

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 Chair; the nomination was seconded by Carol Hatfield, as there were none opposed the motion passed. Pam Horst nominated Ann-Marie Anderson as Vice-Chair; 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 Vice-Chair 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 clarify on the issue of ally 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

F. 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:

Vicki Durand

By: Vicki Durand
Community Development Assistant

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

As Written **As Amended**