

**REVISED AGENDA
DAYTON PLANNING COMMISSION**

DATE: THURSDAY, JULY 12, 2018
PLACE: CITY HALL ANNEX, 408 FERRY STREET, DAYTON, OREGON
TIME: 6:30 PM

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE #</u>
A.	CALL TO ORDER	
B.	APPROVAL OF ORDER OF AGENDA	
C.	APPEARANCE OF INTERESTED CITIZENS	
This time is reserved for questions or comments from persons in the audience on any topic.		
D.	APPROVAL OF MINUTES 1. May 10, 2018	1
E.	PUBLIC HEARING <i>The Planning Commission will hold a public hearing to obtain citizen input on the City of Dayton's proposal to place a control building and generator at 801 Ferry Street.</i>	
F.	ACTION ITEMS 1. Review request for New Construction of a 9 th Street Lift Station, Control Building and Generator to be placed at 801 Ferry Street	5
G.	OTHER BUSINESS	
H.	ADJORN	

Posted: 07/06/18
By: Vicki Durand, Community Development Assistant

Persons with hearing, visual or manual impairments who wish to participate in the meeting should contact the City of Dayton at least 32 working hours (4 days) prior to the meeting date in order that appropriate communication assistance can be arranged. The Dayton City Hall Annex is accessible to the disabled. Please let us know if you need any special accommodations to attend this meeting.

**Next Scheduled Meeting Date
Thursday, August 9, 2018**

City of Dayton, PO Box 330, 416 Ferry Street, Dayton Oregon 97114
Phone: (503) 864-2221 Fax: (503) 864-2956
Email: cityofdayton@ci.dayton.or.us Website: www.ci.dayton.or.us

MINUTES
DAYTON PLANNING COMMISSION
REGULAR SESSION
MAY 10, 2018

PRESENT: Ann-Marie Anderson
Carol Hatfield
Pam Horst
Tim Parsons

ABSENT: Gary Wirfs

STAFF: Zoe Monahan, City Manager
Lisa Brosnan, City Planner
Patty Ringnalda, City Clerk
Vicki Durand, Community Development Assistant

A. CALL TO ORDER

Vice-Chairman Tim Parsons called the meeting to order at 6:37 pm.

B. APPROVAL OF ORDER OF AGENDA

There were no changes to the agenda and no public comment.

C. ELECTION OF OFFICERS

Tim Parsons announced nominations for the election of officers was open. Ann-Marie Anderson nominated Tim Parsons as Chairman; the nomination was seconded by Carol Hatfield, as there were none opposed the motion passed. Pam Horst nominated Ann-Marie Anderson as Vice-Chairman; the nomination was seconded by Tim Parsons, as there were none opposed the motion passed.

D. APPEARANCE OF INTERESTED CITIZENS

Terrell Lane, 226-1/2 6th Street, Dayton, spoke regarding a neighbor who removed an existing fence, replaced it with a new fence, placing the good side on his own side rather than Mr. Lane's where it had originally been. He also asked a question regarding a temporary building located on this same neighbor's property, he would like it moved. Zoe Monahan, City Manager asked Mr. Lane to submit his concerns via e-mail and that City Staff would follow-up. Mr. Lane affirmed he would do that and also planned to file a complaint.

Sandra Utt, 304 Church Street, Dayton, spoke regarding a neighbor that is building a duplex; apparently the contractor digging out the foundation is placing the excavated dirt on Ms. Utt's property. She indicated in the most recent incident the contractor drove on her property without her permission and placed dirt on top of some of her plants, killing them. Zoe Monahan, City Manager, asked Ms. Utt to submit her concerns via e-mail and that City Staff would follow-up. Ms. Utt affirmed she would do that and would like to file a formal complaint.

E. APPROVAL OF MINUTES

Ann-Marie Anderson moved to approve the minutes from August 10, 2017 as well as the minutes from the Joint Meeting held on March 29, 2018. Seconded by Pam Horst. Motion carried with Anderson, Hatfield, Horst, and Parsons voting aye. Wirfs was absent.

F. PUBLIC HEARING

The public hearing was opened by Tim Parsons at 6:48 pm with the reading of the hearing statement. City Planner, Lisa Brosnan read the recommendation letter.

G. PUBLIC COMMENTS

Terrell Lane, 226-1/2 6th Street, Dayton, spoke regarding the following:

1. How will ADU's be addressed; if an address is a .5 or ½ what address would be assigned?
2. Who will be responsible for road improvements if an address has an alley?
3. How will the city keep fifth wheels, campers and tents from being considered ADU's?
4. Regarding Houses of Worship and ADU's; the 60 year requirement is too long.
 - a. Allow new modular homes as ADU's
5. Increase Building Permit fees for ADU's providing additional income for the city.
6. Require Portland General Electric to bury newly installed lines.
7. Clarification, would larger sized lots be allowed more than one ADU?
8. Asked that his comments be added to the record.

Lisa Brosnan, City Planner explained public comments are part of the record.

Tim Parsons addressed Mr. Lane regarding his questions. He advised that while the Planning Commission is responsible for recommendations, the City Council approves any changes. Mr. Lane was provided with the date of the next City Council meeting on June 18, 2018, should he want to attend.

Sandra Utt, 222 5th Street, Dayton, spoke regarding the following:

1. Allowance for adequate room in alleyways for emergency vehicles, driving and parking.

Lisa Brosnan, City Planner explained that space for parking has to be provided.

Tim Parsons addressed Ms. Utt, asking that she contact the Dayton Fire Department to discuss her concerns.

Ellen Lane, 226-1/2 6th Street, Dayton, spoke regarding the following:

1. How will Air B&B's, BRBO, Bed and Breakfasts be addressed?
2. Is there any language in place to limit these types of businesses in the ADU code?

Ann-Marie Anderson addressed Ms. Utt's concerns advising, approximately one year ago language was added to Dayton Municipal Code, Section 7.2.417, regarding Short-Term Rentals with guidelines that regulate usage.

Lisa Brosnan, City Planner explained a Short-Term Rental must be owner occupied, provide a floor plan, maintain a current Business Registration and list property owner contact information in order to be approved.

Tim Parsons closed the public hearing at 7:43 pm.

Tim Parsons advised the Planning Commission would deliberate:

Tim Parsons asked how addresses are assigned, Zoe Monahan, City Manager, advised addresses are assigned by the city. Ellen Lane advised she would like a change of address for their property. She will contact Zoe Monahan to discuss.

Ann-Marie Anderson asked about Houses of Worship; City Planner Lisa Brosnan advised Pastors can currently have homes at Houses of Worship; the ADU is to allow for affordable housing.

Pam Horst asked if there is a difference between an addition and a conversion; she feels a conversion should be able to exceed the maximum square footage of 750'. City Planner Lisa Brosnan explained that a garage conversion does not change the footprint, adding a second story would not change the footprint although it would increase the square footage and that a side add on cannot be bigger than the original dwelling. Pam stated she would like to add the language, if keeping to the same footprint of the home, exceeding the maximum square footage would be allowed. Ann Marie Anderson agreed and Lisa Brosnan stated that she believes it sounds reasonable.

Tim Parsons motioned to add verbiage to the Dayton Municipal Code, Section 7.2.402 to allow exceeding the maximum square footage if it follows the footprint of the home.

Patty Ringnalda asked for clarification on alleyways; will ADU's be accessible from an alleyway. City Planner Lisa Brosnan advised that she will update the verbiage to ensure clarity on the issue of alley access as it is not defined for ADU's on small R-2 lots. She explained that residents may drive through an alleyway but are required to park on private property as there is no parking allowed in alleyways.

Tim Parsons called the meeting back to order so the Planning Commission could vote.

Ann-Marie Anderson made a motion recommending City Council approval of the modified changes.

7.2.402. B – Add the word detached.

7.2.402. E – Add language to maximum floor area standard unless conversion of existing space.

7.2.402. I – Parking, no new access unless the lot is on a corner or located on a lot with alley access.

Pam Horst seconded the motion, as there were none opposed the motion passed.

H. ACTION ITEMS

- 1. Review Plan Text Amendment to allow Accessory Dwelling Units in an R-1 zone for consideration and recommendation to the City Council.**

City Planner Lisa Brosnan summarized the staff report stating the criterion has been met for the

proposed amendment to the Dayton Land Use and Development Code (DLUDC). She concluded that the proposed amendment as modified with the changes discussed, to the DLUDC satisfies the State mandate of SB 1051 and recommends that the Planning Commission adopt the findings in the staff report sending a recommendation to the City Council to approve the proposed amendment to the DLUDC.

Exhibit B was read and explained with the following items discussed.

7.14.200.3 Definitions - Church: Changed to House of Worship to make it more inclusive. Added, a church, mosque, synagogue, temple, meeting house, or other nonresidential building used primarily for religious worship. A house of worship may include accessory buildings for related religious activities, but not kindergarten through grade 12 school facilities.

7.2.402 Accessory Dwelling Unit

E. Area - The accessory dwelling unit shall contain the lesser of 50% of the floor area of the primary residence or 750 square feet. To be added, the square footage can be exceeded if the ADU is an addition or conversion to an existing structure.

I. Parking – One (1) parking space, in conformance with the parking standards outlined in Section 7.2.303, is required per ADU, in addition to the parking required for the primary residence. No new access is permitted for an additional driveway for the ADU, unless the lot is located on a corner. An ADU on a corner lot may have one driveway per street frontage. To be added, if a lot has an alley and a driveway in front of the property, alley access will be permitted.

H. ADJOURN

There being no further business, the meeting adjourned at 8:08 pm.

Respectfully submitted:

**APPROVED BY PLANNING COMMISSION
on July 12, 2018**

As Written **As Amended**

By: Vicki Durand
Community Development Assistant

**PLANNING COMMISSION
STAFF REPORT**

DATE: July 5, 2018
FILE NUMBER: HIST 2018-02
HEARING DATE: July 12, 2018
APPLICANT/OWNER: City of Dayton/Dayton School District

PROPERTY: 801 Ferry Street

<u>Taxlot</u>	<u>Size</u>	<u>Zoning</u>
4 3 17 DD 2700	1.33 acres	Public (P) HPO

CRITERIA: **Dayton Land Use and Development Code (LUDC)**
Section 7.2.108: Public (P)
Section 7.2.112: Historical Property Overlay Zone (HPO)

EXHIBITS:
A: Application
B: Site Map
C: Historic Preservation Committee summary of meeting minutes regarding HIST 2018-02 (June 20, 2018)

I. BACKGROUND

The proposal is for placement of a 48 square foot control building with generator, within a fenced enclosure of 416 square feet on an historic landmark site.

The property is located within a Public (P) zone and within a Historic District Overlay (HPO) zone.

The property is on the Dayton Historic Resource Inventory. Dayton Land Use Development Code (DLUC) section 7.2.112.07(E) requires Planning Commission review of exterior alterations and new construction under a public hearing process.

The Dayton Historic Preservation Committee reviewed the application on June 20, 2018, per Section 7.2.112.07(C). Notice was sent to the applicant and owners of property within 200 feet of the subject property per Section 7.3.204.02.

The zoning of properties surrounding the subject property is as follows:

North: Single Family Residential (R-1)

South: Limited Density Residential (R-2)

East: Limited Density Residential (R-2)

West: Single Family Residential (R-1), Limited Density Residential (R-2) and Commercial (CR)

II. DECISION CRITERIA

The Dayton Land Use and Development Code for the Public zone lists schools as permitted uses (Section 7.2.108.02).

Under the Historic District Overlay zone (Section 7.2.112.07(F)), the Commission shall consider the following standards, comments, and criteria in determining whether to approve an alteration and/or new construction requests for historic landmarks or resources:

Criteria 1. Use of the property is historically similar or new use requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

Findings: A change of the use of the property is not proposed.

The HPC finds this criterion does not apply.

Staff finds this criterion does not apply.

Criteria 2. Historic character of a property is retained and preserved. The relocation of distinctive materials or alterations of features, spaces, and spatial relationships that characterize a property shall be avoided.

Findings:

The HPC finds that the historic character of the property will not be negatively impacted by the proposed addition.

Staff finds that the historic character of the property will not be negatively impacted by the proposed addition.

Criteria 3. Use of property recognizes physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or elements from other historic properties, shall not be undertaken.

Findings:

The HPC finds this criterion does not apply

Staff finds the proposed changes would not create a false sense of historic development.

Criteria 4. Changes acquiring historic significance in their own right are retained and preserved.

Findings:

The HPC finds this criterion does not apply.

Staff finds this criterion does not apply.

Criteria 5. Alterations preserve distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the property.

Findings:

The HPC finds this criterion does not apply.

Staff finds this criterion does not apply.

Criteria 6. Historic features are repaired versus replaced. Where the severity of determined requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and, where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence.

Findings:

The HPC finds this criterion does not apply.

Staff finds this criterion does not apply.

Criteria 7. Use of chemical and physical treatments, if appropriate, are undertaken by the gentlest means possible. Treatments that cause damage to historic materials shall not be used.

Findings:

The HPC finds this criterion does not apply.

Staff finds this criterion does not apply.

Criteria 8. Alteration, including new additions, exterior alterations, or related new construction, do not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale, and proportions, and massing to protect the integrity of the property and environment.

Findings:

The HPC finds that no alteration is being made to the historic structure.

Staff finds this proposal to be a related new construction. With the mitigation measures recommended as conditions of approval, the proposal is not expected to negatively affect the integrity of the property and environment.

Criteria 9. New additions and adjacent or related new construction is undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment are unimpaired.

Findings: The addition can be removed in the future without damage to the surrounding site.

The HPC finds this criterion is met.

Staff finds this criterion is met.

Criteria 10. The Planning Commission considers design guidelines recommended by the Planning Commission or Historic Preservation Committee, such as applicable sections of the City’s 1993 Advisory Guidelines or the U.S. Secretary of Interior’s Standards; (<https://www.nps.gov/tps/standards/rehabilitation/rehab/stand.htm>).

Findings:

The HPC finds this criterion does not apply.

Staff finds this criterion does not apply.

Criteria 11. The Planning Commission considers comments submitted by the Historic Preservation Committee.

Findings:

Summary minutes from the June 20, 2018 Historic Preservation Committee's review of the subject application are included under Attachment C and the recommended conditions of approval are included as conditions of approval in this staff report.

The HPC finds this criterion is met.

Staff finds this criterion is met.

III. SUMMARY AND STAFF RECOMMENDATION

Based upon the findings as presented in the staff report, the Historic Preservation Committee recommends approval of the proposal for placement of a 48 square foot control building with generator, within a fenced enclosure of 416 square feet on an historic landmark site, as shown in Attachment A, and as modified in the following condition of approval:

- A. The fence shall be set back from the front façade of the middle school by at least one foot, so that it is not flush with the front of the building.

IV. PLANNING COMMISSION ACTION

In reviewing the application for placement of a 48 square foot control building with generator on an historic landmark site, the Planning Commission may:

- A. Approve the application for HIST 2018-02:
 - 1. As recommended by staff, or
 - 2. As modified by the Planning Commission, stating how the application satisfies all the required criteria, and any revisions to the recommended conditions of approval.

OR

- B. Deny the application for HIST 2018-02, establishing findings to support the decision to deny the request and indicating how a criterion or criteria are not met.

OR

- C. Continue the public hearing to obtain additional information needed to address one or more of the approval criteria (identifying each specific criterion).



Historic Property Request for Change Application

416 Ferry St - PO Box 339
Dayton OR 97114
Ph # (503) 864-2221
Fax # (503) 864-2956
www.ci.dayton.or.us
cityofdayton@ci.dayton.or.us

For City of Dayton Use:

Date Application Received:	Received By:	File Number:
Public Hearing Date:	Fee Amount:	Deposit Amount:
Application Completed Date:	Application Approval Date:	

TYPE OF ACTION REQUESTED:

- Demolition
 Repairs
 New Construction
 Addition of Designation
 Removal of Designation
 Alteration
 Relocation

Site Address: 801 Ferry Street, Dayton, OR 97114
 Name of Applicant: City of Dayton - Zoe Monahan
 Mailing Address: PO Box 339 City: Dayton ST: OR Zip: 97114
 Telephone Number: 503 864 2221 Cell Number: 503 864 7545
 Email Address: zmonahan@ci.dayton.or.us
 Applicant Signanture: Zoe Monahan Date: 6/12/18
 Property Owner (If different from Applicant): Dayton School District
 Address: 780 Ferry Street - PO Box 219 City: Dayton ST: OR Zip: 97114

Consultants (please list all that apply)

- Planning
 Engineering
 Surveyor
 Other

Name: _____ Physical Address: _____
 Firm: _____ City: _____ ST _____ Zip _____
 Mailing Address: _____ Telephone #: _____
 City: _____ ST: _____ Zip: _____ Cell Phone #: _____
 Email Address: _____

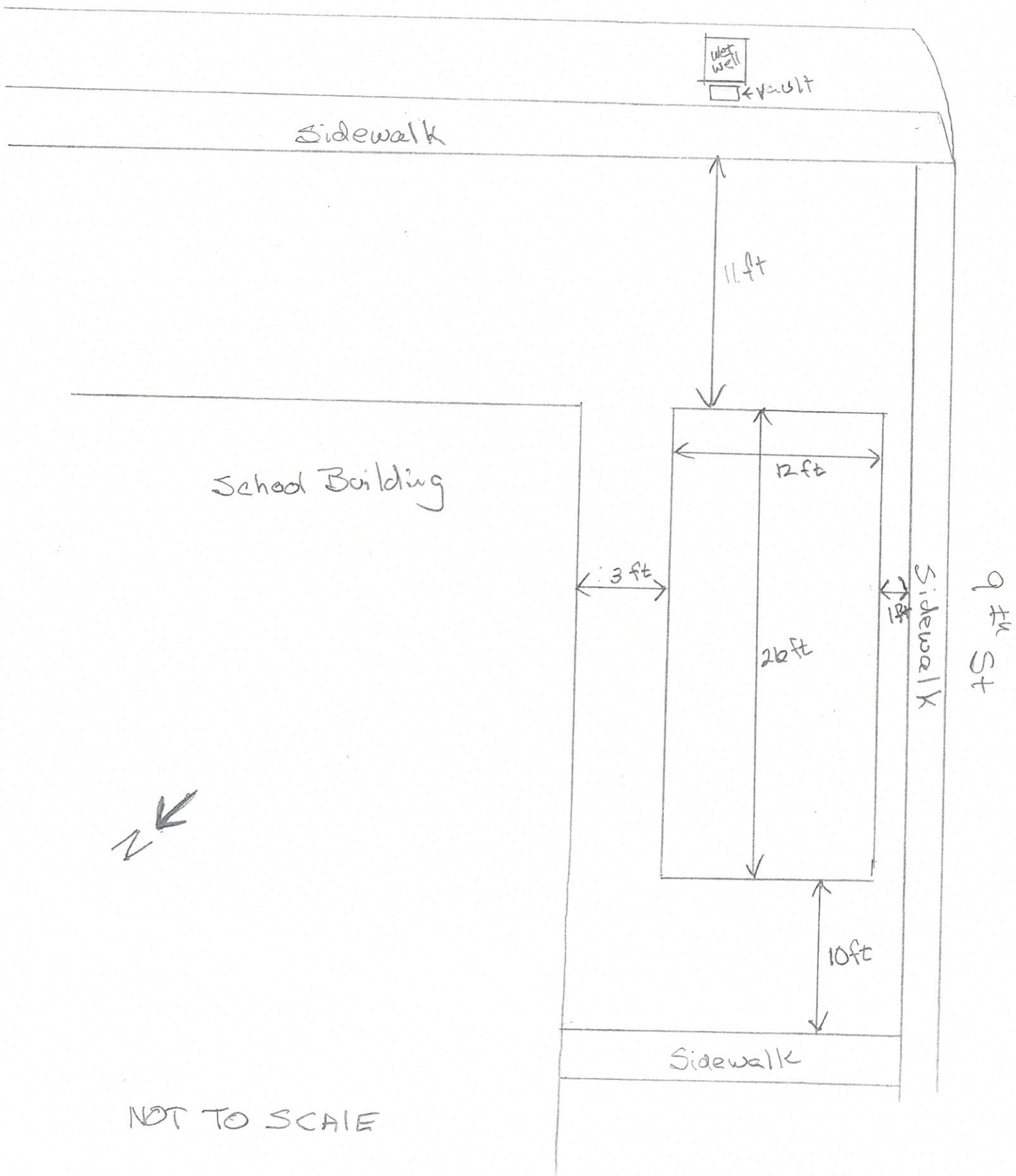
- Planning
 Engineering
 Surveyor
 Other

Name: _____ Physical Address: _____
 Firm: _____ City: _____ ST _____ Zip _____
 Mailing Address: _____ Telephone #: _____
 City: _____ ST: _____ Zip: _____ Cell Phone #: _____
 Email Address: _____

For Office Use

Fee:	Deposit:	Amount Paid:	Date Paid:	Receipt #
Approved by:	<input type="checkbox"/> City Manager	<input type="checkbox"/> City Planner	<input type="checkbox"/> Public Works Director	<input type="checkbox"/> City Engineer
Applicant Notification Date:	<input type="checkbox"/> City Council	<input type="checkbox"/> Historic Preservation Committee	<input type="checkbox"/> Fire Marshall	
Additional Services Amount Billed:	Paid:		<input type="checkbox"/> Planner	
<input type="checkbox"/> Engineer	<input type="checkbox"/> Staff Time		<input type="checkbox"/> Other	
Comments:				

Ferry St



NOT TO SCALE

EXHIBIT C

Dayton Historic Preservation Committee Minutes of Meeting of June 20, 2018

Members present: Judy Gerrard, Wayne Herring, Kelly Haverkate, Kim Courtin,

Members absent: Dave Hargett

Staff: Zoe Monahan, Vicki Durand, Cyndi Park

The meeting was opened by Chair Judy Gerrard at 6:34 pm.

Approval of Minutes of Meeting of May 16, 2018

Kelly Haverkate made a motion to approve the minutes as presented, which was seconded by Wayne Herring. The motion passed unanimously, 4-0.

Introductions

Chair Judy Gerrard recognized the City of Dayton staff members that were in attendance at the meeting and asked for each one to introduce themselves to the committee. The members of the committee then introduced themselves and spoke a bit about why they are members of the committee. In addition, Judy offered a brief history of the committee and how properties came to be on the National Register. She also explained what it means that Dayton is a Certified Local Government.

Review of Request for New Construction of a 9th St Lift Station Control Building at 801 Ferry St

City Manager Zoe Monahan offered an overview of the project, and its location on the school property. The committee asked questions to clarify the details of the design of the structure and its placement on the location in relation to the buildings. The committee members were able to view the generator that is included in this project.

The committee referred to Dayton Municipal Code Section 7.2.112.07, Exterior Alteration and New Construction to address the eleven standards and criteria included in the section. The committee decided:

1. No change
2. Yes
3. Not applicable
4. Not applicable
5. Not applicable

6. Not applicable
7. Not applicable
8. No alteration is being made to the historic structure
9. Yes
10. Not applicable (applies to residential projects)
11. Yes

Kelly Haverkate moved to recommend that the Planning Commission approve the request, with the caveat that the fence be set back by one more foot from the plane of the middle school than the current plan shows (so that the fence is not flush with building). The motion was seconded by Kim Courtin and unanimously approved by the committee.

CLG Update

The wording for the sign has been finalized. Chair Judy Gerrard went with SeaReach to finalize pictures that will be used from the *News Register*. Both the pictures and captions have been approved.

SeaReach is going to try to get the sign installed before the workshop with the OR Historic Cemetery Commission on July 26th and headstone repair on July 27th.

The MOU for the historical preservation assessment of the gas station property was approved by the city council, SHPO approves of the funding being spent on this, as well as the architect that has been selected.

Everything must be completed by August 31st.

Kelly Haverkate suggested that there needs to be something in writing with the property owner in reference to the funds that she will be contributing to the project. The committee decided to notify the property owner that her portion of the funding is due.

Other Business

Kelly Haverkate reminded members that it would soon be time to select the next grant-funded project. Chair Judy Gerrard mentioned that some of the funding might be used to define the process by which CLG funding is spent; and also historic overlay - outline zoning and ordinance items that need to be defined.

Zoe Monahan mentioned that the city had budgeted funds for the historic overlay in this fiscal year that could be rolled over to next fiscal year. Chair Judy Gerrard reminded members that the projects must meet the guidelines for the grant funding.

Kim Courtin mentioned the need for a path to link parts of town, the committee will look into the possibility of using grant funds for signs along the path and at the improved boat dock, when/if those projects near completion.

Adjournment

Kelly Haverkate made a motion to adjourn, seconded by Wayne Herring. The motion was passed unanimously at 7:32 pm.

Respectfully submitted,

Cyndi Park
Librarian