

AGENDA
DAYTON PLANNING COMMISSION

DATE: THURSDAY, NOVEMBER 12, 2020
PLACE: VIRTUALLY VIA ZOOM
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	
	March 12, 2020	2 - 3
F.	PUBLIC HEARING	
	CUP 2020-04 Staff Report – Baker Rock Conditional Use Permit Application	4 - 11
	Exhibit “A”	12 - 16
	Exhibit “B”	17
	Engineer’s Comments	18 - 21
	Exhibit “C”	22 - 31
	Exhibit “D”	32 - 34
G.	OTHER BUSINESS	
H.	ADJORN	

Posted: 11/05/2020
By: Cyndi Park, Planning Coordinator

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, December 10, 2020

City of Dayton, PO Box 339, 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
MEETING March 12, 2020**

PRESENT: Jim Maguire
Ann-Marie Anderson
Tim Parsons
Larry Smurthwaite
Gary Wirfs

ABSENT:

STAFF: Jim Jacks, Senior Planner
Cyndi Park, Librarian/Planning Coordinator

A. CALL TO ORDER

Chairperson Jim Maguire called the meeting to order at 6:32 p.m.

B. APPROVAL OF ORDER OF AGENDA

There were no changes to the order of the agenda.

C. APPEARANCE OF INTERESTED CITIZENS

None present for general comments.

D. APPROVAL OF MINUTES

Chairperson Maguire asked for a motion to approve the minutes of the February 13, 2020 meeting as written. Ann-Marie Anderson moved that the minutes be approved, Gary Wirfs seconded the motion, motion passed unanimously.

F. PUBLIC HEARING

Chairperson Maguire opened the public hearing at 6:40 p.m.

The meeting was turned over to Senior City Planner Jim Jacks. Mr. Jacks provided a summary of the Staff Report for LA 2020-01 and addressed the letter from the Fair Housing Council of Oregon/Housing Land Advocates.

Chairperson Maguire closed the public hearing at 6:52 p.m.

Discussion of LA 2020-01 continued, Chairperson Maguire suggested eliminating the findings under section D. 1 and augmenting the findings of Goal 10. Ann-Marie Anderson made a motion to approve Option 2, adopt and recommend with changes as proposed by Chairperson Maguire. Seconded by Gary Wirfs. Motion passed unanimously. Chairperson asked to have a discussion of design standards added to other business.

G. OTHER BUSINESS

The discussion turned to sign code, covering both residential and commercial concerns. Mr. Jacks gave a history of sign code, and the rules of various other Oregon municipalities were discussed. The Commission understands that this is an issue that will be addressed by the City Council in the future, and they are hoping to be able to serve in an advisory capacity when the discussions begin.

H. ADJORN

There being no further business, the meeting adjourned at 7:15 pm.

Respectfully submitted:

**APPROVED BY PLANNING COMMISSION
on**

As Written **As Amended**

By: Cyndi Park
Librarian/Planning Coordinator

CITY OF DAYTON

416 Ferry Street – P. O. Box 339

Dayton, OR 97114-0039

503-864-2221 fax 503-864-2956

TO: DAYTON PLANNING COMMISSION
FROM: JIM JACKS, CITY PLANNER
SUBJ: CONDITIONAL USE PERMIT 2020-04 (CUP 2020-04)
DATE: NOVEMBER 12, 2020

I. GENERAL FINDINGS

The Baker Rock Resources facility was previously the Dayton Sand and Gravel Company facility. The property has been used for the current use for several decades. The applicant desires to obtain conditional use approval to add a temporary portable asphalt plant which would be located to the south of the existing crushing/washing facility. The current access on 3rd Street would be used.

REPORT DATE: November 5, 2020

FILE NUMBER: CUP 2020-04

APPLICANT: Baker Rock Resources, 21880 SW Farmington Rd., Beaverton, OR 97007

OWNER: Baker Rock Resources West, LLC, same as above.

REQUEST: A conditional use permit to add a temporary portable asphalt plant. The current access on 3rd Street would be used.

PROPERTY LOCATION: 101 N. 3rd Street (Highway 221, Dayton-Salem Highway)
(Assessor’s Map 4, 3, 17AD, Tax Lots 100, 200, 300, 400
500, 600, 700, 2300, 2400)

PROPERTY SIZE: 19.84 acres.

ZONING: Industrial (I)

SURROUNDING ZONING: North: Across the Highway 18 Bypass, County zoning.
 East: Across the Yamhill River, County zoning.
 South: Abutting and across Church Street, R-2.
 West: Across 2nd Street, R-2.

CURRENT USE: Asphalt & aggregate production (crushing, washing, storage).

CRITERIA: Dayton Land Use and Development Code (LUDC):
 Section 7.3.107.04: Conditional Use Permit criteria.

EXHIBITS: A: Applicant’s Materials, selected pages (the applicant submitted an Emergency Response Contingency Plan, a DEQ Stormwater Pollution Control Plan and a Spill Prevention, Control, Containment and Education Plan, but they are not attached).

II. APPLICABLE APPROVAL CRITERIA

The Dayton Land Use and Development Code (LUDC), Subsection 7.3.107.04, A – D, lists the approval criteria.

7.3.107.04 Criteria for Approval

Conditional Use Permits shall be approved if the applicant provides evidence substantiating that all the requirements of this Code relative to the proposed use are satisfied, and demonstrates that the proposed use also satisfies the following criteria:

7.3.107.04, A.

The use is listed as a conditional use in the underlying district.

FINDINGS: The applicant’s materials indicate the Industrial Zone, LUDC Section 7.2.107.04, D, lists “Petroleum products storage and distribution, including asphalt plants” as a conditional use. Criterion 7.3.107.04, A, is met.

7.3.107.04, B.

The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and location of improvements and natural features.

FINDINGS: The following page shows the applicant’s air photo showing the proposed location of the new temporary portable asphalt plant.

North is to the top. 3rd Street is to the west (left side). The Yamhill River is to the east (right side).

The arrow points to the proposed site of the temporary portable asphalt plant.



The applicant’s description of the proposed conditional use in the CUP Application form states:

Baker Rock Resources is proposing the conditional use for a temporary portable asphalt plant. The purpose for the temporary plant is that occasionally ODOT, or other municipalities, may have a large asphalt paving project in the vicinity of our Dayton operation which exceeds the

ability of our existing plant to efficiently meet the production requirements for the project. An example of such project is a current ODOT project, OR99W: McDougall Jct. – McDonald Way Section which bids on October 1, 2020. This project has 40,100 tons of asphalt concrete wearing course which would be produced and placed in approximately fifteen shifts (three weeks), in August and September of 2021. The production of our existing plant could not meet this requirement. Another purpose is that some larger ODOT projects could also require a back-up asphalt plant. The proposed temporary plant would be mobilized and used only for the designated project and then de-mobilized upon its completion.

The applicant's materials include the following regarding landscaping:

Detailed Landscaping Plan

As identified in the application form, Baker Rock resources is requesting a conditional use for a temporary asphalt plant and is not proposing any permanent modifications or changes to the existing property. Therefore, we are not proposing any new or additional landscaping to the property.

Attached is a copy of the site plan overlaid on an aerial picture of the property which shows the existing landscaping. As stated in the application, a large portion of the property is surrounded by natural trees and vegetation.

The applicant's Site Plan indicates total site is 19.84 acres and natural vegetation and landscaped areas are 6.94 acres or 34% of the total site. It states the operations area is about 12.9 acres.

The applicant's materials include the following regarding Natural Resources Plan:

Natural Resources Plan

As outlined in the City of Dayton Comprehensive Plan, potential natural resources are agricultural lands, open space, mineral and aggregates, fish and wildlife, water and wetlands.

The conditional use for a temporary asphalt plant as it relates to this site would not have an impact on agricultural lands, forest lands, open space, mineral and aggregate natural resources. Baker Rock Resources has a NPDES 1200A permit in place with the Oregon DEQ which address the protection of fish and wildlife, water and wetlands. Our DEQ permit along with our Stormwater Pollution Control Plan are attached on the following pages.

As noted on p.1, the applicant submitted an Emergency Response Contingency Plan, a DEQ Stormwater Pollution Control Plan and a Spill Prevention, Control, Containment and Education Plan, and they are in the record of the hearing, but they are not attached.

The applicant's materials include the following regarding Natural Hazards Plan:

Natural Hazards Plan

As outlined in the City of Dayton Comprehensive Plan, potential natural hazards consist of flooding, soil hazards, steep slopes and earthquakes .

Flooding – this is a potential hazard as the site is located next to the Yamhill River. With regard to the temporary portable asphalt plant, flooding should be a minimal risk. The temporary plant would be for projects that typically are completed in the dryer months of the year. ODOT’s time frame for paving wearing course asphalt is March 15th through September 30th. If there happened to be a rare flood event while the plant was on site, the proposed temporary plant is portable and could be removed from the site in a short period of time.

Soil Hazards and Steep Slopes – there are no hazards associated with soil or steep slopes on this site. The site is mostly flat with gravel surfaces upon which the temporary plant would be located.

Earthquakes – the following is our Emergency Response Contingency Plan that our employees are trained on in the event of an earthquake:

As noted on p.1, the applicant submitted an Emergency Response Contingency Plan, a DEQ Stormwater Pollution Control Plan and a Spill Prevention, Control, Containment and Education Plan, and they are in the record of the hearing, but they are not attached.

The applicant’s response to Criterion B in the CUP Application form states:

Yes, the characteristics of the site are suitable for the proposed temporary asphalt plant. The site is zoned Industrial and already has asphalt production taking place. The topography is flat and the site is large enough with ample open area to accommodate the temporary plant. The proposed conditional use will not require any permanent modifications or improvements to the site and the temporary portable plant will be removed upon the completion of the specific project.

The applicant states the topography is flat. A clarification is, the topography of the site’s southern approximately 100 feet is an up slope to the 60 foot wide unimproved Church Street right-of-way. There are 2 lots south of Church Street and east of 1st Street and they are directly south of the subject property, are vacant (see the “V” for vacant on Exhibit B) and are significantly higher in elevation than the subject property.

There are 5 lots south of Church Street and west of 1st Street and 4 of the 5 lots are developed with single family residences (see the “D” for dwelling on Exhibit B). The vacant lot is immediately south of the subject property. The 4 developed lots are southwest of the subject property and are significantly higher in elevation than the subject property.

To the southwest of the site is 2nd Street which is an unimproved 60 foot wide right-of-way. There 7 single family dwellings in the block west of 2nd, north of Church, east of 3rd and south of Oak and they are higher in elevation than the subject property.

The lots on the south half of that block from 2nd to 3rd that front on Church are higher than the subject property and are 200 – 300 feet from the proposed temporary portable asphalt plant.

The 5 lots on the north half of the block from 2nd to 3rd that front on Oak are slightly higher than the subject property. The easternmost lots at the SW corner of 2nd and Oak are about 200 feet from the proposed temporary portable asphalt facility.

The lots on the north side of Oak from 2nd to 3rd are vacant and are all owned by Baker Rock Resources.

The current facility is accessed via the improved 3rd Street which is the Dayton – Salem Highway #221 .

The application materials show the site is 19.4 acres with 6.94 acres of natural vegetation and landscaping which buffers the proposed facility from nearby dwellings. The site's size is adequate for the temporary portable asphalt plant.

The site is approximately square with the undeveloped SW corner owned by a different party.

The site is located with undeveloped rights -of-way and land at a higher elevation to the south and southwest.

Regarding natural features, the site is wholly within the 100 - year floodplain. The temporary plant is portable and the applicant's materials state "...the temporary portable plant will be removed upon the completion of the specific project." The paving season is March through September when flood waters are not likely to occur. A condition of approval requires the temporary portable asphalt plant to be removed from the site during the winter from October 15 to February 15 .

The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and location of improvements and natural features. Criterion 7.3.107.04, B, is met.

7.3.107.04, C.

The proposed development is timely, considering the adequacy of transportation systems, public facilities and services, existing or planned development for the area affected by the use.

FINDINGS: The applicant's response to Criterion C in the CUP Application form states:

The proposed development is for a temporary plant, for a relatively short period of time. The development would not require modifications or improvements to the transportation system or public facilities and services. The proposed use is not a change, or addition or anything new, to the current use and would have no impact on existing or planned development for the area.

The current access will be used onto N. 3rd Street (Highway 221). The trips generated will then travel to the job site on roads that are adequate to accommodate the trips. No additional demands will be placed on the sewer and water systems. Criterion 7.3 .107.04, C, is met.

7.3.107.04, D.

The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district.

FINDINGS: The applicant's response to Criterion C in the CUP Application form states:

The site is currently used for asphalt and aggregate production. Because the proposed use is not a change, or addition of a new use, it would not alter the character of the surrounding area. The proposed use is also not a permanent ongoing use and would only be for specific projects. It is difficult to predict how often a project would arise and it would be rare to have more than one of these opportunities in a given season. We could also go years with no opportunities for a project like this.

The proposed use will increase the facility's capacity to produce more asphaltic concrete. The temporary plant would operate annually as needed during the paving season from March through September and it could operate at night. The current asphalt production facility operates at night when a project requires night-time paving.

The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district.

III. RECOMMENDATION AND CONDITIONS OF APPROVAL

Based upon the above findings, staff recommends the Planning Commission adopt the staff report with its findings and direct staff to prepare a Planning Commission Order approving Conditional Use Permit 2020-01 for the Commission Chair to sign subject to the following conditions of approval:

1. The temporary portable asphalt plant shall be removed from the site during the winter season from October 15 through February 15.
2. During the period February 16 through October 14 the temporary portable asphalt plant shall be used only temporarily for specific projects where additional capacity is needed for a short period of time and not on an ongoing basis.

IV. PLANNING COMMISSION ACTION – Sample Motions

- A. I move the Planning Commission adopt the staff report and direct staff to prepare a Planning Commission Order for the Chairperson to sign approving the Conditional Use Permit application, OR

- B. I move the Planning Commission adopt the staff report as changed by the Planning Commission (state the changes) and direct staff to prepare a Planning Commission Order for the Chairperson to sign approving the Conditional Use Permit application as changed, OR

- C. I move the Planning Commission adopt the staff report as changed by the Planning Commission to support a denial (state the changes) and direct staff to prepare a Planning Commission Order for the Chairperson to sign denying the Conditional Use Permit application, OR

- C. I move the Planning Commission continue the hearing to a date and time certain to allow the parties to provide more information regarding...and state the information to be provided.



Conditional Use Permit Application

416 Ferry St - PO Box 339
Dayton OR 97114
Ph# (503) 864-2221
Fax# (503) 864-2956
www.ci.dayton.or.us
U1Y-llllllY1011@Ci.dayton.or.us

For City of Dayton use :

Date Notice Received :	Received By:	!File Number:({)	10.10-04-
Public Hearing Date: <i>If / 12h .n</i>	!Fee Amount:	!Deposit Amount:	
Public Hearing Notice Mail Date:	Decision Date:	oApproved o Denied	

Applicant Information:

Applicant Name: Baker Rock Resources

Mailing Address: 21880 SW Farmington Rd

Phone Number: (503) 642-25:31

Site Address or Location- 1013 W St. Dayton. OR 97114

City: Beaverton

ST: OR

Zip: 97007

Email: markhauer@baker-rock.com

Property Owner Information:

Property Owner(s): Baker Rock Resources West, LLC

Address: 21880 SW Farmington Rd

Phone: (503) 642-2531

City: Beaverton

ST: OR

Zip: 97007

Email Address: markbauer@baker-rock.com

Property Information:

Existing Zoning: Industrial

Historic Property: Yes No

Map & Tax Lot#: 4.317AD 100100.00200

Property Underlying District: Industrial

Comprehensive Plan Designation: h=distric 1

List All Property Deed Covenants and Restrictions:N.....He.....

Proposed Conditional/Use (Be Specific): Baker Rock Resources is proposing the conditional use for a temporary portable asphalt plant. The purpose for the temporary plant is that occasionally ODOT, or other municipalities, may have a large asphalt paving project in the vicinity of our Dayton operation which exceeds the ability of our existing plant to efficiently meet the production requirements for the project. An example of such project is a current ODOT project, OR99W: McDougall Jct.- McDonald Way Section, which bids on October 1, 2020. This project has 40,100 tons of asphalt concrete wearing course which would be produced and placed in approximately fifteen shifts (three weeks), in August and September of 2021. The production of our existing plant could not meet this requirement. Another purpose is that some larger ODOT projects could also require a back-up asphalt plant. The proposed temporary plant would be mobilized and used only for the designated project and then de-mobilized upon its completion.

Property Owner Signature:/--r:J A- /L. Date: ...Y: 23 / 20 20

Property Owner Signature: _____ Date: _____

I/We the above signed Property Owner(s), consent to the proposed conditional use to our property as indicated on this application.

For Office Use

Fee:	Amount Paid:	Date Paid:	Receipt#
Applicant Notification Date:	Comments:		
Professional Services Amount:	Date Paid:	<input checked="" type="radio"/> Planner	<input type="radio"/> Engineer <input type="radio"/> Staff/Time

Criteria for Approval:

Is the proposed use listed as a conditional use in the underlying district? Please explain:

Per Dayton Land Use and Development Code, 7.2.107.04(D), conditional uses for the Industrial zone include petroleum products storage and distribution, including asphalt plants.

Are the characteristics of the site suitable for the proposed use considering size, shape, location, topography, and location of improvements and natural features? Please explain:

Yes, the characteristics of the site are suitable for the proposed temporary asphalt plant. The site is zoned Industrial and already has asphalt production taking place. The topography is flat and the site is large enough with ample open area to accommodate the temporary plant. The proposed conditional use will not require any permanent modifications or improvements to the site and the temporary portable plant will be removed upon the completion of the specific project.

Is the proposed development timely, considering the adequacy of transportation systems, public facilities and services, existing or planned development for the area affected by the use? Please explain:

The proposed development is for a temporary plant, for a relatively short period of time. The development would not require modifications or improvements to the transportation system or public facilities and services. The proposed use is not a change, or addition of anything new, to the current use and would have no impact on existing or planned development for the area.

Will the proposed use alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district? Please explain:

The site is currently used for asphalt and aggregate production. Because the proposed use is not a change, or addition of a new use, it would not alter the character of the surrounding area. The proposed use is also not a permanent ongoing use and would only be for specific projects. It is difficult to predict how often a project would arise and it would be rare to have more than one of these opportunities in a given season. We could also go years with no opportunities for a project like this.

Additional Information

Baker Rock Resources owns several other tax lots along the southern and western border of the site (00300, 00400, 00500, 00600, 00700, 02300 and 02400). These lots are primarily open space with natural vegetation helping to maintain a buffer between our operations and the City of Dayton.

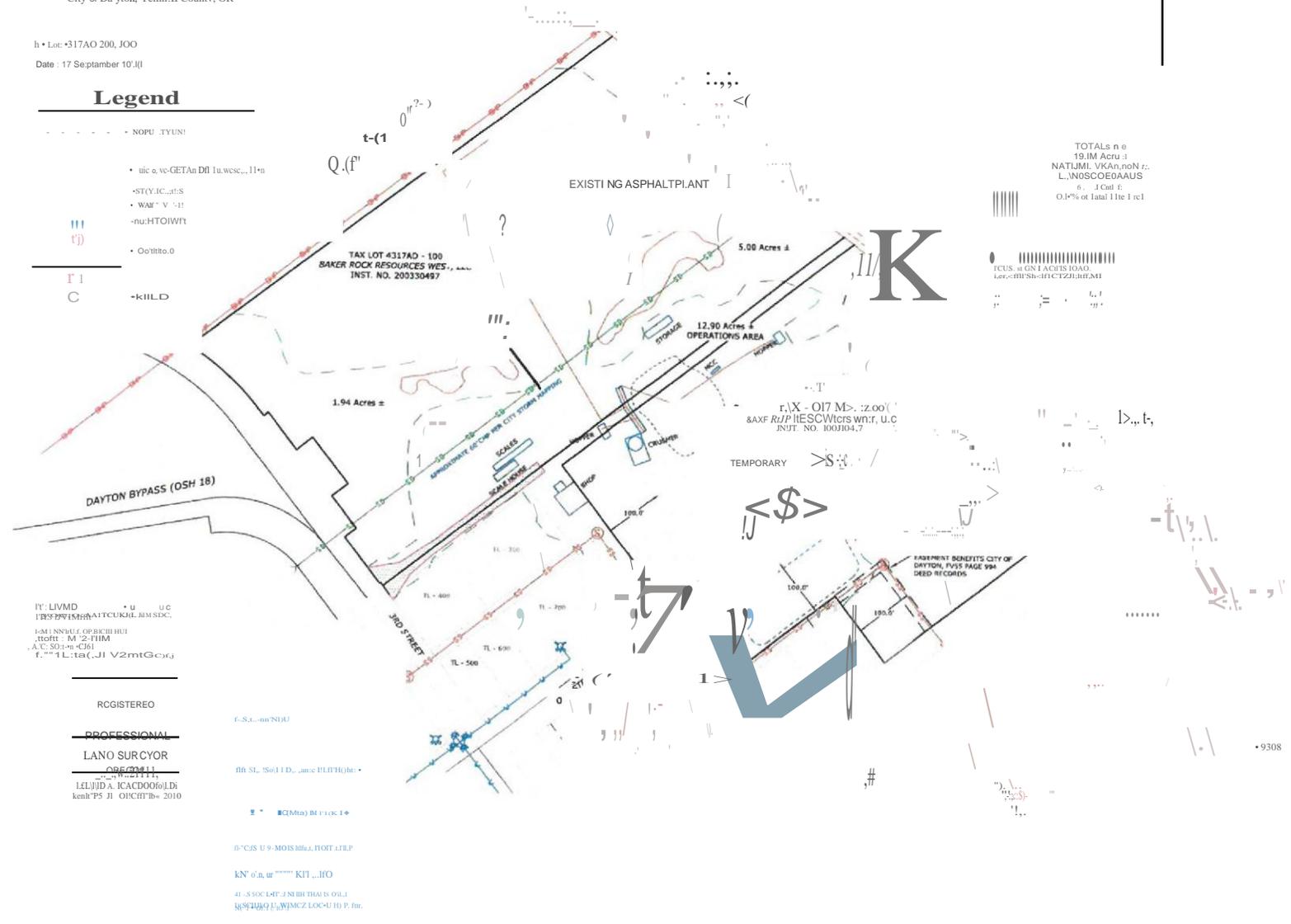
Site Plan for Baker Rock Resources

Location: NE 1/4 Section 17, T. 4 S., R. 3 W., WM.,
City of Dayton, Yamhill County, OR

Lot: 4317A0 200, JOO
Date: 17 September 2010

Legend

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Site Plan for Baker Rock Resources

Location: NE 1/4 Section 17, T. 1 S., R. 3 W., W.M.,
City of Cayton, Yamhill County, OR

TH 100 AH7AD : ZB, 300
Date: 17 October 2020

Legend

- Thin Red Line
- TAX LOT BOUNDARY
- 15' Utility Easement

Scale: 1" = 100'



LELAND MACDONALD & ASSOC., LLC
HELVY DON HATT DUNCAN & ASSOC.
RIVERGIDE DRIVE
IRVINGVILLE, OREGON 97128
NE : 503-429-7904
SE : 503-472-0387
E-MAIL: LMACDONALD@LSURVEYING.COM

Google Earth

#9308 10/08

Baker Rock Resources
Conditional Use Pennit Application

- **Natura) Resources Plan**

As outlined in the City of Dayton Comprehensive Plan, potential natural resources are agricultural lands, open space, mineral and aggregates, fish and wildlife, water and wetlands.

The conditional use for a temporary asphalt plant as **it** relates to this site would not have an impact on agricultural lands , forest lands, open space, mineral and aggregate natural resources. Baker Rock Resources has a NPDES 1200A permit in place with the Oregon Department of Environmental Quality which address the protection of fish and wildlife, water and wetlands. Our DEQ pennit along with our Stornnwater Pollution Control Plan are attached on the following pages.

Baker Rock Resources
Conditional Use Permit Application

- **Natural Hazards Plan**

As outlined in the City of Dayton Comprehensive Plan, potential natural hazards consist of flooding , soil hazards, steep slopes and earthquakes.

Flooding- this is a potential hazard as the site is located next to the Yamhill River. With regard to the temporary portable asphalt plant, flooding should be a minimal risk. The temporary plant would be for projects that typically are completed in the dryer months of the year. ODOT's time frame for paving wearing course asphalt is March 15th through September 30th.¹ If there happened to be a rare flood event while the plan was on site, the proposed temporary plant is portable and could be removed from the site in a short period of time.

Soil Hazards and Steep Slopes - there are no hazards associated with soil or steep slopes on this site. The site is mostly flat with gravel surfaces upon which the temporary plant would be located.

Earthquakes - the following is our Emergency Response Contingency Plan that our employees are trained on in the event of an earthquake:

Engineer's Comments

Per the City's request, we reviewed the land use application and associated layout drawing submitted for a Conditional Use Permit (CUP) on the Baker Rock property located in the northeast corner of town. We reviewed the application for conformance with applicable City requirements, with regards to recommended improvements to mitigate anticipated impacts. For the most part, our review is limited to public works & infrastructure issues. We understand that the City Planner will be reviewing the application from a planning/zoning standpoint and preparing the staff report.

We recommend that approval of this development include a condition referencing compliance with code requirements summarized in this email, if this approach is acceptable by the City Planner. Many of the items below are code requirements, which apply outside of the land use process.

If the Planning staff or Planning Commission wishes to modify any of the recommended conditions of approval outlined below, or grant variances based on information that we may not be aware of, we assume that this will be coordinated with Public Works as part of the land use approval process. The City Planner should exercise care and coordinate with other staff if any of the suggested conditions are reworded, to avoid changing the meaning of the requirements.

It is important to be aware that the PWDS (and Oregon Fire Code - OFC) provisions referenced herein are not land use regulations, and are not intended to have an impact on the decision as to whether to approve or deny the application, but are listed so that the applicant is made aware of some of the design/construction standards which must be addressed during the construction phase of the development (*ie. approval or denial should be based on the land use regulations, while conditions regarding specific improvements may reference the PWDS & OFC to clarify the extent of improvements required in order to provide service to or mitigate impacts from the development*).

Background Information

By City convention and to minimize confusion regarding directions, "plan" north (for purposes of this review) is considered to be parallel with 3rd Street and perpendicular to Oak Street.

Excerpts from the City utility maps are attached for reference. These maps show the property owned by the applicant (*yellow highlighted boundary*) and the approximate location and layout of the surrounding properties and known utilities.

The proposed CUP is generally located in the northeast corner of town, on property generally between 3rd Street and the Yamhill River, with most property being north of Church Street.

The applicant proposes to install a seasonal mobile asphalt plant on the property (*in addition to the permanent asphalt plant that will remain in place*), which will be removed from the site during the winter months.

The sum of all the property owned by Baker Rock (*yellow highlighted boundary on attached exhibits*) is approximately 40 acres.

The majority of the property is located inside City Limits (*including the portion where the proposed seasonal mobile asphalt plant will be located*), although the northerly ±250 feet of the Baker Rock site (*adjacent to Hwy 18*) is located outside of current City Limits (*but within the UGB*).

It appears that a significant portion of the existing asphalt plant is actually located in the portion of the site outside of current City Limits (*ie. under County zoning control*).

The property owned by Baker Rock current consists of the following tax lots.

--Map 4317AD, TL 100 through TL 700.

--Map 4317AD, TL 2300 & TL 2400.

The property is currently zoned Industrial (I). The zoning of land bordering the development property is as follows:

---North: Industrial (County) & Hwy 18

---South: Residential R-2 & CR

---West: Residential R-2 & Commercial

---East: n/a, Yamhill River

To avoid confusion, it should be noted that the first two properties listed in the title report (*Tract I & Tract II*) are not located in Dayton, but are parcels over by the Willamette River at Weston Bar (*off Dorsey Road*).

Development Considerations. We recommend referencing the following suggested conditions and/or development considerations (**BULLETED PARAGRAPHS BELOW**) in the land use approval.

Prior Land Use Approval for Property.

We are not aware of any previous land use actions impacting this property. We assume that this will be verified by the City planning staff.

Existing Plats, Easements, etc.

The majority of this property is part of the plat for the original Town of Dayton (*plat date 1864*).

The currently known existing City easements adjacent to or affecting this property consist of the following (*list may not be all inclusive*).

--- TL 4317AD-00200 (parcel where proposed seasonal mobile asphalt plant will be located).

- Sewer Easement. For sewer mainline along the vacated 1st Street alignment, and then along the vacated alley alignment toward the west. This is well outside of the footprint for the proposed seasonal mobile asphalt plant.

While a title report was provided with the application, copies of the referenced recorded instruments was not provided.

This property is not included on the historic property index map.

Existing buildings, setbacks, etc.

There are existing buildings and an existing asphalt plant on the property.

Setbacks. Based on the submitted site plan, the new seasonal mobile asphalt plant will be set back at least 100 feet from the nearest property lines. This appears to more than meet the minimums in the development code for industrial properties.

Site Layout, Grading, Vehicular Access, etc.

Based on the narrative and submitted site plan, addition of the new seasonal mobile asphalt plant will not change the general layout of the site, but will utilize existing gravel storage areas near the center of the site.

Based on the narrative, no significant grading will be required for the siting of the new seasonal mobile asphalt plant.

Based on the narrative, the existing driveways and/or parking spaces will not be affected by the siting of the new seasonal mobile asphalt plant.

Fire Lanes. The applicant/property owner will need to contact the Dayton Fire District to verify that acceptable fire code access is provided to the new seasonal mobile asphalt plant.

---All driveways will need to comply with Oregon Fire Code provisions for fire lanes and turnarounds, as determined by the Fire Chief or Fire Marshall.

---Fire Lane Width. The minimum paved width of a fire lane is 20 feet.

- The Fire Code Official (*Fire Chief*) may have the authority under OFC 503.1.1 and/or under OFC 503.2.2 to modify the dimensions of the designated fire lane, under certain conditions allowed under the OFC.

---Turnarounds.

- The OFC requires that a fire lane extend to within 150 feet from the furthest point on a building (OFC 503.1.1), unless an exemption is granted by the Fire Code Official.
- Turnarounds meeting OFC requirements (*see PWDS detail 220*) must be provided for dead-end fire lanes longer than 150 feet (*OFC D103.4*).

Streets, Sidewalks, etc.

As noted above, the proposed new seasonal mobile asphalt plant will not a new industrial use for this property, and does not appear to trigger street or sidewalk improvement requirements under the “Public Improvements Requirements Table” in LUDC 7.2.301.03 (*unless the City Planner or the Planning Commission determines that this is an expansion of the existing industrial use*). Even in this case, the only street frontage from which access is taken is the Hwy 18 interchange, which is under the jurisdiction of ODOT.

Water.

Based on the narrative, the seasonal addition of new seasonal mobile asphalt plant will not increase City water usage, and will not trigger requirements for a new water service.

If the Fire Chief or Fire Marshall requires installation of new fire hydrants (*which is not anticipated*), any such improvements shall be designed and constructed to City standards and PWDS requirements.

Sanitary Sewer.

Based on the narrative, the seasonal addition of new seasonal mobile asphalt plant will not increase City sewer usage, and will not trigger requirements for a new sewer service.

Storm Drainage.

Based on the narrative, the seasonal addition of new seasonal mobile asphalt plant will not increase stormwater runoff from the site, and any improvements will fall under the applicants current stormwater discharge permit issued by the State of Oregon.

Franchise Utilities.

LUDC 7.2.305.02.C states in part that: *“All development which has a need for electricity, gas and communications services shall install them pursuant to the requirements of the district or company serving the development. Except where otherwise prohibited by the utility district or company, all such facilities shall be underground.”*

---Any modifications to franchise utility service will need to be arranged with the applicable utility provider.

- Easements meeting PWDS requirements shall be provided for any franchise utility services located outside of street right-of-ways, which cross property other than that which they serve.

If you have any questions or need additional information regarding this review, please contact us to discuss.

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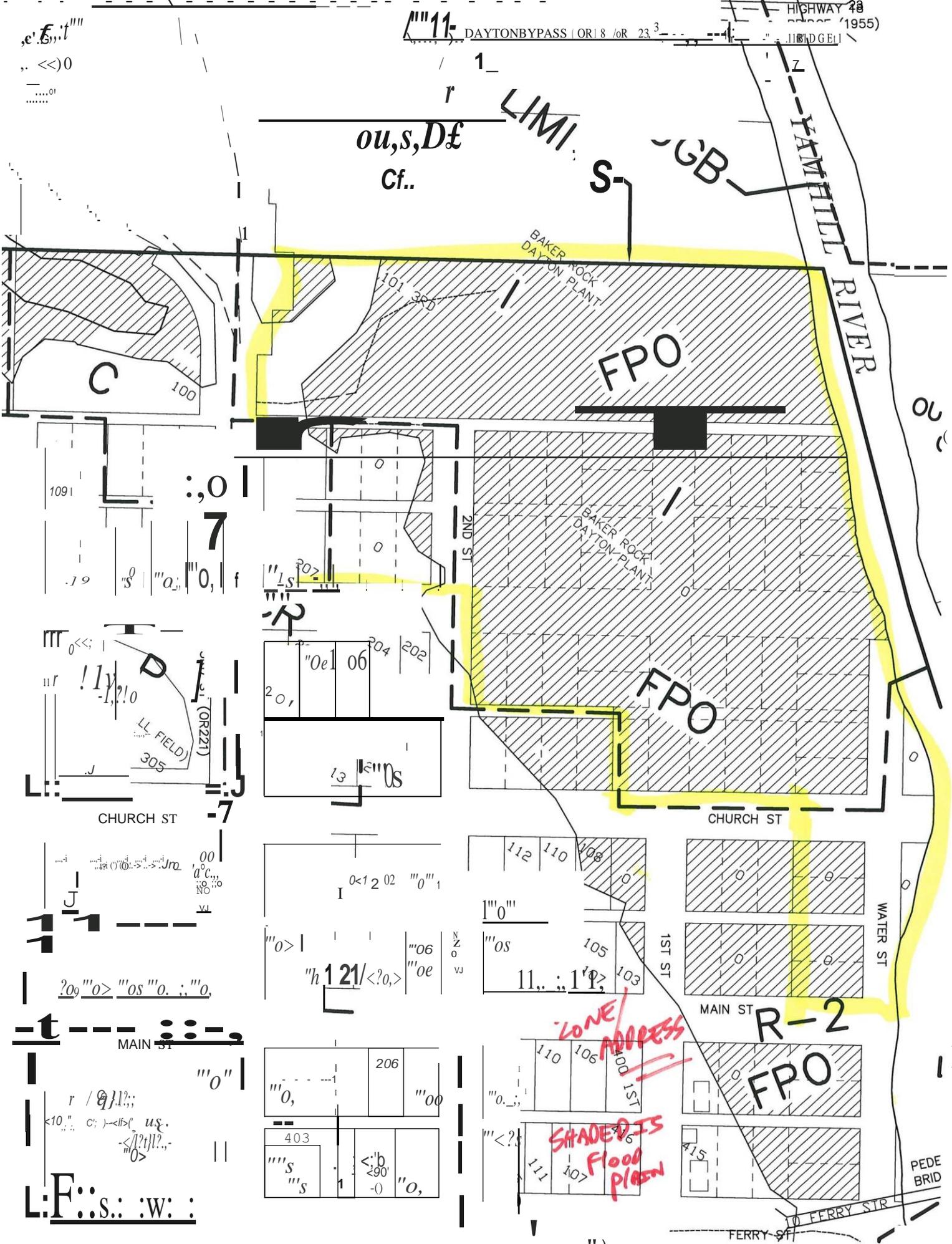
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CHURCH ST

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WATER ST

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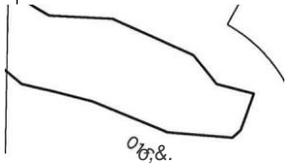
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DAYTON BYPASS (OR18/0R233)

HIGHWAY 18
BRIDGE (1955)

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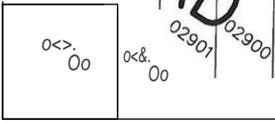
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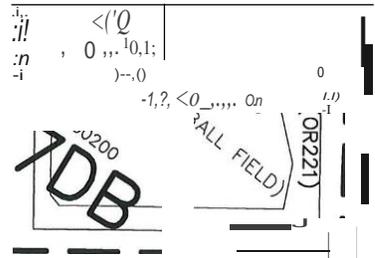
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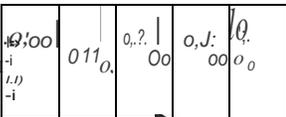
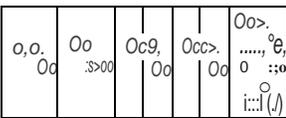
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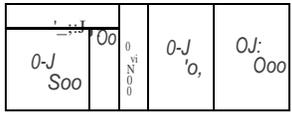
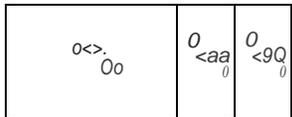
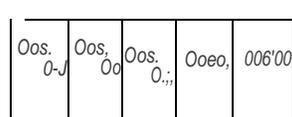
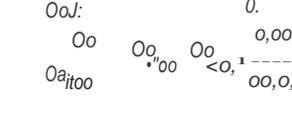
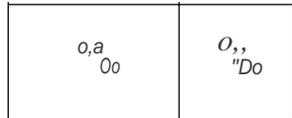
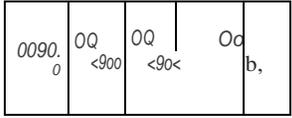
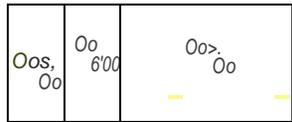
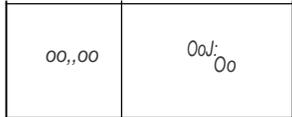
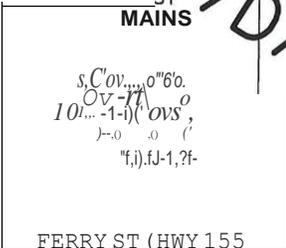
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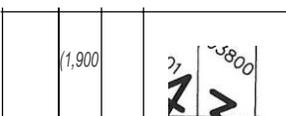
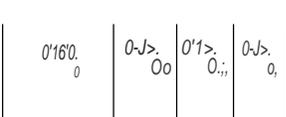
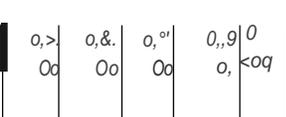
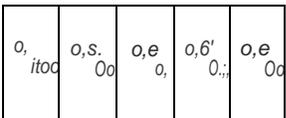
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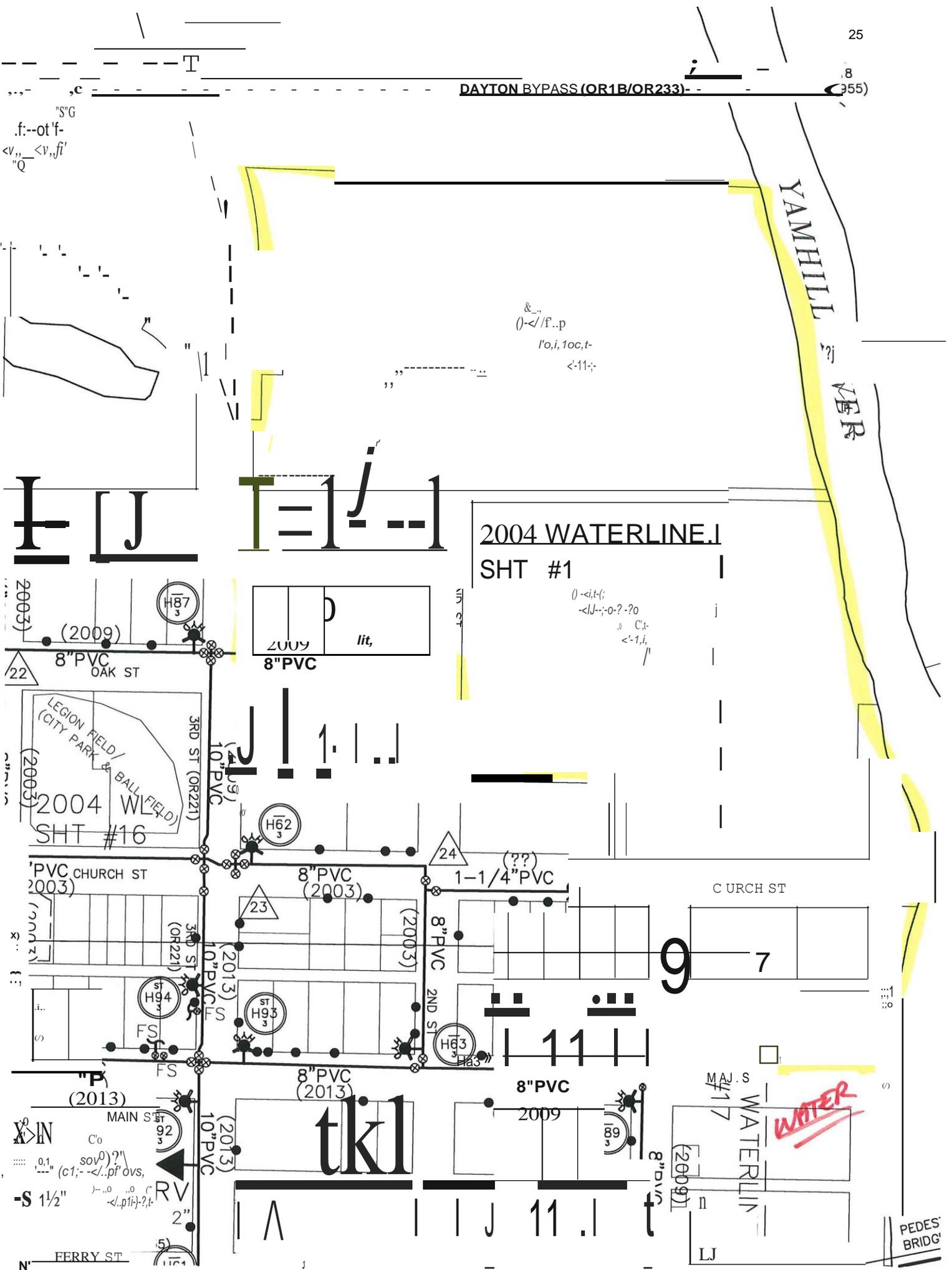
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PEDES BRIDG

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8" PVC

8" PVC
(2003)

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(2003)

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(2013)

8" PVC
2009

8" PVC
(2009)

WATERLINE
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(2003)

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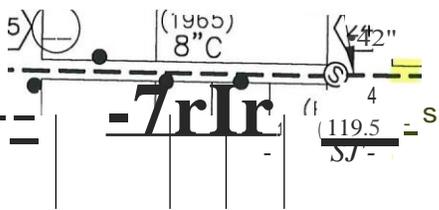
DAYTON BYPASS (OR 18/OR 233)

BRIDGE (1955)

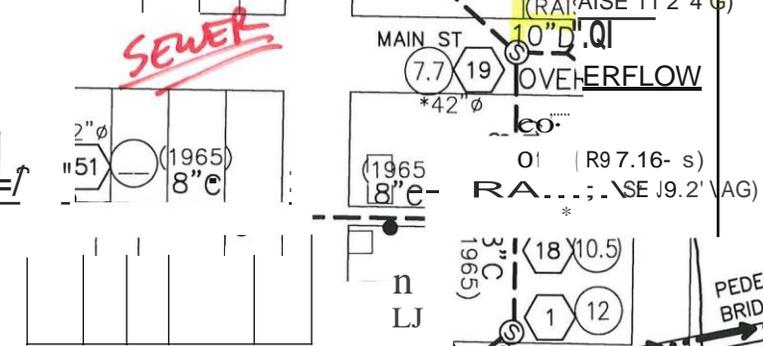
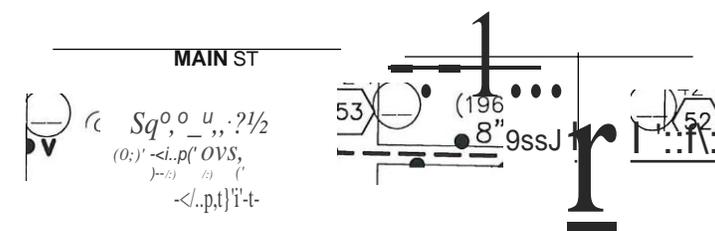
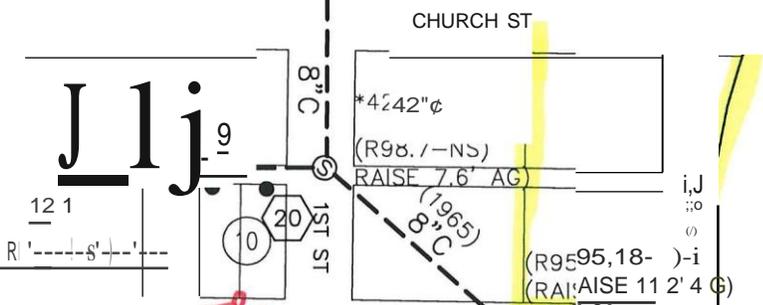
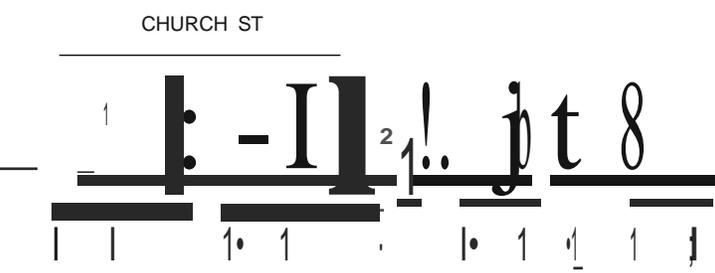
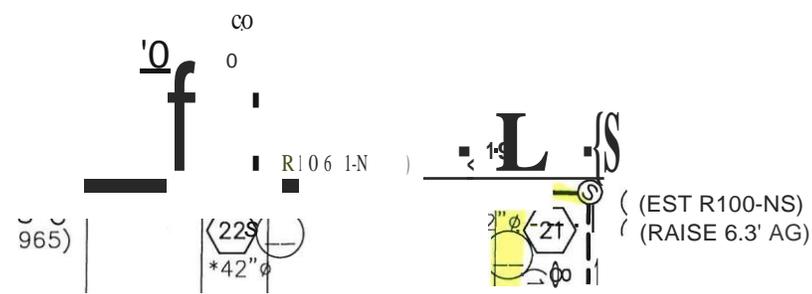
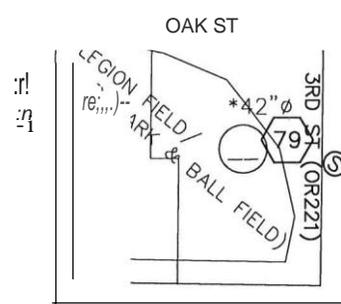
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YAMHILL RIVER

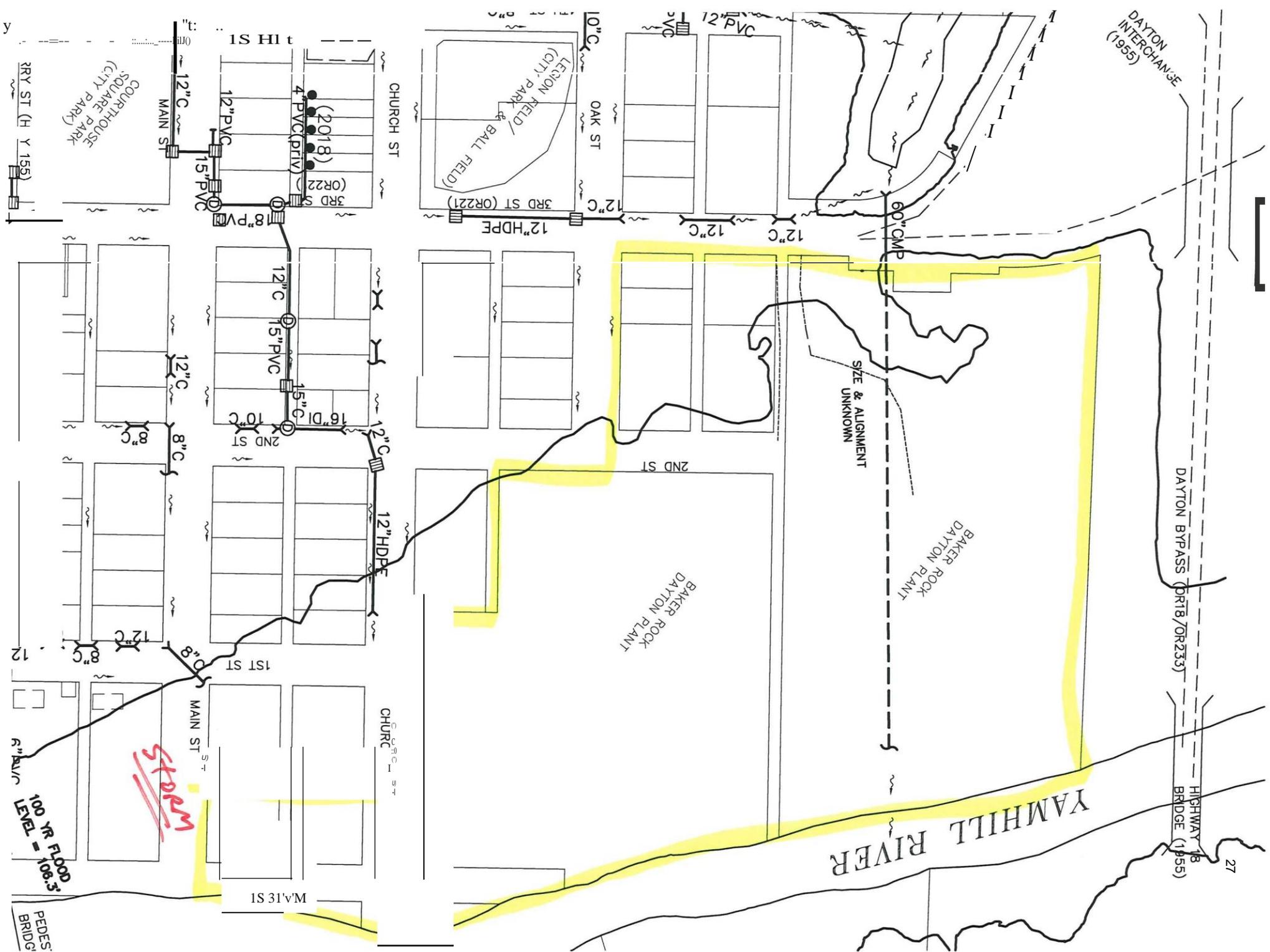
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F:EBB' ST (HWY 155)



DAYTON INTERCHANGE (1955)

DAYTON BYPASS (OR18/OR233)

HIGHWAY 18 BRIDGE (1955)

YAMHILL RIVER

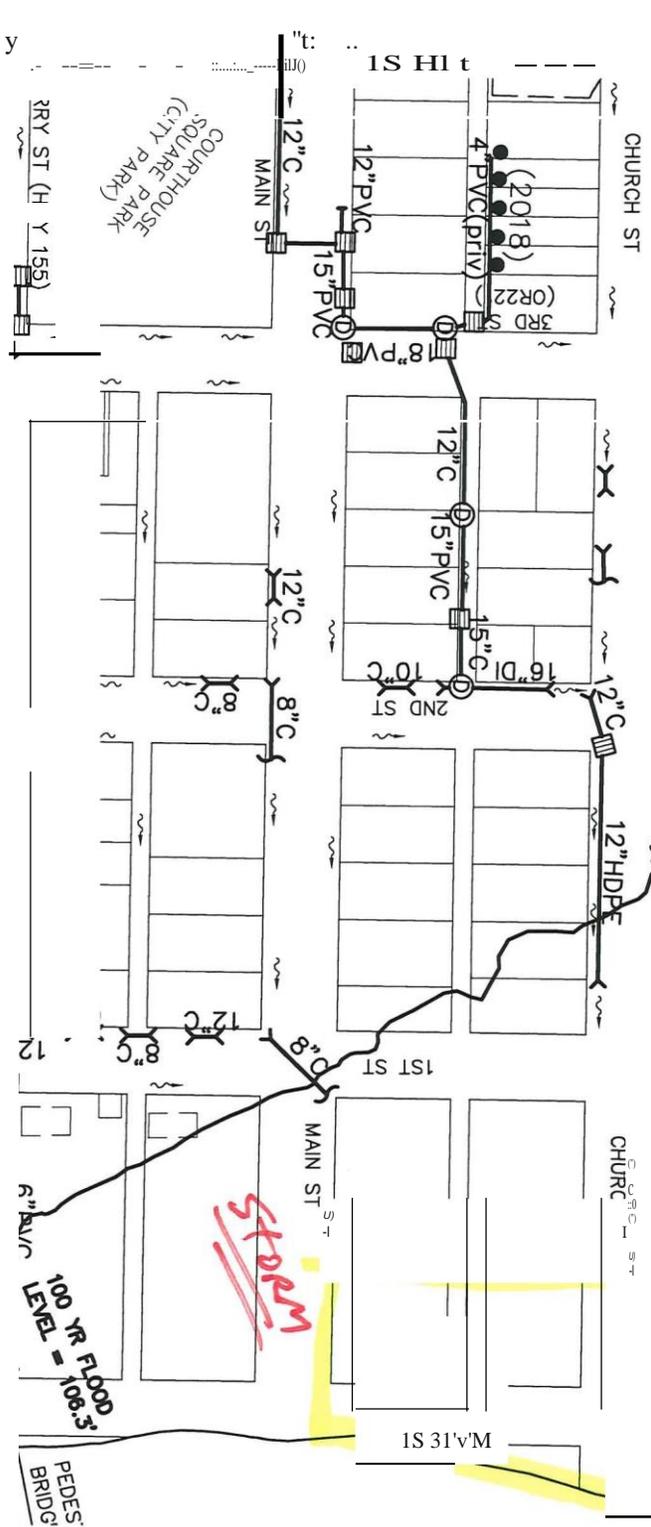
SIZE & ALIGNMENT UNKNOWN

BAKER ROCK DAYTON PLANT

BAKER ROCK DAYTON PLANT

LEON FIELD (CITY PARK) & BALL FIELD

COURTHOUSE SQUARE PARK (CITY PARK)

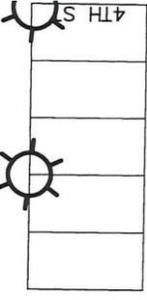


STORM

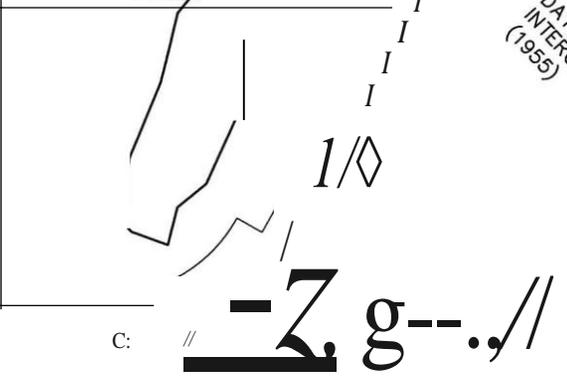
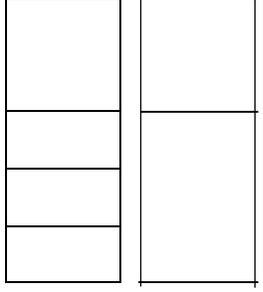
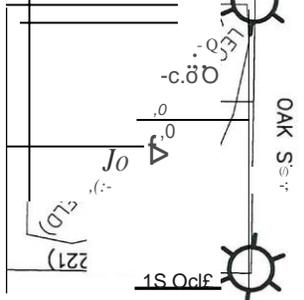
100 YEAR FLOOD LEVEL

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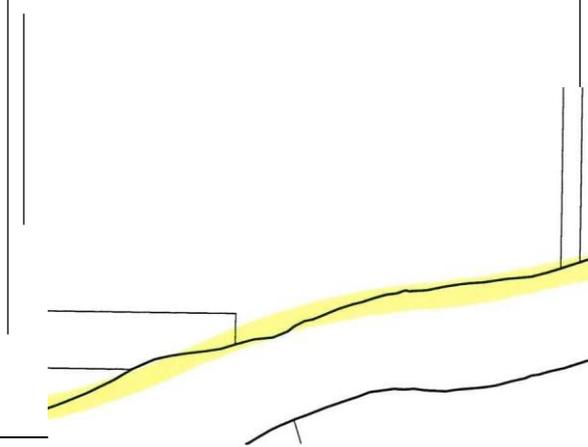
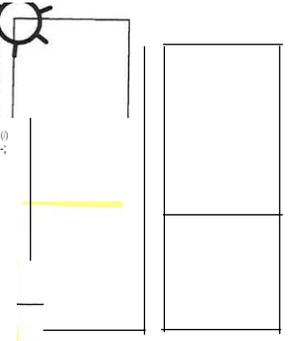
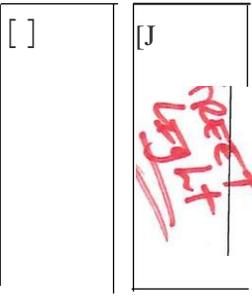
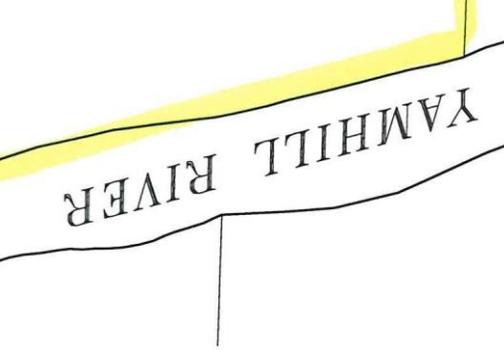
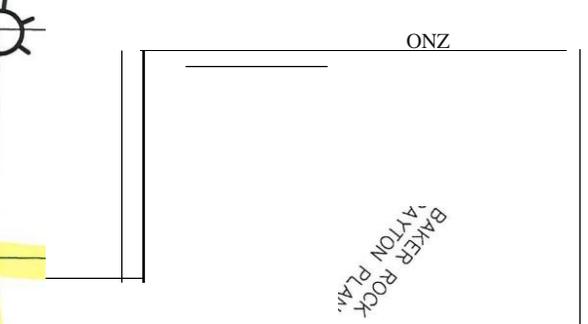
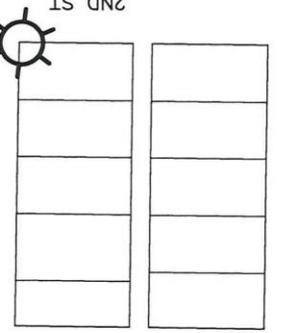
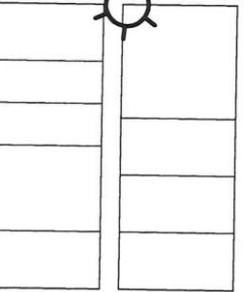
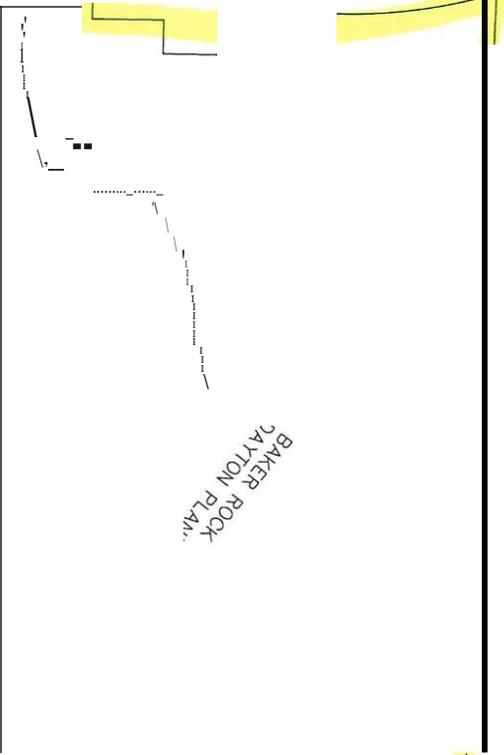
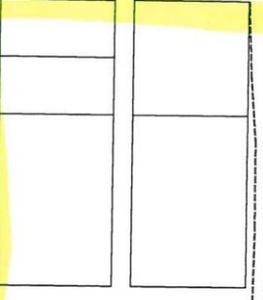
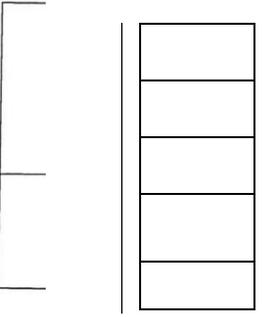
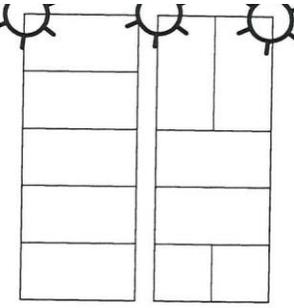
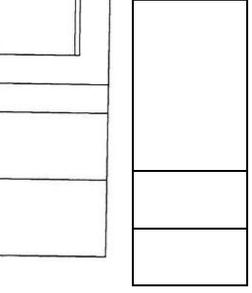
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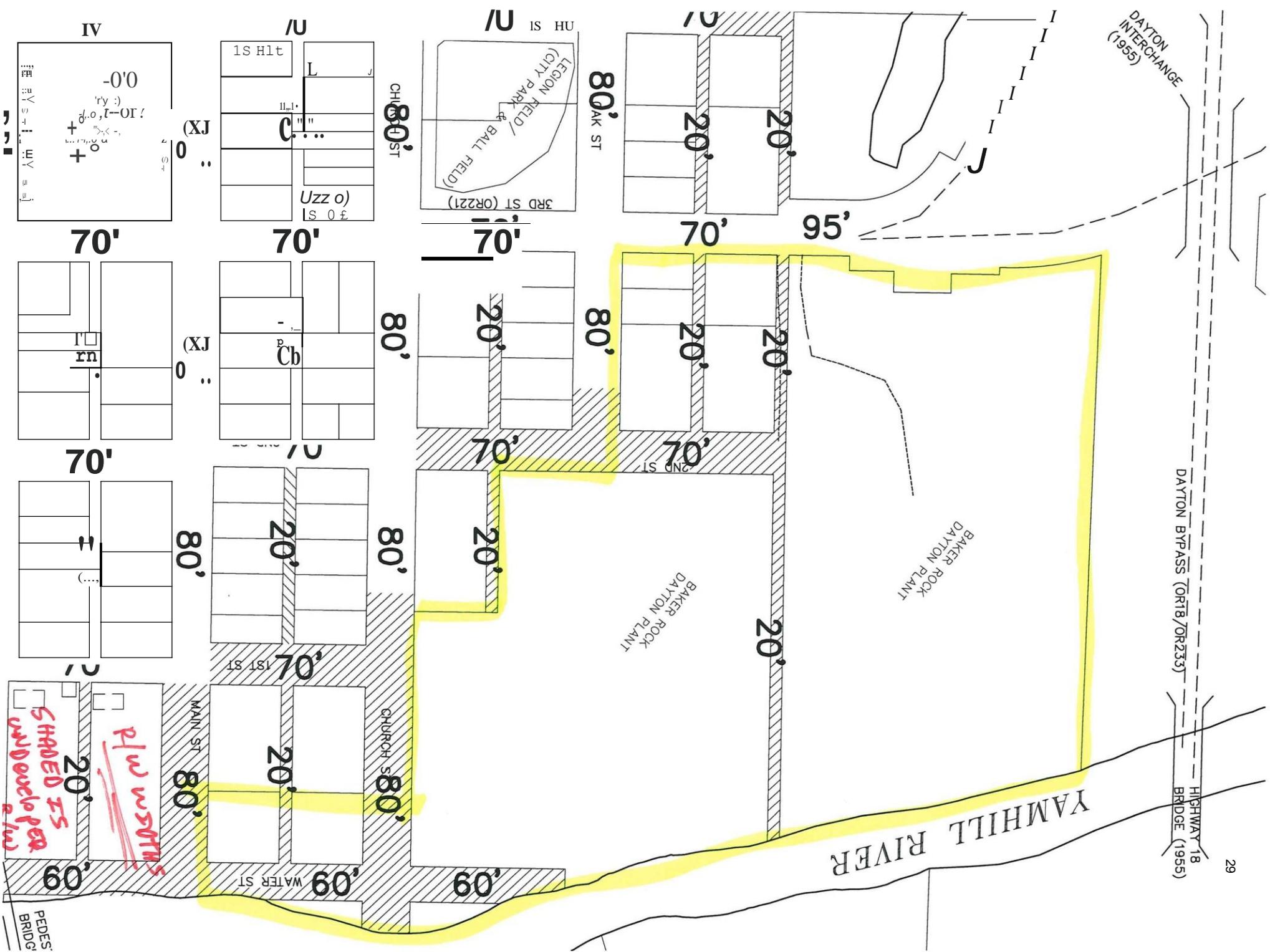
DAYTON INTERCHANGE (1955)



HIGHWAY 18 BRIDGE (1955)

1S d31VM

PEDES BRIDGE



SHADED IS
 undeveloped
 plus wetlands

DAYTON INTERCHANGE (1955)
 DAYTON BYPASS (OR18/OR235)
 HIGHWAY 18 BRIDGE (1955)

DAYTON BYPASS PR18/0R233

HIGHWAY 18 BRIDGE (1955)

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CHURCH ST

MAIN ST

MAP

100 YR FLOOD LEVEL = 108.3'

PEDE BRID

FERRY ST (HWY 155)

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FERRY ST

1ST ST

2ND ST

3RD ST

MAIN

OAK ST

CHURCH ST

3RD ST (OR221)

3RD ST (OR221)

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RY ST (HWY 155)

COURTHOUSE
SQUARE PARK
(PARTIAL)

MAIN ST

SIDEWALK
R#201405612

CD/NR
R#201405608
DEFERRED
R#201405611
R#201405609

CD/NR
R#201814210
CD/NR
R#201814210
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(R221)
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STORM
R#201405610

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2ND ST

**CITY
IMPROVEMENT
PROJECT**

1ST ST

15" SEWER
R#1551591

MAIN ST

30" SEWER
R#201808630

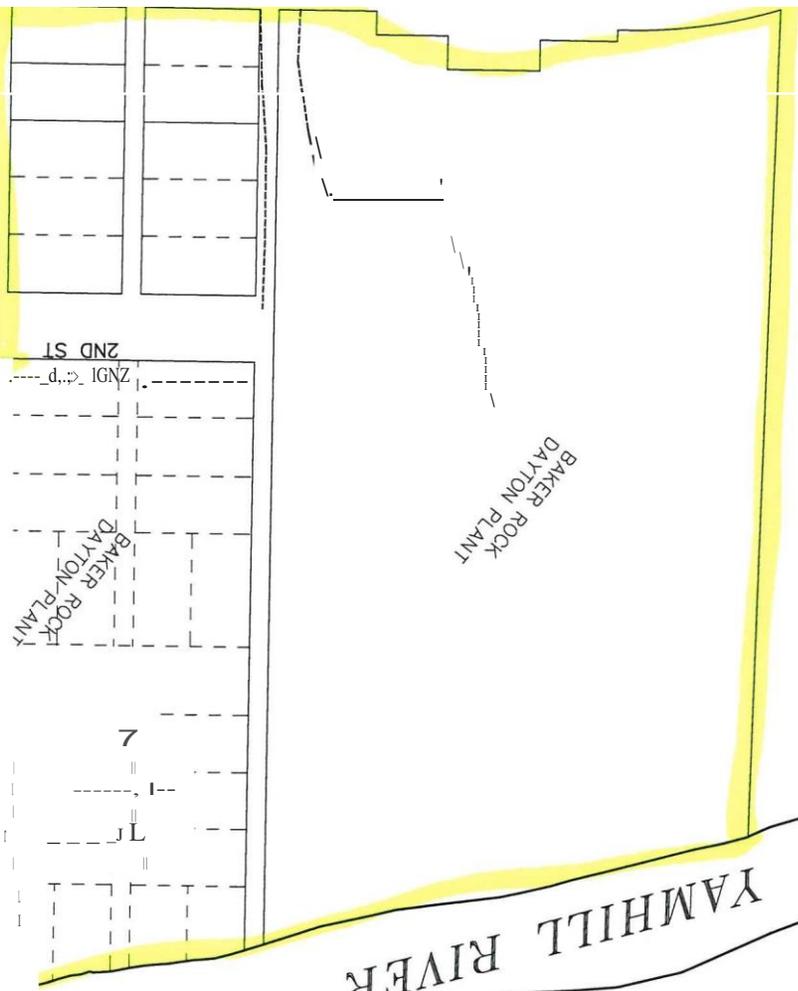
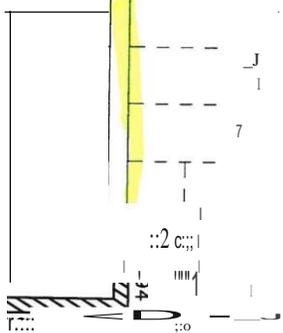
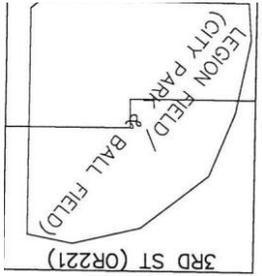
50" SEWER
R#201808630

WALK ST

CURB ST

CURB ST

LS HI 1.1



2ND ST

BAKER ROCK
DAYTON PLANT

BAKER ROCK
DAYTON PLANT

YAMHILL RIVER

DAYTON
INTERCHANGE
(1955)

101
DAYTON BRIDGE (UK18/UK233)

HIGHWAY 18
BRIDGE (1955)

SUGGESTED SEWER PIPE EASEMENT

THIS INDENTURE WITNESSETH, that, O. C. Yocom, Sr., and O. C. Yocom, Jr. / Co., a corporation a single man grantor, for the consideration of

_____ Dollars,

to them paid, have granted and do hereby & ant to the City of Dayton

By and through its elected officers, a perpetual right and easement to construct, maintain, repair and have free access to all sewer pipe and appurtenances, occasioned by or resulting from the construction, operation or maintenance of a public sanitary sewer system and appurtenances upon the following described premises, to wit:

A parcel of land lying in the northeast 1/4 of Section 17, Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, and being a portion of that property conveyed by that deed to O. C. Yocom, Sr. and O. C. Yocom, Jr., recorded in Book 187, Page 352, of Yamhill County Records of Deeds.

The said parcel being that portion of said property included in a strip of land 40 feet in width for construction purposes and 15 feet in width for permanent easement purposes being equidistant on each side

of the centerline of the sewer line as said sewer line has been located, which centerline is described as follows:

Beginning at Engineer's centerline Station 8 + 03, said Station being 35 feet northeasterly along the northerly boundary of Church Street from the most easterly corner of Lot 86, original Town of Dayton,

SUGGESTED SEWER PIPE EASEMENT, (Cont'd)

STATE OF OREGON)
) ss
County of Yamhill)

On this _____ day of _____, 1965, personally came before me, A Notary Public in and for said State the within named O. C. Yocum, Sr.,

O. C. Yocum, Jr. & June Yocum his wife to me personally known to be identical person described in, and who executed the within instrument, and who each personally acknowledged to me that he executed the same freely and voluntarily for the uses and purposes herein named.

Witness my hand and official seal the day and year last above written.

STATE OF OREGON, } ss. 85907
County of Yamhill }

I, JACK BEELER, County Clerk in and for said County and State, do hereby certify that the within Instrument of Writing was received and has been by me duly recorded on Page _____ of Volume _____ of the Records of Deeds for said County, on this 13 day of October, A. D. 1966 at 10:50 A.M.

In testimony whereof, I have hereto subscribed my name and affixed my Official Seal. JACK BEELER, County Clerk. By Alice Sherrill Deputy

Notary Public for Oregon
My commission expires: _____

STATE OF OREGON,)
County of Yamhill) ss

On this 20 day of JULY, 1965, before me appeared HAROLD W. BURCH add D. ROGENE BURCH both to me personally known, who being duly sworn, did say that he the said HAROLD W BURCH is the President, and he the said D. ROGENE BURCH is the Secretary of DAYTON SAND + GRAVEL CO the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and PRESIDENT and SECRETARY acknowledged said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written

[Signature]
Notary Public for Oregon
My commission expires May 23 1966