

**AGENDA  
DAYTON PLANNING COMMISSION  
WORK SESSION**



**DATE:** THURSDAY, APRIL 13, 2023  
**TIME:** 6:30 PM  
**PLACE:** DAYTON CITY HALL ANNEX – 408 FERRY STREET, DAYTON, OREGON  
**VIRTUAL:** ZOOM MEETING – ORS 192.670/HB 2560

You may join the Planning Commission Meeting online via Zoom Meeting at: <https://us06web.zoom.us/j/84307003945>  
or you can call in and listen via Zoom: 1 346 248-7799 or 1 720 707-2699

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<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE #</u>
A.	CALL TO ORDER & PLEDGE OF ALLEGIANCE	
B.	ROLL CALL	
C.	WORK SESSION	
	• New Planner Introduction	
	• 2023 Code Amendments – Staff Report	01-02
	Section 7.3.106: Site Development Review – Add Expiration/Sunset Clause for Site Development Review Approvals	03-04
	Section 7.2.111: Central Business Area Overlay Zone (CBO)	05-06
	Section 7.2.308.08: Clear Vision Areas	07
D.	ADJOURN	

Posted: April 7, 2023  
By: Melissa York, City Recorder

**NEXT MEETING DATES**

Planning Commission Meeting Thursday, May 11, 2023 (if needed)  
*Virtually via Zoom and in Person; City Hall Annex, 408 Ferry Street, Dayton, Oregon*



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**Date:** April 6, 2023  
**To:** Dayton Planning Commission  
**From:** Curt Fisher, AICP – Associate Planner  
**Subject:** Code Updates 2023

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The purpose of the work session scheduled for **April 13, 2023**, is to introduce the code updates that the Planning Commission should anticipate in the upcoming months. This session is intended to be informative; however, questions and discussion are welcome. The following code amendments have been identified by City Council and Staff as priorities for the for the upcoming year with preliminary suggested timelines for completing those amendments.

### **Add Expiration/Sunset Clause for Site Development Review Approvals Chapter 7.3.1**

The need for this amendment was identified in response to the recent revival of a 2005 Site Development Review (SDR) decision approving an RV Outdoor Storage Facility adjacent to the Willamette Wine Country RV Park and Vintages Trailer Resort at 16205 SE Kreder Road. While the current use is consistent with the 2005 approval, the development was once thought to be abandoned. Therefore, the Planning Commission may wish to include provisions in the code that create criteria for a discontinued use where a new SDR application would be required to permit new development.

### **Update Clear Vision Area Standards - Chapter 7.2.308.08**

Clear Vision Areas are necessary to maintain unobstructed lines of sight at street intersections and driveways, allowing drivers to see oncoming traffic. Features such as structures, walls, and fences are restricted within these areas. Currently, the standard places clear vision triangles at the edge of the public right-of-way or property lines. However, this method places the triangle further away from the vehicular travel lane, increasing the length of the sight line, and potentially restricting the use of the property where the triangle is placed. The Planning Commission will be asked to consider adopting a new standard that would place the triangles at the edge of the travel lanes instead.

#### ***Preliminary timeline for the above amendments:***

May 2023: Task 1-Review examples of provisions implemented by other jurisdictions.  
June 2023: Task 2-Review draft code amendments.  
July 2023: Task 3-Public Hearing/Staff Report on final amendment package  
August 2023: Task 4-Public Hearing/Staff Report to City Council for adoption

## Update Design Standards in the Central Business Overlay District - Chapter 7.2.111

### *Preliminary Timeline:*

April/May 2023:	Identify Stakeholders and Public Outreach Scope, Kickoff Project
June/July 2023:	Planning Commission and Stakeholder Workshops
August 2023:	Potential Public Open House and Planning Commission/City Council Joint Session
September 2023:	Planning Commission/Public Hearing
October 2023:	City Council Public Hearing and Adoption.

## EFU buffer areas - Chapter 7.2.306.04

In June 2022, The City of Dayton and the Yamhill County Board of Commissioners approved the City's proposal for an Urban Growth Boundary Land Swap. Concurrently, the City Council approved CPA 2022-01, which added a comprehensive plan text amendment to the urbanization element of the Dayton Comprehensive Plan, requiring the City of Dayton to proceed with a development code amendment adding standards for screening and buffering between urban and rural uses prior to future annexations. On November 9, 2022, City Council and Planning Commission held a joint work session to review policies, goals, and recommendations from the USDA.

### *Preliminary Timeline:*

May 2023:	Review draft code amendments.
June 2023:	Planning Commission Public Hearing/Staff Report on final amendment package
August 2023:	Public Hearing/Staff Report to City Council for adoption

### *Attachments:*

Dayton Land Use Development Code:

- Section 7.3.106 Site Development Review,
- Section 7.2.308.08 Clear Vision Areas
- Section 7.2.111 Central Business Area Overlay Zone

## **7.3.106 Site Development Review**

### **7.3.106.01 Purpose**

### **7.3.106.02 Applicability Of Provisions**

### **7.3.106.03 Review And Approval Process**

### **7.3.106.04 Application And Fee**

### **7.3.106.05 Submittal Requirements**

### **7.3.106.06 Evaluation Of Site Development Plan**

#### **7.3.106.01 Purpose**

The Site Development Review Process is intended to guide future growth and development in accordance with the Development Codes; provide an efficient process and framework to review development proposals; ensure safe, functional, energy-efficient developments which are compatible with the natural and man-made environment; and resolve potential conflicts that may arise between proposed developments and adjacent uses.

The site development review provisions are not intended to preclude uses that are permitted in the underlying zones.

#### **7.3.106.02 Applicability Of Provisions**

A. Applicability. Site Development Review shall be applicable to all new developments and major remodeling, except:

1. Single-family detached dwellings and Accessory Dwelling Units (ADUs);
2. A duplex; or
3. Any commercial, industrial or public facility expansion or remodel that does not exceed 25 percent of the total square footage of the structure existing at the time of the adoption of this Code and/or does not expand the activity/business area on the subject property beyond 25 percent (i.e. outdoor uses). *(Updated by ORD 594, adopted 2/1/10 & enacted 3/2/10)*
4. Wireless Communication Facilities for properties within a Public (P) zone district. *Added ORD 608 effective 10/6/11*

B. Underlying Zone. All of the provisions and regulations of the underlying zone shall apply unless modified by other Sections of this Code.

#### **7.3.106.03 Review And Approval Process**

Site Development Review applications shall be reviewed in accordance with the Type II review procedures specified in Section 7.3.201.

#### **7.3.106.04 Application And Fee**

An application for Site Development Review shall be filed with the City and accompanied by the appropriate fee. It shall be the applicant's responsibility to submit a complete application which addresses the review criteria of this Section. Notice shall be subject to the provisions in Section 7.3.204.

#### **7.3.106.05 Submittal Requirements**

The following information shall be submitted as part of a complete application for Site Development Review:

- A. Proposed grading and topographical changes;
- B. All existing and proposed structures, roadway access, adjacent roads, bikeways, pedestrian facilities, public or private, easements or right-of-way to, or within 200 feet of the subject property and utilities including finished floor elevations and setbacks; *(Amended by Ordinance 589 – Effective 4/2/09)*
- C. Motor vehicle, bicycle and pedestrian circulation patterns, parking, loading and service areas; *(Amended by Ordinance 589 – Effective 4/2/09)*
- D. Proposed access to public roads, bikeways, pedestrian facilities, railroads or other transportation systems; *(Amended by Ordinance 589 – Effective 4/2/09)*
- E. Site drainage plan including methods of storm drainage, sanitary sewer system, water supply system and electrical services. Inverse elevations may be required for all underground transmission lines;
- F. Proposed landscape plan, to include appropriate visual screening and noise buffering, where necessary, to ensure compatibility with surrounding properties and uses;
- G. Proposed on-premise signs, fencing or other fabricated barriers, together with their heights and setbacks; and,
- H. The expected development schedule.
- I. The location of any flood boundary.

### **7.3.106.06 Evaluation Of Site Development Plan**

The review of a Site Development Plan shall be based upon consideration of the following:

- A. Conformance with applicable General Development Standards in Section 7.2.3.
- B. Adequacy of public and private facilities.
- C. Traffic safety, internal circulation and parking;
- D. Provision for adequate noise and/or visual buffering from non-compatible uses.
- E. Conformance with development requirements of the underlying zone.

## **7.2.111 Central Business Area Overlay Zone (CBO)**

### **7.2.111.01 Purpose**

### **7.2.111.02 Central Business Area Defined**

### **7.2.111.03 Development Requirements**

### **7.2.111.04 Parking**

### **7.2.111.05 Landscaping**

### **7.2.111.06 Building Standards**

### **7.2.111.07 Signs Moved To Section 7.4.1 ORD 652**

### **7.2.111.08 Modification Of Site Design Standards**

#### **7.2.111.01 Purpose**

The purpose of the Central Business Area Overlay Zone is to establish development requirements which are specifically designed to address the unique challenges the City's downtown.

#### **7.2.111.02 Central Business Area Defined**

For the purposes of this Section, the Central Business Area shall be defined as follows: C and CR zoned land located south of Church Street, east of Fifth Street, north of Alder Street, and west of Second Street. (*Amended ORD 610 effective 4/2/12*)

#### **7.2.111.03 Development Requirements**

- A. General Requirements: Notwithstanding provisions contained elsewhere in this Code, the following regulations shall apply to the development of new buildings within the Central Business Area.
- B. Permitted Uses. Unless specifically modified by this Section, regulations in this Section do not prohibit or restrict, nor alter the development requirements of, permitted, specially permitted or conditionally permitted uses within the Commercial zone.
- C. Use Restrictions. In addition to the use limitations in Section 7.2.106.06.B., facilities with drive-through and drive-in windows, and wireless communication facilities shall be prohibited. An exception for a drive-through window may be granted by the City Manager if the property or business owner provides a written request for an exception containing written, historical evidence or photographic documentation (which documentation includes a date) that the drive-through window or a drive-in existed and was used as part of a permitted or conditional use prior to October 6, 2011 and evidence that the owner meets the requirements of Section 7.2.414. If the City Manager determines at the time the exception is requested that additional interpretation is needed, the Manager may require that the Planning Commission make a determination regarding the exception under a Type II process. (*Amended ORD 610 effective 4/2/12*)

#### **7.2.111.04 Parking**

Off-street parking and loading areas shall not be required within the Central Business Area. Off-street parking installed at the option of the owner shall comply with the following:

- A. Parking spaces shall be located behind the primary building. For corner lots, this shall be identified as being opposite, and furthest from, the primary building access.
- B. Improvements, such as driveways and parking space dimensions, shall otherwise comply with Code requirements.



## **7.2.308.08 Clear Vision Area**

A clear vision area shall be maintained where streets and private points of access intersect. The clear vision area shall conform with the following:

- A. Measurement. A clear vision area at an intersection shall be the triangular area established according to the following procedure:
  1. A line extending a certain number of feet from the intersection along a public street right-of-way;
  2. A line extending a certain number of feet from the intersection along the intersecting access;
  3. A third line that creates the triangular clear vision area by connecting the ends of the lines described in 1, and 2, above.
- B. Street-Driveway. The clear vision area for a street-driveway intersection shall be 10 feet along the driveway from its intersection with the street right-of-way and 30 feet along the street right-of-way at the point of intersection with the driveway.
- C. Street-Alley. The clear vision area for street-alley intersections shall be 10 feet along the alley from its intersection with the street right-of-way and 30 feet along the street right-of-way at the point of intersection with the alley.
- D. Street-Private Access Driveway. The clear vision area for street-access easement intersections shall be 10 feet along the access easement from its intersection with the street right-of-way and 30 feet along the street right-of-way at the point of intersection with the access easement.
- E. Corner Lots. The clear visions area for corner lots shall be 20 feet along the right-of-way of each intersecting street.
- F. Prohibited Development. A clear vision area shall contain no planting, fence, wall, structure, or temporary or permanent obstruction exceeding 36 inches in height, measured from the top of the curb or, where no curb exist, from the established street centerline grade, except that the following may be allowed in the clear vision area:
  1. Trees, provided all branches and foliage are removed to a height of eight feet above grade;
  2. Telephone, power, and cable television poles; and
  3. Telephone switch boxes provided they are less than ten inches wide at the widest dimension.
- G. *(Removed Ordinance 614, 10/7/13- Effective 11/06/13)*