

Dayton City Planning Commission
Regular Meeting—Agenda
Tuesday, February 25, 2020 at 6:30 PM
111 South 1st St., Dayton, Washington 99328



1. Call to Order
2. Roll Call and Establish Quorum
3. Review of Minutes
 - a. January 28, 2020
4. Communications from Citizens
 - a. Clint Atteberry – Building Code Short Course
5. Public Hearings
 - a. None scheduled
6. Old Business
 - a. DMC Title 11 – Zoning Code
 - i. Continued review
 - b. NFIP, WA State Flood Damage Prevention Ordinance
7. New Business
 - a. Six Year Transportation Improvement Plan
 - b. Implementing the Comprehensive Plan
 - c. Alicia Walker – term expiry 3/01/2020 (appointment requested?)
8. Adjournment

Next meeting: Tuesday, March 28, 2020 @ 6:30 PM (DPC Elections)

Dayton City Hall, 111 S. 1st St., Dayton, WA 99328

Dayton City Planning Commission
Regular Meeting—Minutes
Tuesday, January 28, 2020 at 6:30 PM
111 South 1st St., Dayton, Washington 99328



1. Call to Order

- a. Chair Kari Dingman called to order the regular meeting of the Dayton Planning Commission at 6:30 pm.

2. Roll Call and Establish Quorum

Members present: Chair Kari Dingman, Kathryn Witherington, Alicia Walker, and Byron Kaczmariski

Members absent: None

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

Public present: None

3. Review of Minutes

- a. November 26, 2019
 - i. A motion was made by Witherington and seconded by Walker to approve the November 26, 2019 meeting minutes as presented; none opposed.
Motion carries.

4. Communications from Citizens

- a. Staff presented a recent discussion with a landowner interested in utilizing a shipping container as a storage facility on his property in a residential zone. It was advised that the Planning Commission consider this potential revision while reviewing and making recommended amendments to Title 11 – Zoning.

5. Public Hearings

- a. 6:31 pm – Amendments to Title 1 of the Dayton Municipal Code
 - i. The Chair opened the public hearing to take testimony for or against the proposed code revisions at 6:32 pm.
 - ii. With there being no members of the public present to offer testimony, the Chair closed the public hearing at 6:32 pm.
 - iii. The Chair requested staff to offer a brief explanation of the revisions for the record. This update included:

1. Expanding the qualifications to allow members of the Dayton Planning Commission to reside in established Urban Growth Areas of the City of Dayton; increasing the maximum number of members from five to seven; the addition of parks and recreation planning responsibilities; and the repeal of Chapter 1.6 – Board of Parks Commissioners from the Dayton Municipal Code, and other minor amendments as documented in the draft.
 - iv. A motion was made by Walker to recommend adoption of the code revisions as presented by the Dayton City Council; Witherington seconded that motion. None opposed; motion carries. Staff will present the recommendation and final draft ordinance at the next regular meeting of the Dayton City Council.
6. Old Business
 - a. DMC Title 11 – Zoning Code
 - i. Staff provided an update of previously discussed revisions within the zoning ordinance. Commission members will continue review of Title 11 in its' entirety to make additional suggestions and recommendations for revision.
 - ii. Witherington requested staff review other municipal codes regarding permitting and allowing shipping containers as storage facilities in residential zones; staff will research and present this information at the next regular meeting of the Dayton Planning Commission.
7. New Business
 - i. NFIP, WA State Flood Damage Prevention Ordinance Updates
 1. Staff presented the new Washington State Model Ordinance regarding flood damage prevention. Commission members are requested to review the model ordinance in its' entirety and bring comments and/or suggestions to the next regular meeting of the Dayton Planning Commission.
 - ii. Implementing the Comprehensive Plan
 1. Commission members indicated interested in adding a running agenda item regarding implementation of the newly updated goals and policies as adopted within the 2019 Comprehensive Plan. Staff

will provide working tools for this and create a running item on future agendas to allow for this ongoing discussion and to enable priority planning.

- iii. Building codes and requirements were discussed. The commission has requested staff coordinate a “short course” on building codes with the Building Official. Staff will discuss this with Clint Atteberry and aim to have a presentation scheduled at the next regular meeting.
- iv. Witherington informed the commission of her recent acceptance of a new position that will require her to move to Walla Walla. She will remain on the Planning Commission until she moves, approximately six months. The commission shared their congratulations to her on her new job.

8. Adjournment

- a. A motion was made by Witherington and seconded by Walker to adjourn the regular meeting of the Dayton Planning Commission at 7:20 pm; none opposed. The Chair adjourned the meeting.

Approved on February 25, 2020

Kari Dingman, Planning Commission Chair

Date

Attest:

Meagan Bailey, Planning Director

Title 11 - ZONING CODE

CHAPTER 11-01. - GENERAL PROVISIONS AND DEFINITIONS

11-01.010. - Authority.

This section of the municipal ordinances is adopted pursuant to the authority contained in RCW 35A.63 (Planning and Zoning in Code Cities), RCW 36.70A (Growth Management Act), and related state regulations.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-01.020. - Title—Citation.

This title shall be known as the City of Dayton Zoning Code. For the purpose of this title the words "code" and "zoning code" and "zoning ordinance" shall refer to this title. The word "city," when not capitalized means the territory within the corporate boundaries of the City of Dayton, Washington and may mean any real property owned by the City of Dayton situated beyond the corporate limits. The word "city," when capitalized means the City of Dayton, Washington, a municipal corporation acting as appropriate under charter, ordinance or other law.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-01.030. - Purpose.

- A. The purpose of this title is to implement the city's comprehensive plan. This title will be used to further the growth and development of the city consistent with the adopted comprehensive plan and its implementing elements. This chapter will also further the purpose of promoting the health, safety, morals, convenience, comfort, prosperity, and general welfare of the city's population and to prevent and abate public nuisances.
- B. The specific zones and regulations set out in this title are designed to:
 - 1. Provide adequate public facilities and services, including utilities, roads, schools, and parks in conjunction with development;
 - 2. Provide housing with essential light, air, privacy, and open space;
 - 3. To ensure that land use decisions are made in accordance with the public interest and applicable laws of the State of Washington, including the Growth Management Act and subsequent amendments;
 - 4. Facilitate the safe and efficient movement of traffic on the city's streets;
 - 5. Stabilize and enhance property values;
 - 6. Facilitate adequate provisions for doing public and private business and thereby safeguard the community's economic structure upon which the prosperity and welfare of all depends; and
 - 7. Through such achievements, help ensure the safety and security of home life, foster good citizenship, and create and preserve a more healthful, serviceable and attractive municipality and environment in which to live.
- C. To most effectively accomplish these purposes, this title divides the city into zones wherein the location, height and use of buildings, the use of land, the size of setback areas and other open space, and the provision of off-street parking and loading are regulated and restricted in accordance with the comprehensive plan for the city. These zones and regulations are deemed necessary and are made with reasonable consideration, among other things, as to the character of each zone and

its particular suitability for specific uses, the need for such uses, the common rights and interests of all within the zones as well as those of the general public, and with the view of conserving and encouraging the most appropriate use of land throughout the city and to prevent and abate public nuisances.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-01.040. - Compliance and concurrency.

- A. All development within the City of Dayton must be concurrent and consistent with the comprehensive plan.
- B. All land, building, structure or premises shall be used or occupied and buildings or parts of buildings shall be erected, moved, reconstructed, extended, enlarged or altered in conformance with the limitations contained in this title. Refer to chapter 11-09 for restrictions on continued use of existing nonconforming buildings and uses.

Where the conditions imposed by any provision of this title differ from comparable conditions imposed by any other provisions or of any other ordinance, resolution or regulation, the provisions which are more restrictive shall govern.

- C. All plats, short plats, development permits, and building permits issued for development activities on, or within 500 feet of, lands designated as agricultural lands, forest lands, or mineral resource lands must contain a notice that states: "The subject property is within or near designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration." In the case of proximity to mineral resource lands, notice must also state: "Notice is given that an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals."

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-01.050. - Definitions and interpretation of language.

All words, unless defined below, are defined by the "Webster's New World Dictionary of the American Language." As used in this title:

- A. Words in the present tense include the future;
- B. Words in the singular include the plural;
- C. The word "person" includes an individual, family, household, association, firm, partnership, trust, company or corporation;
- D. Words designating gender include all genders unless otherwise specified;
- E. The word "lot" includes parcel;
- F. The word "structure" includes buildings;
- G. The words "shall," "must," and "will" are always mandatory, and
- H. The word "may" is permissive.
- I. The words and phrases set out in this subsection, unless the context of the title otherwise requires, shall have the meaning provided herein:
 - " *Abut* " means to be contiguous with or touching property lines or right-of-way.
 - " *Accessory dwelling unit (ADU)* " means a habitable living unit created within, attached to, or detached from a principle single-family residence that provides the basic requirements of

shelter, heating, cooking and sanitation within the unit. The primary dwelling or ADU must be occupied by the owner of property.

" *Accessory use or structure* " means a use or structure on the same lot, parcel or tract with and subordinate to the permitted principal use or structure. Examples of generally accepted and permitted accessory buildings and uses related to a primary residence are garages for vehicles owned and operated by residence occupants, ADUs, shops for hobby work or repairing personal property, garden buildings, shelters for pets.

" *Adult family home* " means a family home occupied by persons who are providing personal care, room, and board to more than one but not more than four unrelated adults per RCW 70.128.010.

" *Alley* " means a service drive providing a secondary means of access to abutting property and not intended for general traffic circulation.

" *Aquifer recharge area* " means an area that has soils and geological features that are conducive to allowing significant amounts of surface water to percolate into underground water supplies.

" *Amateur radio tower* " means an antenna and tower which transmits non-commercial communication signals and is licensed as an amateur radio tower by the Federal Communications Commission. Guy wires for amateur radio towers are considered part of the structure for the purposes of meeting development standards.

" *Amendment* " means a change in the wording of this title, adoption of a zoning map hereunder, a change in the zone boundaries upon zoning.

" *Automobile repair* " means fixing, incidentals body or fender work, painting, upholstering, engine tune-up, major engine or transmission repair, adjusting lights or brakes, brake repair, other similar repair work and supplying and installing replacement parts of or for passenger vehicles and light trucks.

" *Automobile towing/storage operation* " means any person, corporation or enterprise engaged in the moving of inoperable motor vehicles and storing (long-term or short-term) in an enclosed area. All such operation shall be in compliance with minimum state standards prior to commencing.

" *Automobile wrecking* " means any person, corporation or enterprise engaged in the dismantling or wrecking of motor vehicles or trailers, or in the storage, sale or dumping of dismantled or wrecked vehicles or their parts.

" *Beauty salon* " means a service business operating to provide services related to hair, skin, nail and cosmetology care.

" *Basement* " means the usable portion of a building that is below the first story of a building and at least partly below grade.

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

" *Boarding house* " or "rooming house" means a residential use consisting of at least one dwelling unit together with three to six rooms, that are rented or are designed or intended to be rented but which rooms, individually or collectively, do not constitute separate dwelling units, primarily evidenced by not having separate kitchen facilities. A boarding house is distinguished from a bed and breakfast guest home in that the boarding house is designed to be occupied by long-term residents (at least month to month tenants) as opposed to overnight or weekly guests.

" *Building* " means a structure designed to be used to provide a place of business, residence, storage or shelter to occupants for the purposes of setback standards, it does not

include minor utility structures, light poles, utility boxes, benches, signs or other similar structures.

" *Building or structure height* " means the average height vertical distance of each façade measured from the ground elevation of the finished grade (finished foundation(s)) to the highest point of the structure or building roof.

For sloped property the average of the lowest and highest finished ground elevation along each facade shall be considered the point of measurement for the grade.

Architectural elements that do not add floor area to a building such as chimneys, vents or antennae are not part of the height of a building, but all portions of the roof are included.

Maximum height limits based on the proximity to property lines(s) are measured by calculating vertical distance from finished grade of an exterior wall to the top of the wall plate for only that portion of the building within the regulated height/setback area from a property line.

" *Building, principal* " means a building in which the principal use on the lot is conducted.

" *Cargo containers* " are standardized reusable vessels that were (A) originally, specifically or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities, and/or (B) designed for or capable of being mounted or moved by rail, truck or ship by means of being mounted on a chassis or similar transport device. This definition includes the terms "transport containers" and "portable site storage containers" having a similar appearance to and characteristics of cargo containers.

" *Cattery* " means an establishment having four or more cats for the purpose of boarding, breeding, buying, grooming, letting for hire, training for fee, or selling. An adult cat is one of either sex, altered or unaltered, that has reached the age of six months. This does not include a veterinary clinic where animals are kept only as a necessary part of medical treatment.

" *Church or religious use facility* " is a structure or place in which worship, ceremonies, rituals and education pertaining to a particular system of beliefs are held.

" *Church and religious use facility, accessory* " uses which are secondary to the religious purpose of the religious use facility and are considered as providing services to members and other individuals. The uses include, but are not limited to, bookstores, cafeterias, child day cares, educational classes, social services, and limited retail sales of only religious use facility related materials. A caretaker's quarters or living quarters for an employee and family is also permissible as an accessory use.

" *Communication tower* " means any tower, pole, mast, whip, or antenna, or any combination thereof used for radio, cellular phone, pager, or television transmission or line-of-site relay. This definition includes towers erected for use in the amateur radio service.

" *Community center* " means a facility used for and providing recreational and/or social programs, but not including overnight shelters.

" *Community residential facilities (CRF)* " include housing for over five persons with disabilities, children and domestic abuse shelters, as well as, transitional housing for victims of domestic violence, for children, or for the disabled. CRFs do not include overnight shelters, halfway houses or transitional housing for other populations.

" *Conditional use* " is a use that may be compatible only under certain conditions in specific locations in a zone and if the site is regulated in a certain manner in order to achieve the purposes of this title to protect health, safety and general welfare of the public.

" *Day care* " means child care facilities, including: family day care homes, mini-day care centers, and day care centers, defined as:

1. " *Family day care home* " means a person regularly providing care during part of the 24-hour day to six or fewer children in the family abode of the person or persons under whose direct care the children are placed.

2. " *Mini-day care center* " means a person or agency providing care during part of the 24-hour day to 12 or fewer children in a facility other than the family abode of the person or persons under whose direct care the children are placed, or for the care of seven through 12 children in the family abode of such person or persons.
3. " *Day care center* " means a person or agency that provides care for 13 or more children during part of the 24-hour day.

" *Driveway* " means an access which serves a single lot or parcel, and the structures or parking surface on the lot or parcel.

" *Dwelling unit, duplex* " means two dwelling units within one building on one lot, parcel or tract, designed for occupancy by two separate and independent households. This definition does not include ADUs.

" *Dwelling unit, multifamily residential* " means three or more dwelling units within one building, designed for occupancy by three or more households on one lot, parcel or tract.

" *Dwelling unit, single-family* " means any building which contains independent living facilities, including provisions for living, sleeping, eating, cooking and sanitation, intended for occupancy by not more than one family.

" *Emergency* " means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore the norm. An emergency shall not include noncompliance to the extent caused by lack of preventative maintenance.

" *Emergency construction* " means construction necessary to protect property from damage by the elements. An "emergency" is an unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance with development processes. Emergency construction does not include development of new permanent structures where none previously existed. Where new structures are deemed by the planning director to be the appropriate means to address the emergency situation, upon abatement of the emergency situation the new structure shall be removed or any permit which would have been required, absent an emergency, obtained. All emergency construction shall be consistent with the policies of the comprehensive plan. As a general matter, flooding or other seasonal events that can be anticipated and may occur but that are not imminent are not an emergency.

" *Espresso/coffee stand* " means a pedestrian walk-up or auto-oriented (drive-through) business that dispenses primarily hot and/or cold beverages.

" *Essential public facilities* " means capital facilities typically hard to site (see WAC 365-195-340).

" *Family* " means a person or group of people who are related to each other by birth or marriage or adoption or related in another similar legally recognized manner or a household of up to five non-related people who are living in a single dwelling unit.

" *Farming, general* " means the cultivation, breeding, raising and production for commercial purposes of plants, animals, fish and products from plants, animals and fish, but excluding feedlots.

" *Feedlot* " means any land, structure, pen or corral where more than five animals are maintained in close and confined quarters with less space than required in DMC section 11-03.100(A) (animal densities).

" *Fence* " means an accessory structure, including landscape planting, designed and intended to serve as a barrier, or as a means of enclosing a yard or other area or other structure, or to serve as a boundary feature separating two or more properties.

" *Floodplain* " means any land area susceptible to being inundated in a 100-year flood (base flood) as delineated in the "flood boundary and floodway map."

" *Floodway* " means, as delineated in the "flood boundary and floodway map," the channel of a watercourse and adjacent land areas that must be kept open in order to permit the discharge of a 100-year flood without raising the surface elevation more than one foot.

" *Floor area* " means total floor area within the walls of all buildings on a lot or building site, except for the spaces therein devoted to vents, shafts and light courts and except for the area devoted exclusively to loading and unloading facilities and to parking of motor vehicles.

" *Food processing* " means an industrial production of food from a natural state to a packaged state through approved FDA processes and standards.

" *Garage, private* " means an accessory building or portion of a main building used for the parking or temporary storage of private automobiles, trailers, recreational vehicles, boats, or other vehicles owned or used by occupants of the residence or main building. Carports are also included in this definition.

" *Garage, commercial* " means a building other than a private garage used for the care and repair of motor vehicles or where such vehicles are parked or stored for compensation, hire or sale.

" *Gasoline/service station* " means a building or lot having pumps and storage tanks where fuels, oils or accessories for motor vehicles are dispensed, sold or offered for sale at retail only; auto repair is incidental and no storage or parking space is offered for rent.

" *General repair services* " means the repair of appliances, stereo equipment, electronic equipment, and computers. This term does not include the repair of motor vehicles in any form.

" *Glare* " means the reflection of harsh, bright light, or the physical effect resulting from high luminance or insufficiently shielded light sources in the field of view.

" *Grade, finished* " means the average of the finished ground level at the center of each exterior facade of the building, unless otherwise specified.

" *Grading* " means any excavation, filling, removing the duff layer or any combination of top soils thereof.

" *Group home* " means a publicly or privately operated residential facility, limited to: Group homes for children, for those with disabilities, or for the elderly; homes for recovering, non-using alcoholics and addicts; or shelters for domestic violence victims. Group homes are single-family structures, allowed in all residential and commercial zones. They may house up to five residents plus two caregivers, with the special exception that state-licensed adult family homes and foster family homes are exempt from the city's numerical limit. Group homes do not include halfway houses, overnight shelters, or transitional housing.

" *Hazardous substance and waste storage and treatment* " means the holding of hazardous substances or waste for a temporary period or means the physical, chemical or biological processing of hazardous substances or waste for the purpose of rendering such waste non-dangerous or less dangerous, safer for transport, amenable for storage, or reduced in volume, as regulated by the state dangerous waste regulations, WAC chapter 173-303, or its successor.

" *Hazardous substance or waste* " means any substance or material that because of its properties may be detrimental to the health of any person coming in contact with the material or substance and all dangerous and extremely hazardous waste as defined in RCW 70.105.010(15), or its successor, except for moderate risk waste as set forth in RCW 70.105.010(17), or its successor.

" *Health club* " means facilities offering the use of exercise equipment for public use, and services such as, but not limited to, expertise and instruction for fitness training and aerobics classes; does not include massage or other medically related services.

" *Health hazard* " means sanitation problems, including, but not limited to, sewage spills, raw sewage in any form, rodent infestation, potential disease causes as determined by an

environmental health official and chemicals that leads to acute or chronic health effects in exposed persons.

" *Historic structure* " means any building, portion of a building, bridge, ship, railroad car, dam, or any other structure that is either listed in the National Register of Historic Places or located in a registered historic district or listed on the Dayton's local register for historic places.

" *Home business or occupation* " means a business, or professional enterprise conducted within a dwelling or accessory building by the occupants of the dwelling and the commercial use is incidental and accessory to the primary residential use of the premises and the commercial activity does not alter or detract from the residential character of the residence or the neighborhood. "Marijuana related use(s)" as defined in subsection 11-01-050(J) are not "home business or occupation" use(s).

" *Hotel* " means a building or complex with more than ten guest units, and consisting of individual guest sleeping rooms available for short term (less than monthly) rental. Entry to the guest rooms is provided primarily through a lobby/reception area. Additional services such as meeting rooms, restaurants, health spas, retail shops and beauty salons may be provided.

" *Impervious surface* " means any non-vertical surface artificially covered or hardened so as to prevent or impede the percolation of water in the soil mantle including, but not limited to, roof tops, tents, patios, swimming pools, roads, driveways, walkways and parking areas that are paved, graveled or soil compacted, but excluding landscaping and surface water retention/detention facilities.

" *Inn* " or " *hostel* " means a building with not more than 20 beds for guests within not more than ten guest sleeping rooms available for rent on a short-term basis (less than 30 days) and generally serving breakfast only to those people registered to use the facility for lodging.

" *Junkyard* " or " *wrecking yard or salvage yard* " means any premises not enclosed by a building devoted wholly or in part to the storage, buying or selling of, or otherwise handling or dealing in, old rags, sacks, bottles, cans, papers, metal, rubber or other articles commonly known as junk.

" *Kenel* " means an establishment having four or more dogs for the purpose of housing, caring for, boarding, breeding, buying, grooming, letting for hire, training for fee, or selling. An adult dog is one of either sex, altered or unaltered, that has reached the age of six months. This does not include a veterinary clinic where animals are kept only as a necessary part of medical treatment.

" *Livestock* " means domesticated animals, such as horses, cows, goats, and sheep. Swine is not allowed to be raised or cared for within the city limits.

" *Loading, off-street* " means space conveniently located for bulk pick-ups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled.

" *Lot* " means a legally created parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of a single lot of record; a portion of a lot of record; a combination of complete lots of record or a parcel of land described by metes and bounds; provided, that in no case of division or combination shall any residual lot or parcel be created that does not meet the requirements of this title.

" *Lot area* " means the total horizontal area within the lot lines of a lot; however, the area contained in access easements, tracts or panhandles shall not be included in the lot area or any other lot size computation.

" *Lot, corner* " means a lot abutting on two intersecting streets other than an alley.

" *Lot, coverage* " means the portion of a lot that is occupied by all buildings and structures on the lot, including all roofed areas.

" *Lot, developable* " means a lot that provides a building site appropriate for the intended use when all physical characteristics, required improvements and all zoning requirements are considered.

" *Lot frontage* " means the portion of the lot where the lot line abuts a street or right-of-way. For the purpose of determining yard requirement on corner lot and through lots, all sides of a lot adjacent to street shall be considered a front yard. For a corner lot, the "primary front line" is the shorter of the two intersecting street lines and the "flanking front line" is the longer of the front lines, unless otherwise determined through a zoning interpretation by the planning director or approval of a zoning variance.

" *Lot lines* " mean the property lines that establish the boundaries of lots.

"*Lot line, front*" means the boundary line(s) that abuts street right-of-way(s), but not an alley.

"*Lot line, rear*" means the line opposite, most distant and most parallel with the front lot line. For irregularly shaped lots, a line ten feet in length within the lot and farther removed from the front line and at right angles to the line comprising the depth of the lot shall be used as the rear lot line.

"*Lot line, side*" means all lot lines which do not qualify as a rear or front lot line.

" *Lot of record* " means a lot which is part of a subdivision recorded in the office of the Columbia County Assessor, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

" *Lot, through* " means a lot other than a corner lot with frontage on more than one street excluding an alley and may also be referred to as a double frontage lot.

" *Manufactured home subdivision* " means a planned subdivision in which all lots are specifically dedicated for the placement of manufactured homes on individually owned lots.

" *Manufactured house* " means a residential structure constructed to the National Manufactured Housing Construction and Safety Standards (HUD standards) that is built off-site and transported to the building site, in accordance with state and federal requirements and is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis and (iii) exceeds 40 feet in length and eight feet in width. This definition does not include mobile, modular homes or recreational vehicles.

" *Massage business* " means a commercial professional establishment in which massage or other touching (considered medically necessary) of the human body is provided.

" *Mini-storage* " means a building or group of buildings containing separate storage spaces of varying sizes that are leased or rented as individuals units, excluding the use of cargo containers as storage spaces.

" *Mobile home* " means a self-contained dwelling unit with its own independent sanitary facilities, that is intended for year-round occupancy, and is composed of one or more major components which are mobile in that they can be supported by wheels attached to their own integral frame or structure and towed by an attachment to that frame or structure over the public highway under license or by special permit. This definition does not include a manufactured home, modular homes or recreational vehicles.

" *Mobile home, class A* " means a mobile home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction and that satisfies each of the following additional criteria:

1. The home is new;
2. The home is no less than 20 feet wide and has a length not exceeding four times its width;
3. The pitch of the home's roof has a minimum vertical rise of one foot for each five feet of horizontal run, and the roof is finished with a type of shingle that is commonly used in standard residential construction;
4. The exterior siding consists of wood, hardboard, or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of white paint) comparable in composition, appearance and durability to the exterior siding commonly used in standard residential construction;
5. A continuous, permanent masonry foundation, un-pierced except for required ventilation and access, is installed under the home; and
6. The tongue, axles, transporting lights and removable towing apparatus are removed after placement on the lot and before occupancy.

" *Mobile home, class B* " means a mobile home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction but that does not satisfy the criteria necessary to qualify the house as a class A mobile home.

" *Mobile or manufactured home park* " means a lot, parcel or tract of land in which a minimum of five mobile or manufactured homes are located and the land is under single ownership.

" *Modular house* " means a residential structure built of conventional materials to residential building code standards and local codes applicable to site-built homes that is built off-site and transported to the building site for final assembly on a permanent foundation.

" *Motel* " means a building or complex with more than ten guest rooms (ten or fewer rooms is defined for zoning purposes as an inn), and consisting of individual guest sleeping rooms available for short term (less than monthly) rental. Motels are designed for easy access from the guest's cars to the guest rooms.

" *Noise* " means the intensity, duration and character of sound from any and all sources.

" *Nonconforming lot, use or structure* " means lot, use or structure created, used or constructed in conformance with codes at the time established, which as the effective date of the ordinance from which this title is derived no longer meet the minimum requirements of the zone in which it is located.

" *Nursing home/convalescent center* " means residential facilities offering 24-hour skilled nursing care for patients who are recovering from an illness, or receiving care for chronic conditions, mental or physical disabilities, terminal illness, or alcohol or drug detoxification. Care may include in-patient administration of medicine, preparation of special diets, bedside nursing care, and treatment by a physician or psychiatrist. Out-patient care is limited to prior patients only.

" *Occupancy or use* " means the purpose for which a lot or building is used or intended to be used.

" *Open space* " means a variety of lands which are created and preserved for park and open space purposes, including:

1. Natural areas with outstanding scenic or recreational (active or passive) value;
2. Public access areas to creeks, rivers or lakes;
3. Lands that define, through natural features, urban and rural areas;

4. Lands that create corridors between natural features;
5. Lands held in separate private tracts for preservation of critical areas;
6. Any landscaped area that exceeds the minimum adopted landscape requirements;
7. Active outdoor recreation areas;
8. Multi-purpose green spaces.

" *Outdoor sales lot* " means an area where more than 20 percent of the goods are stored and/or displayed either temporarily or permanently outdoors such as nursery and garden centers, farm supply and machinery sales, vehicle sales and rentals.

" *Overnight shelter* " means a facility providing overnight, temporary lodging, with or without meals, for homeless families or individuals and meeting the standards of Chapter 246-360 WAC.

" *Park* " means land used for active and passive recreation including, but not limited to, local and regional parks, playgrounds, ball fields, and trails.

" *Parking lot* " means a public or private area other than a street or alley that provides parking for motor vehicles.

" *Parking, off-street* " means a space providing parking for vehicles with related access to a public street or alley.

" *Pet, household* " means a domesticated animal of ordinary species that lives, or is commonly known to be capable of living, within the confines of a residence. Animals considered to be common household pets include but are not necessarily limited to the following: Dogs, cats, rabbits, indoor birds, small rodents, nonvenomous reptiles or amphibians and fish, and potbellied pigs.

Animals not considered a domesticated animal of ordinary species that lives, or not commonly known to be capable of living within the confines of a residence are not allowed as pets. Animals not allowed as pets include but are not necessarily limited to the following: horses, cows, goats, sheep, swine, donkeys, full size swine, chickens, roosters, endangered or exotic species (not listed above) and any similar species.

" *Production animals, small* " means small domesticated animals, such as chickens, roosters, rabbits, or other similar animals or fowl, but does not include pets.

" *Recreational vehicle or travel trailer* " means a vehicle designed primarily for recreational camping, travel or seasonal use which has its own motive power or is towed by another vehicle, including, but not limited to: travel trailer, park trailer, folding camper trailer, motor home, multi-use vehicles, or truck camper.

" *Recreational vehicle park* " means a lot where two or more sites are available for short term (less than monthly) rental for parking recreational vehicles as temporary living quarters.

" *Recycling collection center* " means a collection area for small items such as bottles, cans and newspapers to be recycled.

" *Replacement cost* " means the current cost to reconstruct a structure or part of the structure in a manner similar to its previous condition to the current code standards.

" *Restaurant* " means a commercial use (excluding fast food restaurants) which sells prepared food or beverages and generally offers accommodations for consuming the food or beverage on the premises.

" *Restaurant, fast food* " means a commercial use which serves food or beverages, is built to include drive-through business, and minimizes the number of interior accommodations for on-site consumption of the product.

" *Right-of-way* " means the land dedicated for public use for utilities, vehicular travel, or pedestrian travel.

" *Roadway* " means the portion of a right-of-way that is improved for vehicular traffic.

" *Secondhand store* " means a retail establishment in which the principal portion of the articles, commodities or merchandise handled, offered for sale, or sold on the premises are not new.

" *Setback* " means the minimum distance that buildings/structures, or uses, must be set back from a property line. In no event shall any structure, fence or paved area encroach upon public right-of-way.

" *Sight-obscuring fence or screening* " means a method by which a view of one site is shielded from view from adjacent sites or streets. To qualify as a sight-obscuring fence, at least 75 percent of the fence surface must consist of opaque material.

" *Sign* " means a device, letters, figures, symbols or structure visible from a public right-of-way that carries or constitutes a message designed, intended, or used to attract attention to the medium for purposes of the commercial advertisement or location of a place, product, or service, or the promotion or advocacy of an idea, proposition, or person, excluding traffic control devices. Sign standards are located in title 12, "Dayton Sign and Light Code."

" *Single-family house* " means a residential building containing one residential dwelling unit designed to be owned or rented as a residence and for occupancy by one family.

" *Skirting* " means a permanent material used to cover the undercarriage of a manufactured or mobile home and made of similar material, color, and pattern as the siding, or of some other material which is similar in appearance to site built foundations.

" *Street, private* " means any easement, tract or street for ingress and egress which is not a public street. Driveways which are not part of an easement, tract or street for ingress and egress shall not be considered a street. For the purposes of this title, a private street will be considered as being a public street for determining setback provisions only.

" *Street, public* " All streets, highways, avenues, lanes, alleys, courts, places, or other public ways in the city, whether improved or unimproved, held in public ownership and intended to be open as a matter of right to public vehicular and/or pedestrian access.

" *Structure* " means anything which is built or constructed (above or below grade), an edifice of building of any kind, or any piece of work artificially built-up or composed of parts joined together in some definite manner excluding vehicles, lawn/yard furniture, statuary, utility boxes/lights, minor utility apertures, planter boxes, fences 72 inches (or six-foot) or under in height, and residential tent structures.

" *Tent structure, residential* " means a canopy, not exceeding 400 square feet, or a tent, not exceeding 200 square feet, consisting of a metal or plastic frame, covered with canvas or other similar material, used in a residential zone. A canopy is defined as an enclosure or other shelter which is open without sidewalls or drops on 75 percent or more to the perimeter. A tent is defined as an enclosure or shelter with 25 percent or greater sidewalls or drops on its perimeter. A canopy greater than 400 square feet or a tent greater than 200 square feet shall be subject to all building and fire codes.

" *Vacation rental* " means rental of a single-family house for vacation use, one or more days by a family as defined in this title.

" *Variance* " means a change in requirements in this title to accommodate unusual or unique conditions peculiar to a property, not the result of the actions of the applicant, which prevent a reasonable use of the property without undue hardship where such change will not be contrary to the public interest. A variance may be used only for changes in requirements for height, area and size of structure or size of yards and open spaces. A variance cannot be used

to establish or expand a use otherwise prohibited and a variance cannot be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district.

" *Vehicle* " means any contrivance in or on which persons or things may be contained, carried or conveyed, whether in motion or standing, and includes cars, trucks, travel trailers, campers, trailers, motorcycles, farm vehicles or other similar mechanical devices fitted with wheels or runners.

" *Vision clearance area* " means a triangular area on a lot at the intersection of two streets, or of a street and an alley within which landscaping and structures that would block the vision of oncoming pedestrians or traffic on the other street are prohibited.

" *Yard* " means an open space on a lot or parcel which is required to be unoccupied and unobstructed from the ground upward to the sky by any structure except fences, platforms, walks and other customary yard ornaments and furniture.

" *Yard, front* " means the area extending across the full width of the lot required on each portion of a lot facing a street front.

" *Yard, rear* " means the area extending across the full width of the lot facing an adjacent property or alley right-of-way and generally on the opposite side of the lot from the front yard.

" *Yard, side* " means the area extending across the full width of the lot facing an adjacent property and generally at a right angle to the front yard, not including the front yards of a corner lot or a through lot.

"*Zone* " means distinct geographic areas into which the land area of the city is divided for purposes of regulating land use.

- J. All definitions contained in this subsection apply to this title only in relation to *marijuana related use* and, shall have the meanings established pursuant to RCW Chapter 69.50, RCW Chapter 69.51A and WAC 314-55-010, as the same exist now or as they may later be amended and as described in RCW 69.51A.250. Select definitions have been included below for ease of reference.

" *Marijuana* " or " *marihuana* " or " *cannabis* " means all parts of the plant cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plants, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seeds of the plant which is incapable of germination.

" *Marijuana processor* " means a person licensed by the state liquor and cannabis board to process marijuana into marijuana concentrates, usable marijuana and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, usable marijuana and marijuana-infused products at wholesale to marijuana retailers.

" *Marijuana producer* " means a person licensed by the state liquor and cannabis board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

" *Marijuana products* " means useable marijuana, marijuana concentrates, and marijuana-infused products as defined in RCW 69.50.101.

" *Marijuana retailer* " means a person licensed by the state liquor and cannabis board to sell marijuana concentrates, usable marijuana and marijuana-infused products in a retail outlet.

" *Marijuana retailer with a medical marijuana endorsement* " means a marijuana retailer that has been issued a medical marijuana endorsement by the state liquor and cannabis board pursuant to RCW 69.50.375.

" *Medical marijuana cooperative* " or " *cooperative* " is the use as described in RCW 69.51A.250.

" *Qualifying patient* " has the meaning provided in RCW 69.51A.010.

(Ord. No. 841, § 2(Atts. B, F), 11-12-2013; Ord. No. 1864, § 1, 9-8-2014; Ord. No. 1873A, § 1, 2-9-2015; [Ord. No. 1886](#), § 1, 12-7-2015; [Ord. No. 1901](#), § 1, 10-10-2016; [Ord. No. 1937](#), § 1, 8-8-2018)

CHAPTER 11-02. - DESIGNATION AND ESTABLISHMENT OF ZONING DISTRICTS

11-02.010. - Zoning districts.

The following zoning districts are hereby established in conformance with the goals of the Dayton Comprehensive Plan:

District Name:	Symbol
Residential Districts:	
Urban Residential	UR
Agricultural Residential	AR
Commercial Districts:	
Central Commercial	CC
Fringe Commercial	FC
Industrial District:	
Industrial	IN
Public Purpose Districts:	
Open Space and Recreation	OR

Public and Quasi-Public Zone	PU
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(Ord. No. 1841, § 2(Att. B), 11-12-2013; [Ord. No. 1937](#), § 2, 8-8-2018)

11-02.020. - Overlay zones/districts.

Overlay zones are established to recognize and respond to special conditions such as historic districts, floodplains and slide-prone areas with special standards for development. The adopted overlay districts within the City of Dayton include:

Overlay Zone Name:	Symbol
Downtown Commercial Historic District	DCHD
Clay Street Transitional District	CSTD
South Side Historic District	SSH D
Washington Street Historic District	WSHD

;hn0; (Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-02.030. - Official zoning map.

- A. The area within the city is divided into zones and overlay areas as shown on the official zoning map that is adopted by reference and declared to be a part of this title. Land area(s) under an approved development agreement shall be designated on the zoning map. The official zoning map shall be identified by the signature of the mayor, attested by the city clerk, and shall bear the seal of the city. The official zoning map shall be made available for public inspection within Dayton City Hall.
- B. No amendment to this title that involves boundaries on the official zoning map shall become effective until such change and entry is made on the zoning map.

(Ord. No. 1841, § 2(Att. B), 11-12-2013; [Ord. No. 1937](#), § 3, 8-8-2018)

11-02.040. - Interpretation of zoning district boundaries.

Where uncertainty exists as to the boundaries of the zoning districts as shown on the official zoning map, the following rules shall apply:

- A. Boundaries on streets, highways, alleys or waterway follow the center of these elements.

- B. Other boundaries shall follow the nearest platted lot line. In the event a single lot appears to be located within two or more different zones, the zoning district regulations applying to the larger portion of the lot shall apply to the entire lot.
- C. In the event physical features existing on the ground differ from those shown on the official zoning map, or in other circumstances not covered by subsections A and B above, the planning director shall interpret the zoning district and overlay district boundaries.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

CHAPTER 11-03. - RESIDENTIAL ZONES

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.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-03.020. - Uses.

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

Use Chart	Residential Zones	
	AR	UR
A. Residential Uses.		
Accessory dwelling unit (ADU) > ¹ Accessory only to one primary single-family dwelling, also see DMC 11-01.020 G.	A ¹	A ¹
Adult family home	P	P

Boardinghouse	A	P
<u>Cottage housing development (DMC 11-01)</u>	<u>P</u>	<u>P</u>
Duplexes (two attached dwellings units with a minimum of 3,600 square feet of lot area for each unit)	X	P
Group home	P	P
Manufactured and mobile home parks	C	C
Multifamily (three or more attached dwelling units with a minimum of 3,600 square feet of lot area for each unit)	X	P
Pets, household	A ²	A ²
Private garages and storage buildings, including carports	A	A
Private recreational facilities (pools, patios, and similar)	A	A
<u>Single manufactured home</u>	<u>P</u>	<u>P</u>
Single-family dwelling	P	P
Tent structure, residential—See DMC 11-03.040 for limitations	A	A
Vacation rental	P	P
B. Agricultural Uses.		
Feedlots	X	X
General farming	P ²	A ²
Large sized livestock	P ²	X
Moderate sized livestock	P ²	X
Small production animals	P ²	A ²

Marijuana producers and production including medical marijuana	X	X
Medical marijuana cooperative	X	X
C. Community Facilities.		
Community centers and similar facilities	C	C
Fire and police stations	C	C
Hospitals	X	C
Medical clinics	X	C
Parks	P	P
Religious facilities, faith centers and churches	C	C
Schools	C	C
Utility transformers, pump station, etc.	C	C
D. Commercial Uses. (Limitations on Commercial Uses—See 11-03.060)		
Bed and breakfast guest house	A	A
Inn	X	C
Communication towers including phone, radio, TV and similar	A	A
Community residential facilities (CRF)	X	C
Day care facilities		
Day care center	C	C
Mini Day Care Center	C	C
Family day care home	A	A

Home business or occupation	A	A
Kennels	A	X
Marijuana processor and processing	X	X
Marijuana retailers and retail stores with or without a medical marijuana endorsement	X	X
Nursing homes	C	C
Professional, administrative and service offices	A	A
Retail nurseries and greenhouses	A	A
Veterinary clinic	X	C
¹ Accessory only to one primary single-family dwelling, also see DMC 11-01.020(G) ² See DMC 11-03.100 for limitations to pets, livestock and production animals		

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

(Ord. No. 1841, § 2(Att. B), 11-12-2013; Ord. No. 1864, § 2, 9-8-2014; [Ord. No. 1886](#), § 1, 12-7-2015; [Ord. No. 1901](#), §§ 2, 3, 10-10-2016; [Ord. No. 1937](#), § 4, 8-8-2018)

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

The lot areas, setbacks, structure heights and lot coverage required or permitted in residential zones, and additional specific standards are listed below:

Lot Areas, Setbacks, Structure Heights and Lot Coverage Required or Permitted	Zones	
	AR	UR
Lot area minimum	10,800 s.f.	7,200 s.f. NO MIN
Lot width minimum	80'	50'
Lot depth minimum	120'	100'

Principal building setbacks		
Minimum front and rear yard setbacks for principal buildings including setbacks for front yards of a through lot	25'	20'
Minimum primary front (P), flank front (F) and rear (R) yard setbacks for principal buildings on a corner lot: P/F/R	25'/15'/25'	20'/10'/20'
Minimum garage setback for garage entry. P and/or F	25'/20'	20'/20'
Minimum side yard setback	10'	5'
Accessory building setbacks		
Minimum front yard setbacks including setbacks for front yards of a lot and through lot	25'	20'
Minimum primary front (P), and flank front (F) yard setbacks for an accessory buildings on a corner lot: P/F	25'/20'	20'/15'
Minimum garage front setback for garage entry. P/F	25'/20'	20'/20'
Minimum rear yard setback	10'	5'
Minimum side yard setback	10'	5'
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 or side property line or within the rear, <u>flank front</u> , or side yard setback (11-04.050 – Vision clearance area requirements still applicable)	6'	6'
Fences on the front property line(s) or in the <u>primary</u> front yard setback(s) area	4'	4'
Buildings, portions of buildings or structures within 10 feet of a property line, shall have a maximum height from the finished grade to the top of the wall plate:	10' hgt.	10' hgt.

Buildings, portions of buildings or structures more than 10 feet but less than 20 feet from a property line shall have a max. height from the finished grade to the top of the wall plate:	20' hgt.	20' hgt.
Buildings, portions of buildings or structures shall have a max. height from the finished grade to the top of the roof:	35' hgt.	35' hgt.
Lot coverage—Maximum	40%	50%
Impervious surface—Maximum	65%	65%

Building height and setback exceptions in residential zones.

- A. The building height limitations above in DMC 11-03.030 do not restrict the height of water reservoirs, church spires, and other similar structures or facilities.
- B. Cornices, eaves, chimneys, belt courses, leaders, sills, pilasters or other similar architectural or ornamental features; open balconies or unenclosed stairways not covered by a roof or canopy; and open, unenclosed porches, platforms, or landings not covered by a roof or canopy, which do not extend above the level of the first floor may extend or project into a required yard up to one foot.
- C. Open, unenclosed patios, terraces, courtyards and decks or similar surfaced areas, not covered by a roof or canopy, that do not extend more than 18 inches above the finished grade may occupy, extend or project into a required yard.
- D. If the principal residential buildings on both abutting lots have front or rear yard setbacks less than the required depth, the yard for the lot need not exceed the average yard depth of the setbacks on the abutting lots. In no case shall the front and rear yard setback be less than ten feet.
- E. On a steep site, a detached or attached garage may be constructed in a natural bank of earth without regard to front yard regulations, provided at least 75 percent of all exterior walls, except the front, are underground.
- F. One accessory structure that does not exceed 10 feet in height to the peak of the roof or 120 feet in floor area may be located within the rear yard setback.
- G. Accessory dwelling units (ADU's) shall be designed to preserve or complement the architectural design, style, and appearance of the principal structure with not less than 220 gross square feet and no more than 800 gross square feet of floor area. If detached from the primary residence, an exterior height of 25 feet to the top peak of the roof is allowed; providing, however, that all the other maximum lot coverage, setback and height limit limitations pursuant to DMC 11-03.030 are met. Apartments above garages/shops are permitted to be used as ADU's, if the following conditions are met: all zoning requirements of DMC Title 11 are met, including lot coverage and setbacks, egress must be provided in a way that tenants can get out of the apartment/unit without entering the garage/shop, and all applicable fire and building codes are met. All owners must register their ADU with the city's planning department. An occupancy permit must be obtained, if required by building codes.
- H. Swimming pools, spas, and hot tubs:

1. Setbacks. Swimming pools, spas, and hot tubs shall have a minimum setback of five feet from a property line and above ground swimming pools, spas, and hot tubs may be required to setback greater than five feet from a property line per DMC 11-03.030 setback/height restrictions.

Under DMC 5-2.04, the International Property Maintenance Code Section 303 addresses the requirements for fencing and maintenance of swimming pools, spas and hot tubs. Fencing height limitations within front setbacks and for sight triangles are applicable unless a variance is obtained.

(Ord. No. 1841, § 2(Att. B), 11-12-2013; Ord. No. 1873A, § 1, 2-9-2015; [Ord. No. 1886](#), § 1, 12-7-2015; [Ord. No. 1937](#), § 5, 8-8-2018)

11-03.040. - Residential tent structures.

Tent structures as defined in this title are allowed in residential zones as accessory structures subject to setback, and height/setback requirements of the zone for buildings and the following additional standards:

- A. A maximum of one residential tent structures is allowed on a lot.
- B. A residential tent structure may be used only for the storage of motor vehicles, recreational vehicles, or boats.
- C. A residential tent structure shall conform to the off-street parking area requirements under DMC 11.08.
- D. The maximum height to the peak of the roof for a residential tent structure must not exceed 15 feet.
- E. All structures, including a residential tent structure on a lot, must not exceed the allowable building lot coverage for the parcel of property as defined under DMC 11-03.030.
- F. All residential tent structures must be white, a subdued color, or substantially match the appearance of the primary structure on the property. No residential tent structure shall be blue. All residential tent structures shall maintain an appearance of integrity. Residential tent structures that do not maintain an appearance of integrity must be removed from the property by the property owner within 30 days.
- G. All residential tent structures must be installed and anchored pursuant to the manufacturer's instructions.
- H. A residential tent structure must be constructed of approved fire retardant materials.

(Ord. No. 1841, § 2(Att. F), 11-12-2013)

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.
- B. Temporary or mobile buildings may remain on a lot for up to 60 days of a twelve-month calendar year, except for:
1. A mobile or manufactured home in a mobile home park; or
 2. After a building permit has been obtained, a temporary construction office or a recreational vehicle that serves as the residence for an owner/builder who is building a residence on the lot can be placed on the lot and can remain on a lot for the term of the construction work or one year, whichever is shorter, unless extended by the planning director to accommodate a longer construction period; or
 3. An unoccupied recreational vehicle or travel trailer parked on a land parcel that includes the primary residence of the owner of the recreational vehicle or travel trailer.

(Ord. No. 841, § 2(Atts. B, F), 11-12-2013)

11-03.060. - Limits on businesses.

It is the intent of this chapter to permit any legal economic activity in a residential unit to the extent that the business activity does not detract from the residential character of the neighborhood and the activity does not create a nuisance (noise, odors, visual blight, etc.) to neighbors. Businesses in residential zones must conform to the following requirements:

- A. Unless the business use is a conditional use authorized in this chapter and the business has been specifically reviewed and approved, the business must be a use that is accessory to a principal residential use and the area used only for the business use cannot occupy more than 40 percent of the gross floor area of all structures on a lot;
- B. Traffic and parking volumes created by the business may not create a detrimental effect on the surrounding residential uses and generally should not exceed ten vehicles arriving and departing per day and should not result in on street parking that takes up parking space beyond the lot frontage where the business is located;
- C. The business may not produce odor, gas, vibrations, noise, magnetic interference, or other elements that are detrimental to the surrounding residential uses;
- D. The noise level of the work in the business may not exceed normal residential noise levels;
- E. No items related to the business may be stored outside;
- F. The business may not employ on-site more than two people who are not residents of the dwelling unit on the lot where the work is occurring;
- G. No business related window displays, or exterior displays are permitted and no structures can be built on the lot that reflect any use other than a residential use; and

- H. Identification signs may not exceed three square feet in area and may not rotate, flash, be internally lighted or include changing image, changing message or message boards or be installed on a roof.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-03.065. - Vision clearance area requirements.

At street intersections and at intersections of streets and alleys, in the area adjacent to each intersection shall be maintained in a clear and open condition to provide for safe vision of traffic on the intersecting streets. The area shall include all areas within a sight triangle, measured ten feet back from the intersecting property lines along each street front or alley property line. Within this triangle area no fences, bushes, structures or other vision obstructing elements may be more than three feet higher than the finished grade of the adjacent streets and no signs, tree limbs or other vision obstructing elements may be less than eight feet above the finish grade of the adjacent streets.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-03.070. - Off-street parking.

The intent of parking requirements in residential zones is to maintain the residential character of the area and to reduce congestion on the street. The amount of off-street parking spaces required for each use is listed in chapter 11-08. Parking in residential zones shall be located on the lot on which the use is located.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-03.080. - Landscaping—Required.

The intent of the landscaping requirements in residential zones is to decrease the potential negative effect of higher-density residential uses and intensity of nonresidential uses on lower-density residential uses.

- A. All multifamily developments, mobile home parks and commercial uses in residential zones must provide landscaping and screening including a street tree on each street frontage and one additional tree for every 50 lineal feet of street frontage.
- B. In addition to these general requirements, refer to chapter 11-08, for landscaping, screening, lighting and surfacing requirements for surface parking and outdoor storage areas that are larger than 2,500 square feet.

(Ord. No. 1841, § 2(Att. B), 11-12-2013; [Ord. No. 1937](#), § 6, 8-8-2018)

11-03.090. - Exterior lighting.

Exterior lighting in residential zones shall be shielded and directed away from adjacent property. Elevated exterior lighting shall not exceed a height of 15 feet above finished grade, and shall be scaled in size and intensity to match the magnitude of the area to be lit.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

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 ~~30~~ ~~25~~ 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.

- B. *Household pets.* Household pets including but not limited to dogs, cats, indoor birds, small rodents, nonvenomous reptiles or amphibians, fish, and potbellied pigs, subject to the following standards and limitations:
1. Three dogs per residence, regardless of lot size.
 2. Full-size swine are prohibited.
 3. Goats are prohibited except as allowed in [subsection] A.3., above.
 4. Reptiles or amphibians weighing more than ten pounds are prohibited.
 5. A maximum of three household pets may be housed outside the residence in a shelter or fenced area.
- C. Livestock, small production animals and pets are subject to the provisions of DMC chapter 6-8, animal control.
- D. Any person or persons being the owner or having possession or control of any livestock found in violation of section 11-30.100, above, shall be subject to penalties as listed in title 21: code compliance.

(Ord. No. 1841, § 2(Att. B), 11-12-2013; [Ord. No. 1886](#), § 1, 12-7-2015; [Ord. No. 1937](#), § 7, 8-8-2018)

Editor's note— [Ord. No. 1937](#), § 7, adopted Aug. 8, 2018, changed the title of § 11.03.100 from "Animal densities—Livestock and animal restrictions" to read as herein set out.

11-03.110. - Mobile home parks.

In addition to the requirements that apply to all developments in a zone, the following requirements apply to all mobile home parks and shall be shown on a mobile home park site plan.

- A. *Setback from property lines.* All mobile homes must be setback at least 20 feet from the mobile home park property line.
- B. *Space between mobile homes.* No mobile home shall be placed within 20 feet of another mobile home.
- C. *Access to mobile homes.* All access shall be provided from a central access road to the park. No access shall be permitted from a public right-of-way or public street directly to individual mobile homes. The park access road must be a 20-foot-wide surfaced road.
- D. *Pedestrian walkways.* Surfaced walkways shall be provided to all service buildings, to all recreation areas and to all other areas designed or reserved for use of the occupants of the park.
- E. *Recreation area.* Each mobile home park must provide and maintain a recreation area equal to or larger than 2,500 square feet plus 100 square feet per mobile home space.
- F. *On-site parking.* Each mobile home space is counted as a dwelling unit to determine the amount of off-street parking spaces required.
- G. *Utility areas.* All areas for dumpsters, garbage cans, utilities and other similar service areas must be screened from view and secured to prevent the entry of children and animals.
- H. *Landscaping and screening.* The perimeter of the mobile home park shall be landscaped and screened except in access areas such as driveways and sidewalks. The access areas may not occupy more than 30 percent of the perimeter of the park. The required perimeter landscaped

area (on all property lines) shall be five feet deep. The required perimeter screening may be either a six-foot-high sight-obscuring fence or a four-foot-high landscaped berm or a hedge that is at least two feet high when planted. The berm or hedge may be within the required perimeter landscaped area. A sight-obscuring fence must be set back behind the required perimeter landscaping (set back five feet from the property line). The landscaped area and berms shall be planted and maintained with trees, shrubs and evergreen ground cover in a manner which covers the required landscaped and berm area within three years from the date the development permit is issued, and the landscaped cover shall be maintained as long as the mobile home park is in use. One tree is required to be planted and maintained in each 50 lineal feet of the perimeter-landscaped area. If the parking area in the park is larger than 2,500 square feet, refer to chapter 11-08 for landscaping requirements in the parking area.

- I. *Minimum park size.* The minimum required lot area is 30,000 square feet and the minimum required number of fully developed mobile home sites is five.

(Ord. No. 1841, § 2(Att. B), 11-12-2013; [Ord. No. 1937](#), § 8, 8-8-2018)

CHAPTER 11-04. - COMMERCIAL ZONES

11-04.010. - Intent and purpose of commercial zones.

This section of the zoning code is intended to assist in the implementation of the following zone classifications:

- A. *Central commercial (CC) zone* . The intent of the central commercial zone is to promote and maintain a downtown commercial center having standards of development and permitted uses oriented toward businesses that generate high pedestrian activity. Uses are discouraged that are land consumptive such as warehouses, automobile and equipment dealers, building supply outlets and similar uses that diminish the zoning district's compactness and convenience as an integrated shopping and service area. Desirable uses within this zone include, but are not limited to, professional and business offices, service providing establishments, entertainment facilities and retail establishments.
- B. *The fringe commercial (FC) zone.* The intent of the fringe commercial zone is to accommodate vehicular oriented and land consumptive commercial uses in addition to commercial uses generally considered beneficial to the traveling public. Building density shall be relatively low to reduce traffic congestion and traffic hazards on related streets and highways.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-04.020. - Uses.

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

Uses in Commercial Zones	Zones	
	CC	FC
A. Commercial uses.		

1. General retail sales and services:		
Grocery stores and general merchandise stores	P	P
Lumber, building supplies, nurseries and greenhouses	A	P
Marijuana retailers and retail stores with or without a medical marijuana endorsement*	X	X
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	A P
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	A-P	P
Specialty retail that needs customer and delivery access such as household appliances, heating, plumbing, hardware, locksmiths, retail nursery, paint and glass and similar	A	P
Specialty food shops such as bakeries, confectionery, ice cream and similar specialty foods	P	P
2. Hospitality businesses:		
Bowling alley, skating rinks, billiard halls and similar recreational uses	A	P
Drive in and take out restaurants	A-P	P
Eating and drinking establishments for service and consumption on site	P	P
Hotels, inns and hostels	P	P
Motels and recreational vehicle parks	X	P
Theaters and similar places of public assembly not including drive-ins	P	A
3. Professional and personal services:		
Banks	P	P
Community Residential Facilities (CRF)	C	P

Day care center	P	P
Insurance, accountants, attorneys, real estate and other professional service offices	P	P
Kennels	X	P
Medical offices and clinics	P	P
Nursing homes	C	P
Veterinary clinic	C	P
4. Vehicle sales, repair and other services:		
Automobile, truck and farm equipment sales, repair, fuel, service and commercial garages	X-P	P
Bicycles and motorcycles sales, parts, repair and service	P	P
Boats, snowmobiles, recreational vehicles and similar sales, repair, parts, fuel and service	X-P	P
Dismantling and/or salvaging of vehicles, equipment or parts	X	C
Vehicle parts <u>SALES</u> only	P	P
5. Other commercial operations:		
Bus station, and other public transportation facilities	C	P
Communication towers including phone, radio and TV	C	C
General warehouse	A	P
Light manufacturing and production such as cabinet shops, production bakeries and meat processing	A	P
Marijuana processors and processing including medical marijuana	X	X
Marijuana producers and production including medical marijuana	X	X
Medical marijuana cooperative	X	X

Mini-storage	A	P
Parking and general outdoor sales lots	A	P
B. Community facilities.		
Community centers, lodge halls and museums	P	P
Fire and police stations	P	P
Governmental equipment repair and maintenance shops	A	C
Governmental offices	C P	P
Hospital	C	P
Parks and playgrounds	C P	P
Recycling collection center	C	P
Religious facility, faith centers and churches	P	P
Schools	C	P
Utility transformers, pump station, etc.	C	P
<p>C. Residential. <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></p>		
Adult family homes	P	P
Boardinghouse	P	X
Caretaker or business owner/manager's unit	A	A
Group home	P	P
Mobile home parks	X	P X

Multi-family (three or more units, <u>attached or detached</u>)	P	P
<u>Short term rental units</u>		
D. Agricultural uses.	X	X

*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.

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

(Ord. No. 1841, § 2(Att. B), 11-12-2013; Ord. No. 1864, § 3, 9-8-2014; [Ord. No. 1886](#), § 1, 12-7-2015; [Ord. No. 1901](#), §§ 4, 5, 10-10-2016; [Ord. No. 1937](#), § 9, 8-8-2018)

11-04.030. - Standards for lot area, height, setback, lot coverage, floor areas and exceptions.

A. The general lot areas, setbacks, structure heights and lot coverage required or permitted in commercial zones, and additional specific standards are listed below:

General Standards:	Zones	
	CC	FC
Minimum lot area	2,500 s.f.	5,000 s.f.
Minimum lot width	25'	50'
Minimum lot depth	60'	75'
Minimum front yard setback (exceptions listed below)	0'	5'
Minimum rear yard setback (exceptions listed below) Loading area may be in rear yard setback	10'	10'
Minimum side yard (exceptions listed below)	0'	5'
Maximum structure or building height (exceptions listed below)	50'	35'
Maximum floor area	3 times the lot area	2 times the lot area

Maximum lot coverage	80%	60%
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B. *Specific standards and exceptions.*

1. Maximum size of some uses. To maintain the continuity of the commercial street fronts, residential uses are not permitted on the first floor street front and cannot use more than 40 percent of the floor area on the first floor.
2. Building height exceptions. The building height limitations do not restrict the height of water reservoirs, church spires and other similar structures or facilities.
3. Commercial zoned property adjacent to a residential zone must maintain setbacks equal to the setbacks required in the adjacent residential zone along any property line adjacent to or abutting a residential zone.
4. The following outdoor activities shall be located at least 50 feet from any residential zone:
 - a. Outdoor sales and/or service of food or beverages;
 - b. Outdoor recycling collection stations; and
 - c. Outdoor storage.
5. Animals maintained as part of a business and structures housing them shall not be located within 50 feet of any residential zone.
6. Commercial communication towers and transmitting antennas may not be located within 100 feet of a residential zone.
7. Manufacturing, fabricating, repairing, refuse compacting and recycling and other activities that are major noise generators shall be conducted wholly within an enclosed structure. These and other major noise generating uses shall not be located within 50 feet of a residential zone.
8. Venting from uses that produce major odors, vapors, smoke, cinders, dust, gas and fumes shall be at least ten feet above finished sidewalk grade and cannot be vented within 100 feet of a residential zone.

(Ord. No. 1841, § 2(Att. B), 11-12-2013; [Ord. No. 1937](#), § 10, 8-8-2018)

11-04.040. - Building construction—Mobile homes and temporary structures.

All buildings in commercial zones shall be installed on and attached to a permanent foundation and permanently attached to utilities. The foundation and all building elements must meet all city building code standards. No temporary or mobile structure can remain on a site for more than 60 days except:

- A. A mobile or manufactured home in a mobile home park;
- B. After a building permit has been obtained, a temporary construction office can be placed on the lot and can remain on the lot for the term of the construction work or one year, whichever is shorter, unless extended as a conditional use to accommodate a longer construction period;
- C. An unoccupied recreational vehicle or travel trailer parked on a land parcel that includes the primary residence of the owner of the recreational vehicle or travel trailer;
- D. Vehicles that are a necessary part of an authorized commercial use; or
- E. Movable buildings within the following limits:
 1. The height of the building shall not exceed ten feet; and

2. Floor area of all moveable structures on a lot that does not exceed ten percent of the lot area.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-04.050. - Vision clearance area requirements.

At street intersections and at intersections of streets and alleys, in the area adjacent to each intersection shall be maintained in a clear and open condition to provide for safe vision of traffic on the intersecting streets. The area shall include all areas within a sight triangle, measured ten feet back from the intersecting property lines along each street front or alley property line. Within this triangle area no fences, bushes, structures or other vision obstructing elements may be more than three feet higher than the finished grade of the adjacent streets and no signs, tree limbs or other vision obstructing elements may be less than eight feet above the finish grade of the adjacent streets.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-04.060. - Off-street parking.

- A. The intent of the commercial parking requirements is to insure reasonably convenient customer parking and reduce congestion on adjacent streets without disrupting the continuity of the commercial street front.
- B. The amount of off-street parking required for each use is listed in section 11-08.020. Additionally, parking in commercial zones shall be located within 150 feet of the lot on which the use is located. Within the CC zone, the off-street parking must be located beside or behind the building.

(Ord. No. 841, § 2(Atts. B, F), 11-12-2013)

11-04.070. - Screening and landscaping.

The intent of the screening and landscaping requirements is to develop a commercial area which is attractive, and to buffer adjacent residential areas from the effect of neighboring commercial uses.

The following landscaping is required on all lots in commercial zones:

- A. If the distance from the curb to the property line is eight feet or more, a street tree shall be planted on each street frontage and one additional tree shall be planted for every 50 lineal feet of street frontage.
- B. A landscaped berm or landscaped area five or more feet deep shall be installed and maintained adjacent to each street front property line, except where a permanent structure, driveway or sidewalk is in this area. In addition to the general required landscaping, refer to section 11-08.080 for the screening, landscaping, lighting and surfacing required on outdoor parking, sales and storage areas. Areas or berms required to be landscaped shall be planted with trees, shrubs, and evergreen ground cover within three years from the date of issuance of the permit. Features such as walkways, decorative paving, sculptures or foundations may cover a maximum of 30 percent of each required landscaped area or berm. Trees shall be selected from the city's recommended list for tree planting.

(Ord. No. 841, § 2(Atts. B, F), 11-12-2013)

11-04.080. - Exterior lighting.

Exterior lighting in commercial zones shall be shielded from and directed away from residential uses. Exterior lighting on poles other than on public rights-of-way or signs in compliance with the sign ordinance shall not exceed a height of 20 feet above finished grade.

(Ord. No. 841, § 2(Atts. B, F), 11-12-2013)

11-04.090. - Recreational vehicle park standards.

- A. The following requirements apply to all recreational vehicle parks and shall be shown on the recreational vehicle park site plan:
 - 1. The park shall provide a minimum area of 1,000 square feet per recreational vehicle;
 - 2. Individual recreational vehicle spaces shall be served by a vehicular service aisle having a minimum width of 20 feet;
 - 3. Each recreational vehicle space shall provide 180 square feet of automobile parking area which shall be located and clearly defined within the park property boundaries; and,
 - 4. The park shall comply with the standards that apply to all developments in the zone.
- B. Recreational vehicle parks serving five or more recreational vehicles and shall meet the following additional standards which shall be shown on the recreational vehicle park site plan.
 - 1. Each recreational vehicle space shall be supplied with an electrical service outlet equipped with an externally operated switch or fuse nor less than 30 ampere capacity.
 - 2. The recreational vehicle park shall provide and maintain sight-obscuring screening between the park and all adjoining land uses. Screening shall be composed of trees, hedges or shrubs or other vegetative matter approved by the planning director and shall have a minimum height of six feet. Screening shall be omitted within the portion of the park providing ingress/egress.
 - 3. Each park shall provide a holding tank emptying station and service building(s) including a laundry facility with a washing machine and clothes dryer and separate men's and women's sanitation facilities. The rest rooms shall provide a minimum of one lavatory, one water closet and one shower for every ten recreational vehicle spaces.
 - 4. Property used for a recreational vehicle park shall be contiguous and under single ownership.

(Ord. No. 841, § 2(Atts. B, F), 11-12-2013)

11-04.100. - Outdoor dining facilities, design and placement in the central commercial zone.

Outdoor dining facilities are recognized as contributing to the visual, cultural and economic vitality of downtown. This benefit must, nevertheless, be secondary to the basic purpose of safe pedestrian transport. The city public works director and the city planning director are responsible for balancing these interests to the best benefit of downtown.

- A. Applications for outdoor dining facilities shall be constructed in detail by the applicant, illustrating the complete layout, including number of tables and chairs and width of pedestrian passage. This design shall be reviewed by the city public works director and the city planning director (committee). The committee shall seek input from the city engineer and other applicable department heads and/or agencies.
- B. Basic placement standards shall maintain a minimum of six feet of unobstructed pedestrian walkway on the street side of the sidewalk. Dining area enclosures shall be designed to provide proper visibility for pedestrians, minimal damage to the sidewalk, minimal obstruction to pedestrian passage, and maximum protection against pedestrian fall or collision hazard.

- C. The committee shall prepare a report for review and consideration by the city engineer. If the city engineer approves placement of the facility, it shall authorize issuance of a permit to occupy public right-of-way. Conditions of the permit shall include liability insurance in a form and amount required by the city, and a hold-harmless agreement to the benefit of the city in a form required by the city.
- D. A permit to occupy public right-of-way is revocable by the city at any time for any or no cause. When an outdoor dining facility is removed for any reason, whether on the initiative of the owner, or due to revocation of the permit by the city, it shall be the responsibility of the owner to restore the sidewalk to a condition acceptable to the City of Dayton Engineer and Public Works Director.
- E. If alcohol is to be served in these outdoor dining areas, the owner must identify such request in the application. Applicable permitting and requirements as outlined by the liquor and cannabis control board must be met per Title 314 WAC, with documentation verifying full compliance submitted with the original site plan and application.
- F. Any violation of the requirements as set forth in this section lead to right-of-way permit revocation per [subsection] D. and is subject to the provisions of title 21: code compliance.
- G. Application and permit fees applicable to outdoor dining are to be paid by the applicant per the City of Dayton Fee Schedule.

([Ord. No. 1937](#), § 11, 8-8-2018)

CHAPTER 11-05. - INDUSTRIAL ZONE

11-05.010. - Intent and purpose of industrial zone.

The industrial zone (IN). The intent of the industrial zone is to recognize and provide for a combination of environmental, recreational and industrial development options with the appropriate standards to maintain Dayton's air and water quality and to assure safe and compatible levels of noise.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-05.020. - Uses.

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

Uses in the Industrial Zone	Zones
	IN
A. Industrial and fabrication uses including:	
Agricultural product value added processing such as:	
Vegetable, fruit and grain processing	P

Production of food and beverages including baked goods, meat and dairy products	P
Processing leather and production of leather products	P
Fabrication of equipment, machinery, tools, instruments, vehicles and other mechanical fabrication.	P
Hazardous waste processing and storage (not permitted in flood plain or within 200 feet of a water way, in an aquifer recharge area or in a well head protection area)	C
Lumber and planing mills	P
Manufacturing of products from natural resources including wood products, concrete, glass, pottery, and gravel and other similar processes	P
Marijuana processors and processing including medical marijuana	X
Marijuana producers and production including medical marijuana	X
Medical marijuana cooperatives	X
Production of apparel or other finished products	P
Production printing, publishing and binding	P
Salvage, recycling operations, wrecking or junk yards less than 2,500 square feet in area (not permitted in flood plain or within 200 feet of a water way, in an aquifer recharge area or in a well head protection area)	A
Salvage, recycling operations, wrecking or junk yards 2,500 square feet or larger (not permitted in flood plain or within 200 feet of a water way, in an aquifer recharge area or in a well head protection area)	C
Vehicle restoration, rebuilding repair shops and commercial garage.	P
B. Commercial uses that require large spaces or support other industrial uses:	
Eating and drinking establishments	P
Recreation uses that need large open areas such as bowling alley, skating rinks, miniature golf	P

and similar	
Sales and services dependent on large warehouse space such as lumber, building supplies, nurseries and greenhouses	P
Truck and farm equipment sales, repair, parts, fuel, service, and repair	P
Sales and services of products produced in the industrial zone	A
Other commercial operations and support businesses including:	
Bus station, public garages and other public transportation facilities	P
Communication towers including phone, radio, TV and similar	P
General warehouse	P
Mini-storage	P
C. Community facilities:	
Fire and police stations	P
Governmental equipment repair and maintenance shops	P
Governmental offices	C
Utility transformers, pump station, etc.	P
Vocational and technical schools	P
D. Residential: Caretaker, owner or manager's unit	A
E. Agricultural uses:	
Aquaculture	P
Feedlots	X
Production nurseries and greenhouses	P

P—Permitted principal use; X—Prohibited use; A—Accessory use; C—Conditional use

(Ord. No. 1841, § 2(Att. B), 11-12-2013; Ord. No. 1864, § 4, 9-8-2014; [Ord. No. 1901](#), § 6, 10-10-2016; [Ord. No. 1937](#), § 12, 8-8-2018)

11-05.030. - Standards—Area, height, setback, and lot coverage required, or permitted and exceptions.

The lot areas, setbacks, structure heights and lot coverage required or permitted in the industrial zone and additional specific standards are listed below:

Standards	Zones
	IN
Minimum lot area	No requirement
Minimum lot width	No requirement
Minimum lot depth	No requirement
Minimum front yard setback (see special conditions and exceptions below)	No requirement unless special conditions apply
Minimum rear yard setback (see special conditions and exceptions below)	15' unless special conditions apply
Minimum side yard (see special conditions and exceptions below)	10' unless special conditions apply
Maximum structure or building height (see special conditions and exceptions below)	75'
Maximum lot coverage	75%

- A. *Building height exceptions.* The building height limitations do not restrict the height of water reservoirs, agricultural product storage structures, communication towers, church spires and other similar structures or facilities. Communication towers that exceed building height limits

may not be located within one mile of a lot that has existing communication towers that exceed building height limits.

B. *Setbacks—Special conditions and exceptions.*

1. Industrial zoned property adjacent to a residential zone must maintain setbacks equal to the setbacks required in the adjacent residential zone along any property line which is adjacent to or abuts the residential zone.
2. The following outdoor activities and similar activities shall be set back at least 50 feet from any residential zone:
 - a. Outdoor sales, display or service;
 - b. Outdoor recycling collection stations; and
 - c. Outdoor storage.
3. Animals maintained as part of a business and structures housing them shall not be located within 100 feet of any residential zone.
4. Communication towers and transmitting antennas may not be located within 100 feet of a residential zone.
5. Manufacturing, fabricating, repairing, refuse compacting, recycling, salvaging and other activities which are major noise generators must be set back a minimum of 50 feet from a residential zone and must be conducted within an enclosed structure unless the activities are located more than 100 feet from a residential zone.
6. Venting from uses that produce major odors, vapors, smoke, cinders, dust, gas and fumes shall be at least 20 feet above finished grade and shall not be vented within 100 feet of residential zoned property.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-05.040. - Building construction—Mobile and temporary structures.

All buildings in the industrial zone shall be installed on and attached to a permanent foundation and permanently attached to any required utilities. The foundation and all building elements must meet all city building code standards. No temporary or mobile structure shall remain on an industrial zoned site for more than six months, except:

- A. After a building permit has been obtained, a temporary construction office may be placed on a lot and may remain the lot for the term of the construction work or one year, whichever is shorter, unless extended as a conditional use to accommodate a longer construction period, and
- B. Movable buildings must be within the following limits:
 1. A maximum height of ten feet;
 2. A maximum floor area not to exceed 20 percent of the lot area.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-05.050. - Vision clearance area requirements.

At street intersections and at intersections of streets and alleys, in the area adjacent to each intersection shall be maintained in a clear and open condition to provide for safe vision of traffic on the intersecting streets. The area shall include all areas within a sight triangle, measured ten feet back from the intersecting property lines along each street front or alley property line. Within this triangle area no

fences, bushes, structures or other vision obstructing elements may be more than three feet higher than the finished grade of the adjacent streets and no signs, tree limbs or other vision obstructing elements may be less than eight feet above the finish grade of the adjacent streets.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-05.060. - Off-street parking.

The amount of off-street parking required for each use is listed in section 11-08.020.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-05.070. - Screening and landscaping.

- A. The screening and landscaping requirements are intended to promote the development of industrial areas which are attractive locations for stable, long-term industrial businesses and to buffer adjacent residential areas from the effect of industrial uses.
- B. The following types of landscaping are required of all uses in industrial zones:
 - 1. A street tree from the city's list of acceptable street trees must be planted on each street frontage and one additional tree must be planted for every 50 lineal feet of street frontage.
 - 2. A landscaped berm or landscaped area at least five feet deep shall be installed and maintained adjacent to each street property line.
- C. Outdoor storage areas on lots adjacent to or abutting residential or commercial zoned property shall be screened with six-foot-high sight obscuring screening between the storage area and all property lines adjacent to or abutting residential or commercial zoned property.
- D. Outdoor recycling and salvage operations and wrecking or junk yards larger than 2,500 square feet shall be screened on all sides with six-foot-high sight obscuring screening.
- E. Wherever six-foot-high screening is required, it may be either:
 - 1. A sight-obscuring fence or wall six feet in height; or
 - 2. A landscaped berm at least four feet in height or a hedge that is at least two feet high at the time of planting.
- F. Areas or berms required to be landscaped shall be planted with trees, shrubs, and evergreen groundcover, in a manner which covers the required area within three years from the date of issuance of the permit. Trees shall be selected from the city's recommended list for tree planting.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-05.080. - Access.

All sides of buildings and all areas of storage lots in the industrial zone shall be accessible to fire-fighting equipment.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-05.090. - Exterior lighting, glare and heat.

Exterior lighting in the industrial zone shall be shielded and directed away from residential zoned areas. Exterior lighting on poles shall not exceed a height of 30 feet above finished grade. Any operation

producing intense glare or heat shall be conducted within an enclosure that prevents significant glare or heat on adjacent streets or property.

(Ord. No. 1841, § 2(Att. B), 11-12-2013; [Ord. No. 1937](#), § 13, 8-8-2018)

11-05.100. - Toxic, noxious, explosive, flammable or hazardous material.

- A. No use shall, at any time, discharge toxic, noxious or flammable matter into the storm drain or sewer system, across the boundaries of the property where the use is located, onto the ground or into streams. The disposal of industrial waste shall be subject to the regulations of the appropriate federal, state and local regulatory agencies.
- B. The storage, utilization or manufacture of materials, goods or products which are or produce flammable or explosive vapors or gases is permitted only where the materials or products shall be stored, utilized or produced within completely enclosed buildings or structures having incombustible exterior walls.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

CHAPTER 11-06. - OPEN SPACE AND PUBLIC ZONES

11-06.010. - Intent and purpose of open space and public zones.

- A. *The open space/recreation (OR) zone.* The intent of the open space/recreation zone is intended to promote and preserve the unique landscape bordering the Touchet River and to encourage its traditional use for recreation.
- B. *The public and quasi-public (PU) zone.* The intent of the public and quasi-public zones is to provide for the location of major facilities that are in public or semi-public ownership or are operated for the purpose of benefiting the public. Included are Dayton public parks, schools, government buildings, cemetery, hospital, golf course and utility stations.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-06.020. - Uses.

All uses in the open space/recreation and public zones shall either be permitted as a principal use, as an accessory use, as a conditional use, or prohibited as listed in the chart below. If a use is not listed, it is prohibited unless the planning director determines that a proposed use is similar in aspects such as size, density, effect and impact on surrounding users as a listed use. All restrictions that apply to a listed use shall apply to any use that is permitted as a similar use.

Uses in Open Space and Public Use Zones	Zones	
	OR	PU
Community centers, theaters, lodge halls and museums	C	P
Fire and police stations	X	P

Governmental equipment repair and maintenance shops	X	P
Governmental offices	X	P
Hospital	X	P
Marijuana processing and production including medical marijuana	X	X
Marijuana producers and production including medical marijuana	X	X
Marijuana retailers and retail stores with or without a medical marijuana endorsement	X	X
Medical marijuana cooperatives	X	X
Parks, playgrounds, golf courses and other outdoor recreation uses	P	P
Open space	P	P
Pre-existing inert waste sites	P	X
Religious facilities, faith centers and churches	C	P
Schools	C	P
Utility transformers, pump station, etc.	C	P

P—Permitted principal use; X—Prohibited use; A—Accessory use; C—Conditional use

(Ord. No. 1841, § 2(Att. B), 11-12-2013; [Ord. No. 1901](#), § 7, 10-10-2016; [Ord. No. 1937](#), § 14, 8-8-2018)

11-06.030. - Standards—Height and setbacks.

The minimum lot setbacks and structure heights required or permitted are listed below. Greater standards may be required as part of a conditional use permit approval:

Standards	Zones	
	OR	PU

Minimum front yard setback	25'	25'
Minimum rear yard setback, loading area may be in rear yard set back	20'	20'
Minimum side yard	20'	20'
Maximum structure or building height (exceptions listed below)	40'	40'

Building height exceptions. The building height limitations above do not apply to the height of water reservoirs, church spires and other similar structures or facilities.

(Ord. No. 1841, § 2(Att. B), 11-12-2013; [Ord. No. 1937](#), § 15, 8-8-2018)

11-06.040. - Vision clearance area requirements.

At street intersections and at intersections of streets and alleys, in the area adjacent to each intersection, shall be maintained in a clear and open condition to provide for safe vision of traffic on the intersecting streets. The requirements apply to all areas within a sight triangle, measured ten feet back from the intersecting property lines along each street front or alley property line. Within this triangle area no fences, bushes, structures or other vision obstructing elements may be more than three feet higher than the finished grade of the adjacent streets and no signs, tree limbs or other vision obstructing elements may be less than eight feet above the finish grade of the adjacent streets.

(Ord. No. 1841, § 2(Att. B), 11-12-2013; [Ord. No. 1937](#), § 16, 8-8-2018)

CHAPTER 11-07. - OVERLAY ZONES, SPECIAL DISTRICTS AND DEVELOPMENT AGREEMENTS

11-07.010. - Downtown Commercial Historic District (DCHD) Overlay Zone.

The intent of the DCHD is to maintain the historic and pedestrian nature of the downtown commercial core. The following restrictions are in addition to the limits included in the underlying zone:

- A. Exterior building material must be similar in appearance to the materials in the historic buildings within this zone;
- B. The front of the principal building must be within ten feet of the front property line;
- C. Outdoor sales, display and parking areas may not take up more than 40 percent of the street front area;
- D. The front 50 feet of the lot shall not be used for outdoor storage;
- E. Lot coverage 100 percent maximum is allowed;
- F. No off street parking is required; and
- G. No temporary structures shall be installed and used in this zone for more than 90 days of a calendar year.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-07.020. - Reserved.

Editor's note— [Ord. No. 1899](#), § 3, adopted August 15, 2016, repealed § 11-07.020, which pertained to a South Side Historic District (SSHD) Overlay Zone and derived from Ord. No. 1841, adopted November 12, 2013 and Ord. No. 1873A, adopted February 9, 2015.

11-07.030. - Reserved.

Editor's note— [Ord. No. 1899](#), § 3, adopted August 15, 2016, repealed § 11-07.030, which pertained to a Washington Street Historic District (WSHD) Overlay Zone and derived from Ord. No. 1841, adopted November 12, 2013 and Ord. No. 1873A, adopted February 9, 2015.

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

([Ord. No. 1886](#), § 1, 12-7-2015)

11-07.060. - Development agreements.

Development agreements executed by the city are entered by reference.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

CHAPTER 11-08. - OFF-STREET PARKING REQUIREMENTS

11-08.010. - Intent and purpose of the parking requirements.

The intent of the off-street parking and loading requirements is to ensure that, in most circumstances, each user will not reduce the adequacy of the public road and street network by providing adequate off-street parking and loading for the normal occupancy on their lot.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

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

The minimum number of off-street parking spaces required for specific uses are set forth in this section. Any use not specifically listed shall meet the requirements of the most similar identified use as determined by the planning director. In the case of a mixture of uses on a single lot, the total requirement

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for off-street parking shall be the sum of the number of parking spaces required for each use subject to the conditions stated in DMC 11-08.050.

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	1 <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>
B. Commercial Uses.	
1. Vehicle sales and service:	
a. Car, pick-up, motorcycles, bicycles, boats and recreational vehicle sales	1 space for each 350 square feet of gross building floor area (GBFA) plus 1 space per 1,000 square feet of outdoor display and sales area
b. Commercial truck and farm vehicle sales	1 space for each 500 square feet GBFA plus 1 space per 1,500 square feet of outdoor display and sales area
c. Vehicle part sales	1 space for each 350 square feet GBFA
d. Gas stations	1 space for each 250 square feet GBFA

e. Repair services	1 space for each 500 square feet GBFA
2. General retail sales and services:	
a. Grocery stores, department stores, general merchandise and similar	1 space for each 500 square feet GBFA plus 1 space per 1,000 square feet of outdoor display and sales area. One loading space per 10,000 square feet of GFA.
b. Pedestrian oriented and low volume retail sales including books, music, stationary, jewelry, pet shops, printing, second hand shops and similar	1 space for each 750 square feet GBFA plus 1 space per 1,500 square feet of outdoor display and sales area. One loading space per 15,000 square feet of GBFA.
c. Specialty retail sales and services that need customer and delivery access including florists, appliance, hardware, paint and glass, lumber, nurseries, bakeries and similar	1 space for each 350 square feet of GBFA plus 1 space per 1,000 square feet of outdoor display and sales area. One loading space per 10,000 square feet of GBFA.
d. High volume retail stores including convenience stores and similar	1 space for each 250 square feet GBFA plus 1 space per 500 square feet of outdoor display and sales area. One loading space per 5,000 square feet of GBFA.
3. Hospitality businesses:	
a. Recreational facilities including bowling alleys, billiard halls, miniature golf and similar	1 space for each 250 square feet GBFA plus 1 space per 500 square feet of outdoor activity area
b. Eating/drinking establishments and recreation centers or similar	1 space for each 200 square feet GBFA plus 1 space per 200 square feet of outdoor dining area
c. Lodging (hotels, motels, and bed and breakfast)	1 space for each sleeping room
d. Theaters and similar places of public assembly	1 space for every 5 seats
4. Professional and personal services:	
a. Day care centers	1 space for each 6 children plus 1 loading and unloading

	space for each 12 children
b. Businesses that provide high volume customer services on site including medical offices and clinics, dental clinics, banks and similar	1 space for each 250 square feet of gross floor area (GBFA)
c. Businesses that provide moderate volume customer services on site including insurance, attorneys, real estate, vet clinics, kennels and similar	1 space for each 350 square feet GBFA
d. Offices providing no or light customer services on site including administrative offices, wholesale sales, business consulting services and similar	1 space for each 500 square feet GBFA
5. Other commercial uses	1 space for each 500 square feet GBFA
C. Community facilities and institutions.	
1. Governmental services:	
a. Police, fire and other facilities where services are provided on-site to the public	1 space for each 350 square feet GBFA
b. Shops and maintenance facilities with no services provided to walk-in public	1 space for each 1,000 square feet GBFA
2. Schools:	
a. Elementary and middle schools	1.25 space for each classroom
b. High schools	5 spaces for each classroom
c. Technical and advance education facilities	1 space for each 250 square feet of GBFA
3. Hospitals	1 space for each 2 beds

4. Parks, playgrounds and golf courses	1 space for each 350 square feet GBFA plus 1 space for each 10,000 square feet of park area, plus 1 space for each 5 fixed seats in activity viewing areas.
5. Community centers, religious facilities, and lodges/fraternal organizations	In assembly or theater areas with fixed seats, 1 space for each 5 fixed seats plus 1 for each 1,000 square feet of other areas.
D. Warehouse and storage.	1 for each 5,000 square feet of storage area. One loading space per 20,000 square feet GBFA.
E. Manufacturing.	
1. Small scale manufacturing in facilities in 5,000 square feet of covered area	1 space for each 1,000 square feet of GBFA used for manufacturing. One loading space per 5,000 square feet of GBFA.
2. Moderate sized manufacturing facilities in 5,000 to 10,000 square feet of covered area	1 space for each 1,500 square feet of GBFA used for manufacturing and storage or 1 space for every 2 work stations, plus 1 space for each 500 square feet of GBFA used for offices or sales area. One loading space per 5,000 square feet of GBFA.
3. Large scale manufacturing in facilities larger than 10,000 square feet including lumber mills, salvage and recycling, agricultural product processing and similar	1 space for each 2,000 square feet of GBFA or 1 space for every 3 work stations, plus 1 space for each 500 square feet of GBFA used for offices or sales area. One loading space per 10,000 square feet GBFA.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-08.030. - Barrier-free parking spaces—Required.

Unless more space is required under state rules and regulations, barrier-free parking spaces, accessible to disabled persons, shall be provided in every off-street parking facility with ten or more parking spaces at the rate of one accessible parking space for every 50 parking spaces.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

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 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.
- B. Required loading spaces shall be a minimum of 25 feet in length, ten feet in width and 15 feet of unobstructed height. There shall be adequate access to each loading and unloading space and maneuvering space adjacent to the loading dock which shall not include space allocated for required off-street parking.
- C. Required barrier free parking spaces must be paved and be no less than 13 feet in width including the adjacent aisle and no less than 18 feet in length.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-08.050. - Shared parking.

Where adjoining parking facilities of two or more ownerships are developed and designed as one parking facility and where the parking spaces required for the uses total 15 or more spaces, a reduction of 20 percent of the combined total required spaces shall be permitted; provided, a record of the covenant or contract between the cooperating property owners is filed with the county auditor.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-08.060. - Off-street parking—Change of use.

Any area once designated as required off-street parking shall not be changed to any other use until equal parking facilities are provided elsewhere and the approved site plan, if applicable, is amended to illustrate the change.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-08.070. - Off-street parking—Existing structures.

Structures with uses that were lawfully developed prior to the adoption of this chapter shall not be required to comply with the off-street parking requirements in this section unless there is a change of use within the structure. If a new use requires more parking than the use in existence when these requirements were adopted, the planning director may include in the parking required to meet the off-street parking requirements:

- A. The number of available on-street parking spaces adjacent to the building; and
- B. The off-street parking spaces available to the use through a cooperative use agreement. Any off-site parking used to meet the off-street parking requirements shall be no more than 300 feet from the location of the use that the parking is serving.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-08.080. - Improvement of parking, outdoor sales and outdoor storage areas.

Any parking, outdoor sales or outdoor storage areas larger than 2,500 square feet shall be improved in accordance with the following requirements:

- A. *Surface.* The area shall be surfaced with a durable and dustless (gravel, asphalt, concrete, etc.) surface, shall be graded and drained in a manner which disposes of the surface water without

the water crossing the surface of any sidewalk, and shall be maintained in good condition, free of weeds, dust, trash, and debris.

- B. *Lighting.* Any lighting used to illuminate these areas shall be arranged so as to direct light away from any adjoining residential area.
- C. *Landscaping and screening.* One tree or evergreen shrub shall be planted and maintained for every 2,500 square feet of surface area. A five-foot-deep landscaped setback shall be maintained along all lot lines adjacent to a street or a residential zoned lot. A six-foot-high screen shall be installed around outdoor storage areas larger than 2,500 square feet. Whenever screening is required, the required perimeter screening may be either a six-foot-high sight-obscuring fence or a four-foot-high landscaped berm or a hedge which is at least two feet high when planted.

CHAPTER 11-09. - NONCONFORMING USES AND STRUCTURES

11-09.010. - Intent and purpose.

Within the zones established by this title or subsequent amendments thereto, there exists lots, structures and uses, which were lawfully established or created, but which would be prohibited, regulated or restricted under the terms of this title or future amendments. It is the intent of this title to permit nonconforming lots, structures and uses to continue. Nonconformities are declared by this title to be incompatible with permitted uses, structure and lots in the zones involved. To avoid undue hardship, nothing in this chapter shall be deemed to require a change in the plans, construction or designated use of any building on which a building permit has been issued as long as substantial construction has been started within six months of the issuance of the permit provided that work is carried out diligently.

(Ord. No. 1841, § 2(Att. B), 11-12-2013; [Ord. No. 1937](#), § 17, 8-8-2018)

11-09.020. - Nonconforming lots.

If, on or after November 16, 2001, a single lot is in separate ownership and is not contiguous with other lots owned by same owner, and if the lot is in a zone where single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected even if the lot fails to meet the zoning requirements for minimum area, or lot depth or lot width provided that the development shall conform to all other zoning requirements.

If two or more adjacent lots of record or combinations of lots and portions of lots are in single ownership as of November 16, 2001 no lot or portion of the lots shall be used or sold in a manner which diminishes compliance with lot width or depth or area requirements established by this chapter, nor shall any division of any parcel be made that creates a lot with width, or depth or area below the requirements stated in this chapter.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-09.030. - Nonconforming buildings and structures.

Where a lawful structure exists as of November 16, 2001, that does not conform to the requirements in this title, such structure may be continued to be used and maintained so long as it remains otherwise lawful, subject to the following provisions:

- A. If a nonconforming structure or nonconforming portion of structure is destroyed by any means to an extent that its replacement cost will exceed 75 percent of its value at the time of destruction, it may only be reconstructed in conformity with the provisions of this title.
- B. Pre-existing nonconforming structures may be enlarged and/or altered if the following criterion are met:

- a. The building height will not be increased beyond the current maximum height allowed in that zone; and
 - b. The current intrusion into the setback as determined by title 11 will not increase; and
 - c. The expansion/enlargement will not intrude upon other applicable setback requirements; and
 - d. The expansion/enlargement will not encroach within the setbacks of a floodplain, floodway, critical area, and/or other shoreline of the state; and
 - e. The lot coverage maximum will not exceed the maximum allowed per title 11; and
 - f. The remaining provisions of the zone are met as provided within this title.
- C. If the structure is moved for any reason, for any distance, it must be brought into conform[ity] to the regulations for the zone in which it is located.
- D. Value. The value of a nonconforming building or structure shall be determined from the International Conference of Building Officials (ICBO) building permit valuation tables in use on the date the damage occurs. The owner of a damaged building or structure may obtain an independent appraisal from a certified professional appraiser.
- E. Maintenance and alterations.
- a. Ordinary maintenance and repair of a nonconforming building or structure are allowed.
 - b. Alterations required by law to meet health and safety regulations are allowed.

(Ord. No. 1841, § 2(Att. B), 11-12-2013; [Ord. No. 1937](#), § 18, 8-8-2018)

11-09.040. - Nonconforming uses.

A nonconforming use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- A. Nonconforming uses may not be enlarged, extended, expanded or moved in any way except as herein allowed, nor may the structure in which it is located be enlarged or extended in any way such as by increasing square footage, increasing building or structure height or the extension thereof by the addition of accessory buildings, or other similar extension. Changes in a nonconforming use such as the addition of more employees, the addition of more or better equipment, extending the hours of operation, and other similar changes which could or do result in an intensification of a nonconforming use are allowed and conditional use permits shall not be required for making any such change or changes.
- B. When a nonconforming use is discontinued or abandoned for 12 consecutive months, the structure and land shall thereafter be used only in conformity with the regulations of the zone in which it is located. If any nonconforming use is not occupied or operated because its building has sustained damage amounting to less than 75 percent of its value, that use may be reestablished if construction of a new or repaired building begins within one year of the date the damage occurred.
- C. *Conditional uses.* A legal use does not become nonconforming if the zone in which it is located is changed to a zone in which a conditional use permit is required for that use. However, the use may not be altered or changed; nor, may the building or structure in which it is located be enlarged or extended without obtaining a conditional use permit. Any use legally existing prior to the effective date of this title, or prior to the effective date of subsequent amendments to the title or the official zoning map which is within the scope of uses permitted by a conditional use permit in the zone in which the property is located shall be deemed a conditional use without the necessity of a conditional use permit, provided that any expansion or alteration of said use shall conform to all regulations pertaining to conditional uses.

D. *Conversions.* A nonconforming use may be converted to another nonconforming use if the Dayton Hearing Examiner issues a conditional use permit for the conversion, pursuant to the procedures of DMC title 10. The commission may issue such a conditional use permit only after finding the following:

1. The structure housing the existing nonconforming use cannot reasonably be used for any permitted use because of its particular design; and
2. The proposed use will be as compatible with uses permitted in the zone district as the existing nonconforming use; and
3. Measures will be taken, where necessary, to protect the neighborhood from any detrimental effects to the public health and welfare that will or probably will result from the conversion of the nonconforming use.

In cases involving the conversion of a nonconforming use to another nonconforming use, it is not necessary for the hearing examiner to make findings as set forth in DMC 11-09.040 in addition to the findings required by this subsection.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

CHAPTER 11-10. - CONDITIONAL USE AND VARIANCES

11-10.010. - Conditional use—Intent.

It is the intent of this title to allow for uses that are not permitted outright within a zone. Such uses typically require a special degree of control to make sure that they are consistent with the intent of the zone and compatible with other existing and permitted uses within the zone and to protect health, safety and general welfare of the public prior to the use being approved.

Only those uses listed as requiring a conditional use permit (CUP) within a particular zone qualify for this process.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-10.020. - Conditional use findings of fact.

Conditional use permits may only be approved if findings of fact are drawn to support the following:

- A. The use will not have a substantively greater adverse effect on the health, safety or comfort of persons living or working in the area and will not be substantively more injurious, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in the district. Among matters to be considered are traffic flow and control, access to and circulation within the property, off-street parking and loading, refuse and service area, utilities, screening and buffering, signs, yards and other open spaces, height, bulk, and location of structures, location of proposed open space uses, hours and manner of operation, and noise, lights, dust, odor, fumes and vibration;
- B. The proposal is in accordance with the goals, policies and objectives of the comprehensive plan;
- C. The proposal complies with all requirements of this title and title 10;
- D. The proposal can be constructed and maintained so as to be compatible, harmonious and appropriate in design, character, and appearance with the existing or intended character of the neighborhood;
- E. The proposal will be supported by adequate public facilities and services and will not adversely affect the public infrastructure;

- F. The proposal will not cause or create a public nuisance; and
- G. The proposal's impacts can be appropriately mitigated through the application of conditions of approval, as applicable.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-10.030. - Conditions and period of approval.

- A. In order to mitigate any significant adverse impact, assure compatibility with the neighborhood, or support a finding of fact or prevent and abate public nuisances associated with the proposal, conditions may be imposed which could increase requirements in the standards, criteria, or regulations of this title or other city legislation or adopted policies.
- B. Conditional use permit approvals shall be valid for the specific use authorized on a property, subject to the revocation provisions of DMC 11-18. A change in use shall cause the conditional use permit to automatically expire.
- C. Conditional use permit approvals, or the portions thereof, that authorize hours of operation shall be valid for the specific use and hours of operation authorized on a property, subject to the revocation provisions of DMC 11-18.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-10.040. - Variances—Intent.

A variance on the dimensional or development requirements of this title is intended to provide relief where, due to geographic, topographic or other similar conditions, complete compliance with all requirements of this title prevents the use of a property which is generally available to other properties in the same zone.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-10.050. - Conditions for granting a variance.

A variance from the dimensional or development requirements of this title may be granted only if the following facts and conditions exist:

- A. Due to geography, topography, or other similar conditions, a strict application of the requirements of this title would deprive the subject property of rights and privileges enjoyed by other properties in the same zone;
- B. Due to physical conditions, the development of the lot in strict conformity with the provisions of this title will not allow for reasonable use;
- C. That the variance, if granted, will not alter the character of the neighborhood, or be detrimental to surrounding properties in which the lot is located;
- D. The variance requested will not permit a condition which is materially detrimental to the public welfare, nor injurious to other properties and improvements in the vicinity of the subject property;
- E. The variance is not required due to conditions created by the actions of the applicant, property owner or their agents;
- F. The granting of the requested variance will not provide a special privilege to the property or the applicant that is denied by this title to other lands, structures or buildings within the same zone;

- G. The variance will not allow an increase in the number of dwelling units permitted by the zoning district;
- H. The variance shall not allow a land use which is not permitted under the zoning district in which the property is located;
- I. Justification for the issuance of a variance shall not be based on the illegal use of neighboring lands, structures or buildings in the same zone, and the illegal or permitted uses of lands, structures or buildings in other zones.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-10.060. - Variance findings of fact.

Before a variance can be granted or denied, the hearing body must find that:

- A. The application is complete as required in title 10;
- B. The variance requested are within the conditions specified in DMC 11-10.050;
- C. The variance is the minimum variance that will make possible the reasonable use of land, building or structure; and,
- D. The granting of any particular variance will be consistent with the general purpose and intent of this title, is in compliance with the comprehensive plan and will not be injurious to any affected neighborhood or otherwise detrimental to the public welfare.

The hearing body may attach conditions to any variance if such conditions are necessary to protect the public welfare or the purpose of this title. If the hearing body finds that the applicant is not eligible for a variance or does not fulfill the requirements, the hearing body shall state the reasons for the denial of the variance.

(Ord. No. 1841, § 2(Att. B), 11-12-2013; [Ord. No. 1886](#), § 1, 12-7-2015)

11-10.070. - Application.

An application for a conditional use permit or variance may be initiated by a property owner or his authorized agent. The application must be on forms provided by the city as set forth in DMC section 10-02.020.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-10.080. - Conditional use and variance review process.

An application for a conditional use permit and/or variance shall be processed in accordance with DMC title 10 as a type III application and follow the procedures for notice and review contained in title 10. Except for minor variances with 10 percent or less deviation from the standard may be processed as a type II application.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-10.090. - Expiration.

In addition to any time limits established as a condition of a specific use, the conditional use permit or variance shall expire:

- A. If no building permit has been obtained within 12 months and all applicable construction including special conditions have not been completed within 24 months; or
- B. The authorized use is discontinued for a period of 12 months.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-10.100. - Revocation.

The planning director may revoke or suspend any permit or variance granted under this title subject to section 11-18.050.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

CHAPTER 11-14. - ESSENTIAL PUBLIC FACILITIES

11-14.010. - Purpose.

The purpose of this chapter is to provide a process to site necessary public uses that may otherwise be difficult to site. This process involves the community and identifies and minimizes adverse impacts. Essential public facilities are defined in section 11-01.050 DMC, definitions. Essential public facilities which meet the definition but are not listed in chapters 11-03 through 11-07 DMC shall also be reviewed according to the essential public facility review process.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-14.020. - List of essential public facilities.

A use or facility may be added to the list of essential public facilities based on one of the following criteria:

- A. The use meets the definition of an essential public facility; and
- B. The use is identified on the state list of essential public facilities maintained by the State of Washington Office of Financial Management.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-14.025. - Essential public facilities use descriptions.

Essential public facilities uses are those uses typically difficult to site. All essential public facilities shall be subject to review in accordance with title 10 and chapter 11-14.

- A. *Correctional institutions.* Correctional institutions use type means a facility operated by a government agency, designed, staffed and used for the incarceration of persons for the purposes of punishment, correction and rehabilitation following arrest or conviction of an offense.
- B. Halfway houses, overnight shelters, or transitional housing which do not meet the definition of group home and do not include facilities protected by Washington's law against discrimination, the Fair Housing Act or Fair Housing Act amendments. Halfway houses, overnight shelters, or transitional housing include, but are not limited to, facilities where one or more individuals reside for the purposes of incarceration, sex offender housing including secure community transition facilities, or drug or alcohol abuse treatment for a person or persons currently using alcohol or drugs. These are essential public facility and subject to review in accordance with this chapter.

Individuals may be provided with a combination of personal care, social or counseling services and transportation.

- C. *Organic waste processing facilities.* Organic waste processing facilities use type refers to any solid waste facility specializing in the controlled decomposition of organic solid waste and which requires a solid waste permit under RCW Chapter 70.95. Typical uses include MSW composting facilities, composting facilities, and soil treatment facilities.
- D. *Recycling processor.* Recycling processor use type refers to any large-scale buy-back recycling business or other industrial activity which specializes in collecting, storing and processing any waste, other than hazardous waste or municipal garbage, for reuse and which uses heavy mechanical equipment to do the processing. Examples include facilities where commingled recyclables are sorted, baled or otherwise processed for transport off site.
- E. *Sewage treatment facilities.* Sewage treatment facilities use type refers to facilities used to treat any liquid or waterborne waste of domestic origin or a combination of domestic, commercial or industrial origin, and which by its design requires the presence of an operator for its operation, including alternative treatment works and package treatment plants. Also included are all of the various types of associated equipment, structures, and operations as they are currently constructed and operating or will result from technology, including, but not limited to, administrative offices, storage, laboratories, headworks, sedimentation basins, clarifiers, digesters, and biosolid handling including piping, filters, pumps, together with public walkways, recreational and educational uses, and parking lots. It shall not include any facility used exclusively by a single-family residence, septic tanks with subsoil absorption, industrial pretreatment facilities, or privately owned treatment plants.
- F. *Waste disposal facilities.* Waste disposal facilities use type refers to permanent disposal sites for solid waste. Typical uses include wood waste, inert/demolition waste, municipal solid waste, special waste and biosolids landfills, and waste-to-energy facilities.
- G. *Waste transfer facilities.* Waste transfer facilities use type refers to solid waste facilities where solid waste is collected or subjected to interim processing before being transported to a permanent disposal site. Typical uses include recycling collection sites, drop box transfer stations, transfer stations, recyclables recovery facilities, waste separation recovery facilities, moderate risk waste facilities, and tire piles.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-14.030. - Applicability.

- A. *Listed essential public facilities.* All listed essential public facilities shall be reviewed through the essential public facility review process.
- B. *Unlisted facilities.* The planning director shall make a determination that a facility be reviewed pursuant to this section based on the following criteria:
 - 1. The facility is a type difficult to site because of one of the following:
 - a. The facility needs a type of site of which there are few sites;
 - b. The facility can locate only near another public facility;
 - c. The facility has or is generally perceived by the public to have significant adverse impacts that make it difficult to site;
 - d. The facility is of a type that has been difficult to site in the past;
 - e. It is likely that the facility will be difficult to site; or
 - f. There is a need for the facility and the City of Dayton is in the facility service area.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-14.040. - Essential public facilities review process.

- A. Agencies planning on siting essential public facilities shall submit an application to the department. The application shall be on a form provided by the city and shall be accompanied by the following documents and information as are determined to be necessary by the director.
- B. Essential public facilities shall be reviewed as follows:
 - 1. Essential public facilities shall require a conditional use permit.
 - 2. If an essential public facility is not listed within the zoning district, then the use shall be limited to the industrial zone. Essential public facilities that are not expressly listed in a zoning district are subject to either:
 - a. Conditional use permit process; and
 - b. Comprehensive plan/rezone process.
 - 3. In addition to a conditional use permit, all essential public facilities shall be subject to review in accordance with the requirements of this title.
- C. An applicant may have one or more alternative sites considered during the same process.
- D. The director has the authority to require the consideration of sites outside of the City of Dayton. Alternative sites shall cover the service area of the proposed essential public facility.
- E. An amplified public involvement process shall be required. The purpose of the public involvement process is to involve affected persons of likely and foreseeable impacts if the involvement process has the potential to lead to more appropriate design/location or if that process could lead to development of incentives to address modifications to the facility which would make the siting of that facility more acceptable.
- F. The applicant shall propose an acceptable public involvement process to be reviewed and approved by the director.
- G. Public involvement activities shall be conducted and paid for by the applicant.
- H. The public involvement process shall be initiated by the applicant as early as possible.
- I. The director may require a multidisciplinary review process if the facility serves a regional, countywide, statewide, or national need.
- J. An analysis of the facility's impact on city finances shall be undertaken. Mitigation of adverse financial impacts shall be required.
- K. The following criteria shall be used to make a determination on the application:
 - 1. The federal, state, regional, or local agency (applicant) shall provide a justifiable need for the essential public facility and for its location within the City of Dayton.
 - 2. The impact of the facility on the surrounding uses and environment, the city and, if applicable, the region.
 - 3. Whether the design of the facility or the operation of the facility can be conditioned, or the impacts otherwise mitigated, to make the facility compatible with the affected area and the environment.
 - 4. Whether the factors that make the facility difficult to site can be modified to increase the range of available sites or to minimize impacts in affected areas and the environment.
 - 5. Whether the proposed essential public facility is consistent with the City of Dayton comprehensive plan.

6. If a variance is requested, the proposal shall also comply with the variance criteria.
7. Essential public facilities shall also comply with all other applicable state siting and permitting requirements.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-14.050. - Burden of proof.

The applicant has the burden of proving that the proposed use meets all criteria set forth in DMC 11.40.040(K).

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-14.060. - Decision.

The hearing examiner may approve an application for an essential public facility, approve with conditions or require modification of the proposal to comply with specified requirements or local conditions. The hearing examiner may deny an application for an essential public facility if the placement of the use would be unreasonably incompatible with the surrounding area or incapable of meeting the criteria required for approval or with specific standards set forth in this code.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

CHAPTER 11-16. - AMENDMENTS AND REZONES

11-16.010. - Amendments and rezone requests.

Proposed changes to zoning district boundaries when in compliance with the comprehensive plan shall follow the process requirements set forth in title 10 for type IV, site specific rezone requests. Specific requests for rezones that do not comply with the comprehensive plan may be submitted with a docketed request for amendment to the comprehensive plan by submittal of an application for an amendment as set forth in title 10, for type V, legislative actions. Amendments to the text of title 11 may be requested as set forth in title 10 as a type V application.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-16.020. - Application contents.

A type IV rezone application must include a legal description of the property to be rezoned, shall indicate the existing zone designation of the property and the zone designation of all adjacent property, and shall include a map of the affected neighborhood area. The application shall state the reasons for the requested action, a statement specifying conformance of the proposed revision with the comprehensive plan and any perceived benefits to the public the action would cause. Signatures and addresses of all property owner(s) and shall be filed with the city on city application form(s) together with any required fee. Docketed applications must meet the requirements of DMC 10-09.080.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-16.030. - Rezone findings.

The city shall make findings of fact that support the conclusion that the requested reclassification is in the public interest and the proposed rezone is consistent with the Dayton Comprehensive Plan prior to rezone approval.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

CHAPTER 11-18. - ADMINISTRATION AND ENFORCEMENT

11-18.010. - Appeals of administrative decisions or requests for interpretations.

Appeals of administrative decisions that relate to interpretations of this title or the comprehensive plan and requests for interpretations of this title or the plan shall follow the procedures and requirements set forth in DMC title 10, administration of development regulations.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-18.020. - Application and review fees.

It is the intent of the schedule of fees to reasonably recover costs of administration, inspection, publication of notice; environmental checklists and similar items associated with special requests for development permits, variance, special permits and appeals. The city council shall establish a schedule of fees pertaining to matters of this title. The schedule of fees shall be made available at City Hall by the city clerk and may be altered by amendment only by the city council. Any administrative city official shall be exempt from such fees when initiating requests on behalf of the city.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

11-18.030. - Violation—Enforcement authority, notice and penalties.

It is the intent of this section to establish consistent procedures for code enforcement toward violations of this title. The planning director or any designated alternate empowered by ordinance or authorized by the mayor shall be responsible for the investigation of potential violations of this title and shall follow the notice requirements and procedures of Dayton Municipal Code (DMC) title 21, code compliance for violations of the zoning code, unless DMC 11-18.040 is applicable. Penalties for violations are set forth in DMC title 21, code compliance.

(Ord. No. 1841, § 2(Att. B), 11-12-2013; [Ord. No. 1903](#), § 2, 11-14-2016)

11-18.040. - Revocation of permit or variance.

The planning director may revoke or suspend any approval, permit, or variance granted under this title if any of the following conditions is found to exist:

- A. Fraud in obtaining the approval, permit, or variance;
- B. Concealment or misrepresentation of any material fact on the application or on any subsequent applications or reports;
- C. The operation is found to be in violation of the approved plans, conditions of approvals, time limits or the terms of the permit and the owner has failed to correct the violation after proper notice thereof.

The decision of the planning director is appealable as set forth in title 10 as a type II application.

D. Code enforcement under DMC 11-18-030 shall apply to a violation, where there was no approval, permit, or variance issued by the city.

(Ord. No. 1841, § 2(Att. B), 11-12-2013; [Ord. No. 1903](#), § 3, 11-14-2016)

11-18.050. - Severability.

If any provision of this title or its application to any person or circumstance is held invalid, the remainder of this title or the application of the provision to other persons or circumstances shall not be affected.

(Ord. No. 1841, § 2(Att. B), 11-12-2013)

**Chapter 17.25
STORAGE AND SHIPPING CONTAINERS**

Sections:

[17.25.010 Storage standards.](#)

[17.25.020 Shipping containers as storage buildings prohibited.](#)

17.25.010 Storage standards.

A. Personal storage buildings constructed in the C-1, C-2, I-1, I-2 and MZ zoning districts will be reviewed by the planning department to determine whether they are a permitted use (based on type of storage) and whether site improvements, which may include parking, drainage, water, sewer, landscaping, fire and structural compliance, are required. Permits will not be issued for personal storage that does not include required site improvements.

B. Storage of junk, inoperable vehicles, scrap materials or the like is not considered outdoor storage by this zoning code.

C. If the use is allowed in the zoning matrix, then the following regulations apply, by zone.

D. Storage standards for uses in the R-1, RM, and R-2 zones are as follows:

1. All storage (including storage of recyclable materials) shall be wholly within a building or shall be screened from view from the surrounding properties and shall be accessory to the permitted use on the site. There shall be no storage in any required front yard or flanking street yard.

2. The private, noncommercial storage of up to two inoperable or not currently licensed vehicles or remnants thereof shall be completely sight-screened year-round from uses allowed in this zone with a fence, maintained Type I or II landscaped area, or maintained landscaped berm. There is no number limit within a permitted, completely enclosed building, including doors. Vehicle remnants or parts must be stored inside a vehicle or a permitted, completely enclosed building, including doors. Fencing standards are described in Chapter 17.20 AHMC. Type I and II landscaping requirements are described in Chapter 17.22 AHMC.

E. Storage standards for uses in the R-3 zone are as follows:

1. All storage, except as provided below, shall be wholly within a building and shall be accessory to the permitted use on the site. Where proposed, recreational vehicle parking areas shall be paved and screened from view of adjoining properties.

2. On lots where the primary use is a duplex or multiple-family dwelling, the private,

C1 = Restricted
Commercial
C2 = Gen.
Commercial
L1 = Light
Industrial
L2 = Heavy
Industrial
MZ = Mining

R1 = Single
Family Res.
RM = Man.
Housing Res.
R2 = Duplex
Residential

R3 = Multi-family
Residential

noncommercial storage of inoperable or not currently licensed vehicles or remnants thereof shall be allowed within a permitted, completely enclosed building, including doors.

3. On lots where the primary use is a single-family dwelling, the storage standards are outlined in subsection (D)(2) of this section.

4. All outdoor trash or refuse containers serving multiple-family dwellings and offices or both shall be screened on all sides from public view by a minimum five-and-one-half-foot-high wall or fence.

F. Storage standards for uses in the C-1 zone are as follows: C1 = Restricted Commercial

1. All storage shall be wholly within an enclosed building; retail products which are for sale or rental may be stored outdoors during business hours only, so long as such storage does not occur within any required front or flanking street yard, or in any public street or block any public right-of-way. Recreational vehicles and other machinery normally displayed for sales purposes on an open lot may be so displayed. No inoperable or not currently licensed vehicles or remnants thereof shall be stored or displayed outdoors.

2. All outdoor trash, garbage, or refuse storage areas shall be screened on all sides from public view and at a minimum enclosed on three sides with a five-and-one-half-foot-high concrete block, masonry wall, or sight-obscuring fence with a sight-obscuring gate for access.

G. Storage standards for uses in the C-2 zone are as follows: C2 = General commercial

1. All storage on the premises shall be maintained within a completely enclosed building or behind sight-obscuring fencing. Storage will not occur within any required front or flanking street yard or in any public street or public right-of-way. Automobiles, recreational vehicles, and other vehicles or machinery normally displayed for sales purposes on an open lot may be so displayed.

2. All outdoor trash, garbage, or refuse storage areas shall be screened on all sides from public view and at a minimum enclosed on three sides with a five-and-one-half-foot-high concrete block, masonry wall, or sight-obscuring fence with a sight-obscuring gate for access.

3. Outdoor storage must be a secondary use to the main business in a C-2 zone and the primary use must be established before outdoor storage may commence.

H. Storage standards for uses in the I-1 zone are as follows: I1 = Light Industrial

1. Storage of all raw materials, finished products, machinery, and equipment, including company-owned or -operated trucks and motor vehicles, must be within an entirely enclosed building or six-foot-high sight-obscuring, nonpierced fence. Storage areas must conform to the minimum setback regulations of the zone. Automobiles and other machinery normally

displayed for sales purposes on an open lot may be so displayed. Inflammable liquids and gases shall be stored in underground tanks in the aquifer sensitive area in accordance with uniform standards prescribed by the State Fire Marshal and the City Fire Department.

I. Storage standards for uses in the I-2 zone are as follows: I2 = Heavy Industrial

1. All material stored on property located in the I-2 zone shall be fenced in such a manner as to not create a nuisance or endanger or damage adjacent property and the environment. Inflammable liquids and gases shall be stored in underground tanks in the aquifer sensitive area in accordance with uniform standards prescribed by the State Fire Marshal and the City Fire Department.

J. Storage standards for uses in the MZ zone are outlined in AHMC 17.13.050(B). (Ord. C-675 § 303, 2008)

17.25.020 Shipping containers as storage buildings prohibited.

A. It is the intent of this chapter to limit, except as provided herein, the placement and use of any shipping container as an accessory building, storage building, or living unit on residentially zoned and other zoned land where residential uses are established. This limitation is to protect the public health and safety and the aesthetic quality of the City.

B. No person shall place or cause to be placed or use or permit the use of any shipping container as an accessory building, storage building, or living unit on residentially zoned land and/or land used for residential purposes. Licensed and bonded contractors may use shipping containers for temporary housing of equipment and materials during construction as authorized by a City building permit. (Ord. C-675 § 304, 2008)



“CONEX BOXES” OR LAND/SEA SHIPPING CONTAINERS

The following policy is based on RMC Title 21 and Title 23 requirements. The term “shipping container” is used here to refer to any and all land/sea shipping containers or similar structures.

1. A shipping container is allowed in certain selected commercial and in industrial zones, provided it is being used as a shipping container and that all applicable Department of Transportation (DOT) licenses for the container are active and valid. The City may require you to show proof of active DOT licenses. Some of the commercial zones require site-obscuring fences to be placed around any outdoor storage, including one or more shipping containers; please talk with one of the City’s planners to determine whether your property requires a site-obscuring fence for outdoor storage, including outdoor storage of one or more shipping containers.
2. Any shipping container to which electricity is run constitutes a “building” under RMC Title 21 and therefore must meet item #5 below. You must obtain a building permit for such a container. Obtaining a building permit requires you to hire an engineer to design a foundation system and attachment for the storage container. All requirements of obtaining a permit, including a scaled site plan and a review, are applicable to shipping containers proposed to be used as buildings.
3. No shipping containers are allowed to be used in residential areas as storage buildings. A temporary placement permit of a shipping container in connection with a remodel or addition permit (after the building permit for the addition or remodel has actually been issued) is allowed up to 180 days for temporary storage ONLY after the building permit is issued. The temporary placement permit cannot be extended even if construction continues on the main project and you keep the building permit active, as the City does not want the attractive nuisance of a prolonged shipping container in residential areas. This temporary placement does not apply to new house permits in new subdivisions. Placing a shipping container on a City street is not allowed.
4. Commercial construction sites where there is an active building permit also are allowed 180 day temporary storage using a shipping container, the same as in item #3 above. The temporary placement permit cannot be extended beyond 180 days even if construction continues on the main project and you keep the building permit active. Please plan accordingly.
5. Shipping containers can be used in certain selected commercial and in industrial zones as storage buildings if a foundation is designed by an engineer and all other codes for placement on the property are met. Obtaining a building permit requires you to hire an engineer to design a foundation system and attachment for the storage container. The City does not have a “pre-designed” foundation for such containers, as they are considered by the building code as non-standard, non-prescriptive “buildings”. All requirements of obtaining a permit, including a scaled site plan and a review, are applicable to shipping containers proposed to be used as buildings.
6. Look-alike shipping container “buildings” or metal buildings marketed as “containers” or “portable storage” are regulated just like any other buildings, requiring foundations and proof of meeting building codes, and all permit processes shall apply. Please be aware that many companies have started making very cheap metal structures and trying to market them as portable storage units, when in reality they are just metal buildings that were not properly engineered. Proof of meeting building codes for a metal building means that an engineer designed the metal building to all building code requirements and stamped the design with a current seal of an engineer. Metal structures that are less than 200 s.f. require a placement permit only insofar as they are used as tool sheds, playhouses, or similar accessory structures per RMC Title 21.

Chapter 20.136
CARGO CONTAINERS Amended Ord. 2019-38

Sections:

[20.136.010 Purpose.](#)

[20.136.020 Definition.](#)

[20.136.030 Locations permitted.](#)

[20.136.040 Development standards.](#) Amended Ord. 2019-38

20.136.010 Purpose.

The purpose of this chapter is to establish minimum standards for the placement of cargo containers and transport containers used for storage of material and/or equipment or for uses other than that for which they were primarily designed. It is the intent of this chapter to allow such containers within nonresidential zones only. (Ord. 2005-16 § 2(part), 2005).

20.136.020 Definition.

“Cargo containers” are standardized reusable vessels that were:

A. Originally, specifically or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities; and/or

B. Designed for or capable of being mounted or moved by rail, truck or ship by means of being mounted on a chassis or similar transport device. This definition includes the terms “transport containers” and “portable site storage containers” having a similar appearance to and characteristics of cargo containers. (Ord. 2005-16 § 2(part), 2005).

20.136.030 Locations permitted.

A. Placement of cargo containers is limited to the CH, IL/C, IH, PR and AD zones.

B. Cargo containers shall meet the setback requirements in the zone where they are placed.

C. Cargo containers are permitted only as accessory to an approved Level I, II or III use. (Ord. 2005-16 § 2(part), 2005).

*CH = Highway
Commercial
IL/C = Light
Industrial/
Commercial
IH = Heavy
Industrial
PR = Public
Reserve
AD = Airport
Dev. District*

20.136.040 Development standards. Amended Ord. 2019-38

Development authorization is required for placement of a cargo container within the city. A building permit is required prior to placement of cargo containers larger than one hundred twenty square feet in area, ensuring effective anchoring/foundation according to the IBC (International Building Code). The application shall show the proposed unit is accessory to the permitted use of the property and

meets placement criteria for detached accessory structures.

A. Containers placed in the CH zone must be placed in the side or rear yard setback area and in an approved designated area on the same property as the principal use and be included in the overall lot coverage. The cargo container storage area shall be enclosed by a security fence and be screened from abutting properties and rights-of-way by a sight-obscuring fence or effective landscaping at a minimum height of eight feet. Cargo containers are not permitted in the CH zone on a permanent basis.

B. Containers placed in the IL/C, IH, PR and AD zones must be placed in the side or rear yard setback area and in an approved designated area on the same property as the principal use and be included in the overall lot coverage. The cargo container storage area shall be enclosed by a security fence and be screened from abutting properties and rights-of-way by a sight-obscuring fence or effective landscaping at a minimum height of eight feet. Cargo containers placed in the IL/C, IH, PR and AD zones for long-term or permanent placement may be required to be painted or stained a neutral shade which blends with the surrounding premises or nearby structures on the same property.

C. Cargo containers shall not occupy required off-street parking, loading, or landscaping areas.

D. Material storage within cargo containers is subject to review and approval by the fire chief.

E. Cargo containers may not be stacked except in industrial zoning districts and then only with the express written permission of the fire chief.

F. Cargo containers may not be used for any types of human occupancy or animal sheltering.

G. The city's SPRC (site plan review committee) shall review each cargo container placement application to determine emergency exiting requirements and proper signage at each end and/or exit.

H. Nothing in this chapter shall preclude temporary use of cargo containers on permitted construction sites during periods of construction. (Ord. 2005-16 § 2(part), 2005).

https://www.union-bulletin.com/news/local_governments/walla_walla_county/walla-walla-county-eyes-rules-for-shipping-containers/article_91640dfc-4ef4-11e8-a0a8-6b505d6c78a7.html

Walla Walla County eyes rules for shipping containers

Andy Porter
May 3, 2018



In this Oct. 24, 2016 photo, shipping containers sit at the Port of Baltimore in Baltimore. (AP Photo/Patrick Semansky)
Patrick Semansky

They revolutionized the shipping industry in the 1960s. Then they proved a quick solution for storage problems. And now people are building houses out of them.

“They” are shipping containers, and Walla Walla County officials want to get a handle on the ubiquitous steel boxes, which have a standard width of 8 feet, but range in length from 10 to 40 feet. Heights range from 8.5 feet high to 9.6 feet high.

“They’re popping up all over the county,” Todd Blevins, county building official, told county commissioners on April 16.



County (and state) codes only allow buildings up to 200 square feet to be used for dry storage without a permit, and many shipping containers easily outstrip that footprint.

People who are unaware of the building regulations are buying containers that outstrip that limit and are putting them on their property. Commission Chairman Jim Johnson asked Blevins to research the issue and come back to the board with recommendations of what could be done.

Blevins said in an email that there are six or seven such containers on county properties. And more are likely to show up without owners seeking permits, he said. Officials have started discussions with some owners on what is required to bring their containers into compliance or how to remove them from the property.

To bring a container into compliance, Blevins said, the owner would need a letter from an engineer attesting the structure meets requirements for such things as snow loads, seismic safety and other factors.

In regards to what could be added to county building codes, Blevins said “my idea is to find a couple of engineers who can give us a standard for foundations” that would let people know quickly what was acceptable and what wasn’t.

Blevins has had inquiries from people about converting a shipping container or containers into a home, which is a popular topic on the internet and cable television, but no one has built such an abode in Walla Walla County, he said.

Constructing a house out of shipping containers would be allowed under the heading of “alternative means or methods,” which allows people to explore new building materials or types, Blevins said. But the catch for many people is making sure the finished structure can pass inspection.

“Basically if an engineer can design a house that meets state and county codes, you can build a home out of shipping containers,” Blevins said.

And interest in the big, steel boxes doesn’t appear to be dying down.

“I get 10 calls a month about containers,” he said.

In the city of College Place, Planning Director Jon Ricard said city codes don’t have anything that speaks specifically to shipping containers, but they would be treated no differently than any other outbuilding.

This means the container would have to be placed on a suitable foundation and meet all other requirements, such as setback distances, that apply. As with the county, storage buildings under 200 square feet would not need a permit while those exceeding that size would.

Ricard said the city hasn't had any inquiries that he was aware of concerning converting a shipping container, or containers, into a living space.

In the city of Walla Walla, a 2005 ordinance restricts shipping containers to industrial, commercial and public-reserve zones within the city limits. Living in them is forbidden outright.

And in Columbia County, code enforcement and building inspector Clint Atteberry said it hasn't come up.

"A lot of people use them for farm storage and stuff like that," he said. "But in town, they're generally not used."

Containers are used, however, in self-storage facilities in Dayton, Atteberry said. But he was skeptical of the viability of turning them into homes that meet state and county standards.

U-B reporter Andy Monserud contributed to this report. Andy Porter can be reached at andyporter@wwub.com or 526-8318.

Andy Porter can be reached at andyporter@wwub.com or 526-8318.

Andy Porter

Andy Porter has been with the Union-Bulletin since October 2000. His beats include Walla Walla County, city of College Place, Washington State Penitentiary, agriculture, environment as well as a wide range of general assignment topics.

**NATIONAL FLOOD INSURANCE PROGRAM
FLOOD DAMAGE PREVENTION ORDINANCE
WASHINGTON MODEL (REVISED 12/09/2019)**

Close to 300 towns, cities, counties, and tribes within the State of Washington participate in the National Flood Insurance Program (NFIP). As a condition of participation in the NFIP, communities are required to adopt and enforce a flood hazard reduction ordinance that meets the minimum requirements of the NFIP; however, there are occasionally additional requirements identified by state law that are more restrictive. In these cases, the Federal Emergency Management Agency (FEMA) will require that communities meet those standards as well.

This model identifies the basic requirements and cross references them to appropriate Code of Federal Regulations (CFR), Revised Code of Washington (RCW), or Washington Administrative Code (WAC) requirements. It also encourages community officials to consider the direct insurance implications of certain building standards that, if adopted, can reduce (or increase) annual flood insurance premiums for local citizens. This ordinance, as developed by FEMA and the Washington Department of Ecology, supersedes previous versions and includes all the minimum standards required as a condition of participation in the NFIP. It will be used by FEMA and state staff as the basis for providing technical assistance and compliance reviews during the Community Assistance Contact (CAC) and Community Assistance Visit (CAV) process to ensure federal and state law are met.

The model identifies the basic minimum federal and state regulation requirements that must be contained in local flood regulations, as well as suggestions for stronger measures, but notes these measures are *recommended*, not required. Additionally, it outlines several specific floodplain development practices and regulations that can reduce insurance premium. Adopting this model flood hazard reduction ordinance verbatim can ensure compliance with FEMA; however, *it should be emphasized that its adoption is not a mandatory requirement per NFIP regulation*. Some sections of this document are included for clarity and are not required by federal or state law. For instance, as indicated in SECTION 1: STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES, it is not mandatory to adopt this entire section, but by doing so, it will make your community's ordinance more legally enforceable.

Certain commentary is highlighted in the model ordinance. The **highlighted** commentary does not need to be included in the local ordinances.

Please note: Section 1612.4 of the 2015 International Building Code (IBC) and Section 1612.2 of the 2018 International Building Code incorporate the design and construction standards of ASCE 24 published by the American Society of Civil Engineers. ASCE 24-14 tables 1-1, 2-1, 4-1, and 6-1 contain specific building elevation requirements which

exceed minimum NFIP standards.

Please Note: RCW 86.16.190 requires that:

Local governments that have adopted floodplain management regulations pursuant to this chapter shall include provisions that allow for the establishment of livestock flood sanctuary areas at a convenient location within a farming unit that contains domestic livestock. Local governments may limit the size and configuration of the livestock flood sanctuary areas, but such limitation shall provide adequate space for the expected number of livestock on the farming unit and shall be at an adequate elevation to protect livestock. Modification to floodplain management regulations required pursuant to this section shall be within the minimum federal requirements necessary to maintain coverage under the national flood insurance program.

While state law requires that local governments make provision for critter pads, it is extremely important to note that RCW 86.16.190 does not relax NFIP standards, including the no rise standard in floodways, in any way.

This document may also serve as a foundation upon which communities can craft their own additional measures. The ordinance can be modified to accommodate local standards, provided they are not less restrictive than the minimum standards identified in this model. Areas on the model that exceed those minimum standards are clearly marked. The model ordinance is in a modular format.

Appendix A: Ordinance Standards for Communities with Shallow Flooding Identified as AO zones on Flood Insurance Rate Maps (FIRMs). These standards are mandatory in communities that have mapped AO zones.

Appendix B: Ordinance Standards for Communities with Coastal Flooding Identified as V zones on Flood Insurance Rate Maps (FIRMs). These standards are mandatory in communities that have mapped V or VE zones.

NOTE: A community may wish to use a numbering system that differs from this model ordinance. In such cases, special care should be taken to correctly identify internal code citations within the Flood Damage Prevention Ordinance.

**Section 1.0 - Statutory Authorization, Findings of Fact,
Purpose, and Objectives** *(Not mandatory to adopt section 1.0)*

1.1 Statutory Authorization

The Legislature of the State of Washington has delegated the responsibility to local communities to adopt floodplain management regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the **{Decision Making Body}** of **{Community Name}**, does ordain as follows:

1.2 Findings of Fact

The flood hazard areas of {Community Name} are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

These flood losses may be caused by the cumulative effect of obstructions in areas of special flood hazards that increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to the flood loss.

1.3 Statement of Purpose

It is the purpose of this ordinance to promote the public health, safety, and general welfare; reduce the annual cost of flood insurance; and minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- 1) Protect human life and health;
- 2) Minimize expenditure of public money for costly flood control projects;
- 3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- 4) Minimize prolonged business interruptions;
- 5) Minimize damage to public facilities and utilities, such as water and gas mains; electric, telephone, and sewer lines; and streets and bridges located in flood hazard areas;
- 6) Help maintain a stable tax base by providing for the sound use and development

of flood hazard areas so as to minimize blight areas caused by flooding;

- 7) Notify potential buyers that the property is in a Special Flood Hazard Area;
- 8) Notify those who occupy flood hazard areas that they assume responsibility for their actions; and
- 9) Participate in and maintain eligibility for flood insurance and disaster relief.

1.4 Methods of Reducing Flood Losses

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- 1) Restricting or prohibiting development that is dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- 2) Requiring that development vulnerable to floods be protected against flood damage at the time of initial construction;
- 3) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- 4) Controlling filling, grading, dredging, and other development, which may increase flood damage; and
- 5) Preventing or regulating the construction of flood barriers that unnaturally divert floodwaters or may increase flood hazards in other areas.

Section 2.0 – Definitions *(44 CFR 59.1, not mandatory to adopt all definitions as shown. However, definitions needed for implementation of NFIP standards in a specific community can be required in the community’s Flood Damage Prevention Ordinance.)*

Terms with 1 asterisk trigger a specific minimum requirement and must be adopted. Unless specifically defined below, terms or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance the most reasonable application.

***Alteration of watercourse:** Any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.

Appeal: A request for a review of the interpretation of any provision of this ordinance or a request for a variance.

***Area of shallow flooding:** A designated zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. Also referred to as the sheet flow area.

***Area of special flood hazard:** The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as zone A, AO, AH, A1-30, AE, A99, AR (V, VO, V1-30, VE). "Special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

ASCE 24: The most recently published version of ASCE 24, Flood Resistant Design and Construction, published by the American Society of Civil Engineers.

***Base flood:** The flood having a 1% chance of being equaled or exceeded in any given year (also referred to as the "100-year flood").

***Base Flood Elevation (BFE):** The elevation to which floodwater is anticipated to rise during the base flood.

***Basement:** Any area of the building having its floor sub-grade (below ground level) on all sides.

Building: See "Structure."

Building Code: The currently effective versions of the International Building Code and the International Residential Code adopted by the State of Washington Building Code Council.

Breakaway wall: A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Coastal High Hazard Area: An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as zone V1-30, VE or V.

Critical Facility: A facility for which even a slight chance of flooding might be too great. Critical facilities include (but are not limited to) schools, nursing homes, hospitals, police,

fire and emergency response installations, and installations which produce, use, or store hazardous materials or hazardous waste.

***Development:** Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.

Elevation Certificate: An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support a request for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

Elevated Building: For insurance purposes, a non-basement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

Essential Facility: This term has the same meaning as “Essential Facility” defined in ASCE 24. Table 1-1 in ASCE 24-14 further identifies building occupancies that are essential facilities.

Existing Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the community.

Expansion to an Existing Manufactured Home Park or Subdivision: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Farmhouse: A single-family dwelling located on a farm site where resulting agricultural products are not produced for the primary consumption or use by the occupants and the farm owner.

***Flood or Flooding:**

- 1) A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - a) The overflow of inland or tidal waters.

- b) The unusual and rapid accumulation or runoff of surface waters from any source.
 - c) Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- 2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (1)(a) of this definition.

***Flood elevation study:** An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. Also known as a Flood Insurance Study (FIS).

***Flood Insurance Rate Map (FIRM):** The official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

***Floodplain or flood-prone area:** Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

***Floodplain administrator:** The community official designated by title to administer and enforce the floodplain management regulations.

Floodplain management regulations: Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain ordinance, grading ordinance and erosion control ordinance) and other application of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

***Flood proofing:** Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Flood proofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.

***Floodway:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway."

***Functionally dependent use:** A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

***Highest adjacent grade:** The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

***Historic structure:** Any structure that is:

- 1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- 2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- 3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- 4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a) By an approved state program as determined by the Secretary of the Interior,
or
 - b) Directly by the Secretary of the Interior in states without approved programs.

***Lowest Floor:** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance (i.e. provided there are adequate flood ventilation openings).

Manufactured Home: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”

Manufactured Home Park or Subdivision: A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

***Mean Sea Level:** For purposes of the National Flood Insurance Program, the vertical datum to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

New construction: For the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

One-hundred-year flood or 100-year flood: See "Base flood."

New Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations adopted by the community.

Reasonably Safe from Flooding: Development that is designed and built to be safe from flooding based on consideration of current flood elevation studies, historical data, high water marks and other reliable data known to the community. In unnumbered A zones where flood elevation information is not available and cannot be obtained by practicable means, reasonably safe from flooding means that the lowest floor is at least two feet above the Highest Adjacent Grade.

***Recreational Vehicle: A vehicle,**

- 1) Built on a single chassis;
- 2) 400 square feet or less when measured at the largest horizontal projection;
- 3) Designed to be self-propelled or permanently towable by a light duty truck; and

- 4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

***Start of construction:** Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

***Structure:** For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

***Substantial Damage:** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

***Substantial improvement:** Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- 1) Any project for improvement of a structure to correct previously identified existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions; or
- 2) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

***Variance:** A grant of relief by a community from the terms of a floodplain management regulation.

Water surface elevation: The height, in relation to the vertical datum utilized in the applicable flood insurance study of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Water Dependent: A structure for commerce or industry that cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

Section 3.0 – General Provisions

3.1 Lands to Which This Ordinance Applies (44 CFR 59.22(a))

This ordinance shall apply to all special flood hazard areas within the boundaries of **{Community Name}**.

3.2 Basis for Establishing the Areas of Special Flood Hazard

The special flood hazard areas identified by the Federal Insurance Administrator in a scientific and engineering report entitled “The Flood Insurance Study (FIS) for **{exact title of study}**” dated **{date}**, and any revisions thereto, with accompanying Flood Insurance Rate Maps (FIRMs) dated **{date}**, and any revisions thereto, are hereby adopted by reference and declared to be a part of this ordinance. The FIS and the FIRM are on file at **{community address}**.

The best available information for flood hazard area identification as outlined in Section 4.3-2 shall be the basis for regulation until a new FIRM is issued that incorporates data utilized under Section 4.3-2.

Note: *In some communities, the phrase “and any revisions thereto” is not considered legally binding and should not be adopted.*

3.3 Compliance

All development within special flood hazard areas is subject to the terms of this ordinance and other applicable regulations.

3.4 Penalties For Noncompliance

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violations of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions), shall constitute a misdemeanor. Any person who violates this

ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than _____ or imprisoned for not more than ___ days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the _____ from taking such other lawful action as is necessary to prevent or remedy any violation.

3.5 Abrogation and Greater Restrictions

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

3.6 Interpretation (Not mandatory)

In the interpretation and application of this ordinance, all provisions shall be:

- 1) Considered as minimum requirements;
- 2) Liberally construed in favor of the governing body; and,
- 3) Deemed neither to limit nor repeal any other powers granted under state statutes.

3.7 Warning And Disclaimer of Liability (Not mandatory)

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of **{Community Name}**, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

3.8 Severability

This ordinance and the various parts thereof are hereby declared to be severable. Should any Section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the Section so declared to be unconstitutional or invalid.

Section 4.0 – Administration

4.1 Establishment of Development Permit

4.1-1 Development Permit Required (44 CFR 60.3(b)(1))

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.2. The permit shall be for all structures including manufactured homes, as set forth in the “Definitions,” and for all development including fill and other activities, also as set forth in the “Definitions.”

4.1-2 Application for Development Permit

Application for a development permit shall be made on forms furnished by the Floodplain Administrator and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- 1) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures recorded on a current elevation certificate with Section B completed by the Floodplain Administrator.
- 2) Elevation in relation to mean sea level to which any structure has been floodproofed;
- 3) Where a structure is to be floodproofed, certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet floodproofing criteria in Section 5.2-2;
- 4) Description of the extent to which a watercourse will be altered or relocated as a result of proposed development;
- 5) Where a structure is proposed in a V, V1-30, or VE zone, a V-zone design certificate;
- 6) Where development is proposed in a floodway, an engineering analysis indication no rise of the Base Flood Elevation, and
- 7) Any other such information that may be reasonably required by the Floodplain Administrator in order to review the application.

Note: The format of section 4.1-2 is not mandatory but the elevation information in subsection 1 and the information in subsections 2 through 7 is mandatory. Elevation Certificates are not mandatory outside of Community Rating System communities but highly recommended.

4.2 Designation of the Floodplain Administrator (44 CFR 59.22(b)(1))

The **{job title of the appropriate administrative official}** is hereby appointed to administer, implement, and enforce this ordinance by granting or denying development permits in accordance with its provisions. The Floodplain Administrator may delegate authority to implement these provisions.

4.3 Duties & Responsibilities of the Floodplain Administrator

Duties of the (*Floodplain Administrator*) shall include, but not be limited to:

4.3-1 Permit Review

Review all development permits to determine that:

- 1) The permit requirements of this ordinance have been satisfied;
- 2) All other required state and federal permits have been obtained;
- 3) The site is reasonably safe from flooding;
- 4) The proposed development is not located in the floodway. If located in the floodway, assure the encroachment provisions of Section 5.4-1 are met;
- 5) Notify FEMA when annexations occur in the Special Flood Hazard Area.

4.3-2 Use of Other Base Flood Data (In A and V Zones) (44 CFR 60.3(b)(4))

When base flood elevation data has not been provided (in A or V zones) in accordance with Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source, in order to administer Sections 5.2, SPECIFIC STANDARDS, and 5.4 FLOODWAYS.

4.3-3 Information to be Obtained and Maintained (The following language is required and should be adopted verbatim per 44 CFR)

- 1) Where base flood elevation data is provided through the FIS, FIRM, or required as in Section 4.3-2, obtain and maintain a record of the actual (as-built) elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement. *(44 CFR 60.3(b)(5)(i) and (iii))*
- 2) Obtain and maintain documentation of the elevation of the bottom of the lowest horizontal structural member in V or VE zones. *(44 CFR 60.3(e)(2)(i) and (ii))*
- 3) For all new or substantially improved floodproofed nonresidential structures where base flood elevation data is provided through the FIS, FIRM, or as required in Section 4.3-2:
 - a) Obtain and maintain a record of the elevation (in relation to mean sea level) to which the structure was floodproofed. *(44 CFR 60.3(b)(5)(ii))*
 - b) Maintain the floodproofing certifications required in Section 4.1-2(3). *(44 CFR 60.3(b)(5)(iii))*
- 4) Certification required by Section 5.4.1 {or the numbering system used by the community} (floodway encroachments). *(44 CFR 60.3(d)(3))*
- 5) Records of all variance actions, including justification for their issuance. *(44 CFR 60.6(a)(6))*
- 6) Improvement and damage calculations.
- 7) Maintain for public inspection all records pertaining to the provisions of this ordinance. *(44 CFR 60.3(b)(5)(iii))*

4.3-4 Alteration of Watercourse

Whenever a watercourse is to be altered or relocated:

- 1) Notify adjacent communities and the Department of Ecology prior to such alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administrator through appropriate notification means. *(44 CFR 60.3(b)(6))*
- 2) Assure that the flood carrying capacity of the altered or relocated portion of said watercourse is maintained. *(44 CFR 60.3(b)(7))*

4.3-5 Interpretation of FIRM Boundaries (*This section is not required, but if the Local Administrators are performing this task on a regular basis, it should be adopted.*)

Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (e.g. where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. Such appeals shall be granted consistent with the standards of Section 60.6 of the Rules and Regulations of the NFIP (44 CFR 59-76).

4.3-6 Review of Building Permits (*44 CFR 60.3(a)(3)*)

Where elevation data is not available either through the FIS, FIRM, or from another authoritative source (Section 4.3-2), applications for floodplain development shall be reviewed to assure that proposed construction will be *reasonably safe from flooding*. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available.

(Failure to elevate habitable buildings at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.)

4.3-7 Changes to Special Flood Hazard Area

- 1) If a project will alter the BFE or boundaries of the SFHA, then the project proponent shall provide the community with engineering documentation and analysis regarding the proposed change. If the change to the BFE or boundaries of the SFHA would normally require a Letter of Map Change, then the project proponent shall initiate, and receive approval of, a Conditional Letter of Map Revision (CLOMR) prior to approval of the development permit. The project shall be constructed in a manner consistent with the approved CLOMR.
- 2) If a CLOMR application is made, then the project proponent shall also supply the full CLOMR documentation package to the Floodplain Administrator to be attached to the floodplain development permit, including all required property owner notifications.

Section 5.0 – Provisions for Flood Hazard Reduction

5.1 General Standards *(Section 5.0 is required)*

In all areas of special flood hazards, the following standards are required:

5.1-1 Anchoring *(44 CFR 60.3(a) and (b))*

- 1) All new construction and substantial improvements, including those related to manufactured homes, shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy. (44 CFR 60.3(a)(3)(i))
- 2) All manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors. (44 CFR 60.3(b)(8)). For more detailed information, refer to guidebook, FEMA-85, “Manufactured Home Installation in Flood Hazard Areas.”

5.1-2 Construction Materials and Methods *(44 CFR 60.3(a)(3)(ii-iv))*

- 1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- 2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- 3) Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

5.1-3 Storage of Materials and Equipment

- 1) The storage or processing of materials that could be injurious to human, animal, or plant life if released due to damage from flooding is prohibited in special flood hazard areas **(recommended)**.
- 2) Storage of other material or equipment may be allowed if not subject to damage by floods and if firmly anchored to prevent flotation, or if readily removable from the area within the time available after flood warning.

5.1-4 Utilities (44 CFR 60.3(a)(5) and (6))

- 1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems;
- 2) Water wells shall be located on high ground that is not in the floodway (WAC 173-160-171);
- 3) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- 4) Onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

5.1-5 Subdivision Proposals and Development (44 CFR 60.3(a)(4) and (b)(3))

All subdivisions, as well as new development shall:

- 1) Be consistent with the need to minimize flood damage;
- 2) Have public utilities and facilities, such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;
- 3) Have adequate drainage provided to reduce exposure to flood damage.
- 4) Where subdivision proposals and other proposed developments contain greater than 50 lots or 5 acres (whichever is the lesser) base flood elevation data shall be included as part of the application.

5.2 Specific Standards (44 CFR 60.3(c)(1))

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, or Section 4.3-2, USE OF OTHER BASE FLOOD DATA. The following provisions are required:

5.2-1 Residential Construction (44 CFR 60.3(c)(2)(5))

- 1) In AE and A1-30 zones or other A zoned areas where the BFE has been determined or can be reasonably obtained, new construction and substantial improvement of any residential structure shall have the lowest

floor, including basement, elevated one foot or more above the BFE. Mechanical equipment and utilities shall be waterproof or elevated least one foot above the BFE.

- 2) New construction and substantial improvement of any residential structure in an AO zone shall meet the requirements in Appendix A.
- 3) New construction and substantial improvement of any residential structure in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained shall be reasonably safe from flooding, but in all cases the lowest floor shall be at least two feet above the Highest Adjacent Grade.
- 4) New construction and substantial improvement of any residential structure in a V, V1-30, or VE zone shall meet the requirements in Appendix B.
- 5) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs must meet or exceed the following minimum criteria:
 - a) Have a minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.
 - b) The bottom of all openings shall be no higher than one foot above grade.
 - c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.
 - d) A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of flood waters.

Alternatively, a registered engineer or architect may design and certify engineered openings.

5.2-2 Nonresidential Construction (44 CFR 60.3(c)(3) and (4))

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet the requirements of subsection 1 or 2, below.

1) New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet all of the following requirements:

a) In AE and A1-30 zones or other A zoned areas where the BFE has been determined or can be reasonably obtained:

New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall have the lowest floor, including basement, elevated one foot or more above the BFE, or elevated as required by ASCE 24, whichever is greater. Mechanical equipment and utilities shall be waterproofed or elevated least one foot above the BFE, or as required by ASCE 24, whichever is greater.

b) If located in an AO zone, the structure shall meet the requirements in Appendix A.

c) If located in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained, the structure shall be reasonably safe from flooding, but in all cases the lowest floor shall be at least two feet above the Highest Adjacent Grade.

d) If located in a V, V1-30, or VE zone, the structure shall meet the requirements in Appendix B.

e) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

i) Have a minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.

ii) The bottom of all openings shall be no higher than one foot above grade.

iii) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.

iv) A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of flood waters.

Alternatively, a registered engineer or architect may design and certify engineered openings.

- 2) If the requirements of subsection 1 are not met, then new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet all of the following requirements:
 - a) Be dry floodproofed so that below one foot or more above the base flood level the structure is watertight with walls substantially impermeable to the passage of water or dry floodproofed to the elevation required by ASCE 24, whichever is greater;
 - b) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
 - c) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in Section 4.3-3(2);
 - d) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in 5.2-1(5);

Note: Applicants who are floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building floodproofed to the base flood level will be rated as one foot below). Floodproofing the building an additional foot will reduce insurance premiums significantly.

5.2-3 Manufactured Homes (44 CFR 60.3(c)(6)(12))

- 1) All manufactured homes to be placed or substantially improved on sites shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
(If the above phrase is applied to all manufactured homes in the floodplain, then the remaining verbiage is not necessary to adopt.)
This applies to manufactured homes:

- a) Outside of a manufactured home park or subdivision,
 - b) In a new manufactured home park or subdivision,
 - c) In an expansion to an existing manufactured home park or subdivision, or
 - d) In an existing manufactured home park or subdivision on a site which a manufactured home has incurred “substantial damage” as the result of a flood; and
- 2) Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the above manufactured home provisions be elevated so that either:
- a) The lowest floor of the manufactured home is elevated one foot or more above the base flood elevation, or
 - b) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

5.2-4 Recreational Vehicles *(44 CFR 60.3(c)(14))*

- 1) Recreational vehicles placed on sites are required to either:
- 2) Be on the site for fewer than 180 consecutive days, or
- 3) Be fully licensed and ready for highway use, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or

Meet the requirements of 5.2-3 above.

5.2-5 Enclosed Area Below the Lowest Floor

If buildings or manufactured homes are constructed or substantially improved with fully enclosed areas below the lowest floor, the areas shall be used solely for parking of vehicles, building access, or storage.

5.2-6 Appurtenant Structures (Detached Garages & Small Storage Structures)

For A Zones (A, AE, A1-30, AH, AO):

- 1) Appurtenant structures used solely for parking of vehicles or limited storage may be constructed such that the floor is below the BFE, provided the structure is designed and constructed in accordance with the following requirements:
 - a) Use of the appurtenant structure must be limited to parking of vehicles or limited storage;
 - b) The portions of the appurtenant structure located below the BFE must be built using flood resistant materials;
 - c) The appurtenant structure must be adequately anchored to prevent flotation, collapse, and lateral movement;
 - d) Any machinery or equipment servicing the appurtenant structure must be elevated or floodproofed to or above the BFE;
 - e) The appurtenant structure must comply with floodway encroachment provisions in Section 5.4-1;
 - f) The appurtenant structure must be designed to allow for the automatic entry and exit of flood waters in accordance with Section 5.2-1(5).
 - g) The structure shall have low damage potential,
 - h) If the structure is converted to another use, it must be brought into full compliance with the standards governing such use, and
 - i) The structure shall not be used for human habitation.
- 2) Detached garages, storage structures, and other appurtenant structures not meeting the above standards must be constructed in accordance with all applicable standards in Section 5.2-1.
- 3) Upon completion of the structure, certification that the requirements of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

5.3 AE and A1-30 Zones with Base Flood Elevations but No Floodways (44 CFR 60.3(c)(10))

In areas with BFEs (but a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted within zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

5.4 Floodways (Note the more restrictive language for floodway development per RCW 86.16)

Located within areas of special flood hazard established in Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that can carry debris, and increase erosion potential, the following provisions apply:

5.4-1 No Rise Standard

Prohibit encroachments, including fill, new construction, substantial improvements, and other development, unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge. (44 CFR 60.3(d)(3))

5.4-2 Residential Construction in Floodways

Construction or reconstruction of residential structures is prohibited within designated floodways, except for (i) repairs, reconstruction, or improvements to a structure that do not increase the ground floor area; and (ii) repairs, reconstruction, or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either, (A) before the repair or reconstruction is started, or (B) if the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions, or to structures identified as historic places, may be excluded in the 50 percent.

- 1) Replacement of Farmhouses in Floodway

Repairs, reconstruction, replacement, or improvements to existing farmhouse structures located in designated floodways and that are located on lands designated as agricultural lands of long-term commercial significance under RCW 36.70A.170 may be permitted subject to the following:

- a) The new farmhouse is a replacement for an existing farmhouse on the same farm site;
- b) There is no potential building site for a replacement farmhouse on the same farm outside the designated floodway;
- c) Repairs, reconstruction, or improvements to a farmhouse shall not increase the total square footage of encroachment of the existing farmhouse;
- d) A replacement farmhouse shall not exceed the total square footage of encroachment of the farmhouse it is replacing;
- e) A farmhouse being replaced shall be removed, in its entirety, including foundation, from the floodway within ninety days after occupancy of a new farmhouse;
- f) For substantial improvements and replacement farmhouses, the elevation of the lowest floor of the improvement and farmhouse respectively, including basement, is a minimum of one foot higher than the BFE;
- g) New and replacement water supply systems are designed to eliminate or minimize infiltration of flood waters into the system;
- h) New and replacement sanitary sewerage systems are designed and located to eliminate or minimize infiltration of flood water into the system and discharge from the system into the flood waters; and
- i) All other utilities and connections to public utilities are designed, constructed, and located to eliminate or minimize flood damage.

2) Substantially Damaged Residences in Floodway

- a) For all substantially damaged residential structures, other than farmhouses, located in a designated floodway, the Floodplain Administrator may make a written request that the Department of Ecology assess the risk of harm to life and property posed by the specific conditions of the floodway. Based on analysis of depth, velocity, flood-related erosion, channel migration, debris load potential, and flood warning capability, the Department of Ecology may exercise best professional judgment in recommending to the local permitting authority repair, replacement, or relocation of a substantially damaged structure consistent with WAC 173-158-076. The property owner shall be responsible for submitting to the local government and the Department of Ecology any information

necessary to complete the assessment. Without a favorable recommendation from the department for the repair or replacement of a substantially damaged residential structure located in the regulatory floodway, no repair or replacement is allowed per WAC 173-158-070(1).

- b) Before the repair, replacement, or reconstruction is started, all requirements of the NFIP, the state requirements adopted pursuant to 86.16 RCW, and all applicable local regulations must be satisfied. In addition, the following conditions must be met:
 - i) There is no potential safe building location for the replacement residential structure on the same property outside the regulatory floodway.
 - ii) A replacement residential structure is a residential structure built as a substitute for a legally existing residential structure of equivalent use and size.
 - iii) Repairs, reconstruction, or replacement of a residential structure shall not increase the total square footage of floodway encroachment.
 - iv) The elevation of the lowest floor of the substantially damaged or replacement residential structure is a minimum of one foot higher than the BFE.
 - v) New and replacement water supply systems are designed to eliminate or minimize infiltration of flood water into the system.
 - vi) New and replacement sanitary sewerage systems are designed and located to eliminate or minimize infiltration of flood water into the system and discharge from the system into the flood waters.
 - vii) All other utilities and connections to public utilities are designed, constructed, and located to eliminate or minimize flood damage.

5.4-3 All Other Building Standards Apply in the Floodway

If Section 5.4-1 is satisfied or construction is allowed pursuant to section 5.4-2, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 5.0, Provisions For Flood Hazard Reduction.

5.5 General Requirements for Other Development *(Optional Provision)*

All development, including manmade changes to improved or unimproved real estate for which specific provisions are not specified in this ordinance or the state building codes with adopted amendments and any {community name} amendments, shall:

- 1) Be located and constructed to minimize flood damage;
- 2) Meet the encroachment limitations of this ordinance if located in a regulatory floodway;
- 3) Be anchored to prevent flotation, collapse, or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
- 4) Be constructed of flood damage-resistant materials;
- 5) Meet the flood opening requirements of Section 5.2-1(5), and
- 6) Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

5.6 Critical Facility (Optional Provision)

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above BFE or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the BFE shall be provided to all critical facilities to the extent possible.

5.7 Livestock Sanctuaries

Elevated areas for the for the purpose of creating a flood sanctuary for livestock are allowed on farm units where livestock is allowed. Livestock flood sanctuaries shall be sized appropriately for the expected number of livestock and be elevated sufficiently to protect livestock. Proposals for livestock flood sanctuaries shall meet all procedural and substantive requirements of this chapter.

Note: To be “elevated sufficiently to protect livestock” typically means to be elevated at least one foot above the BFE.

Section 6.0 - Variances

The variance criteria set forth in this section of the ordinance are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this ordinance would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners.

It is the duty of the **{governing body}** to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below the Base Flood Elevation are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this ordinance are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

6.1 Requirements for Variances

- 1) Variances shall only be issued:
 - a) Upon a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances;
 - b) For the repair, rehabilitation, or restoration of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure’s continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure;

- c) Upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief;
 - d) Upon a showing of good and sufficient cause;
 - e) Upon a determination that failure to grant the variance would result in exceptional hardship to the applicant;
 - f) Upon a showing that the use cannot perform its intended purpose unless it is located or carried out in close proximity to water. This includes only facilities defined in Section 2.0 {or the numbering system used by the community} of this ordinance in the definition of “Functionally Dependent Use.”
- 2) Variances shall not be issued within any floodway if any increase in flood levels during the base flood discharge would result.
 - 3) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the BFE, provided the procedures of Sections 4.0 and 5.0 {or the numbering system used by the community} of this ordinance have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

6.2 Variance Criteria

In considering variance applications, the **{Governing Body}** shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:

- 1) The danger that materials may be swept onto other lands to the injury of others;
- 2) The danger to life and property due to flooding or erosion damage;
- 3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- 4) The importance of the services provided by the proposed facility to the community;
- 5) The necessity to the facility of a waterfront location, where applicable;

- 6) The availability of alternative locations for the proposed use, which are not subject to flooding or erosion damage;
- 7) The compatibility of the proposed use with existing and anticipated development;
- 8) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- 9) The safety of access to the property in time of flood for ordinary and emergency vehicles;
- 10) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and,
- 11) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities, such as sewer, gas, electrical, water system, and streets and bridges.

6.1 Additional Requirements for the Issuance of a Variance

- 1) Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:
 - a) The issuance of a variance to construct a structure below the BFE will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and
 - b) Such construction below the BFE increases risks to life and property.
- 2) The Floodplain Administrator shall maintain a record of all variance actions, including justification for their issuance.
- 3) The Floodplain Administrator shall condition the variance as needed to ensure that the requirements and criteria of this chapter are met.
- 4) Variances as interpreted in the NFIP are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from flood elevations should be quite rare.

**APPENDIX A
STANDARDS FOR SHALLOW FLOODING
AREAS (AO ZONES)
(44 CFR 60.3(c)7, 8 and 11)**

Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from 1 to 3 feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In addition to other provisions in this code, the following additional provisions also apply in AO zones:

1. New construction and substantial improvements of residential structures and manufactured homes within AO zones shall have the lowest floor (including basement and mechanical equipment) elevated above the highest adjacent grade to the structure, one foot or more above* the depth number specified in feet on the community's FIRM (at least two feet above the highest adjacent grade to the structure if no depth number is specified).
2. New construction and substantial improvements of nonresidential structures within AO zones shall either:
 - a) Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above* the depth number specified on the FIRM (at least two feet if no depth number is specified); or
 - b) Together with attendant utility and sanitary facilities, be completely flood proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer, or architect as in section 5.2-2(3).
3. Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
4. Recreational vehicles placed on sites within AO zones on the community's FIRM either:
 - a) Be on the site for fewer than 180 consecutive days, or

- b) Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
- c) Meet the requirements of subsections (1) and (3) above and the anchoring requirements for manufactured homes (Section 5.1-1(2)).

APPENDIX B
STANDARDS FOR COASTAL HIGH HAZARD AREAS (V ZONES)
44 CFR 60.3(e)(2 – 8)

Located within areas of special flood hazard established in Section 3.2 are Coastal High Hazard Areas, designated as zones V1-30, VE, and/or V. These areas have special flood hazards associated with high velocity waters from surges and, therefore, in addition to meeting all provisions in this ordinance, the following provisions shall also apply:

1. All new construction and substantial improvements in zones V1-30 and VE (V if base flood elevation data is available) on the community's FIRM shall be elevated on pilings and columns so that:
 - a) Elevation:
 - i) Residential Buildings

The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated one foot or more above the base flood level.
 - ii) Nonresidential buildings

The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated one foot or more above the base flood level or meets the elevation requirements of ASCE 24, whichever is higher; and
 - b) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of subsections (1)(a)(i) and (2)(a)(ii).

2. Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new

and substantially improved structures in zones V1-30, VE, and V on the community's FIRM and whether or not such structures contain a basement. The (Floodplain Administrator) shall maintain a record of all such information.

3. All new construction within zones V1-30, VE, and V on the community's FIRM shall be located landward of the reach of mean high tide.
4. Provide that all new construction and substantial improvements within zones V1-30, VE, and V on the community's FIRM have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies that the design proposed meets the following conditions:
 - a) Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and
 - b) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Maximum wind and water loading values to be used in this determination shall each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

If breakaway walls are utilized, such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.

5. Prohibit the use of fill for structural support of buildings within zones V1-30, VE, and V on the community's FIRM.
6. Prohibit man-made alteration of sand dunes within zones V1-30, VE, and V on the community's FIRM which would increase potential flood damage.
7. All manufactured homes to be placed or substantially improved within zones V1-30, V, and VE on the community's FIRM on sites:

- a) Outside of a manufactured home park or subdivision,
 - b) In a new manufactured home park or subdivision,
 - c) In an expansion to an existing manufactured home park or subdivision, or
 - d) In an existing manufactured home park or subdivision on which a manufactured home has incurred “substantial damage” as the result of a flood; shall meet the standards of paragraphs (1) through (6) of this section and manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within zones V1-30, V, and VE on the FIRM shall meet the requirements of Section 5.2-3.
8. Recreational vehicles placed on sites within V or VE zones on the community’s FIRM shall either:
- a) Be on the site for fewer than 180 consecutive days, or
 - b) Be fully licensed and ready for highway use, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or
 - c) Meet the requirements of subsections (1) and (3) above and the anchoring requirements for manufactured homes (Section 5.1-1(2)).

RESOLUTION NO. 1382

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAYTON,
WASHINGTON, ADOPTING A SIX YEAR TRANSPORTATION IMPROVEMENT
PROGRAM FOR 2020-2025**

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act, Legacy for Users, requires a Statewide Transportation Improvement Program in order to provide federal funding for transportation projects within the State of Washington; and,

WHEREAS, the Statewide Transportation Improvement Program is a compilation of Regional Transportation Improvement Programs based on regionally significant local and state projects; and

WHEREAS, the 2020 - 2025 City of Dayton Six-Year Transportation Improvement Program is utilized as a planning tool for local, state and federal governments; and,

WHEREAS, the Planning Committee met on June 13, 2019 to review the 2020 - 2025 City of Dayton Six-Year Transportation Improvement Program and makes recommendation to adopt said Program; and

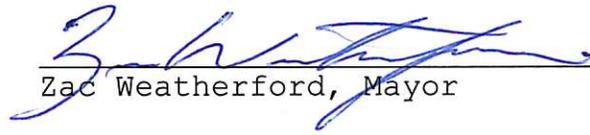
WHEREAS, the City Council of the City of Dayton held a public hearing on June 26, 2019 to review and receive public input on the proposed 2020 - 2025 City of Dayton Six-Year Transportation Improvement Program.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DAYTON,
WASHINGTON, HEREBY RESOLVES as follows:**

Section 1. The 2020-2025 Six-Year Transportation Improvement Program is adopted as the extended comprehensive Six-Year Transportation Improvement Program for the City of Dayton, Columbia County, Washington in the form attached hereto as Exhibit "A."

Section 2. That this resolution shall take effect and be in full force upon passage and signatures hereon.

ADOPTED by the City Council of the City of Dayton on this 20TH day of JUNE, 2019.


Zac Weatherford, Mayor

Attest:


Trina Cole, City Administrator



Exhibit "A" - Resolution No. 1382
06/26/2019

Six Year Transportation Improvement Program From 2020 to 2025

Agency: Daylon
County: Columbia
MPO/RTPO: Palouse RTPPO

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00		Community-wide Bus Stop Installation Varies Varies to To install bus stop facilities in strategic locations within city limits	WA-12140	06/26/19	06/26/19		1383	23	C P S T W		CE	No

Funding Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2023		0	OTHER	26,100		26,100
P	CN	2024		0	OTHER	145,000		145,000
Totals				0		171,100		171,100

Expenditure Schedule						
Phase	1st	2nd	3rd	4th	5th & 6th	
PE	0	0	0	26,100	0	0
CN	0	0	0	0	145,000	145,000
Totals	0	0	0	26,100	145,000	145,000



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPO

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09		UGA to UGA Multi-Modal Transportation Plan to Create and all-inclusive multi-modal transportation improvement plan for Main Street (Highway 12)	WA-12141	06/26/19	06/26/19		1383	18			CE	No

Funding	Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
	P	PL	2020		0	WSDOT	94,500	10,500	105,000
				Totals	0		94,500	10,500	105,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PL	105,000	0	0	0	0
Totals	105,000	0	0	0	0

Grand Totals for Dayton					
Federal Funds	State Funds	Local Funds	Total Funds		
0	265,600	10,500	276,100		



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08		Cameron Street Reconstruction Project - Phase I W. Cameron Street S. Pine Street to S. Cottonwood Street Resurface existing roadway curb to curb, install sidewalks with ADA Accessibility, replace storm drainage, and install non-motorized friendly facilities.	WA-04531	06/26/19	06/26/19		1383	05	C G O P T W	0.400	CE	No

Funding Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2021		0	SRTS	71,300	3,800	75,100
P	CN	2022		0	SRTS	644,100	33,900	678,000
	Totals			0		715,400	37,700	753,100

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	75,100	0	0	0
CN	0	0	678,000	0	0
Totals	0	75,100	678,000	0	0



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08		Cameron Street Reconstruction Project - Phase II Cameron Street W. Main St (Hwy 12) to N. Pine Street Restructure intersection exchange, reconstruct roadway, install curbs, gutters, storm drainage system and non-motorized friendly facilities. Replace and install sidewalks with ADA ramping system.	WA-04529	06/26/19	06/26/19		1383	06 W	C G O P T	0.250	CE	No
		G. Structure ID										

Funding	Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Fund Code	State Funds	Local Funds	Total Funds
	P	PE	2021		53,100	WSDOT		8,300	9,300	70,700
	P	PE	2021	SRTS	2,100	Ped/Bike Program		13,400	0	15,500
	P	PE	2021		0	TIB		6,200	700	6,900
	P	CN	2022		536,600	WSDOT		83,800	94,000	714,400
	P	CN	2022	SRTS	21,000	WSDOT		128,400	0	149,400
	P	CN	2022		0	TIB		69,500	6,700	76,200
				Totals	612,800			309,600	110,700	1,033,100

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	93,100	0	0	0
CN	0	0	940,000	0	0
Totals	0	93,100	940,000	0	0



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09		City-Wide Pavement Preservation Program Various Various to Perform Chip Sealing or overlay treatments	WA-08987	08/26/19	06/26/19		1383	06 W	C O P S T	25,000		No

Funding	Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
	P	PE	2020		0	TIB	0	7,500	7,500
	P	PE	2022		0	TIB	667,000	72,000	739,000
	P	CN	2021		0	TIB	100,000	0	100,000
	P	CN	2023		0	TIB	2,928,600	2,000,000	4,928,600
				Totals	0		3,695,600	2,079,500	5,775,100

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	7,500	0	739,000	0	0
CN	0	100,000	0	4,928,600	0
Totals	7,500	100,000	739,000	4,928,600	0



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPO

N Inside
 Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Terminal F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09		City-Wide Reconstruction Program Various Various to Reconstruct existing street system to include curbs, gutters, sidewalk, and storm drainage	WA-08998	06/26/19	06/26/19		1383	04	C O P S T W	6.000		No

Funding	Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
	P	PE	2024		0	OTHER	589,700	65,500	655,200
	P	CN	2025		0	TIB	1,384,800	3,000,000	4,384,800
				Totals	0		1,974,500	3,065,500	5,040,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	0	655,200
CN	0	0	0	0	4,384,800
Totals	0	0	0	0	5,040,000



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09		Commercial Street Reconstruction Project Commercial Street N 4th Street to West City Limits Reconstruct with new curbs and gutters, install ADA Accessible Sidewalk/pedestrian/bicycle facilities.	WA-04528	06/26/19	06/26/19		1383	04 C G O P S T W		0.600	CE	No

Funding	Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
	P	PE	2022		0	TIB	181,700	20,200	201,900
	P	CN	2023		0	OTHER	2,019,000	0	2,019,000
				Totals	0		2,200,700	20,200	2,220,900

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	201,900	0	0
CN	0	0	0	2,019,000	0
Totals	0	0	201,900	2,019,000	0



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08		Dayton S. 3rd Street Sidewalk Replacement and Overlay Project S. 3rd Street E. Main Street to School Bus Street Resurface street, replace sidewalk with ADA compliant ramping system	WA-04538	06/26/19	06/26/19		1383	05	C G O P T W	1.250	CE	No

Funding		Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	CN	CN	2020	TAP(R)	211,000	TIB	385,000	83,190	679,190
Totals					211,000		385,000	83,190	679,190

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
CN	679,190	0	0	0	0
Totals	679,190	0	0	0	0



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPO

N Inside
 Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
07		E. Main Street (HWY 12) Curb Extension Project 1st Street to 3rd Street Construct curb extension at three separate intersections to meet ADA accessibility needs.	WA-10024	06/26/19	06/26/19		1383	01				No

Funding		Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE		2022		0	Ped/Bike Program	93,750		93,750
P	CN		2023		0	WSDOT	337,500		375,000
		Totals			0		431,250	37,500	468,750

Expenditure Schedule		1st	2nd	3rd	4th	5th & 6th
Phase	PE	0	93,750	0	0	0
	CN	0	0	93,750	375,000	0
Totals		0	93,750	93,750	375,000	0



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Terminal F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
07		E. Main Street/1st Street Traffic Signal Construction Main Street/Highway 12 N. 1st Street to S. 1st Street Installation of a traffic light system with ADA and non-motorized crossing lights	WA-08994	06/13/18	06/13/18		1342	21	C O P S T W			No

Funding		Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	Phase	2021		0	WSDOT	350,000	0	350,000
	ALL		Totals	0		350,000	0	350,000

Expenditure Schedule						
Phase	1st	2nd	3rd	4th	5th & 6th	Totals
ALL	0	350,000	0	0	0	350,000
Totals	0	350,000	0	0	0	350,000



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09		E: Washington Avenue Street Overlay E: Washington Avenue N: Cottonwood Avenue to N. 3rd St Resurface curb to curb.	WA-04537	06/26/19	06/26/19		1383	05	C G O P S T W	1,250	CE	No

Funding	Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	CN	2021		0	TIB	38,192	4,244	42,436
			2022		0	TIB	338,188	37,576	375,764
			Totals		0		376,380	41,820	418,200

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	42,436	0	0	0
CN	0	0	375,764	0	0
Totals	0	42,436	375,764	0	0



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
02		Main Street Safety Enhancement Project - Phase 3 W. Main Street Pine Street to West City Limits Construct enhancements such as pedestrian and bicycle facilities, beautification improvements and traffic control provisions on the west end entry to Dayton along Highway 12.	WVA-04541	06/26/19	06/26/19		1383	31	C G O P T W	0.150	CE	No

Funding		Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2022	STP(E)	90,000		0	0	90,000	
P	CN	2023	STP(E)	331,980		0	0	331,980	
		Totals		421,980		0	0	421,980	

Expenditure Schedule		1st	2nd	3rd	4th	5th & 6th
Phase						
PE		0	90,000	0	0	0
CN		0	0	90,000	331,980	0
Totals		0	90,000	90,000	331,980	0



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00		Maintenance and Operation of the City Street System Varies to Varies Operate and maintain the City street system including, but not limited to bridges, roadway, curbs, gutters, storm drainage and non-motorized pedestrian facilities such as sidewalks, trails, and bike paths.	WA-10025	06/26/19	06/26/19		1383	21		26,000		No

Funding		Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P		ALL	2020		0		0	337,500	337,500
				Totals	0		0	337,500	337,500

Expenditure Schedule		1st	2nd	3rd	4th	5th & 6th
Phase		337,500	0	0	0	0
ALL		337,500	0	0	0	0
Totals		337,500	0	0	0	0



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPO

N Inside
 Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08		N Front Street Bridge Improvement/Replacement Project N. Front Street to Bridge Improvement/Replacement Project	WA-04526	06/13/18	06/13/18		1342	08	C G O P T W		EA	No

Funding		Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE		2022	BR	167,700	WSDOT	27,300		195,000
P	CN		2023	BR	1,264,810	WSDOT	182,700		1,447,510
			Totals		1,432,510		210,000		1,642,510

Expenditure Schedule						
Phase	1st	2nd	3rd	4th	5th & 6th	Totals
PE	0	0	195,000	0	0	195,000
CN	0	0	0	1,447,510	0	1,447,510
	0	0	195,000	1,447,510	0	1,642,510



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Terminal F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00		N. 4th Street Pedestrian Crossing E. Washington Avenue to E. Richmond Avenue Reconstruct a free-spand pedestrian footbridge across the Patil Creek.	WA-04540	08/13/18	08/13/18		1342	40	CGOPT W		EA	No

Funding	Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P		PE	2021		0	Ped/Bike Program	28,034	3,115	31,149
		CN	2021		0	Ped/Bike Program	123,987	13,776	137,763
		Totals			0		152,021	16,891	168,912

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	31,149	0	0	0
CN	0	137,763	0	0	0
Totals	0	168,912	0	0	0



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPO

N Inside
 Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
06		N. 5th Street Overlay Project N. 5th Street E. Main Street to Railroad Resurface street and install ADA Accessibility sidewalk system and non-motorized compatible facilities.	WA-04536	06/13/18	06/13/18		1342	05	C G O P T W	0.400	CE	No

Funding										
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds		
P	PE	2024		0	TIB	28,700		3,100		31,800
P	CN	2024		0	TIB	214,700		21,400		236,100
Totals				0		243,400		24,500		267,900

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	0	31,800
CN	0	0	0	0	236,100
Totals					
	0	0	0	0	267,900



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPPO

N Inside
 Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
07		N. Front Street Pedestrian/Bicycle Crossing Light Main Street/Highway 12 N. Front Street to Flour Mill Park Install a pedestrian/bicycle crossing light	WA-08991	08/13/18	08/13/18		1342	21	C O P S T W	0.050		No

Funding		Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
Status	Phase	2024		0	WSDOT	78,129	0	78,129
P	ALL		Totals	0		78,129	0	78,129

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	0	0	0	78,129
Totals	0	0	0	0	78,129



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09		N. Willow Street Reconstruction Project N. Willow Street W. Dayton Avenue to City Limits Reconstruct roadway.	WA-04533	06/26/19	06/26/19		1383	04 W	C G O P T	0.400	CE	No

Funding		Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE		2021		0	TIB	47,520	5,280	52,800
P	CN		2023		0	TIB	427,680	47,520	475,200
		Totals			0		475,200	52,800	528,000

Expenditure Schedule		1st	2nd	3rd	4th	5th & 6th
Phase						
PE		0	52,800	0	0	0
CN		0	0	0	475,200	0
	Totals	0	52,800	0	475,200	0



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Terminal F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09		Residential Zone Alley Improvements Varies Varies to Varies Reconstruct alleyways.	WA-04535	08/13/18	08/13/18		1342	04	C G O P T W	9,000	CE	No

Funding							Local Funds	Total Funds
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds		
P	ALL	2021		0		0	627,662	627,662
Totals				0		0	627,662	627,662

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	627,662	0	0	0
Totals	0	627,662	0	0	0



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
06		S. 4th Street Bicycle Lane Improvements S 4th Street Main Street to City Limits Create a non-motorized lane of travel in conjunction with motorized travel lanes	WVA-08990	06/13/18	06/13/18		1342	28		4.500		No

Funding							Total Funds	
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2021		0	Ped/Bike Program	18,000		18,000
Totals				0		18,000	0	18,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	0	18,000	0	0	0
Totals	0	18,000	0	0	0



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
06		S. 4th Street Reconstruction Project S. 4th Street E. Main Street to South City Limits Install sidewalks with ADA compliant ramping system and reconstruction street	WVA-04532	06/26/19	06/26/19		1383	05	C G O P T W	1,500	CE	No

Funding	Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
	P	PE	2023	TIGER	80,000		0	0	80,000
	P	CN	2024	TIGER	797,000		0	0	797,000
	Totals					877,000		0	877,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	80,000	0
CN	0	0	0	0	797,000
Totals	0	0	0	80,000	797,000



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00		Street/Safety Sign Replacement Program Various Various to Various Replace all street signs including street name and safety signs	WA-08995	06/26/19	06/26/19		1383	21	0			No

Funding		Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
Status	Phase							
P	ALL	2020		0		0		25,000
		Totals		0		0		25,000

Expenditure Schedule						
Phase	1st	2nd	3rd	4th	5th & 6th	Totals
ALL	25,000	0	0	0	0	25,000
Totals	25,000	0	0	0	0	25,000



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Terminal F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09		Syndicate Hill Improvement Program E. Main Street/hwy 12 to City Limits Reconstruct various streets, construct new curbs, gutters, storm drainage system, install sidewalks with ADA accessibility systems.	WVA-04543	06/13/18	06/13/18		1342	03	C G O P S T W	2,000	CE	No

Funding											
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds			
P	PE	2021		0	PWTF	273,400		273,400			
P	CN	2022		0	PWTF	1,138,200		1,138,200			
Totals				0		1,411,600		1,411,600			

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	273,400	0	0	0
CN	0	0	1,138,200	0	0
Totals		0	273,400	1,138,200	0



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00		Touchet River Dike Mustard Ditch Bridge Reconstruct a pedestrian bridge with ADA and multi-use functions	WA-08993	06/13/18	06/13/18		1342	40		0.010		No

Funding							Local Funds	Total Funds
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds		
P	PE	2023		0	OTHER	20,000	0	20,000
P	CN	2024		0	OTHER	205,000	0	205,000
Totals				0		225,000	0	225,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	20,000	0
CN	0	0	0	0	205,000
Totals	0	0	0	20,000	205,000



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00		Touchat River Levee Improvements Touchat River Dike Main Street to City Limits Implement levee improvements as required by Corps of Engineers	WVA-08992	06/13/18	06/13/18		1342	21		2.250		No

Funding							Local Funds	Total Funds
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds		
S	PE	2020		0		0	38,000	38,000
P	CN	2021		0		0	462,000	462,000
Totals				0		0	500,000	500,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	38,000	0	0	0	0
CN	0	462,000	0	0	0
Totals	38,000	462,000	0	0	0



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Terminal F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00		Transportation Equipment Replacement Equipment replacement to effectively maintain and operate the City's transportation systems including, but not limited to roadway prism, storm drainage, curbs, gutters and non-motorized facilities such as sidewalks, trails, and bike paths.	WA-10023	06/26/19	06/26/19		1383	16			CE	No

Funding		Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	ALL	2020		0		0	2,500,000	2,500,000
				Totals	0		0	2,500,000	2,500,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	2,500,000	0	0	0	0
Totals	2,500,000	0	0	0	0



Six Year Transportation Improvement Program From 2020 to 2025

Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09	9	Commercial Zone Alley Improvements Varies to Reconstruct alleyways.	WA-04534	06/13/18	06/13/18		1342	04	C G O P S T W	3,000	CE	No

Funding							Local Funds	Total Funds
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds		
P	PE	2023		0	PWTF	20,250		20,250
P	CN	2024		0	PWTF	204,750		204,750
Totals				0		225,000		225,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	0	20,250	0
CN	0	0	0	0	204,750
Totals	0	0	0	20,250	204,750



Agency: Dayton
 County: Columbia
 MPO/RTPO: Palouse RTPO

N Inside

Y Outside

Six Year Transportation Improvement Program From 2020 to 2025

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00	14	N. 3rd Street Overlay Project N. 3rd Street E. Main Street to E. Dayton Avenue Install sidewalks with ADA Accessibility and resurface street from curb to curb.	WA-04539	06/26/19	06/26/19		1383	05 C G O P T W		0.400	CE	No

Funding		Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE		2020		0		84,600	0	84,600
P	CN		2021		0	TIB	423,000	47,000	470,000
		Totals			0		507,600	47,000	554,600

Expenditure Schedule		1st	2nd	3rd	4th	5th & 6th	Federal Funds	State Funds	Local Funds	Total Funds
Phase	PE	84,600	0	0	0	0				84,600
	CN	470,000	0	0	0	0			9,607,463	470,000
Totals		554,600	0	0	0	0	3,555,290	13,984,380	9,607,463	27,147,133
Grand Totals for Dayton							3,555,290	13,984,380	9,607,463	27,147,133

2020

City of Dayton Planning Commission Roster

Name/Address	Phone Numbers	E-mail	Appointed Date / Term Expires
Byron Kaczmariski	Home: 509-382-4150 Work: 509-382-3104 Cell: 509-520-0945	byronkacz@gmail.com	Last Appointment Date: 12/07/2015 Term Expires: 03/01/2019
Kathryn Witherington Vice Chair	Work: 509-382-2577 Cell: 509-876-1871	kathryn.witherington@gmail.com	Last Appointment Date: 12/06/2017 Term Expires: 03/01/2021
Russell Levens 818 East Spring Street Dayton, WA 99328	Cell: 509-204-2252	russellmelissalevens@gmail.com	Last Appointment Date: 02/18/2020 Term Expires: 03/01/2021
Kari Dingman CHAIR 219 West Dayton Ave, Dayton, WA 99328	Work: 509-843-1530 Cell: 509-540-4680	kari.lyn.dingman@gmail.com	Last Appointment Date: 11/15/2018 Term Expires: 03/01/2022
Alicia Walker 232 East Main Street, Dayton, WA 99328	Work: 509-382-3067 Cell: 509-540-5311	alicia@noblehuntdayton.com	Last Appointment Date: 11/15/2018 Term Expires: 03/01/2020
VACANT			
VACANT			

Meagan Bailey Director, Planning & Community Development	Work: 509-382-2361 Cell: 208-964-4375	m Bailey@daytonwa.com
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