED A COMMENT LETTER INDICATING GENERAL ACCEPTANCE OF THE DRAFT PLAN, WITH SUGGESTED CHANGES, WITH NO MANDATORY CHANGES IDENTIFIED; AND,

**WHEREAS**, UNDER THE STATE ENVIRONMENTAL POLICY ACT ("SEPA"), THE PLANNING DIRECTOR ISSUED A DETERMINATION OF NONSIGNIFICANCE ("DNS") ON JULY 11, 2019; AND

**WHEREAS**, NO COMMENTS WERE RECEIVED DURING THE COMMENT PERIOD FOR THE ISSUED DNS; AND,

**WHEREAS**, THE CITY OF DAYTON HELD DULY ADVERTISED PUBLIC MEETINGS CONCERNING VARIOUS ITEMS AS WELL AS ITEMS ASSOCIATED WITH THE 2019 COMPREHENSIVE PLAN UPDATE BETWEEN NOVEMBER 2018 AND OCTOBER 2019; AND,

**WHEREAS**, THE DAYTON PLANNING COMMISSION REVIEWED THE PROPOSED REVISIONS HEREIN AT DULY ADVERTISED PUBLIC MEETINGS ON DECEMBER 18, 2018 AND JANUARY 15, 2019, AND THE CHAIR SIGNED FINDINGS OF FACT AND CONCLUSIONS OF LAW ON JANUARY 15, 2019, RECOMMENDING THE REVISIONS HEREIN BE ADOPTED AS PART OF THE 2019 COMPREHENSIVE PLAN UPDATE; AND,

**WHEREAS**, NOTICE OF PUBLIC HEARING WAS PUBLISHED IN THE NEWSPAPER OF RECORD ON OCTOBER 10, 2019 AND OCTOBER 17, 2019, PUBLISHED ON THE CITY WEBSITE, POSTED AT CITY HALL AND THE DAYTON MEMORIAL LIBRARY AT LEAST 14 DAYS PRIOR TO THE HEARING, OFFERING BROAD AND EFFECTIVE NOTICING FOR THE HEARING SCHEDULED FOR OCTOBER 22, 2019; AND,

**WHEREAS**, AT THE SCHEDULED PUBLIC HEARING, THE CITY OF DAYTON PLANNING COMMISSION CONSIDERED ALL TESTIMONY FOR OR AGAINST THE PROPOSED AMENDMENTS; AND,

**WHEREAS**, THE CITY OF DAYTON PLANNING COMMISSION THEREAFTER MADE THEIR RECOMMENDATION TO ADOPT THE 2019 COMPREHENSIVE PLAN AND ASSOCIATED AMENDMENTS TO THE DEVELOPMENT REGULATIONS AS PRESENTED.

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

SECTION 1: FINDINGS AND CONCLUSIONS. THE CITY COUNCIL OF THE CITY OF DAYTON BASES ITS FINDINGS AND CONCLUSIONS ON THE ENTIRE RECORD OF TESTIMONY AND EXHIBITS, INCLUDING THE RECOMMENDATION FROM THE CITY OF DAYTON PLANNING COMMISSION. PART OF THE RECORD CONSIDERED IS THE FINAL STAFF REPORT FROM THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT ("STAFF REPORT"), HEREIN ADOPTED BY REFERENCE AS "EXHIBIT A".

SECTION 2: ADOPTION. THE CITY COUNCIL OF THE CITY OF DAYTON HEREBY ADOPTS AMENDED CHAPTER 11-01 AND 11-03 OF THE DAYTON MUNICIPAL CODE, REFERENCED AS "EXHIBIT B".

SECTION 3: TRANSMITTAL TO COMMERCE. THIS ORDINANCE AND ASSOCIATED EXHIBITS SHALL BE TRANSMITTED TO COMMERCE WITHIN 10 DAYS OF ADOPTION.

SECTION 4: 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 5: EFFECTIVE DATE. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECTIVE FIVE (5) DAYS AFTER ITS PASSAGE AS REQUIRED BY LAW.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF DAYTON, WASHINGTON, AT A REGULAR MEETING THIS 13<sup>TH</sup> DAY OF NOVEMBER 2019.**

APPROVED:

\_\_\_\_\_  
Zac Weatherford, Mayor

ATTEST:

\_\_\_\_\_  
Trina D. Cole, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Quinn Plant, City Attorney

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**ORDINANCE SUMMARY BY TITLE ONLY FOR PUBLICATION PURPOSES**  
**ORDINANCE NO. 1957**  
**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON,**  
**AMENDING TITLE 11 OF THE DAYTON MUNICIPAL CODE AS PART OF THE 2019**  
**COMPREHENSIVE PLAN UPDATE**

The full text of the Ordinance No. 1957 adopted the 13<sup>TH</sup> day of November 2019, is available for examination at the Dayton City Hall, 111 South 1<sup>st</sup> Street, Dayton, WA during normal business hours, 7:00 a.m. to 4:00 p.m., Monday - Thursday.

By: /s/ Zac Weatherford, Mayor  
Attest: /s/ Trina Cole, City Clerk-Treasurer  
Approved as to from: /s/ Quinn Plant, City Attorney

Published: \_\_\_\_\_  
*The Dayton Chronicle*

2020 COMPREHENSIVE PLAN AMENDMENTS - DEVELOPMENT REGULATIONS  
PERTAINING TO INCENTIVE ZONING TECHNIQUES FOR DAYTON, WASHINGTON  
(NEW CODE SECTION)

**Chapter 11-01 - General Provisions and Definitions**

*Residential Infill: where new residential construction takes place in space between existing structures within existing residential zones*

*Cottage housing developments (CHDs): the grouping of small, single family dwelling units on one legal lot clustered around a common area and developed with a coherent plan for the entire site.*

**Chapter 11-03.035 - Residential Zone Infill**

Where undeveloped lots exist between developed spaces within an existing residential zone per the official zoning map of the City of Dayton, the following incentive techniques shall be permitted to incentivize urban density within the incorporated areas for the development of one dwelling unit per lot:

A. Lot Area. Minimum lot area for one (1) detached dwelling unit shall be two thousand five hundred (2,500) square feet.

B. Height Limit and Roof Pitch. The basic height limit shall be twenty-five (25) feet. The ridge of pitched roofs with a minimum slope of four to twelve (4:12) may extend above the height limit to thirty (30) feet. All parts of the roof above twenty-five (25) feet shall be pitched.

C. Structure Depth. The depth of any structure shall not exceed sixty (60) feet. Decks, balconies, and bay windows shall be excluded from measurement for the purposes of this provision.

D. Yards and setbacks

1. Front and rear yards

a. The sum of the front yard plus the rear yard shall be a minimum of thirty (30) feet.

b. In no case shall either yard have a depth of less than ten (10) feet.

2. Side setbacks. The required minimum side setback is 5 feet. The side setback may be averaged. No

portion of the side setback shall be less than three (3) feet, except as follows:

a. Street side setbacks shall be a minimum of five (5) feet.

3. Exceptions from standard yard and setback requirements. The following parts of structures may project into a required yard or setback:

a. Uncovered porches or steps. Uncovered, unenclosed porches or uncovered, unenclosed steps that project into a required yard or setback, if the porch or steps are no higher than four (4) feet on average above existing grade, are no closer than three (3) feet to any side lot line, no wider than six (6) feet, and project no more than six (6) feet into a required front or rear yard. The heights of porches and steps are to be calculated separately.

b. Certain features of a structure

1) External architectural features with no living area, such as chimneys, eaves, cornices and columns, that project no more than eighteen (18) inches into a required yard or setback.

2) Bay windows that are no wider than eight (8) feet and project no more than two (2) feet into a required front or rear yard or street side setback.

3) Other external architectural features that include interior space such as garden windows, and project no more than eighteen (18) inches into a required yard or setback, starting a minimum of thirty (30) inches above the height of a finished floor, and with maximum dimensions of six (6) feet in height and eight (8) feet in width.

#### E. Lot Coverage.

1. Where the above standards are met, lot coverage can be up to 75% maximum, with a maximum of impervious surface coverage of 85%.

Where undeveloped lots exist between developed spaces within an existing residential zone per the official zoning map of the City of Dayton, the following incentive techniques shall be permitted to incentivize urban density within the incorporated areas for the development of cottage housing developments (CHDs):

A. Accessory dwelling units shall not be permitted in cottage housing developments.

B. Density and Minimum Lot Area.

1. In cottage housing developments (CHDs), the permitted density shall be one (1) dwelling unit per one thousand six hundred (1,600) square feet of lot area.

2. Cottage housing developments shall contain a minimum of four (4) cottages arranged on at least two (2) sides of a common open space, with a maximum of twelve (12) cottages per development.

3. The minimum lot area for a cottage housing development shall be six thousand four hundred (6,400) square feet.

4. On a lot to be used for a cottage housing development, existing detached single-family residential structures, which may be nonconforming with respect to the standards of this section, shall be permitted to remain, but must be utilized as a cottage, in reference to the standards of this section.

C. Height Limit and Roof Pitch.

1. The height limit permitted for structures in cottage housing developments shall be eighteen (18) feet.

2. The ridge of pitched roofs with a minimum slope of six to twelve (6:12) may extend up to twenty-eight (28) feet. The ridge of pitched roofs with a minimum slope of four to twelve (4:12) may extend up to twenty-three (23) feet. All parts of the roof above eighteen (18) feet shall be pitched.

D. Lot Coverage and Floor Area.

1. The maximum lot coverage permitted for principal and accessory structures in cottage housing developments shall not exceed forty (40) percent.
2. The lot coverage for an individual principal structure in a cottage housing development shall not exceed six hundred fifty (650) square feet.
3. The total floor area of each cottage shall not exceed either 1.5 times the area of the main level or nine hundred seventy-five (975) square feet, whichever is less. Enclosed space in a cottage located either above the main level and more than twelve (12) feet above finished grade, or below the main level, shall be limited to no more than fifty (50) percent of the enclosed space of the main level, or three hundred seventy-five (375) square feet, whichever is less. This restriction applies regardless of whether a floor is proposed in the enclosed space, but shall not apply to attic or crawl spaces.

E. Yards and Setbacks

1. Front Setback. The minimum front setback for cottage housing developments is an average of ten (10) feet, and at no point shall it be less than five (5) feet.
2. Rear Yards. The rear yard for a cottage housing development shall be minimum ten (10) feet.
3. Side Yards. The side yard for a cottage housing development shall be minimum five (5) feet. If there is a principal entrance along a side facade, the side yard shall be no less than ten (10) feet along that side for the length of the pedestrian route.
4. Interior Separation. A minimum separation of six (6) feet is required between principal structures. Facades of principal structures facing facades of accessory structures shall be separated by a minimum of three (3) feet. If there is a principal entrance on an interior facade of either or both of the facing facades, the minimum separation shall be ten (10) feet.
5. Exceptions from standard yard, setback and interior separation requirements. For all

developments, only structures that comply with the following may project into a required yard, setback or interior separation:

a. Uncovered porches or steps. Uncovered, unenclosed porches or uncovered, unenclosed steps that project into a required front setback, a side or a rear yard, if the porch or steps are no higher than four (4) feet on average above existing grade, no closer than 3 feet to any side lot line, no wider than six (6) feet, and project no more than six (6) feet into a required front setback or rear yard. The heights of porches and steps are to be calculated separately.

b. Certain features of a structure

1) External architectural features with no living area such as chimneys, eaves, cornices and columns, that project no more than eighteen (18) inches into a required yard or into a required interior separation between structures;

2) Bay windows that are no wider than eight (8) feet and project no more than two (2) feet into a required front setback or rear yard;

3) Other external architectural features that include interior space such as garden windows, and project no more than eighteen (18) inches into a required front setback or rear yard, starting a minimum of thirty (30) inches above the height of a finished floor, and with maximum dimensions of six (6) feet in height and eight (8) feet in width;

F. Required Open Space.

1. Quantity of Open Space. A minimum of four hundred (400) square feet per unit of landscaped open space is required. This quantity shall be allotted as follows:

a. A minimum of two hundred (200) square feet per unit shall be private usable open space; and

b. A minimum of one hundred fifty (150) square feet per dwelling unit shall be provided as common open space.

2. Development Standards.

a. Private usable open space shall be provided at ground level in one (1) contiguous parcel with a minimum area of two hundred (200) square feet. No horizontal dimension of the open space shall be less than ten (10) feet.

b. Required common open space shall be provided at ground level in one (1) contiguous parcel with a minimum area of one hundred fifty (150) square feet per unit. Each cottage shall abut the common open space, and the common open space shall have cottages abutting at least two (2) sides.

c. The minimum horizontal dimension for open space shall be ten (10) feet.

G. Parking

1. One (1) parking space per dwelling unit shall be required.

2. Access. Access to parking shall be from the alley when property abuts a platted improved alley or when the Director determines that alley access is feasible and desirable to mitigate parking access impacts.

3. Location.

a. Parking shall be on the same lot as the cottage housing development.

b. Parking may be in or under a structure, or outside a structure, provided that:

(1) Parking outside a structure may not be located between cottages.

(2) Parking may not be located in the front yard.

(3) Parking may be located between any structure and the rear lot line of the lot,

or between any structure and a side lot line  
which is not a street side lot line.

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FOR DAYTON INCENTIVE ZONING TECHNIQUES

**WHEREAS:** The City of Dayton Planning Commission having held public meetings on December 18<sup>th</sup>, 2018, and January 15<sup>th</sup>, 2019, and having fully considered the entire record and all public testimony, correspondence, Growth Management requirements and all those matters of record presented to the Planning Commission, recommends adoption of these amendments to the Dayton Municipal Code during the 2020 Comprehensive Plan amendment cycle.

**NOW:** The City of Dayton Planning Commission recommends to Dayton City Council its approval of the Incentive Zoning Amendments as supported by the following findings:

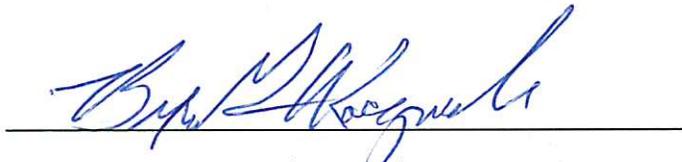
1. Discussion regarding these proposed amendments took place during the Dayton Planning Commission regular meetings on 12/18/2018 and 1/15/2019; and,
2. Notice of the regular meeting schedule, including location, date, and time was advertised in the Paper of Record on January 25<sup>th</sup>, 2018; and,
3. Notice of the regular meeting schedule for 2019, including location, date, and time was advertised in the paper of record on December 27<sup>th</sup>, 2018; and
4. The Planning Commission feels the policies do comply with the purpose and intent of the Growth Management Act and does bring the County into compliance; and,
5. It is unlikely that adopting the policies will have a disruptive effect on the stability and continuation of land use patterns on land in the City of Dayton; and,
6. The policies do not unreasonably restrict or prevent use of land within the City of Dayton; and,
7. The public interest will best be served by the policies.
8. Final adoption of the incentive zoning techniques provided herein will occur in conjunction with the adoption of the City of Dayton's 2020 periodic update to the Comprehensive Plan and associated development regulations.

CONCLUSIONS

Based on the above Findings, and following review of the record, and the recommendations of the Planning Director and after consideration of the City of Dayton Comprehensive Plan, consideration for the public health, safety and welfare of the citizens of the City of Dayton, the Planning Commission recommends approval of the Incentive Zoning Amendments herein to

the Dayton City Council, to be adopted as part of the 2020 Comprehensive Plan and associated development regulations.

Dated this 15<sup>th</sup> day of January, 2019



Byron Kaczmarski, Chair



Meagan Bailey, Planning Director

## CHAPTER 1-13. - PLANNING COMMISSION

### 1-13.04. - Creation of city planning commission—Objective.

The objective of the city planning commission is to provide guidance and direction for Dayton's future growth through continued review, improvement and implementation of the city's comprehensive land use plan and related land use documents.

(O. 1443 § 2—1986)

### 1-13.08. - Membership.

- A. *Qualifications.* The selection of city planning commission members shall be made from individuals who have an interest in environmental affairs, planning, land use, and residential and commercial development as evidenced by training, experience or actions. City residency is required. An intent of the selection process shall be to evenly represent the areas of interest as stated above.
- B. *Ex officio.* The Dayton Planning Commission may include ex officio membership by virtue of office held in any municipality. Not more than one-third of the commissioners may be an ex officio member. The term of office for an ex officio member shall correspond to the respective tenure of the member.
- C. *Number of members/terms.* The city planning commission shall consist of five appointed members, each of whom shall be appointed for a term of four years. Original terms shall be: one member for a term of one year, two members for terms of two years, two members for terms of three years, and one for a term of four years. Subsequent terms shall be for four years. Terms shall expire the first day of March of each year.
- D. *Appointment.* Members of the city planning commission shall be appointed by the mayor, subject to confirmation by the city council. Commissioners shall be selected without respect to political affiliations and shall serve without compensation.
- E. *Removal.* Members of the commission may be removed by the mayor, with the concurrence of the city council, for neglect of duty, conflict of interest, malfeasance in office, or other just cause, or for unexcused absence from more than three consecutive regular meetings. Work-shops shall be excluded from the definitions of meetings, for the purpose of this section. The decision of the city council shall be final and there shall be no appeal therefrom. Members finding themselves unable to attend regular meetings are expected to tender their resignations. The commission may recommend to the mayor removal of an appointed member upon the above said grounds.
- F. *Vacancies.* Vacancies occurring other than through the expiration of terms shall be filled for the unexpired term in the same manner as appointments above.

(O. 1604—1997; O. 1508 (part)—1991; O. 1443 § 3—1986)

( [Ord. No. 1834](#), § 1, 6-24-2013; [Ord. No. 1835](#), § 1, 7-22-2013)

### 1-13.12. - Instruction of members.

Each new member, as soon as practicable after his or her appointment, shall take a short course of instruction consisting of lectures, seminars or other presentations designed to afford an understanding of:

- A. The general principles of land use planning as applied to the city, its environs and the region;
- B. The nature and elements of the comprehensive plan for the city;
- C. The duties, responsibilities, scope of authority and limitations on discretion of the planning commission, with emphasis on constitutional and other legal aspects thereof;

- D. The appropriate standards to be applied in arriving at findings of fact and formulating recommendations.

The course of instruction shall be developed by the planning staff of the city and instruction may be given by staff members of the city administration, outside speakers having practical expertise or academic standing in the planning or governmental field, or by the use of pictorial presentations.

(O. 1443 § 4—1986)

1-13.16. - Meetings and rules.

- A. The city planning commission shall organize and elect from its members a chair and a vice-chair. A majority of the commission members shall constitute a quorum for the transaction of business, and a majority vote of the quorum shall be necessary to carry any proposition.
- B. The commission shall determine a regular meeting schedule (time, place and frequency), as necessary, but no less frequent as one regular meeting in each month for not less than nine months in each year. All meetings shall be open to the public.
- C. The commission shall adopt such rules and regulations as are necessary for the conduct of its business and shall keep a written record of its proceedings which shall be a public record.

(O. 1508(part)—1991; O. 1443 § 5—1986)

( [Ord. No. 1834](#) , § 2, 6-24-2013)

1-13.20. - Duties and responsibilities.

The city planning commission shall be an advisory body responsible for providing guidance and direction for Dayton's future growth and shall act as a research and fact-finding agency of the city in the areas of land use. The planning commission shall:

- A. Review the comprehensive plan for the city and make recommendations concerning it to the city council;
- B. Review land use management ordinances and regulations of the city and make recommendations regarding them to the city council;
- C. Review potential annexations to the city, as requested by the city council, and make recommendations concerning them;
- D. Prepare a work program of the city planning commission activities for the next fiscal year and submit the same to the city council for its approval;
- E. Submit an annual report to the city council for the past fiscal year's activities;
- F. Review and make recommendations to the city council concerning the city's capital improvements program, Six-Year Transportation Needs Plan and other planning studies and analyses, as they relate to land use or the comprehensive plan;
- G. Have jurisdiction to review any decision of the city planner relating to any provision of the Dayton Zoning Code. Appeals from the city planning commission decision to the city council shall be as set forth in the Dayton Zoning Ordinance;
- H. Hold public hearings in the exercise of its duties and responsibilities;
- I. Be encouraged to maintain liaison with the county and other area planning agencies.

The city planning commission shall have such other duties and powers as heretofore have been or hereafter may be conferred upon the commission by state law, city ordinances or as directed by council

resolution, the performance of such duties and exercise of such authority to be subject to the limitations expressed in such legislative enactments.

(O. 1508(part)—1991; O. 1443 § 6—1986)

1-13.24. - Staff support.

Administrative and secretarial staff support shall be provided by the city planner.

(O. 1443 § 7—1986)

1-13.28. - Severability.

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter is not affected.

(O. 1443 § 8—1986)

## CHAPTER 1-6. - BOARD OF PARK COMMISSIONERS

### 1-6.04. - Established.

There is hereby established a board of five park commissioners, the same to be appointed by the mayor, with the consent of the city council from citizens of recognized fitness for such position. Said citizen(s) must reside within the limits of Columbia County, Washington. No person shall be ineligible as a commissioner by reason of sex and no commissioner shall receive compensation. The first appointed commissioner(s) shall determine by lot those whose term of office shall expire each year, and a new commissioner shall be appointed annually to serve for a term of three years.

(O. 1742—2006; O. 1659, 2001; O. 1375 § 1—1982)

(Ord. No. 1659, 5-22-2001; Ord. No. 1742, 6-13-2005)

### 1-6.08. - Powers and authority.

Such board of park commissioners shall have only such powers and authority with respect to the management, supervision and control of parks and recreational facilities and programs as are granted to it by the city council.

(O. 1395 § 2—1982)