

AGENDA
CITY OF DAYTON
REGULAR / EXECUTIVE SESSION

DATE: MONDAY, FEBRUARY 5, 2024
 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 Council Meeting online via Zoom Meeting at: <https://us06web.zoom.us/j/89943656968>

Dayton - Rich in History . . . Envisioning Our Future

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE #</u>
A.	CALL TO ORDER & PLEDGE OF ALLEGIANCE	
B.	ROLL CALL	
C.	APPEARANCE OF INTERESTED CITIZENS	
	<ul style="list-style-type: none"> • The public is encouraged to relay concerns and/or comments to the City Council in one of the following methods: • Email - any time up to 5:00 p.m. the day of the meeting to rvargas@daytonoregon.gov. The Mayor will read the comments emailed to the City Recorder. • Appear in person - if you would like to speak during public comment, please sign up on the sign-in sheet located on the table when you enter the Council Chambers. • Appear by Telephone only - please sign up prior to the meeting by emailing the City Recorder at rvargas@daytonoregon.gov. (The chat function is not available when calling by phone into Zoom.) • Appear virtually via Zoom - once you are in the meeting, send a chat directly to the City Recorder, Rocio Vargas, use the raise hand feature in Zoom to request to speak during public comment. The City Recorder will need your first and last name, address, and contact information (email or phone number) before you are invited to speak. When it is your turn, the Mayor will announce your name and your microphone will be unmuted. 	
D.	CONSENT AGENDA	
	1. Regular Session Minutes of January 2, 2024	1-5
E.	ACTION ITEMS	
	1. Fireworks Committee Update, Mike Billings	
	2. Appointment of Dayton Fireworks Committee Members	7-8
	3. Appointment of Dayton Community Events Committee Members	9-12
	4. Approval of Resolution 23/24-09 Oregon Parks and Recreation Local Government Grant Application	13-16
	5. Second Reading and Adoption of Ordinance 657 - Chapter 7 Update - Design Overlay in the Business Overlay Zone	17-171
	6. Dayton Village Affordable Housing Project Presentation, Alice Springer, Teresa Smith, Neal Andrews, and Steve Cooper	173-197

Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice: City Hall Annex is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the City Recorder (503) 864-2221 or rvargas@daytonoregon.gov.

- 7. Notice of Intent to Award Lobbying Services Contract 199-256
- 8. Courthouse Square Park Event Alcohol Permit Discussion 257-259
- 9. Council Rules Review/Update Discussion 261-291

F. EXECUTIVE SESSION

City Council will meet in Executive Session per ORS 192.660(2)(e) to conduct deliberations with designee on real property transaction negotiations.

G. CITY COUNCIL COMMENTS/ CONCERNS

H. INFORMATION REPORTS

- 1. Tourism and Economic Development Director

I. CITY MANAGERS REPORT

- 1. Reports 293-310

J. ADJOURN

Posted: 2/2/2024

By: Rocio Vargas, City Recorder

NEXT MEETING

Work/Special/Executive Session February 20, 2024

Regular Session March 4, 2024

Virtually via Zoom and in Person, City Hall Annex, 408 Ferry Street, Dayton, Oregon

**MINUTES
DAYTON CITY COUNCIL
REGULAR SESSION
JANUARY 2, 2024**

PRESENT: Mayor Trini Marquez
Council President Jim Maguire
Councilor Drew Hildebrandt
Councilor Kitty Mackin
Councilor Luke Wildhaber, via Zoom
Councilor Annette Frank
Councilor Rosalba Sandoval-Perez, via Zoom

ABSENT:

STAFF: Rochelle Roaden, City Manager
Dave Rucklos, Tourism & Economic Development Director
Curt Fisher, City Planner
John Lindow, Public Works Lead

A. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Marquez called the meeting to order at 6:30 pm and those present gave the Pledge of Allegiance.

B. ROLL CALL

Mayor Marquez noted that there was a quorum with Councilors Maguire, Hildebrandt, Mackin, Frank present in person and Councilors Sandoval-Perez and Wildhaber via zoom.

C. APPEARANCE OF INTERESTED CITIZENS

None.

D. PUBLIC HEARING

Mayor Marquez opened the Public Hearing to obtain citizen input on the text amendments to the Dayton Land Use and Development Code Chapter 7 at 6:34pm.

Mayor Marquez presented Curt Fisher, City Planner, to present the staff report.

City Planner presented the staff report for the proposed text amendments to Chapter 7.2.111 of the Dayton Land Used and Development Code (DLUDC) to add design standards for new development in the central Business Area Overlay District (CBO).

There was a discussion on the requirements to qualify for the height bonus with minimum overnight accommodation on at least one floor.

Mayor Marquez invited members of the public to comment.

Judy Gerard spoke in support of the proposed design standards for new development in the Business Area Overlay District.

COUNCIL PRESIDENT JIM MAGUIRE MOVED TO ADOPT THE REVISED STAFF REPORT AS AMENDED ON PAGE 2 OF 7 TO REFLECT THAT AN OVERNIGHT ACCOMMODATION WOULD NOT NEED TO PRESENT ON MORE THAN ONE FLOOR OF THE GROUND FLOOR TO QUALIFY FOR THE HEIGHT BONUS. SECONDED BY COUNCILOR ANNETTE FRANK. Motion carried with Marquez, Maguire, Hildebrandt, Mackin, Wildhaber, Frank and Sandoval-Perez voting aye.

Mayor Marquez closed the Public Hearing

E. CONSENT AGENDA

1. Regular Session Minutes of December 4, 2023.

COUNCILOR ANNETTE FRANK MOVED TO APPROVE THE CONSENT AGENDA OF THE REGULAR SESSION MINUTES OF DECEMBER 4, 2023. SECONDED BY COUNCILOR DREW HILDEBRANDT. Motion carried with Marquez, Maguire, Hildebrandt, Mackin, Wildhaber, Frank and Sandoval-Perez voting aye.

F. ACTION ITEMS

1. **Staff Report Presentation LA 2023-02**

See Public Hearing.

2. **First Reading of Ordinance 657**

Councilor Hildebrandt conducted the first reading of Ordinance 657 by title only. An Ordinance of the Dayton City Council amending Title 7 (Dayton Land Use and Development Code) of the Dayton Municipal Code.

COUNCILOR KITTY MACKIN MOVED TO APPROVE THE FIRST READING OF ORDINANCE 657 BY TITLE ONLY. SECONDED BY COUNCILOR ANNETTE FRANK. Motion carried with Marquez, Maguire, Hildebrandt, Mackin, Wildhaber, Frank and Sandoval-Perez voting aye.

3. Council President Election

Councilor Hildebrandt nominated Councilor Annette Frank for Council President.

Mayor Marquez nominated Councilor Jim Maguire for Council President.

Councilors Sandoval-Perez, Frank, Mackin, Maguire, and Mayor Marquez voted for Councilor Jim Maguire as Council President.

4. Notice of Intent to Award - Dayton Village Affordable Housing

Dave Rucklos, Tourism and Economic Development (TED) Director presented the intent to award Community Home Builders the Dayton Village Affordable Housing project.

Teresa Smith, President of Yamhill Community Development Corp., presented the Community Home Builders program and other projects that they have worked on in other cities.

COUNCILOR ANNETTE FRANK MOVED TO APPROVE THE ISSUANCE OF THE "INTENT TO AWARD" OF THE DAYTON VILLAGE PROJECT TO COMMUNITY HOME BUILDERS. SECONDED BY COUNCIL PRESIDENT JIM MAGUIRE. Motion carried with Marquez, Maguire, Hildebrandt, Mackin, Wildhaber, Frank and Sandoval-Perez voting aye.

5. Council Rules Discussion

Rochelle Roaden, City Manager stated that per Council Rules the City Council must review its rules at the first City Council meeting in January of even number of years. The City Attorney provided proposed changes to the Council Rules and added a section on Public Hearings. Council reviewed and discussed the proposed changes.

G. COUNCILOR COMMENTS AND CONCERNS

Councilor Sandoval-Perez apologized for not being able to make it in person as she was recovering from COVID.

Councilor Mackin requested to reopen the Dog Park.

Councilor Frank commented on the new bathroom on 11th street park. She inquired if there was any other landscaping going in around the bathroom. She inquired about the fence around the park if it could be more aesthetically pleasing. Councilor Frank inquired whether the pillars on Country View Manor could be hidden or screened from view with vegetation.

Councilor Hildebrandt inquired about adding a park on the corner of Ferry and Sweeney.

There was discussion on parks and costs of maintenance.

Council President Maguire will be out of state January 27th - February 1st, and he thanked the council for voting him as Council President.

Mayor Marquez thanked the council and wished them a good new year.

Councilor Hildebrandt stated that he would be out of state January 18th-22nd, February 8th-12th, and same dates in March and May that he stated in the December Council Meeting.

H. INFORMATION REPORTS

1. Tourism and Economic Development Report

Dave Rucklos, TED Director, stated that the Christmas lights would be removed from the park this week.

Mayor Marquez requested to leave the lights up for an additional week.

TED Director, reported on the meeting with Elane Howard to start working on the Urban Renewal District. He stated that he will be working on the Discover Dayton website.

A survey was sent out to vendors to gauge interest of a Farmers Market in Dayton.

The EV Charging stations project is moving forward this week.

I. CITY MANAGER'S REPORT

Rochelle Roaden, City Manager reported that the HWY 221 Pump Station project had the pre-construction meeting, and all agencies were present.

The footbridge project will begin to move the sewer lines to the temporary work bridge and begin to remove the old footbridge.

The bathroom at 11th Street Park was delivered and installed, but it is waiting for electricity from PGE.

City Manager stated that there have been issues with the park bathrooms. She inquired if the City Council would be in support of changing the hours the bathrooms are open.

There was a discussion on the hours the bathrooms are open, and the pros and cons. Council agreed to move forward with an Emergency Ordinance to establish a curfew for park bathrooms. City Manager will return with an Emergency Ordinance in February.

The financial audit is complete, but due to a change in corporation, the firm has not yet delivered the financials, and an extension was filed with the Secretary of State.

The RFP for Lobbying Services was posted December 15, 2023.

The Community Events Committee application was posted on the city website and social media so far there have been three responses.

The Marchant Block tour will be January 24, 2024, at noon. All who wish to attend will need to RSVP.

J. ADJOURN

There being no further business to discuss the meeting adjourned at 8:34 pm.

Respectfully submitted:

APPROVED BY COUNCIL on FEBRUARY 8, 2024.

By:

As Written

As Amended

Rocio Vargas, City Recorder

Trini Marquez, Mayor

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To: Honorable Mayor and City Councilors
From: Rochelle Roaden, City Manager
Issue: Appointment of Dayton Fireworks Committee Members
Date: February 5, 2024

History/Background

At the July 17th City Council meeting, the council approved Resolution 23/24-01 establishing the Dayton Fireworks Committee. Per resolution, the committee has five voting members and two alternates. These voting members are to be appointed by the mayor with council approval and serve 3-year terms. Per resolution, two of the seven voting members can live outside of Dayton city limits.

On July 17, 2023, the Council appointed the following positions for 3-year terms ending December 31, 2026.

1. Cheryl Campos (outside city limits)
2. Mike Billings
3. Colt Wilkins
4. Isidro Amaral (outside city limits)
5. Paul Giraud
6. Wendy Stec (alternate)
7. Chris Teichroew (alternate)

The Fireworks Committee has had several monthly meetings and Isidro Amaral has not attended any meetings. Repeated emails and phone calls to contact him regarding his interest in being on the committee have gone unanswered. Therefore, the Fireworks Committee would like to remove Isidro Amaral from the committee due to inactivity.

Mike Billings, Fireworks Committee Chair, recently moved from Dayton to McMinnville. He would like to remain on the Fireworks Committee and would therefore become the second member to live outside of city limits.

The Fireworks Committee would like to move Wendy Stec from the alternate position to the open voting position. This would leave one alternative committee seat open.

1. Cheryl Campos (outside city limits)
2. Mike Billings (outside city limits)
3. Colt Wilkins
4. Paul Giraud

5. Wendy Stec
6. Chris Teichroew (alternate)
7. Open (alternate)

City Manager Recommendation: n/a

Potential Motion to Approve:

"I move to approve removing Isidro Amaral from the Fireworks Committee as a voting member due to inactivity and appointing Wendy Stec as a voting member with a term ending December 31, 2026."

Council Options:

1 - Approve as recommended.

2 - Approve with amendments.

3 - Take no action and direct staff to do further research or provide additional options.

To: Honorable Mayor and City Councilors
From: Rochelle Roaden, City Manager
Issue: Appointment of Dayton Community Events Committee Members
Date: February 5, 2024

History/Background

At the November 1, 2023, City Council meeting, the council approved Resolution 23/24-06 establishing the Dayton Community Events Committee.

Per resolution, this committee will have 5 voting members (Chair, Co-Chair, Secretary, and two other voting members). In addition, two alternates. These voting members are to be appointed by the mayor with council approval and serve 3-year terms. Two of the 7 voting members can live outside of Dayton city limits.

The city pushed out an online application via social media and we received 3 applications. Two are Dayton residents and one lives in McMinnville but owns/runs business in Dayton.

Mayor Marquez would like to appoint the following to 3 of the 5 voting positions for three-year terms ending on December 31, 2026:

1. Kimberly Lattig (outside of city limits)
2. Rachel Williams
3. Beth Wytoski

City Manager Recommendation: n/a

Potential Motions to Approve:

"I move to approve appointing Rachel Williams, Kimberly Lattig and Beth Wytoski to the Dayton Community Events Committee as voting members with terms ending December 31, 2026."

Council Options:

- 1 - Approve as recommended.
- 2 - Approve with amendments.
- 3 - Take no action and direct staff to do further research or provide additional options.

From: cityofdayton@daytonoregon.gov
To: [Rochelle Roaden](#); [Rocio Vargas](#)
Subject: Community Events Committee Application
Date: Thursday, December 7, 2023 9:10:36 PM

Applicant Name / Nombre del solicitante
Kimberly Lattig

Mailing Address - If different from Physical Address / Dirección postal: si es diferente de la dirección física
P.O. Box 1519 McMinnville, OR 97128

Email / Correo electrónico:
kim@loamkitchen.com

Experience / Experiencia

I have over 15 years of career experience managing & directing hundreds of culinary & wine events as well as community events in Willamette Valley. I'm born & raised in Willamette Valley & went to college where I studied Marketing & Communications. I helped with the major fundraising efforts to bring airline service back to Salem with Fly Salem, and have been a part of many marketing committees in different local area groups. I would be a useful member to the community events committee because I have a youthful energy and am very excited to bring the community together during many celebrations and events in the future whether it be with my business or as a volunteer in the community. I have an immense amount of respect for tradition and also have great ideas to expand and grow these traditions into more exciting experiences for our community.

Physical Address / Dirección física
306 Ferry Street Dayton, OR 97114

Do you live inside of Dayton city limits? / ¿Vive dentro de los límites de la ciudad de Dayton?
No

Phone Number / Número de teléfono:
5038573742

Current Occupation / Ocupación actual:
Restaurateur

Serving on the Committee / Sirviendo en el Comité

I love serving our community and would love to help out in an area that I'm very talented in.

***** Email Details *****

From IP address: [REDACTED]
Submitted date: 12/7/2023 11:10:28 PM ID: 1831

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: cityofdayton@daytonoregon.gov
To: [Rochelle Roaden](#); [Rocio Vargas](#)
Subject: Community Events Committee Application
Date: Wednesday, December 13, 2023 6:59:48 PM

Applicant Name / Nombre del solicitante
Rachel Williams

Mailing Address - If different from Physical Address / Dirección postal: si es diferente de la dirección física
703 Rodeo Dr, Dayton, OR 97114

Email / Correo electrónico:
Rwilliams4999@hotmail.com

Experience / Experiencia
Area Field Manager for Uhaul - supporting small businesses through opening uhaul dealerships strictly with small businesses to easily add to their profit and add convenience to the moving customer. Currently on a medical leave. Experienced with sales and customer service and motivated to enhance this community.

Physical Address / Dirección física
703 rodeo dr, Dayton, OR 97114

Do you live inside of Dayton city limits? / ¿Vive dentro de los límites de la ciudad de Dayton?
Yes/Sí

Phone Number / Número de teléfono:
2489745311

Current Occupation / Ocupación actual:
Management/ On leave

Serving on the Committee / Sirviendo en el Comité
I love Dayton, community and small business. The community so far has been very warm and I've enjoyed the events I've attended. I don't have any specific ideas for events right now, I am presently disabled and would need to know time commitments and expectations but would love to be a help any way possible.

***** Email Details *****

From IP address: [REDACTED]
Submitted date: 12/13/2023 8:59:42 PM ID: 1850

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: cityofdayton@daytonoregon.gov
To: [Rochelle Roaden](#); [Rocio Vargas](#)
Subject: Community Events Committee Application
Date: Tuesday, January 2, 2024 1:39:02 PM

Applicant Name / Nombre del solicitante
Beth Wytoski

Mailing Address - If different from Physical Address / Dirección postal: si es diferente de la dirección física
818 Howard Jordan Lp, Dayton, OR 97114

Email / Correo electrónico:
beth.wytoski@gmail.com

Experience / Experiencia
I served 14 years on the city council with 9 as mayor. I led community events for 17 years.

Physical Address / Dirección física
818 Howard Jordan Lp. Dayton, OR 97114

Do you live inside of Dayton city limits? / ¿Vive dentro de los límites de la ciudad de Dayton?
Yes/Sí

Phone Number / Número de teléfono:
5034343114

Current Occupation / Ocupación actual:
Regional Solutions Coordinator

Serving on the Committee / Sirviendo en el Comité
I would like to help with community event organization and outreach, restoring traditions, and improving attendance at events and parades. Also like to improve the relationship between the city and its committees and other local organizations.

***** Email Details *****

From IP address: [REDACTED]
Submitted date: 1/2/2024 3:38:56 PM ID: 1859

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: Honorable Mayor and City Councilors

From: Dave Rucklos, Tourism and Economic Development Director
Rochelle Roaden, City Manager

Issue: Approval of Resolution 2023/24-09 Oregon Parks and Recreation Local Government Grant Application

Date: February 5, 2024

Background and Information

Strategic Goal C: Capitalize on Dayton’s facilities and resources to provide recreational and cultural goals.

Objective: Complete Parks Master Plan

The State of Oregon Parks and Recreation Department manages a Local Government Grant Program (LGGP) which is “a voter approved, State lottery funded grant program administrated by the Oregon Parks and Recreation Department. Typically, the program awards over \$5 million annually to qualified projects, and has awarded over \$60 million in grant funding since the program began in 1999” per their website. Attached is an information flyer regarding this grant program.

This grant offers a \$50,000 planning grant (20% match = \$10,000) which if awarded, the city could use to fund an updated Parks Master Plan. Our current parks master plan is from 2004 and an update is badly needed. As part of the application process, a resolution from the Dayton City Council is needed.

City Manager Recommendation: I recommend approval.

Potential Motion to Approve: “I move to approve Resolution 2023/24-09 a Resolution of the Dayton City Council Authorizing the City Manager or Designee to Apply for a Local Government Grant from the Oregon Parks and Recreation Department to Update the Dayton Parks & Recreation Master Plan.”

Council Options:

- 1 - Approve as recommended.
- 2 - Approve with amendments.
- 3 - Take no action and direct staff to do further research or provide additional options.

Quick Facts

Program Title:	Local Government Grant Program (LGGP)
Program Website:	OPRDGrants.org or http://www.oregon.gov/oprd/GRANTS/Pages/local.aspx
Program Purpose:	To award grant fund assistance for outdoor park and recreation areas and facilities, acquisition of property for park purposes, bicycle and pedestrian recreation and transportation trails, bicycle recreation opportunities, and non-motorized water-based recreation.
Eligible Projects:	Property Acquisition, Development, Rehabilitation and Planning
Eligible Applicants:	Cities, Counties, Metropolitan Service Districts, Park and Recreation Dist., and Port Districts
Funding Source:	Oregon Lottery Funds for Natural Resources
Funding Available:	Approximately \$14 million annually
Funding Type:	Reimbursement Grants
Small Grants:	\$100,000 maximum award. Application only. No presentation required.
Large Grants:	\$1,000,000 maximum award. Application plus presentation to LGGP Advisory Committee required.
Matching Requirements:	<p>50% match required for:</p> <ul style="list-style-type: none"> • Cities and districts with a population over 25,000 • Counties with a population over 50,000 <p>40% match required for:</p> <ul style="list-style-type: none"> • Cities and districts with a population between 5,000 and 25,000 • Counties with a population between 30,000 and 50,000 <p>20% match required for:</p> <ul style="list-style-type: none"> • Cities and districts with a population under 5,000 • Counties with a population under 30,000
Planning Projects:	\$50,000 maximum award. Application only. No presentation required.
Eligible Planning Grant Applicants:	<ul style="list-style-type: none"> • Cities, Park, Recreation and Port Districts with populations less than 10,000, and • Counties with populations less than 50,000
Planning Grant Matching Requirements:	<p>20% match required for:</p> <ul style="list-style-type: none"> • Cities or districts with a population less than 5,000 • Counties with a population less than 30,000 <p>40% match required for:</p> <ul style="list-style-type: none"> • Cities and districts with a population between 5,000 and 10,000 • Counties with a population between 30,000 and 50,000

Annual Grant Cycle

January	Applications Available online
January / February	Application Workshop and Webinar
April	Applications Due (April – May, depending on type of application)
June	Presentations to LGGP Advisory Committee
August / September	OPRD Commission review
September / October	Project Agreements and Notice to Proceed Letters processed

Resolution No. 23/24 - 09
City of Dayton, Oregon

A Resolution of the Dayton City Council Authorizing the City Manager or Designee to Apply for a Local Government Grant from the Oregon Parks and Recreation Department to Update the Dayton Parks & Recreation Master Plan.

WHEREAS, the Oregon Parks and Recreation Department is accepting applications for the Local Government Grant Program and the City of Dayton desires to participate in this grant program to the greatest extent possible; and

WHEREAS, the City of Dayton completed the last Parks Master Plan in 2004 and the Dayton City Council have identified the need for a Dayton Parks & Recreation Master Plan update as a high priority need in the City; and

WHEREAS, the City of Dayton aims to enhance its parks and recreation system. An updated Parks & Recreation Master Plan will provide guidance for decisions regarding the acquisition, development, renovation, maintenance and activation of parks and recreation facilities.; and

WHEREAS, the City of Dayton acquired full ownership of Legion Field and Brookside Cemetery since the last Parks Mater Plan was completed; and

WHEREAS, the City of Dayton has available local matching funds to fulfill its share of obligation related to this grant application should the grant funds be awarded; and

WHEREAS, the City of Dayton will provide adequate funding for on-going operations and maintenance of this park and recreation facility should the grant funds be awarded.

NOW, THEREFORE, the City of Dayton resolves as follows:

- 1) **THAT** the Dayton City Council demonstrates its support for the submittal of a grant application to the Oregon Park and Recreation Department for the Update of the Dayton Parks & Recreation Master Plan.
- 2) **THAT** this resolution shall be effective following its adoption by the Dayton City Council.
- 3) **THAT** the City Manager or designee is delegated authority to apply for and execute this grant.

ADOPTED this 5th day of February 2024.

In favor:

Opposed:

Absent:

Abstained:

Trini Marquez, Mayor

Date Signed

ATTEST:

Rocio Vargas, City Recorder

Date of Enactment

To: Honorable Mayor and City Councilors
From: Rochelle Roaden, City Manager
Issue: Second Reading and Adoption of Ordinance 657 - Chapter 7 Update - Design Overlay in the Central Business Overlay Zone
Date: February 5, 2024

Goal B: Create a livable community that is aesthetically pleasing, affordable, inviting and with a vibrant and diverse economy. **Objective: Update Dayton Municipal Code - Update Design Code in the Central Business Overlay Zone**

At the January 2, 2024, council meeting the council was presented with the staff report, a public hearing was held, and the Council approved the first reading of Ordinance 657.

City Manager Recommendation: I recommend approving the second reading and adoption of Ordinance 657.

Potential Motion to Approve the 2nd Reading: "I move to approve the second reading of Ordinance 657 an Ordinance of the Dayton City Council Amending Title 7 (Dayton Land Use and Development Code) of the Dayton Municipal Code."

Potential Motion to Adopt Ordinance 657: "I move to adopt Ordinance 657 an Ordinance of the Dayton City Council Amending Title 7 (Dayton Land Use and Development Code) of the Dayton Municipal Code."

City Council Options:

- 1 - Approve the 2nd Reading and Adoption of Ordinance 657 as recommended.
- 2 - Approve the 2nd Reading and Adoption of Ordinance 657 with amendments.
- 3 -Take no action and ask staff to do more research and bring further options back to the City Council.

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**ORDINANCE NO. 657
CITY OF DAYTON, OREGON**

AN ORDINANCE OF THE DAYTON CITY COUNCIL AMENDING TITLE 7 (DAYTON LAND USE AND DEVELOPMENT CODE) OF THE DAYTON MUNICIPAL CODE.

WHEREAS, the Dayton Municipal Code (DMC) is a codification of the general ordinances of Dayton, Oregon, organized by subject matter under Title, of which includes Title 7, Dayton Land Use and Development Code; and

WHEREAS, the Dayton City Council initiated a legislative text amendment (LA 2023-02) to amend Section 7.2.111 which regulates development in the Dayton Central Business Overlay Zone (CBO) at their meeting of February 21, 2023; and

WHEREAS, on August 28 and September 11, 2023, the Technical Advisory Committee held work sessions to consider the desired changes to Section 7.2.111 of Title 7, and, after these work sessions, directed city staff to schedule a public hearing on LA 2023-02 to consider the recommended changes; and

WHEREAS, on November 9, 2023, public notice for LA 2023-02 was provided to the Department of Land Conservation and Development with a description of all proposed changes; and

WHEREAS, on November 20, 2023, public notice for LA 2023-02 was provided in accordance with ORS 227.186, with notice mailed to the current owners of all properties located within the CBO; and

WHEREAS, on December 1, 2023, public notice for LA 2023-02 was published in the McMinnville News Register with a description of all proposed changes; and

WHEREAS, on December 14, 2023, the Dayton Planning Commission conducted the first of two required public hearings for LA 2023-02 at which time interested parties were provided full opportunity to be present and heard; and

WHEREAS, on December 14, 2023, the Dayton Planning Commission reviewed the proposed amendments included in the December 14 staff report for LA 2023-02 for additional changes to Title 7, and with all members present, unanimously passed a motion recommending that the City Council adopt LA 2023-01 as further amended by proposed changes to the document of December 14, 2023; and

WHEREAS, on January 2, 2024, the Dayton City Council conducted the second required public hearing for LA 2023-02 at which time interested parties were provided full opportunity to be present and heard on the proposed amendments to Title 7 as amended.

NOW, THEREFORE, THE CITY OF DAYTON ORDAINS AS FOLLOWS:

Section 1. The City Council of the City of Dayton does hereby adopt the staff report dated January 2, 2024, including the findings of fact and conclusionary findings and supporting documentation contained in the staff report, attached to this Ordinance as Exhibit 1.

Section 2. The City Council of the City of Dayton does hereby amend Title 7 of the Dayton Municipal Code, attached to this Ordinance as Exhibit 2.

Section 3. This ordinance is effective thirty (30) days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Dayton on this ____ day of _____, 2024.

Mode of Enactment:

Date of first reading: January 2, 2024 In full _____ or by title only XX

Date of second reading: _____ In full _____ or by title only _____

____ No Council member present at the meeting requested that the ordinance be read in full.

____ A copy of the ordinance was provided to each Council member; three copies were provided for public inspection in the office of the City Recorder no later than one week before the first reading of the Ordinance.

Final Vote:

In Favor:

Opposed:

Absent:

Abstained:

Trini Marquez, Mayor

Date of Signing

ATTESTED BY:

Rocio Vargas, City Recorder

Date of Enactment

Attachment: Exhibit 1 - Staff Report
Exhibit 2 - Title 7 Amendments

EXHIBIT 1



STAFF REPORT

LA 2023-02 PUBLIC HEARING BEFORE CITY COUNCIL

HEARING DATE: January 2, 2024

SUBJECT: Text amendments to Chapter 7.2.111 of the Dayton Land Use Development Code to add design standards for new development in the Central Business Area Overlay District (CBO).

APPROVAL

CRITERIA: Dayton Land Use Development Code, Section 7.3.112.03, A – D.

EXHIBITS:

- A. Proposed Code Amendments
- B. Technical Advisory Committee Memo 1
- C. Technical Advisory Committee Memo 2
- D. Measure 56 notice
- E. Public Comment Submitted to Planning Commission

I. REQUESTED ACTION

Conduct a public hearing on proposed legislative amendments to Chapter 7.2.111 of the Dayton Land Use Development Code (DLUDC), case file LA 2023-02. Options for action on LA 2023-02 include the following:

- A. Adopt the findings in the staff report and adopt LA 2023-02:
 - 1. As presented / recommended by staff; or
 - 2. As amended by the City Council (indicating desired revisions).
- B. Recommend that the City Council take no action on LA 2023-02.
- C. Continue the public hearing to a date/time certain.

II. BACKGROUND

In 2012, the Dayton City Council unanimously adopted the Dayton Forward Plan to provide a vision for the future of Dayton. The vision included specific goals related to revitalizing the central business core by improving the urban form of the built environment within the City's CBO. In February of 2023, the City Council included the CBO design standard update as a high priority objective toward creating a livable community that is aesthetically pleasing, affordable, inviting, and with a vibrant and diverse economy (Goal B). With that goal in mind, the City Council initiated this text amendment to ensure future development within the district will be consistent with the aspirations of the Dayton community.

The roster of the Technical Advisory Committee (TAC) was assembled during the week of July 21st, 2023. Staff conducted two public meetings with the TAC to consider examples from other cities and provide input on draft recommendations from staff. Staff memos from both those meetings are included in Exhibits B and C. Following those meetings, the draft amendments were further refined in response to comments from TAC members to produce the draft amendments in Exhibit A for consideration by the Planning Commission.

III. PROCESS

Section 7.3.112.01 requires text amendments to the DLUDC to be approved through a Type IV review procedure as specified in Section 7.3.2.

On August 28, 2023, the TAC held a work session to review examples of design standards in sample cities and reach consensus on a general set of design elements to be included in the first draft of code amendments to be reviewed at the second meeting of the TAC.

On September 11, 2023, the TAC met a second time to review a first draft of code amendments to Section 7.2.111 of the DLUDC along with preliminary survey results from the Dayton Redevelopment Survey.

On November 9, 2023, staff issued the required 35-day notice to the Department of Land Conservation and Development. On November 20, 2023 staff sent notice to all property owners within the CBO as required under ORS 277.186 notifying them of proposed changes in land use regulations that may affect the use of their property. On December 1, 2023, written notice of the hearing before the Planning Commission and subsequent hearing before City Council was published in the McMinnville News Register. On December 14, the first required public hearing was held before the Planning Commission. Following the public hearing, the Planning Commission deliberated and voted unanimously to approve LA 2023-02 with recommended revisions.

Public Comment

The Planning Commission received two public comments at the December 14 hearing. The first comments were provided by Judy Gerrard, member of the Historic Preservation Committee and member of the TAC. Ms. Gerrard provided comments in support of LA 2023-02 that described process of the TAC and discussions they had regarding key issues such as the increase in the maximum building height.

Steve Scott of McMinnville Properties and representing Twin Towers, LLC provided the comments in Exhibit E asking for clarification regarding any minimum requirements for overnight accommodations to qualify for the proposed height bonus for new buildings and asking if rooftop mechanical equipment would be subject to the maximum height requirement. Staff clarified the overnight accommodation must present on more than one floor above the ground floor of a new building to qualify for the height bonus but no other minimum or maximum standard is required. Staff agreed that the proposed revisions did not address rooftop mechanical equipment and that it was common for these features not to be subject to the maximum height limits. Staff provided an example of code language from the City of Gresham that exempts such features from maximum height limits. In response, Planning Commission instructed staff to incorporate similar language into the amendments sent to the City Council for adoption. This recommendation was added to the proposed text amendments shown in Exhibit A.

The scope of the proposed text amendments associated with LA 2023-02 are included in Exhibit A and are shown in *italic bold* and ~~strikethrough~~ format for review purposes.

IV. SUMMARY OF PROPOSED AMENDMENTS

The following summarizes the proposed amendments to the applicable sections of the DLUDC in the order they appear in the Code.

7.2.111.03 Development Requirements

Adds standard overlay language to clarify the relationship between the requirements of the CBO and the underlying zoning district.

7.2.111.04 Dimensional Standards

Creates a new table summarizing the applicable development standards in the CBO for setbacks and height.

7.2.111.05 Building Orientation

This section includes requirements such as orienting primary entrances toward streets with connected walkways, incorporating recessed or sheltered building entrances, placing off-street facilities internally—including parking—and establishing standards for corner entrances. Additionally, a minimum transparency requirement for primary entrances is required.

7.2.111.06 Building Height Bonus

This section allows an increase in maximum building height from 45 feet to 55 feet, provided specific conditions are met, including step-back requirements on the upper stories of the building to minimize vertical bulk and limitations on the portion exceeding 45 feet. For properties at the northeast corner of Ferry Street and Third Street, further allowances up to 65 feet from 55 feet are allowed with corresponding conditions.

7.2.111.07 Building Design

This section includes minimum requirements for building articulation including horizontal articulation for wider structures provided with elements such as proportional bays, storefront features, shelter for pedestrians, and minimum requirements for window transparency at the ground floor.

7.2.111.08 Building Materials and Colors

This section restricts the use of certain materials and colors on non-residential structures to low reflective, earth tones, and shades from the designated palette to ensure compatibility with existing historic buildings in the district.

7.2.202.01 Building Height Limitations

Adds language exempting heating, ventilation, and air conditioning (HVAC) equipment, solar energy systems, small scale wind energy systems, mini wireless communication facilities and other similar features not used for human occupancy from building height limitations.

V. FINDINGS AND APPROVAL CRITERIA

7.3.112.01 Process

Amendments to the Comprehensive Plan and Development Code texts shall be reviewed in accordance with the Type IV review procedures specified in Section 7.3.201.

7.3.112.03 Criteria for Approval

Amendments to the Comprehensive Plan or Development Code text shall be approved if the evidence can substantiate the following:

A. Impact of the proposed amendment on land use and development patterns within the city, as measured by:

1. Traffic generation and circulation patterns;

Findings: The proposed amendments involve new standards primarily regulating the form of new development in the CBO, but do not involve changes to the uses allowed in the underlying Commercial (C) and Commercial Residential (CR) zoning designations. Future traffic generation will be evaluated through the Site Development Review process when future development is proposed. Further, the street network within the CBO is well established, therefore the new design standards will not impact the established circulation patterns. Staff find this criterion is satisfied.

2. *Demand for public facilities and services;*

Findings: The proposed amendments regulate the form of new development in the CBO, but do not involve changes to the uses allowed in the underlying zoning designations that could be anticipated to affect demand on public facilities and services before development under the new standards is proposed. Therefore, impacts to the demand for public facilities and services will be evaluated through the Site Development Review process. Staff find this criterion is satisfied.

3. *Level of park and recreation facilities;*

Findings: The amendments do not involve changes to the uses allowed in the underlying zoning districts that would affect the level of service provided by existing park and recreation facilities. Nevertheless, the area is well served by Courthouse Square Park and Legion Field. This criterion is met.

4. *Economic activities;*

Findings: The proposed amendments are intended, in part, to stimulate economic activity in the CBO and generate a positive impact on economic activity. Staff find this criterion is satisfied.

5. *Protection and use of natural resources;*

Findings: The CBO does not include areas containing identified natural resources.

6. *Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvements.*

Findings: The proposal advances existing plans and programs such as the 2012 Dayton Forward Plan and the strategic goals of City Council which included the CBO design standard update as a high priority objective toward creating a livable community that is aesthetically pleasing, affordable, inviting, and with a vibrant and diverse economy. Staff find this criterion is satisfied.

B. A demonstrated need exists for the product of the proposed amendment.

Findings: The product of the amendment is needed to advance the long-term vision of the City set forth in the 2012 Dayton Forward Plan. The vision included specific goals related to revitalizing the central business core by improving the form of the built environment within the City's CBO. In February of 2023, the City Council included the CBO design standard update as a high priority objective toward creating a livable community that is aesthetically pleasing, affordable, inviting, and with a vibrant and diverse economy. Staff find this criterion is satisfied.

C. The proposed amendment complies with all applicable Statewide Planning Goals and administrative rule requirements.

Applicable Statewide Planning Goals.

Goal 1, Citizen Involvement.

Findings: A public hearing on the proposed amendments was held before the Planning Commission on December 14, 2023, at City Hall at 6:30 p.m. and a second public hearing will be held before City Council in January 2024. Public notice has been provided in accordance with noticing requirements in the Dayton Land Use and Development Code for legislative public hearings by the Planning Commission and the City Council. Goal 1 is satisfied.

Goal 2, Land Use Planning.

Findings: Goal 2 requires each local government in Oregon to have and follow a comprehensive land use plan and implementing regulations. These are in place. The scope of this legislative proposal does not involve any amendments to the Comprehensive Plan policies. Existing

Comprehensive Plan land use map designations and base zoning designations are unchanged. This amendment proposal does not add, subtract, or modify the uses allowed either outright or conditionally by the existing zone. The proposal does not involve exceptions to the Statewide Goals. Staff finds Goal 2 is satisfied.

Goal 3 & 4. Agricultural Lands and Forest Lands

Findings: Goal 3 and 4 primarily pertain to rural areas, typically outside urban areas. Staff finds Goals 3 and 4 to be not applicable due to the limited scope of the proposed text amendments.

Goal 5. Natural Resources, Scenic and Historic Areas, and Open Spaces.

Findings: Staff observe how the proposed amendments do not impact natural resources or open spaces. Staff incorporate the scope of work description above in response to Goal 2. This amendment proposal does not add, subtract, or modify the list / description of historic resources identified in the Historical Property Overlay Zone. Nevertheless, the amendments included a number of provisions that will ensure that future development in the district is compatible with the designated landmarks in the CBO. Staff find that Goal 5 is satisfied.

Goal 6. Air, Water and Land Resources Quality.

Findings: The proposal does not address Goal 6 resources. Based on the limited scope of proposed text amendments, staff finds Goal 6 to be not applicable.

Goal 7. Areas Subject to Natural Hazards.

Findings: The proposal does not address Goal 7 resources. Based on the limited scope of the proposed text amendments, staff finds Goal 7 to be not applicable.

Goal 8. Recreation Needs.

Findings: The proposal does not address Goal 8 resources. Based on the limited scope of work included in this report staff finds Goal 8 to be not applicable.

Goal 9. Economic Development.

Findings: Proposed amendments do not change the permitted uses in the underlying C and CR zones and do not modify the Industrial zone. Proposed changes to the DLUDC do not impact identified future employment areas identified through past Economic Opportunities Analysis. Accordingly, staff find that Goal 9 does not apply.

Goal 10. Housing.

Findings: The proposed amendments introduce new design standards that may apply to future dwelling units in the CBO. These amendments are not intended to hinder the ability to construct dwelling units in accordance with existing zoning and other development standards. Proposed changes to the DLUDC will not impact identified needed housing as identified through the existing Housing Needs Analysis. Accordingly, Goal 10 does not apply.

Goal 11. Public Facilities and Services.

Findings: Public facilities under Goal 11 include water, sanitary sewer, police, and fire protection. Other services (e.g., health, communication services) are also listed in Goal 11. The proposed amendments do not have any direct impact on any of the master planning documents required under Goal 11. The proposed amendments are consistent with Goal 11.

Goal 12. Transportation.

Findings: The proposed amendments to the DLUDC are found to comply with Oregon Administrative Rule (OAR) 660-012, commonly referred to as the Transportation Planning Rule, as there are no proposed changes or amendments to local transportation requirements or road classifications. Goal 12 is met.

Goal 13. Energy Conservation.

Findings: Based on the limited scope of work described in this report, staff finds Goal 13 to be not applicable.

Goal 14. Urbanization.

Findings: Based on the limited scope of the text amendments described in this report, staff finds Goal 14 to be not applicable. No change to the existing Urban Growth Boundary (UGB) is proposed.

Goal 15 for the Willamette River Greenway and Goals 16 – 19 for the Coastal Goals.

Findings: Staff observe Goals 15 through 19 to apply only to specific regions of the state (*Willamette River Greenway, Estuarine Resources, Coastal Shorelands, Beaches and Dunes, Ocean Resources*). Goals 15 – 19 do not apply because the city is not on the Willamette River or in a coastal area.

The proposed amendments are consistent with the applicable Statewide Planning Goals. This criterion is met.

D. The amendment is appropriate as measured by at least one of the following criteria:

- 1. It corrects identified error(s) in the provisions of the plan.*
- 2. It represents a logical implementation of the plan.*
- 3. It is mandated by changes in federal, state, or local law.*
- 4. It is otherwise deemed by the council to be desirable, appropriate, and proper.*

Findings: The City Council has deemed the amendment desirable, appropriate, and proper to advance the long-term vision of the City set forth in the 2012 Dayton Forward Plan. The vision included specific goals related to revitalizing the central business core by improving the form of the built environment within the City’s CBO. In February of 2023, the City Council included the CBO design standard update as a high priority objective toward creating a livable community that is aesthetically pleasing, affordable, inviting, and with a vibrant and diverse economy. For the reasons enumerated above, staff find this criterion is satisfied.

VI. CITY COUNCIL ACTION – Sample Motion

A councilor may make a motion to either:

1. Adopt the staff report and recommend the City Council approve the amendments. A sample motion is:
I move the City Council adopt the staff report and approve LA 2023-02.
2. Adopt a revised staff report with changes City Council approve the revised amendments. A sample motion is:
I move the City Council adopt a revised staff report with the following revisions...state the revisions...and recommend the City Council approve the revised amendments.
3. Recommend the City Council deny the proposed amendments. A sample motion is:

I move the City Council deny the proposed amendments for the following reasons...and state the reasons for the denial.

- 4. Continue the hearing to a date/time certain. A sample motion is:

I move the City Council continue the hearing to a date (state the date) and time (state the time) to obtain additional information and state the information to be obtained.

Staff Report prepared by Curt Fisher, AICP - City Planner

EXHIBIT A

7.2.111 Central Business Area Overlay Zone (CBO)

7.2.111.01 Purpose

7.2.111.02 Central Business Area **Overlay Zone** Defined

7.2.111.03 Development Requirements

7.2.111.04 ~~Parking~~ **Dimensional Standards**

7.2.111.05 ~~Landscaping~~ **Building Orientation**

7.2.111.06 ~~Building Standards~~ **Height Bonus**

7.2.111.07 ~~Signs Moved To Section 7.4.1 ORD 652~~ **Building Design**

7.2.111.08 ~~Modification Of Site Design Standards~~ **Building Materials and Colors**

7.2.111.09 Landscaping

7.2.111.10 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 Overlay Zone Defined

For the purposes of this Section, the Central Business Area **Overlay Zone** 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 **and modifications to existing buildings requiring Site Development Review** within the Central Business Area **Overlay Zone**. ***Change of use or development within the Central Business Area Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where a development standard in this section conflicts with a development standard applicable in the underlying zone, the development standard in this section shall be the applicable development standard. None of the provisions of this Chapter shall relieve an applicant from meeting the requirements that apply to Designated Landmarks in the Historical Property Overlay Zone.***

- 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~~ **underlying 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 **City** 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 Dimensional Standards

Table 7.2.111.04 – Central Business Area Overlay Zone Dimensional Standards	
Minimum Lot Area	None
Minimum Front/Street Side Yards	No front or streetside setback is allowed. Exceptions to the setback requirements may be granted to allow for a pedestrian plaza, courtyard, dining space, landscaping, or similar purpose.
Minimum Rear Yard	None
Minimum Side Yard	None
Maximum Structure Height*	45 feet maximum building height; or 55 feet with height bonus, subject to subsection 7.2.111.06. Except for the properties identified in subsection 7.2.111.06.D, where the maximum building height shall be 55 feet; or 65 feet with height bonus.
Setback from Residential Zones	Buildings shall be setback a minimum of 10 feet from R-1, R-2, and R-3 zoned properties. The minimum setback shall increase by one foot for each one foot of building height over 35 feet.

***Projections that are not subject to the maximum height limit are described in Section 7.2.202.01 of the DLUDC.**

7.2.111.065 Building Orientation

New buildings shall comply with the following standards:

- ~~A. Setbacks. The maximum building setback from a street side property line shall be 10 feet. The street side setback area shall be landscaped. Otherwise, there shall be no minimum nor maximum building setbacks. If a drive through window is permitted through the exception process under Section 7.2.111.03C, the set back from the street side shall be a minimum of fifteen (15) feet. *(Added ORD 610 effective 4/2/12)*~~
- ~~B. Building Height. New buildings shall be within 25 percent of the average height of existing buildings located on the same street side. *(Amended ORD 610 effective 4/2/12)*~~
- ~~C. Orientation. The main entrance to a building shall face a public street.~~
- ~~D. Building Facade. Building facades visible from a public street shall be of brick or wood construction.~~
- ~~E. Special Design Requirements. For property located on the south side of Ferry Street, between Third and Fourth Streets, the following additional design standards shall apply:~~

- ~~1. Setbacks. The maximum building setback from a street side property line shall be 0 feet. See Section 7.2.111.06, letter A, for a drive through window. (Amended ORD 610 effective 4/2/12)~~
 - ~~2. Building Height. New buildings shall be within 10 percent of the average height of existing buildings. (Amended ORD 610 effective 4/2/12)~~
 - ~~3. Building Facade. The building facade visible from a public street shall be predominantly of brick.~~
 - ~~4. Building Design. New buildings shall be similar in character and design with existing structures.~~
- A. The building shall comply with the dimensional standards in subsection 7.2.111.04.**
 - B. Provide at least one primary building entrance facing an abutting street that shall open onto a sidewalk, pedestrian plaza or courtyard, and a walkway shall connect the primary entrance to the plaza and sidewalk.**
 - C. Building entrances shall be recessed or otherwise covered by a pedestrian shelter.**
 - D. Off-street parking and loading areas shall not be required within the Central Business Area. Off-street parking, loading areas, trash pick-up, and above ground utilities, including but not limited to utility vaults and propane tanks, shall not be placed between building entrances and the street(s) to which they are oriented, but shall be oriented internally to the block, screened, and accessed by alleys to the extent practicable.**
 - E. Where off-street parking is provided, it shall conform to the dimensional standards and landscape standards of Section 7.2.303.**
 - F. Where a development contains multiple buildings and there is insufficient street frontage to which buildings can be oriented, a primary entrance may be oriented to plaza, courtyard, or similar space containing pedestrian amenities. When oriented this way, the primary entrance(s), plaza, or courtyard shall be connected to the street by a landscaped and lighted walkway with an approved surface not less than five (5) feet wide.**
 - G. Buildings on corner lots shall have a corner entrance not more than 20 feet from the corner of the building and contain architectural features that emphasize the corner (e.g., chamfered/rounded edge, windows, molding, art).**
 - H. Primary building entrances shall be at least fifty percent (50%) transparent so that two-way views, in and out of a building, are possible. This standard can be met by a door with a window, a transom window above the door, or sidelights beside the door.**

7.2.111.046 Parking Building Height Bonus

~~Off-street 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.~~

The following standards are intended to support the urban design objectives for downtown and facilitate mixed-use development through increased building height, while protecting the historic integrity of downtown buildings. All the standards in this section must be met for approval of a building height bonus:

- A. *The maximum allowable height may be increased from 45 feet to 55 feet when the standards under this section are met.*
- B. *The portion of the building exceeding 45 feet shall cover not more than 50 percent of the building floor plate, as defined by the building foundation perimeter. Except the portion of the building subject to the height bonus may exceed 50 percent of the building floor plate for a mixed-use building that includes multifamily dwelling units or overnight accommodations above the ground floor.*
- C. *The portion of the building exceeding 45 feet shall step-back from (recess behind) the building plane of the ground floor by one foot for each foot of building height above 45 feet.*
- D. *Special Design Requirements. Due to the unique location of the properties at the corner of Ferry Street (OR 155) and Third Street (OR 221), the following height standards shall apply to the properties fronting the north side of Ferry Street, between Second and Third Streets:*
 - 1. *Building Height. 55 feet maximum building height. The maximum building height may be increased to 65 feet when the standards in subsection 2 and 3 are met.*
 - 2. *The portion of the building exceeding 55 feet shall cover not more than 50 percent of the building floor plate, as defined by the building foundation perimeter. Except the portion of the building subject to the height bonus may exceed 50 percent of the building floor plate for a mixed-use building that includes multifamily dwelling units or overnight accommodations above the ground floor.*
 - 3. *The portion of the building exceeding 55 feet shall step-back from (recess behind) the building plane of the ground floor by one foot for each foot of building height above 55 feet.*

7.2.111.057. Building Design

- A. *Horizontal Articulation. Buildings more than 60 feet wide facing a street or plaza shall be visually divided into proportional bays similar in scale to historic building patterns and the historic lot widths of the Dayton Town Plat. Front elevations should be articulated (e.g., offset, recess, projection, or similar "break" in the wall plane) not less than once every 30 feet. Acceptable methods to satisfy the standard include offsets in a building elevation, roofline and/or the placement of windows, pilasters, awnings/canopies, trim, art/medallions, or other detailing and ornamentation. Changes in paint color do not satisfy this standard.*
- B. *Horizontal Rhythm. The main façade of the building shall be visually compatible with adjoining buildings. The standard may be met through either similar height and width, or with design elements that provide visual continuity with the height and width of adjoining buildings. Examples of such design elements include but are not limited to the base below a series of storefront windows; an existing awning or canopy line; a belt course between building stories; an existing cornice or parapet line. Where adjacent buildings do not provide a historically appropriate reference, the development may establish new horizontal lines consistent with historical precedent. This standard shall not be interpreted to prohibit building up to the allowed height limit.*
- C. *Storefronts (that portion of the building that faces a public street) shall include the following basic features of a historic storefront:*

1. *A belt course separating the upper stories from the first floor;*
2. *A bulkhead or kickplate at the street level;*
3. *A recessed entry and transom with transparent door;* and
4. *Decorative cornice or cap at the roofline.*

D. Pedestrian Shelters. *Awnings, canopies, recesses or similar pedestrian shelters shall be provided along at least 60 percent of a building's ground floor elevation(s) where the building abuts a sidewalk or civic space (e.g., plaza).*

1. *Pedestrian shelters used to meet the above standard shall extend at least 5 feet over the pedestrian area, be proportionate to the building in its dimensions, and not obscure the building's architectural details.*
2. *Pedestrian shelters shall align with one another to the extent practicable.*
3. *Shelters shall not conflict with mezzanine or transom windows.*
4. *Colored canvas (not plastic) awnings and metal or plexi-glass canopies, when consistent with historical styles, are allowed.*
5. *Color of the pedestrian shelter shall be compatible with the main building.*
6. *Where signs are proposed as part of pedestrian shelters, they shall be required to meet the provisions of Chapter 7.4.1 Sign Regulations.*

Exceptions: *Pedestrian shelters are not required where historical precedent dictates otherwise. In addition, the Planning Commission may reduce the minimum shelter depth upon finding that existing right-of-way, easements, or building code requirements preclude a standard shelter.*

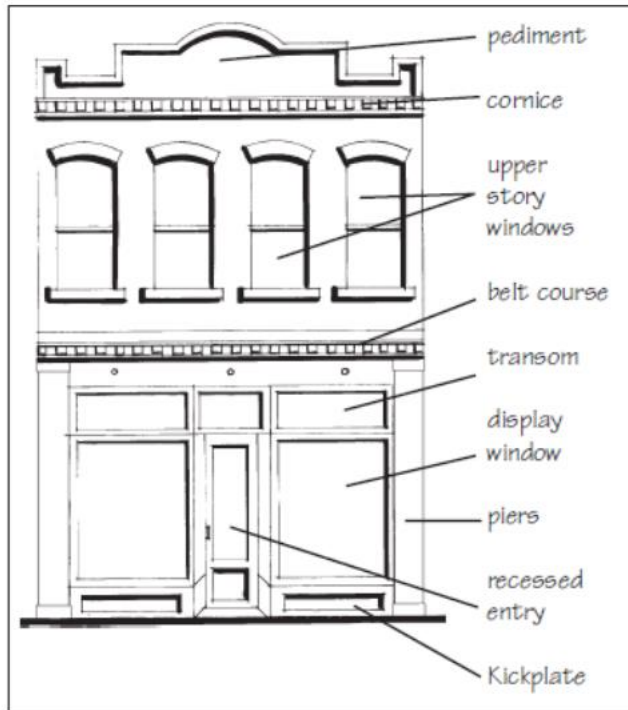


Figure 7.2.111.07. Typical Storefront Components

E. Windows

1. *Windows shall be recessed and not flush or project from the surface of the outer wall. In addition, upper floor window orientation primarily shall be vertical.*
 2. *A minimum of 60 percent of the ground floor building elevations facing a street shall be comprised of transparent windows.*
 3. *All side and non-ground floor building elevations not otherwise subject to the provisions of subsection 2, above, shall be comprised of not less than 30 percent transparent windows; except zero-lot line/common wall elevations are not required to provide windows.*
- F. The predominate roof form of buildings on Ferry Street shall be a flat roof with appropriately scaled cornice or stepped parapet top.**
- G. Rooftop mechanical equipment as described in Section 7.2.202.0.B shall be setback and screened so as to not be visible to a person standing within an adjacent, at-grade public right of way, park, or open space.**

7.2.111.08 Building Materials and Colors

A. Building Materials.

1. *Exterior building materials shall consist of materials found on historic buildings in the downtown area including decorative block, brick, painted wood, smooth stucco, or natural stone. The use of high intensity colors such as, neon, metallic or florescent colors for the façade of the building are prohibited.*
2. *The following materials are prohibited for use on visible surfaces on non-residential structures:*
 - a. *Vinyl and aluminum;*
 - b. *Asphalt or fiberglass shingles;*
 - c. *Structural ribbed metal panels;*
 - d. *Corrugated metal panels;*
 - e. *Plywood sheathing, to include wood paneling such as T-111;*
 - f. *Plastic sheathing; and*
 - g. *Reflective or moderate to high grade tinted glass.*

B. Colors. Exterior building colors shall be compatible with those traditionally seen in the Commercial Business Area Overlay District.

1. *Primary building colors shall be of low reflective, subtle, earth tones or other natural color shades. Permitted colors include shades brick red, brick cream, tan, brown, and dark to light shades of gray (including shades of blue-gray and green-gray) that conform to the Dayton Central Business Area Overlay District color palette in Figure 7.2.111.08.B.*
2. *The use of high intensity colors that are reflective, sparkling, or florescent for the façade of the building are prohibited. Metals shall be matte finish, earth-tone, or burnished/non-reflective colors.*

- 3. *Painting brick on a non-residential building listed as Designated Landmark subject to the Historical Property Overlay Zone in Chapter 7.2.112 is prohibited.***

Figure 7.2.111.08.B. Dayton Central Business Area Overlay District color palette



7.2.111.059 Landscaping

All new development within the Central Business Area fronting a public or private street shall provide street trees and landscaping in accordance ~~to~~ **with** the following:

- A. Type of Trees. Street trees shall be limited to an approved City of Dayton list. The list of acceptable tree species and planting methods shall be established by the Department of Public Works.
- B. Minimum Size to be Installed. Street trees shall have a minimum caliper of 2 inches when measured 4 feet in height at the time of installation.
- C. Spacing. The spacing of street trees by tree size shall be as follows:
 - 1. Small sized trees (under 25' tall and less than 16' wide) shall be spaced no greater than 20 feet apart.
 - 2. Medium sized trees (25' - 40' tall and more than 16' wide) shall be spaced no greater than 30 feet apart.
 - 3. Large trees (over 40' tall and more than 35' wide) shall be spaced no greater than 40 feet apart.
- D. Placement. The placement of trees is subject to the site design review process. Tree placement shall not interfere with utility poles, light standards, power lines, utility services, visual clearance areas or sidewalk access.
- E. Exemption to Street Tree Requirements. Exemptions to these requirements is **are** subject to the site design review process and may be granted if:
 - 1. The location of the proposed tree would cause potential problems with existing utility lines; or,
 - 2. The tree would cause visual clearance problems; or,
 - 3. There is not adequate space in which to plant the trees; or,
 - 4. Street trees are already in place on the site.
- F. Landscaping, General. Those areas not constructed upon or devoted to parking and access shall be landscaped in accordance ~~to~~ **with** provisions in Section 7.2.306.

[7.2.111.07 Signs Moved To Section 7.4.1 ORD 652](#)

1.—

2.—

1.—

(Removed ORD 652-Effective 10/07/21)

HISTORY

Amended by Ord. [652](#) on 10/7/2020

7.2.111.0810 Modification of Site Design Standards

The Planning Commission, as part of the site design review process, may allow modification to the site design requirements in the Central Business Area **Overlay** when both of the following criteria are satisfied:

- A. The modification is necessary to provide design flexibility where:
 - 1. Conditions unique to the site require such modification; or,
 - 2. Parcel shape or configuration precludes compliance with provisions; or,
 - 3. A modification is necessary to preserve trees, other natural features or visual amenities determined by the Planning Commission to be significant to the aesthetic character of the area.
- B. Modification of the standards in this Section shall only be approved if the Planning Commission finds that the specific design proposed is substantially in compliance with the intent and purpose of the Central Business Area **Overlay** design provisions.

7.2.202.01 Building Height Limitations

~~Projections such as chimneys, spires, domes, elevator shaft housing, towers, aerials flagpoles, and other similar features not used for human occupancy are not subject to the building height limitations of the underlying zone unless otherwise specified in supplemental standards for special uses.~~ ***above the maximum building height. The following structures may project above the maximum building height:***

- A. Architectural features such as chimneys, spires, domes, towers, antenna, flagpoles, and other similar features not used for human occupancy.***
- B. Rooftop mechanical equipment such as heating, ventilation, and air conditioning (HVAC) equipment, solar energy systems, mini wireless communication facilities, and elevator shaft housing.***

EXHIBIT B



City of Dayton

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STAFF MEMO

WORK SESSION – AUGUST 28, 2023

SUBJECT: First meeting of the Technical Advisory Committee (TAC) for the CBO Design Standards Update project.

EXHIBITS:

- A. Chapter 6 of Healdsburg, CA Citywide Design Guidelines
- B. Restore Oregon Special Report on Compatible Infill Design
- C. Dayton Redevelopment Survey

LINKS TO CODES AND OTHER SUPPORTING MATERIALS:

[Dayton Land Use and Development Code Section 7.2.111 – Central Business Overlay Zone](#)

[Healdsburg, CA Citywide Design Guidelines](#)

[Carlton Chapter 17.30 – Downtown District](#)

[McMinnville Zoning Ordinance Chapter 17.59 – Downtown Design Standards and Guidelines](#)

[Silverton Chapter 2.3.200 – Downtown Commercial District Design Standards](#)

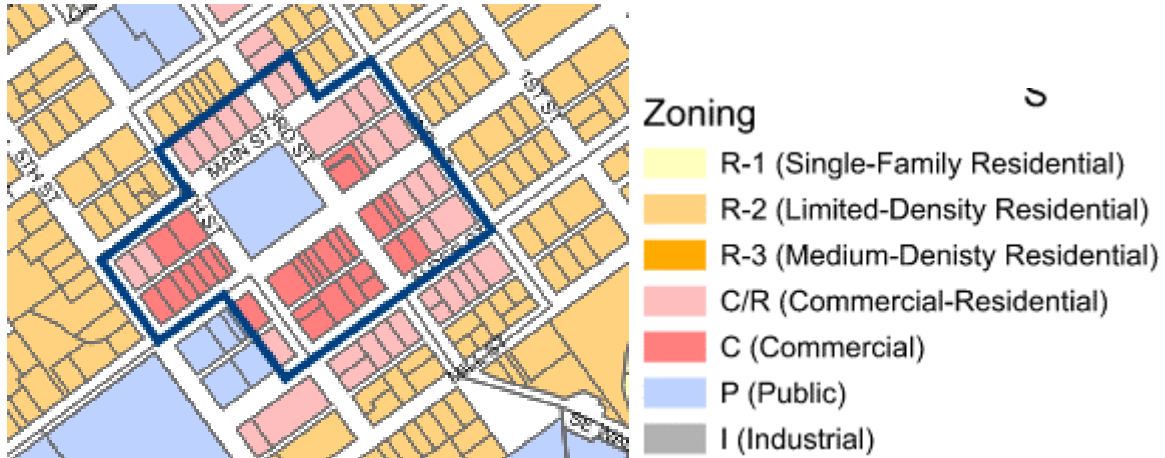
MEETING AGENDA:

1. Committee member introductions
2. Review and comment on Dayton redevelopment survey
3. Review of design standards from example cities
4. Next steps

I. PURPOSE

The purpose of the work session is to provide the opportunity for the TAC to review examples of design standards that have been implemented in example cities within their downtown business districts to inform the design standards that could be implemented in the Dayton Central Business Overlay District (CBO). The anticipated outcome of the meeting is that the committee provides direction to staff on which code elements should be included in the first draft of the code amendments to be reviewed by the TAC in meeting #2.

Figure 1: CBO and Underlying Zoning Districts



II. BACKGROUND

In 2012, the Dayton City Council unanimously adopted the Dayton Forward Plan to provide a vision for the future of Dayton. The vision included specific goals related to revitalizing the central business core by improving the urban form of the built environment within the City’s CBO. In February the City Council included the CBO design standard update as a high priority objective toward creating a livable community that is aesthetically pleasing, affordable, inviting, and with a vibrant and diverse economy (Goal B). Updating the current design standards will help ensure future development within the district will be consistent with the aspirations of the Dayton community.

Figure 2: Underdeveloped Areas in the CBO



Staff identified codes and guidelines from cities that could be used as examples to inform the standards ultimately adopted in Dayton. Three of the cities were chosen because they are specifically referenced in the Dayton Forward Plan – Carlton, McMinnville, and Healdsburg, CA. Staff included a fourth city –

Silverton. Staff examined the standards in Carlton, McMinnville, and Silverton in addition to the guidelines published by the City of Healdsburg, CA for commercial districts (Exhibit A). The general takeaways from that effort are discussed in the memo that follows. The Healdsburg Citywide Design Guidelines are included as reference that the committee to use to inform their decisions regarding specific standards to include in the first draft of the amendments but are not specifically included for comparison with the other standards in Carlton, McMinnville, and Silverton. The standards are organized under three major categories: *Building Placement*, *Building Massing and Scale*, and *Façade Design*.

Building Placement

Standards for building placement are intended to promote a safe, interesting, and comfortable pedestrian environment along the street. Pedestrian orientation is one of the defining characteristics that create a sense of place in a central business district and makes it more than a collection of buildings. This is generally achieved with standards that minimize building setbacks from streets, ensure building entrances open to streets, and requirements for pedestrian design features between buildings and street where larger setbacks are allowed. Building placement standards are discussed in more detail beginning on Page 130 of the Healdsburg Citywide Design Guidelines in Exhibit A.

Massing and Scale

These standards are intended to ensure that buildings are built to human scale, create visually interesting and engaging streetscapes, and minimize the perception of mass in larger buildings. These objectives are typically achieved with variations in building height, vertical and/or horizontal offset requirements along the facades of larger buildings, and wall projections that break up building faces into smaller sections. Massing and scale guidelines are discussed in more detail beginning on Page 149 of the Healdsburg Citywide Design Guidelines in Exhibit A.

Facade Design

Design elements such as windows, entries, roof forms, building materials, and colors help ensure that new buildings are compatible with the desired character of the district. The character of central business districts is often expressed through their traditional downtown storefronts. Building facades are typically designed with distinctive base, middle, and top sections. Standards generally include minimum requirements for window glazing; awnings, canopies, and other features that define the ground floor; traditional building materials such as brick and wood; and subdued colors. Façade design guidelines are discussed in more detail beginning on Page 152 of the Healdsburg Citywide Design Guidelines in Exhibit A.

III. SUMMARY OF DESIGN ELEMENTS FROM EXAMPLE CITIES

A summary of the code elements observed in the example cities is provided in addition to some preliminary recommendations of the committee to consider including in the first draft of code amendments to review at the second meeting of the TAC.

Building Placement

Street Setbacks

Carlton, McMinnville, and Silverton all treat front yard setbacks in a similar manner. All require buildings to be placed at the sidewalk or the edge of the property abutting the street. Exceptions are allowed when the front yard between the edge of the property and the building is developed with pedestrian amenities such as plazas, courtyards, outdoor dining areas, or landscaping. Dayton has a maximum setback of 10 feet but does not include a requirement for pedestrian amenities within the front yard other than landscaping. The maximum setback is zero feet for properties of the south side of Ferry between 3rd and 4th with no exceptions to allow larger setback. Staff recommends considering a similar requirement to the example cities:

Buildings shall maintain a zero setback from the sidewalk or property line. Exceptions to the setback requirements may be granted to allow plazas, courtyards, dining space, or similar purpose.

The committee could also consider amending the special design requirements south of Ferry between 3rd and 4th. This would primarily impact new development at the corner of Ferry and 4th Streets. Keeping the current standard would ensure that new development maintains the same setback as the rest of the block while amending the setback would create an opportunity for a courtyard or outdoor seating area.

Parking Area Placement.

All cities include restrictions on the placement of off-street parking between the building and the street. The Dayton standard requires parking to be placed behind the primary building. Revising the standard to specifically restrict parking between the building and the street would be consistent with current policy and provide clearer direction to future applicants.

Entrance Orientation.

All cities require a primary entrance facing or opening to a street, sidewalk or pedestrian feature. Staff recommends preserving the policy but revising the standard to specify that one primary entrance shall open to a street, sidewalk or pedestrian feature.

Corner Orientation.

Carlton and Silverton have standards for corner orientation. Corner orientation standards will potentially benefit the District, especially at “gateway” intersections along Ferry and 3rd. The minimum requirement in both Carlton and Silverton requires a primary entrance oriented toward the corner of the intersection.

Figure 3: City Gateways and Point of Interest Identified in Dayton Forward

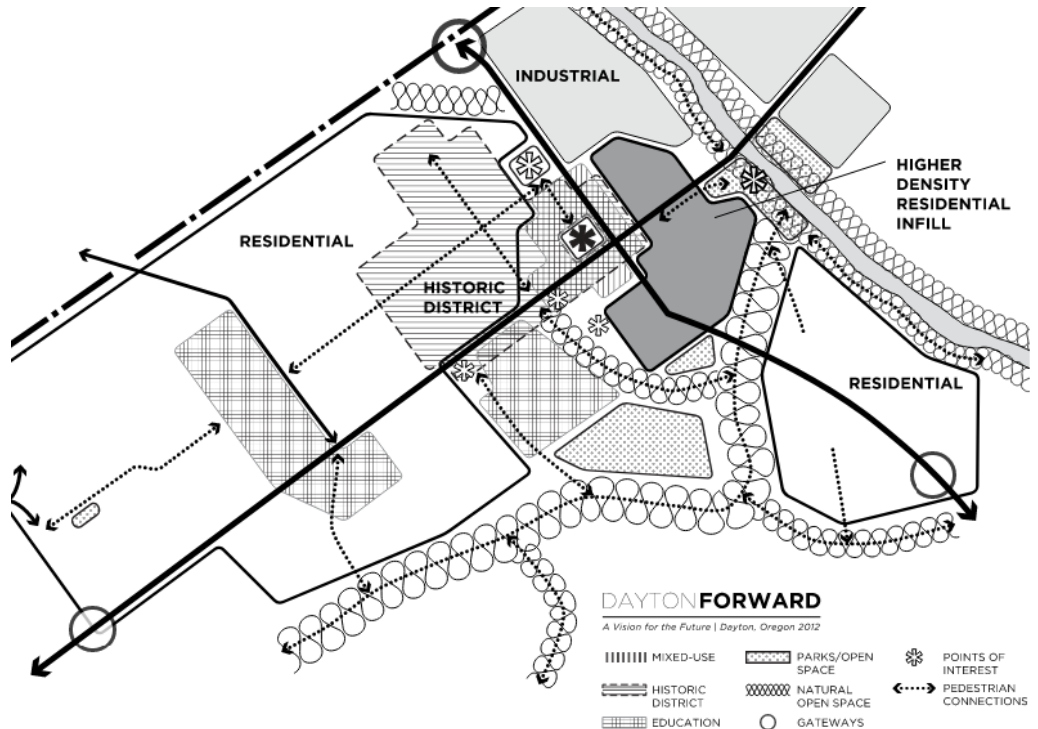


Table 1 includes a summary of the building placement standards in place in all the example cites.

Table 1: Building Placement Standards Summary

	Street Setback	Parking Areas	Entrance Orientation	Corner Orientation
Dayton	0-10 feet. Zero feet for property located on the south side of Ferry Street, between Third and Fourth Streets.	Parking spaces shall be located behind the primary building.	Must face street	None
Carlton	No front setback is allowed, except for a pedestrian plaza, landscaping, or similar purpose.	Off-street parking, shall not be placed between building entrances and the street(s) to which they are oriented.	Provide at least one primary building entrance facing an abutting street. The primary entrance shall open onto a pedestrian plaza or courtyard and a walkway shall connect the primary entrance to the plaza and sidewalk.	Buildings on corner lots shall have corner entrances or contain architectural features that emphasize the corner
McMinnville	Buildings shall maintain a zero setback from the sidewalk or property line. Exceptions to the setback requirements may be granted to allow plazas, courtyards, dining space, or rear access for public pedestrian walkways.	Surface parking lots shall be prohibited from locating on Third Street. In addition, vehicular access to parking lots from Third Street is prohibited.	The primary entrance to a building shall open on to the public right-of-way and should be recessed	
Silverton	Building facades shall be set at the property edge along the sidewalk. A setback of up to five feet is permitted when occupied by pedestrian amenities (e.g., plaza, outdoor seating).	Parking areas shall not be located between the front of the building and the street.	Building fronts and entrances shall be oriented toward the street.	Primary entrances shall be oriented to the street. Corner buildings shall have corner entrances, or shall provide at least one entrance within 20 feet of the street corner or corner plaza.

Massing and Scale

Height.

Maximum height requirements from example cities range from 30 feet in Dayton's Commercial Residential Zone to 80 feet in McMinnville's C-3 Zone. Carlton and Silverton also have minimum height requirements. Carlton is unique in that they allow a height bonus if the upper stories of the building meet minimum step back requirements to reduce the appearance of height and bulk. Staff recommends the committee consider a 65-foot height limit applicable only in the CBO in conjunction with the vertical massing standards discussed below.

Vertical Massing.

The standards in all cities emphasize visual compatibility with building patterns on the same blocks. Dayton's standard states that new buildings shall be within 25 percent (10 percent for the south side of Ferry Street across from Courthouse Square Park) of the average height of the existing buildings on the same side of the street. The height bonus standard in Carlton is the only standard that requires vertical articulation with a minimum 4-foot-step-back requirement for upper stories for taller buildings on corner lots. Staff recommends developing standards for vertical articulation based on the guidelines for building mass in scale discussed in Chapter 6 (pages 149-152) of the Healdsburg Citywide Design Standards. These could include any combination of articulation methods shown on Figure 6.20 (Page 151) in Exhibit A.

Horizontal Massing.

McMinnville and Silverton both have standards that require architectural elements to visually break up the façade of buildings into smaller horizontal sections to reflect the historic lot widths in the district. The historic lot widths in Dayton are ± 60 feet. Therefore, staff recommends considering a similar standard consistent with the standards in McMinnville to reflect Dayton's historic lot widths:

Where buildings will exceed the historical sixty feet in width, the façade should be visually subdivided into proportional bays, similar in scale to other adjacent historic buildings, and as appropriate to reflect the underlying historic property lines.

Table 2 includes a summary of the standards for building massing and scale in place in all the example cities.

Table 2: Massing and Scale Summary

	Height	Vertical	Horizontal
Dayton	C: 35 feet max CR: 30 feet max.	New buildings shall be within 25 percent of the average height of existing buildings on the same side of the street.	None
Carlton	21 feet min. 35 feet max. 45 feet with bonus allowed for corner lots, upper story residential with step back standards.	The portion of the building exceeding 35 feet shall cover not more than 30 percent of the building floor plate... The portion of the building exceeding thirty-five (35) feet in height shall step-back from (recess behind) the building plane of the ground floor by at least four (4) feet.	Building elevations within one hundred (100) feet of Main Street shall follow prominent horizontal lines existing on adjacent buildings at similar levels along the street frontage.
McMinneville	80 foot maximum in the C-3 Zone	Buildings should have massing and configuration similar to adjacent or nearby historic buildings on the same block. Buildings situated at street corners or intersections should be, or appear to be, two-story in height.	Where buildings will exceed the historical sixty feet in width, the façade should be visually subdivided into proportional bays, similar in scale to other adjacent historic buildings, and as appropriate to reflect the underlying historic property lines.
Silverton	The facade height of all buildings shall be two to four stories and not more than 55 feet in maximum height.	The relationship between the height and width of the main facade of the building shall be visually compatible with adjoining or nearby buildings of the historic period or style. The standard may be met through either similar height and width, or, through design elements that provide visual continuity with the height and width of adjoining or nearby buildings of the historic period.	New buildings whose street frontage is more than 45 feet wide shall be designed to convey a sense of division through the use of pilasters, windows and door openings, recessed entries, off-sets, or other architectural details.

Facade Design

Materials and Colors.

All examples promote or require materials compatible with historic buildings. Generally, wood or brick with subdued colors. Bright, high intensity neon and florescent colors are generally prohibited. Dayton's standard requires brick or wood construction on building facades visible from the public street but does not include any prohibition on high intensity colors.

Pedestrian Amenities.

All example cities require pedestrian amenities to be installed in any yard where the building is set back from the street. Silverton also requires that awnings cover at least two thirds of the sidewalk to protect pedestrians from the elements. Staff previously recommended minimum requirements to provide pedestrian amenities in the front yards where buildings are set back from the street:

Buildings shall maintain a zero setback from the sidewalk or property line. Exceptions to the setback requirements may be granted to allow plazas, courtyards, dining space, or similar purpose.

The TAC could also consider minimum requirements for awnings or similar protection for pedestrians along the sidewalk for the south side of Ferry Street between 3rd and 4th at a minimum.

Figure 4. Ferry Street between 3rd and 4th



Windows and Storefronts

Both Carlton and McMinnville have minimum window glazing requirements. Carlton requires 60% of the ground floor to be comprised of transparent windows for buildings located within 100 feet of Main Street and 30% elsewhere. McMinnville requires 70% along the ground floor and 40% between the first and second stories. Additionally, McMinnville's standard requires design elements that emphasize the base middle and top sections of the storefront façade.

Table 3: Façade Design

	Materials and Colors	Pedestrian Amenities	Windows and Storefronts
Dayton	Building facades visible from a public street shall be of brick or wood construction	None	None
Carlton	Exterior cladding on new buildings shall predominately consist of durable reddish brick blends. Brick veneer is also permitted, except as otherwise required for designated historic buildings.	Street frontages shall be improved with pedestrian amenities such as benches, public art, pedestrian-scale lighting, shade structures, way finding signs, or similar pedestrian facilities.	60% of the ground floor elevation(s) of buildings located within one 100 feet of Main Street shall be comprised of transparent windows. Windowed doors and transom windows are required along Main Street. 30% transparent windows required elsewhere.
McMinnville	Exterior building materials shall consist of building materials found on registered historic buildings. The use of high intensity colors such as black, neon, metallic or florescent colors for the façade of the building are prohibited except as may be approved for building trim.	Exceptions to the setback requirements may be granted to allow plazas, courtyards, dining space, or rear access for public pedestrian walkways.	Storefronts should include a belt course separating the upper stories from the first floor, a bulkhead at the street level; 70% glazing below the transom line of at least eight feet above the sidewalk, and 40% glazing below the horizontal trim band between the first and second stories. Decorative cornice or cap required at roofline.
Silverton	Materials shall be compatible with those on buildings constructed during the historic period. Brick, cast iron, wood siding, and stucco permitted. Plywood siding, T-111, and vertical board and batten are prohibited. All main facade materials shall be painted. Subdued tones commonly used during the historic period shall be used. Bright or neon colors are prohibited.	Awnings shall cover at least two-thirds of the sidewalk to provide pedestrian protection from the elements.	The upper windows of multi-story buildings shall use multi-pane double-hung sash windows or equivalent. The relationship of width and height of window and door openings shall be visually compatible with adjoining or nearby buildings from the historic period or style.

IV. PRELIMINARY STAFF RECOMMENDATIONS

Based on the information provided above, staff offers the following recommendations for the TAC to consider for a first draft of code amendments.

Building placement recommendations:

- Buildings shall maintain a zero setback from the sidewalk or property line. Exceptions to the setback requirements may be granted to allow plazas, courtyards, dining space, or similar purpose.
- Require at least one primary building entrance to open on to a public street.
- Clarify the existing standard for the placement of parking areas to prevent parking from being located between the front of the building and a street.
- For buildings on corner lots, require that one entrance be oriented to the corner or within 20 feet of the street corner. If an entrance is oriented toward the corner, an architectural feature shall be provided that emphasizes the corner.

Recommendations addressing building massing and scale:

- Increase the maximum height limit to 65 feet within the CBO with building step back requirements for those portions of the building over 55 feet.
- The relationship between the height and width of the main facade of the building shall be visually compatible with adjoining buildings of the historic period or style. The standard may be met through either similar height and width, or, through design elements that provide visual continuity with the height and width of adjoining buildings.
- Require that where buildings will exceed the historical sixty feet in width, the façade should be visually subdivided into proportional bays, similar in scale to other adjacent historic buildings, and as appropriate to reflect the historic 60-foot lot widths of the Dayton Town Plat.

Architectural elements:

- Implement standards to restrict the use of high intensity colors and undesirable materials such as plywood, vertical board and batten siding, and corrugated metal in the CBO.
- Require that ground floor storefronts are defined with awnings or similar shelter for pedestrians along the sidewalk.
- Implement standards requiring traditional base, middle, and cap elements for multistory buildings such as a belt course separating the upper stories from the first floor, a bulkhead at the street level and a decorative cornice or cap at roofline.
- Establish minimum window glazing requirements for store front facades. I.e. 60% of the ground floor elevation(s) of buildings shall be comprised of transparent windows. Windowed doors and transom windows are required along Main Street. 30% transparent windows required on upper stories.

Additional considerations from the TAC?

VI. POTENTIAL COMMITTEE ACTION

Instruct staff to prepare draft code amendments to the Dayton Land Use Development Code for consideration at the next meeting of the TAC.

Staff Report prepared by Curt Fisher, City Planner, with the Mid-Willamette Valley Council of Governments.

Chapter 6

Design Guidelines for Commercial, Industrial, Mixed Use and Large-Scale Multi-Family Development



This chapter provides design guidelines for all commercial, industrial, mixed use and large-scale multi-family development, such as flats. The design guidelines are split into two primary sections – Site Design and Building Design – and also provide design guidelines for Signs and a series of specific building types. Design guidelines that are particularly important to certain Character Areas are sometimes noted, but further information for each Character Area can be found in Chapter 4.

IN THIS CHAPTER

Special Considerations for Specific Development Types	124
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Building Design	149
Signs	165

Special Considerations for Specific Land Uses

While the Healdsburg Design Guidelines focus on the design of sites and buildings, it is sometimes necessary to consider the special factors and challenges for specific land uses. For example, an industrial business may require significant space for storage and access requirements for larger delivery vehicles, whereas a restaurant must prioritize customer experience and efficient service. This section identifies key design considerations for specific land uses. These should be reviewed prior to using the design guidelines in subsequent sections of this chapter.

Industrial/Heavy Commercial

Design Flexibility

- Industrial and other heavy commercial uses, including production, storage, warehousing or commercial service, should be afforded design flexibility to meet functional requirements.
- Design of the edge of a property, where it abuts a street or sidewalk, should be the focus of design review for industrial or heavy commercial use. Design within the interior of a site should follow the broader intent of these guidelines, but more flexibility is appropriate in those locations.

Security and Safety

- Businesses in this category often require fencing and controlled access. These may require designs that depart from the design principles for other building types.

Outdoor Storage

- Businesses in this category often need to store equipment, products or other materials on a site.
- These unique needs should be considered in design review.



Access and Loading

- Businesses in this category often require access and loading areas, including for larger delivery vehicles.

Street Edge Design

- Prioritize design of the public edge of an industrial or heavy commercial site.
- The edge of a development adjacent and visible from the public street should utilize materials that exhibit an appearance of permanence and quality.
- Design a street-adjacent fence with high quality, durable materials. Chain link fences along a public street are discouraged.
- Provide transparent fencing along a public edge wherever possible.
- Consider locating an office or a publicly accessible component closer to the street. Where fencing is not required for security purposes, it is discouraged.
- Where fencing is provided adjacent to the public street, integrate landscaping to “soften” the edge.

Façade and Building Articulation

- A building housing an industrial/heavy commercial use may have very few windows. Massing may be monolithic. Flexibility in design should be afforded for such buildings, provided they are set back (suggested 30 feet or greater) from the front property line.





Mixed Use Buildings

Coexistence of Different Uses

- Recognize and balance needs of all users.
- Minimize adverse impacts of varied activities (living, retail, service, employment, etc.) on one another.

Retail Visibility

- Retail uses typically seek high visibility from public areas, such as streets, sidewalks and active plazas. This will likely impact the way in which components on a site are located and oriented.



Parking Location and Access

- Consolidate and coordinate access wherever possible.

Residential Sensitivities

- If housing is included, consider privacy needs and noise and odor impacts of non-residential uses.



Residential Outdoor Space

- Where a common outdoor space is provided, ensure that it is well lit.
- Encourage outdoor spaces to interact with the public realm.

Façade Design

- Consider the internal needs of a given use, such as housing or offices. This will impact the arrangement of windows and other building features on a façade.



Retail/Restaurant Buildings

Customer Experience

- Customer needs will strongly impact the design of a building intended to accommodate a retail or restaurant use.

Visibility from the Public Realm

- Retail/restaurant uses typically seek high visibility from public areas, such as streets, sidewalks and active plazas. This will likely impact the way in which components on a site are located and oriented. This includes the business itself, customer parking areas and signage.

Service Areas

- Service and delivery needs may impact the design of a building or site. Minimize the visibility of these areas from the public realm.

Outdoor Space

- Where an outdoor space, such as an outdoor dining area, is provided, consider locating it so that it activates the public realm.

Visual Display Space

- Consider locating outdoor displays to activate a pedestrian space, such as a sidewalk.

Professional Offices

Employee and Tenant Needs

- Tenant and employee needs will strongly impact the design of a building intended to accommodate professional offices.

On-site Parking

- Design on-site parking for employees to be subordinate to other site features.

Bicycle Parking and Security

- Providing easily accessible and secure bicycle parking is encouraged for new development. Other on-site facilities that support bicycling, including shower facilities and lockers, are encouraged.

Outdoor Space

- Outdoor amenities, such as balconies, plazas and other common outdoor spaces, should be designed to take advantage of solar access where possible. Consider wind patterns when locating an outdoor space. Where an outdoor space is provided, locate it so that it activates and interacts with the public realm or a natural amenity.





Loading Areas for Larger Office Developments

- Larger office buildings, or clusters of buildings, may require loading areas for service deliveries and maintenance. These should be visually subordinate to other functions.

Lobby Location and Relationship to Public Realm

- Office buildings typically contain ground floor lobbies in association with a primary entry. Consider locating a ground floor lobby space and entry such that it activates the public realm.



Security and Building Access

- Businesses may require security measures to control access. This may limit the ability to provide multiple entries along a street.

Floor Heights

- Office uses often require taller floor heights to accommodate larger HVAC systems and electronic equipment located on or within a ceiling. This may impact the composition and proportion of a façade.



Live-Work

Outdoor Storage

- In some cases, a live-work project may incorporate some outdoor storage space for users. Where outdoor storage is present, minimize its visual impact to the public realm.



Multi-family

Tenant/Homeowner Needs

- Tenant and homeowner needs will strongly impact the design of a building intended to accommodate a multi-family residential use.

Common Open Space

- Where outdoor space is provided, consider locating it so that it activates and interacts with the public realm or a natural amenity.
- Create a sense of enclosure for the common open space by framing it with buildings.
- Create gateways to a common open space using landscaping, building placement and fencing.
- Shared outdoor amenities should be designed to take advantage of solar access where possible. Consider wind patterns when locating an outdoor space.
- Locate an outdoor space such that it is highly visible from individual units in order to add a sense of safety.



- Design outdoor space to be a primary feature of the multi-family complex, and to be a majority of landscaped or garden area, with some hardscaped area.
- Incorporate design elements that encourage social interaction such as benches, low walls for sitting and shade structures.
- Incorporate areas with play equipment for children.



Bicycle Parking

- Providing easily accessible and secure bicycle parking is encouraged for multi-family development.

Access and Lighting

- Coordinate access and lighting to ensure well-lit areas that enhance safety for the user.



Security Through Design

- Orient dwellings and windows of frequently used rooms, such as the living room and dining room, to overlook common open spaces and play areas.
- Locate parking areas so that the walk from the parking area to the dwelling is short and direct.
- Ensure visibility between entries of neighboring units.
- Limit the height of solid fencing between private yards and common open spaces. Tall fences should incorporate some amount of transparency in the fencing material along the top to allow for vision in and out of the yard.
- Provide semi-private spaces at entries to units.
- Avoid locating outdoor areas that are between or behind buildings, or that have little to no surveillance.



Institutional

Design Flexibility

- Institutional buildings that house churches, schools, hospitals and other similar uses are typically designed to stand out from their surroundings. They often use unique materials, colors, massing and other design elements that differentiate them from adjacent buildings. This is appropriate.





Figure 6.1: Locate a parking area behind a building to minimize vehicular impacts on the public realm.



Figure 6.2: In multi-family development, place buildings to maximize common spaces shared between units.

NOTE

In addition to the design guidelines provided in this chapter, stormwater management practices and Low Impact Development Principles are provided in Chapter 7.

Site Design

Site design refers to the arrangement, placement and orientation of buildings and site features on a parcel. This includes the relationship between components on one site to components of neighboring properties and the public realm. Site design also considers the location and function of vehicular access, lighting, service and utility areas, incorporating storm water management, parking and outdoor places such as patios and plazas.

Building Placement and Setback Character

Building placement addresses the distance between a building and the street or the sidewalk edge. Setback character refers to the area between a building and the front property line. Buildings should be placed to establish a street wall in the contexts and Character Areas where a street wall is an important feature. In other Character Areas, building placement may be more varied. Front setback areas should be designed as visual and sometimes functional amenities. Preferred placement and setback character may differ based on the Character Area or the context established on a particular street. Appropriate building placements and setbacks are illustrated in Figure 6.5.

- 6.1 Place a building to promote a safe, interesting and comfortable pedestrian environment along the street.
 - a. Connect the building to the public realm using outdoor plazas and terraces.
- 6.2 Design a street frontage to promote pedestrian activity.

Appropriate strategies include:

 - Align a building with the street.
 - Incorporate a high amount of transparency at the ground level.
 - Incorporate public art and landscape design elements.
 - * Locate a surface parking area behind a building.



Design a street frontage to promote pedestrian activity.

Where a surface parking lot is located at the front of a site, consider the following:

- Locating a new liner building in the surface lot to activate the public realm.
- Create pedestrian connections through a parking area to the street.
 - * This scenario is particularly relevant to development in Character Areas 8: Industrial and 9: Employment Services/Production Industries, where many existing structures are set back from the street with parking or landscaping between the street and the building.

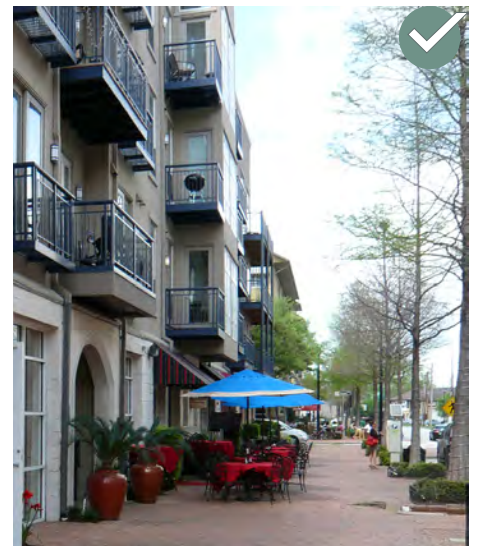
6.3 Where a building is set back from the street, design the front setback area to be an amenity.



Design a street frontage to promote pedestrian activity.



Figure 6.3: *Locate new liner buildings between the street and a parking area. The above model illustrates liner buildings at the bottom, parking set behind and taller buildings located behind the parking lot.*



Storefront windows and outdoor patios activate the public realm.



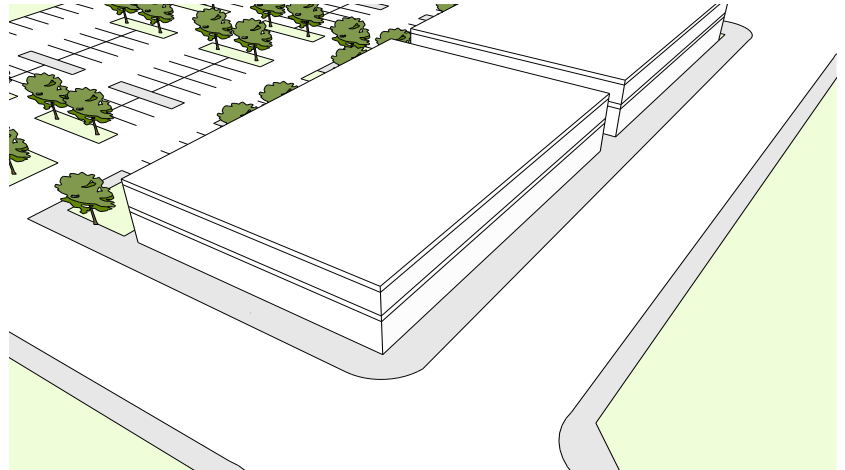
Figure 6.4: *Consider context when locating a new development on a site. For instance, new development could orient towards a natural feature such as Foss Creek or the Russian River.*

Figure 6.5: Building Placement and Setback Character

Defining the street edge with buildings and landscaping is important. Where setbacks occur, the characteristics of the setback - landscaping, plazas, pathways or other features - are key to defining the character of the street. The following diagrams illustrate options for design at the street edge and indicate where a solution is appropriate by Character Area.

No Setback between Sidewalk & Building

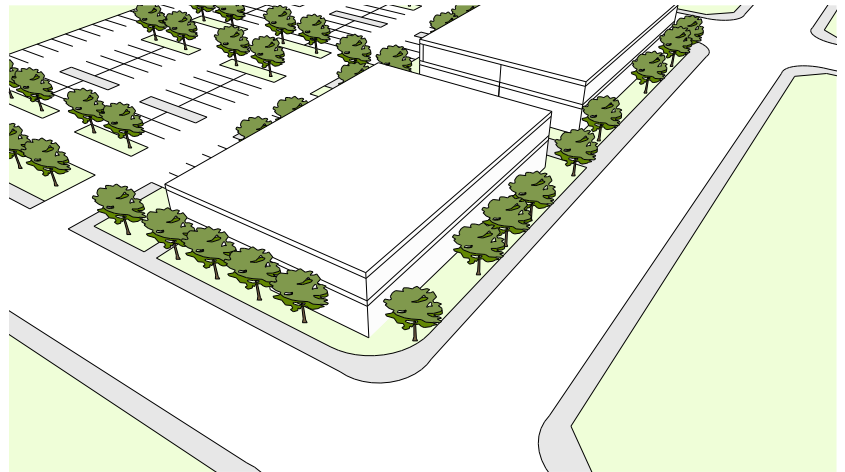
In this scenario, the front wall of a building is placed against the back edge of the sidewalk. Pedestrians have direct access from the street and from parking, which is located in the rear.



Character Areas (CAs)				
CA 5	CA 6	CA 7	CA 8	CA 9
✓	✓	✓	✗	✗

Minimal Landscape Buffer between Sidewalk & Building

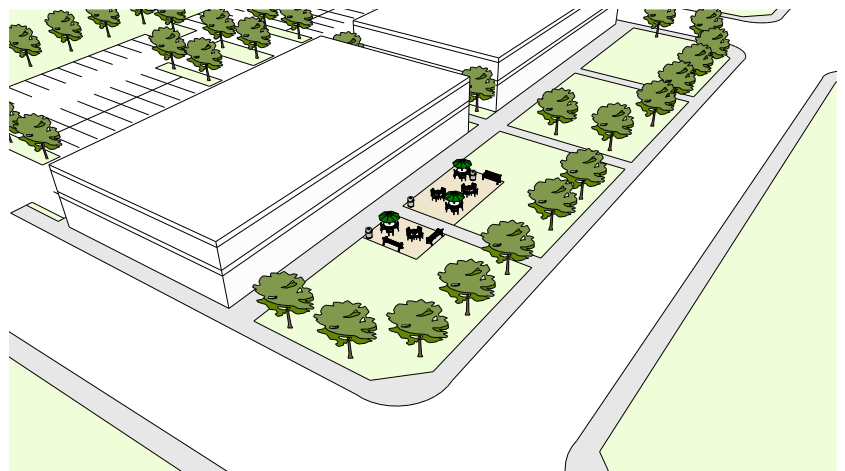
In this scenario, a building is set back a limited distance from the sidewalk edge. This provides space for landscaping and outdoor uses.



Character Areas (CAs)				
CA 5	CA 6	CA 7	CA 8	CA 9
✗	✓	✓	✓	✓

Significant Landscape Buffer between Sidewalk & Building

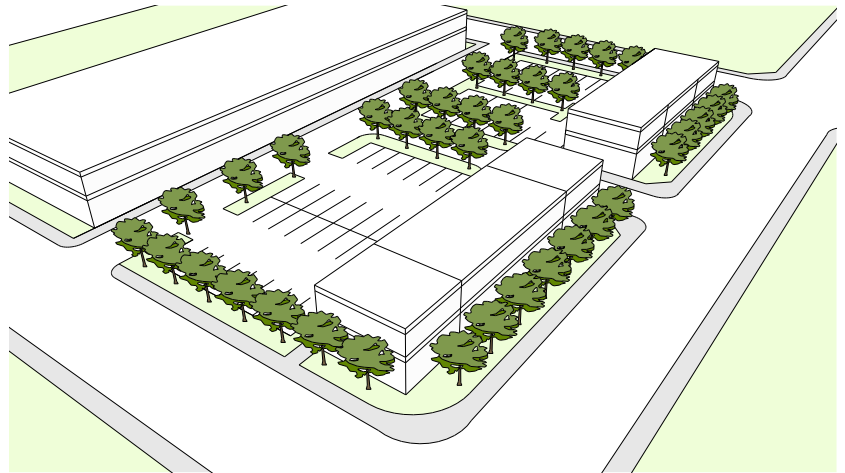
In this scenario, a building is set back substantially from the sidewalk. The space is landscaped and includes pedestrian pathways.



Character Areas (CAs)				
CA 5	CA 6	CA 7	CA 8	CA 9
✗	✗	✗	✓	✓

Liner Building with Interior Parking

In this scenario, liner buildings are minimally set back from the sidewalk edge. The setback is landscaped and provides pedestrian access to the buildings. A larger building sits at the back of the site. Parking is located in the middle.

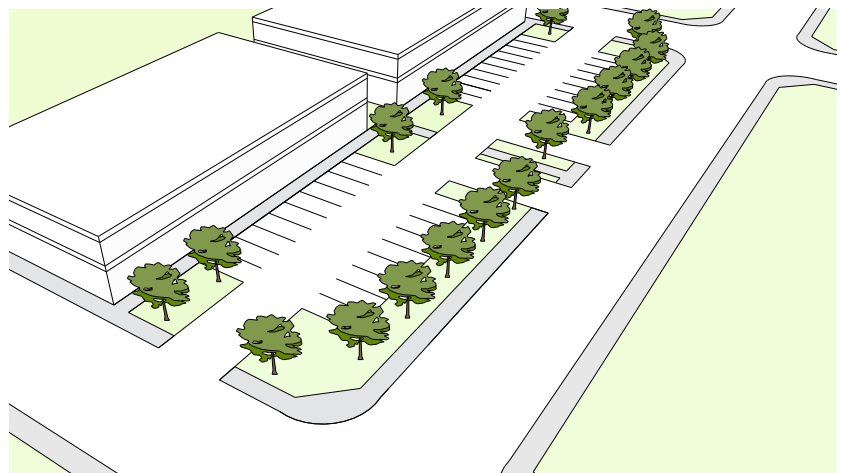


Character Areas (CAs)

CA 5	CA 6	CA 7	CA 8	CA 9
X	✓	✓	✓	✓

Single Parking Buffer between Sidewalk & Building

In this scenario, buildings are set back from the sidewalk edge and a single row of parking is placed between the sidewalk and the building. A small landscape buffer is included to reduce the visibility of the parking lot from the public realm. Additional parking may be located behind the buildings.

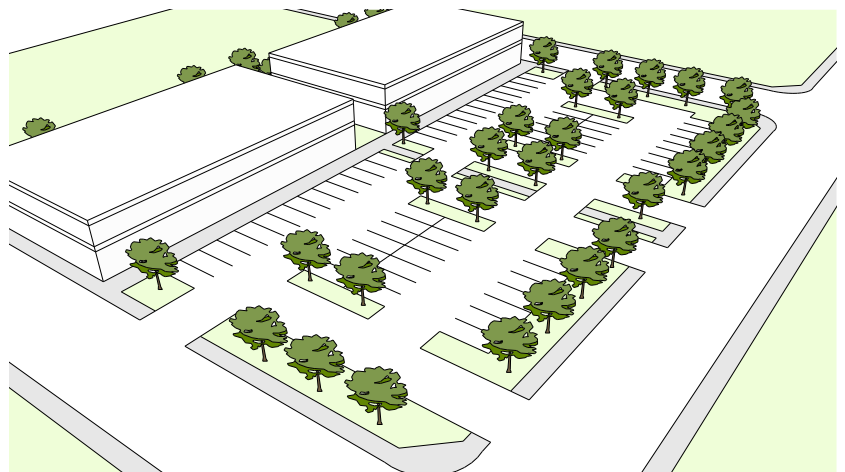


Character Areas (CAs)

CA 5	CA 6	CA 7	CA 8	CA 9
X	X	X	✓	✓

Double Parking Buffer between Sidewalk & Building

In this scenario, buildings are set back far enough that a double row of parking is included between the sidewalk and the building. A landscape buffer screens the parking lot from the street.

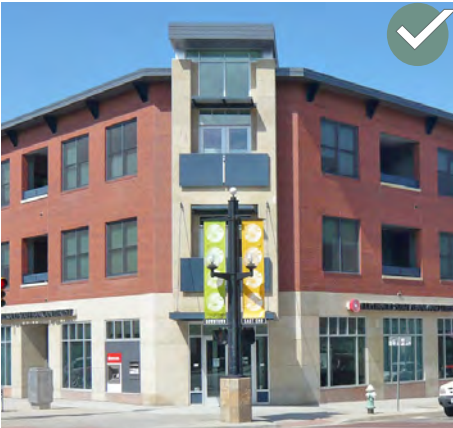


Character Areas (CAs)

CA 5	CA 6	CA 7	CA 8	CA 9
X	X	X	X	X



Orient a building's primary functional entry to face a street.



A building at a corner should face both streets, and may be at an angle.

Building Orientation

Building orientation refers to how building walls relate to their surroundings. A building should be sited to establish a strong visual connection to the public realm. A building's primary entrance should face the street in order to create an engaging and pedestrian-friendly streetscape.

6.4 Orient a building to the public realm.

- a. Place a primary entry to face a street. Orienting a primary entry to a public plaza or other prominent public space also is appropriate.

* If a building is located adjacent to two or more prominent public spaces (for example, a street and a plaza), orient to as many of them as is feasible.

6.5 If a property is located along the Russian River, Foss Creek or the Foss Creek Pathway, consider orienting an entry toward this natural feature.

- a. Consider using an outdoor space such as a balcony, patio or rooftop terrace to provide views to this adjacent natural feature.



Figure 6.6: *Orienting a primary entry to a public plaza or other prominent public space is also appropriate if a development includes an internal public space and multiple entries face that space.*

Secondary Structure Placement

In order to enhance the pedestrian orientation of new development and create active street frontages, primary structures should be visually prominent on a site. Secondary structures, such as detached garages, utility buildings, sheds and other out buildings, should be subordinate to the primary structure and their visibility from the street should be minimized.

- 6.6 Locate a secondary structure to be subordinate to the primary structure and to minimize its visibility from the public realm.
 - a. Where possible, locate a secondary structure to the rear of the primary structure.



Site Connectivity

Site connectivity refers to the network of sidewalks, paths, lanes and drives that provide pedestrian and vehicle routes within and between properties. Without a proper network of connections of varying levels and a clear hierarchy, pedestrian access can be uncomfortable, confusing and feel unsafe. Development should help create an interconnected environment.



External Pedestrian Connectivity

Clearly marked pedestrian access should be provided between the public realm, a site and a building. A strong physical and visual relationship between these elements enhances walkability.

Locate a new walkway to animate the public pedestrian network and its associated outdoor spaces. (For example, these walkways connect to public sidewalks.)

6.7 Provide a pedestrian connection between a site and the public realm. This may be accomplished in a variety of ways including:

- A door that opens directly to a public space.
- A walkway that connects a building to a public space through a setback area.
- A plaza, outdoor seating area or patio that connects a building to a public space.
- A paseo that connects the rear portion of a site to the public realm.

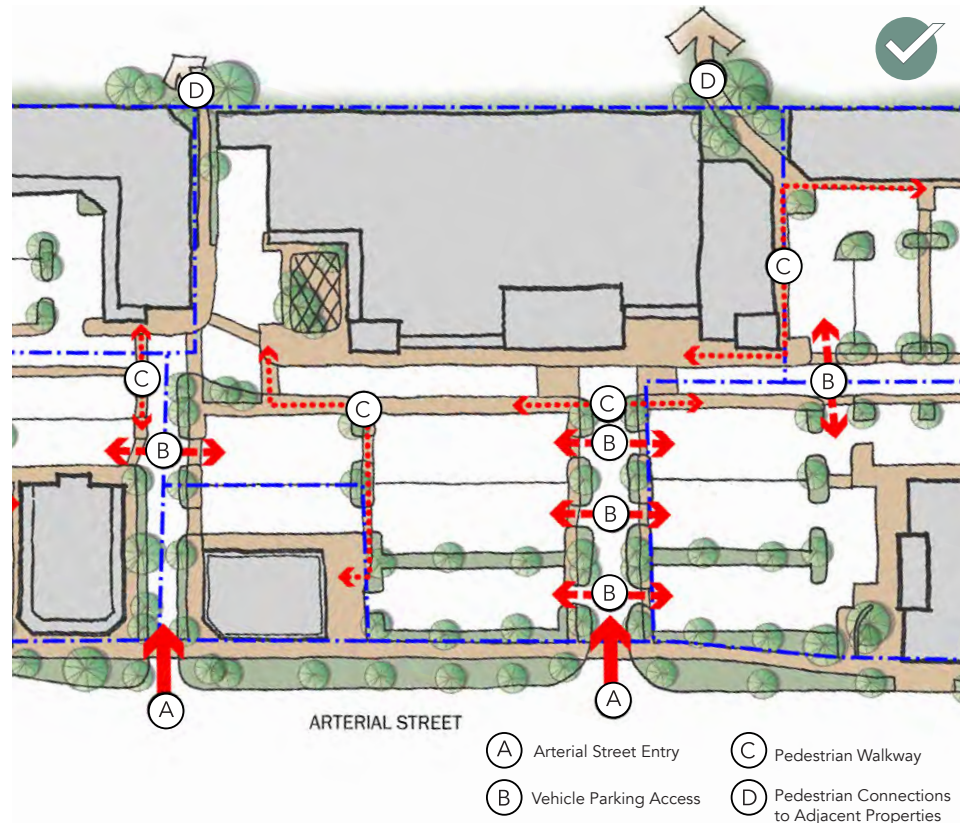
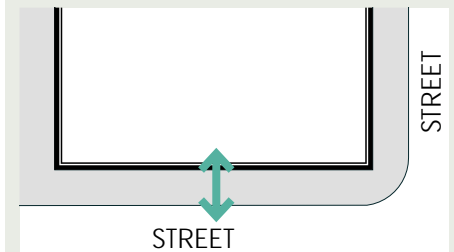


Figure 6.7: The site plan above illustrates the interaction of vehicles and pedestrians throughout several properties. Vehicles are efficiently directed to the parking spaces while pedestrians use protected walkways and cross-walks to access site features.

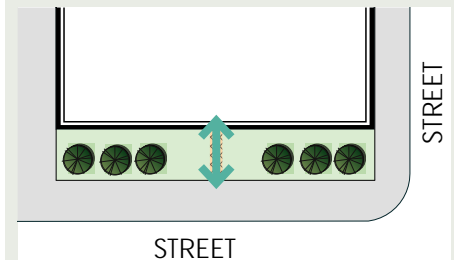
- 6.8 Provide pedestrian and bicycle connections into and between properties.
- Provide a link to adjacent properties, where feasible.
 - Provide a publicly accessible pedestrian connection through a large block, when possible and when access is desired.
 - Route pedestrian connections to and through outdoor places, such as courtyards, patios and plazas, when possible.
 - Align pedestrian and multi-modal paths to link with potential future development phases within a site and to adjoining properties.

Figure 6.8: External Pedestrian Connectivity

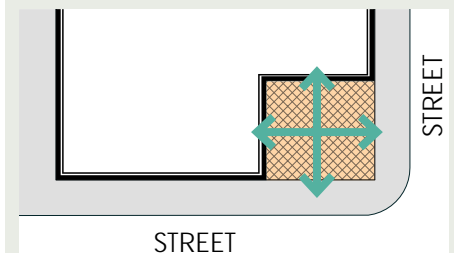
Appropriate options include:



A door that opens directly to a public space.



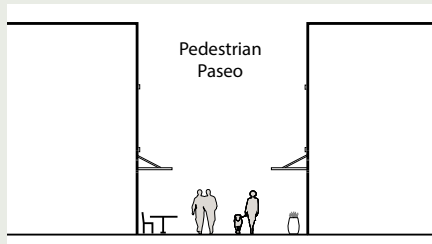
A walkway that connects a building to a public space through a setback area.



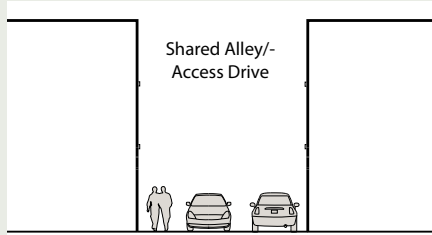
A plaza, outdoor seating area or patio that connects a building to a public space.

Figure 6.9: Internal Pedestrian Connectivity

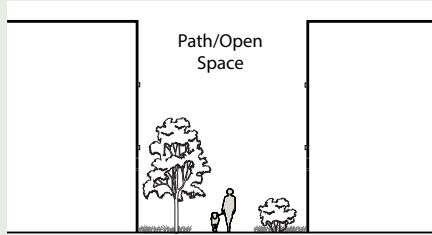
Appropriate options include:



A pedestrian paseo.



A shared alley/access drive.



A landscaped pedestrian path/open space.



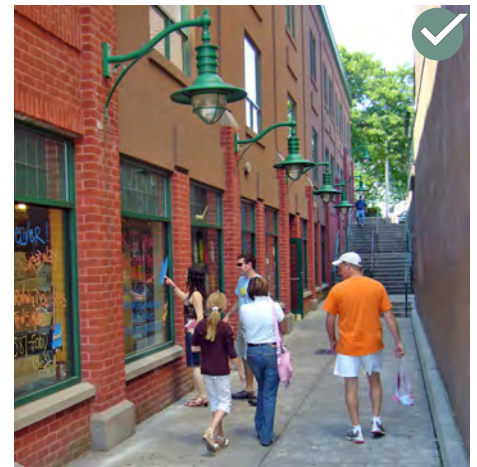
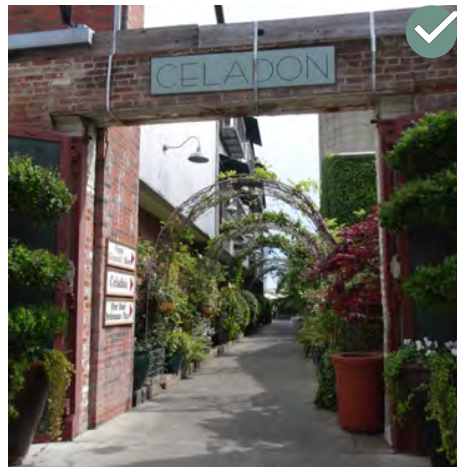
Establish an internal walkway system that connects key site features, such as building entries, parking areas and open spaces.

Internal Pedestrian Connectivity

An internal pedestrian circulation system should connect site elements internal to a project.

6.9 Establish an internal walkway system that connects key components, such as building entries, parking areas and outdoor places.

- Creating an internal walkway system is especially important on sites that contain on-site parking, outdoor places, multiple buildings and residential or commercial units.
- Use landscaping, special paving and distinct lighting to accentuate and clarify a site's circulation system.
- Consider directing an internal walkway through a plaza, courtyard or other outdoor feature.
- Size an internal walkway of adequate width to allow safe pedestrian access.
- Integrate an internal walkway system with the public pedestrian circulation system.



Integrate an internal walkway system with the public pedestrian circulation system.

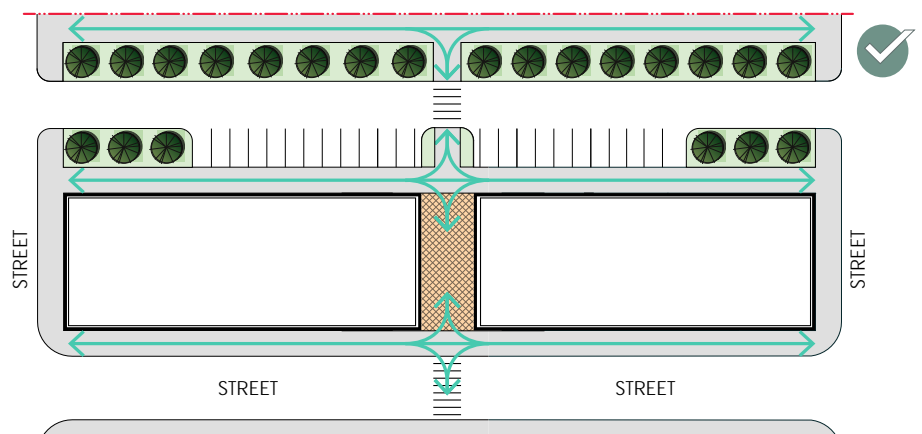


Figure 6.10: Consider directing an internal walkway through a plaza, courtyard or other outdoor feature.

Vehicular Connectivity

Vehicular connections should provide safe and comfortable balance between vehicles, bicycles and pedestrians and to reduce conflicts. Design considerations vary by Character Area, as described in Chapter 4.

- 6.10 Design vehicular access to minimize pedestrian-vehicular conflicts.
- Limit the number of vehicular access points, where possible.
 - Limit the width of a vehicular access point.

- 6.11 Create shared vehicular access points between properties, where possible.
- Align internal drive aisles to allow for future connections to adjoining properties.

- 6.12 Where possible, provide vehicular access from a secondary street.



Limit the number of vehicular access points to a site.



Where possible, provide vehicular access from a secondary street.

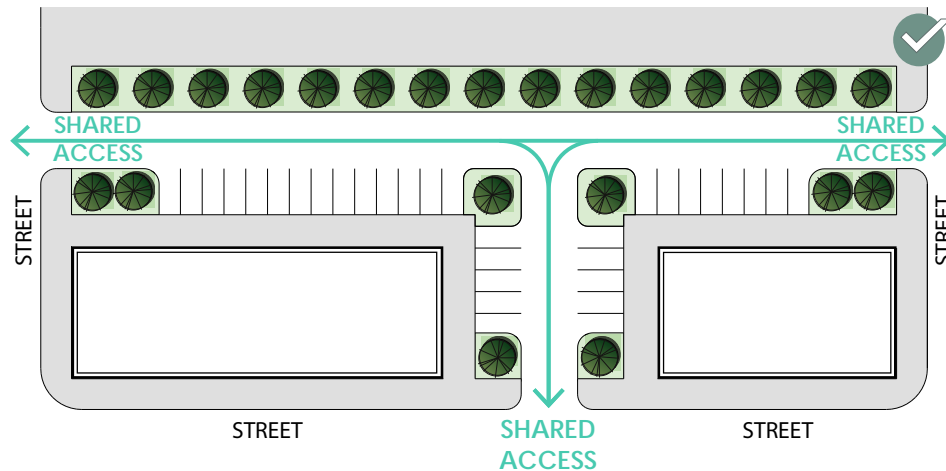
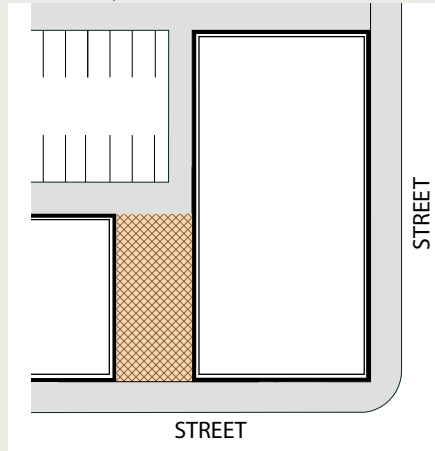


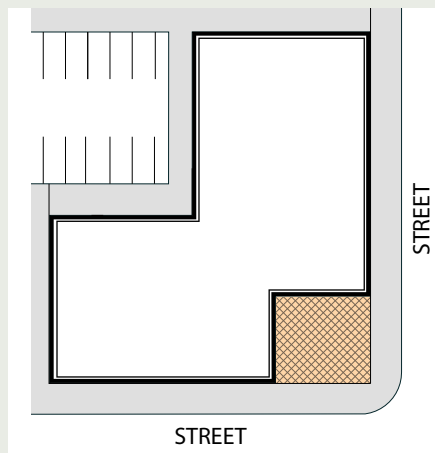
Figure 6.11: Create shared vehicular access points between properties, where possible.

Figure 6.12: Outdoor Places

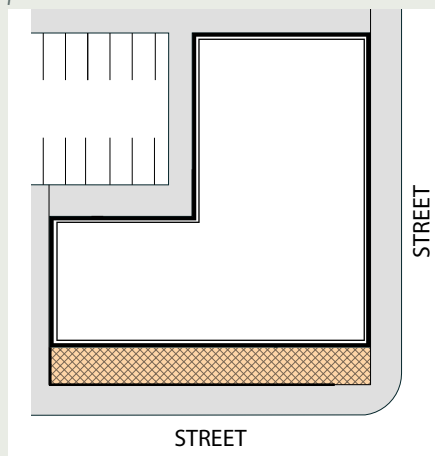
Options for a public-oriented outdoor place include:



A courtyard between buildings, integrated with the public sidewalk.



A corner plaza adjacent to the public sidewalk and street.



A linear outdoor dining or seating area.

Outdoor Places

Outdoor places include plazas, courtyards, patios, small park spaces and landscaped features. Outdoor places should be designed to create a vibrant image and invite pedestrian activity by incorporating durable furnishings and amenities such as public art. Where possible, development should celebrate Healdsburg's natural features (such as the Russian River and Foss Creek) by integrating them with new development, and create new outdoor places where appropriate.

Outdoor Place Location

An outdoor place should be located near active areas such as restaurants and retail establishments. In a large development, an outdoor place can provide a buffer between a building and the public realm and be a focal point. If an outdoor place is located internally to a development, such as an interior courtyard, it should complement adjacent site features.

6.13 Design an outdoor place to maximize its use.

- Orient an outdoor place to pedestrian activities, views, cultural resources and natural features.
- Locate an outdoor place to afford views of active spaces, landmarks or natural features to provide visual interest.
- Create a sense of enclosure for an outdoor place by positioning buildings to frame the space. Landscaping can also be used to define it.

6.14 Create clear connections between an outdoor place, pedestrian circulation routes and building entrances.

Rooftop and Other Outdoor Places

Ground-floor outdoor places such as seating areas or display areas associated with restaurants, cafés and stores create great opportunities to invite people in and to create an active street frontage and to activate alleys and side streets. These spaces should incorporate elements that are comfortable and provide shade, durable furnishings and landscape features. Rooftops also provide excellent outdoor places in areas with dense development, such as Downtown. Rooftop outdoor places can be incorporated into multi-family, mixed use or commercial development for tenants, customers or other building users. A rooftop outdoor place should be designed to be an amenity but should not detract from the architectural character of a building.

6.15 Furnish outdoor places to encourage their use.

- Incorporate shading mechanisms, benches, tables, planter beds and other features.
- Ensure that furnishings are durable and suitable for outdoor conditions.

- c. Arrange seating and tables to allow safe and comfortable pedestrian circulation.
- d. Locate furnishings on ground-level outdoor spaces near actively used pedestrian areas, such as major pedestrian routes, building entrances and outdoor gathering places.

6.16 Design a rooftop space to capitalize on views and natural features.

- a. Orient a rooftop outdoor place to take advantage of nearby natural features such as the Russian River or Foss Creek.
- b. Orient a rooftop space toward active pedestrian areas, such as the Healdsburg Plaza.
- c. Avoid orienting a rooftop space toward a parking lot or highway, where possible.

6.17 Locate rooftop elements such as mechanical equipment, stairwell structures and other large forms to be sufficiently set back from the roof line so as not to disturb the visual continuity of the cornice line.

6.18 Minimize the amount of visually impermeable structures on the roof of a structure. By using trellis or other visually permeable materials.

6.19 Minimize the visual impact of lighting associated with a rooftop commercial space.

- a. Design lighting to focus on the rooftop space and not the street or other surrounding areas.
- b. Design rooftop lighting to be visually subordinate to the building on which it is placed.
- c. Consider the impacts of rooftop lighting on an adjacent upper story property, and particularly those that are residential.
- d. Design rooftop lighting to face downward or to be shielded such that its impact on the night sky is minimized.



Create and orient rooftop spaces that capitalize on views and natural features.



Create a sense of enclosure for an outdoor place by positioning buildings to frame the space.



Orient a rooftop open space to take advantage of nearby natural features.

Figure 6.13: Rooftop Elements



Locate rooftop elements to be sufficiently set back from the roof line so as not to disturb the cornice line of the building.

NOTE

Outdoor Dining design guidelines located in Chapter 9.



Minimize the visual impact of surface parking.

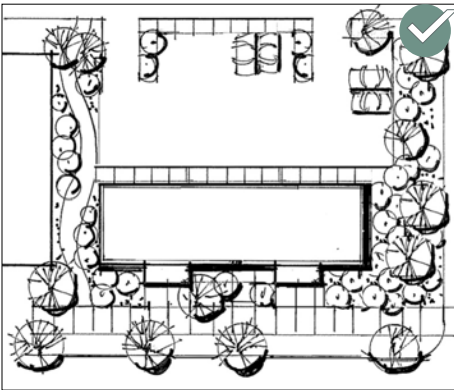


Figure 6.14: Locate a surface parking area to the interior of a site, away from the public realm.

NOTE

Off-street parking is subject to Article VIII of the City of Healdsburg Land Use Code.

<http://www.codepublishing.com/CA/Healdsburg/#!/Healdsburg20/Healdsburg2016.html#20.16.140>

Parking Design

Site design considerations for parking include the location of surface lots and parking structures, the access points to parking facilities and the relationship of parking to pedestrian and vehicular circulation systems. A parking facility should be visually unobtrusive to the public realm and should be designed to minimize vehicular-pedestrian conflicts. A surface parking lot should include landscaping and pedestrian pathways. Refer to the LID Principles outlined in Chapter 7: Design Guidelines for All Development Types, for more information.

6.20 Minimize the visual impact of surface parking.

- a. Locate a surface parking lot to the interior of a site, away from the public realm and behind a primary structure.
 - * This is especially important in Character Area 5: Downtown Core and 6: Healdsburg Corridor.
 - * In multi-family development, minimize the visibility of common parking areas from the public realm.

6.21 Screen surface parking from public view. Consider using one or more of the following methods to screen a parking lot from the street:

- Landscaping
- Site Walls
- Decorative fencing
- Public art
- Combination of the features listed above



Where it is not possible to locate surface parking to the interior of a site or to be buffered by a site's development, screen the parking lot from the public view.

6.22 Design a parking lot to allow safe, comfortable and efficient pedestrian access.

- a. Divide a large parking area into smaller “pods” that maintain the traditional sense of smaller parking areas within a green landscape.
- b. Provide landscaped areas that incorporate or are located near pedestrian paths to promote pedestrian circulation across larger parking areas.
- c. Consider differentiating a pedestrian path through a surface parking lot by using a different paving material or by slightly raising the pedestrian path to force cars to slow down when crossing the pathway and raise awareness to pedestrians.
- d. Ensure that a pedestrian pathway connects to a major building entrance and public sidewalks.
- e. Design a parking lot to provide easy emergency and public service access to and through the space.
- f. Incorporate lighting that makes a parking lot feel safe.

6.23 Incorporate LID principles into the design of a parking lot. Consider incorporating one or more of the following:

- Permeable pavement
- Planted areas to slow runoff and to clean water
- Swales to collect water
- Trees in landscaped areas to provide shade and reduce the temperature of adjacent parking spaces



Provide landscaped islands with paths to promote pedestrian circulation across larger parking areas.

Figure 6.15: Surface Parking Screening

Some options for surface parking screening include:

Landscaping



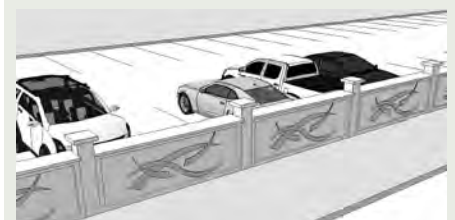
Site Wall



Decorative Fencing



Public Art





The massing of a parking structure should appear similar in scale to other active use buildings in the area. (This structure has an interior parking deck behind the “wrap” of articulated storefronts.)



A parking garage screened with buildings or ground floor uses helps to maintain a pedestrian-friendly streetscape.

Parking Structures

A parking structure may be attached to or detached from the primary structure. It should provide visual interest and active uses on the ground floor, where possible.

6.24 When parking in a structure occurs at the street level on a primary street, “wrap” it with an active use at the sidewalk edge.

* This is especially important for development in Character Area 5: Downtown Core and 6: Healdsburg Corridor.

- a. On a secondary street, other methods of providing interest at the sidewalk edge may be employed. Architectural details, murals and public art, wall sculpture or display cases are all options.

6.25 Break down the massing of a parking.

- a. Review general massing principles for building design on page 149.

6.26 Design a parking structure to enhance walkability and minimize visibility of cars.

- a. Wrapping a parking structure with another use is preferred. At an upper-story level, this could include a commercial or residential use.
- b. When wrapping a parking structure with another use is not feasible, the following screening methods are possible:
 - An architectural screen that reflects window patterns along the street and that utilizes materials that are compatible.
 - A “living wall” that provides greenery on multiple sides of the structure.
 - Architectural paneling that creates visual interest that is compatible with materials used on adjacent buildings
 - Wall art that provides visual interest
 - Provide interesting details and materials to avoid presenting a “back side” to neighborhood properties and the street.

Landscape Design

Landscaping addresses the basic aesthetics of a site including trees, shrubs and other plantings as well as ornamental features and topography. Landscaping can enhance a project by providing visual interest, tying together key site features, providing shade, softening harder building elements, screening unattractive site features from public view and providing buffers between properties. Landscape designs should preserve mature trees and highlight distinctive topographic or other site features, and create a sense of visual continuity within a site and between properties. Landscaping should be provided for a site, even when there is limited space. For a list of trees and ground cover that are appropriate to Healdsburg, refer to Appendix D. Consult the city arborist with additional questions.

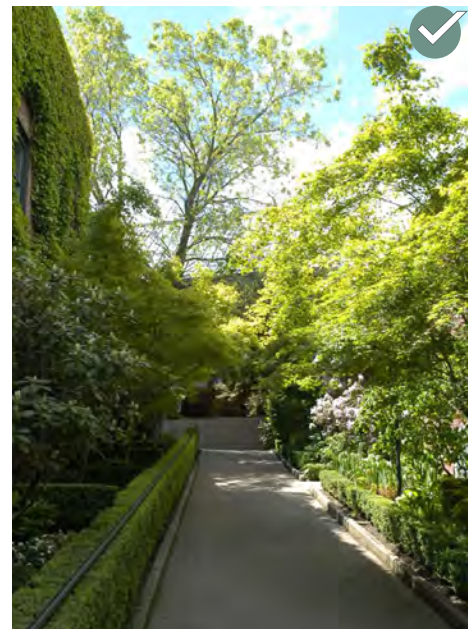
- 6.27 Preserve and maintain mature trees and other significant vegetation.
- Include existing vegetation as part of a landscape design scheme when feasible.
 - Identify healthy trees and vegetation clusters for preservation. Give special consideration to mature trees.
- 6.28 Use a coordinated landscape palette to establish a sense of visual continuity within a site.
- Incorporate live plant materials that are native to the area.
 - Use similar tree and shrub species across a development to establish visual consistency.
 - Consider using subtle variations in the landscape palette to highlight different uses or areas within a larger development.
 - Incorporate drought-tolerant plants into the design of a site.
- 6.29 Use landscaping to enhance pedestrian facilities.
- Use plantings to define the edges of sidewalks, pedestrian paths and outdoor places.
 - Use plantings to highlight building entries.
 - Use shade trees to create a canopy over pedestrian areas, including sidewalks, paths along the street and through surface parking areas.
 - Incorporate stormwater management techniques. Refer to Chapter 7 for more information.



Use shade trees to create a canopy over pedestrian areas.



Use plantings to define edges of sidewalks, pedestrian paths and outdoor open space.



Design landscaping to complement neighboring natural areas.

NOTE

Heritage Tree Preservation is discussed in Chapter 7.



Coordinate a fence or wall with an overall site design concept.



Use a fence or wall material that is compatible with buildings and site materials.

NOTE

Designing with topography is discussed in Chapter 7.

6.30 Utilize trees to define a street edge and enhance walkability.

- a. In areas with narrow streets and other right-of-ways, select and place trees to create an intimate scale along the streetscape.
- b. In areas with wide streets and boulevards, select trees that are larger in scale and that provide effective shading of the street.

Fences, Walls and Landscape Buffers

Fences, free-standing walls and landscape buffers are often used to enclose a private outdoor place. Retaining walls are used to address site topography. Cut and fill on a site should be minimized whenever possible, and development should work with the topography. These site features should be carefully coordinated with the overall site design of a property. Visible fence and wall materials should be compatible with materials used throughout a site and on a building. Fences, walls or decorative buffers are especially important when a development is adjacent to a residential property in order to minimize impacts. The guidelines that follow are most critical for areas of a site that are visible from the public realm and along a front property line.

6.31 Coordinate a fence or wall with the overall site design.

- a. Create fence or wall openings to lead to an internal circulation system.

6.32 Use a fence or wall material that is durable and compatible with buildings and site materials.

- a. For a fence, use finished metal, natural wood, or a durable substitute that appears similar in scale and character.
- b. Concrete and stone are appropriate for walls.
- c. Do not use chain link.

6.33 Concrete walls and retaining walls visible from the street should be articulated to provide visual interest and avoid solid, blank walls. Appropriate methods include:

- Scoring
- Staining
- Landscape Screening

6.34 Limit the height of landscape buffers to create a visual connection between the public realm and outdoor amenity spaces.

Lighting

Site lighting includes streetlights, light fixtures in parking lots, pedestrian lighting and lighting to accent landscaping or building façades. Site lighting should help establish a sense of identity and sense of continuity for the property. Site lighting should create a sense of place, and highlight distinctive architectural details. Lighting should be designed to coordinate with and enhance a project's design.

6.35 Scale lighting to reflect its purpose.

- Use a small-scale fixture with down-lighting or light bollards to illuminate a pedestrian walkway.
- Use fixtures that provide even lighting for a plaza, courtyard or patio area.
- Use modest lighting to illuminate building entrances and entries into parking areas.
- Design lighting to minimize light spill onto adjacent properties and the sky.

6.36 Shield site lighting to minimize off-site glare.

- Orient a fixture to provide down-lighting.
- Incorporate cut-off shields to direct light downward.
- Avoid orienting a fixture to cast light into the night sky.

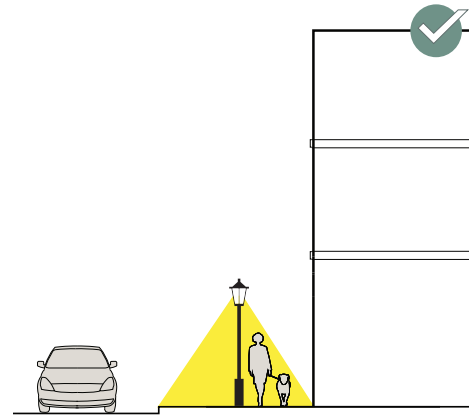


Figure 6.16: Use a small-scale fixture with down-lighting or light bollards to illuminate a pedestrian walkway.

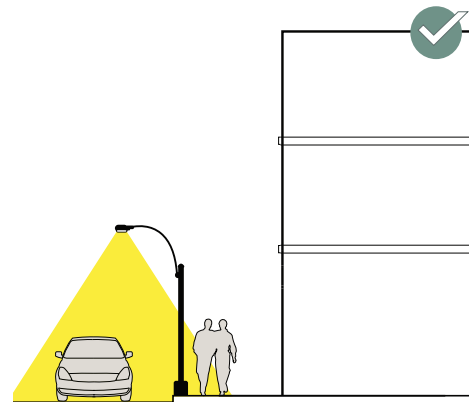


Figure 6.17: Design street lighting to minimize light spill onto adjacent properties and the sky.

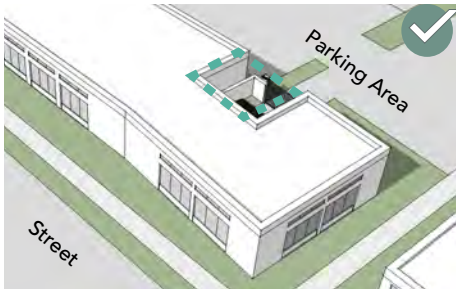


Figure 6.18: Locate a utility or service area to minimize visual impacts to the street and sidewalk.



Screen and enclose a free-standing utility or service area.

Service Areas and Utilities

Service areas and utilities include loading docks, trash areas, electrical stations and other necessary functions. These should be designed to be visually unobtrusive and to be integrated with the site and building. The visual impact of a service area on the public right-of-way should be minimized. More information regarding the location and design of public utilities, such as transformers, can be found in Chapter 9.

- 6.37** Locate a utility or service area to minimize its visibility from the public realm.
- Locate a utility or service area to the side or rear of a building.
 - Orient a service area toward an alley or secondary street.
 - Integrate mechanical equipment into the design of a building. For instance, provide a small wall offset for mechanical equipment so that a screen or wall appears to be a continuation of the building wall.
 - Consider integrating a service or utility area into a gap in a side or rear building wall.
 - Locate a utility or service area away from residential areas or outdoor places such as plazas.
- 6.38** Design a utility building to minimize its visual impacts to the street and sidewalk.
- Locate a utility building or shed to the rear of a primary structure.
- 6.39** Design a trash enclosure to minimize run-off.
- Locate a trash enclosure so that the enclosure is slightly elevated from its surroundings, but also so that any runoff does not drain to neighboring uses.
 - Locate so that run-off drains to the sewer system.
- 6.40** Enclose a free-standing utility or service area.
- When not integrated into a building wall, enclose and cover a utility or service area with a mostly opaque wall.
 - Screen the entrance to a utility or service area with a solid gate made from painted metal, wood or other high quality, non-reflective material that is detailed to provide visual interest.
 - Do not use chain link.

Building Design

This section provides design guidelines for the functional and visual character of commercial, industrial, office, mixed use, institutional, live-work and large-scale multifamily buildings.

Building Mass and Scale

The overall size, height and form of a building determine how large it appears, and whether it is compatible with existing development within a given context. A larger building can incorporate design features to ensure it is not monolithic in scale and that its perceived mass is reduced. Where compatibility is important, a building should be designed to reflect patterns of building mass and scale and articulate a façade to create a pedestrian-friendly environment.



Design a building that is of an appropriate scale to its surrounding context.

NOTE

Additional information regarding building design is provided in the City of Healdsburg Land Use Code.

6.41 Articulate a building to express a human scale, reduce perceived mass and create visual interest. Options include:

- Variation in building heights
- Step back a larger building mass from the street where possible to reduce looming effects
- Wall plane offsets such as notches or varied façade setbacks
- Wall projections such as columns, moldings or pilasters
- Varied roof forms
- Awnings, canopies or other features that help define the ground floor of a building
- Vertical or horizontal variations in material
- Expression lines or other techniques that provide horizontal expression
- Transitions in scale at a building and block level



Use vertical articulation techniques to add visual interest and reduce perceived mass.



Step back a larger building mass from the street to reduce looming effects.



Figure 6.19: A combination of vertical and horizontal articulation methods express a human scale.

6.42 Where compatibility with traditional buildings is important, such as Downtown, articulate a building into modules that relate to the traditional building form and scale.

- a. Consider the height and width of existing neighboring structures.
- b. Design floor-to-floor heights to reflect the traditional sense of scale and floor heights in Healdsburg.



Design the first floor height to be taller than any upper floors and to appear similar in dimension to those seen traditionally.



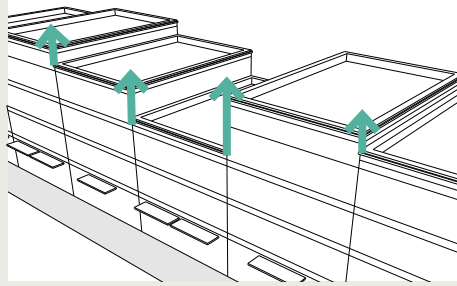
Articulating walls with architectural details, and window moldings help achieve a sense of human scale in this industrial context.

Figure 6.20: Recommended Articulation Methods

The following models illustrate some ways in which a building can be articulated to express a human scale.

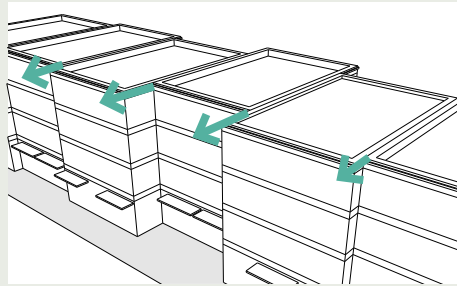
Vertical Variation

Vertical variation is an actual change in the vertical scale of a building of at least one floor.



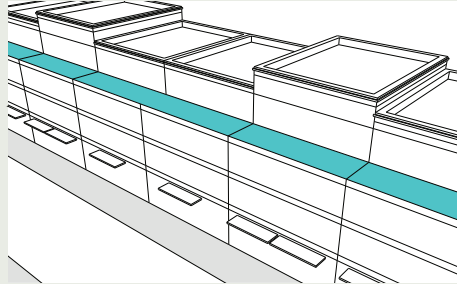
Wall Plane Offsets

Wall plane offsets include notches or breaks in the building façade. They should generally extend the full height of the building and are most successful when combined with changes in roof form or building materials.



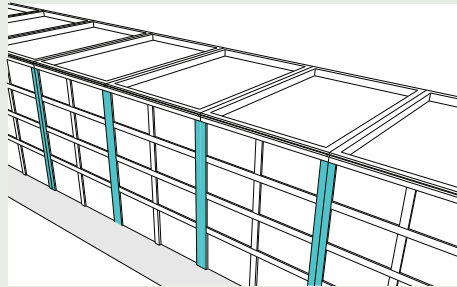
Upper Level Stepback

Upper level stepbacks add visual interest and reduce the visual mass and scale or potential looming impacts of a larger building.



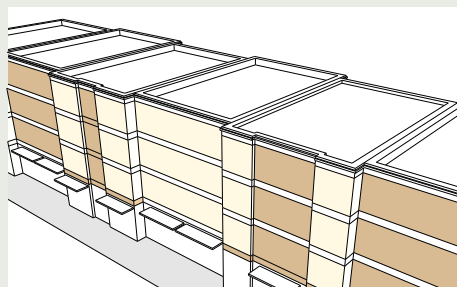
Wall Plane Projections

Wall plane projections include pilasters, moldings or columns that generally rise the full height of the building façade to add visual interest and express traditional façade widths.



Variations in Material

Variations in material add visual interest and express traditional façade widths. Such changes may be vertical or horizontal and often follow a repeating pattern. See "Potential Exterior Building Materials" in Figure 6.22 for more information.





Design a visible building façade to enhance the community image using high-quality building materials.



Design a building façade to convey visual interest.

Façade Design

Visible building façades that incorporate high-quality design features enhance Healdsburg’s image and character, and convey an active and vibrant appearance to pedestrians, bicyclists and vehicles passing through the city. The design guidelines presented below apply to visible façades that face public streets, sidewalks, pedestrian areas and parking lots. These design guidelines are particularly important for new development in Character Area 5: Downtown Core and 6: Healdsburg Corridor. A façade should be designed into separate components that convey a human scale and create a consistent rhythm within the façade.

- 6.43 Design a taller building to incorporate a “base, middle, cap” to divide a façade into separate components.
 - a. Express a traditional base, middle and cap composition with well-defined ground or lower floors and a distinctive “cap” element framing middle building floors, especially on taller commercial and mixed use buildings.
- 6.44 Arrange elements on a façade to create a generally consistent rhythm and sense of continuity.
 - a. Use consistent window and door sizes on a façade.
- 6.45 Where compatibility with context is important, design a building façade to be compatible with its context.
 - a. When possible, generally align façade features, such as canopies, windows and roof cornices on parapets, with those on adjacent buildings.
 - b. Consider the rhythm pattern of solid to void that has been established by neighboring traditional buildings the placement of windows, doors and other façade features.
 - * This is especially important in Character Area 5: Downtown Core.

Street Level Interest

A building's ground floor strongly impacts the pedestrian experience on an adjacent public space, such as a sidewalk or public plaza. Blank or featureless walls at the ground floor level can diminish interest and reduce the quality of the pedestrian experience. A building should be designed to promote pedestrian interest at the street-level. Avoid long, blank walls on the ground floor level. Transparent ground floors that support a visual connection between the public realm and interior commercial building space is the most effective way to generate street level interest. This treatment is strongly encouraged and particularly for areas where a commercial use is located directly adjacent to a sidewalk, street, plaza or other public realm element. However, active storefronts and fully transparent windows may not be feasible on all street-facing building walls. Where this occurs, consider the use of one or more of the street level interest methods illustrated in Figure 6.21.



6.46 Design a building to create street level interest. Enhance ground floors by incorporating elements such as the following:

- Active uses, such as shops and restaurants
- Variations in the building wall, such as recessed entries or other indentations, in the ground floor façade
- Windows and display areas that increase the transparency of the ground floor

Design a storefront to engage the public realm, provide visual interest for pedestrians and promote pedestrian activity.



Utilize large walls for public artwork, water features, landscaping and other treatments to engage the public.



Create an active storefront.

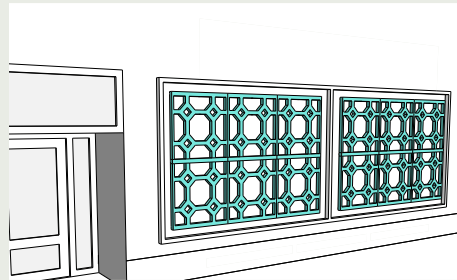


Enhance the ground floor design of a building to create pedestrian interest and activity.

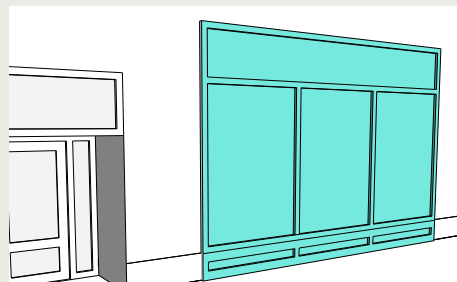
Figure 6.21: Alternative Street Level Interest Methods

The following diagrams illustrate some examples of ways to create street level interest where storefronts and active uses are not feasible. The color in each of the diagrams reflects the subject feature.

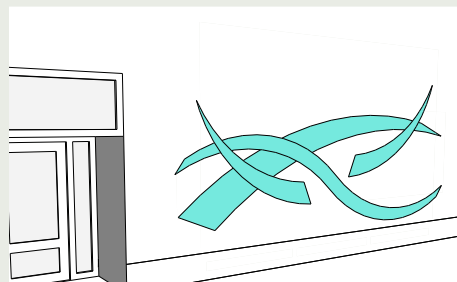
Architectural Details



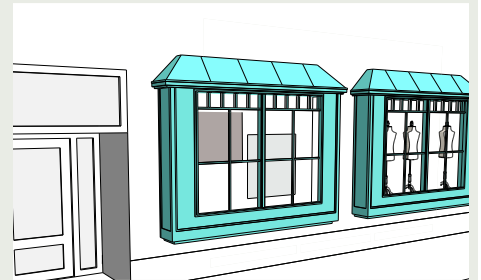
Windows



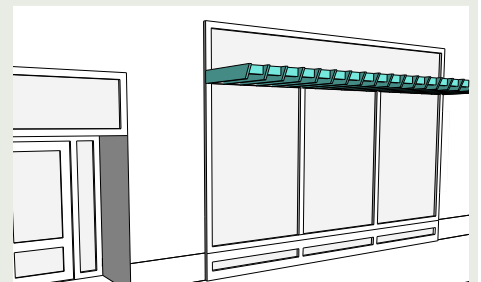
Wall Art



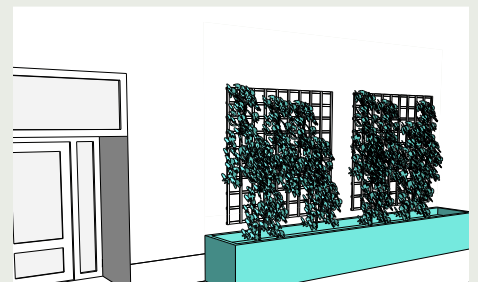
Display Case



Awnings & Canopies



Planters & Landscaping



Building Entry

Building entrances provide a key visual and physical connection between the public and private realm. A door should be easily recognizable and distinguishable from the rest of the building. Where compatibility with context is important, building entries should be spaced to provide visual continuity and compatibility within traditional buildings in a Character Area.

6.47 Design the primary entrance to a building to be clearly identifiable. Use an architectural element(s) to highlight an entrance, and to provide weather protection, where feasible. Potential treatments include:

- Canopy
- Awning
- Arcade
- Portico
- Building recess
- Moldings
- Change in material
- Change in color

6.48 Use an authentic, functional entry on a street-facing façade.

6.49 Size and proportion an entry element to stand out visually.

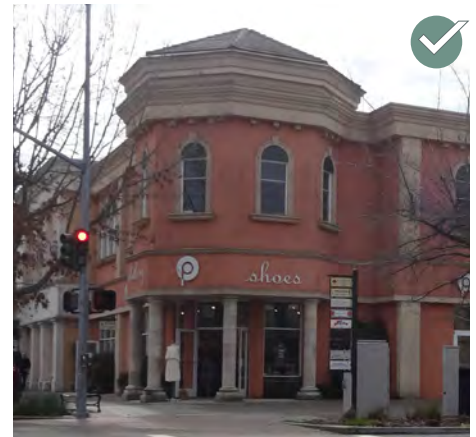
- a. Size a door to be easily readable and recognizable, but to not be overly large.
- b. Use a vertically oriented door.

6.50 Maintain a regular rhythm of entries along a street.

- a. Use a common door height on a ground floor and on a visible upper floor.
- b. Where compatibility with the context is important, provide space between entries on a building to be generally consistent with spacing on nearby traditional buildings.



Design the primary entrance to a building to be clearly identifiable.



An entry element provides a visual connection to the public realm.



Maintain a regular rhythm of entries along a street.



Windows

Windows are a key design element. New development should incorporate windows of a design and arrangement that expresses a human scale, create visual interest and in some cases creates visual continuity with context.

6.51 Locate and space windows to express a consistent.

* This design guideline is particularly important for new development in Character Area 5: Downtown Core.

- a. Provide consistent horizontal spacing between windows on a floor.
- b. Vertically align windows on upper and lower floors.
- c. Provide a common head height for windows on a single floor. Minor deviations may be appropriate for an accent.
- d. If a glazed wall is utilized, use spandrels, moldings, awnings or sills to provide vertical and horizontal expression.



6.52 Place a window opening to correspond to an actual interior space.

6.53 Where compatibility is important, size and proportion a window to be in the range of heights and widths of nearby traditional windows.

- a. Size a window to be easily recognizable but not to be overly large.
- b. Use a vertically oriented window on an upper floor.

Design a window to create depth and shadow on a façade.



6.54 Design a window to create depth and shadow on a façade.

- a. Design a window to appear “punched” into a wall.
- b. Do not use a window that appears pasted onto a façade.

Vertically align windows on upper and lower floors.

Roof Form

Roof form addresses the visible characteristics of a building's roof, which contribute to the character of a building. Where compatibility with context is important, roof forms that convey compatible mass and scale.

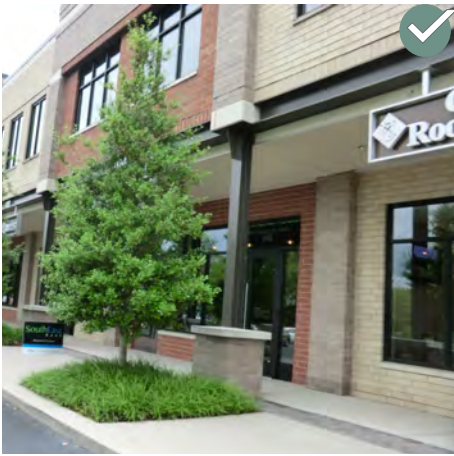
- 6.55 Design a roof to be architecturally consistent with the overall architectural design and detailing of the structure in terms of form and material.
 - a. Use angles, pitches and materials that coordinate with a building's overall design.
- 6.56 Where compatibility with context is important, design a roof's massing and form to be similar to traditional buildings.
 - a. Where a variety of roof forms is prevalent in an Area, allow for flexibility in roof form and design.
- 6.57 In downtown commercial development, design a roof to be visually subordinate, and to be concealed behind parapet walls.



Design a roof to be architecturally consistent with the overall design of the structure.



In Downtown commercial development, design a roof to be visually subordinate, and to be concealed behind parapet walls.



Avoid visually flat materials.

Building Materials and Color

Exterior building materials provide a sense of scale and texture that convey design quality and visual interest. Building façades, especially at the street-level, should use high-quality, durable materials that convey high quality in design and detail. Typical materials vary throughout Healdsburg's Character Areas; a variety of materials that are used in Healdsburg can be seen in Figure 6.22. Appendix B provides visual definitions of each of the building materials.



Add visual interest through texture, finish and detailing.



Use an accent material to highlight an important feature such as an entry or window.

6.58 Use materials to convey a sense of human scale and visual interest.

- a. Add visual interest through texture, finish and detailing.
- b. Use changes in material to add visual interest and express a human scale.
- c. Use an accent material to highlight an important feature such as an entry or window.
- d. Use materials to create contrast and shadow.
- e. Use a limited number of materials so that a façade does not appear overly busy or confusing.
- f. Avoid overuse of visually "flat" or panelized materials (such as synthetic stucco or EIFS) that result in monotonous, featureless surfaces. Limited applications of synthetic stucco or another visually flat material may be appropriate as a wall panel or as an accent on an upper floor, but should be complemented with a material rich in texture or with a dynamic finish.

6.59 Where compatibility with context is important, use a material that is compatible with nearby traditional buildings.

- a. Use materials that exhibit characteristics similar to those used on adjacent or neighboring buildings.

6.60 Encourage building colors that are visible from the street to be generally compatible with those seen traditionally in Healdsburg. Traditional Healdsburg colors include whites, tans, greys and other earth-tone/natural colors.

- a. Encourage the primary colors used for a building to be consistent with earth tones or other natural colors seen on traditional buildings in the city.
- b. Allow other non-earth tone colors as accents or for special architectural features or details that are subordinate to the overall building.
- c. Avoid overuse of sharp or overly bright colors that create a jarring contrast with traditional colors seen in Healdsburg.

Figure 6.22: Potential Exterior Building Materials

The materials shown below meet the guidelines and intent described on page 158 and are potential materials that can be used for commercial, industrial, mixed use and large-scale multi-family development in Healdsburg. Note that these examples are not the only materials that meet the intent and design guidelines described above; other materials are also appropriate for development in Healdsburg. Refer to the Character Areas chapter for more information.



Stucco



Wood



Stone



Metal Panels



Corrugated Metal

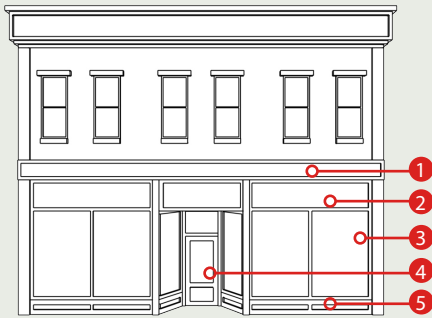


Brick



A storefront should include a high level of transparent glass.

Figure 6.23: Typical Storefront Features



Typical storefront features include:

- 1 Storefront Cornice or Lintel
- 2 Transom Windows
- 3 Display Window
- 4 Entry Door
- 5 Bulkhead/Kickplate



Figure 6.24: Awnings should not obscure the frame and details of a building.

Storefront Design

Where a building incorporates a storefront, it should engage the public realm, provide design elements that activate the street edge and provide visual interest for pedestrians.

6.61 Design a storefront to be easily distinguishable and inviting to pedestrians.

- a. Space building entrances at regular distances along a pedestrian pathway that are easily distinguishable.

6.62 Design a storefront to provide visual interest.

- a. A storefront should include:
 - A generous height
 - A high level of transparent glass (not tinted)
 - A clearly defined entry
 - Canopies, awnings or other projecting elements that define the pedestrian area.
- b. Other appropriate architectural elements that can be integrated with a storefront include:
 - Landscaping
 - Wall Art



Design a storefront to engage the public realm, provide visual interest for pedestrians and promote pedestrian activity.

Building Additions

Additions to non-single family structures are often used to increase the square footage of a building. An addition should be subordinate to an existing structure and should not provide a false sense of age or mimic the design of a historic resource. For this reason, additions to existing buildings are most sensitive in Character Area 5: Downtown Core. While additions in other Character Areas may be treated with more flexibility, they should still be subordinate to and should complement the design and style of the existing structure.

- 6.63 Design a building addition to be subordinate to the existing structure.
- Where possible, locate a building addition to the rear of the existing structure.
- 6.64 If a building is visible from the public realm, design it to be visually compatible with the existing structure.
- Arrange windows and doors on the building addition in a way that complements the pattern of the windows and doors on the existing structure.



Figure 6.25: Design a building addition to be subordinate to the existing structure.



Where possible, locate a building addition to the rear of the existing structure.



Figure 6.26: Design a building addition to be subordinate to the existing structure in Downtown. Here, the setback helps make the addition subordinate.



Renovation of Existing Structures

The renovation and reuse of an existing structure is encouraged. Renovating existing structures also reduces waste from demolition and reduces the number of new materials used in a project, compared to a new construction.



This adaptive reuse project in Phoenix, Arizona converted an older convenience store building (top) into a casual dining establishment (bottom) that enhances the character of an adjacent commercial corridor.



Design the renovation of a building to respect its original design.

6.65 In Character Area 5, design the renovation of a traditional building to respect its original design.

- a. Consider original architectural elements that define a building, and incorporate those and the style of the original building into the renovation.
- b. Whenever possible, retain elements that established the building's style and character such as a storefront, windows, recessed entries, masonry surfaces, etc.
- c. Consider restoring design elements that may have been lost throughout the years. Consult City staff to determine what elements may have previously been a part of the building.
- d. Remove elements that have been added to the building that conceal significant architectural details.
- e. In Character Area 5, treat the design of upper stories and elevations of renovated structures with the same sensitivity as the ground-floor elevation.

6.66 Integrate or screen essential building equipment and service areas into a renovation design.

- a. Conceal or screen new mechanical equipment.
- b. Design service areas, rear elevations and side elevations to be attractive from alleyways, side streets and sidewalks.
- c. Where parking lots adjoin the rear of a renovated building, consider incorporating rear store entrances and pass-throughs to the street.

Sensitive Transitions

Sensitive transitions address the relationship between buildings of higher densities or of more public uses that are adjacent to lower-scale residential neighborhoods. Site design adjacent to an existing or future residential neighborhood should provide a compatible transition that minimizes potential negative impacts.

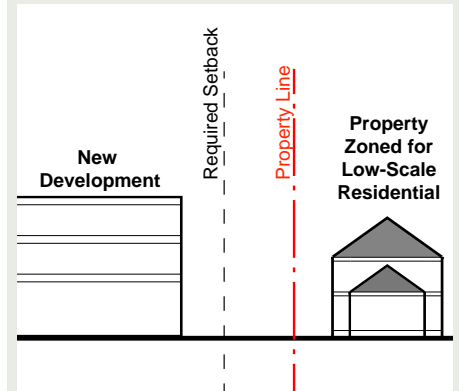
- 6.67 Design a commercial or mixed use site to be compatible with a neighboring residential site.
- Place and orient buildings to minimize potential negative impacts on an adjacent residential neighborhood.
 - Provide a transition in height between taller development and low-scale residential neighborhoods.
 - Consider locating a taller building an additional distance beyond the required setback from the shared lot line to avoid a looming wall.
 - Do not locate mechanical or service areas directly adjacent to a residential property.



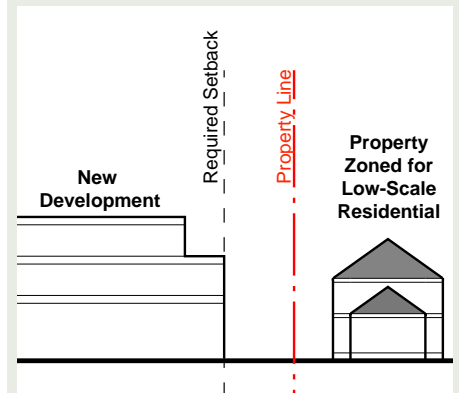
Provide an increased setback between taller development and low-scale residential neighborhoods.

Figure 6.27: Sensitive Transitions

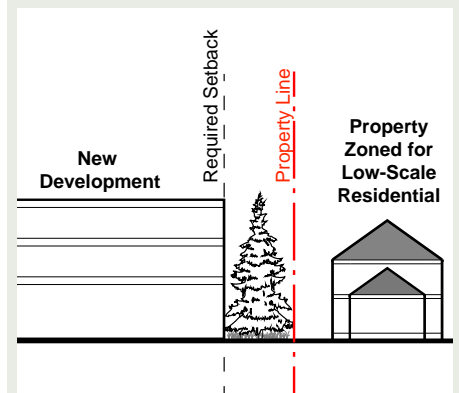
Appropriate options include:



A setback that is greater than what is required.



A stepdown in height towards the low-scale residential site.



A significant landscape buffer in the setback between the building and the property line.

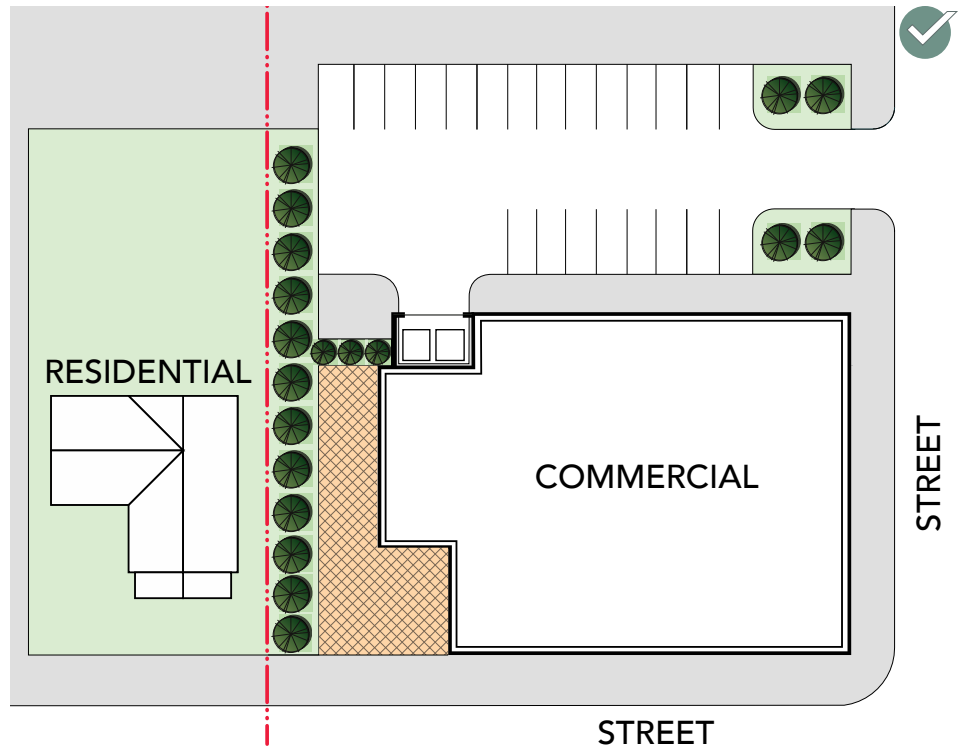


Figure 6.28: Design a commercial or mixed-use building to be compatible with a neighboring residential site. For example, trash storage should be located away from the street and towards the interior of the site, and landscaping and open space can help present a softer edge to the residential site.

6.68 Design a landscape buffer area to provide shared amenities.

- a. Amenities shared between a commercial or mixed use development and an adjacent residential neighborhood may include:
 - Picnic areas
 - Recreational areas
 - Playgrounds
 - Stormwater management facilities
 - Other landscape features

SPECIAL



REPORT

Compatible Infill Design

Principles for New Construction in
Oregon's Historic Districts



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2011 Preservation Roundtable Process

Topic defined
Fall 2010

Research and planning
Spring 2011

Regional Workshop I
The Dalles
June 25, 2011

Regional Workshop II
Ashland
July 8, 2011

Regional Workshop III
Portland
August 18, 2011

Online Survey
Early September 2011

Report Released
October 13, 2011

The Purpose of the Preservation Roundtable

The Preservation Roundtable was organized by Restore Oregon, formerly the Historic Preservation League of Oregon, to bring together diverse stakeholders to analyze and develop solutions to the underlying issues that stymie preservation efforts. The inaugural topic in 2010 was “Healthy Historic Districts in a Changing World—Compatibility and Viability.” Nearly one hundred people participated, arriving at nine recommendations published in a report titled **Healthy Historic Districts – Solutions to Preserve and Revitalize Oregon’s Historic Downtowns**. An electronic copy is available on Restore Oregon’s website.

The 2011 Preservation Roundtable focused in on “Design Standards for Compatible Infill,” one of the recommendations from the 2010 report, to provide clarity and consistency for review of new construction projects in historic districts. The principles and approaches to implementation that follow come from the best source: the people that live, work, own property, govern, and build within the state’s 123 National Register historic districts.

Over 200 individuals from around the state shared their ideas, both in person and online. With backgrounds in development, engineering, architecture, city planning, property ownership, community development, and related disciplines, Roundtable participants brought a broad slate of experience and range of perspectives to the dialogue.

Like beauty, it may be said that good design is in the eye of the beholder thus opinions may differ on some of the recommendations in this report. But Restore Oregon is confident these principles represent an important foundation upon which new construction can fill the empty spaces of Oregon’s historic districts in a way that protects their historic integrity, promotes good land use, and enhances economic vitality.



Ashland Preservation Roundtable participants

Why Good Infill Matters

We've all seen it. A new building that looks like a spaceship dropped into a historic neighborhood, entirely out of character with its neighbors.

And we all know historic districts that seem more ghost town than downtown because of the empty lots dotted throughout like so many missing teeth.

The fact is that most historic districts need good new construction – to promote economic vitality, improve urban density, and to generate the activity that spurs investment in the rehabilitation of the existing historic fabric.

The Secretary of the Interior's *Standards for the Treatment of Historic Properties* mandates that additions to historic buildings must differentiate new from old. Furthermore, the *Standards* imply that a Modern or Postmodern approach is best for additions on historic structures (an interpretation with which Restore Oregon does not agree). Though there is no Secretary of Interior "Standard for Compatible Infill," it has often been assumed that new construction in Oregon's historic districts must also be differentiated – with widely differing ideas of what "differentiated" means.¹

Typically new construction projects in historic districts must go through a design review process. This process varies widely across the state, but is often described as complex, subjective, lengthy, expensive, and design rules are perceived as being unclear or inconsistent.

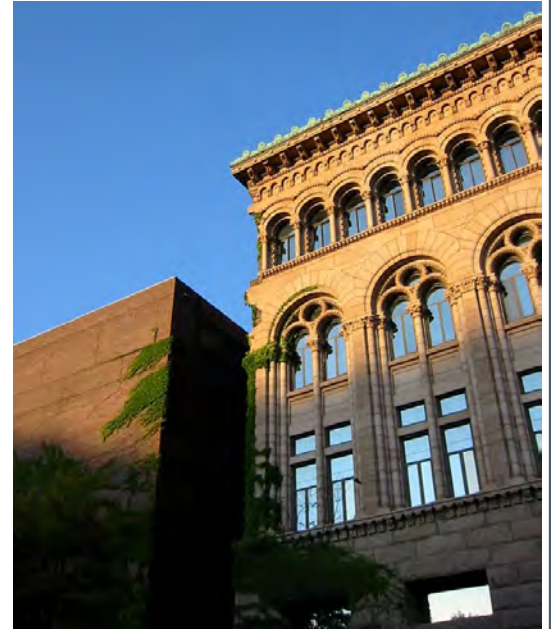
This inconsistency and lack of clarity creates uncertainty among the development team who would rather not waste time and money trying to navigate through an unpredictable design review process. A common argument is that it's too much of a hassle and too expensive to build in a historic district.

That isn't to say good infill hasn't been built, but one need not look further than the parking lots, ill-fitting Modernist buildings, and drive-through cubes to realize that a new and holistic approach is needed. Fortunately, in many cases developers haven't rushed to fill the missing teeth of the state's historic districts, so we have an opportunity now to do it right.

A quarter of the properties in Oregon's historic districts are vacant lots or classified as "non-contributing" to the district's historic character. Encouraging appropriate new construction on these parcels will be a defining component of the 21st century preservation ethos in Oregon.

Today, planners and politicians across the state are working to limit sprawl by diversifying and densifying existing urban areas to create walkable 20-minute neighborhoods. Although many still think there's a conflict between preserving historic places and boosting density, increasing the square footage in Oregon's historic districts represents an economic, social, and environmental opportunity.

This report outlines seven baseline *Principles for New Construction* intended to promote responsible infill within Oregon's historic districts. In practice, they would function as a Secretary of the Interior's *Standard for Compatible Infill*. While many of our recommended principles differ from the current Secretary's *Standards* and some preservation theories, they are intended to chart a course for Oregon predicated on the belief that historic districts are significant resources far greater than the sum of their component properties.



Chicago's Newberry Library (1893, with 1981 addition) is cited by the Secretary of the Interior Rehabilitation Guidelines as an example of the recommended treatment for a new addition to a historic building. Its harsh differentiation is a poor example of the type of new construction needed in Oregon's districts. Image by Payton Chung/Flickr.com



An 1860s Harrisburg building is swallowed up—literally!

The Value of Oregon's Historic Districts

Oregon has 123 historic districts listed in the National Register of Historic Places. Each is unique in its location, size, age, and historic significance. While some, like the Hells Canyon Archaeological District, are not collections of buildings, most of the state's National Register districts are places where we work, sleep, play, and shop. They range in size from Portland's Irvington District (2,813-properties) to Weston's Historic District (14-properties). Altogether there are over 15,000 properties within Oregon's Historic Districts – representing a very significant cultural and economic asset.²

Restore Oregon's *Healthy Historic Districts* (2010) identified the triple bottom line benefits of investing in Oregon's historic districts to:

- Increase heritage tourism, a \$192 billion market in the U.S.²
- Foster community pride and support mixed uses.
- Reduce sprawl and leverage existing infrastructure.

The report also identified nine practical ways Oregon preservation stakeholders can best invest in the state's historic districts. These ranged from creating district development plans to updating local preservation ordinances. One of the most distinct of the recommendations was the need to “create design guidelines and standards for infill to ensure the new is compatible with the old.” This recommendation is critical for Oregon's historic districts because appropriate new construction has the potential to:

- Provide skilled construction jobs and support long-term employment.
- Boost property tax revenues on parcels that are deserving of development.
- Increase density, fight sprawl, and maximize existing infrastructure.
- Support the preservation of historic buildings and help boost their economic potential.
- Provide a sense of continuity by differentiating the look and feel of historic and non-historic areas.

According to one participant in the Roundtable, developers face both opportunities and challenges when building in historic districts.

“As with any other commercial development project, there are both opportunities and challenges when building small-scale infill in historic districts. Current opportunities include low interest rates, lower construction and land costs, and New Markets Tax Credits. Also pre-leasing is easier in smaller scale projects, which is attractive to lenders. Challenges center around higher per square-foot construction costs for small-scale buildings, higher load factors in tight floor plates, and negotiating with unmotivated sellers who may have other income, low-capital basis and therefore high capital gains tax liabilities, and inflated perceptions of property value based upon



Downtown Albany Historic District

Definition of Terms

Context: The physical and historic attributes of a specific place.

Contributing: A property identified as being a significant component of a historic district.

Floor Area Ratio (FAR): The size (total square feet) of a building compared to the size of the land on which it sits.

Fenestration: Window and door placement.

Guideline: Parameters describing the preferred look and feel of new construction in a specific historic district or area.

Massing: The general size and shape of a building in relation to its site and context.

Non-contributing: A property that does not add to the significance of a historic district, either due to its recent age, lack of historic significance, or compromised design.

Secretary Standards: The Secretary of the Interior's *Standards for the Treatment of Historic Properties* are administered by the National Park Service, defining best practices for Reconstruction, Rehabilitation, Preservation, and Restoration.

Siting: The positioning, orientation and set-back of a building on its lot.

Standards: Prescriptive metrics for directing new construction in a specific historic district or area.

Statement of Significance: A section of a National Register of Historic Places nomination that describes the features that define a property or district as historically significant.

Advising, Encouraging, or Regulating—What's Best?

Across Oregon, cities and towns have adopted a range of approaches to guide the design of new construction, whether in National Register districts, local conservation districts, or other areas deemed worthy of special consideration. Various socio-political factors have shaped the approaches, including:

- The cost of creating highly specific expectations for the design of new buildings, especially given the need for public involvement.
- The difficulty of reaching agreement on design and development goals.
- Worry that rigid rules will restrain creativity and infringe on property rights.
- Concern that too much flexibility would lead to out-of-character design that hurts district integrity.
- A lack of local expertise to develop or administer complex rules that require judgment.
- Fear that rules requiring judgment will result in “taste policing.”

In many cases across Oregon, local governments have elected to take a hands-off approach, leaving their historic districts at the whim of individuals on a property-by-property basis.

Communities across the state care deeply about their heritage and the quality of their historic districts. But how far their leaders and citizens are willing to go to ensure they are appropriately supported is the fundamental question surrounding whether to *advise*, *encourage*, or *regulate* aesthetics in historic districts.

Advisory Approach

Whether in the form of informational *policies*, educational *documents*, or semi-formal *processes*, advisory approaches to guiding infill are effective when all parties are equally motivated, well-intended, open-minded, and when project owners are willing to put their money where others' mouths are. While community sentiment can help inform and shape a project, there must be full and consistent willingness to commit to an altruistic direction for this approach to have any effectiveness. The advisory approach is only as strong as its weakest link. If the quality of the advice is not clear or correct, if there's an unwillingness to acknowledge advice, or if attitudes or commitments change over time, this approach fails to protect the values of the district.

One advisory tactic that has been helpful for some communities – even in the absence of mandatory requirements – is encouraging development teams to meet with city staff or confer with a historic review body prior to any application for permits. This process affords an opportunity to educate a development team about public expectations, programmatic opportunities, and/or regulatory requirements early in the design review process.

Ultimately, any advisory approach has to take place very early in the design process before the development team has become emotionally and monetarily committed to a particular design.

Encouragement Approach

Encouraging appropriate design can include tactics as simple and informal as *awards* programs, or as specific and measurable as *financial incentives*.

Encouragement helps to entice a development team to meet community expectations for what benefits the district, while not infringing on property rights or a development team's ability to make choices.

Awards programs have some value in acknowledging particularly successful efforts, but don't necessarily incent those who are not already passionate about preservation.



A new house in Ladd's Addition Historic District, Portland

Continued next page...

For example, Ashland’s annual Architectural Preservation Awards program includes a category for “historically compatible” new construction that helps set the stage for future design excellence (see photo).

Incentives can serve as a very effective voluntary way to guide design. Specific incentives such as expedited review or zoning flexibility can have great value if well conceived for the economics and opportunities in a particular district. Low-interest loans, grants, and tax incentives are very successful at compelling property owners to invest in design that fits community expectations. Urban renewal agencies typically provide financial incentives for downtown revitalization and new construction programs and are often focused within commercial historic districts.

Voluntary approaches are effective tools for encouraging appropriate design in historic districts when implemented in conjunction with thoughtful regulations.



Award-winning infill from Ashland, Oregon

Regulatory Approach

The most certain, and equitable, path to a desired design result is regulation. Regulation can take the form of specific code-based prescriptive *standards*, or it can utilize more discretionary design *guidelines*. Both standards and guidelines can be supplemented by the advisory and voluntary approaches discussed earlier.

Standards: Prescriptive standards are an effective means to address elements such as height, massing, and setbacks from property lines in order to ensure new construction shares attributes typical to a particular area. Standards are generally black and white, providing a measurable box in which new construction can take shape. Standards that provide across-the-board clarity for what can and cannot be built in a historic district are objective and highly effective.

However, it is difficult for standards to guide the textural compatibility needed for new construction to fit comfortably and appropriately in a historic district. Design guidelines, discussed in the next section, better address the more subjective compatibility that cannot be expressed in standards. The advantage of standards is that they are clear and objective in nature, easily applied across the board with a minimum amount of discretion and training.

Design guidelines: The application of design guidelines blends guidance and rules. Guidelines are aspirational and descriptive; standards are prescriptive. Guidelines are discretionary in nature since judgment is required to determine whether aspects of a project are consistent with their intent. Guidelines can be advisory or serve as approval criteria applicants must meet. Design guidelines therefore require more expertise to apply on the part of city staff, project designers, and other regulatory decision makers. However, it is this expertise and judgment that is their strength. Guidelines demand more of projects, but provide for flexibility in their interpretation. In order to balance this flexibility while providing projects certainty and predictability, guidelines must be well crafted.

Recommended Approach

Ultimately, regulatory approaches are the most effective means of directing the design of new construction in historic districts. Well-articulated standards and guidelines can ensure that infill construction will be of a quality and compatibility that works for the specific historic district.

However, Restore Oregon recognizes that *regulations are most successful when combined with added rights and incentives*. In order to encourage the realization of new construction that meets the expectations set forth by regulations, supportive advisory and voluntary tactics are critical. Early opportunities for design advice, honorary awards programs, relaxing of certain zoning restrictions, and financial incentives can balance the weight of regulations, and make clear that public expectations are in line with the financial realities of development.

What Makes a Good Guideline?

Guidelines must consist of simple and clear wording that can be understood and applied by professionals and the public alike. Good design guidelines define and describe their purpose. The guideline language itself must be directive in a manner that is legally defensible (in Oregon, guidelines are applied through a “quasi-judicial” process, where the result is a decision that has legal standing).

Of Oregon's 123 National Register historic districts, only 21 are known to have developed district design guidelines. Some of these guidelines, like Oregon City's, apply to more than one district.

Where they exist, guideline documents—like design itself—are products of their time. Their crafting has been defined by available resources, local knowledge, public support, examples available to emulate, local leadership, and views about what constitutes appropriate preservation. As such, some guidelines are more effective and more suitable to today's views and expectations than others.

A comparative analysis of the district design guidelines found in Oregon today has helped identify some of the strengths and limitations that render a guideline effective, or not.

Successful Design Guidelines:

- Include a clear background statement, giving context for the guidelines within the specific historic district.
- Define clearly what the specific criteria are, distinct from the rest of the text.
- Provide and describe various ways in which the guidelines might be met, including illustrations and discussions of community goals.
- Use district-specific photographic examples from both the past and the present.
- Employ simple understandable language, including definitions and explanations.
- Educate through detailed explanation and accurate historical information.

Less Successful Guidelines:

- Use technical and less-accessible language through code-based text descriptions.
- Provide few or no illustrative examples or photographs.
- Offer little background or educational information.
- Are generic, and may not be grounded in the defining characteristics of the specific historic district.

The Relationship of Principles and Design Guidelines

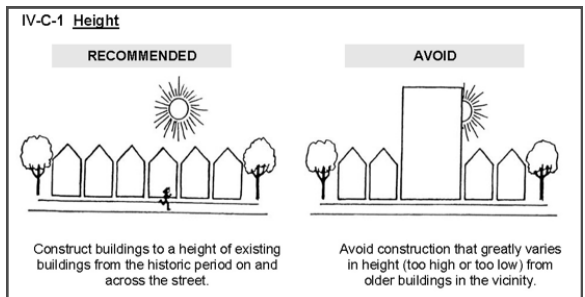
The Principles for New Construction that follow are intended to be a baseline for any approach to guiding new construction in Oregon's historic districts. They can be adopted to serve as guidelines unto themselves, or used as an underpinning in the development of local, district-specific guidelines. In either case, documents and outreach describing local processes, and the qualities and characteristics specific to the respective historic district, are critical to developing appropriate, complete district guidelines.

This guideline may be accomplished in the King's Hill Historic District by:

B. Using a setback that respects the existing setbacks along the block. These residences on SW Park Place share a similar setback, along with uniform massing and scale characteristics. In combination, these elements contribute to the uniform appearance that is characteristic for that block.



An illustration used by a successful design guideline (above) that shows photographic evidence from the district; and a less successful guideline (below) that is too general and not specific to the district.



Principles for Compatible Infill

The following principles are intended to serve as a foundation for local, state, and federal programs that evaluate new construction in National Register historic districts, including standards and guidelines. They represent a distillation of input by approximately 200 Preservation Roundtable participants, and the research and analysis conducted by Restore Oregon staff and consultants on the effectiveness of various design standards found around the country.

The intent of the principles is to:

- Encourage stakeholders to think critically about the future of their districts.
- Protect the integrity and coherence of Oregon’s historic places.
- Provide clarity and consistency for developers, designers, and regulators to make it easier to construct new projects.
- Provide criteria for incentive programs to spur investment and revitalize historic districts.

Each principle consists of a **title**, **statement of intent**, and **bulleted considerations** about how each might be implemented. The principles are intended to be similar in character to the Secretary of Interior’s *Standards*, however, they are specific to new construction and unique in content. Since the term “standards” in Oregon typically refers to specific measurable characteristics (see page 6), this report has chosen to use the word “principles” to describe these foundational tenets.



Photo by Ian Sante

1. The District is the Resource, Not its Individual Parts

Designated historic districts are significant as a **collective whole** and must be considered as such, and protected in their entirety. This is the primary, overarching principle.

- New construction must respond to and protect the integrity of the overall historic district in much the same way as an addition does to a historic building.
- The National Register nomination is the primary source for district significance and defining characteristics, and should inform the design of new construction.⁴

2. New Construction Will Reinforce the Historic Significance of the District

Infill buildings should relate to and strengthen the core characteristics of the district, as identified in the National Register nomination Statement of Significance. New construction should build upon the story of the district through its design, landscape, use, cultural expression, and associated interpretive displays.

- An understanding of the character and significance of the district should predicate any design or development activities.
- If applicable, cultural expressions and/or historic uses within the district should be considered in design or development activities.



The Freimann Building in Portland is a successful reconstruction based on thorough documentation.

3. New Construction Will Complement and Support the District

Most historic districts have a discernable aesthetic rhythm of massing, scale, and siting. Infill buildings should not deviate in a detracting manner from these elements, but appear as complementary members of the district.

- Lot size, massing, siting, floor area ratio, and height must correspond to the contributing buildings within the district.
- Whenever possible, new construction should support the viability of adjacent historic buildings through shared ADA and upper story access, structural stability, and mechanical and environmental systems.
- New buildings may provide uses not found within the district if such uses are in demand and if adapting historic buildings for such uses would be detrimental to the historic fabric.



New construction on the Oregon State University campus provides additional egress to the historic building.

4. Infill Will Be Compatible Yet Distinct

New buildings should be identifiable as being of their period of construction; however, they should not be so differentiated that they detract from – or visually compete with – their historic neighbors. Within historic districts, compatibility is more important than differentiation.

- Because the district is the resource, the reconstruction of buildings that existed within the district during the period of significance is allowed. Reconstructions should be done in accordance with the Secretary of the Interior *Standards for Reconstruction*.
- New buildings should be identified through signage or other interpretative means to relate them to the context of the district's historic significance.
- Style is discouraged from being the primary indicator of differentiation.
- Means of differentiation may include materials, mechanical systems, construction methods, and signage.

5. The Exterior Envelope and Patterning of New Buildings Will Reflect District Characteristics

Infill design elements, patterning, texture, and materials should reflect the aesthetic and historic themes of the district.

- Patterns of fenestration, building divisions, setbacks, and landscapes that are characteristic of the district should inform the design of new buildings.
- Mechanical and automobile infrastructure should be appropriately concealed when not consistent with the district's character.



Two distinct approaches to infill over time. The original historic building is on the left.

6. Contributing Buildings Will Not Be Demolished to Create Infill Opportunities

Properties deemed “contributing” in the National Register nomination or through subsequent research or rehabilitation must not be removed or rendered non-contributing to make way for new construction. Consideration should be given to the demolition of non-contributing buildings 50 years of age or older on a case-by-case basis, dependent on the character of the district.

- Buildings deteriorated beyond repair may be demolished if so determined by the State Historic Preservation Office and local preservation staff/commission.
- Properties deemed non-contributing to the district should be retained and/or documented if they have achieved historic significance over time.



Demolition of a contributing building, 2011

7. Archeological Resources Will Be Preserved in Place or Mitigated

When new construction must disturb archaeological resources, mitigation measures should contribute to the story of the district.

- Archaeological mitigation must conform to local, state, and federal laws and accepted professional standards.
- When appropriate, archaeological mitigation should be accessible to the general public in an educational capacity.
- Information yielded from archaeological mitigation should be interpreted in the new building and throughout the district.



Vancouver, WA archeological dig. Image by Rick Minor

Our Survey Said... *(a selection of comments from participants)*

When possible, infill should benefit the district and surrounding buildings by providing "something more." This could include shared elevators and egress for adjacent buildings, subsurface parking, seismic stabilization if there are common side walls, courtyard space that can serve surrounding buildings, solar panel installation for neighboring properties that can't accommodate panels of their own, etc.

There is history in a neighborhood other than architecture, for example, past ethnic makeup. A historic district also needs to help serve the overall objectives of urban planning, such as density and energy efficiency.

I can support both reproductions of historic buildings and wonderful new modern buildings. The new buildings should be of the quality of design that would warrant future landmark status.

We can't require the original uses be preserved – historic uses [may not be] viable. Generally speaking, I believe historic districts should evolve along with the City.

At best, infill buildings should contribute to the established narrative of the district. At the very least, they should be neutral in their effect. They should never skew excessive attention to themselves at the detriment of the district.

The design goal should be to create an infill building that is compatible, but uses contemporary elements in doing so. I'm less concerned with conscientious efforts to make the building so different as to not confuse, and instead allowing the contemporary materials, floor heights, construction techniques and so on do so in a quiet, honest manner. I don't fear the reconstructions, but there should be some way to designate, like putting the building's date of construction in an obvious location.

Strategies for Implementation

Knowing that Oregon's communities and their historic districts are unique, Restore Oregon expects that these principles will serve as a baseline, adapted as appropriate by local communities. Restore Oregon has sought to craft principles that complement, rather than conflict with, the diversity of local preservation preferences to provide clarity and consistency. How these principles are received, modified, and incorporated over time will be the decision of Oregon's local and state preservation leaders.

At the local level, the principles can be incorporated into advisory, voluntary, and regulatory approaches to guide new construction in historic districts. They are best used as the basis for design standards and guidelines, as well as criteria for incentive programs. In communities that have no existing guidelines for evaluating infill in historic districts, Restore Oregon recommends that these principles serve as the baseline for urban renewal or other sources of public funding.

At the state level, Restore Oregon recommends that these principles be provided to all participants in the Certified Local Government program and adopted as a starting point for allocating Historic Preservation Fund monies to local communities.⁵ Additionally, the principles should be used as a baseline for any new or revised state program of incentives for new construction in historic districts. Restore Oregon firmly believes any tax expenditure conferred to new construction in historic districts should uphold these tenets.

At the federal level, these principles can help chart a new national course for infill in historic districts. Given a pending initiative to revise the Secretary of the Interior's Standards, we encourage the National Park Service to include updated, compatibility-oriented standards for building additions and infill projects. Furthermore, we believe these principles provide solid criteria for broadening the Federal Rehabilitation Tax Credit program to include compatible infill construction. Such an incentive would have a tremendous positive impact on the revitalization of historic districts



In both these examples, the infill construction is on the right.



Acknowledgements & Notes

The 2011 HPLO Preservation Roundtable was facilitated by, and the Special Report on Compatible Infill Design was principally authored by, Jeff Joslin, Karen Karlsson, and Rick Michaelson of KLK Consulting. Their decades-long history of collaboration on preservation projects, includes entitlements facilitation, management of review processes, the development of historic and design regulation, and redevelopment of historic structures.

The Special Report was edited by Brandon Spencer-Hartle and Peggy Moretti. Many thanks to our Roundtable Task Force and Restore Oregon's Advocacy Committee, chaired by Natalie Perrin, for their extensive input and vetting.

The wonderful historic venues for our workshops were Old St. Peter's Landmark in The Dalles, the City of Ashland's Community Center, and the Architectural Heritage Center in Portland which also co-sponsored our Portland workshop.

The 2011 Preservation Roundtable was supported by a grant from the National Trust for Historic Preservation – and by the members of Restore Oregon.

**NATIONAL
TRUST
FOR
HISTORIC
PRESERVATION**

1. The Standards were first published in 1976 as *The Secretary of the Interior's Standards for Historic Preservation Projects with Guidelines for Applying the Standards*. They were revised in 1992. In August 2011, the National Park Service announced they would be updating the standards and guidelines; however, the effect of the revisions on setting best practices for new construction is still to be determined.

2. Oregon State Historic Preservation Office.

3. Research conducted published in 2010 by Heritage Travel, Inc., a subsidiary of the National Trust for Historic Preservation

4. Some early National Register nominations lack a Statement of Significance for the district. In these cases, local Statements of Significance or other context research should be consulted.

5. The Certified Local Government (CLG) program is a partnership between local governments and the State Historic Preservation Office, funded by the National Park Service. Federal grants are offered to CLGs on an annual basis and often pay for preservation planning activities such as the creation or revision of design guidelines.



About Restore Oregon

The mission of Restore Oregon is to **Preserve, Reuse, and Pass Forward Oregon’s Historic Resources to Ensure Livable, Sustainable Communities**. Founded in 1977 as the Historic Preservation League of Oregon, Restore Oregon is a 501(c)(3) non-profit that provides education programs, advocacy, technical assistance, and stewardship of over 40 conservation easements on historic properties across the state, protecting them from demolition in perpetuity. Our recent programs have included:

- *Preservation 101*, a series of half-day workshops with the Oregon Main Street Program.
- *How to Save an Endangered Building*, an overview presentation of best practices in preservation advocacy.
- Legislative testimony encouraging sustainability retrofits that protect historic properties.
- Providing technical assistance, community education, and advocacy to Oregon’s Most Endangered Places.
- Regional preservation “field trips” that engage Oregonians with their built heritage.

The Restore Oregon office is located in the historic White Stag Block in Portland’s Skidmore Old Town National Historic Landmark District. Programming is delivered across the state.



RESTORE OREGON
(formerly Historic Preservation League of Oregon)
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Dayton Redevelopment Questionnaire

1. Does the City of Dayton provide water and/or sewer services to a home or business you own or live in?

- Yes
- No

2. If you answered yes, how many years have you lived or had a business within the City of Dayton? Please use a whole number.

3. What was your primary reason for moving here?

- Affordability
- Lifestyle
- Retirement
- Work
- Other (please specify)

4. If employed, where do you physically work?

- Home
- Dayton
- McMinnville
- Newberg
- Salem
- Clackamas County
- Multnomah County
- Washington County
- Yamhill County (Unincorporated)
- Other (please specify)

5. What is your gender?

- Male
- Female
- Other (please specify)

6. What is your age?

- 18-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65-74
- 75+
- Prefer not to answer

7. What do you think Dayton's strengths are? Please choose all that apply?

- Small town feeling
- Good schools
- Rural surroundings
- Historic homes and buildings
- Classic town square
- Close to urban centers
- Access to wineries
- Access to the Yamhill River
- Other (please specify)

8. What are Dayton's challenges? Please choose all that apply.

- Difficult for young people to remain in town, lack of opportunities.
- Limited residential options
- Small population/market share for growing a retail or business base.
- Limited facilities for access to the Yamhill River
- Distance to shopping and entertainment
- Small town mentality
- Gateway appearance of city entrances
- Limited in town retail businesses
- Other (please specify)

9. How do you feel about growth and change in Dayton? This could be growth in population, growth in commercial activity, growth in tourism or any way you want to define growth. If you choose "Very Positive", then you might feel that Dayton should grow aggressively by adding a lot of commercial development and housing options.

- Very positive
- Somewhat positive
- Neutral
- Somewhat negative
- Very negative

10. What type of growth would you like Dayton to pursue? Check all that apply.

- Residential growth
- Commercial Growth
- Industrial Growth
- Tourism Growth
- No Growth

11. What type of businesses would you like to see in Dayton?

- Bank
- Restaurants
- Lodging
- Retail variety
- Coffee shop
- Small scale grocery store
- Drug store or pharmacy
- Fitness Club
- Office space
- Other (please specify)

12. How often do you go downtown?

- Daily
- Weekly
- Monthly
- For events
- Almost never
- Other (please specify)

13. Much of Dayton's downtown character comes from the buildings and residences that surround Courthouse Square Park. Are you interested in future changes to downtown relative to design, building type and size?

- Yes
- No
- Other (please specify)

14. Which of the following statements most closely matches your future vision for the architecture of downtown Dayton?

- All new development should be of traditional character.
- New development should be a mix of traditional and modern.
- All new development should be modern.

15. How consistent should the future vision for downtown Dayton be?

- The more consistent the architecture (heights, materials, colors, detail) the better
- There should be some consistency in the architecture, but with some variations, to make it appear as though the architecture evolved over time.
- All buildings should be different from one another.

16. Dayton's current Land Use Planning Code limits building height to 35 feet (existing Commercial Block buildings are two story at 37 feet). Would you accept increasing the height restriction to attract development and new business. If so, to what degree?



Atticus Hotel - McMinnville - 4 stories - 55 feet

- 45 feet- 3 Stories
- 60 feet- 4 stories
- 75 feet- 5 stories
- Other (please specify)

17. If cost effective, should overhead utilities be moved underground around Courthouse Square?

- Yes
- No
- Not a high priority

18. What kind of public art would you like to see in and around downtown?

- Murals
- Sculptures
- Memorials
- Decorative bike racks
- Historical references
- Landscape architecture
- Other (please specify)

19. What kinds of events, if held downtown, would you likely attend?

- More music and concerts
- Farmers Market
- Holiday festivals
- Beer and wine festivals
- Plays and cultural performances
- Other (please specify)

20. If you could choose one thing to enhance Downtown Dayton, what would it be?

21. Is there anything else you would like to share?

EXHIBIT C



City of Dayton

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STAFF MEMO

WORK SESSION: September 11, 2023

SUBJECT: Second meeting of the Technical Advisory Committee (TAC) for the CBO Design Standards Update project.

EXHIBITS:

- A. Draft Revisions to DLUDC Section 7.2.111
- B. Color Palette Sub-Committee Recommendations
- C. Preliminary results from Dayton Redevelopment Survey

MEETING AGENDA:

1. Review of preliminary results from Dayton Redevelopment Survey
2. Review of draft revisions to DLUDC Section 7.2.111
3. Next steps

I. PURPOSE

The purpose of the work session is to provide the opportunity for the TAC to review the first draft of the code amendments to potentially forward to Planning Commission for a public hearing to initiate the text amendment process.

II. SUMMARY OF AMENDMENTS

The first draft of code amendments in Exhibit A were prepared based on the direction provided by the TAC at the August 28 TAC meeting. The preliminary recommendations are listed below, followed by the amended section of the code in ***bold italics*** where the recommendations have been incorporated into the draft.

Building placement recommendations:

- Buildings shall maintain a zero setback from the sidewalk or property line. Exceptions to the setback requirements may be granted to allow plazas, courtyards, dining space, or similar purpose. ***See Table 7.2.111.04 in Section 7.2.111.04.***
- Require at least one primary building entrance to open on to a public street. ***See Section 7.2.111.05.B.***
- Clarify the existing standard for the placement of parking areas to prevent parking from being located between the front of the building and a street. ***See Section 7.2.111.05.D.***
- For buildings on corner lots, require that one entrance is oriented to the corner or within 20 feet of the street corner. If an entrance is oriented toward the corner, an architectural feature shall be provided that emphasizes the corner. ***See Section 7.2.111.05.G.***

Recommendations addressing building massing and scale:

- Increase the maximum height limit to 65 feet within the CBO with building step back requirements for those portions of the building over 55 feet. *See Table 7.2.111.04 containing the modified height recommendation and Section 7.2.111.06 for the standards that must be met to qualify for a building height bonus.*
- The relationship between the height and width of the main facade of the building shall be visually compatible with adjoining buildings of the historic period or style. The standard may be met through either similar height and width, or, through design elements that provide visual continuity with the height and width of adjoining buildings. *See Section 7.2.111.07.B.*
- Require that where buildings will exceed the historical sixty feet in width, the façade should be visually subdivided into proportional bays, similar in scale to other adjacent historic buildings, and as appropriate to reflect the historic 60-foot lot widths of the Dayton Town Plat. *See Section 7.2.111.07.A.*

Architectural elements:

- Implement standards to restrict the use of high intensity colors and undesirable materials such as plywood, vertical board and batten siding, and corrugated metal in the CBO. *See Section 7.2.111.08 incorporating the recommendations of the Color Palette Subcommittee.*
- Require that ground floor storefronts are defined with awnings or similar shelter for pedestrians along the sidewalk. *See Section 7.2.111.07.D.*
- Implement standards requiring traditional base, middle, and cap elements for multistory buildings such as a belt course separating the upper stories from the first floor, a bulkhead at the street level and a decorative cornice or cap at roofline. *See Section 7.2.111.07.C.*
- Establish minimum window glazing requirements for store front facades. I.e., 60% of the ground floor elevation(s) of buildings shall be comprised of transparent windows. Windowed doors and transom windows are required along Main Street. 30% transparent windows required on upper stories. *See Section 7.2.111.07.E.*

Additional recommendations in response to TAC input:

- Provide sensitive transitions to neighboring residential areas. *See the residential setback standard in Table 7.2.111.04*
- Require loading areas to be located behind buildings in alleys. *See Section 7.2.11.05.D.*
- Maintain flat roofs on Ferry Street. *See Section 7.2.111.07.F.*
- Maintain consistent rhythm along building facades. *See Section 7.2.111.07.B.*
- Awnings should not be required everywhere if they are not appropriate. *See Section 7.2.111.07.D.*

Additional amendments included by staff:

- Section 7.2.11.03 includes additional standard language to clarify that where the standards in the CBO conflict with standards in the underlying C and CR zones, the standards in the CBO apply.

III. POTENTIAL COMMITTEE ACTION

1. Accept the current draft code amendments in Exhibit A and forward them to the Planning Commission with a recommendation for adoption.

2. Recommend additional amendments to the draft in Exhibit A and forward the draft to the Planning Commission with a recommendation to adopt as amended.
3. Recommend additional amendments to the draft in Exhibit A and schedule a 3rd meeting of the TAC to consider the revised draft before sending to the Planning Commission for adoption.

Staff Report prepared by Curt Fisher, City Planner, with the Mid-Willamette Valley Council of Governments.

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 **Dimensional Standards**

7.2.111.05 Landscaping **Building Orientation**

7.2.111.06 Building Standards **Height Bonus**

7.2.111.07 Signs Moved To Section 7.4.1 ORD 652 **Building Design**

7.2.111.08 Modification Of Site Design Standards **Building Materials and Colors**

7.2.111.09 Landscaping

7.2.111.10 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 **Overlay Zone** 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 **Overlay Zone**. ***Change of use or development within the Central Business Area Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.***
- 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 Dimensional Standards

Table 7.2.111.04 – Central Business Area Overlay Zone Dimensional Standards	
Minimum Lot Area	None
Minimum Front/Street Side Yards	No front or streetside setback is allowed. Exceptions to the setback requirements may be granted to allow for a pedestrian plaza, courtyard, dining space, landscaping, or similar purpose.
Minimum Rear Yard	None
Minimum Side Yard	None
Maximum Structure Height	45 feet maximum building height; or 55 feet with height bonus, subject to subsection 7.2.111.06.
Setback from Residential Zones	Buildings shall be setback a minimum of 10 feet from R-1, R-2, and R-3 zoned properties. The minimum setback shall increase by one foot for each one foot of building height over 35 feet.

7.2.111.065 Building Orientation,

New buildings shall comply with the following standards:

- ~~A. Setbacks. The maximum building setback from a street-side property line shall be 10 feet. The street-side setback area shall be landscaped. Otherwise, there shall be no minimum nor maximum building setbacks. If a drive through window is permitted through the exception process under Section 7.2.111.03C, the set back from the street side shall be a minimum of fifteen (15) feet. (Added ORD 610 effective 4/2/12)~~
 - ~~B. Building Height. New buildings shall be within 25 percent of the average height of existing buildings located on the same street side. (Amended ORD 610 effective 4/2/12)~~
 - ~~C. Orientation. The main entrance to a building shall face a public street.~~
 - ~~D. Building Facade. Building facades visible from a public street shall be of brick or wood construction.~~
 - ~~E. Special Design Requirements. For property located on the south side of Ferry Street, between Third and Fourth Streets, the following additional design standards shall apply:

 - ~~1. Setbacks. The maximum building setback from a street-side property line shall be 0 feet. See Section 7.2.111.06, letter A, for a drive through window. (Amended ORD 610 effective 4/2/12)~~
 - ~~2. Building Height. New buildings shall be within 10 percent of the average height of existing buildings. (Amended ORD 610 effective 4/2/12)~~
 - ~~3. Building Facade. The building facade visible from a public street shall be predominantly of brick.~~
 - ~~4. Building Design. New buildings shall be similar in character and design with existing structures.~~~~
- A. The building shall comply with the dimensional standards in subsection 7.2.111.04.**

- B. *Provide at least one primary building entrance facing an abutting street that shall open onto a sidewalk, pedestrian plaza or courtyard, and a walkway shall connect the primary entrance to the plaza and sidewalk.*
- C. *Building entrances shall be recessed or otherwise covered by a pedestrian shelter.*
- D. *Off-street parking, loading areas, trash pick-up, and above ground utilities, including but not limited to utility vaults and propane tanks, shall not be placed between building entrances and the street(s) to which they are oriented, but shall be oriented internally to the block, screened, and accessed by alleys to the extent practicable.*
- E. *Where off-street parking is provided, it shall conform to the dimensional standards and landscape standards of Section 7.2.303.*
- F. *Where a development contains multiple buildings and there is insufficient street frontage to which buildings can be oriented, a primary entrance may be oriented to plaza, courtyard, or similar space containing pedestrian amenities. When oriented this way, the primary entrance(s), plaza, or courtyard shall be connected to the street by a landscaped and lighted walkway with an approved surface not less than five (5) feet in width.*
- G. *Buildings on corner lots shall have a corner entrance not more than 20 feet from the intersection and contain architectural features that emphasize the corner (e.g., chamfered/rounded edge, windows, molding, art).*
- H. *Primary building entrances shall be at least fifty percent (50%) transparent so that two-way views, in and out of a building, are possible. This standard can be met by a door with a window, a transom window above the door, or sidelights beside the door.*

7.2.111.046 Parking Building Height Bonus

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.~~

The following standards are intended to support the urban design objectives for downtown and facilitate mixed-use development through increased building height, while protecting the historic integrity of downtown buildings. All of the standards below must be met for approval of a building height bonus:

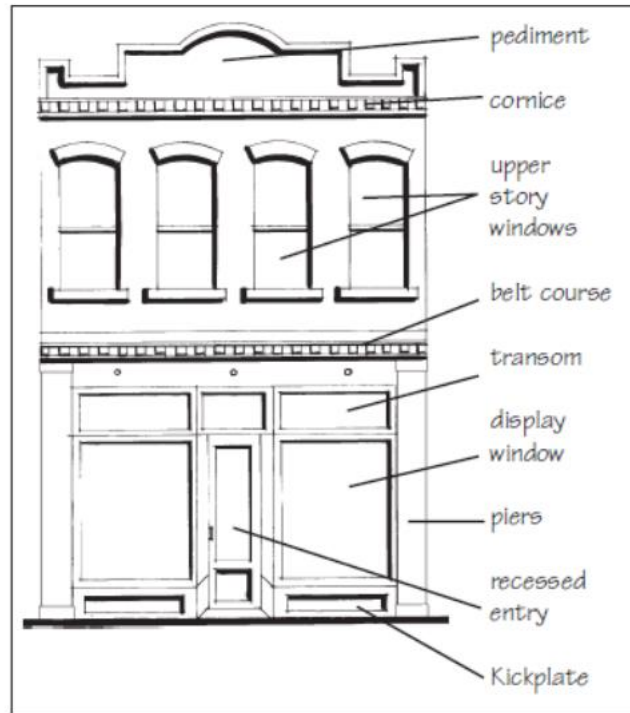
- A. *The maximum allowable height may be increased from forty-five (45) feet to fifty-five (55) feet when the standards under this section are met.*
- B. *The portion of the building exceeding forty-five (45) feet shall cover not more than fifty (50) percent of the building floor plate, as defined by the building foundation perimeter except the height increase may be extended to up to one hundred (100) percent of the floor plate for a mixed-use building where the upper stories include multifamily dwelling units or overnight accommodations.*
- C. *The portion of the building exceeding forty-five (45) feet in height shall step-back from (recess behind) the building plane of the ground floor by one foot for each foot of building height above 45 feet.*

7.2.111.057. Building Design

- A. Horizontal Articulation.** Buildings more than 60 feet in width facing a street or plaza shall be visually divided into proportional bays similar in scale to historic building patterns and the historic lot widths of the Dayton Town Plat. Front elevations should be articulated (e.g., offset, recess, projection, or similar "break" in the wall plane) not less than once every 30 feet. Acceptable methods to satisfy the standard include offsets in a building elevation, roofline and/or the placement of windows, pilasters, awnings/canopies, trim, art/medallions, or other detailing and ornamentation. Changes in paint color do not satisfy this standard.
- B. Horizontal Rhythm.** The relationship between the height and width of the main façade of the building shall be visually compatible with adjoining buildings of the same historic period or style. The standard may be met through either similar height and width, or with design elements that provide visual continuity with height and width of adjoining buildings. Examples of such design elements include but are not limited to the base below a series of storefront windows; an existing awning or canopy line; a belt course between building stories; an existing cornice or parapet line. Where adjacent buildings do not provide a historically appropriate reference, the development may establish new horizontal lines consistent with historical precedence.
- C. Storefronts (that portion of the building that faces a public street) shall include the following basic features of a historic storefront:**
- 1. A belt course separating the upper stories from the first floor;**
 - 2. A bulkhead or kickplate at the street level;**
 - 3. A recessed entry and transom with transparent door; and**
 - 4. Decorative cornice or cap at the roofline.**
- D. Pedestrian Shelters.** Awnings, canopies, recesses or similar pedestrian shelters shall be provided along at least sixty (60) percent of a building's ground floor elevation(s) where the building abuts a sidewalk or civic space (e.g., plaza).
- 1. Pedestrian shelters used to meet the above standard shall extend at least five (5) feet over the pedestrian area, be proportionate to the building in its dimensions, and not obscure the building's architectural details.**
 - 2. Pedestrian shelters shall align with one another to the extent practical.**
 - 3. Shelters shall not conflict with mezzanine or transom windows.**
 - 4. Colored canvas (not plastic) awnings and metal or plexi-glass canopies, when consistent with historical styles, are allowed.**

Exceptions: Pedestrian shelters are not required where historical precedence dictates otherwise. In addition, the Planning Commission may reduce the minimum shelter depth upon finding that existing right-of-way, easements, or building code requirements preclude a standard shelter.

Figure 7.2.111.07. Typical Storefront Components



E. Windows

5. *Windows shall be recessed and not flush or project from the surface of the outer wall. In addition, upper floor window orientation primarily shall be vertical.*
6. *A minimum of seventy (60) percent of the ground floor building elevations facing a street shall be comprised of transparent windows.*
7. *All side and non-ground floor building elevations not otherwise subject to the provisions of subsection 2, above, shall be comprised of not less than thirty (30) percent transparent windows; except zero-lot line/common wall elevations are not required to provide windows.*

- F. *The predominate roof form of buildings on Ferry Street shall be a flat roof with appropriately scaled cornice or stepped parapet top.***

7.2.111.08 Building Materials and Colors

A. Building Materials.

1. *Exterior building materials shall consist of building materials found on historic buildings in the downtown area including block, brick, painted wood, smooth stucco, or natural stone. The use of high intensity colors such, neon, metallic or florescent colors for the façade of the building are prohibited.*
2. *The following materials are prohibited for use on visible surfaces (not applicable to residential structure):*
 - a. *Vinyl, aluminum, or composite fiber cement (Hardie Plank) siding;*
 - b. *Asphalt or fiberglass shingles;*

- c. **Structural ribbed metal panels;**
 - d. **Corrugated metal panels;**
 - e. **Plywood sheathing, to include wood paneling such as T-111;**
 - f. **Plastic sheathing; and**
 - g. **Reflective or moderate to high grade tinted glass.**
- B. Colors. Exterior building colors shall be compatible with those traditionally seen in the Commercial Business Overlay District.**
1. **Primary building colors shall be of low reflective, subtle, earth tones or other natural color shades. Permitted colors include shades brick red, brick cream, tan, brown, and dark to light shades of grays (including shades of blue-gray and green-gray) that conform to the Dayton Central Business Area Overlay District color palette in Figure 7.2.111.08.B.**
 2. **The use of high intensity colors that are reflective, sparkling, or florescent colors for the façade of the building are prohibited. Metals shall be matte finish, earth-tone, or burnished/non-reflective colors.**
 3. **Painting historic brick is prohibited.**

Figure 7.2.111.08.B. Dayton Central Business Area Overlay District color palette



7.2.111.059 Landscaping

All new development within the Central Business Area fronting a public or private street shall provide street trees and landscaping in accordance to the following:

- A. **Type of Trees.** Street trees shall be limited to an approved City of Dayton list. The list of acceptable tree species and planting methods shall be established by the Department of Public Works.
- B. **Minimum Size to be Installed.** Street trees shall have a minimum caliper of 2 inches when measured 4 feet in height at the time of installation.
- C. **Spacing.** The spacing of street trees by tree size shall be as follows:
 1. Small sized trees (under 25' tall and less than 16' wide) shall be spaced no greater than 20 feet apart.

2. Medium sized trees (25' - 40' tall and more than 16' wide) shall be spaced no greater than 30 feet apart.
 3. Large trees (over 40' tall and more than 35' wide) shall be spaced no greater than 40 feet apart.
- D. Placement. The placement of trees is subject to the site design review process. Tree placement shall not interfere with utility poles, light standards, power lines, utility services, visual clearance areas or sidewalk access.
- E. Exemption to Street Tree Requirements. Exemptions to these requirements is subject to the site design review process and may be granted if:
1. The location of the proposed tree would cause potential problems with existing utility lines; or,
 2. The tree would cause visual clearance problems; or,
 3. There is not adequate space in which to plant the trees; or,
 4. Street trees are already in place on the site.
- F. Landscaping, General. Those areas not constructed upon or devoted to parking and access shall be landscaped in accordance to provisions in Section 7.2.306.

~~7.2.111.07 Signs Moved To Section 7.4.1 ORD 652~~

1.—

2.—

1.—

(Removed ORD 652-Effective 10/07/21)

HISTORY

Amended by Ord. [652](#) on 10/7/2020

7.2.111.0810 Modification Of Site Design Standards

The Planning Commission, as part of the site design review process, may allow modification to the site design requirements in the Central Business Area when both of the following criteria are satisfied:

- A. The modification is necessary to provide design flexibility where:
1. Conditions unique to the site require such modification; or,
 2. Parcel shape or configuration precludes compliance with provisions; or,
 3. A modification is necessary to preserve trees, other natural features or visual amenities determined by the Planning Commission to be significant to the aesthetic character of the area.
- B. Modification of the standards in this Section shall only be approved if the Planning Commission finds that the specific design proposed is substantially in compliance with the intent and purpose of the Central Business Area **Overlay** design provisions.

Dayton Central Downtown Area Color Palette Considerations for TAC – Sept 2023

Healdsburg says it this way:



Use an accent material to highlight an important feature such as an entry or window.

- 6.60 Encourage building colors that are visible from the street to be generally compatible with those seen traditionally in Healdsburg. Traditional Healdsburg colors include whites, tans, greys and other earth-tone/natural colors.
- Encourage the primary colors used for a building to be consistent with earth tones or other natural colors seen on traditional buildings in the city.
 - Allow other non-earth tone colors as accents or for special architectural features or details that are subordinate to the overall building.
 - Avoid overuse of sharp or overly bright colors that create a jarring contrast with traditional colors seen in Healdsburg.

Carlton says it this way and with pictures too:

Carlton, OR

Carlton, Oregon - Code of Ordinances / Title 17 - DEV

VERSION: JUL 18, 2023 (CURRENT)

MEDIUM HIGH DENSITY (R-3)
DISTRICT

Chapter 17.30 - DOWNTOWN (D)
DISTRICT

6. Color. Paint colors shall be consistent with the historic color palette as generally illustrated in [Section 17.30.070](#) and on file at Carlton City Hall. Painting schemes shall be simple and coordinated over the entire building to establish a sense of overall composition. Reflective, luminescent, sparkling, and "day-glow" colors and finishes, and clashing paint colors or patterns are prohibited. Metals shall be matte finish, earth-tone color, or burnished/non-reflective

Main Street Guidelines - Figure 5 (Remodel Example)



Miller Paint – two brochures on Historic Colors

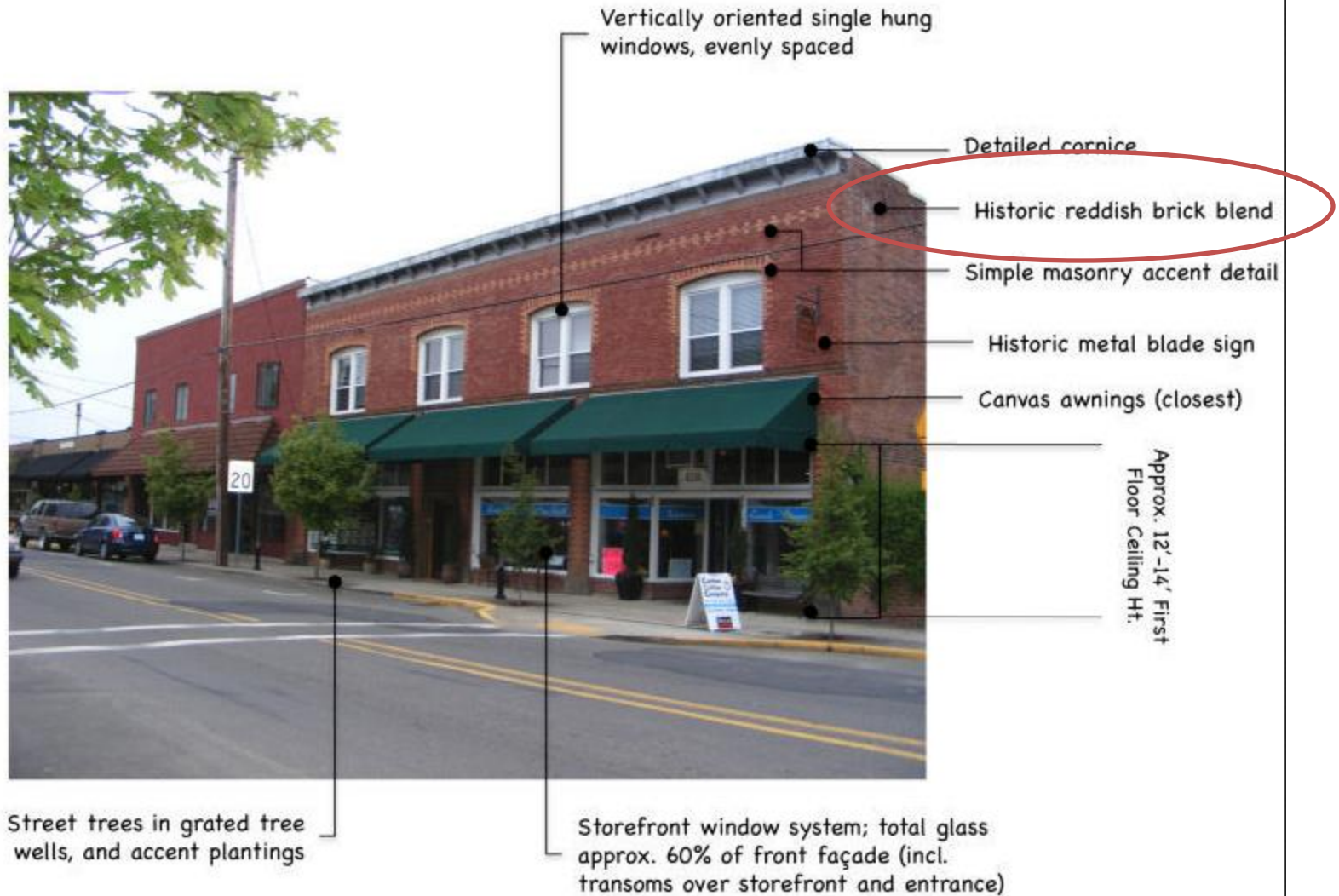


Example of historic paint palette.
See palette on file at City Hall
118

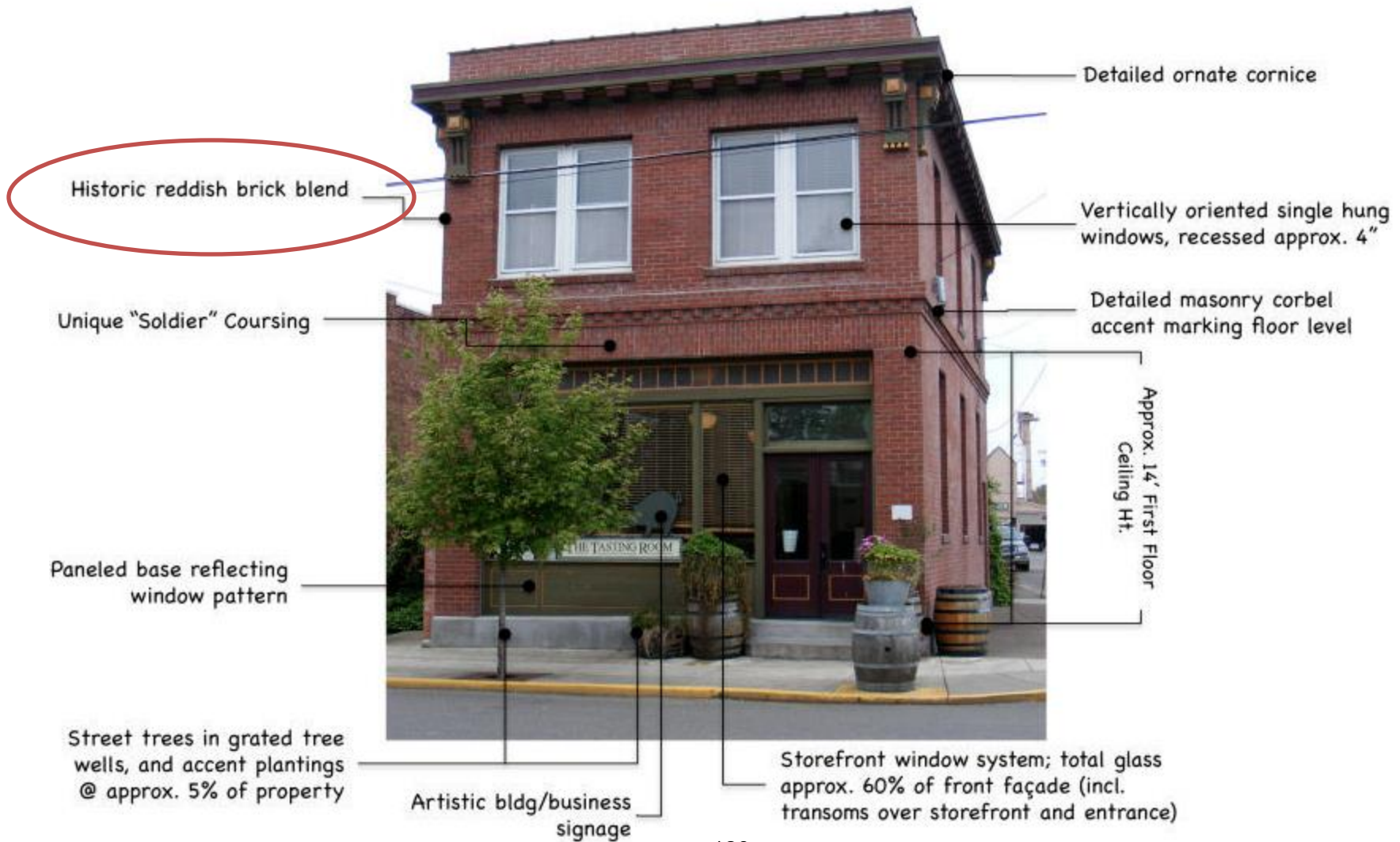


Example of historic brick palette

Main Street Guidelines - Figure 1



Main Street Guidelines - Figure 2



Silverton says it this way and with pictures too:



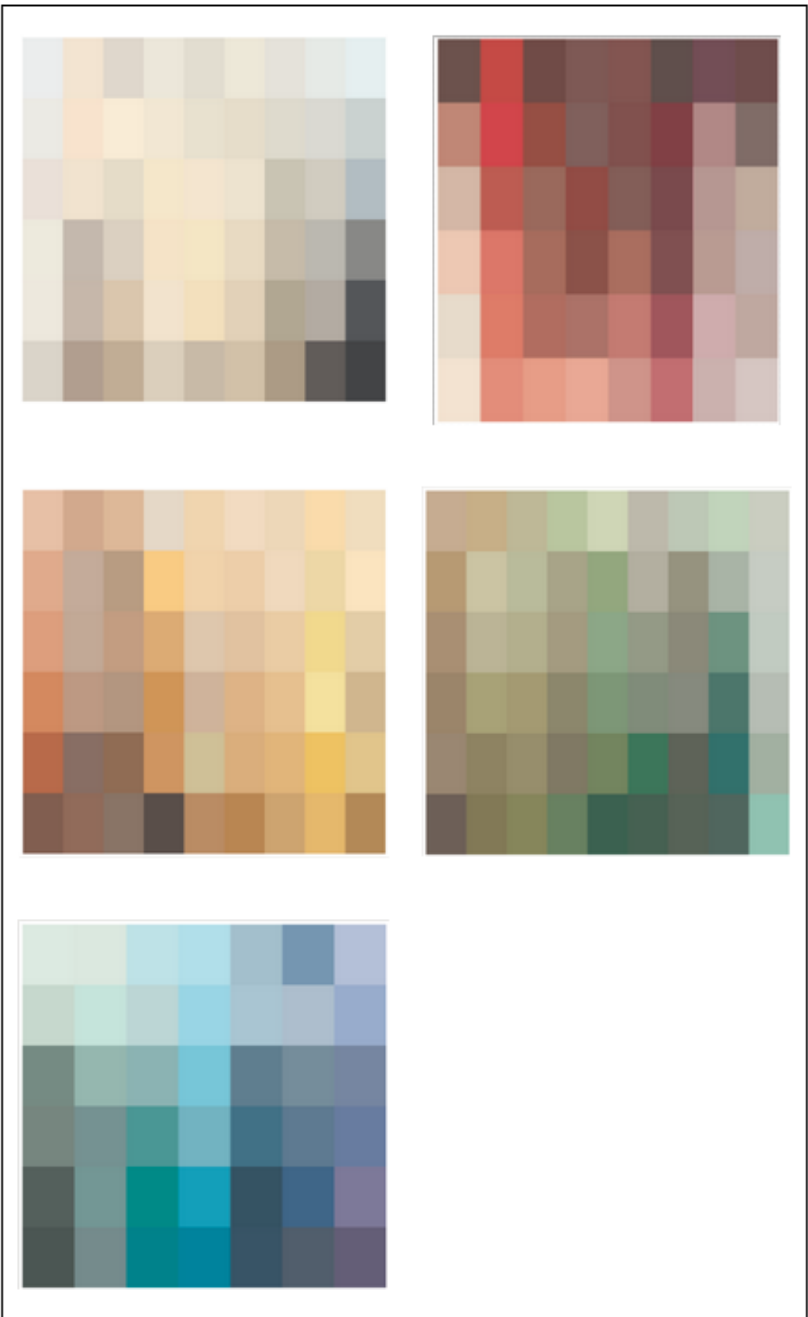
Silverton – downtown area

- d. Color. Building exteriors shall comply with the following standards:
- i. Permitted colors include warm earth tones (tans, browns, reds, grays and greens) **conforming to the Silverton color palette.**
 - ii. Primary colors, metallic colors and black may be utilized as trim, detail, and accent colors only, not to exceed five percent of the surface area of any elevation. Such colors shall not be used as primary wall colors.
 - iii. Day-glow colors, highly reflective colors, and similar colors are not permitted.
 - iv. A standardized prototype or franchise color scheme shall be modified or muted if necessary to meet the provisions of this section.

(TOP) Silverton Color Palette, Taken from Benjamin Moore Historic Colors. Proposed paint colors are required to match colors on the approved palette but do not need to be Benjamin Moore brand. The director will review all proposed exterior paint colors to ensure compliance with the approved palette.

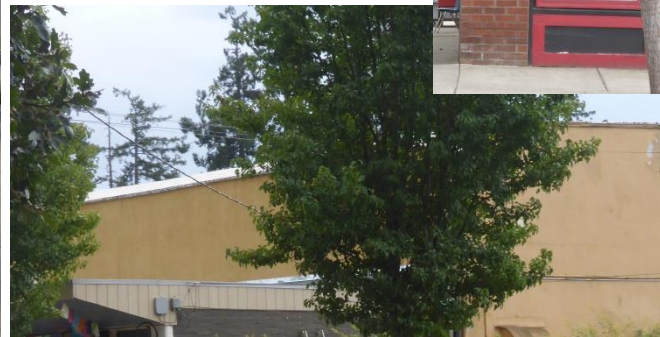
{RIGHT) Silverton Color Palette, Taken from Valspar Historic Colors. Proposed paint colors are required to match colors on the approved palette but do not need to be Valspar brand. The director will review all proposed exterior paint colors to ensure compliance with the approved palette.

(Ord. 16-05 § 1, 2016; Ord. 10-02 Exh. A § B, 2010; Ord. 08-06 § 3, 2008)
2.3.190 Reserved.





Sampling of Dayton downtown buildings used for color palette examples





Sampling of Dayton downtown buildings used for color palette examples





Sampling of Dayton downtown buildings and landmarks used for color palette examples



Adobe Colors Palette Creator –

Dayton downtown photos generated these palette examples of colors traditionally seen in downtown Dayton



color theme_above Francis Ct open...
COLOR THEME



color theme_alacrity
COLOR THEME



color theme_cropped montage for ...
COLOR THEME



color theme_for color palette creati...
COLOR THEME



color theme_for color palette creati...
COLOR THEME



color theme_for color palette creati...
COLOR THEME



color theme_CROP for color palette...
COLOR THEME



color theme_Baptist ch brick from i...
COLOR THEME



color theme_locally picked
COLOR THEME

More - Dayton downtown photos generated these palette examples



color theme_for color palette creati...
COLOR THEME



color theme_for color palette creati...
COLOR THEME



color theme_CROP for color palette...
COLOR THEME



color theme_S6 19_Ferry St_Downt...
COLOR THEME



color theme_Harris bldg
COLOR THEME



color theme_Stuckey Ferry St before
COLOR THEME



color theme_former dayton archies...
COLOR THEME



color theme_CROP 2015-12-21_02
COLOR THEME



color theme_CROP for color palette...
COLOR THEME

The Color Palette Sub-Committee recommends:

Painting schemes shall be simple and coordinated over the entire building to establish a sense of overall composition. Encourage building colors that are generally compatible with those seen traditionally in downtown Dayton. Traditional downtown Dayton colors include brick reds, brick creams/tans; tans, creams, browns, greys (from blue-grey to green-grey; dark to light greys) and other earth-tone/natural colors.

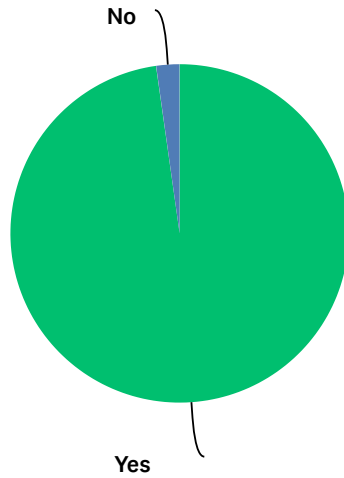
- a. Encourage the primary colors used for a building to be consistent with earth tones or other natural colors seen on traditional buildings in the downtown.
- b. Reflective, luminescent, sparkling, and "day-glow" colors and finishes, and clashing paint colors or patterns are prohibited. Metals shall be matte finish, earth-tone color, or burnished/non-reflective
- c. Paint colors shall be consistent with the brick reds, brick creams/tans; tans, creams, greys and other earth-tone/natural colors found in the Miller Paint historic color palette.
- d. A standardized prototype or franchise color scheme shall be modified or muted if necessary to meet the provisions of this section.
- e. Miller Historic Color Charts to be housed in City Hall for reference sake. (Like Carlton's ordinance mentions)
- f. Painting historic brick is not allowed.

From the Miller Historic Colors palette, City choose which colors would be outside the bounds of these recommendations and cross them off the palette. (e.g. Silverton made choices from Valspar and B. Moore)

Note: Valspar no longer prints brochures related to historic colors. I was unable to find Benjamin Moore historic color brochure. I did find the Miller Historic Colors brochures, which turns out to be what the old DCDA Design Committee had landed on c2010-11. A person can use the Miller color chart, color numbers and get their paint made anywhere.

Q1 Does the City of Dayton provide water and/or sewer services to a home or business you own or live in?

Answered: 135 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	97.78%	132
No	2.22%	3
TOTAL		135

Q2 If you answered yes, how many years have you lived or had a business within the City of Dayton? Please use a whole number.

Answered: 114 Skipped: 21

#	RESPONSES	DATE
1	4 years	9/5/2023 2:02 PM
2	7+ years	9/5/2023 11:08 AM
3	3	9/5/2023 9:11 AM
4	3	9/5/2023 9:08 AM
5	24	9/5/2023 7:53 AM
6	64	9/5/2023 7:09 AM
7	40	9/4/2023 10:58 PM
8	6 years	9/4/2023 9:33 PM
9	16	9/4/2023 8:53 PM
10	20 years	9/4/2023 8:18 PM
11	65	9/4/2023 2:46 PM
12	24	9/4/2023 2:10 PM
13	2	9/4/2023 1:08 PM
14	10	9/4/2023 12:55 PM
15	13	9/4/2023 10:48 AM
16	One	9/4/2023 9:44 AM
17	1	9/4/2023 8:41 AM
18	3	9/4/2023 6:29 AM
19	3	9/3/2023 8:54 PM
20	9	9/3/2023 8:20 PM
21	3	9/3/2023 6:12 PM
22	35+	9/3/2023 12:19 PM
23	1	9/3/2023 11:57 AM
24	My whole life	9/2/2023 7:30 PM
25	11	9/2/2023 6:32 PM
26	28	9/2/2023 3:53 PM
27	1	9/2/2023 3:40 PM
28	60 yrs	9/2/2023 12:04 PM
29	1	9/2/2023 11:54 AM
30	1	9/2/2023 11:50 AM
31	1	9/2/2023 11:21 AM

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32	9	9/2/2023 11:11 AM
33	3	9/2/2023 10:55 AM
34	40 yrs	9/2/2023 10:31 AM
35	22 years	9/2/2023 10:04 AM
36	1	9/2/2023 9:55 AM
37	7	9/2/2023 9:35 AM
38	5	9/2/2023 9:17 AM
39	41	9/2/2023 9:07 AM
40	20 years	9/2/2023 8:31 AM
41	34	9/2/2023 7:15 AM
42	12	9/2/2023 7:01 AM
43	7	9/2/2023 3:18 AM
44	18	9/2/2023 12:29 AM
45	5	9/1/2023 11:35 PM
46	3	9/1/2023 10:04 PM
47	1	9/1/2023 9:56 PM
48	1	9/1/2023 9:40 PM
49	1	9/1/2023 9:32 PM
50	17	9/1/2023 8:48 PM
51	60	9/1/2023 8:46 PM
52	5	9/1/2023 8:32 PM
53	23	9/1/2023 8:14 PM
54	1	9/1/2023 7:50 PM
55	70	9/1/2023 7:49 PM
56	10	9/1/2023 7:44 PM
57	8	9/1/2023 6:19 PM
58	13	9/1/2023 5:56 PM
59	5	9/1/2023 5:38 PM
60	8	9/1/2023 5:38 PM
61	28	9/1/2023 5:18 PM
62	4	9/1/2023 5:15 PM
63	3	9/1/2023 5:15 PM
64	1	9/1/2023 5:14 PM
65	2015	9/1/2023 5:01 PM
66	7 years	9/1/2023 4:44 PM
67	6	9/1/2023 4:14 PM
68	8	9/1/2023 4:04 PM
69	30 years	9/1/2023 4:03 PM

Dayton Redevelopment Questionnaire

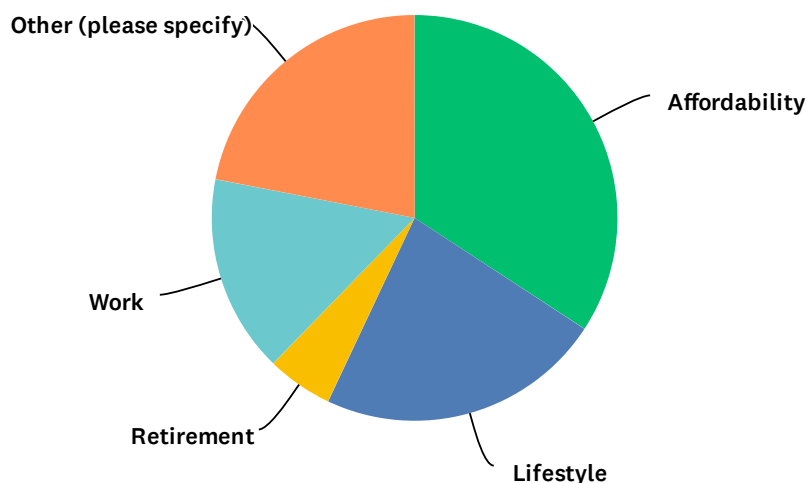
70	29.5 years	9/1/2023 3:57 PM
71	2	9/1/2023 3:54 PM
72	10	9/1/2023 3:46 PM
73	26	9/1/2023 3:31 PM
74	8	9/1/2023 3:26 PM
75	1 in city limits, but 18 in Dayton	9/1/2023 3:24 PM
76	8	9/1/2023 3:17 PM
77	2	9/1/2023 3:09 PM
78	16	9/1/2023 3:03 PM
79	2.3	9/1/2023 2:57 PM
80	13	9/1/2023 2:56 PM
81	10	9/1/2023 2:55 PM
82	25	9/1/2023 2:50 PM
83	21	9/1/2023 2:48 PM
84	4	9/1/2023 2:48 PM
85	7	9/1/2023 2:47 PM
86	21	9/1/2023 2:43 PM
87	10	9/1/2023 2:43 PM
88	42	9/1/2023 2:40 PM
89	9	9/1/2023 2:30 PM
90	23 years	9/1/2023 2:29 PM
91	Seven	9/1/2023 2:28 PM
92	2	9/1/2023 2:26 PM
93	3	9/1/2023 2:23 PM
94	30	9/1/2023 2:21 PM
95	1	9/1/2023 2:21 PM
96	39	9/1/2023 2:21 PM
97	25	9/1/2023 2:20 PM
98	26	9/1/2023 2:19 PM
99	23YRS	9/1/2023 2:17 PM
100	3	9/1/2023 2:16 PM
101	1984	9/1/2023 2:12 PM
102	6	9/1/2023 2:12 PM
103	8	9/1/2023 2:09 PM
104	19	9/1/2023 2:09 PM
105	4	9/1/2023 2:08 PM
106	24	9/1/2023 2:08 PM
107	1	9/1/2023 2:08 PM

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108	1	9/1/2023 2:07 PM
109	1	9/1/2023 2:07 PM
110	2	9/1/2023 2:07 PM
111	5	9/1/2023 2:06 PM
112	5	9/1/2023 2:06 PM
113	23	9/1/2023 2:04 PM
114	60 years	9/1/2023 11:24 AM

Q3 What was your primary reason for moving here?

Answered: 114 Skipped: 21



ANSWER CHOICES	RESPONSES	
Affordability	34.21%	39
Lifestyle	22.81%	26
Retirement	5.26%	6
Work	15.79%	18
Other (please specify)	21.93%	25
TOTAL		114

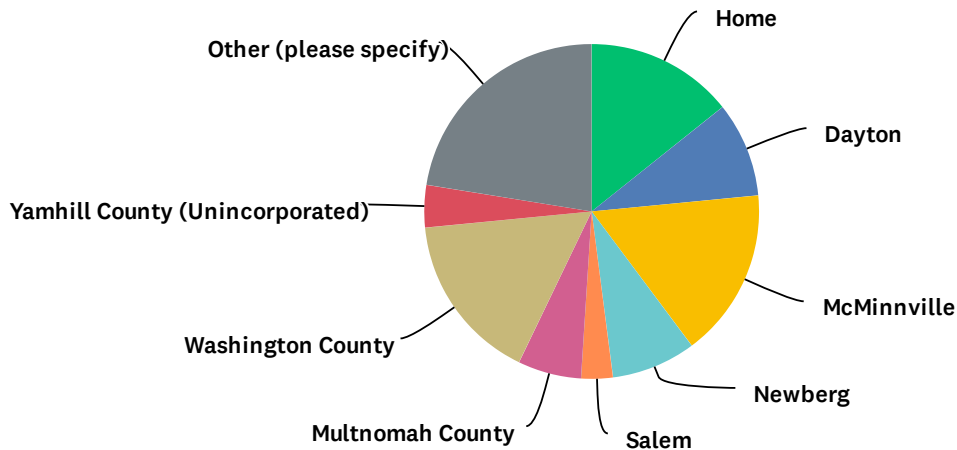
#	OTHER (PLEASE SPECIFY)	DATE
1	Personal reasons	9/5/2023 9:08 AM
2	Born here	9/5/2023 7:09 AM
3	Family	9/4/2023 10:58 PM
4	Move from country to inside city limits so kids could finish school here	9/3/2023 8:20 PM
5	See above	9/2/2023 7:30 PM
6	Born and raised here	9/2/2023 3:53 PM
7	We liked the house	9/2/2023 3:40 PM
8	Long time home	9/2/2023 12:04 PM
9	Lived here since 1960	9/2/2023 10:31 AM
10	Loved the small town	9/2/2023 10:04 AM
11	Family	9/2/2023 9:55 AM
12	Shorter commute	9/2/2023 9:35 AM
13	Dayton Grad	9/2/2023 9:07 AM

Dayton Redevelopment Questionnaire

14	Family and close college's	9/2/2023 8:31 AM
15	Schools	9/2/2023 3:18 AM
16	Grew up here, just moved into my own house	9/1/2023 10:04 PM
17	Born & raised here	9/1/2023 8:14 PM
18	Family	9/1/2023 7:49 PM
19	Location	9/1/2023 6:19 PM
20	School	9/1/2023 5:38 PM
21	Small town culture, nice home, affordable, near work	9/1/2023 3:03 PM
22	Great network of landlord friends	9/1/2023 2:28 PM
23	Grew up here	9/1/2023 2:26 PM
24	School	9/1/2023 2:23 PM
25	Moved w family	9/1/2023 2:21 PM

Q4 If employed, where do you physically work?

Answered: 98 Skipped: 37



ANSWER CHOICES	RESPONSES	
Home	14.29%	14
Dayton	9.18%	9
McMinnville	16.33%	16
Newberg	8.16%	8
Salem	3.06%	3
Clackamas County	0.00%	0
Multnomah County	6.12%	6
Washington County	16.33%	16
Yamhill County (Unincorporated)	4.08%	4
Other (please specify)	22.45%	22
TOTAL		98

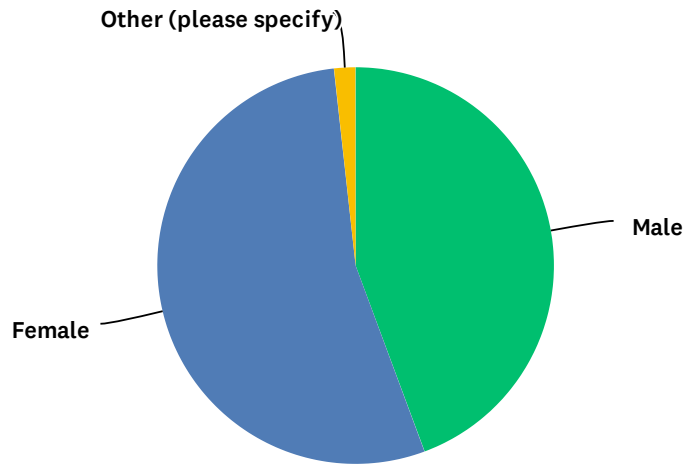
#	OTHER (PLEASE SPECIFY)	DATE
1	Multiple counties	9/4/2023 8:53 PM
2	Retired	9/4/2023 2:46 PM
3	Retired	9/4/2023 2:10 PM
4	Stay at home Mom	9/3/2023 8:54 PM
5	Aurora	9/2/2023 11:21 AM
6	Gaston	9/2/2023 10:55 AM
7	Retired	9/2/2023 10:04 AM

Dayton Redevelopment Questionnaire

8	remote	9/2/2023 9:07 AM
9	Retired from wvmc hospital	9/2/2023 8:31 AM
10	Retired now	9/2/2023 7:01 AM
11	Yamhill, Or	9/2/2023 12:29 AM
12	Retired	9/1/2023 8:48 PM
13	Tualatin	9/1/2023 7:50 PM
14	N/a	9/1/2023 5:38 PM
15	West side of oregon	9/1/2023 3:26 PM
16	Retired	9/1/2023 3:03 PM
17	All of Oregon and Washington	9/1/2023 2:30 PM
18	As a real estate developer it varies, currently Dayton	9/1/2023 2:28 PM
19	Marion County	9/1/2023 2:26 PM
20	Retired	9/1/2023 2:12 PM
21	Dallas, OR	9/1/2023 2:09 PM
22	Retired Now	9/1/2023 2:08 PM

Q5 What is your gender?

Answered: 115 Skipped: 20

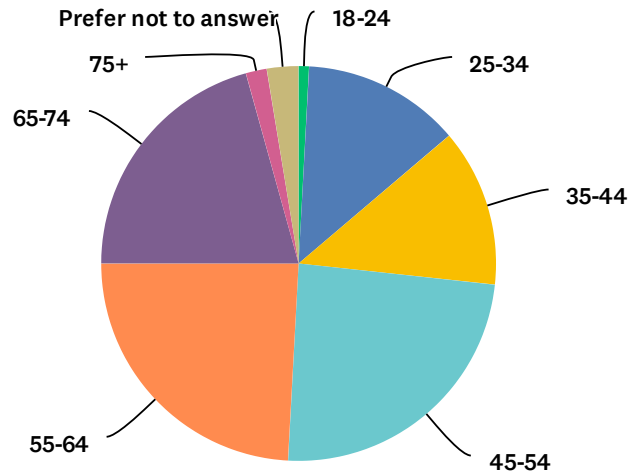


ANSWER CHOICES	RESPONSES	
Male	44.35%	51
Female	53.91%	62
Other (please specify)	1.74%	2
TOTAL		115

#	OTHER (PLEASE SPECIFY)	DATE
1	Nonbinary	9/1/2023 9:40 PM
2	Tree	9/1/2023 11:24 AM

Q6 What is your age?

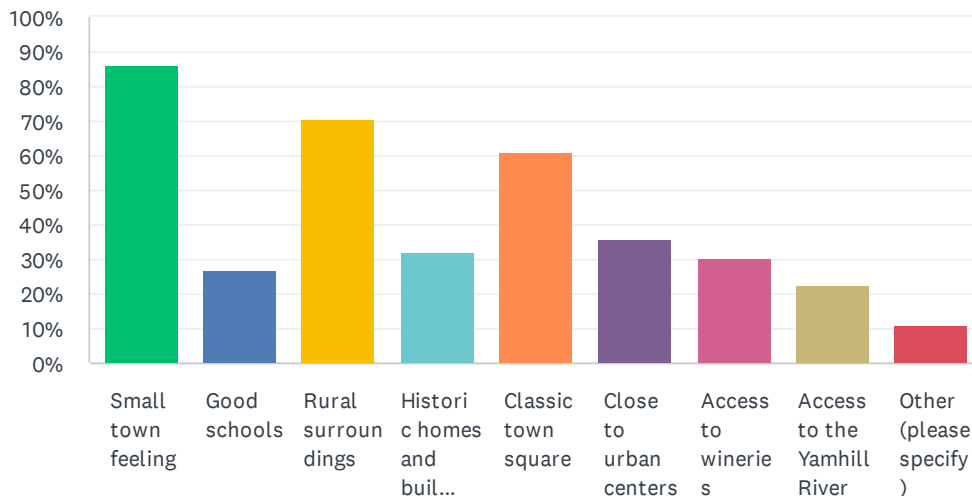
Answered: 116 Skipped: 19



ANSWER CHOICES	RESPONSES	
18-24	0.86%	1
25-34	12.93%	15
35-44	12.93%	15
45-54	24.14%	28
55-64	24.14%	28
65-74	20.69%	24
75+	1.72%	2
Prefer not to answer	2.59%	3
TOTAL		116

Q7 What do you think Dayton's strengths are? Please choose all that apply?

Answered: 115 Skipped: 20



ANSWER CHOICES	RESPONSES
Small town feeling	86.09% 99
Good schools	26.96% 31
Rural surroundings	70.43% 81
Historic homes and buildings	32.17% 37
Classic town square	60.87% 70
Close to urban centers	35.65% 41
Access to wineries	30.43% 35
Access to the Yamhill River	22.61% 26
Other (please specify)	11.30% 13
Total Respondents: 115	

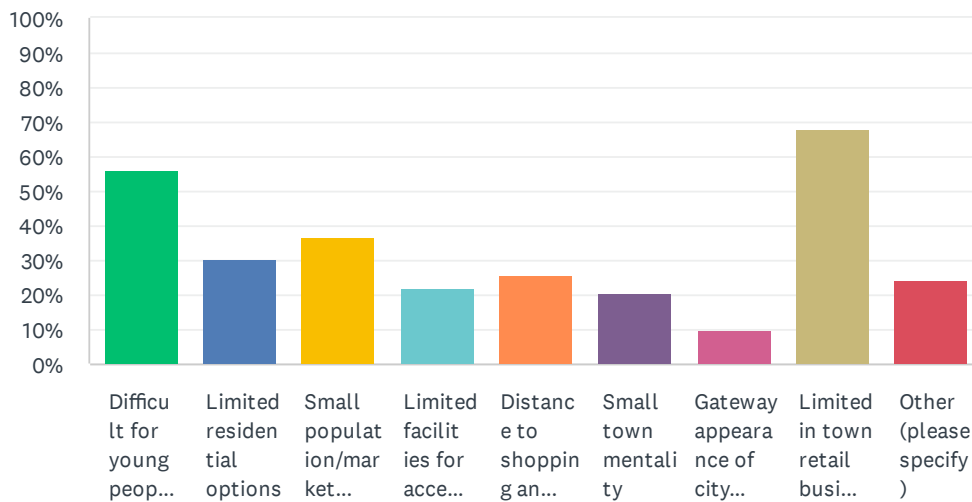
#	OTHER (PLEASE SPECIFY)	DATE
1	Caring helpful neighbors	9/5/2023 9:11 AM
2	Exceptional Ag program that supports the community.	9/4/2023 8:53 PM
3	Friendly people	9/4/2023 8:18 PM
4	Quiet, beautiful, clean	9/2/2023 11:11 AM
5	Security	9/2/2023 7:01 AM
6	Close to the coast.	9/1/2023 9:32 PM
7	Small town	9/1/2023 8:32 PM

Dayton Redevelopment Questionnaire

8	In center of growing wine industry	9/1/2023 3:03 PM
9	It's not too busy	9/1/2023 2:57 PM
10	If the power goes out for weeks it's a pretty ideal setting.	9/1/2023 2:28 PM
11	Great Neighborhoods	9/1/2023 2:21 PM
12	Access to beach or mountains or cities	9/1/2023 2:21 PM
13	Not sure since cost of housing has increased	9/1/2023 2:06 PM

Q8 What are Dayton's challenges? Please choose all that apply.

Answered: 112 Skipped: 23



ANSWER CHOICES	RESPONSES
Difficult for young people to remain in town, lack of opportunities.	56.25% 63
Limited residential options	30.36% 34
Small population/market share for growing a retail or business base.	36.61% 41
Limited facilities for access to the Yamhill River	22.32% 25
Distance to shopping and entertainment	25.89% 29
Small town mentality	20.54% 23
Gateway appearance of city entrances	9.82% 11
Limited in town retail businesses	67.86% 76
Other (please specify)	24.11% 27
Total Respondents: 112	

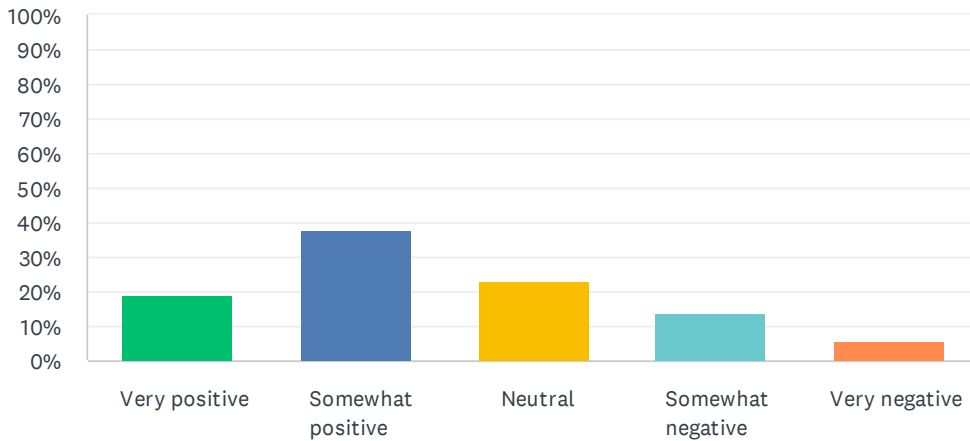
#	OTHER (PLEASE SPECIFY)	DATE
1	Nothing to do	9/5/2023 7:53 AM
2	Needs a gas station	9/4/2023 8:53 PM
3	school system	9/4/2023 2:32 PM
4	Small town politics, not welcoming to new people looking to make dayton their generational home	9/4/2023 12:55 PM
5	Over priced water utlity. And water is terrible. And how late at night planes and helicopters fly over homes. And lastly the tsunami alarm every time there is emergency services.	9/2/2023 11:54 AM
6	We don't like the new expensive over priced "bougie" places. Would prefer small diner, casual, hometown mom and pops, with country style real food, no food carts- except for special events. We don't want to be a commercialized wine district	9/2/2023 11:11 AM

Dayton Redevelopment Questionnaire

7	Water is more expensive then most surrounding areas	9/2/2023 10:55 AM
8	Drugs are plentiful for the youth in Dayton. The YCSO that we contract with is not visible in town. People are going 35+ mph down Ferry Street, because they can. A Swimming pool for local residents would be amazing!	9/2/2023 8:31 AM
9	Lack of gas station	9/1/2023 8:14 PM
10	Local politics	9/1/2023 5:38 PM
11	It shouldn't be known just for wineries or high end establishments	9/1/2023 5:18 PM
12	Limited hotels and short term rentals	9/1/2023 5:01 PM
13	Would like gas station and place to buy produce.	9/1/2023 4:14 PM
14	People moving to Dayton with a Portland mentality	9/1/2023 4:04 PM
15	Lack of overnight accommodations	9/1/2023 4:03 PM
16	Oregon's stupid taxing system that chokes city budgets	9/1/2023 3:57 PM
17	Schools are a disappointment	9/1/2023 3:26 PM
18	Yamhill river is nasty in Dayton. I wouldn't jump in there if i was on fire	9/1/2023 2:55 PM
19	The water tastes awful!	9/1/2023 2:30 PM
20	The City Government seems to have some allegiances and drama involved in it which makes me uncomfortable at times.	9/1/2023 2:21 PM
21	Adults and children who are bullies	9/1/2023 2:21 PM
22	Lack of sidewalks	9/1/2023 2:12 PM
23	THE SIDEWALKS ARE HORRENDOUS. You cannot walk from the main town square to any of the neighborhoods without having to walk a significant distance in the street. Sidewalks seem unfinished or are completely blocked by vehicles.	9/1/2023 2:08 PM
24	Limited secular community activities.	9/1/2023 2:07 PM
25	School/ school board	9/1/2023 2:07 PM
26	The water is hard and awful	9/1/2023 2:07 PM
27	Schools, education	9/1/2023 11:24 AM

Q9 How do you feel about growth and change in Dayton? This could be growth in population, growth in commercial activity, growth in tourism or any way you want to define growth. If you choose “Very Positive”, then you might feel that Dayton should grow aggressively by adding a lot of commercial development and housing options.

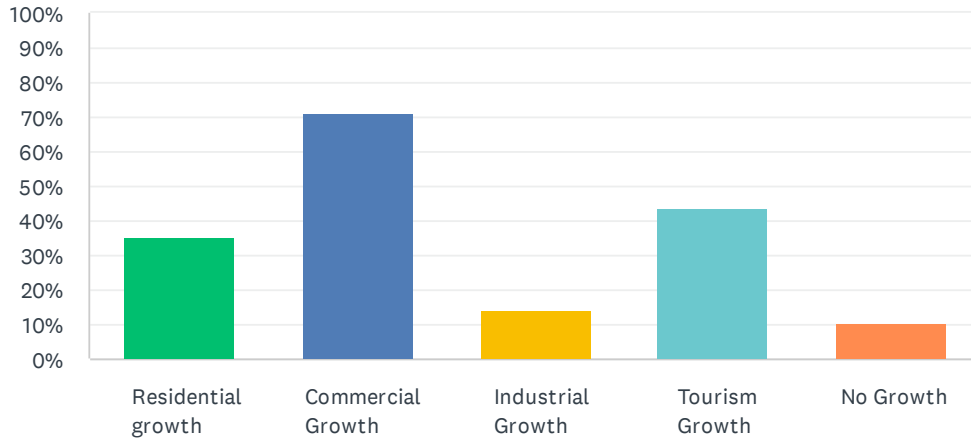
Answered: 116 Skipped: 19



ANSWER CHOICES	RESPONSES	
Very positive	18.97%	22
Somewhat positive	37.93%	44
Neutral	23.28%	27
Somewhat negative	13.79%	16
Very negative	6.03%	7
TOTAL		116

Q10 What type of growth would you like Dayton to pursue? Check all that apply.

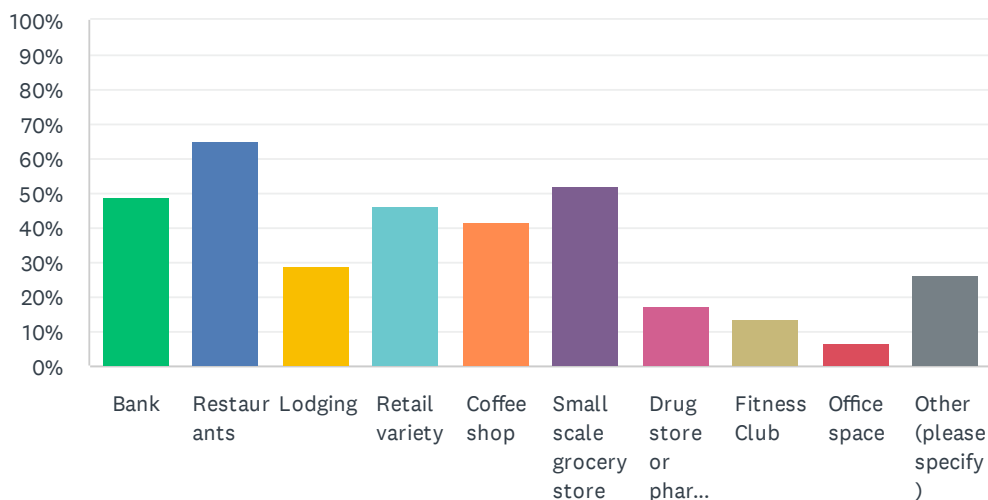
Answered: 114 Skipped: 21



ANSWER CHOICES	RESPONSES	
Residential growth	35.09%	40
Commercial Growth	71.05%	81
Industrial Growth	14.04%	16
Tourism Growth	43.86%	50
No Growth	10.53%	12
Total Respondents: 114		

Q11 What type of businesses would you like to see in Dayton?

Answered: 115 Skipped: 20



ANSWER CHOICES	RESPONSES
Bank	48.70% 56
Restaurants	65.22% 75
Lodging	28.70% 33
Retail variety	46.09% 53
Coffee shop	41.74% 48
Small scale grocery store	52.17% 60
Drug store or pharmacy	17.39% 20
Fitness Club	13.91% 16
Office space	6.96% 8
Other (please specify)	26.09% 30
Total Respondents: 115	

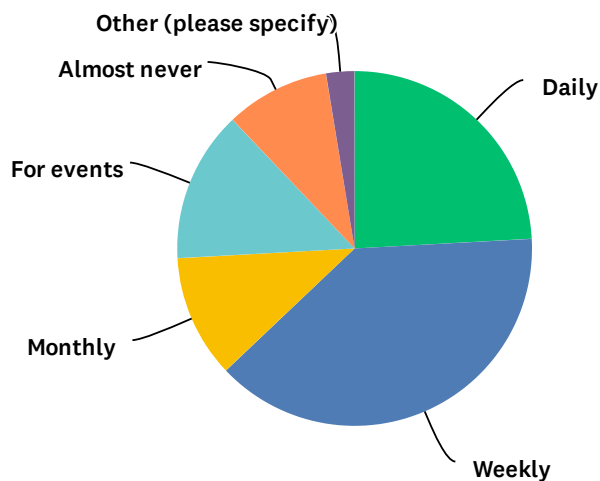
#	OTHER (PLEASE SPECIFY)	DATE
1	gas station	9/5/2023 11:08 AM
2	Maybe small retail shops	9/5/2023 9:11 AM
3	Gas station	9/5/2023 9:08 AM
4	Something for the kids to do that is FREE	9/5/2023 7:53 AM
5	Gas station	9/4/2023 8:53 PM
6	Gas station, dog groomers/vet	9/4/2023 6:29 AM
7	Gas station	9/2/2023 3:53 PM

Dayton Redevelopment Questionnaire

8	Gasoline station	9/2/2023 12:04 PM
9	Gas station	9/2/2023 11:21 AM
10	Hometown family diner that is affordable	9/2/2023 11:11 AM
11	Service station (gas)	9/2/2023 10:31 AM
12	Gas station	9/2/2023 9:35 AM
13	Swimming Pool for Dayton residents	9/2/2023 8:31 AM
14	Gas	9/2/2023 7:15 AM
15	Gas Station	9/1/2023 9:56 PM
16	Gas station	9/1/2023 6:19 PM
17	Gas station	9/1/2023 5:38 PM
18	Gas station	9/1/2023 5:15 PM
19	Gas station	9/1/2023 4:14 PM
20	Anything but another winery	9/1/2023 4:04 PM
21	Anything that serves locals and/or tourism	9/1/2023 3:57 PM
22	Fuel station	9/1/2023 3:24 PM
23	Gas station	9/1/2023 3:09 PM
24	Gas	9/1/2023 2:55 PM
25	None	9/1/2023 2:43 PM
26	Gas station	9/1/2023 2:23 PM
27	Multi generation houses or extra small house allowed on lts	9/1/2023 2:21 PM
28	Gas Station	9/1/2023 2:09 PM
29	Gas station	9/1/2023 2:04 PM
30	We have a great grocery store.	9/1/2023 11:24 AM

Q12 How often do you go downtown?

Answered: 116 Skipped: 19

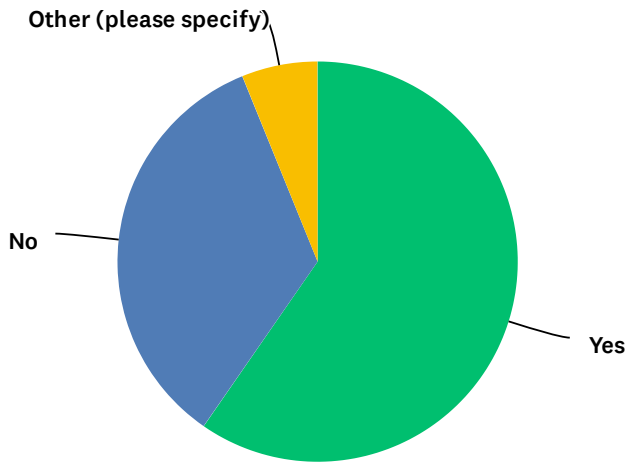


ANSWER CHOICES	RESPONSES	
Daily	24.14%	28
Weekly	38.79%	45
Monthly	11.21%	13
For events	13.79%	16
Almost never	9.48%	11
Other (please specify)	2.59%	3
TOTAL		116

#	OTHER (PLEASE SPECIFY)	DATE
1	For events, occasionally to Juanita's or the ByPass	9/2/2023 11:11 AM
2	Right now rarely because of lack of any entertainment or variety except for the bypass which I believe is keeping Dayton downtown alive	9/2/2023 10:55 AM
3	In the summer months	9/1/2023 2:28 PM

Q13 Much of Dayton’s downtown character comes from the buildings and residences that surround Courthouse Square Park. Are you interested in future changes to downtown relative to design, building type and size?

Answered: 114 Skipped: 21

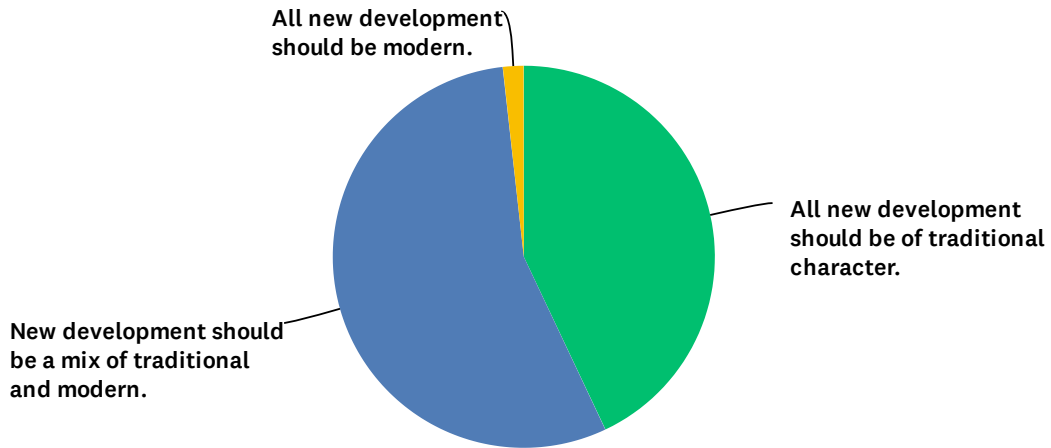


ANSWER CHOICES	RESPONSES	
Yes	59.65%	68
No	34.21%	39
Other (please specify)	6.14%	7
TOTAL		114

#	OTHER (PLEASE SPECIFY)	DATE
1	Try too keep it about same style of buildings	9/2/2023 10:31 AM
2	Dayton HAS to maintain its nostalgic core. We don't need more houses, schools or population. This is a 'small' town which is what gives Dayton her charm and uniqueness.	9/2/2023 8:31 AM
3	More business	9/1/2023 8:46 PM
4	No opinion	9/1/2023 6:19 PM
5	Keep historic buildings and add new and or remodel. Keeping more of a historic downtown zone feel.	9/1/2023 5:38 PM
6	Keep the old facade look.	9/1/2023 2:55 PM
7	Only if it remains small. We do not need places to shop, we are a very short distance to two larger cities.	9/1/2023 2:43 PM

Q14 Which of the following statements most closely matches your future vision for the architecture of downtown Dayton?

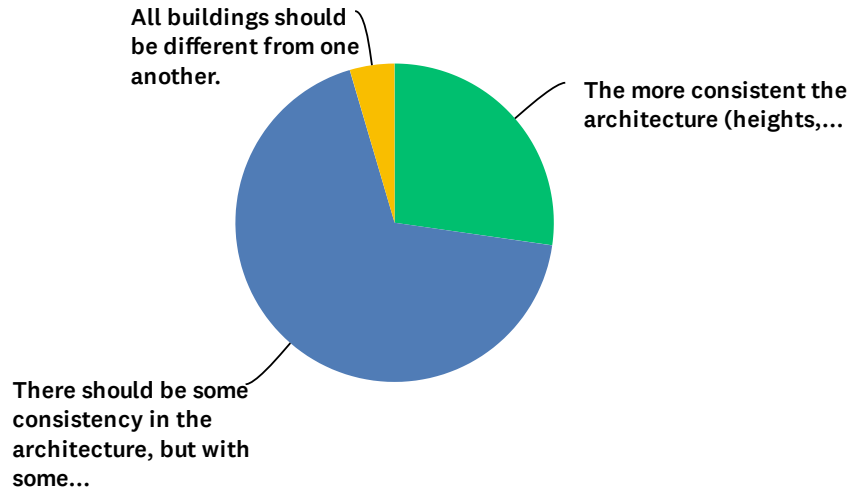
Answered: 114 Skipped: 21



ANSWER CHOICES	RESPONSES	
All new development should be of traditional character.	42.98%	49
New development should be a mix of traditional and modern.	55.26%	63
All new development should be modern.	1.75%	2
TOTAL		114

Q15 How consistent should the future vision for downtown Dayton be?

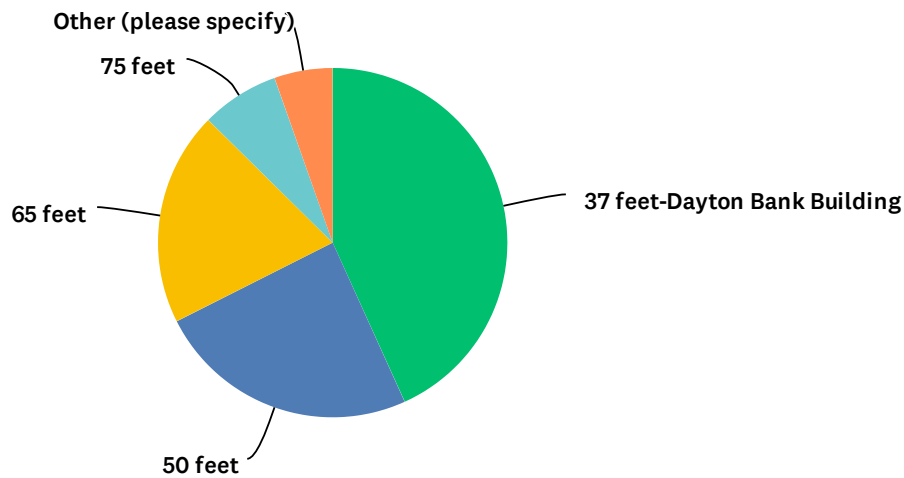
Answered: 110 Skipped: 25



ANSWER CHOICES	RESPONSES	
The more consistent the architecture (heights, materials, colors, detail) the better	27.27%	30
There should be some consistency in the architecture, but with some variations, to make it appear as though the architecture evolved over time.	68.18%	75
All buildings should be different from one another.	4.55%	5
TOTAL		110

Q16 Dayton’s current Land Use Planning Code limits building height to 35 feet (existing Commercial Block buildings are two story at 37 feet). Would you accept increasing the height restriction to attract development and new business. If so, to what degree?

Answered: 111 Skipped: 24

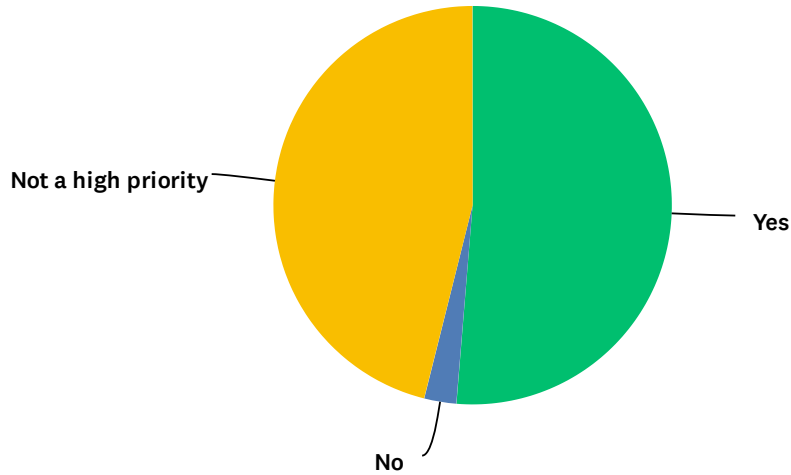


ANSWER CHOICES	RESPONSES	
37 feet-Dayton Bank Building	43.24%	48
50 feet	24.32%	27
65 feet	19.82%	22
75 feet	7.21%	8
Other (please specify)	5.41%	6
TOTAL		111

#	OTHER (PLEASE SPECIFY)	DATE
1	No need for height restrictions	9/5/2023 9:08 AM
2	Planning commission question not for public	9/3/2023 8:20 PM
3	Do what needs to be done to keep dayton relevant	9/3/2023 11:57 AM
4	Based on need and type of construction	9/2/2023 7:30 PM
5	Not sure	9/1/2023 2:57 PM
6	No	9/1/2023 2:43 PM

Q17 If cost effective, should overhead utilities be moved underground around Courthouse Square?

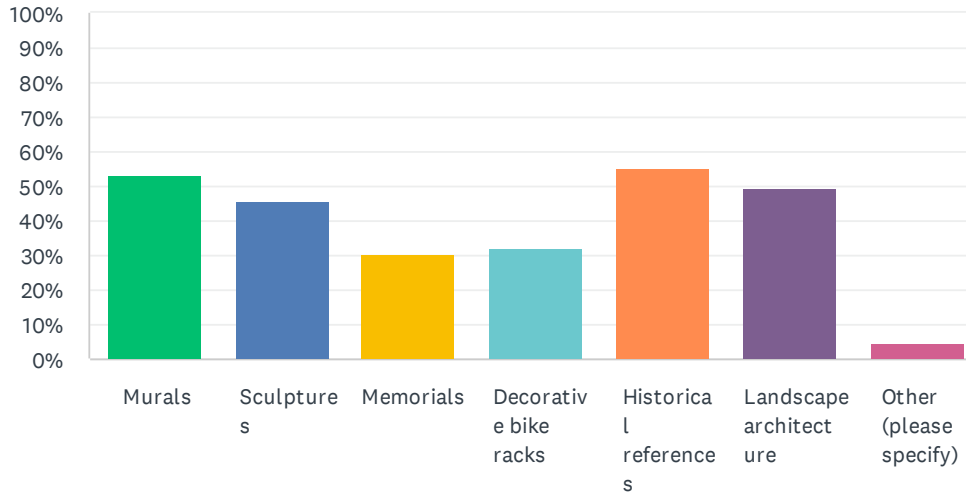
Answered: 115 Skipped: 20



ANSWER CHOICES	RESPONSES	
Yes	51.30%	59
No	2.61%	3
Not a high priority	46.09%	53
TOTAL		115

Q18 What kind of public art would you like to see in and around downtown?

Answered: 109 Skipped: 26

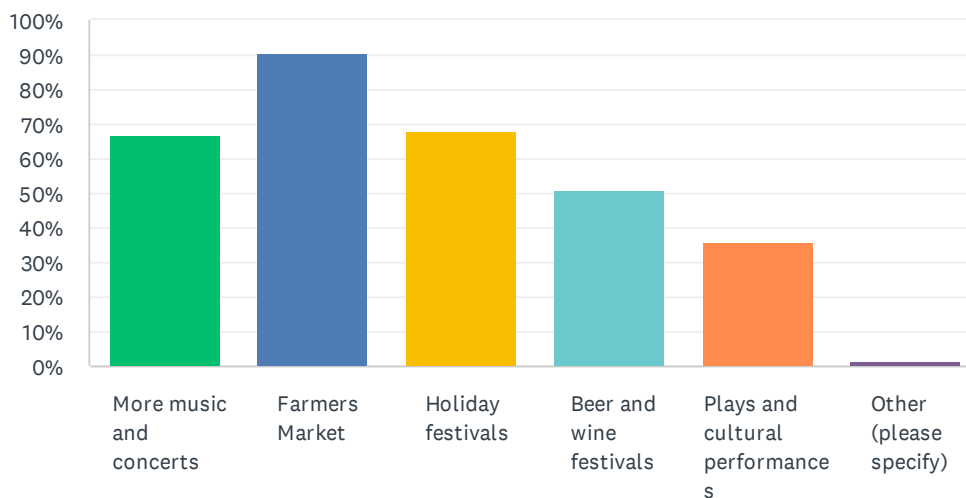


ANSWER CHOICES	RESPONSES	
Murals	53.21%	58
Sculptures	45.87%	50
Memorials	30.28%	33
Decorative bike racks	32.11%	35
Historical references	55.05%	60
Landscape architecture	49.54%	54
Other (please specify)	4.59%	5
Total Respondents: 109		

#	OTHER (PLEASE SPECIFY)	DATE
1	We need to commemorate the farming community this is	9/4/2023 8:53 PM
2	It looks fine the way it is designed now	9/2/2023 11:54 AM
3	No opinion	9/1/2023 6:19 PM
4	Wrap/paint utility type boxes and tower with historic, cultural and community themes.	9/1/2023 5:38 PM
5	What is landscape architecture	9/1/2023 11:24 AM

Q19 What kinds of events, if held downtown, would you likely attend?

Answered: 115 Skipped: 20



ANSWER CHOICES	RESPONSES
More music and concerts	66.96% 77
Farmers Market	90.43% 104
Holiday festivals	67.83% 78
Beer and wine festivals	51.30% 59
Plays and cultural performances	35.65% 41
Other (please specify)	1.74% 2
Total Respondents: 115	

#	OTHER (PLEASE SPECIFY)	DATE
1	The last thing Dayton needs is encouraging town folk, or travelers to come here to drink! There will be problems if you open that gateway.	9/2/2023 8:31 AM
2	Art! Dogs! We have a great dog park. Pet friendly and themed events would be unique and exciting for the area.	9/1/2023 5:38 PM

Q20 If you could choose one thing to enhance Downtown Dayton, what would it be?

Answered: 69 Skipped: 66

#	RESPONSES	DATE
1	Keep the small historic feel!	9/5/2023 9:11 AM
2	Clean up vacant lot and buildings.	9/5/2023 9:08 AM
3	A farmers market	9/5/2023 7:53 AM
4	Clean up	9/5/2023 7:09 AM
5	Finish the storefronts. Add parking by Juanita's in that lot. It's uneven could be striped.	9/4/2023 10:58 PM
6	Community Pool and skate park	9/4/2023 9:33 PM
7	One thing that would tremendously improve Dayton is more restaurants, another coffee shop and maybe a place to do pottery or an activity of sorts?	9/4/2023 1:08 PM
8	na	9/4/2023 8:41 AM
9	Gas station	9/4/2023 6:29 AM
10	Actives for youth and teens, have more events In community center, better advertising for events that our happening , clean up that Mexican markets windows so it doesn't looks like it's vacant make it welcoming to everyone in town been in Dayton over 19years been in it once .keep community center and parks weeded landscaped and clean so people want to use them . And a city manager that lives in the city .	9/3/2023 8:20 PM
11	Clean up the entrances to the city. Remember that what people see when they first drive into our city is how we maintain the streets and landscaping coming into Dayton downtown area.	9/3/2023 12:19 PM
12	Put viable businesses in/on vacant properties.	9/2/2023 7:30 PM
13	Keep Dayton Friday Nights or expand it to a couple of Fridays in the Spring.	9/2/2023 6:32 PM
14	Coffee shop badly;)	9/2/2023 3:40 PM
15	Rent out empty spaces to cute shops and wine tasting	9/2/2023 11:54 AM
16	Add and renovate downtown retail space	9/2/2023 11:21 AM
17	A paved parking lot behind Jaunitas	9/2/2023 11:11 AM
18	Letting businesses actually get space and open up	9/2/2023 10:55 AM
19	I like the way Dayton is right now keep it the good old days feel.	9/2/2023 10:31 AM
20	No neon	9/2/2023 10:04 AM
21	Destination hotel, lodging for visitors.	9/2/2023 9:17 AM
22	Brewery	9/2/2023 9:07 AM
23	A version of Putts Market	9/2/2023 8:31 AM
24	Allow for permitted beer and wine events in the park	9/2/2023 7:01 AM
25	Bigger park for kids	9/1/2023 11:35 PM
26	Having a Cafe or breakfast restaurant again	9/1/2023 10:04 PM
27	Upkeep of park faculties. New basketball courts, grooming closes for homes and businesses.	9/1/2023 9:56 PM
28	Paint and repair	9/1/2023 9:32 PM

Dayton Redevelopment Questionnaire

29	Open mindless for planning and development.	9/1/2023 8:48 PM
30	Few more bussiness	9/1/2023 8:32 PM
31	More music!	9/1/2023 7:50 PM
32	Combine our electricity with McMinnville. No more PGE	9/1/2023 5:56 PM
33	We need more businesses open on a consistent basis. Let's work hard to remove the shuttered window look from downtown permanently. Work with community and small business developers to make sure we are being business friendly enough to help grow the economy and business opportunities for Dayton.	9/1/2023 5:38 PM
34	Promote opening the commercial property we have to businesses rather than letting them become drying houses, junk yards, boarded up and vacant.	9/1/2023 5:38 PM
35	More businesses, not just restaurants!	9/1/2023 5:18 PM
36	Businesses	9/1/2023 5:15 PM
37	More lively atmosphere via coffee shops, restaurants, activities	9/1/2023 5:15 PM
38	Increase tourism and travel- more people will bring economic and social vitality. Allow short term rentals and hotels. Encourage small businesses to set up shop in town.	9/1/2023 5:01 PM
39	Businesses in all of the empty buildings.	9/1/2023 4:44 PM
40	Small grocery store	9/1/2023 4:14 PM
41	Completion of build out of the blocks surrounding the square. For people to feel comfortable in a park it helps to have "walls", to help create a sense of place	9/1/2023 4:03 PM
42	Fill the empty storefronts (including the Opera House).	9/1/2023 3:57 PM
43	More Restraunts	9/1/2023 3:31 PM
44	Accessibility for all people	9/1/2023 3:26 PM
45	Keep and enhance our downtown square. Enhance the storefronts down Ferry St from Juanita's.	9/1/2023 3:03 PM
46	Develop the empty lots!	9/1/2023 3:03 PM
47	Open the businesses	9/1/2023 2:57 PM
48	Small grocery/hardware store/stores. Family style dining.	9/1/2023 2:56 PM
49	Retail	9/1/2023 2:55 PM
50	More historic references and facts of Dayton and the history of surrounding area.	9/1/2023 2:48 PM
51	More historic references and facts of Dayton and the history of surrounding area.	9/1/2023 2:43 PM
52	Bring US Bank back	9/1/2023 2:43 PM
53	High quality groceries	9/1/2023 2:30 PM
54	The entrance to Dayton should be more attentive	9/1/2023 2:29 PM
55	More successful restaurants	9/1/2023 2:28 PM
56	Allowing businesses to open and operate	9/1/2023 2:23 PM
57	Curbs and boulevards	9/1/2023 2:21 PM
58	More culture & diverse businesses.	9/1/2023 2:21 PM
59	fixing up the old buildings and have new business in them	9/1/2023 2:17 PM
60	more food choices in restaurants	9/1/2023 2:16 PM
61	Sidewalks on all streets	9/1/2023 2:12 PM
62	Fix the footbridge over the yamhill river	9/1/2023 2:08 PM

Dayton Redevelopment Questionnaire

63	Remove the drug deals happening in the town square bathroom. Around sunset a flood of homeless go to the park and completely occupy the bathrooms.	9/1/2023 2:08 PM
64	More food and drink options, more community events.	9/1/2023 2:07 PM
65	More businesses	9/1/2023 2:07 PM
66	I feel as though there are vacant buildings and shops that have run out of business. I'd love to see boutiques, shops, restaurants and other businesses to make it a happening place to be.	9/1/2023 2:07 PM
67	Unknown	9/1/2023 2:06 PM
68	A bank	9/1/2023 2:04 PM
69	Let the people who plan the Friday nights in the park and other creative activities continue with their excellent work.	9/1/2023 11:24 AM

Q21 Is there anything else you would like to share?

Answered: 50 Skipped: 85

#	RESPONSES	DATE
1	Kid friendly such as an arcade or small skate park where kids are welcome would be nice.	9/5/2023 9:11 AM
2	Stop raising our taxes...the elderly cannot keep up	9/5/2023 7:53 AM
3	I think the City is trying their best & does a good job with Friday nights/holidays. Thank you.	9/4/2023 10:58 PM
4	I would like to see the boat ramp improved to be more user friendly. Can't launch a boat during summer water level due to drop off of existing concrete ramp that could damage boat trailer.	9/4/2023 2:10 PM
5	Dayton is so promising, make something happen to make seem more promising.	9/4/2023 1:08 PM
6	Having a place for teens to hang out. Skate park	9/4/2023 12:55 PM
7	nope	9/4/2023 8:41 AM
8	I would like to see a welcome letter go to new residences / renters telling them about our town and activities and volunteering opportunities,(Maybe sent to them with first water bill ?) “. When city plans a contest give something else besides water bill credits some commercial buildings, Waterbill is included in the rent,so if the renter wins they win nothing ,how about local gift cards to the business we do have ,	9/3/2023 8:20 PM
9	We need to fix sidewalks throughout the city. The erosion from trees have caused sidewalks to break and is hard for people to navigate with walkers or scooters and remove all basketball hoops off the sidewalk for easier access.	9/3/2023 12:19 PM
10	Dayton is great, but people have to understand that society has grown and changed. The good old days are never coming back. Accept what is now and learn ways to make it better moving forward. Too many people here live in a past that they will never reclaim which means they are stagnant. The stagnant die and I'd rather see Dayton thrive.	9/3/2023 11:57 AM
11	If there was not so much emphasis on preserving old buildings, and if one person didn't own most of it, maybe the commercial areas could attract businesses willing to take a chance on Dayton.	9/2/2023 7:30 PM
12	I am a small time vendor at Dayton Friday Nights. Rumor is that the city is thinking of charging a fee to participate. If this happens, I won't be able to afford to attend. My participation is more of a hobby and I donate anything I raise to help young people.	9/2/2023 6:32 PM
13	Dayton is a lovely sleepy town. Leadership in this town need to hear locals concerns and address them. Not just to promote more people to come here.	9/2/2023 11:54 AM
14	I love the plan to update the pedestrian bridge and boat ramp.	9/2/2023 11:21 AM
15	We moved here because it is a small country town. There needs to be a Halloween event, a father daughter dance, missed prom dance, small firework display in the softball field, more Dayton history highlights, more community- less commercial	9/2/2023 11:11 AM
16	Look at the cost of our water bills is very high for the area, let businesses come to dayton, fitness center or group class gym would be awesome.	9/2/2023 10:55 AM
17	Been around Dayton since 1982 and a 87 grad. Love this town and my kids have graduated from Dayton HS. We need to have more sit down locations that tailor to beer or wine. Would give the town a bigger boost.	9/2/2023 9:07 AM
18	When Dayton grows it needs to be with historic ambience, traditional to the small country town that makes her Dayton! Don't let her growth become about the wealthy taking advantage and capitalizing on Dayton's multi generational historic charm. Don't cave to the deep pockets when restoring Dayton's identity!	9/2/2023 8:31 AM
19	Fixing the boat ramp FIRST!	9/1/2023 11:35 PM

Dayton Redevelopment Questionnaire

20	I like Dayton, but there is nothing to do. A community counter would be wonderful.	9/1/2023 9:56 PM
21	Downtown needs to be updated. Painted and more flowers added. Made more beautiful. A nicer park for the kids.	9/1/2023 9:32 PM
22	Gas station, pleaseeeee.	9/1/2023 8:14 PM
23	I don't mind our water, which we share with Lafayette, but can't we combine with Mcminnville water and light?	9/1/2023 5:56 PM
24	Fix the water, it tastes better out of the toilet than the faucet most days. Get someone to clean/maintain the damn ditches so they work. Ask the City to call people back, the Planner can't return a call, you sure she is the right person for these decisions?	9/1/2023 5:38 PM
25	City government needs to be more kind, inclusive, visible, welcoming	9/1/2023 5:18 PM
26	Love it here	9/1/2023 5:15 PM
27	A gas station would be wonderful. Also a network of walking trails would add so much appeal for old and young alike	9/1/2023 5:15 PM
28	Dayton has great charm and has been a wonderful place to live. I love how quiet and peaceful it is here. I don't want big development to ruin that charm and feel.	9/1/2023 4:14 PM
29	Some design guidelines are valuable for the downtown district. We want to retain our sense of place that comes naturally in a community built with it's residents in mind, as well as potential visitors	9/1/2023 4:03 PM
30	Thanks for asking!	9/1/2023 3:57 PM
31	Maybe a Gas station	9/1/2023 3:31 PM
32	Growth is good, to an extent, but need to fulfill the current empty buildings with sustainable businesses before adding more. Carlton has done an amazing job of redesigning and building up their downtown area, creating an inviting place that people want to spend their time and money. Dayton should model something after Carlton	9/1/2023 3:24 PM
33	Thanks for asking our opinions.	9/1/2023 3:03 PM
34	No.	9/1/2023 3:03 PM
35	Be nice to people and they will want to be here	9/1/2023 2:57 PM
36	Keep the small town feel. No mass housing complexes.	9/1/2023 2:56 PM
37	Primary reason for moving here was affordability, and the fact that it is a small town. For having to live in a town it's ok, but only because it is small.	9/1/2023 2:43 PM
38	Our evolving population of younger families need something to keep them engaged and willing to participate within the community, allow alcohol at events, more youth activities pool, better playground equipment, somewhere fun to go and hang out with shade, splash pad,	9/1/2023 2:26 PM
39	Current homeowners take pride in their homes, ie mowing, maintaining flowerbeds, no junk out front, visible curb appeal	9/1/2023 2:21 PM
40	Let's get things going!	9/1/2023 2:21 PM
41	There are too many micro managing permits and rules. More strict than mac. Like the garage sale signs. Tickets for parking other way. The traditional family is no longer 1 generation. Building too restricted if already own should be able to add small house or rv in this housing crisis	9/1/2023 2:21 PM
42	I would strongly object to buildings taller than the bank building. Gov. Tom McCall had such vision for Oregon, I hope we don't lose sight of the beauty of our surrounding area to build high rises.	9/1/2023 2:20 PM
43	Love it here!	9/1/2023 2:16 PM
44	Sidewalks on all streets	9/1/2023 2:12 PM
45	The water quality in Dayton is terrible. I wish we had access to mcminville water	9/1/2023 2:12 PM

Dayton Redevelopment Questionnaire

46	Dayton should focus on being an affordable city for young couples and families.	9/1/2023 2:08 PM
47	I have kids between 7-14 and there is just a lack of variety of things to do in town, and it would be nice to be able to do more fun things without having to travel.	9/1/2023 2:07 PM
48	Clean up the junky house/building next to the hair salon (white building)	9/1/2023 2:07 PM
49	No	9/1/2023 2:06 PM
50	Because of them, Dayton is a fun place to live.	9/1/2023 11:24 AM



Legislative Amendment Proposal, City Case File LA 2023-02

PUBLIC NOTICE (according to ORS 227.186)

This is to notify you that the City of Dayton has proposed a land use regulation that may affect the permissible uses of your property and other properties.

PUBLIC HEARINGS before the PLANNING COMMISSION and the CITY COUNCIL

The City of Dayton will hold public hearings on **Thursday December 14, 2023**, at 6:30 p.m. (before the Planning Commission) and on **Tuesday January 2, 2024**, at 6:30 p.m. (before City Council) regarding the adoption of proposed updates to Title 7.2.111 of the Dayton Municipal Code under city case file LA 2023-02. Title 7.2.111 pertains to development requirements in the Central Business Areas Overlay Zone (CBO).

The City of Dayton has determined that adoption of these updates, via ordinance, may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property.*

The recommendation by the Planning Commission and decision by the City Council shall be based on consideration of the approval criteria under Dayton Municipal Code 7.3.112.03.

Proposed code changes are available for inspection at Dayton City Hall located at 416 Ferry Street, Dayton OR 97114 at no cost, and available for purchase at a reasonable cost. More information about LA 2023-02 is available by contacting Rocio Vargas, City Recorder, at 503-864-222 / rvargas@daytonoregon.gov

Below is a summary of key proposed changes to Title 7 identified above. Other changes are proposed to these titles, but mostly intended for clarification.

7.2.111.03 Development Requirements

Adds standard overlay language to clarify the relationship between the requirements of the Central Business Area Overlay (CBO) and the underlying zoning district.

7.2.111.04 Dimensional Standards

Creates a new table summarizing the applicable development standards in the CBO for setbacks and height.

7.2.111.05 Building Orientation

This section includes requirements such as orienting primary entrances toward streets with connected walkways, incorporating recessed or sheltered building entrances, placing off-street facilities internally—including parking—and establishing standards for corner entrances. Additionally, a minimum transparency requirement for primary entrances is required.

7.2.111.06 Building Height Bonus

This section allows an increase in maximum building height from 45 feet to 55 feet, provided specific conditions are met, including step-back requirements on the upper stories of the building to minimize vertical bulk and limitations on the portion exceeding 45 feet. For properties at the northeast corner of

Ferry Street and Third Street, further allowances up to 65 feet are allowed with corresponding conditions.

7.2.111.07 Building Design

This section includes minimum requirements for building articulation including horizontal articulation for wider structures provided with elements such as proportional bays, storefront features, shelter for pedestrians, and minimum requirements for window transparency at the ground floor.

7.2.111.08 Building Materials and Colors

This section restricts the use of certain materials and colors on non-residential structures to low reflective, earth tones, and shades from the designated palette to ensure compatibility with existing historic buildings in the district.

PLANNING COMMISSION PUBLIC HEARING

The Planning Commission conducts the first public hearing to consider adoption of proposed amendments to Title 7 of the Dayton Municipal Code to make a recommendation to the City Council.

PLANNING COMMISSION PUBLIC HEARING: **Thursday, December 14, 2023**
TIME: **6:30 p.m.**
PLACE: **Dayton City Hall 416 Ferry Street**

CITY COUNCIL PUBLIC HEARING

If the Planning Commission makes a recommendation on the date above, the City Council conducts a second public hearing to consider adoption of the proposed amendments, based upon the Planning Commission recommendations and in receipt of public testimony.

CITY COUNCIL PUBLIC HEARING: **Tuesday, January 2, 2024**
TIME: **6:30 p.m.**
PLACE: **Dayton City Hall 416 Ferry Street**

* The city has not determined if or how the proposed code changes (mostly related to design standards) cause change to the value of property. ORS 227.186 requires public notices to contain the text (shown in **boldface**) across the top of face page, extending from left margin to right margin. ORS 227.186 also requires the same notice to state that *adoption of an Ordinance (incorporating changes) may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property.*

** This notice has been mailed to all owners of properties within the Dayton Central Business Area Overlay.

EXHIBIT E

TO: Ann-Marie Anderson, Dayton Planning Commission Chairperson, and the Dayton Planning Commission
FROM: Twin Towers LLC
SUBJECT: Clarification on proposed planning code 7.2.111.06 D2

Twin Towers is currently evaluating the viability of a hotel on the 3rd and Ferry site. We are seeking clarification regarding the proposed Bonus Building Height and the conditional habitable space usage requirements above 55 feet.

1. 7.2.111.06 Subset D proposes a building height bonus of ten feet from 55 feet to 65 feet. Subset D2 allows for the building height bonus of ten feet to extend the usable space beyond 50% of the floor plate (allowing for one foot setback for each foot above 55 feet) if the building *“includes multi-family units or overnight accommodations above the ground floor.”* Does this require all the conditional habitable space above 55 feet to be overnight accommodations? Or can this include a mix of uses, for example: bar, restaurant, or spa above 55 if overnight accommodations are provided above the ground floor?
2. The 65 feet requirement does not address mechanical. Is mechanical infrastructure (i.e HVAC, Elevator mechanical etc.) omitted from height limitations and can exceed the 65 feet?

7.2.111 Central Business Area Overlay Zone (CBO)

7.2.111.01 Purpose

7.2.111.02 Central Business Area **Overlay Zone** Defined

7.2.111.03 Development Requirements

7.2.111.04 ~~Parking~~ **Dimensional Standards**

7.2.111.05 ~~Landscaping~~ **Building Orientation**

7.2.111.06 ~~Building Standards~~ **Height Bonus**

7.2.111.07 ~~Signs Moved To Section 7.4.1 ORD 652~~ **Building Design**

7.2.111.08 ~~Modification Of Site Design Standards~~ **Building Materials and Colors**

7.2.111.09 Landscaping

7.2.111.10 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 Overlay Zone Defined

For the purposes of this Section, the Central Business Area **Overlay Zone** 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 **and modifications to existing buildings requiring Site Development Review** within the Central Business Area **Overlay Zone**. ***Change of use or development within the Central Business Area Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where a development standard in this section conflicts with a development standard applicable in the underlying zone, the development standard in this section shall be the applicable development standard. None of the provisions of this Chapter shall relieve an applicant from meeting the requirements that apply to Designated Landmarks in the Historical Property Overlay Zone.***
- 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~~ **underlying 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 **City** 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 Dimensional Standards

Table 7.2.111.04 – Central Business Area Overlay Zone Dimensional Standards	
Minimum Lot Area	None
Minimum Front/Street Side Yards	No front or streetside setback is allowed. Exceptions to the setback requirements may be granted to allow for a pedestrian plaza, courtyard, dining space, landscaping, or similar purpose.
Minimum Rear Yard	None
Minimum Side Yard	None
Maximum Structure Height*	45 feet maximum building height; or 55 feet with height bonus, subject to subsection 7.2.111.06. Except for the properties identified in subsection 7.2.111.06.D, where the maximum building height shall be 55 feet; or 65 feet with height bonus.
Setback from Residential Zones	Buildings shall be setback a minimum of 10 feet from R-1, R-2, and R-3 zoned properties. The minimum setback shall increase by one foot for each one foot of building height over 35 feet.

***Projections that are not subject to the maximum height limit are described in Section 7.2.202.01 of the DLUDC.**

7.2.111.065 Building Orientation

New buildings shall comply with the following standards:

- ~~A. Setbacks. The maximum building setback from a street side property line shall be 10 feet. The street side setback area shall be landscaped. Otherwise, there shall be no minimum nor maximum building setbacks. If a drive through window is permitted through the exception process under Section 7.2.111.03C, the set back from the street side shall be a minimum of fifteen (15) feet. *(Added ORD 610 effective 4/2/12)*~~
- ~~B. Building Height. New buildings shall be within 25 percent of the average height of existing buildings located on the same street side. *(Amended ORD 610 effective 4/2/12)*~~
- ~~C. Orientation. The main entrance to a building shall face a public street.~~
- ~~D. Building Facade. Building facades visible from a public street shall be of brick or wood construction.~~
- ~~E. Special Design Requirements. For property located on the south side of Ferry Street, between Third and Fourth Streets, the following additional design standards shall apply:~~

- ~~1. Setbacks. The maximum building setback from a street side property line shall be 0 feet. See Section 7.2.111.06, letter A, for a drive through window. (Amended ORD 610 effective 4/2/12)~~
 - ~~2. Building Height. New buildings shall be within 10 percent of the average height of existing buildings. (Amended ORD 610 effective 4/2/12)~~
 - ~~3. Building Facade. The building facade visible from a public street shall be predominantly of brick.~~
 - ~~4. Building Design. New buildings shall be similar in character and design with existing structures.~~
- A. The building shall comply with the dimensional standards in subsection 7.2.111.04.**
 - B. Provide at least one primary building entrance facing an abutting street that shall open onto a sidewalk, pedestrian plaza or courtyard, and a walkway shall connect the primary entrance to the plaza and sidewalk.**
 - C. Building entrances shall be recessed or otherwise covered by a pedestrian shelter.**
 - D. Off-street parking and loading areas shall not be required within the Central Business Area. Off-street parking, loading areas, trash pick-up, and above ground utilities, including but not limited to utility vaults and propane tanks, shall not be placed between building entrances and the street(s) to which they are oriented, but shall be oriented internally to the block, screened, and accessed by alleys to the extent practicable.**
 - E. Where off-street parking is provided, it shall conform to the dimensional standards and landscape standards of Section 7.2.303.**
 - F. Where a development contains multiple buildings and there is insufficient street frontage to which buildings can be oriented, a primary entrance may be oriented to plaza, courtyard, or similar space containing pedestrian amenities. When oriented this way, the primary entrance(s), plaza, or courtyard shall be connected to the street by a landscaped and lighted walkway with an approved surface not less than five (5) feet wide.**
 - G. Buildings on corner lots shall have a corner entrance not more than 20 feet from the corner of the building and contain architectural features that emphasize the corner (e.g., chamfered/rounded edge, windows, molding, art).**
 - H. Primary building entrances shall be at least fifty percent (50%) transparent so that two-way views, in and out of a building, are possible. This standard can be met by a door with a window, a transom window above the door, or sidelights beside the door.**

7.2.111.046 Parking Building Height Bonus

~~Off-street 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.~~

The following standards are intended to support the urban design objectives for downtown and facilitate mixed-use development through increased building height, while protecting the historic integrity of downtown buildings. All the standards in this section must be met for approval of a building height bonus:

- A. *The maximum allowable height may be increased from 45 feet to 55 feet when the standards under this section are met.*
- B. *The portion of the building exceeding 45 feet shall cover not more than 50 percent of the building floor plate, as defined by the building foundation perimeter. Except the portion of the building subject to the height bonus may exceed 50 percent of the building floor plate for a mixed-use building that includes multifamily dwelling units or overnight accommodations above the ground floor.*
- C. *The portion of the building exceeding 45 feet shall step-back from (recess behind) the building plane of the ground floor by one foot for each foot of building height above 45 feet.*
- D. *Special Design Requirements. Due to the unique location of the properties at the corner of Ferry Street (OR 155) and Third Street (OR 221), the following height standards shall apply to the properties fronting the north side of Ferry Street, between Second and Third Streets:*
 - 1. *Building Height. 55 feet maximum building height. The maximum building height may be increased to 65 feet when the standards in subsection 2 and 3 are met.*
 - 2. *The portion of the building exceeding 55 feet shall cover not more than 50 percent of the building floor plate, as defined by the building foundation perimeter. Except the portion of the building subject to the height bonus may exceed 50 percent of the building floor plate for a mixed-use building that includes multifamily dwelling units or overnight accommodations above the ground floor.*
 - 3. *The portion of the building exceeding 55 feet shall step-back from (recess behind) the building plane of the ground floor by one foot for each foot of building height above 55 feet.*

7.2.111.057. Building Design

- A. *Horizontal Articulation. Buildings more than 60 feet wide facing a street or plaza shall be visually divided into proportional bays similar in scale to historic building patterns and the historic lot widths of the Dayton Town Plat. Front elevations should be articulated (e.g., offset, recess, projection, or similar "break" in the wall plane) not less than once every 30 feet. Acceptable methods to satisfy the standard include offsets in a building elevation, roofline and/or the placement of windows, pilasters, awnings/canopies, trim, art/medallions, or other detailing and ornamentation. Changes in paint color do not satisfy this standard.*
- B. *Horizontal Rhythm. The main façade of the building shall be visually compatible with adjoining buildings. The standard may be met through either similar height and width, or with design elements that provide visual continuity with the height and width of adjoining buildings. Examples of such design elements include but are not limited to the base below a series of storefront windows; an existing awning or canopy line; a belt course between building stories; an existing cornice or parapet line. Where adjacent buildings do not provide a historically appropriate reference, the development may establish new horizontal lines consistent with historical precedent. This standard shall not be interpreted to prohibit building up to the allowed height limit.*
- C. *Storefronts (that portion of the building that faces a public street) shall include the following basic features of a historic storefront:*
 - 1. *A belt course separating the upper stories from the first floor;*

2. *A bulkhead or kickplate at the street level;*
 3. *A recessed entry and transom with transparent door; and*
 4. *Decorative cornice or cap at the roofline.*
- D. Pedestrian Shelters.** *Awnings, canopies, recesses or similar pedestrian shelters shall be provided along at least 60 percent of a building's ground floor elevation(s) where the building abuts a sidewalk or civic space (e.g., plaza).*
1. *Pedestrian shelters used to meet the above standard shall extend at least 5 feet over the pedestrian area, be proportionate to the building in its dimensions, and not obscure the building's architectural details.*
 2. *Pedestrian shelters shall align with one another to the extent practicable.*
 3. *Shelters shall not conflict with mezzanine or transom windows.*
 4. *Colored canvas (not plastic) awnings and metal or plexi-glass canopies, when consistent with historical styles, are allowed.*
 5. *Color of the pedestrian shelter shall be compatible with the main building.*
 6. *Where signs are proposed as part of pedestrian shelters, they shall be required to meet the provisions of Chapter 7.4.1 Sign Regulations.*

Exceptions: *Pedestrian shelters are not required where historical precedent dictates otherwise. In addition, the Planning Commission may reduce the minimum shelter depth upon finding that existing right-of-way, easements, or building code requirements preclude a standard shelter.*

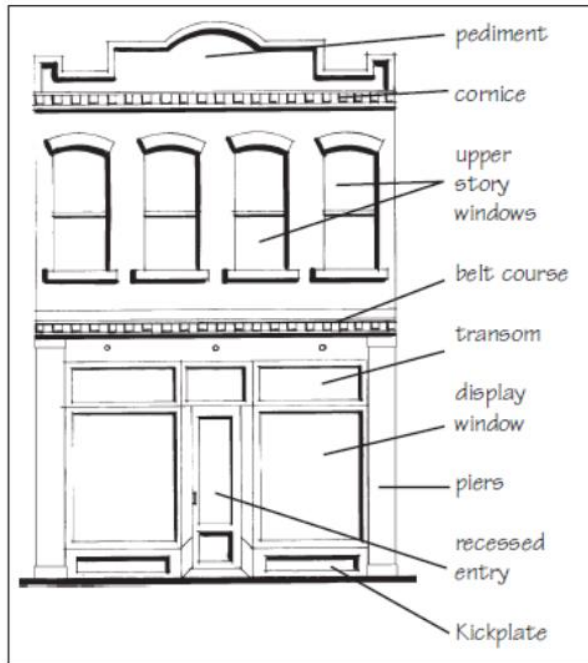


Figure 7.2.111.07. Typical Storefront Components

E. Windows

- 1. Windows shall be recessed and not flush or project from the surface of the outer wall. In addition, upper floor window orientation primarily shall be vertical.**
 - 2. A minimum of 60 percent of the ground floor building elevations facing a street shall be comprised of transparent windows.**
 - 3. All side and non-ground floor building elevations not otherwise subject to the provisions of Subsection 2, above, shall be comprised of not less than 30 percent transparent windows; except zero-lot line/common wall elevations are not required to provide windows.**
- F. The predominate roof form of buildings on Ferry Street shall be a flat roof with appropriately scaled cornice or stepped parapet top.**
- G. Rooftop mechanical equipment as described in Section 7.2.202.01.B shall be setback and screened so as to not be visible to a person standing within an adjacent, at-grade public right of way, park, or open space.**

7.2.111.08 Building Materials and Colors

A. Building Materials.

- 1. Exterior building materials shall consist of materials found on historic buildings in the downtown area including decorative block, brick, painted wood, smooth stucco, or natural stone. The use of high intensity colors such as, neon, metallic or florescent colors for the façade of the building are prohibited.**
- 2. The following materials are prohibited for use on visible surfaces on non-residential structures:**
 - a. Vinyl and aluminum;**
 - b. Asphalt or fiberglass shingles;**
 - c. Structural ribbed metal panels;**
 - d. Corrugated metal panels;**
 - e. Plywood sheathing, to include wood paneling such as T-111;**
 - f. Plastic sheathing; and**
 - g. Reflective or moderate to high grade tinted glass.**

B. Colors. Exterior building colors shall be compatible with those traditionally seen in the Commercial Business Area Overlay District.

- 1. Primary building colors shall be of low reflective, subtle, earth tones or other natural color shades. Permitted colors include shades brick red, brick cream, tan, brown, and dark to light shades of gray (including shades of blue-gray and green-gray) that conform to the Dayton Central Business Area Overlay District color palette in Figure 7.2.111.08.B.**
- 2. The use of high intensity colors that are reflective, sparkling, or florescent for the façade of the building are prohibited. Metals shall be matte finish, earth-tone, or burnished/non-reflective colors.**

3. Painting brick on a non-residential building listed as Designated Landmark subject to the Historical Property Overlay Zone in Chapter 7.2.112 is prohibited.

Figure 7.2.111.08.B. Dayton Central Business Area Overlay District color palette



7.2.111.059 Landscaping

All new development within the Central Business Area fronting a public or private street shall provide street trees and landscaping in accordance ~~to~~ **with** the following:

- A. Type of Trees. Street trees shall be limited to an approved City of Dayton list. The list of acceptable tree species and planting methods shall be established by the Department of Public Works.
- B. Minimum Size to be Installed. Street trees shall have a minimum caliper of 2 inches when measured 4 feet in height at the time of installation.
- C. Spacing. The spacing of street trees by tree size shall be as follows:
 - 1. Small sized trees (under 25' tall and less than 16' wide) shall be spaced no greater than 20 feet apart.
 - 2. Medium sized trees (25' - 40' tall and more than 16' wide) shall be spaced no greater than 30 feet apart.
 - 3. Large trees (over 40' tall and more than 35' wide) shall be spaced no greater than 40 feet apart.
- D. Placement. The placement of trees is subject to the site design review process. Tree placement shall not interfere with utility poles, light standards, power lines, utility services, visual clearance areas or sidewalk access.
- E. Exemption to Street Tree Requirements. Exemptions to these requirements **is are** subject to the site design review process and may be granted if:
 - 1. The location of the proposed tree would cause potential problems with existing utility lines; or,
 - 2. The tree would cause visual clearance problems; or,
 - 3. There is not adequate space in which to plant the trees; or,
 - 4. Street trees are already in place on the site.

- F. Landscaping, General. Those areas not constructed upon or devoted to parking and access shall be landscaped in accordance to **with** provisions in Section 7.2.306.

7.2.111.07 Signs Moved To Section 7.4.1 ORD 652

1.—

2.—

1.—

(Removed ORD 652 Effective 10/07/21)

HISTORY

Amended by Ord. 652 on 10/7/2020

7.2.111.0810 Modification of Site Design Standards

The Planning Commission, as part of the site design review process, may allow modification to the site design requirements in the Central Business Area **Overlay** when both of the following criteria are satisfied:

- A. The modification is necessary to provide design flexibility where:
 - 1. Conditions unique to the site require such modification; or,
 - 2. Parcel shape or configuration precludes compliance with provisions; or,
 - 3. A modification is necessary to preserve trees, other natural features or visual amenities determined by the Planning Commission to be significant to the aesthetic character of the area.
- B. Modification of the standards in this Section shall only be approved if the Planning Commission finds that the specific design proposed is substantially in compliance with the intent and purpose of the Central Business Area **Overlay** design provisions.

7.2.202.01 Building Height Limitations

~~Projections such as chimneys, spires, domes, elevator shaft housing, towers, aerials flagpoles, and other similar features not used for human occupancy are not subject to the building height limitations of the underlying zone unless otherwise specified in supplemental standards for special uses.~~ **above the maximum building height. The following structures may project above the maximum building height:**

- A. Architectural features such as chimneys, spires, domes, towers, antenna, flagpoles, and other similar features not used for human occupancy.**
- B. Rooftop mechanical equipment such as heating, ventilation, and air conditioning (HVAC) equipment, solar energy systems, mini wireless communication facilities, and elevator shaft housing.**

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To: Honorable Mayor and City Councilors

From: Dave Rucklos, Tourism & Economic Development Director
Rochelle Roaden, City Manager

Issue: Dayton Village Affordable Housing Project Presentation, Alice Springer, Teresa Smith, Neal Andrews, Steve Cooper, and Howard Aster

Date: February 5, 2024

Background and Information

Goal B - Create a livable community that is aesthetically pleasing, affordable, inviting, and with a vibrant and diverse economy.

Objective: Develop Request for Proposals (RFP) for Dayton Village Affordable Housing

A Request for Proposal (RFP) was advertised on November 14, 2023, with a submission deadline of December 15, 2023 (attached for your reference). The only proposal received was submitted by the Yamhill Community Development Corporation DBA Community Home Builders (CHB). At the January 2nd Council meeting, the Council approved the Intent to Award per the RFP requirements to Community Home Builders.

Community Home Builders has submitted the attached proposal for your review. This proposal outlines financial terms and conditions of sale and addresses affordable housing criteria as it pertains to resale associated with the 502 Direct Loan program.

Members of the Community Home Builders board will attend the council meeting to answer any questions the Council may have.



**DAYTON VILLAGE
AFFORDABLE HOUSING DEVELOPMENT PROJECT**

Jan. 29, 2024

Dear Mayor Marquez and Councilmembers Maguire, Frank, Hildebrandt, Mackin, Sandoval-Perez, and Wildhaber:

Yamhill Community Development Corporation DBA Community Home Builders (CHB) is thrilled to have been unanimously approved on the “intent to award” for the Dayton Village affordable housing development project at your Jan. 2, 2024 Council Meeting.

CHB has been assisting low income individuals and families with obtaining homeownership since 1994 and we are looking forward to continuing our mission with the Dayton Village project.

After discussions with City Manager Rochelle Roaden and Economic Development and Tourism Director Dave Rucklos, CHB is submitting the following proposal for your review.

CHB acknowledges the initial asking price for the property of \$430,000 is a fair and decent proposal but asks the Council to consider the following reductions to that price.

1. Requested Reductions:

A. Additional Parking:

The current Dayton Village HOA has an agreement with the City of Dayton to convert two of the twelve lots into parking. CHB has agreed to pay for and provide construction oversight of the new parking area coinciding with when we develop the other ten lots to be “build ready.”

Reduction ask: \$60,000

B. HOA Improvements:

CHB will inherit several issues with Dayton Village’s current HOA, not all of which are within our control. There are known issues with current members not paying dues and not replacing worn out roofing. CHB hopes to address these issues in an effort to raise the standard of the existing development and make the site attractive for our clients. Bringing the development up to CHB and City standards will cost money.

Our plan is to use this discount to incent existing property owners to:

- Sign new multi-tenant “Common Wall Easement and Maintenance Agreements”
- Pay-off delinquent dues owed
- Agree to increase annual dues amount to sufficiently cover HOA expenses moving forward
- Provide seed money to help pay part of the cost needed to re-roof existing units built in 1999 (9 units) and 2007 (6 units)

We are still working with the HOA on how to implement a plan that is fair and acceptable to the existing owners. We ask for the City's involvement in navigating this process.

Reduction ask: \$60,000

C. Green Space:

In our conversation with Dayton City Staff, we discussed options for what will be community green space between the new townhomes and the existing ones. CHB is offering to explore funding options in the form of a grant or collaborations with other local nonprofit organizations to either creating a community garden and/or a play area for children. This would be an ongoing conversation with the existing HOA and City staff to ensure the shared green space will be properly maintained and provide what homeowners would like and what the City approves of.

Reduction ask: None, we just ask for the City's involvement as required or needed.

2. Community Home Builder's Offer: \$310,000

CHB's offer:

\$430,000 (City's Initial Asking Price)
- \$60,000 (Reduction A. Additional Parking)
- \$60,000 (Reduction B. HOA Improvements)
- \$ 0 (Reduction C. Green Space)
\$310,000 Offer to City

CHB pays:

- \$310,000 to City
 - \$ 60,000 for Parking lot construction
 - \$ 60,000 for HOA seed funding
- \$430,000 Total

CHB is relying on its current client list to become homeowners in Dayton village. The development needs additional parking, has not been well maintained, the HOA is distressed and in general, is not up to CHB's standards. For those reasons specifically we are offering \$310,000 (which is \$120,000 off the initial asking price of \$430,000).

3. Mutual Self-Help Program and Immediate Resale:

Community Home Builders program is all about helping low income individuals and families obtain home ownership, build equity, and provide for generational wealth. Our Mutual Self-Help Program does not restrict our homeowners from reselling their home (should they choose to) at a less-than-market rate. That would be defeating our mission. However, there are several reasons why our homeowners enter our program and stay in their homes for lengthy periods of time.

The 502 Direct Loans, used to build our clients homes, are designed to support homebuyers in a rural areas. This means a portion of their mortgage payment is paid by USDA Rural Development, so they are able to afford their mortgage payment. So even if the homeowner gained a small amount of equity following home construction completion, if they decided to sell their home, they would be required to pay back some or all of the subsidy.

Also, unless their household income significantly increased for the better, they would not be able to afford a home (compared to our program) with the present real estate market should they decide to sell.

As part of our program, we educate clients on the consequences of selling their homes right away, compared with staying in their homes for an extended period of time with affordable payments. Our post construction orientation with homeowners also gives us the opportunity to educate them on everything they will be facing as new homeowners.

Our program participants work together building each other's home for up to a year. There is a fundamental sense of pride in homeownership and instant community with their future neighbors by participating in our Mutual Self-Help program. And while there are programs that have future affordability restrictions (such as a Community Land Trust model), they do not allow for low income individuals and families the opportunity to build wealth. Our program allows for both affordability and, over time, wealth building.

Thank you for your time and consideration on our proposal to complete the Dayton Village project. We are looking forward to continuing our mission in Dayton and assisting more local individuals and families obtain homeownership.

Respectfully submitted,

CHB Board of Directors and Staff



Request for Proposal

Affordable Housing Development Project

Date Issued: November 14, 2023

**Submit Proposals by Hand, UPS, FEDEX, USPS, or other Courier Service including
an electronic copy to:**

Rocio Vargas, City Recorder
rvargas@daytonoregon.gov
416 Ferry Street
PO Box 339
Dayton, Oregon 97114

Questions Due: December 8, 2023, by 3:00 pm (PT)
Responses Due: December 15, 2023, by 3:00 pm (PT)

**City of Dayton, Oregon
Request For Proposal (RFP)
Affordable Housing Development**

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Attachment A-Dayton Village Plat	
Attachment B-Phase 2 Townhouse Elevation Plan	
Attachment C-Phase 2 Unit Plan	
Attachment D-Phase 2 Section Plan	
Attachment-E- Notice of Dayton Planning Commission Decision-Case 98-1	
Attachment F-Approved HOA Amendment to Covenants	
Attachment G - Parking Lot Design (Lots 1 and 2)	

ADVERTISEMENT

**The City of Dayton, Oregon
Affordable Housing Development – 901 Village Place and Ferry Street- (Dayton Village Property)
Request for Proposals
Issued: November 14, 2023**

Project Description and Scope of Services

The City of Dayton is soliciting sealed written proposals to identify a professional master developer or development team to manage the development and build-out no less than ten (10) residential units on property described as Lots 1-12 of The Dayton Village Plat located at 901-925 Village Place, Dayton, OR 97114 (the “Project”). Lots 1-2 of 12 have been dedicated as resident parking lots and will be included as part of the Project. The Project includes undeveloped platted lots in an existing townhouse development and future development should be complementary to existing construction. Respondents to this Request for Proposal (RFP) should determine the most realistic and feasible use for the property, while recognizing the objective of maximizing the use of the site to address Dayton’s affordable housing needs subject to provisions of the existing HOA. Respondents may include a single developer, a partnership, consortium, or other arrangement that brings together the necessary development capacity, experience, and capital to achieve the vision.

This RFP represents the initial step in soliciting proposals from a qualified developer. Responses to this RFP should demonstrate (1) the developer’s specific expertise in developing a quality affordable housing product within the scope that the City has established; (2) proven success in obtaining necessary funding to achieve such development in a timely manner; (3) familiarity and experience with state and federal prevailing wage rules and regulations, as well as the Bureau of Labor and Industry; and (4) an ability to meet the highest standards prevalent in the industry or business most closely involved in providing such development services.

Project is expected to be completed no later than December 31, 2025.

Submissions

The deadline for sealed submission in response to this request for proposals is Friday, December 15, 2023, by 3:00 pm local time. Rocio Vargas, City Recorder, is entitled to receive offers on the City’s behalf, at the address listed in the RFP.

For questions regarding this RFP, please contact the City of Dayton, 416 Ferry Street, Dayton, OR, 97114, Attn: City Manager, Rochelle Roaden, (503) 864-7444, or by email at rochelleroaden@daytonoregon.gov

Prequalification applications are not a requirement for this RFP.

The City reserves the right to reject any or all submissions, to waive any irregularities in the request for proposals, to accept or reject any item or combination of items in a submission, to request additional information or clarifications from respondents, and to negotiate or hold interviews with any one or more of the proposers.

By: City of Dayton, Oregon
Rocio Vargas, City Recorder

INSTRUCTIONS TO PROPOSERS

General Information on the Project is specified in the **ADVERTISEMENT**.

No pre-offer conference is required for this Project.

Submissions

The sealed submittals should be labeled and directed to the following:

City of Dayton
Affordable Housing Development – Dayton Village Property
Attn: Rocio Vargas, City Recorder
416 Ferry Street, Dayton, OR 97114.

Please submit hard copy proposals by Hand, UPS, FEDEX, USPS, or other Courier Service. An electronic copy of the sealed submission should also be sent to rvargas@daytonoregon.gov

The deadline for sealed submission in response to this request for proposals is Friday, December 15, 2023, by 3:00 pm local time, at which time the proposals shall be opened at the address stated above. Rocio Vargas, City Recorder, is entitled to receive offers on the City's behalf.

Facsimile proposals are **NOT** acceptable. It will be the responsibility of proposers to check the website for clarifications, addenda, or amendments. No submissions will be considered that is not responsive to any issued amendments. **LATE SUBMISSIONS WILL NOT BE ACCEPTED.**

Solicitation Documents

This RFP and any subsequent addenda or amendments will be posted on the City's website until closing at <https://www.daytonoregon.gov/> under the "Business" tab, "Bids and RFP's." It will be the responsibility of respondents to check the website for addenda or amendments. No submissions will be considered that is not responsive to any issued addenda amendments.

The appropriate contractual terms and conditions, along with the appropriate contract form shall be mutually determined between the City and the selected proposer.

Addenda

The city will not mail notice of addenda but will publish notice of any addenda on the City's website as stated above. Addenda may be downloaded off of City's website. Proposers should frequently check the City's website until closing, i.e., at least once weekly until the week of closing and at least once daily the week of closing. Proposers may only protest the contents or issuance of an addenda until the end of the next business day following such issuance.

Questions and Protests

Proposers should request clarification if needed. All requests for information on or clarification of the RFP must be submitted in writing to Dayton City Manager, Rochelle Roaden, at rochelleroaden@daytonoregon.gov, at least seven (7) days prior to the date set for the deadline for proposals. **Any questions or comments directed by a proposer to persons outside of the individual listed above may result in that Respondent's submission to the RFQ being deemed non-responsive.**

An affected person may protest this RFP or a contract award in accordance with applicable state statutes and administrative rules, within seven (7) days of such award.

Acceptance

Unless otherwise specified by the City, all formal proposals submitted shall be binding for City acceptance for ninety (90) days from the date of the proposal opening.

Nondiscrimination Certificate

By submitting a proposal in response to this RFP, proposer shall certify that it has not discriminated and will not discriminate, in violation of ORS 279A.110(1), against a disadvantaged business enterprise, a minority-owned business, a woman-owned business, a business that a service-disabled veteran owns or an emerging small business in awarding a subcontract.

Estimated Timeline and Proposal Activity

- November 14, 2023, Publication & Posting of Advertisement for Proposals
- December 8, 2023, Deadline for Submission of Proposer Inquiries
- **December 15, 2023, 3:00 pm Deadline for Submission of Proposals**
- December 16, 2023, Evaluation of Proposals
- January 2, 2023, Proposal Presented to Council for Approval of the Notice of Intent to Award.
- January 3, 2023, Notice of Intent to Award posted online.
- January 3 – 21, 2024, Negotiations
- February 2, 2024, Proposal Presented to Council for Consideration of Approval

The City reserves the right to modify this schedule at the City's discretion.

Legal Requirements

This RFP and the selection process shall in no way be deemed to create a binding contract or agreement of any kind between the City and any candidate. All legal rights and obligations between the successful candidate, if any, and the City will come into existence only when an agreement is fully executed by the parties, and the legal rights and obligations of each party shall at that time be only those rights and obligations which are set forth in the agreement and any other documents specifically referred to in that agreement and executed by the parties.

Applicants are cautioned not to make any assumptions as the implied meaning or intent of any part of the RFP.

By requesting proposals, the City is in no way obligated to award a contract or to pay the responding proposers in connection with the preparation or submission of proposals. Furthermore, the City reserves the right to reject any and all proposals prior to execution of a contract, with no penalty to the City.

The city may award this solicitation to and negotiate a contract with the most qualified, responsive, responsible proposer, as determined in its sole discretion. The City reserves the right to waive formalities or to accept any submittal that appears to serve the best interest of the City.

OBJECTIVES FOR THE REQUEST FOR PROPOSAL

The City of Dayton is seeking to identify an affordable housing provider to develop no less than ten (10) residential units Lots 1-12 of the Dayton Village Plat located at 901-925 Village Place, Dayton, OR 97114. Lots 1-2 of 12 have been dedicated as resident parking lots and will be included as part of the development project. The property includes undeveloped lots of an existing townhouse development. Future development should be complementary to existing construction. Respondents to this request for proposal should consider the best way to address the City Council's objectives to meet affordable housing needs.

The city is offering to sell the identified property to the selected affordable housing developer. The city aims to recapture a portion of the value of the subject property through sale of the property which will include a deed restriction limiting property development to affordable housing. In support of the development of affordable housing, and in consideration of the proposals of the respondents to this RFP, the city will entertain less than market value offers as a necessary subsidy to facilitate the development of the property for affordable housing.

The city is offering to sell the identified property to the selected developer under specified conditions:

- Provide no less than ten (10) housing units at a cost and size that addresses the needs of Dayton's residents and employees.
- Include a period of affordability that addresses the long-term housing needs of the community. Projects that secure housing perpetuity are encouraged and will be given priority.
- Proceed in a timely fashion.

The city's primary objective for this project is to create affordable workforce housing. The preferred outcome is the development of starter homes and homes suitable in size and price for working families.

The city expects respondents to this RFP to have researched housing needs in Dayton and have evaluated the development potential of the site. Respondents should be prepared to present a conceptual site plan, approximate number of units, a financing plan, and a project schedule.

Affordability

The City's key objectives for the project include community compatibility; affordability targeted to households earning 120% of Area Median Income (AMI) or below; high quality design and materials; sustainable design; and long-term affordability. The City seeks a developer with demonstrated success in establishing mechanisms that will secure the units as permanently affordable. The city will consider projects that include mixed income housing development. Any City subsidy, including reduction in the sale price of the subject property, will be dependent upon the need to achieve financial feasibility of the project and provide long term affordability of housing.

Sustainability

The city is seeking proposals and qualifications from developers who demonstrate strong experience with affordable housing development and show a collaborative approach to working with the

community. Demonstrated experience with affordable housing development is a critical element. It will be essential for developers to show financial and organizational capacity, obtain financing, secure building approval, and illustrate construction management experience. The development team selected will have given assurance that it is ready to proceed on the schedule presented.

SUBMITTAL REQUIREMENTS

Please submit eight (8) hard copies in a sealed envelope, or other sealed container, as well as one (1) electronic version of the response to this RFP addressing the items listed in the section below.

1. Executive Summary
2. General Information
 - a. Name, address, email, phone number and name of primary contact person of entity making the proposal.
 - b. State the relevant experience of the organization and key personnel. Please include resumes of the project leads/manager(s).
 - c. Include current or recent projects of the organization. Particularly projects similar in size or scope to this project.
 - d. Describe the organization's capacity to complete this project in the required timeframe.
3. Project Approach
 - a. In projects completed previously, how has your organization identified and addressed neighborhood compatibility in the planning and development of the projects? Please give specific examples.
 - b. What financial contingency does your organization have should any funding source fail to provide anticipated financing?
 - c. How does your organization propose to get City Planning and Building Code approval to begin developing housing units on the proposed lots?
4. References (3)
 - a. Provide names, addresses, and phone numbers of references for similar completed projects. Please include a brief description of each project.
 - b. Please provide photos of previously completed projects in the proposal.
5. Responsibility Determination. Complete and return the **Responsibility Determination Form**.

EVALUATION PROCESS

The City's selection process will be based upon an evaluation of the submitted proposals by the City Council, in accordance with the goals set forth in **OBJECTIVES FOR THE REQUEST FOR PROPOSAL** and ranked upon the **SELECTION CRITERIA**. Timely and complete responses to this RFP will be evaluated and the selection process will happen in several steps listed below.

1. City staff and their advisors will evaluate submittals, determining conformance to submission requirements and set criteria.
2. The City may request additional information from respondents. Those most qualified organizations may be invited to interview and present to the City Council.
3. Based upon the City Council's review of the proposals and potential interview(s), the Council may select a preferred proposer and recommend an award. Negotiations will then begin to reach an initial agreement between the City and developer.
4. The selected developer will then be asked to provide detailed plans for the proposed development including project layout and financing. The city will review and negotiate with the developer before a development agreement is reached. The selected developer will ultimately be responsible for coordination with the city to determine additional costs including, but not limited to, potential capital improvement and infrastructure requirements, utility connections, transportation upgrades, and system development charges (SDCs). Additionally, the selected developer will be responsible for securing all financing necessary to construct, market, sell, lease, and/or operate the proposed development.
5. The agreement(s) will define the extent of services to be rendered, method and other terms. The successful Developer agrees to enter into a contract with the City. The City reserves the right to negotiate a final contract that is in the best interest of the City. The submission of qualifications will become a part of the agreement. The developer will serve at the pleasure of the City Manager or designee.
6. Once a draft agreement is prepared, it will be presented to the City Council to award the professional services contract, development agreement, or other appropriate agreement. The final award will be subject to the execution of the contract.
7. If a contract cannot be successfully negotiated with the highest ranked proposer, then negotiations will be terminated with that proposer and the City will enter negotiations with the next highest ranked proposer until an agreement is reached or an impasse is declared.

SELECTION CRITERIA

The city intends to select the most qualified developer that exhibits its responsibility and the ability to provide the highest quality service. Responses to this RFP will be evaluated based on the following criteria (105 potential points total):

- Completeness of the proposal relative to RFP requirements. (15 pts)
- Demonstrated experience of the developer in the successful development of affordable housing projects of comparable size, scale, and complexity. (25 pts)
- The developer's proven ability to access funding resources to develop and complete projects of comparable or larger size. (25 pts)
- Ability of the developer to implement high quality affordable housing development projects on time and within budget. (10 pts)
- Prior experience and success in marketing and programming for the use proposed by the developer. (5 pts)
- Developer responsiveness on previous projects to neighborhood compatibility issues during design and construction. (5 pts)
- Experience working with the public sector in public/private real estate development projects.
- Demonstrated success in engaging affected residents, property owners and the local business community in the development process, and experience navigating state and federal prevailing wage and Bureau of Labor and Industry conversations. (5 pts)
- Developer readiness to proceed. (5 pts).
- Developer references. (5 pts)
- Experience in integration of sustainable materials and energy conservation technologies to provide sustainability elements. (5 pts bonus)

The City reserves the right to select a short list of the highest scoring proposers for interviews. Additionally, the city may require submission of supplemental materials. The City reserves the right to modify or incorporate additional steps in the evaluation process in the interest of having a thorough and comprehensive body of information to make a recommendation.

RESPONSIBILITY DETERMINATION

Please complete the following and return with your proposal submission.

I certify that proposer (please mark any that are applicable):

Has available the appropriate financial, material, equipment, facility and personnel resources and expertise, or has the ability to obtain the resources and expertise necessary to meet all Project responsibilities.

Has completed previous contracts of a similar nature with a satisfactory record of performance.

Has a satisfactory record of integrity.

Is legally qualified to contract with the City.

Complied with the tax laws of the state or a political subdivision of the state, including ORS 305.620 and ORS chapters 316, 317 and 318.

Supplied all necessary information in connection with the inquiry concerning responsibility.

Was not debarred by the City under ORS 279B.130.

Does not owe a liquidated and delinquent debt to the state.

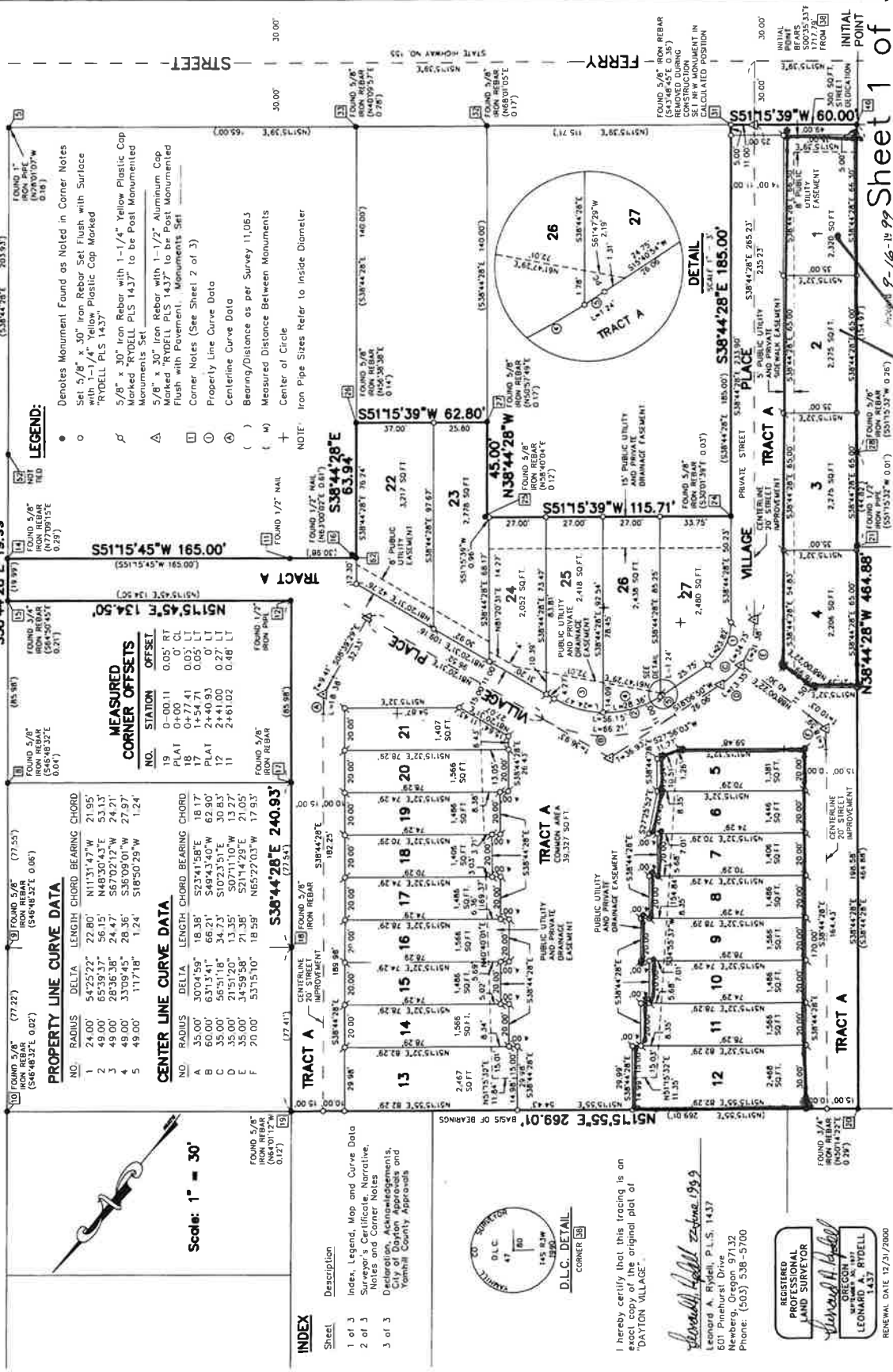
Has not discriminated and will not discriminate, in violation of ORS 279A.110(1), against any disadvantaged business enterprise, a minority-owned business, a woman-owned business, a business that a service-disabled veteran owns or an emerging small business in awarding a subcontract.

DAYTON VILLAGE
A Replat of Portions of Lots 5, 6, 7, 8 and 10, Block 10, LIPPINCOTT'S SECOND ADDITION
City of Dayton, Yamhill County, Oregon

NINTH STREET

STREET

City of Dayton File No. PUD 98-01
S38°44'28"E 19.99'



LEGEND:
○ Denotes Monument Found as Noted in Corner Notes
○ Set, 5/8" x 30" Iron Rebar Set Flush with Surface
○ 5/8" x 30" Iron Rebar with 1-1/4" Yellow Plastic Cap Marked "RYOBELL PLS 1437" to be Post Monumented
○ 5/8" x 30" Aluminum Cap Marked "RYOBELL PLS 1437" to be Post Monumented
○ 5/8" x 30" Iron Rebar with 1-1/2" Aluminum Cap Marked "RYOBELL PLS 1437" to be Post Monumented
○ Properly Line Curve Data
○ Centerline Curve Data
○ Bearing/Distance as per Survey 11,063
○ Center of Circle
○ Iron Pipe Sizes Refer to Inside Diameter

PROPERTY LINE CURVE DATA
NO. RADIUS DELTA LENGTH CHORD BEARING CHORD
1 24.00' 54°25'22" 22.80' N11°31'47"W 21.95'
2 49.00' 65°39'37" 56.15' N48°30'43"E 53.33'
3 49.00' 28°36'38" 24.47' S67°02'12"W 24.21'
4 49.00' 33°09'45" 28.36' S36°09'01"W 27.97'
5 49.00' 117°18' 1.24' S18°50'29"W 1.24'

CENTER LINE CURVE DATA
NO. RADIUS DELTA LENGTH CHORD BEARING CHORD
A 35.00' 30°04'59" 18.38' S23°41'58"E 18.17'
B 60.00' 63°15'41" 66.21' S49°43'40"W 62.90'
C 35.00' 56°51'18" 34.73' S10°23'51"E 30.85'
D 35.00' 41°59'58" 31.36' S21°14'29"E 21.05'
E 20.00' 53°15'10" 18.59' N65°22'03"W 17.93'

MEASURED CORNER OFFSETS
NO. STATION OFFSET
19 0-00.11 0.05' RT
18 0-77.41 0.05' LT
17 1-54.71 0.05' LT
PLAT 2-44.93 0' LT
16 2-48.02 0.26' LT
17 2-48.02 0.26' LT

INDEX
Sheet Description
1 of 3 Index, Legend, Map and Curve Data
2 of 3 Surveyor's Certificate, Narrative, Notes and Corner Notes
3 of 3 Declaration, Acknowledgments, Yamhill County Approvals

Scale: 1" = 30'

D.L.C. DETAIL CORNER 26
145.82W
150.00N

I hereby certify that this tracing is an exact copy of the original plat of "DAYTON VILLAGE".
Leonard A. Rydell 2-26-1999
Leonard A. Rydell, P.L.S., 1437
Newberg, Oregon 97132
Phone: (503) 538-5700

REGISTERED PROFESSIONAL LAND SURVEYOR
LEONARD A. RYDELL
1437
RENEWAL DATE 12/31/2000

PARKING

Sheet 1 of 3



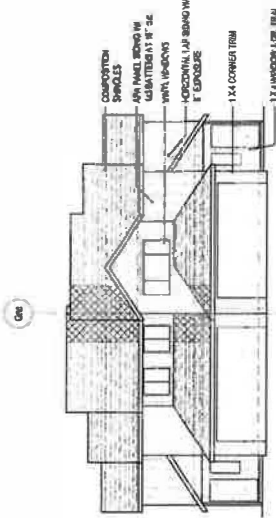
Dayton Village
 Premier 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

Sherrin Engineering, Inc.
 1419 NW Highway, Salem, OR 97309
 Phone: 503.596.8463
 Fax: 503.596.8463
 Contact: Don Sherman
 e: ds@sherrinengr.com

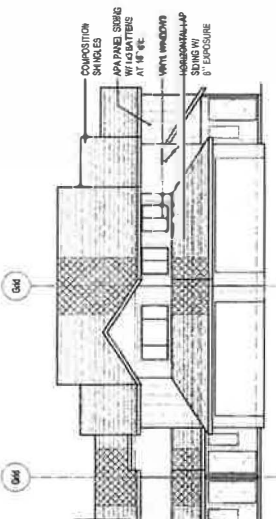
Dayton (Peak) Homes, Contractor
 The L'Etalon Group, LLC
 7355 SW Hill Blvd
 Beaverton, OR 97008
 v: 503.656.8463
 f: 503.228.4745
 Contact: Steve Dalton
 e: SDDalton@TheDaltonCo.com

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 The L'Etalon Group, LLC
 7355 SW Hill Blvd
 Beaverton, OR 97008
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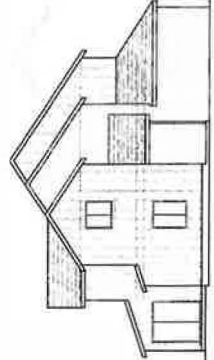


Building 5 - North Elevation
 Scale: 0' 2" = 1'

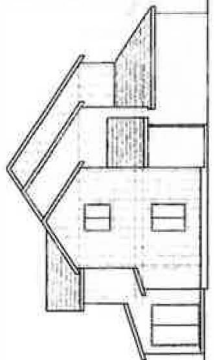


Building 6 - North Elevation
 Scale: 0' 2" = 1'

- Handpainted siding with 7' exposure
- Handpainted Siding 8' panel siding
- Handpainted Siding with 1-0' SPF battens at 16" o.c.

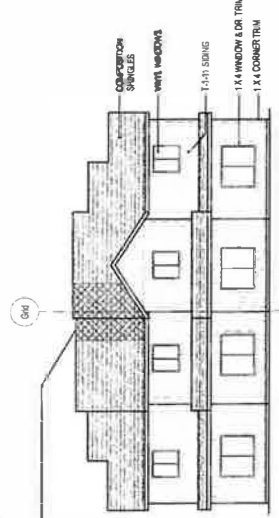


Building 5 - East Elevation
 Scale: 0' 2" = 1'

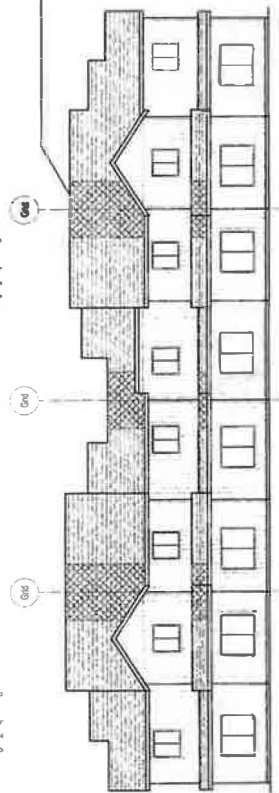


Building 6 - East Elevation
 Scale: 0' 2" = 1'

- No new vents, just vents, flashing, gaskets, etc. on existing roof.
- Handpainted Siding with 1-0' SPF battens at 16" o.c.



Building 5 - South Elevation
 Scale: 0' 2" = 1'



Building 6 - South Elevation
 Scale: 0' 2" = 1'

Elevations	
Drawn by:	BCS
File path:	050201
Project number:	05020

A4

Attachment C

1. As shown shall have a minimum 3" return
2. All interior and exterior guard rails shall be minimum of 36" above adjacent floor surface
3. Handrails along stair runs shall be located on both sides of the stairs. Handrails shall be a minimum of 36" above hand nose
4. Provide 3" minimum clearance between riser and nosing.
5. All exterior doors shall be self-closing doors with self-closing devices
6. Provide 3/4" lead ball lock on all exterior doors
7. Provide door viewer located between 54" and 66" all front door.
8. All exterior windows shall be double glazed.
9. Provide locking devices on all exterior windows located not less than 10' above finish grade
10. All windows within 18" of the floor or within 24" of any door shall be glazed with tempered glazing
11. Each bedroom shall have an egress window with a minimum of 5.7 square feet on one operable area, a minimum width of 20" and a maximum height of 44"
12. All glazed tub or shower enclosures shall be glazed with tempered glazing
13. Each bath room and laundry room shall be vented outside with a minimum 90 cfm fan
14. Vent dryer to outside
15. Vent range hood to outside



Dayton Village
Phase 2, Buildings 5 and 6
Dayton, Oregon

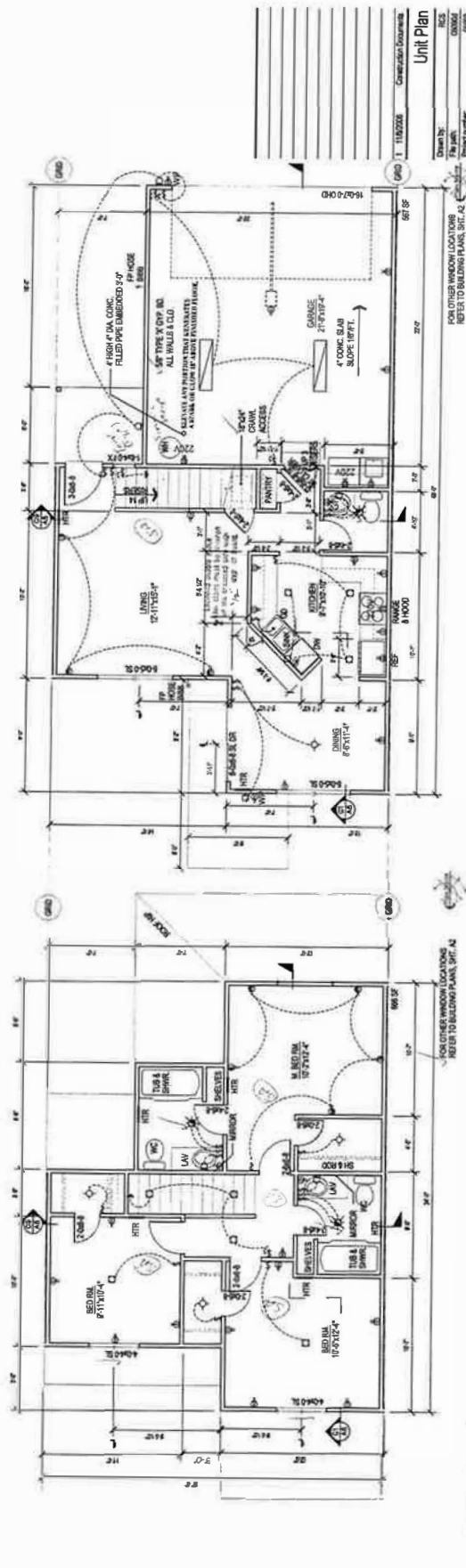
Structural Engineer
Sherman Engineering, Inc.
1410 NW Kellogg Blvd
Portland, OR 97209
P: 503-222-8875
F: 503-222-8875
E: sherman@shermaneng.com

Owner
Dixon Reed Ventures
7955 SW Hill Blvd
Beaverton, OR 97008
P: 503-636-4483
F: 503-636-4483
E: 600dixon@reedventures.com

Contractor
The LF Dayton Group, LLC
7895 SW Hill Blvd
Beaverton, OR 97008
P: 503-636-4483
F: 503-636-4483
E: LFDayton@reedventures.com

Construction Documents
Unit Plan
Drawn By: RES
Checked By: 00000
Project Number: 00000

FOR OTHER WINDOW LOCATIONS
REFER TO BUILDING PLANS, DRG. A2



Unit Plan - Upper Level

Unit Plan - Lower Level

A5

Attachment D

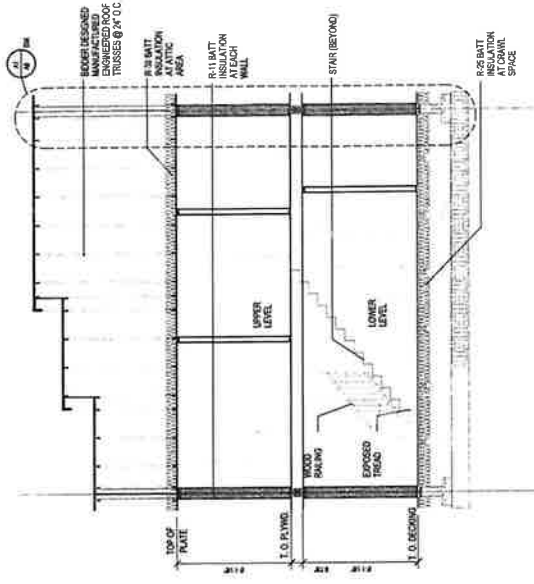
Dayton Village
Phase 2, buildings 5 and 6
Dayton, Oregon

Structural Engineer
Sherman Engineering, Inc.
1410 NW Kearney Street, Suite 317
Portland, OR 97209
Phone: 503-220-8076
Fax: 503-220-8076
Contact: Don Sherman
e: ds@shermaneng.com

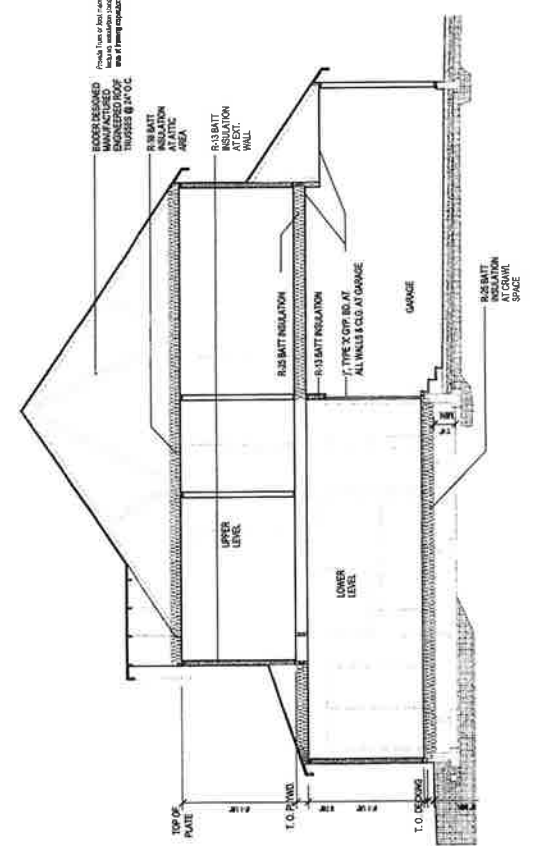
Dayton Reed Ventures
7955 SW Hall Blvd
Beaverton, OR 97008
Phone: 503-652-8485
Fax: 503-652-8485
Contact: Steve Dalton
e: SD@daltonhvac.com

The LF Dalton Group, LLC
7955 SW Hall Blvd
Beaverton, OR 97008
Phone: 503-652-8485
Fax: 503-652-8485
Contact: Len Dalton
e: LD@daltonhvac.com

OSB # 18519



69 Cross Section



61 Longitudinal Section

- 4" diam. fabric-wrapped perforated foundation drain sloped 1/8" min. per foot and placed on and back 12" min. from line of exterior wall. Provide geotextile fabric system system of 10 on site disposal system approved by permitting authority.
- Connect low point drain to crawl space.
- 6 mil high polyethylene sheeted cover, 1/2" thick, 12" min. and extend 30" min. up perimeter walls.
- 4" thick concrete gas slab on 4" min. compacted gravel fill. Slope slab 1/8" min. per foot to garage door(s). Provide control joints (C.J.) at approximately 11 ft. maximum spacing per manufacturer's and engineer's recommendations.
- 4" thick concrete floor slab on 6" min. compacted gravel fill.
- Concrete retaining wall (if any) per engineering.
- Provide R-25 under-floor insulation batts (458) with vapor barrier fabric up (FS 25) insulation not required if vapor barrier installed (tight against floor sheathing).
- Refer to engineering details for deck framing (if any).
- Main floor (typ.): 1-1/2" TAG plywood on 4x8 beams on 4x4 posts (4x6 posts on 4x8 beams) on min. 55# asphalt aggregate base. Maintain 18" min. clear between gable and post or beam, and maintain 12" min. clear between gable and gable.
- 4" diam. fabric-wrapped perforated foundation drain sloped 1/8" min. per foot and placed on and back 12" min. from line of exterior wall. Provide geotextile fabric system system of 10 on site disposal system approved by permitting authority.
- Upper floor (typ.): 3/4" plywood sub floor girded and nailed on floor joists (size and spacing per engineer or joist manufacturer) with solid blocking at all bearing points.
- Typical exterior header. Size and insulation per engineer. Fill header cavity, if any, with insulation.
- Joist manufacturer shall supply architect and permitting authority with layout and framing schedule, including all layout connectors and engineering prior to fabrication.
- Truss manufacturer shall supply architect and permitting authority with truss layout including required hangers and bracing (include diagrams prior to fabrication).
- Use of steel deck trusses at 24 inches o.c. Slanting steel baseplate in accordance with manufacturer's requirements. Install Simpson H-1 seismic anchors per code.
- Provide 2x solid blocks with maximum spacing.
- 5" factory finished gable or aluminum gables mounted on 2x lapa.
- Moisture resistant insulation batts where required.
- Provide 7" diam. static roof vents near ridge on back side of roof planes. Total free venting area equal to at least 1/2000 of attic area.
- Fiberglass composition roofing on 20# A.S. felt on 1/2" min. 2x10 APA rated O.S.B sheathing.
- Provide 2x line studs at 10 ft. max. above bottom plate, at all stud walls over 10 ft. run and between studs along yard and in line with the line studs. If the walls under the studs are unattached.
- 1" thick prelaminated truss and 1/2" O.S.B sheath on 2x12 trimmers at 19.5" min. o.c.
- Typical exterior wall construction: Siding as shown on elevations on house wrap over sheathing on 1/2" 2x4 APA rated O.S.B sheathing on 2x6 studs at 16" o.c. with R-21 foil faced insulation and 1/2" gyp. bd. with level 4 finish.
- Provide lead bead at porch and deck soffits.
- Provide 1/2" gyp. bd. with level 4 finish to walls and ceiling beneath eave.
- 3/8" high hall wall with top cap or 3/8" high railing with evenly spaced balustrade with 4" maximum spacing between. Install balusters on 3" high curb wall.
- 3/8" high hall wall on open side of stairs or 3/8" high railing with evenly spaced balustrade. Install balusters on curb that extends 3" above nosing. Return railing to wall or parapet at lower point.

Construction Documents	
1	11/20/20

Sections	
Drawn by:	KLK
File path:	05/05/20
Project number:	0000

A6

City of Dayton

In the Heart of Oregon's Garden Spot

Post Office Box 339
Dayton, Oregon 97114-0039
Phone: (503) 864-2221
Fax: (503) 864-2956



Historic Fort Yamhill

NOTICE OF DAYTON PLANNING COMMISSION DECISION PLANNED UNIT DEVELOPMENT CASE No. 98-1

August 28, 1998

I. BACKGROUND

- A. APPLICANT: Dalton Reed Ventures.
- B. PROPERTY LOCATION: North side of Ferry Street, approximately midway between 9th Street and 10th Street (Township 4 South; Range 3 West; Section 17CD; TL # 2300).
- C. PARCEL SIZE: 2.1 acres.
- D. EXISTING DEVELOPMENT: The vacant parcel is served by public water and sewer. The parcel also fronts Ferry Street and has a second access to 9th Street.
- E. ZONING: The property is designated Residential in the Dayton Comprehensive Plan and zoned Medium Density Residential (R-2).
- F. PROPOSAL: The applicant is requesting approval to construct a 27 unit residential Planned Unit Development.
- G. DECISION CRITERIA: Dayton Land Use and Development Code, Section 7.2.311.
- H. PLANNING COMMISSION HEARING DATE: August 27, 1998.

II. DECISION AND CONDITIONS OF APPROVAL

The Planning Commission reviewed the submitted evidence, determined the application complied with the decision criteria and APPROVED the proposal subject to the following conditions:

- A. The applicant shall participate in a conference with the applicable public facility providers for the purpose of coordinating facility improvements. This conference shall occur prior to submitting engineering drawings. It is recommended the participants

include the Dayton Department of Public Works, the City Engineer, and private utility providers.

- B. The applicant shall submit an engineering plan for the entire development to the Dayton Department of Public Works for review and approval. The engineering plan shall include information concerning storm water, street improvements, easements, sanitary sewer, water, fire hydrants, street lights, private utilities and other information as necessary to indicate conformance with Dayton Public Works standards, where applicable, and consistency with the development proposal.
- C. The applicant shall obtain access approval to Ferry Street from the Oregon Department of Transportation (ODOT). The street access design shall be reviewed and approved by ODOT prior to submitting the final plat.
- D. The applicant shall submit a detailed site plan to the City of Dayton for review and approval prior to submittal of a final plat for the subdivision. The following provisions shall apply:
 - 1. The detailed plan shall contain sufficient information to indicate compliance with City engineering and public works standards and shall substantially conform to the submitted design.
 - 2. The layout shall substantially conform with the proposal and shall contain a maximum of 27 lots.
 - 3. There shall be a minimum 20 foot entrance road within a minimum 25 foot easement.
 - 4. Plans shall be submitted for improvements for the 9th Street access. The access shall be designed to only pedestrian, bicycle and emergency vehicle and to specifically prohibit local residential vehicle traffic. Access improvements shall be reviewed and approved by the Dayton Fire District.
 - 5. A copy of the homeowners association shall accompany the detailed plan. The association agreement shall stipulate the homeowners association shall be responsible, and liable, for the improvement and maintenance of all identified open space areas not dedicated for public use, including the private street, driveways, walkways and entrance improvements on 9th Street. The agreement shall also contain sufficient covenants, conditions or restrictions to ensure the setbacks will be enforced and individual homes will be designed in a manner consistent with the proposal.

6. The final approved detailed site plan and engineering plans shall establish the basis for development of the property.
- E. Upon approval of the access permit, engineering plans and the detailed site plan, a final subdivision plat, complying with provisions in ORS Chapter 92, shall be completed by a registered land surveyor and submitted to the City for approval within one year. This action shall be subject to the following requirements:
1. The final plat shall conform with the approved detailed plan and shall include five feet of right-of-way dedication along the Ferry Street frontage.
 2. Prior to recording of the final plat, the applicant shall install full street improvements, including curbs, sidewalks, paving, and public services (sewer, water, storm drainage), within the entire PUD. All improvements shall comply with approved engineering plans. Public facility improvements shall comply with the bonding and financial security requirements of the City.
 3. Ferry Street improvements required by ODOT shall be installed.
 4. The homeowners association agreement, including covenants, conditions or restrictions, shall be reviewed and approved by the Dayton City Legal Counsel. A copy of the approved document shall be recorded concurrently with the final plat and shall be noted on the final plat. A copy of the recorded document shall be placed in the land use file.
 5. Completion, submittal and recording of the final plat shall comply with the requirements contained in the Dayton Land Use and Development Code.
- F. The applicant shall obtain building permits from the City of Dayton to construct the attached single family homes. The homes shall substantially conform to the submitted elevation drawings and shall meet or exceed the setbacks indicated on the submitted site plan.
- G. Prior to occupancy of any one unit, the developer shall complete the following:
1. No parking signs shall be installed along the private street and within the "tee" at the end of said street. The location and design of the signs shall comply with Dayton Public Works Standards.
 2. Improvements to the 9th Street access shall be installed.
 3. Landscaping and fencing shall be installed substantially conforming to the submitted landscaping plans.

H. The following general development requirements shall apply:

1. Development of the site shall conform to approved engineering plans and the detailed site plan.
2. No building permits for single family homes will be issued prior to substantial completion of all public utility improvements and conditions of approval and written acceptance by the City, including submission of the reproducible as-built drawings and maintenance bonds.
3. Permanent connection to City water and sewer service will not be allowed until all public improvements are completed, and all on-site improvements are completed or a performance security satisfactory to the City Engineer is submitted to guarantee all improvements will be completed in accordance with the approved drawings, City standards and specifications.
4. The applicant shall be responsible for all costs associated with public facility improvements, including applicable system development charges for sewer, water and other facilities.
5. All improvements shall comply with the standards and requirements of the Dayton Public Works Department. Adequate bonding, or other financial instrument acceptable to the City, shall be obtained to complete all street and facility improvements.
6. Compliance with the Conditions of Approval shall be the sole responsibility of the applicant.

III. APPEAL PROVISIONS

Unless otherwise appealed, the Planning Commission decision will be official within 15 days of the date of this notice. Appeal of this decision is to the City Council. Notice of Intent to Appeal must be received at the Dayton City Hall by 5:00 pm, Sept 15, 1998.

Should you wish to appeal this action, or have any questions or comments regarding this project, please contact City Hall for information on how to proceed.

Sincerely,


Debra Lien, Planning Secretary

Attachment F

A Resolution of the Dayton Village Home Owners Association approving the acquisition of property and amendments to the Covenants, Conditions and Restrictions of Dayton Village

WHEREAS, the original Covenants, Conditions and Restrictions (CCRs) for the Dayton Village Planned Unit Development (PUD) are recorded as No. 199918909 in the Yamhill County Deed Records and apply to all Lots within the PUD; and

WHEREAS, Lots 1-12 are currently undeveloped and the current owner, the City of Dayton, intends to coordinate the development of the undeveloped lots and through that development to allow Lots 1 and 2 to be used for off-street parking purposes by residents of the PUD; and

WHEREAS, the Dayton Village Home Owners Association (HOA) implements and enforces the CCRs through its members; and

WHEREAS, Article III(A)(1) of the CCRs restricts the use of any Lot to “the construction of a townhouse for residential purposes”; and

WHEREAS, in order for Lots 1 and 2 to be used for parking purposes, the CCRs will need to be amended as set forth under Article IV(C)(1) whereby seventy-five percent (75%) of the total HOA votes must approve the amendments (21 of 27 HOA votes) and the owners of Lots 1 and 2 must consent; and

WHEREAS, the HOA desires to acquire Lots 1 and 2 to be used for off-street parking and to designate Lots 1 and 2 as “Common Area” as that term is defined in the CCRs; and

WHEREAS, the HOA may acquire property to be used and designated as Common Area as set forth under Article II(A)(5) of the CCRs; and

WHEREAS, in no event will the HOA be required to pay for any improvements to develop Lots 1 and 2 as parking areas; and

WHEREAS, the HOA agrees that once Lots 1 and 2 are developed as a parking area, they will become “Common Area” and it will be the HOA’s obligation to maintain as it maintains all Common Areas in the PUD; and

WHEREAS, Article IV(C)(3) of the CCRs provides that in the event 75% of the HOA votes approve an amendment, the amendment shall be executed, recorded, and certified on behalf of the HOA designated for that purpose, or, in the absence of designation by the President of the Board of the HOA.

NOW THEREFORE, the HOA resolves as set forth below:

Section 1: The HOA approves the acquisition of Lots 1 and 2 which will be dedicated for use as a parking area for the PUD.

Section 2. The HOA approves amendments to the CCRs as set forth in substantially the same form as the attached Exhibit A.

Section 3. This resolution shall become effective upon passage by 75% of the total votes in the HOA.

Dayton Village Home Owners Association

Megan Lopez
(Signature of Authorized Officer)

1-6-2020
Date

Jairal D Lopez
(Signature of Authorized Officer)

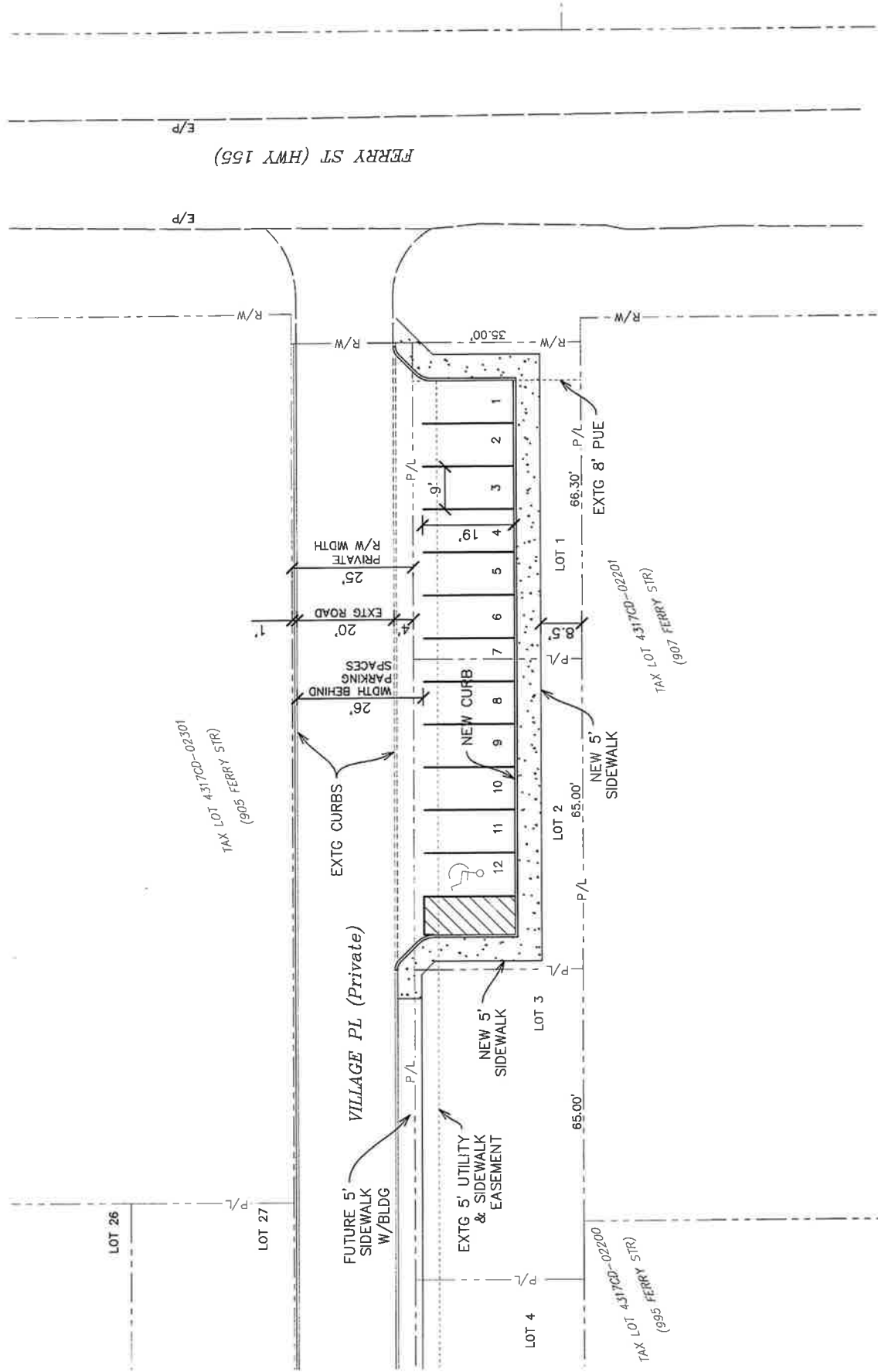
02-03-2020
Date

James Naebo
(Signature of Authorized Officer)

2/4/2020
Date

Attachment G

Parking Lot Design for Lots 1 -2



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To: Honorable Mayor and City Councilors
From: Rochelle Roaden, City Manager
Issue: Notice of Intent to Award Lobbying Services Contract
Date: February 5, 2024

Background and Information

The City of Dayton published a request for proposal (RFP) to for Lobbyist Services (attached for your reference). The request was advertised on December 15, 2023, and required submission by January 15, 2024, at 2 pm.

The only proposal received was submitted by CFM Advocates. (Attached for your review.) The City is required to post a notice of "intent to award".

CFM Advocates have worked with the city in 2023 to help with Congressional Direct Spending (CDS) requests for three of the council's Goal A Strategic Goals:

- 1) Obtain funding for replacing the water system main transmission line from the watershed to the Footbridge (approx. \$3 million)
- 2) North Main Trunk Sewer Replacement to address inflow and infiltration (approx., \$3 million)
- 3) Develop a 5-year plan consisting of finance, strategy, design, and construction for the building of a new city hall and library (approx. \$3-\$7 million)

The City's application for a new city hall/library was placed through US Representative Salinas's office and a \$500,000 congressional direct spending project made it into the bill. Once the US Congress votes/passes this bill, the city will receive \$500,000 to use for planning and design of the new city hall and library. We will continue to seek additional funding for the construction phase.

With Congress approving earmarks for the first time since 2011, securing these funds to complete infrastructure upgrades on Dayton's aging water and sewer system would eliminate having to fund these projects through debt funded by rate increases to Dayton residents.

City Manager Recommendation: I recommend approval.

Potential Motion: "I move to approve the issuance of an "Intent to Award" for lobbyist services to CFM Advocates (CFM) and authorize the City Manager to negotiate and execute the contract."

City Council Options:

- 1 - Approve the issuance of the "Intent to Award".
- 2 - Approve the issuance of the "Intent to Award" with amendments.
- 3 - Take no action and ask staff to do more research and bring further options back to the City Council.

Request for Proposals
Federal Governmental Affairs Consulting and Lobbying Services

Submitted by:
CFM Advocates (CFM)
An Oregon Corporation

January 12, 2024

Joel Rubin, Partner
311 Massachusetts Ave NE
Washington, DC 20002
joelr@cfmdc.com
202.347.9171
503.294.9152 (fax)





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<i>RESPONSIBILITY DETERMINATION (EXHIBIT B)</i>	





INTRODUCTORY LETTER

January 12, 2024

City of Dayton
Rochelle Roaden, City Manager
416 Ferry Street
Dayton, OR 97114

Re: RFP for Federal Governmental Affairs Consulting and Advocacy/Lobbying Services

Dear Ms. Roaden:

Thank you for the opportunity to submit a proposal to represent the City of Dayton in Washington, DC. On behalf of the CFM Federal team, it would be an honor and a privilege to share your unique story and develop an innovative federal agenda to build on our advocacy efforts to date.

The CFM team has deep ties to each member of the Oregon delegation and proven, reliable contacts at the highest levels of government. As such, we can provide immediate added value to your government affairs operation and quickly implement a strategic agenda in a thoughtful and collaborative manner.

With respect to the projects and priorities of Dayton, we know your issues and have a proven track record of succeeding in the areas that are important to you. We have a strong record of securing federal funds for community projects in several areas, including transportation, water and wastewater infrastructure, community facilities, economic development, police, fire, and housing. In addition to securing federal funds, we have passed legislation, protected critical programs, and built coalitions to ensure the objectives of our Oregon municipal clients are met.

We know you have developed a vision to improve the quality of life and livability for your residents and are engaged with your federal delegation. We want to add a comprehensive component to your lobby effort that will expand your reach into the Oregon delegation and the federal agencies that present opportunities for your city.

We work every angle for our clients. We will work closely with you to generate grassroots support and regional coordination to make your agenda more appealing to key officials. Members of Congress like to get involved with projects that have broad support and deliver real results. At CFM, we are experts in generating these coordinated ventures and know how important this approach is to achieving results.

Thank you for your time and consideration. On behalf of CFM Advocates, I agree with all stipulations and requirements as presented in this RFP, and that, if selected, the provision of the services is contingent





upon successful negotiation of a contract with the City of Dayton. CFM maintains employer's liability, comprehensive automobile liability, and errors and omissions insurance of \$1 million per occurrence and, if selected, requests a change to the standard contract terms of \$2 million per occurrence.

We look forward to hearing from you. As you consider our application, please direct all correspondence to:

Michael Skipper – Proposed Project Manager
Vice President, Federal Affairs
CFM Advocates
311 Massachusetts Ave NE
Washington, DC 20002
michaels@cfmdc.com
(503) 435-9054

Federal Tax ID: 93-1036843
State of Incorporation: Oregon
Legal Status: CFM is a C Corporation

Sincerely yours,

A handwritten signature in black ink, appearing to read "Joel Rubin", is placed over a light gray rectangular background.

Joel Rubin
Partner, Federal Affairs





FIRM QUALIFICATIONS AND EXPERIENCE

Description of the Firm – An Oregon Company

CFM Advocates (CFM) is a fully integrated consulting firm with practice areas in federal and state lobbying, public relations, research and marketing communications. We are based in Oregon and have full-time staff in Washington, DC; Portland, OR; Salem, OR; and Vancouver, WA. We have a team of experienced lobbyists who represent clients in Salem and the nation's capital.

For more than 32 years, we have successfully represented clients in Oregon and Washington State helping them navigate the federal process, advocate for or against legislation and secure grants, appropriation projects and program plus-ups (adding money to existing accounts in order to fund more programs and projects). We have secured significant funds for our clients by crafting winnable projects and implementing targeted funding strategies.

CFM has maintained a physical presence in Washington, DC since our founding in 1990. As a result, we have forged longstanding relationships with the Oregon delegation and key members and staff outside of the Northwest. Our deep network of contacts includes members on key committees, Congressional leadership, as well as the Departments of Transportation, Justice, Commerce, Health, Education, Agriculture, Defense, Energy, Labor, Army Corps of Engineers and Biden Administration.

As your federal advocate, CFM will promote your interests in our nation's capital and arm you with the tools necessary to be successful in a constantly changing political environment. We will help you establish and maintain strong ties to key Members of Congress and the Executive Branch. We will assist you in understanding and participating in the federal governmental process and guide you through the grant and appropriations processes.

CFM will provide you with expert advice from a highly regarded team with decades of experience. CFM's lobbyists have strong connections on Capitol Hill, access to influential policy makers and a comprehensive understanding of the issues facing the Pacific Northwest. We work with Oregon delegation members and staff on a daily basis. CFM partners and staff have known most members of the delegation for decades. We have been their political supporters and, in some cases, their political advisors.

We work with our clients to successfully influence legislation and guide complex initiatives through challenging obstacles. Our experienced professional team, network of contacts, expertise in working with federal, state and local governments and record of achievement make us uniquely qualified to represent the City of Dayton.

When you choose CFM, you get a team of experts dedicated to fulfilling your needs. We are respected for our integrity, honesty, and hard work in representing our clients. Moreover, we are respected for our outstanding record of achievements.





CFM is not one of the largest lobbying firms, but it does have one of the best reputations on the Hill. CFM has been nationally recognized for three straight years by Bloomberg Government as one of only 10 lobbying firms (out of more than 11,000) that retains 100 percent of its clients over a three-year period. We are one of the elite firms in the country that has retained all federal clients for more than four years. The recognition from Bloomberg reflects how hard our firm works to deliver real results for our clients.

Experience and Accomplishments

CFM has delivered real results to Oregon and Washington municipal clients for decades. With CFM, you will have a trusted partner that can hit the ground running to implement and achieve your legislative objectives. We have been successful in securing hundreds of millions of federal dollars for transportation, housing, economic development, public safety, water, sewer, health, energy, and Corps of Engineer projects across the Pacific Northwest.

Our grant work is a point of pride for CFM. Over the last three years, CFM secured more than \$150 million in federal grants for our clients, including five consecutive USDOT BUILD/RAISE/TIGER grants for the Port of Morrow (\$19.4 million), City of Medford (\$15.5 million), Marion County (\$8.1 million), City of Ridgefield (\$5.8 million), and Port of Longview (\$16 million). In addition, our firm has secured grant funding from more than a dozen sub-agencies from a broad range of funding accounts we track through the network of contacts we have within the federal government.

Before earmarks were eliminated in 2011, CFM had a strong record of securing millions of dollars for a variety of public and private sector clients which has continued with the limited return of earmarks in Fiscal Year 2022. In Fiscal Years 2022 and 2023, CFM secured over \$76 million in earmark funding for projects in Oregon and Washington. In Fiscal Year 2024, CFM's federal clients have over \$30 million in pending earmarks (including \$500,000 for the City of Dayton) included in the draft House and Senate spending legislation. As a result of this and our grant work, CFM federal clients are averaging a 62:1 return on investment.

CFM has relied on its comprehensive approach to ensure that clients have unique access to federal funds through a variety of grant and earmark funding opportunities. CFM's innovative and tireless strategy includes aggressively pursuing grant and earmark funding, drafting and editing applications, inserting report language in appropriations bills and advocating for program "plus ups" that help our clients compete.

CFM conducts daily reviews of grant opportunities to locate programs that best address client needs. We have been developing relationships with federal agencies for years. Thus, we are often aware of funding streams before programs are announced enabling our clients to be fully prepared for otherwise short timelines. We put clients in touch with grant specialists who are experts in how to prepare a well-crafted grant request and provide guidance on how to proceed. Clients meet with these individuals face





to face or via conference call to learn ways to enhance their proposal, thereby increasing its competitiveness. CFM covers all aspects of the grant process from start to finish, including working with the congressional delegation and other stakeholders to secure letters of support on behalf of the project.

One of our most successful projects over the last few years, Vancouver's Downtown Waterfront Redevelopment Project, epitomizes CFM's way of doing business. We look under every rock, work every angle and clearly communicate with elected officials about the needs and benefits of worthy projects in the Pacific Northwest. We helped Vancouver secure more than \$13 million in federal earmarks and six federal grant streams to revitalize its downtown area. We helped the city apply for funds, lobby the congressional delegation and agency officials on behalf of the project and coordinated a grassroots effort to mobilize support. This economic development and sustainable land-use success story is a model that can be replicated throughout the Northwest.

This is just one example of successful funding initiatives. Below is a more expansive sampling of our grant and earmark successes over the last five years. Each successful project has its own story, and this list is not exhaustive, but the amount and diverse list of funding from more than a dozen sub-agencies should highlight our broad range of funding successes. Recent successes include the following:

- City of Carlton, Oregon
 - \$2.2 million Fiscal Year 2023 Earmark: *Sewer Collection Pipe Replacement*
 - \$1.5 million Fiscal Year 2023 Earmark: *West Main Street Revitalization*
- City of Tigard, Oregon
 - \$3.2 million Fiscal Year 2023 Earmark: *Hall Blvd Pedestrian Safety Infrastructure Improvements*
 - \$2.1 million Economic Development Administration: *Hunziker Industrial Area*
 - \$250,000 Department of Justice, COPS Hiring Program
 - \$75,000 National Endowment for the Arts (NEA) Our Town: *Tigard Outdoor Museum*
 - \$800,000 Environmental Protection Agency, Brownfield Cleanup & Assessment: *Downtown Redevelopment*
 - \$1 million FY 24 Earmark (PENDING): *Hall Blvd Improvements*
 - \$500,000 FY 24 Earmark (PENDING): *Emergency Heating and Cooling Center*
 - \$300,000 FY 24 Earmark (PENDING): *Homelessness Community Service Officer*
- Marion County, Oregon
 - \$2 million Fiscal Year 2023 Earmark: *Detroit Lake Excavation*
 - \$1 million Fiscal Year 2023 Earmark: *Opal Creek Wilderness*
 - \$8.1 million Department of Transportation, TIGER: *Mill City Restoration and Revitalization Project*
 - \$2 million Fiscal Year 2022 Earmark: *Opal Creek Wilderness Economic Development*
 - \$1.4 million Fiscal Year 2022 Earmark: *North Fork Road*
 - \$1.2 million Fiscal Year 2022 Earmark: *Public Safety Radio System*
 - \$7.3 million Department of Transportation, Federal Lands Access Program: *North Fork Road*
 - \$3 million Department of Transportation, Interstate Maintenance: *Woodburn Interchange*
 - \$1.4 million Department of Justice: *Comprehensive Opioid Abuse Site-based Program*
- City of Vancouver, Washington
 - \$2.5 million Fiscal Year 2022 Earmark: *First Street Improvements*
 - \$1.5 million Fiscal Year 2022 Earmark: *Police Cameras*
 - \$937,000 Department of Homeland Security, FEMA: *Fire Equipment and Hazardous Materials Training*
 - \$1.25 million Department of Justice, COPS Hiring: *10 New Police Positions*



- \$750,000 Department of Transportation, Federal Highway Administration: *Waterfront Trail*
- \$2.9 million Department of Commerce, Economic Development Administration: *Downtown Waterfront*
- City of Medford, Oregon
 - \$15.5 million Department of Transportation, BUILD: *Foothill Road/North Phoenix Corridor*
 - \$1.4 million Fiscal Year 2023 Earmark: *Public Safety Radios*
 - \$1.1 million Fiscal Year 2022 Earmark: *Kid Time Early Learning/Childcare*
 - \$1.2 million Economic Development Administration: *Rogue Community College Facility Expansion*
 - \$600,000 Environmental Protection Agency, Brownfields Assessment: *Community Assessment*
- City of Longview, Washington
 - \$5.5 million Fiscal Year 2023 Earmark: *Columbia Heights Road*
 - \$300,000 Fiscal Year 2022 Earmark: *Crisis Intervention Team*
 - \$1.9 million Department of Commerce, Economic Development Administration: *Beech Street Project*
 - \$500,000 Department of Justice, Violence Against Women (VAWA): *Domestic Violence Prevention Program*
 - \$750,000 Department of Transportation, Federal Highway Administration: *Downtown Streetscape*
 - \$800,000 Department of Homeland Security, Assistance to Firefighters: *Computer Aided Dispatch*
- City of Beaverton, Oregon
 - \$81 million Environmental Protection Agency, WIFIA: *Water Supply Improvement Program*
 - \$4 million Fiscal Year 2023 Earmark: *Downtown Loop*
 - \$3 million Fiscal Year 2023 Earmark: *Homelessness Shelter*
 - \$500,000 Fiscal Year 2022 Earmark: *Mental Health Court*
 - \$500,000 Fiscal Year 2022 Earmark: *Non-Profit Business Incubator*
 - \$500,000 Department of Justice, Bureau of Justice Assistance: *B-SOBR Drug and Alcohol Court Expansion*
 - \$300,000 EPA Community-Wide Brownfield Assessment: *Downtown Creekside District*
 - \$400,000 EPA Brownfield Cleanup: *Public Safety Center Rehabilitation Project*
 - \$250,000 National Endowment for the Humanities Capacity Building: *Beaverton Center for the Arts*
- City of Ridgefield, Washington
 - \$5.8 million Department of Transportation, BUILD: *Pioneer Street Extension*
 - \$8.6 million USFW Refuge Construction: *Ridgefield Wildlife Visitors Center*
 - \$138,000 Corps of Engineers: *Lake River Dredging Sediment Analysis*
 - \$100,000 Department of Transportation, Transportation Alternatives: *Gee Creek Trail Construction*
- City of Battle Ground, Washington
 - \$2 million Fiscal Year 2023 Earmark: *Grace Ave Realignment*
 - \$413,000 Fiscal Year 2023 Earmark: *Public Safety Technology*
 - \$125,000 Department of Justice, COPS Hiring Program: *School Resource Officer*
 - \$408,560 Department of Homeland Security, FEMA: *Firefighter Equipment*
 - \$422,000 Department of Transportation, Federal Highway TAP: *Chelatchie Prairie Rail to Trail*
 - \$7 million Department of Agriculture Rural Development: *Lagoon Decommissioning*
- City of Pendleton, Oregon
 - \$3 million Economic Development Administration: *Unmanned Aerial Systems (UAS) Test Range*
 - \$298,800 Department of Homeland Security, FEMA: *Staffing for Adequate Fire and Emergency Response*
 - \$36,364 Department of Homeland Security, Assistance to Firefighter Grants: *Fire Station Improvements*

Relationships with the Oregon Delegation

Other lobbying operations will boast of large Washington, DC offices and connections to “movers and shakers” in our nation’s capital. There is no substitute for commitment, hard work and loyalty. But most important is a firm’s credibility and having CFM on your side provides a unique advantage to our Pacific Northwest clients. Unlike big DC firms, your delegation knows us and knows we are an Oregon firm that





relies on our reputation. We are not putting forward projects that meet short-term objectives, hide complications, and create longer-term challenges. In a funding environment facing public scrutiny, CFM representation means something to the Oregon delegation. This reliability is critical in the appropriations and legislative process.

CFM has strong relationships with key Members of the Oregon delegation. Our relationships include:

Senator Ron Wyden, Oregon’s senior Senator and Chairman of the Finance Committee, plays a pivotal role in shaping legislation important to the Pacific Northwest. CFM has worked closely with Senator Wyden and his staff for decades. CFM’s president, Gary Conkling, served as Wyden’s first Chief of Staff during his time in the House of Representatives and remains a close counselor. Gary helped Wyden land a coveted spot on the House Energy and Commerce Committee as a freshman House member and was responsible for hiring and training Wyden’s staff. CFM has great relationships with numerous Wyden staffers, including Isiah Akin (Legislative Director), Sarah Bittleman (Deputy Chief of Staff), Madison Moskowitz (Housing), Sydney Beasley (Transportation), and Ree Armitage (Field Representative).

Senator Jeff Merkley, a member of the powerful Appropriations Committee, is the Chairman on the Interior and Environment Subcommittee. CFM has close ties with Senator Merkley and his staff. CFM’s state team worked closely with Merkley during his years as an Oregon state legislator. CFM Federal enjoys a good working relationship with Merkley, Lucas Smith (Legislative Director and Appropriations), Regina Logan (Transportation), Caitlin Buchanan (Policy Advisor), and several in-state staff.

Congresswoman Andrea Salinas sits on the Agriculture and Science, Space, and Technology Committees. CFM’s team has worked with Salinas for years throughout her time in Salem. We work with the Congresswoman and her team on a daily basis, including Ben Owens (Legislative Director), Fritz Graham (Deputy District Director), and Suzanne Kunse (District Director).

Congresswoman Suzanne Bonamici serves on the House Education and Workforce Committee and the House Science, Space, and Technology Committee. CFM has strong ties to Bonamici going back to her days in the state legislature. In DC, we work with Bonamici and her team on a regular basis and have great relationships with Rachael Bornstein (Chief of Staff), Sarah Baessler (District Director), and Al Bannon (District Representative).

Congressman Cliff Bentz sits on the House Judiciary and Natural Resources Committees. CFM worked closely with Bentz during his time as a state legislator. CFM’s Kirby Garrett, who worked for Bentz’s predecessor – Greg Walden – for four years, enjoys good working relationships with Bentz and his team.

Congresswoman Val Hoyle sits on the powerful Transportation and Infrastructure Committee. Similar to Salinas and Bonamici, CFM has enjoyed a long relationship with Hoyle dating back to her days in Salem.





CFM works regularly with the Congresswoman as well as Dan Whelan (Deputy Chief of Staff) and Bobby Puckett (Legislative Director).

Congresswoman Lori Chavez-DeRemer is a member of the House Transportation and Infrastructure, Agriculture, and Education and the Workforce Committees. CFM’s Kirby Garrett has a great relationship with Chavez-DeRemer and her staff, including Jihun Han (Chief of Staff).

Congressman Earl Blumenauer is the Oregon delegation’s primary advocate for alternative transportation and could be a key partner on sustainability projects. Currently a senior Democrat on the powerful House Ways and Means Committee and Chairman of the Trade Subcommittee, CFM has a good relationship with Congressman Blumenauer and Jon Bosworth (Chief of Staff).

Contracts Comparable to City Requirements

When it comes to representing municipal governments in the Pacific Northwest, nobody has the expertise, record of success and broad policy experience CFM brings to the table. CFM represents 15 municipal governments, two transit agencies and two ports in Oregon and Washington comparable to Dayton’s requirements. See list of comparable clients below:

Battle Ground, WA	Beaverton, OR	Benton County, OR
Carlton, OR	Clatsop County, OR	Cowlitz County, WA
Ferndale, WA	Forest Grove, OR	Lacey, WA
Longview, WA	Lynden, WA	Marion County, OR
Medford, OR	Pendleton, OR	Port of Longview, WA
Port of Morrow, OR	Ridgefield, WA	Rogue Valley Transit
Salem Keizer Transit	Sherwood, OR	Skamania County
Stayton, OR	Tigard, OR	Vancouver, WA

Principal Lobbyists on Staff

CFM retains seven full-time, registered federal lobbyists on staff in Washington, DC, Portland, OR, and Vancouver, WA. They are Joel Rubin, Partner; Michael Skipper, Vice President; Kirby Garrett, Senior Vice President; David Hodges, Senior Vice President; Page Strickler, Senior Vice President; Kamron Brandt, Associate; and Travis Meuwissen, Associate.

Number of Clients Expected Represented in the 118th Congress

CFM currently represents 40 federal clients. In addition to our municipal, port and transit clients mentioned above, we also represent multiple water districts, Columbia River Mental Health Services, Damera Bus, YWCA Clark County, Hoyt Arboretum, Avista Utilities, PeaceHealth, the United Grain Corporation, and The Bus Coalition.

CFM Office Locations





Washington, DC Office

311 Massachusetts Ave NE
Washington, DC 20002
Contact: Joel Rubin
202.347.9171

Portland, Oregon Office

10260 SW Greenburg Rd Suite 400
Portland, OR 97204
Contact: Gary Conkling
503.294.9120

Salem, Oregon Office

495 State Street Suite 541
Salem, OR 97301
Contact: Dale Penn
503.510.2200

Vancouver, WA Office

802D Officers Row
Vancouver, WA 98661
Contact: David Hodges
360.521.1476

Biography of Key Personnel

Members of Team Dayton

CFM's federal affairs team is managed by Joel Rubin, partner at CFM. Joel has over 23 years of experience working on federal issues in the Pacific Northwest. Before joining CFM, Joel served as Legislative Director to Congressman Brian Baird (D-WA). He worked on a wide range of issues including transportation, taxes, trade, defense, energy, economics and budget. Joel also was responsible for Baird's Transportation and Budget Committee assignments, managing the legislative agenda and coordinating the appropriations process.

Joel now leads CFM's DC office and has been a registered lobbyist since 2005 representing dozens of public and private sector clients. Joel has strong contacts in the Washington and Oregon delegations, the House Appropriations and Transportation Committees, the Senate Appropriations and Environment and Public Works Committee, Corps of Engineers, Departments of Energy, Justice, Transportation, Commerce, Labor and Veterans Affairs. Through his various municipal and public sector clients, Joel works closely with staff from DC and regional offices of the Corps of Engineers, NMFS, Department of Transportation (FAA, FTA, FHWA), Coast Guard, Commerce and National Park Service.

Joel oversees work for all federal clients and would serve as a strategic advisor to the team. CFM will dedicate a comprehensive team to the Dayton account, including three federal lobbyists. Our team understands the needs of your City, has years of experience with your Congressional delegation and has close ties to key agency officials, staff, and Members of Congress. Team Dayton includes:

Michael Skipper, CFM Federal Affairs Vice President, will serve as the Project Manager and main point of contact for Dayton. Michael has a proven record of helping municipal clients navigate the federal process to secure legislative wins and tens of millions in federal funding for important regional projects. Michael has over eight years of lobbying experience at the federal and state level representing a range of public, corporate, and nonprofit interests. Michael has a deep network of contacts and relationships with members of Congress, their staff, and federal agency officials.

Raised in Oregon's Willamette Valley, after graduating from Oregon State University in 2014, Michael was a part of CFM's State Affairs team in Oregon where he represented a range of corporate, nonprofit, and public sector interests. Between state legislative sessions, he pivoted from policy to politics and worked on candidate and ballot measure campaigns throughout Oregon.





Michael will work with you to craft your federal agenda, sync your priorities with the congressional delegation and provide a strategic roadmap to accomplishing your key objectives. Based in DC, Michael will work daily with Congressional staff to ensure your priorities are top of mind and receive the attention they deserve. He will monitor and advocate for and against important legislation moving through Congress and regularly report back to City officials. Michael will coordinate with other national and regional organizations in DC to leverage broader support for City priorities and align interests for broader policy initiatives.

Page Phillips Strickler, CFM Federal Affairs Senior Vice President, will serve as your on-the-ground contact and help with events and tours. Page is based in Portland and advocates for CFM Federal Affairs clients and plays lead roles on public affairs projects in Oregon and Washington. Page is an experienced advocate on transportation, housing, and infrastructure issues. She also has extensive experience in working with federal agencies such as the Army Corps of Engineers and National Marine and Fisheries. She worked at CFM from 2013 to 2017 and rejoined the firm in 2022. Page has worked in Washington, DC on Capitol Hill as well as in state congressional offices. Before joining CFM, Page worked for Washington Senator Patty Murray, former Congressman Brian Baird (WA-3), Congressman Earl Blumenauer (OR-3), former California Senator Barbara Boxer, former Congressman Mark Udall (CO-3) and former Congresswoman Elizabeth Furse (OR-1). Page earned her undergraduate degree in Politics and Government from the University of Puget Sound and a master's degree in regional and community planning from the University of Oregon.

Travis Meuwissen, CFM Federal Affairs Associate, will assist Michael daily in DC and serve as the full-time grant specialist for the Dayton account. Born and raised in Beaverton, Travis graduated from Beaverton High School and Western Oregon University. Upon graduation, Travis worked in various Oregon legislative and political roles. Most notably he worked for the late Chair of the House Health Care Committee, Representative Mitch Greenlick, as his legislative director and for the Oregon Association of Hospitals and Health Systems as their Director of Advocacy for over four years. For CFM, Travis specializes in working for health care and municipal clients. Travis attends American University where he will graduate this spring with a master's in public policy.

Travis will coordinate DC trips for City officials to meet with the Congressional delegation, key committee staff and top federal agency officials. He maintains close working relationships with dozens of grant program staff at federal agencies and has a demonstrated record of success in crafting winning grant proposals. As such, Travis will monitor daily grant announcements, prepare grant summaries, draft and edit grant applications and secure support for project submissions.

Relationships with Federal Agency Leaders

CFM works closely with dozens of agencies within the federal government, including the Departments of Transportation, Agriculture, Housing, Environmental Protection Agency, Commerce, Homeland Security, Army Corps of Engineers, Bureau of Reclamation, Health and Human Services, Justice, Veterans





Affairs, and others. Our close relationships allow us to offer our clients up-to-the-minute information on trends and funding streams. CFM regularly communicates with the Washington, DC, and regional offices of multiple federal agencies. Many issues can be resolved favorably for our clients at the local level where the needs and options for success are readily understood. If a visit to Washington is necessary, we will get you in to see those people who can make a difference.

Within dozens of federal programs, CFM has good personal contacts and relationships with department heads and grant program staff. Specifically, we meet and communicate on a regular basis with agency staff from the following grant programs that have particular importance to the City of Dayton:

- Transportation:* INFRA, RAISE, Rural Surface Transportation Grants
- Commerce:* Economic Development Administration
- Justice:* Byrne JAG, COPS Hiring, COPS Technology
- Agriculture:* Rural Development, Community Facilities, Water and Wastewater, Farmers Market Promotion and SNAP, Farm to School
- Environmental Protection Agency:* Brownfields Assessment and Cleanup, Urban Waters, WIFIA, CWSRF, DWSRF
- Labor:* Trade Adjustment Assistance and Veterans Workforce Programs
- Bureau of Reclamation:* WaterSmart
- FEMA:* Assistance to Firefighters, SAFER, BRIC
- Housing:* CDBG, HOME, Choice Neighborhoods, Continuum of Care
- National Endowment for the Arts:* Art Works, Our Town

These relationships, along with our team’s experience and expertise, have helped our clients secure the tens of millions of dollars in grant funding listed in the Experience and Accomplishments section above.

Advocacy with Federal Officials and Program Staff that Determine Grant Winners

CFM covers all aspects of the grant process from start to finish, including working with the congressional delegation and other stakeholders to secure letters of support and targeted, timely phone calls to federal officials and program staff on behalf of the project. Below, we have outlined some of our recent successes in working with our clients and federal agencies to secure grant funds.

Transportation: CFM has secured a BUILD/RAISE/TIGER award in the last five rounds, a record of achievement unmatched by any other lobbying firm. CFM has also been involved in three of the last four successful BUILD awards made in Oregon. Each BUILD grant has its own path to success and CFM takes pride in delivering these catalytic projects. For example, Medford’s \$15.5 million BUILD grant to complete a \$39 million expansion of its Foothill Road/North Phoenix Corridor won despite competition from 667 applications nationwide requesting more than \$9.7 billion from the \$900 million available. Out of 55 grants awarded to projects in 35 states, Medford was the only successful applicant in Oregon. CFM led the effort from beginning to end, starting with forming the scope of the project, then leading the





drafting, editing and submission of the application. Once the application was submitted, CFM worked in lockstep with the Congressional delegation on a coordinated advocacy campaign, which included direct outreach to then-DOT Secretary Elaine Chao. Then CFM helped coordinate press of the successful award with Medford and the Congressional delegation to ensure our allies received credit for their leadership.

Water/Sewer: In early 2021, CFM helped Beaverton secure an \$81 million WIFIA financing package to help complete the Beaverton Water Supply Improvement Program, a series of projects that will improve the reliability of the City’s water system, increase its resiliency to seismic events, and implement a new stormwater reuse system. CFM worked with the City to draft, edit, and submit the 35-plus page application. In addition to support letters provided by members of Congress, CFM worked with Bonamici on a timely phone call to EPA in support of the proposal. CFM continued a coordinated lobbying effort throughout the review process to ensure the project remained on track for an award.

Economic Development: CFM helped Tigard secure a \$2.1 million Economic Development Administration (EDA) grant, one of the largest in the region, to spur economic development in its 138-acre Hunziker Core commercial/industrial area. CFM worked with Tigard and the Congressional delegation for nearly two years to build support for the project. We strategically utilized key City staff, the Mayor and other local stakeholders to tell the full story of the project. We prepared talking points, one pagers, maps and other information to complement on-the-ground tours with members of Congress and EDA officials. Because CFM has offices in Portland and DC, we coordinated multiple contacts with both regional and national EDA decision makers. We worked directly with City staff to draft and edit its application, solicit information from other successful applicants and submit the proposal with strong Congressional support and buy-in. We also had multiple congressional offices weigh in at key times in the review process.

Subcontractors

Because of CFM’s deep bench of talent and assets on the ground in both DC and Oregon, we do not intend to use subcontractors to fulfill any part of the tasks described under the scope of work.

Analyzing and Reviewing Legislation, Educating Clients, and Legislative Strategies

CFM’s team of lobbyists has decades of experience on and off Capitol Hill analyzing, reviewing, drafting, introducing, and passing legislation. CFM will guide you throughout the legislative process, from conceptual committee hearings to introduction and final passage. We will provide comprehensive analysis of proposed legislation which may impact Dayton and advise the City on courses of action. We will clearly outline the strategies, political implications, and likelihood of success before initiating a legislative effort.

CFM will provide frequent oral and written updates on legislation and budget items important to Dayton. Communications will include regular calls, written updates and activity reports, written congressional session reports and oral reports to City staff and Council. CFM will also regularly visit Dayton (roughly every two months) to brief staff and City leaders.





Each new session of Congress often represents new opportunities, hurdles, and obstacles. When political power shifts in Washington, Dayton’s objectives and strategies need to be refined to meet the changing political and funding landscape. We will work closely and proactively leading up to the 119th Congress to forecast likely priorities of the majority party and ensure the City is best positioned to succeed.

Legislative Information and Bill-Tracking Software

CFM contracts with CQ Roll Call for legislative information, analysis, and to identify and monitor introduced legislation of interest to the City. Every day, CFM will review House and Senate floor and committee schedules along with budget and appropriations developments with Dayton’s priorities top of mind. We also receive custom, comprehensive, real-time alerts of the latest actions in Congress to stay on top of Dayton’s issues. Ultimately, these efforts help ensure no opportunity is overlooked and will inform our advocacy strategy and frequent status reports to the City.

Process for Establishing and Maintaining Strong Working Relationships

We pride ourselves on being a bipartisan firm and work hard to maintain the relationships we have spent years cultivating. CFM is an Oregon firm with a rich and successful history of representing Northwest municipal governments, transit systems, ports, colleges and private sector clients. We have deep ties to each member in the Oregon delegation and their staff. They know and trust us. This level of comfort and credibility is critical in a skeptical funding environment.

The best way to keep our relationships fresh is to stay in constant contact. We work daily with the Oregon delegation and its staff, as well as other key players on Capitol Hill and in numerous agencies. As a result, CFM has proven and reliable contacts at the highest levels of government, including the Biden administration, Congressional leadership, committee chairs and key political appointees. Because we represent other municipal clients, we also have strong professional and personal relationships with local elected officials across the state. In addition, we work regularly with coalitions and associations such as the National League of Cities and US Conference of Mayors.

Over our 32 years at the federal level, we have cultivated these high-level relationships and know how to access critical information and leverage political support for your local projects.

PROPOSED WORK PLAN

While the annual legislative cycle is fluid and dynamic, the “rough” timeline of services below describes some of the major action items we will complete for Dayton:

January - February 2023 – CFM will work with you to craft and submit earmark requests; produce communication materials; conduct briefings with relevant Capitol Hill staff and members of Congress; collect letters of support from third-party groups and community advocates; work with the Oregon congressional delegation, administration and staff to advocate for the City’s agenda; work with you to





develop short and long-term grant strategies; and shore up support from members of the Oregon congressional delegation and community stakeholders for the City's priorities.

March 2024 – CFM will organize a DC trip for Dayton officials to meet with the Oregon Congressional delegation, relevant committee staff, and federal agencies. As part of the trip, CFM will prepare briefing materials, background information on political and legislative environment, biographical information on meeting participants, and prepare lobby documents.

April - May 2024 – CFM will continue to advocate for your pending grant and earmark requests; highlight key grant announcements and help the City draft and submit grant applications with active participation from the Congressional delegation; monitor, advocate for or oppose legislation included on the City's legislative agenda.

June - July 2024 - CFM will continue its comprehensive advocacy campaign for the City's pending earmark requests. We will visit Dayton to update you on the status of your earmark requests and to gather and exchange information to develop potential grant requests for the remainder of the year. CFM will work with the Congressional delegation to secure funding for your 2024 federal grant and earmark requests; schedule meetings with between City elected officials and staff with members of Congress to advocate for your priorities; monitor grant announcements; draft grant applications; coordinate grassroots support campaign for regional projects; monitor, advocate for or oppose legislation included on the City's legislative agenda.

August - September 2024 – CFM will work closely with Congress through the budget process to protect important funding streams for the City. CFM will coordinate with the City, the Oregon congressional delegation and community leaders to garner support for various projects; produce communication materials; conduct briefings with relevant Capitol Hill staff and members on the legislative agenda; collect letters of support from third-party groups and community advocates; work with the Oregon congressional delegation, administration and staff to advocate for the City's agenda; work with City staff and officials to develop short and long-term grant strategies.

As August is a month-long congressional recess, CFM will coordinate tours and briefings in Dayton for congressional staff. Skipper will meet with City staff to review status of projects and plan for the upcoming year.

October 2024 – The end of the federal fiscal year is September 30, 2024. CFM will work with the Congressional delegation to secure federal grants and appropriation requests; monitor twelve appropriations bills moving through Congress and conference committees; continue to monitor grant announcements and coordinate support letters for projects; monitor, advocate for or oppose legislation included on the City's legislative agenda.





November - December 2024 – The CFM team will visit Dayton to discuss the status of the 2024 agenda and start planning 2025; we will develop a draft federal agenda which will be the basis of your 2025 project and policy requests and legislative action items; identify federal programs and grants that meet your needs; Skipper will make a year-end, in-person presentation to Council.

In addition to the timeline above, CFM will perform the following functions throughout the year:

- Provide frequent updates to City officials and staff on status of grant and earmark projects.
- Closely coordinate with the City staff and other officials, perhaps even daily, to ensure timelines and tasks are being adequately met.
- Coordinate with other regional entities, including state and local elected officials, to help develop region-wide support for existing and new City projects.
- Research new funding opportunities for the City that may arise, including grants, loans, and infrastructure package dollars.
- Provide frequent legislative and political updates and analysis to City officials and staff.

PROJECT APPROACH AND UNDERSTANDING

How CFM will Carry Out Scope of Services

CFM is dedicated to a multi-faceted strategy for success. Sometimes lobbyists want to talk first. We set out to listen first. While CFM understands the scope of Dayton’s priorities, we know your continued and constant input is crucial to a successful outcome. We will work in a collaborative way with you and your team to craft a comprehensive federal agenda.

If we are selected to represent Dayton, our first step would be to spend time with Dayton officials and focus on the issues the City hopes to accomplish in Washington, DC. This is a fundamental principle for us. Conducting research is a critical first step in representing any client. We suggest initiating interviews with City officials and staff to examine the variety of projects and legislative objectives available to you. We often follow these internal sessions with interviews with key policymakers and staff; interviews that focus on their desires and perceptions, which include a universe of competing priorities.

Your CFM Federal team of professionals will work daily on the City’s behalf in the following areas:

- Developing a strategic federal agenda and political outreach plan.
- Tracking, researching and communicating with federal agencies to identify grant opportunities.
- Coalition building on the local and national level.
- Developing policy through the legislative (Congress) and regulatory (administration) process.
- Providing access to key decision makers and leaders in Washington, DC.
- Providing opportunity for testimony before Congressional committees.
- Securing grant awards, earmarks, authorizations, and report language.





Project Approach

CFM is more than a lobbying firm with great connections. We develop the right strategies, messages and presentations to position our clients' legislative objectives in the best light possible. We help our clients say the right things to the right people at the right time to obtain the desired results.

We strongly believe in a comprehensive approach to representing our clients. We leave no rock unturned. We are very familiar with traditional funding streams and processes for securing federal funding, but we also approach each project with a fresh perspective. We continually ask ourselves what are the potential non-traditional funding streams? Are there collaborative efforts that would improve the chances of success? This type of creative approach has familiarized us with unique funding streams that have produced millions of dollars for our clients when traditional resources have come up dry.

Your initiatives will be competing with other entities throughout the nation. You must have clearly defined projects that pinpoint deliverables and meet the strict criteria of grant programs and earmark accounts, while understanding the important role members of Congress can play in influencing the grant process at the agency level and the key agency officials that can help guide your project successfully through the federal bureaucracy. We are experts at coordinating this comprehensive approach, and our record of success is clear.

Working with you, we will develop a set of policy, grant and earmark priorities that will reflect the needs of your community and will be strategically interwoven with the pressing issues facing the federal government. We will help you communicate your platform in a direct, concise and compelling manner. We will refine messages carefully and produce clear communication tools that will elevate the profile of Dayton's requests over the many other justifiable requests competing for federal dollars.

Description of how the firm will work with City Staff to:

Introduce grant opportunities

CFM conducts daily, extensive reviews of grant funding opportunities and identify programs that best address Dayton's projects. We will regularly notify City staff of grant opportunities and provide a detailed analysis of each grant program. Because CFM maintains such close relationships with federal agency staff who draft grant guidelines, Dayton will often be aware of funding streams before a program is officially announced, and thus avoid short timelines.

Upon award of the contract, CFM will also prepare a targeted list of approximately two dozen grant programs that municipal governments of Dayton's size and economic demographic could utilize. We will review this targeted list with your team and prioritize a list of projects to pursue.

Gauge the City's goals and connect those to funding opportunities; Provide updates and maintain contact

One of the key advantages of a relationship with CFM is that we know Washington, DC and Oregon and have full-time, highly experienced staff on the ground in both places. Our local presence means we will





be “just down the street” when needed. More important, our reservoir of knowledge about issues and grants important to municipal governments will give Dayton leaders access to a team that can help shape and earn local and national support for your policy initiatives.

Working collaboratively with Dayton leaders, we will develop a set of grant and policy priorities that serve as your federal policy platform. These priorities will be interwoven strategically with pressing issues facing the federal government.

As outlined in the schedule of work above, we will take time to meet with Dayton staff and elected officials to learn about the City’s projects, opportunities, challenges and long-term objectives. CFM will marry these priorities with our list of targeted grant opportunities. The targeted grant list will include approximately two dozen likely grant programs within federal departments that Dayton could pursue. This includes the full range of programs, including water and wastewater infrastructure, transportation, arts, police and fire, sustainability, brownfields, economic development, farmers’ markets, and much more. CFM will work closely with Dayton to refine the list of project and policy items that are of most importance and target our energies appropriately.

CFM will provide frequent updates on legislative and political issues important to Dayton. Communications will include regular calls, written updates and activity reports, written congressional session reports and oral reports to City staff and Council. CFM will also regularly visit Dayton (roughly every two months) to brief staff and City leaders, tour projects and coordinate Congressional and agency tours.

Develop tools to market Dayton’s proposals; Review grants and assist with grant writing

CFM will work closely with Dayton staff throughout the application process, from before a grant opportunity opens to organizing a ribbon cutting event after a project is dedicated. This comprehensive strategy includes meeting directly with federal agency staff to receive specific guidance, contacting previous successful applicants for additional suggestions, drafting grant applications, and providing strategic edits to grant proposals.

CFM will create “lobby documents” that clearly and concisely tell the project’s story and lay out the challenges and benefits of a project. In addition, CFM will work with the congressional delegation and other stakeholders to secure letters of support on behalf of the project and ask Members of Congress to place timely phone calls to key agency officials in support of your grant.

Two recent success stories illustrate how CFM would work with Dayton staff and elected officials in taking grant services to the next level.

RiverCities Transit is owned and operated by our client, the City of Longview Washington. We were proud to secure two grants for RiverCities Transit, including \$2.8 million to expand a Downtown Transit Center





and \$832,000 to replace two biodiesel buses in Longview. The grant program was oversubscribed 8:1 and only 61 projects were awarded nationwide. Despite the long odds and immense nationwide competition, RiverCities Transit was the only entity in the country to secure two grants in that round.

RiverCities Transit is a small operation with only 16 buses and few administrative staff. CFM took on the responsibility to draft the grant proposal from scratch, schedule meetings with the Federal Transit Administration, provide tours and secure letters of support from the Congressional delegation, strategically target phone calls in support of the grant and ultimately work with the congressional delegation and City on press releases announcing the award. The \$3.6 million total award was a shot in the arm to the Longview economy and transit system and CFM was proud to play a role in the effort.

Similarly, CFM helped Tigard secure a \$2.1 million Department of Commerce Economic Development Administration (EDA) grant, one of the largest EDA grants in the region, to spur economic development in its 138-acre commercial/industrial area called the Hunziker Core. The EDA Public Works program has limited funding. The program is significantly oversubscribed and competition is fierce. CFM's efforts helped to differentiate Tigard's project from the many other competing priorities.

The Hunziker Core is underdeveloped and underutilized and lacks the public infrastructure necessary for development and expansion. CFM worked with the City of Tigard and Congressional delegation for nearly two years to build support for the project. Efforts included scheduling site tours with Members of Congress, EDA officials and state elected officials and staff. We strategically utilized key City staff, the Mayor of Tigard and other local business stakeholders to effectively tell the full story of the project. As such, we prepared talking points, one pagers, maps and other information to complement on-the-ground tours. Because CFM has offices in Portland and DC, we coordinated multiple contacts with both regional and national EDA decision makers.

After CFM's state lobby team secured \$1.5 million from the Oregon Legislature, we worked directly with City staff to draft and edit its EDA grant application, seek out information from other successful applications and submit the proposal to EDA with strong Congressional support and buy-in. We also had multiple congressional offices weigh in at key times in the review process.

These are just two examples of how CFM works closely with our clients to shepherd a project through the federal process. Our comprehensive approach has yielded positive results for our clients across the Pacific Northwest, and we would be honored to bring these services to the City of Dayton.

A summary of how we presently maintain and in the future plan to maintain:

A positive, bipartisan relationship with legislators and program staff

Relationships are important when it comes to a sophisticated advocacy program. Because we are an Oregon firm with a full-time office in Washington, DC, we work nearly every day with the Oregon





delegation and its staff, as well as other key players on Capitol Hill and in numerous agencies. The Oregon delegation knows and trusts us.

We pride ourselves on being a bipartisan firm. Our CFM team includes Democrats, Republicans and Independents. Regardless of party affiliation, our staff can work both sides of the aisle when working with elected officials.

We work hard to maintain the bipartisan relationships we have spent years cultivating. In our view, the best way to keep our relationships fresh is to stay in constant contact with those who have influence. Our team of lobbyists stays in regular contact with those who will be Dayton's best allies and with those who will have influence over its federal agenda priorities. In addition, we maintain deep relationships with those outside of the Oregon delegation, including key Congressional leaders, committee members and influential Congressional and agency staff.

A history of substantive contact with federal offices of interest to the City

CFM provides wide-ranging, comprehensive federal advocacy services. In addition to federal funding, CFM has a strong record of accomplishment working with agencies. Many times, our clients face complex challenges imposed on them by federal agencies. Complex issues typically involve numerous parties, stakeholders and bureaucratic roadblocks. Below are a few samples of how CFM successfully managed extremely complicated and timely issues for our clients.

CFM worked with Tigard, Lake Oswego, Senators Wyden and Merkley and Congressmen Schrader and Bonamici to speed up the issuance of a biological opinion from the National Marine Fisheries Service to complete a \$200 million-plus water project. NMFS failed to meet permit issuance deadlines, so CFM was called in to get the permit issued to avoid a delay that could have cost ratepayers \$1 million. After a month of coordination and nearly daily contact with federal agencies, the permit was issued.

CFM worked with the City of Vancouver, the Oregon and Washington congressional delegations, the Port of Portland and the FAA to ensure Pearson Field was not shut down due to last-minute regulations imposed by the FAA. Within days, working with stakeholders, CFM persuaded FAA headquarters in DC to delay implementation of strict regulations that would have significantly hampered operations at Pearson and PDX. One month later, the delay was made permanent.

CFM worked with the Washington Congressional delegation to locate the first new Vets Center in over a decade within the Lacey city limits. The new Vets Center was the top priority for Lacey's Mayor. Despite budget constraints at the Veterans Administration, we were able to work through bureaucratic obstacles to establish the new center ensuring veterans in Thurston County receive the benefits and care they earned. The initial array of services includes Readjustment Counseling Services—a crucial function of the Veterans Health Administration (VHA)—and a broad range of other counseling, outreach and referral assistance to eligible Active-Duty Service Members, Veterans, and their families.





CFM worked with Marion County, Aurora Airport staff, airport businesses, Oregon Department of Aviation, Congressman Schrader's staff and the FAA to lift the ban on Aurora night operations. After months of delays by the FAA, Marion County asked CFM to step in moments before several local airport users were planning to relocate their operations. Within days, CFM coordinated a congressional and state action plan that compelled the FAA to remove its flight restrictions.

Our intimate knowledge of the respective agencies allows us to steer many plans through the layers of bureaucracy that can thwart the best laid out projects. Having multiple municipal clients, we have a good perspective on how to shepherd projects through the federal process.

Relationship with national organizations and interest groups

In addition to agency contacts, we have spent time working with coalitions and associations important to Dayton. Because we represent other municipal clients at the federal level, we have relationships with staff of the National League of Cities (NLC), Conference of Mayors (COM), Association of Oregon Counties, the National Association of Counties (NACo), the National Conference of State Legislatures, the National Association of Clean Water Agencies (NACWA) and Coalition for America's Gateways and Trade Corridors (CAGTC).

We attend monthly NACo Washington Representative briefings in Washington DC and interact closely with NACo staff on a broad spectrum of issues, including transportation, housing, criminal justice and natural resources. We coordinate with AOC on Secure Rural Schools and PILT funding. We team up with the COM and NLC in support of CDBG, HOME, COPS and Byrne funding and protecting municipal bonds. We also work with CAGTC in support of RAISE and INFRA funding. We worked closely with NACWA to pass stormwater fee legislation important to Vancouver and Longview. We know that collaboration on some issues is important, and we develop strategies for clients to align with associations to leverage broader support.





PROPOSED BUDGET

CFM is prepared to provide a 35% discount from our normal hourly billing rates. As an Oregon company, we would be proud to represent you in our nation’s capital. Our bottom line isn’t our top priority. We get enormous satisfaction serving our community and working on issues that improve our state. We propose a retainer contract in the amount of **\$4,300** per month (\$51,600 per year), beginning with the award of the contract. To make things simple and eliminate the need for burdensome reimbursement procedures, the contract includes all out-of-pocket expenses incurred by CFM.

CFM Team	Hourly Rate	Estimated Monthly Hours	Estimated Annual Hours	Estimated Annual Staffing Cost
Joel Rubin	\$ 350	2	24	\$ 8,400
Michael Skipper	\$ 300	14	168	\$ 50,400
Page Strickler	\$ 300	1	12	\$ 3,600
Travis Meuwissen	\$ 275	4	48	\$ 13,200
Totals		21	252	\$ 75,600

(35% discount applied to total annual staff cost) **\$26,460**

Staffing subtotal **\$ 49,140**

Estimated annual expenses

CFM staff travel & travel expenses	\$1,600
Telecommunications charges (i.e., telephone, internet)	\$460
Business expenses (i.e., insurance, materials)	\$300
Mail, overnight delivery & courier expenses	\$100

Expense Subtotal **\$2,460**

Total annual staffing & expenses **\$ 51,600**

Proposed Monthly Retainer **\$ 4,300**



Exhibit B
RESPONSIBILITY DETERMINATION

Please complete the following and return with your proposal submission.

I certify that proposer (please mark any that are applicable):

Has available the appropriate financial, material, equipment, facility and personnel resources and expertise, or has the ability to obtain the resources and expertise, necessary to meet all Project responsibilities.

Has completed previous contracts of a similar nature with a satisfactory record of performance.

Has a satisfactory record of integrity.

Is legally qualified to contract with the City.

Complied with the tax laws of the state or a political subdivision of the state, including ORS 305.620 and ORS chapters 316, 317 and 318.

Supplied all necessary information in connection with the inquiry concerning responsibility.

Was not debarred by the City under ORS 279B.130.

Does not owe a liquidated and delinquent debt to the state.

Has not discriminated and will not discriminate, in violation of ORS 279A.110(1), against any disadvantaged business enterprise, a minority-owned business, a woman-owned business, a business that a service-disabled veteran owns or an emerging small business in awarding a subcontract.



REQUEST FOR PROPOSALS

FEDERAL GOVERNMENTAL AFFAIRS CONSULTING AND ADVOCACY/LOBBYING SERVICES

Date issued: December 15, 2023

Proposals Due: January 15, 2024, at 2:00pm

Submit Proposals by: Hand, UPS, FEDEX, USPS, or other courier service including
electronic copy to:

City of Dayton
Attn: Rocio Vargas, City Recorder
rvargas@daytonoregon.gov
416 Ferry Street/ PO Box 339
Dayton, OR 97114

Submit Questions To: Rochelle Roaden
Phone: 503-864-2221
Email: rroaden@daytonoregon.gov

By: January 8, 2024, at 2:00pm

ADVERTISEMENT

THE CITY OF DAYTON

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

REQUEST FOR PROPOSAL (“RFP”):

CITY OF DAYTON FEDERAL GOVERNMENTAL AFFAIRS CONSULTING AND ADVOCACY/LOBBYING SERVICES

Request for Proposals due January 15, 2024, at 2:00pm

(Proposals will not be received or considered after this time)

City of Dayton (“City”) is seeking sealed proposals from qualified firms to provide federal governmental affairs consulting and advocacy/lobbying services based upon the scope of work contained in the Request for Proposal. Interested firms can obtain a copy of the RFP and any addenda by visiting https://www.daytonoregon.gov/page/city_bids_RFPs

Proposal documents must be received by physical mail or email, on or before 2:00 p.m., Pacific Time, January 8, 2024 (“Proposal Opening Date and Time”). Rocio Vargas, City Recorder, is entitled to receive offers on the City’s behalf. For all email proposals, the timepiece used to determine the precise passing of the Proposal Opening Date and Time shall be the clock on the computer of the City Recorder, as shown on the email receipt timestamp associated with a Proposal’s email in the City Recorder’s email inbox. For all physical mail, the timepiece used to determine the precise passing of the Proposal Opening Date and Time shall be the wall clock located in the City Recorder’s office.

Proposals shall be either sealed in an opaque envelope that has been clearly marked “City of Dayton – Federal Governmental Affairs Consulting and Advocacy/Lobbying Services” or emailed in a single .pdf document to rvargas@daytonoregon.gov . Contract Award Announcements will be released on January 22, 2024.

Requests for proposal documents, requirements, questions, or requests for clarification must be submitted in writing no later than January 8, 2024, to Rochelle Roaden, City Manager by email or mail at:

Email: rroaden@daytonoregon.gov (preferred method)

Mail: City of Dayton
City Manager
Attn: Rochelle Roaden
416 Ferry Street/ PO Box 339
Dayton, OR 97114

Prequalification applications are not a requirement for this RFP.

The City reserves the right to reject any or all submissions, to waive any irregularities in the request for proposals, to accept or reject any item or combination of items in a submission, to request additional information or clarifications from respondents, and to negotiate or hold interviews with any one or more of the proposers.

A. PROJECT BACKGROUND

The City of Dayton (“City”) is west of the Cascade Mountains, approximately 33 miles south of Portland, 27 miles northwest of Salem, and 13 miles east of McMinnville. Based on Portland State’s Population Research Center, the city has seen a steady growth in the population since 2010 and is expected to grow by 24.5% by 2040.

The City operates under a council/manager form of government. The Council consists of a mayor and six council members elected at large. The city manager is appointed by the City Council to serve as the administrative head of the government. The City provides a wide range of services through the following departments: Administrative Services, Planning, and Public Works. The City is seeking proposals from firms with demonstrated experience in Federal Government representation to assist it in achieving its federal legislative policy and budget objectives. A strong presence during each legislative session and healthy relationships with federal legislators, public officials, industry organizations, and other government agencies are necessary both to maintain this position and to further the City’s goals for safe communities, healthy people, a resilient economy, effective asset management, and quality service delivery.

B. PROJECT INFORMATION

The intent of this Request for Proposals (RFP) is to seek a firm that will advance the City’s federal legislative agenda and leverage federal resources for the City’s programs and priorities. The selected firm will assist the City in developing successful legislative strategies and will keep it engaged in funding opportunities for projects through special appropriations, grants, and other means. Firms with federal government experience, expertise in human services, public safety, transportation, housing and economic development and federal budget, appropriations and reauthorizations processes, and excellent relationships with the Oregon Congressional delegation are highly desirable.

Providing regular, accurate and timely information on current federal activities is essential. While it is not required for Proposers to have an office in the Portland, Oregon area, it is the City’s desire to work with a firm that maintains an Oregon presence. It is important the firm understand the day-to- day issues in Oregon to represent the City well.

The City expects that the firm selected under this RFP process (“Contractor”) to, at a minimum:

1. Be able to certify that, in performing the specified work, they will not discriminate against any person on the basis of race, color, religion, political affiliation, gender, sexual orientation, age, marital status, physical or mental disability, national origin, or ancestry unless the reasonable demands of employment are such that they cannot be met by such a person.

2. Maintain an accounting and financial management system which complies with general accepted accounting principles, and which is adequate to meet federal government requirements.

The system must provide adequate documentation, monitoring, access, and reporting concerning the organization's financial position.

The complete scope of work for the services requested is described in Appendix A, attached.

C. RFP Documents

The complete Request for Proposals is on file with and may be obtained from: Rocio Vargas, City Recorder, City of Dayton, 416 Ferry Street /PO Box 339, Dayton OR, 97114 , (503) 864-2221, rvargas@daytonoregon.gov , between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Rochelle Roaden, City Manager shall be the Project Manager for this RFP. The Project Manager shall be the sole point of contact for all questions, concerns, and protests.

Proposals must address all submission requirements set forth in this RFP and must describe the firm's experience providing federal legislative representation and lobbying services.

Unless otherwise specified, no particular form is required. In an effort to promote greater use of recycled and environmentally preferred products and to minimize waste, the City encourages all proposals submitted in hard copy to be prepared simply and economically. The use of special bindings, unnecessary colored displays and irrelevant promotional materials is neither required nor desired. Double-sided printing on recycled paper and/or the use of reusable products is encouraged.

D. Proposal Format and Administrative Requirements

All proposals shall contain the heading "Request for Proposals – Federal Governmental Affairs Consulting and Lobbying Services" and be typewritten with a standard body text font (e.g., Arial, Calibri, Times New Roman, Garamond) of at least 12-point. Proposals shall include an introductory letter, a table of contents that provides a clear identification of the written material by section and by page number, and a cover page.

Cover Page

The cover page must be signed by an authorized signer and include the following information:

- a. The RFP Title.
- b. The name, title, address, telephone number, facsimile number (if applicable), and e-mail address of the Proposer's primary contact person; and
- c. The date of submission.

Proposers may include other information on the cover page in addition to the required information provided above but must not omit any of the above information.

Introductory Letter

The introductory letter shall address the Proposer's understanding of the work to be accomplished, its willingness and commitment, if selected, to provide the services offered, a brief outline of Proposer's strengths in providing the required services, and a description of why Proposer believes its organization should be selected. The letter must also acknowledge agreement with stipulations and requirements of this RFP.

- a. The letter shall be addressed to the City's Project Manager and shall include the Proposer's name, as well as the printed name, title, telephone number, and email address of the officer authorized to represent Proposer in any correspondence, negotiations, and signing of any contract that may result.
- b. The letter shall include the address of the office that will be providing the service and the project manager's name, title, telephone number, and email address.
- c. Proposer's federal tax ID numbers and the state of incorporation, if applicable, shall also be included.
- d. The letter must be signed by the Proposer, if an individual, or by a legal representative of the Proposer authorized to bind the entity in contractual matters and shall include a description of Proposer's current legal status (i.e., corporation, partnership, sole proprietor, joint venture, etc.).

E. Firm Qualifications and Experience

Please provide a brief description of your firm, including experience and accomplishments with appropriations and reauthorizations, subject matter expertise, professional relationships with key members of Congress including Oregon's congressional delegation, contracts comparable to City requirements, principal lobbyists, total number of lobbyists on staff, number of clients expected to be represented in the 117th Congress, location of offices, and contact person(s).

Identify by name and title the key staff members who will be assigned to work with the City. Key staff members are those people who provide substantive work for the City. Identify the location where the key staff member typically works (e.g. Washington, D.C.). The requested key staff member information may be provided in a resume-type format.

1. Provide a biography for each identified key staff person. Biography must include, but need not be limited to, a description of the education, qualifications, experience, and training of each key staff person. The description would likely include information about the key staff person's work history, range of duties, project management history, and key responsibilities on previous projects.
2. Describe how your firm has developed strong relationships with federal agency leaders.
3. Describe how your firm can conduct advocacy with federal officials and program staff that determine grant winners.
4. Provide a statement regarding whether you intend to use subcontractors to fulfill any part of the tasks described under the scope of work. To the extent you intend to use subcontractors to fulfill any of the required tasks, include the following information:
 - a. A list of the tasks the subcontractor will perform.

- b. A resume for the subcontractor’s key personnel, showing such education and experience as may be relevant to the task to be performed.
 - c. A description of each subcontractor’s key personnel and the proposed roles and responsibilities each of the subcontractor’s key personnel would have on this project.
5. Describe the firm’s knowledge and experience in analyzing and reviewing proposed legislation; participating in administrative rule development and interim work groups; analyzing the proposed federal budget; educating clients about the impacts of legislation; advising clients on potential courses of action; and preparing legislative strategies and plans in advance of the legislative or congressional session.
6. Describe any legislative information and bill-tracking software used by the firm to identify and monitor introduced legislation of interest to the City and to generate periodic status reports.
7. Outline a process for establishing and maintaining strong working relationships with federal legislators and staff representing all political affiliations, public officials, and agencies, special interests and industry groups, local governments, and other organizations involved in the legislative process.

F. Proposed Work Plan

Please provide a detailed 2024/25 work plan that includes:

- A schedule of key Congressional activities/deadlines.
- Proposed lobbying activities with Federal government agencies and legislatures.
- A schedule of recommended activities for City representatives to participate in.
- Explanation of staff roles and responsibilities.
- Proposed schedule for developing and adopting the City’s federal priorities for FY2024/25.

G. Project Approach and Understanding

With the Scope of Work in mind, please provide the following:

1. A description from a project management and logistical perspective how the firm would carry out the scope of work specified in this RFP.
2. An explanation of how you plan to approach and provide the services described in the Scope of Work.
3. A description of how the firm will work with City staff to:
 - Introduce grant opportunities.
 - Gauge the City’s goals and connect those to funding opportunities.
 - Provide updates and maintain contact with staff.
 - Develop tools to market the City’s proposals.
 - Review grants and assist with grant writing.
4. A summary of how you presently have, and in the future plan to maintain:

- A positive, bi-partisan relationship with legislators and federal program staff.
- A history of substantive contact with federal offices of interest to the City.
- An effective working relationship with the federal, and national organizations and interest groups that affect the City's interests (e.g. the National League of Cities).
- Coordination and effective working relationship with key staff of an organization.

H. Proposed Budget

Please describe how your firm would provide the services described in this RFP. Identify fees and key cost elements, including hourly rate, materials, and other costs and expenses.

Submit a detailed budget for the full contractual period itemized in accordance with each of the responsibilities, tasks, and activities outlined in the scope of work as well as any additional elements proposed. The budget must be organized in such a way that each item is priced individually, allowing the City to select all or a portion of the services and negotiate a total contract price accordingly.

I. Signature Page, Attestation of Compliance with Tax Laws, and Responsibility Determination Form

The Proposer must sign and submit the Signature Page (see Appendix D of this RFP), the Attestation of Compliance with Tax Laws (see Appendix E), and the Responsibility Determination Form (see Appendix F). The submission and signing of the signature page indicates the intention of the Proposer to adhere to the provisions described in this RFP.

J. Proposer's Special Instructions

1. Pre-Qualification of Proposers
 - Pre-qualification of proposers is not required for this procurement.
2. Pre-Proposal Conference
 - A pre-proposal conference will not be held in connection with this procurement.
3. Procurement Method
 - The City is conducting this RFP pursuant to ORS 279A.050, Dayton Municipal Code Chapter 1.12, and Resolution No. 23/24-08. The City seeks proposals that will enable the City to determine which firm and solution will best meet the City's needs. The City expects this RFP will result in a single contract with a single firm for the personal services requested but reserves the right to choose a second firm if that is advantageous to the City. The required start date will be no later than February 1, 2024, but may be earlier if agreed to by the City and the selected Proposer.

K. Procurement Timeline

The City reserves the right to modify this schedule at the City's discretion. Proper notification of changes will be made to all interested parties.

The following is the anticipated timeline for receiving and evaluating Proposals and awarding a contract to the most qualified organization.

Advertise Request for Proposals	December 15, 2023
RFP Questions Deadline	January 8, 2024
RFP Protests/Change Requests Deadline	January 8, 2024
Addenda Issuance Deadline	January 12, 2024
Proposals Due	January 15, 2024, at 2:00pm
Opening of Proposals	2:00 PM on January 15, 2024

(Based on the City Hall wall clock or the City Manager's computer clock)

Location of Proposal Opening Dayton City Hall	416 Ferry Street, Dayton, OR 97114
Interviews Scheduled (if applicable)	TBD
Notice of Intent to Award	January 22, 2024 February 5, 2024
End of Contract Award Protest Period	January 29, 2024 February 12, 2024

L. Page Limit

There is a 50-page limit on proposals submitted in response to this procurement, not including exhibits and appendices.

M. Proposal Submission

Submissions in response to the RFP must be sent either by email or in a sealed in an opaque envelope, plainly marked as follows: "Request for Proposals – Federal Government Representation and Lobbying Services." Proposals shall contain five (5) hard copy sets and one a flash "thumb" drive in Microsoft compatible or Adobe PDF format. The name and address of the Proposer must appear on the outside of the envelope or email. Proposals received after the designated time and date will be returned unopened.

N. Submission Deadline

Sealed proposals are due no later than January 15, 2024, at 2pm. **Late proposals will not be accepted.** Delays due to mail and/or delivery handling, including, but not limited to, delays within the City's internal distribution systems, do not excuse the Proposer's responsibility for submitting the Proposal to the correct location by the Proposal due date. Facsimile proposals are NOT acceptable. It will be the responsibility of proposers to check the website for clarifications, addenda, or amendments. No submissions will be considered that is not responsive to any issued amendments.

O. Modification or Withdrawal of Proposal by Proposer

Any Proposer may modify its Proposal at any time, in writing, prior to the scheduled closing time for receipt of proposals, provided communication of such is received by the City prior to the closing time. Any modification of a proposal must include a statement that the modification amends and supersedes the prior offer. All such communication shall be so worded as not to reveal the contents of the original Proposal. Withdrawn Proposals may be resubmitted prior to the time and date the Proposals are due, provided that they are then fully in conformance with the RFP.

P. Duration of Proposal

Proposal prices, terms, and conditions shall be firm for a period of at least one-hundred eighty (180) days from the submission deadline. Proposals shall not be subject to future price escalation or changes of terms during that period.

Q. Questions, Interpretations, and Addenda

1. Questions

All questions regarding this project and solicitation must be directed to Rochelle Roaden, City Manager, at (503) 864-2221, rroaden@daytonoregon.gov and received by the January 8, 2024. If necessary, the City will issue an addendum within a reasonable time prior to proposal closing, but in no case less than 72 hours before the proposal closing. If an addendum is necessary after that time, the City will extend the closing date.

All questions shall include "Federal Governmental Affairs Consulting and Lobbying Services – RFP Questions" in the subject line and must be received by January 8, 2024. Questions and answers will be provided by email to all prospective Proposers on the RFP holders list. Questions submitted after the deadline will not be addressed.

For the sake of fairness, Proposers are not to contact any City staff or official, other than the Project Manager, concerning this RFP. Contact with any other City staff or officials concerning this RFP will be grounds for disqualification.

Proposers are hereby notified that verbal communication may not be relied upon as official communication concerning the RFP. Only answers to those questions responded to by the City's Project Manager in writing may be relied upon.

In case of any doubt or differences of opinion as to the items or services to be furnished hereunder, or the interpretation of the provisions of the RFP, the decision of the City shall be final and binding upon all parties.

2. Addenda

The City reserves the right to make changes to the RFP by written addendum [which shall be issued by email to all those who have obtained the RFP documents by

contacting the Project Manager]. [City will not mail notice of addenda but will publish notice of any addenda on City's website as stated above. Addenda may be downloaded off of City's website. Proposers should frequently check the City's website until closing, i.e., at least once weekly until the week of closing and at least once daily the week of closing. Proposers may only protest the contents or issuance of an addenda until the end of the next business day following such issuance.]

All addenda shall have the same binding effect as though contained in the main body of the RFP documents.

No addenda will be issued later than January 12, 2024, except by an addendum, if necessary, postponing the date for receipt of Proposals or canceling the RFP altogether.

Each Proposer is responsible for obtaining all addenda prior to submitting a Proposal and shall acknowledge in the Proposal receipt of each addendum as part of the Proposal. Failure to acknowledge receipt of all addenda as part of the Proposal may result in rejection of the Proposal.

R. Contract Negotiation and Term

Response to this RFP indicates agreement by the proposer with all stipulations and requirements of this RFP and is subject to subsequent contract negotiation. It is the intention of the City of Dayton to offer the successful Proposer to start work as soon as a contract is signed.

The contract awarded pursuant to this RFP will be for a term of three (3) years with the option of two (2) renewals of one (1) year each. Each continuation of the contract will be contingent upon an annual management and project review by the City and City budget approval. The contract shall take the form set forth in Appendix C.

S. Change Requests and RFP Protests

A prospective Proposer may protest anything contained in the RFP documents and request a corresponding change to any provision, specification, or contract term contained in the RFP documents by submitting a written request to:

City of Dayton
Attn: Rochelle Roaden, City Manager
416 Ferry St/ PO Box 339
Dayton, OR 97114

All such protests shall include "Federal Governmental Affairs Consulting and Lobbying Services – RFP Protest" in the subject line or written on the front of the envelope and be submitted, in writing, by January 8, 2024. Any such protest must be in accordance with applicable state statutes and administrative rules and must include a statement of the desired change(s) to the procurement process or solicitation document(s) that the prospective proposer believes will

remedy the conditions upon which the protest is based. The City will not consider any solicitation protest submitted after the deadline or any protest that does not include the required information.

The City will review the protest and respond in writing in accordance with state law. If the City determines it is necessary in order to consider and respond to a protest, the City may extend closing. If the City upholds a protest, in whole or in part, the City may, in its sole discretion, either issue an addendum reflecting its disposition or cancel the solicitation. Before seeking judicial review, a Proposer must file a written protest with the City and exhaust all administrative remedies.

An affected person may protest a contract award in accordance with applicable state statutes and administrative rules, within seven (7) days of such award.

T. Confidentiality and Public Records

All information submitted by a Proposer shall become and remain the property of the City and is considered public information and subject to disclosure pursuant to the Oregon Public Records Law, except such portions of the proposal, which are exempt from disclosure consistent with Oregon law. If a Proposal contains any information that the Proposer believes is exempt from disclosure under the various grounds specified in the Oregon Public Records Law, the Proposer must clearly designate each such portion of its proposal as exempt at the time of proposal submission, along with a justification and citation to the legal authority relied upon. Identifying the proposal, in whole, as exempt from disclosure is not acceptable. Failure to identify specific portions of the proposal as exempt shall be deemed a waiver of any future claim of that information as exempt.

The City will make available to any person requesting information, through the City processes for disclosure of public records, any and all information submitted as a result of this RFP not exempted from disclosure without obtaining permission from any Proposer to do so. City may also, in its sole discretion, elect to publish all such information at any time, regardless of whether or not a public records request has been received. However, if a public records request is made for material marked by the Proposer as exempt, the City will attempt to notify the impacted Proposer prior to any release of the material. Application of the Oregon Public Records Law by the City will determine whether any information is actually exempt from disclosure. The City accepts no liability for the release of any information submitted.

U. Proposer Certifications and Acknowledgements

By the act of submitting a Proposal in response to this RFP, the Proposer certifies that Proposer has carefully examined all RFP documents, all addenda, and all other attachments, fully understands the RFP intent, is able to perform all tasks as described in the Scope of Services (Appendix A), and its Proposal is made in accordance therewith. Except as otherwise noted as part of the Proposal, Proposer certifies as follows:

1. Proposer is familiar with federal laws, agency regulations, administrative rules, and federal standards under which the work will be performed.
2. The Proposal is based upon the requirements described in the RFP, without exception, unless clearly stated in the Proposal.
3. Proposer will fully meet all of the City minimum insurance requirements (attached as Appendix B).
4. Proposer is registered with the Oregon Government Ethics Commission to conduct lobbying with State legislators and public officials and is in good standing concerning standards of conduct and the filing of periodic expenditure and other required reports.
5. Proposer is compliant with all standards of the Lobbying Disclosure Act of 1995, as amended by the Honest Leadership and Open Government Act of 2007.
6. To the best of Proposer's knowledge and belief, and in the case of sole proprietorship, partnership, or corporation, each party thereto certifies as to its own organization, under penalty of perjury, that no elected official, employee, or person whose salary is payable in whole or part by the City has a direct or indirect financial interest in the Proposal, or in the services to which it relates, or in any of the profits thereof, other than as fully described in the Proposal.
7. Proposer has examined all parts (including addenda) of the RFP, including all requirements and contract terms and conditions thereof (attached as Appendix C), and if its Proposal is accepted, Proposer shall accept contract documents conforming thereto.
8. Proposer, if an individual, is of lawful age, is the only one interested in this Proposal, and no person, firm, or corporation other than that named has any interest in the Proposal, or in the proposed contract.
9. Proposer has quality experience providing the types of services and duties as described within the Scope of Services of this RFP.
10. Proposer shall also certify whether Proposer is an Oregon Proposer or a non-resident Proposer. Proposer acknowledges that the City may choose to apply a resident bidder preference or nonresident bidder reciprocal percentage increase to each proposal, if applicable.

The Proposer must acknowledge in its response the following:

1. The Proposer agrees with all stipulations and requirements, as presented in this RFP.
2. The Proposer acknowledges that, if selected as the successful proposer, the provision of the services described herein is contingent upon successful negotiation of a contract with the City of Dayton.

V. General RFP Information

1. Registration with Oregon Government Ethics Commission

Proposer shall submit, along with this RFP, proof of registration with the Oregon Government Ethics Commission to conduct lobbying with state legislators and public

officials or shall present a written statement explaining why Proposer does not need to be registered with the Oregon Government Ethics Commission.

2. Lobbying Disclosure Act Compliance

If the Proposer expects its total expenses for lobbying activities to exceed \$3,000 for a quarterly period, Proposer must furnish to City proof that of registration with the Secretary of the Senate and the Clerk of the House of Representatives as required by 2 U.S.C. § 1603

3. Nondiscrimination

By the act of submitting a Proposal in response to this RFP, Proposer certifies, under penalty of perjury, that Proposer has not discriminated, in violation of ORS 279A.110(1), against a disadvantaged business enterprise, a minority-owned business, a woman owned business, a business that a service-disabled veteran owns, or an emerging small business in obtaining any required subcontracts.

4. Competition

Prospective Proposers are encouraged to comment, in writing, on any specification or requirement within this RFP that the Proposer believes will inordinately limit competition. City will consider all Proposals equally and shall not favor any particular Proposer over another in analyzing the Proposals to encourage fair competition.

5. Proposal Costs

Proposers responding to this RFP do so solely at their expense, and the City is not responsible for any Proposer expenses associated with responding to the RFP. Finalists invited to participate in interview evaluations are responsible for scheduling and paying for their own travel arrangements. The City is not liable for any cost incurred by a Proposer in protesting any portion of the RFP documents or the City's selection decision.

6. Rejection of Proposals

The City reserves the right to waive any or all irregularities in Proposals submitted in response to this RFP. Furthermore, the City reserves the right to reject any or all Proposals, or portions thereof, submitted in response to this RFP. Proposals may be rejected for reasons including, but not limited to:

- a. Failure of the Proposer to adhere to one or more of the provisions established in the RFP;
- b. Failure of the Proposer to submit a Proposal in the format specified herein;
- c. Failure of the Proposer to submit a Proposal within the time requirements established herein;
- d. Failure of the Proposer to adhere to ethical and professional standards before, during, or following the Proposal process;
- e. Failure to provide information that is specifically requested in this RFP; and

f. Failure to be deemed responsible

The City may reject any Proposal not in compliance with all prescribed public procurement procedures and requirements, and may reject any or all Proposals upon a finding by the City that it is in the public interest to do so.

W. Proposal Evaluation & Contract Award

A. Evaluation Committee

A Selection Review Committee of City staff with relevant expertise in the subject matter of this solicitation will review submitted proposals. Committee members will evaluate proposals to determine which one best meets the needs of the City. Proposals will be evaluated in accordance with the following:

1. Completed Proposal submitted on time Pass/Fail
2. Original copies plus electronic copy of complete proposal Pass/Fail
3. Transmittal Letter Pass/Fail
4. Firm and team qualifications 40 points
5. Project Understanding and Approach 30 points
6. Cost Structure 30 points

Total Evaluation Points – 100 points

The City reserves the right to select a short list of the highest scoring proposers for interviews. Additionally, the City may require submission of supplemental materials. The City reserves the right to modify or incorporate additional steps in the evaluation process in the interest of having a thorough and comprehensive body of information in order to make a recommendation.

B. Requests for Clarification, Additional Research, and Revisions

The City reserves the right to obtain clarification of any portion of a Proposal or to obtain additional information necessary to properly evaluate a particular Proposal. Failure of a Proposer to timely respond to such a request for additional information or clarification may result in a finding that the Proposer is non-responsive and consequent rejection of the Proposal.

The City may obtain information from any legal source for clarification of any Proposal. The City need not inform the Proposer of any intent to perform additional research in this respect or of any information thereby received.

The City may perform, at its sole option, investigations of any Proposer. Information obtained may include, but shall not be limited to, current litigation and contracting references. All such information, if requested by the City, will become part of the public record and may be disclosed accordingly.

The City reserves the right to request revisions of any Proposal after the date and time due and before award for the purpose of obtaining best and final offers.

C. Interview Evaluation

At the option of the City, finalists from the written evaluation may be invited to participate in an additional interview evaluation process. The number of finalists will be determined by the Selection Review Committee. The interview evaluation process would provide an opportunity for Proposers to make a presentation to clarify their Proposals and for the Selection Review Committee to ask additional questions related to the Proposal and Scope of Services. If applicable, the City will notify finalists of the interview evaluation time and location and allow for a reasonable period of time for finalists to prepare presentations.

If an interview is scheduled, 25 additional points will be assigned to the process and will be added to the participating Proposers' total points for determination of the successful Proposer. The criteria to be used as part of the interview evaluation process will be determined by the Selection Review Committee and provided to each finalist in advance.

D. Successful Proposer Determination

The Selection Review Committee shall determine the final ranking of Proposers, and the Committee's decision is final. Upon determination of the successful Proposer, the City will issue a Notice of Intent to Award letter notifying all Proposers of the RFP process having concluded, the Selection Review Committee's selection of the successful Proposer, and protest procedures.

After the Selection Review Committee has selected a preferred Proposer, the City will negotiate a contract in accordance with Section X.F.2 below. The City reserves the right to negotiate a final contract that is in the best interest of the City. The City will attempt to reach a final agreement with the successful Proposer but may, in its sole discretion, terminate negotiations and reject the Proposal in the event additional information becomes available which affects the Selection Review Committee's evaluation, or agreement on a final contract cannot be reached within a reasonable time. The City may then attempt to reach final agreement with the next ranked Proposer, and so on with the remaining Proposers, until an agreement is reached. In the alternative, the City may at any time elect to reject all Proposals and may begin the process over.

E. Investigation of References

The City may investigate the qualifications of a Proposer, including but not limited to: successful performance of similar services; compliance with specifications and contractual obligations; its completion or delivery of services on schedule; and its lawful payment of suppliers, subcontractors, and workers. The City may request references in addition to those provided by the Proposer, may investigate any references whether or not furnished by the Proposer, and may investigate the past performance of any Proposer. Reference checks may be done by any reasonable method, including in-person interview, telephone interview, or written

questionnaire. Reference checks will be used in and may affect the evaluation of the scored criteria.

F. Contract Award and Related Procedures

The City intends to announce its intent to award prior to Contract award by letter or email to Proposers. The notice shall serve as notice to all Proposers that the City intends to negotiate and to make an award. The City generally issues a notice of intent to award in advance of the actual award of a contract procured through a request for proposals. The period between the publication of the intent to award and the award of the contract varies, but typically is about 14 days.

1. Award Protest

A Proposer believing itself to have been adversely affected or aggrieved by the selection of the Successful Proposer may submit a protest to the City in accordance with OAR 137-047-0740. The protest must be in writing and submitted to:

City of Dayton
Attn: Rochell Roaden, City Manager
416 Ferry Street/ PO Box 339,
Dayton, OR 97114

Award protests shall include "Federal Governmental Affairs Consulting & Lobbying Services - Award Protest" in the subject line or written on the front of the envelope. The written protest must be received by the City no later than seven (7) calendar days after the date the Notice of Intent to Award letter was issued. A protest must specify the grounds for the protest, include evidence or supporting documentation, and specify the relief sought. The City shall not consider any written protest not received by the deadline or which does not contain the required information. The City will issue a written disposition of the protest in a timely manner in accordance with ORS 279B.410. If the City upholds the protest, in whole or in part, the City may, in its sole discretion, either issue an addendum reflecting its disposition or cancel the solicitation. Before seeking judicial review, a proposer must file a written protest with the City and exhaust all administrative remedies. After expiration of the seven (7) calendar-day intent-to-award protest period and resolution of all protests, the City intends to proceed with negotiations and, where appropriate, the final award.

2. Form of Contract

A copy of the standard Professional Service contract, which the City expects the successful Proposer to execute, is included as Appendix C. The contract will incorporate the terms and conditions from this RFP document and the submitted proposal. **Proposers taking exception to any of the contract terms or conditions must submit a request for a change to standard contract terms and conditions WITH THEIR PROPOSAL or the exceptions will be deemed**

waived. The City Attorney will review all requests for changes and may or may not accept the requested exceptions.

City is not obligated because of the submission of a proposal to enter into a contract with any Proposer and has no financial obligation to any Proposer arising from this RFP.

3. Insurance Certification

The apparent successful Proposer shall provide all required proofs of insurance to the City within fourteen (14) calendar days of the issuance of the Notice of Intent to Award. Failure to present the required documents within the fourteen calendar-day period may result in proposal rejection or delay of award of contract. Proposers are encouraged to consult their insurance agent(s) about the insurance requirements contained in the RFP prior to proposal submission.

G. Local and Federal Requirements

Selection of a Proposer under this process is not a guarantee of a contract award, nor is the award of a contract for any portion of the work a guarantee of award of a contract for any subsequent work. All work is subject to budgetary and funding constraints of the City of Dayton. All legal rights and obligations between the successful candidate, if any, and the City will come into existence only when an agreement is fully executed by the parties, and the legal rights and obligations of each party shall at that time be only those rights and obligations which are set forth in the agreement and any other documents specifically referred to in that agreement and executed by the parties.

Applicants are cautioned not to make any assumptions as the implied meaning or intent of any part of the RFP.

By requesting proposals, the City is in no way obligated to award a contract or to pay expenses of the responding proposers in connections with the preparation or submission of proposals. Furthermore, the City reserves the right to reject any and all proposals prior to execution of a contract, with no penalty to the City.

City may award this solicitation to and negotiate a contract with the most qualified, responsive, responsible proposer, as determined in its sole discretion. The City reserves the right to waive formalities or to accept any submittal that appears to serve the best interest of the City.

The selected organization shall comply with all federal, state, and local laws, regulations, executive orders, and ordinances applicable to the work under this contract, including, without limitation, the provisions of: (i) Title VI of the Civil Rights Act of 1964; (ii) Section V of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659.425; (iv) all applicable state and federal wage and hour laws; (v) all regulations and administrative rules established pursuant to the foregoing laws; and (vi) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules, and regulations.

Proposer is subject to the Oregon Workers Compensation Law and shall comply with ORS 656.017. The City of Dayton's programs, services, employment opportunities, and volunteer positions are open to all persons without regard to race, religion, color, national origin, sex, age, marital status, disability, or political affiliation.

APPENDIX A

SCOPE OF SERVICES

The City is seeking sealed proposals from qualified firms for the provision of the following deliverables:

1. Act as City's representative to the Congressional delegation and lobby on behalf of the City on topics including but not limited to, infrastructure, law enforcement, economic development, health and behavioral health programs, laws and regulations, and natural resource management.
2. Facilitate a process to identify and prioritize bills introduced during legislative sessions which may be of interest to the City, and which may require active lobbying on the City's behalf.
3. Monitor and track proposed legislation, programs, and proposals of interest to the City.
4. Work directly with federal legislators and staff, public officials, federal agencies, special interest and industry groups, local governments, and other professional organizations to develop support for or opposition to proposed legislation, funding, policy, and regulatory decisions that may affect the City.
5. Provide introductions to individual legislators, arrange meetings, manage logistics, and prepare City officials for interaction with legislators, legislative staff, committees, interim work groups, and other public officials.
6. Providing strategic and tactical advice and counsel relative to federal governmental issues affecting the City. Common issue areas include, but are not limited to, transportation, housing, land use, urban development and redevelopment, public safety, environment, tax credits, economic development, and federal funding. (Ongoing throughout Contract)
7. Assisting the City in pursuing and securing federal governmental program and discretionary funding, particularly for infrastructure, economic development, and financing programs. (Ongoing throughout Contract)
8. Assist in preparing position papers, exhibits, testimony, correspondence, proposed bill text and amendments as necessary.
9. If feasible within City budget, coordinating Washington, D.C visits for City Council, City Manager, and other key staff, which includes arranging and accompanying City representatives to meetings with members of Congress, staff, and key administration officials. (Up to three times per year)
10. Providing oral reports to City staff and City Council in Dayton. (Twice per year)
11. Providing a written end of annual Congressional session report and a written end of Legislative Session report. (Both due December 15th of each calendar year)
12. Submitting monthly written update reports to provide project manager with updates on relevant federal legislation, availability of appropriations and grants relevant to the City's needs and other relevant federal activities impacting local government. (Due on the last Friday of each month)

13. Assisting the City in developing and sustaining long-term substantive relationships with federal elected and appointed officials. (Ongoing throughout Contract)
14. Support partnerships between City and other agencies and groups in the Willamette Valley, including McMinnville, Yamhill County, special districts, and other entities actively pursuing a legislative agenda that which may have elements in common with the City.

The Scope of Services will be further negotiated and refined between the City and the selected Proposer.

APPENDIX B

MINIMUM INSURANCE REQUIREMENTS

Insurance

Contractor shall obtain at its expense, and maintain for the term of this contract, occurrence form commercial general liability and commercial automobile liability insurance, including coverage for all owned, hired, and non-owned automobiles, for the protection of Contractor, the City, its Councilors, officers, agents, volunteers, and employees. Such coverage shall be primary and non-contributory. Coverage shall include personal injury, bodily injury, including death, and broad form property damage, including loss of use of property, occurring in the course of or in any way related to Contractor's operations, in an amount not less than \$2,000,000 combined single limit per occurrence and \$2,000,000 aggregate. Such insurance shall name the City as an additional insured. Contractor, its subcontractors, if any, and all employers providing work, labor, or materials under this Contract, who are subject employers under the Oregon Workers' Compensation Law, shall comply with ORS 656.017, which requires them to provide workers compensation coverage that satisfies Oregon law for all their subject workers. Out-of-state employers must provide workers' compensation coverage for their workers that complies with ORS 656.126. Employers' Liability Insurance with coverage limits of not less than \$1,000,000 each accident shall be included. All policies will provide for not less than thirty (30) calendar days' written notice to the City before they may be canceled. Prior to commencing work under this Contract, and thereafter upon request, Contractor shall furnish the City certificates of insurance and necessary endorsements evidencing the effective dates, amounts, and types of insurance required by this Contract.

EXHIBIT A

SERVICES AGREEMENT

This SERVICES AGREEMENT (this “Agreement”) is made and entered into by and between the **City of Dayton** (the “City”), an Oregon municipal corporation, and _____ (the “Contractor”).

RECITALS

WHEREAS, the City’s fiscal year budget provides for services related to federal governmental affairs consulting and lobbying; and

WHEREAS, City has need for the services of a company with a particular training, ability, knowledge, and experience possessed by Consultant, and

WHEREAS, City has determined that Consultant is qualified and capable of performing the professional services as City does hereinafter require, under those terms and conditions set forth,

THEREFORE, the Parties agree as follows:

AGREEMENT

1. Engagement. The City hereby engages Contractor to provide services (“Services”) based on specifications found in Appendix A, entitled “Description of Services,” attached hereto and made a part of this Agreement. The principal contacts for Contractor shall be _____. Contractor shall provide services as described in the scope of work and proposed budget (“Proposal”) dated _____ 2024 and attached hereto as Appendix B.

2. Scope of Work. The duties and responsibilities of Contractor, shall be as described in Appendix A attached hereto and incorporated herein by reference.

3. Term. Subject to the termination provisions of Section 11 of this Agreement, this Agreement shall commence once executed by both parties and shall terminate on _____.

4. Compensation. The terms of compensation for the services shall be as provided in the Proposal, but shall not exceed the sum of \$ _____ unless a modification of the scope of services is approved by the City

5. Payment.

5.1 The City agrees to pay Contractor for and in consideration of the faithful performance of the Services, and Contractor agrees to accept from the City as and for compensation for the faithful performance of the Services, the fees outlined in Appendix B, (less items deleted as shown thereon).

5.2 Contractor shall make and keep reasonable records of work performed pursuant to this Agreement and shall provide detailed periodic billings to the City. Following approval by the City Manager, billings shall be paid in full within thirty (30) days of receipt thereof. The City shall notify Contractor of any disputed amount within fifteen (15) days from receipt of the invoice, give reasons for the objection, and promptly pay the undisputed amount. Disputed amounts may be withheld without penalty or interest pending resolution of the dispute.

5.3 The City may suspend or withhold payments if Contractor fails to comply with requirements of this Agreement.

5.4 Contractor is engaged by the City as an independent contractor in accordance with the standards prescribed in ORS 670.600. Contractor shall not be entitled to any benefits that are provided by the City to City employees.

6. Document Ownership. Upon acceptance of the Services and payment for such Services by the City, all work products, including, but not limited to, documents, drawings, papers, computer programs and photographs, performed or produced by Contractor for the benefit of the City under this Agreement shall become the property of the City. Any reuse or alteration of any work produced under this Agreement, except as contemplated herein, shall be at the City's sole risk.

7. Notices. All notices, bills and payments shall be made in writing and may be given by personal delivery or by mail. Notices, bills and payments sent by mail should be addressed as follows:

CITY: City Manager
City of Dayton/PO Box 339
416 Ferry Street,
Dayton, OR 97114

CONTRACTOR: _____

When so addressed, such notices, bills and payments shall be deemed given upon deposit in the United States mail, postage prepaid.

8. Standard of Care; Errors; Extra or Changes in Services. In the performance of the Services Contractor shall comply with applicable standards of professional care ordinarily exercised by members of the profession currently practicing in similar conditions. Contractor shall prepare materials and deliverables in a manner consistent with generally accepted standards of professional practice for the intended use of the project. Contractor shall perform such additional work as may be necessary to correct errors in any Services required under this

Agreement without undue delays and without additional cost to City. Only the City may authorize extra (and/or a change in) the Services. Failure of Contractor to secure authorization for extra work shall constitute a waiver of all right to adjustment in the Agreement price or Agreement time due to such unauthorized extra work, and Contractor thereafter shall be entitled to no compensation whatsoever for the performance of such unauthorized extra work.

9. Consequential Damages. Neither party shall be liable to the other for consequential damages, including, without limitation, loss of use or loss of profits incurred by one another or their subsidiaries or successors, regardless of whether such damages are caused by either party's breach of contract, willful misconduct, negligent act or omission, or other wrongful act.

10. Insurance.

10.1 At all times during the term of this Agreement, Contractor shall carry, maintain and keep in full force and effect a policy or policies of general liability, professional liability, auto liability and workers compensation coverage as set forth in Appendix C attached hereto or otherwise approved by the City Manager.

10.2 All insurance policies shall provide that the insurance coverage shall not be canceled or reduced by the insurance carrier without thirty (30) days' prior written notice to the City. Contractor agrees that it will not cancel or reduce said insurance coverage.

10.3 Contractor agrees that if it does not keep the aforesaid insurance in full force and effect, the City may either immediately terminate this Agreement or, if insurance is available at a reasonable cost, the City may take out the necessary insurance and pay, at Contractor's expense, the premium thereon. If the City procures such insurance, the City shall retain any cost incurred for same from moneys due Contractor hereunder.

10.4 At all times during the term of this Agreement, Contractor shall maintain on file with the City a Certificate of Insurance or a copy of actual policies acceptable to the City showing that the aforesaid policies are in effect. The policies shall contain an endorsement naming the City, its officers, employees and agents, as additional insureds (except for the professional liability and workers' compensation insurance).

10.5 The insurance provided by Contractor shall be primary to any coverage available to the City. The insurance policies (other than workers' compensation) shall include provisions for waiver of subrogation. Contractor shall be responsible for any deductible amounts outlined in such policies.

11. Termination. Either party may terminate this Agreement upon seven (7) days' written notice if one of the following occurs: (a) the other party fails to substantially perform in accordance with the terms of this Agreement; or (b) the City, in its sole discretion, decides to abandon the project or terminate further services. If either party terminates this Agreement,

Contractor shall receive compensation only for Services actually performed and materials provided up to the date of termination.

12. No Third-Party Rights. This Agreement shall not create any rights in or inure to the benefit of any parties other than the City and Contractor, provided however, that in the event that Contractor is named as a third-party defendant in litigation brought against the City, and in the further event that Contractor is not entitled to a legal defense in such litigation by Contractor's insurance company or companies, and in the further event that City has a duty under Oregon law to defend Contractor as an agent of City, then City will tender such third-party claim to City's insurer for the purpose of providing a legal defense to Contractor

13. Modification. Any modification of the provisions of this Agreement shall be set forth in writing and signed by the parties.

14. Waiver. A waiver by a party of any breach by the other shall not be deemed to be a waiver of any subsequent breach.

15. Indemnification; Limitation of Liability. Contractor and the officers, employees, agents and subcontractors of Contractor are not agents of the City, as those terms are used in ORS 30.265. Contractor shall defend, indemnify and hold harmless the City and its officers, employees, elected officials, volunteers and agents from any and all claims in connection with this Agreement directly or indirectly caused by (1) the negligence, gross negligence, or other wrongful acts, omissions, or willful misconduct of Contractor or officers, employees, agents, or subcontractors of Contractor (collectively, the "Indemnifying Party"); (2) any violation, or alleged violation of a local, state, or federal law by any Indemnifying Party; and (3) any claim regarding intellectual property infringement in connection with the services of this Agreement. Contractor shall not be responsible for claims caused by the negligence or other wrongful acts or omissions of the City or the City's officers, employees, or agents.

16. Governing Laws. This Agreement shall be governed by the laws of the State of Oregon. Venue shall be in the Circuit Court for Yamhill County, Oregon.

17. Compliance with Law.

17.1 Contractor shall comply with all applicable federal, state and local statutes, ordinances, administrative rules, regulations and other legal requirements in performance of this Agreement.

17.2 Contractor shall comply with applicable provisions of ORS 279B.020, 279B.220, 279B.230 and 279B.235. Pursuant to ORS 279B.235, any person employed by Contractor who performs Services shall be paid at least time and a half pay for all overtime in excess of forty (40) hours in any one (1) week, except for persons who are excluded or exempt from overtime pay under ORS 653.010 through 653.261 or under 29 USC Sections 201 through 209.

17.3 Contractor is a “subject employer,” as defined in ORS 656.005, and shall comply with ORS 656.017.

17.4 Contractor shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, age, national origin, physical or mental disability, or disabled veteran or veteran status in violation of state or federal laws.

17.5 If Contractor is not domiciled in or registered to do business in the state of Oregon, Provider shall promptly provide to the Oregon Department of Revenue and the Secretary of State Corporation Division all information required by those agencies relative to this Agreement. Contractor shall demonstrate its legal capacity to perform these services in the state of Oregon prior to entering into this Agreement.

18. Confidentiality. Contractor shall maintain the confidentiality, both external and internal, of that confidential information to which it is exposed by reason of this Agreement. Contractor warrants that its employees assigned to this Agreement shall maintain necessary confidentiality and privacy of confidential information obtained from or reviewed at city facilities.

19. Publicity. Contractor shall not use any data, pictures, or other representations of the City in its external advertising, marketing programs, or other promotional efforts except with prior specific written authorization from the City.

20. Succession. This Agreement shall inure to the benefit of and shall be binding upon each of the parties hereto and such parties’ partners, successors, executors, administrators and assigns.

21. Assignment. This Agreement shall not be assigned by Contractor or City without the express written consent of the other party. Contractor shall not assign Contractor’s interest in this Agreement or enter into subcontracts for any part of the Services without the prior written consent of the City.

22. Default.

22.1 A party will be in default under this Agreement if that party fails to comply with any provision of this Agreement within ten (10) days after the other party gives written notice specifying the breach. If the breach specified in the notice cannot be completely cured within the ten (10)-day period, a default will not occur if the party receiving the notice diligently begins curative action within the ten (10)-day period and proceeds to cure the breach as soon as practicable.

22.2 Notwithstanding Subsection 22.1, the City may declare a default immediately by written notice to Contractor if Contractor intentionally or repeatedly breaches material provisions of this Agreement or if Contractor’s breach of contract creates unreasonable risk of injury to any person or damage to property.

22.3 If a default occurs, the party injured by the default may terminate this Agreement and enforce any remedies available under Oregon law, in accordance with Section 23 below.

23. Inspection and Audit by the City.

23.1 Services provided by Contractor and Contractor’s performance data, financial records, and other similar documents and records of Contractor that pertain, or may pertain, to the Services under this Agreement. Upon request, copies of records or documents shall be provided to the City free of charge.

23.2 The City shall have the right to inspect Contractor’s financial records pertaining to the Services under this Agreement at any time during the term of this Agreement or within three (3) years following the termination of this Agreement.

24. Entire Agreement. This Agreement contains the entire agreement between the parties and supersedes all prior written or oral discussions or agreements regarding the Services described herein.

25. Severance. If any provision of this Agreement is held to be invalid, it will not affect the validity of any other provision. This Agreement will be construed as if the invalid provision had never been included.

IN WITNESS WHEREOF, the City has caused this Agreement to be executed in duplicate originals by its duly authorized undersigned agents, and Contractor has executed this Agreement on the date written below.

City:

Contractor:

CITY OF DAYTON, OREGON

By: _____

By: _____

Name:

Name: _____

Its:

Its: _____

Date: _____

Date: _____

ATTEST:

By: _____

Rocio Vargas, City Recorder

APPENDIX A

Scope of Work and Proposed Budget

APPENDIX B

Contractor and its subcontractors shall maintain insurance acceptable to the City in full force and effect throughout the term of this Contract.

It is agreed that any insurance maintained by the City shall apply in excess of, and not contribute toward, insurance provided by Contractor. The policy or policies of insurance maintained by Contractor and its subcontractors shall provide at least the following limits and coverage:

TYPE OF INSURANCE	LIMITS OF LIABILITY		REQUIRED FOR THIS CONTRACT
General Liability	Each occurrence	\$1,000,000	YES
	General Aggregate	\$2,000,000	
	Products/Comp Ops Aggregate	\$2,000,000	
	Personal and Advert. Inj.	\$1,000,000	
Please indicate if Claims Made or Occurrence			
Automobile Liability	Combined Single – covering any vehicle used on City business	\$1,000,000	YES
Workers' Compensation	Per Oregon State Statutes If workers compensation is not applicable please initial here _____. State the reason it is not _____ applicable: _____		YES
Professional Liability	Per occurrence	\$500,000	NO
	Annual Aggregate	\$500,000	

Contractor's general liability and automobile liability insurance must be evidenced by certificates from the insurers. The policies shall name the City, its officers, agents and employees, as additional insureds and shall provide the City with a thirty (30)-day notice of cancellation.

Workers' compensation insurance must be evidenced by a certificate from the insurer. The certificate need not name the City as an additional insured, but must list the City as a certificate holder and provide a thirty (30)-day notice of cancellation to the City.

Certificates of Insurance shall be forwarded to:

City Manager
City of Dayton
416 Ferry Street/PO Box 339
Dayton, OR 97114

Contractor agrees to deposit with the City, at the time the executed Contract is returned, Certificates of Insurance and Binders of Insurance if the policy is new or has expired, sufficient to satisfy the City that the insurance provisions of this Contract have been complied with and to keep such insurance in effect and the certificates and/or binders thereof on deposit with the City during the entire term of this Contract. Such certificates and/or binders must be delivered prior to commencement of the Work.

Exhibit B
RESPONSIBILITY DETERMINATION

Please complete the following and return with your proposal submission.

I certify that proposer (please mark any that are applicable):

Has available the appropriate financial, material, equipment, facility and personnel resources and expertise, or has the ability to obtain the resources and expertise, necessary to meet all Project responsibilities.

Has completed previous contracts of a similar nature with a satisfactory record of performance.

Has a satisfactory record of integrity.

Is legally qualified to contract with the City.

Complied with the tax laws of the state or a political subdivision of the state, including ORS 305.620 and ORS chapters 316, 317 and 318.

Supplied all necessary information in connection with the inquiry concerning responsibility.

Was not debarred by the City under ORS 279B.130.

Does not owe a liquidated and delinquent debt to the state.

Has not discriminated and will not discriminate, in violation of ORS 279A.110(1), against any disadvantaged business enterprise, a minority-owned business, a woman-owned business, a business that a service-disabled veteran owns or an emerging small business in awarding a subcontract.

To: Honorable Mayor and City Councilors

From: Dave Rucklos, Tourism and Economic Development Director
Rochelle Roaden, City Manager

Issue: Courthouse Square Event Alcohol Permit Discussion

Date: February 5, 2024

Background and Information

Objective: To provide staff direction regarding the allowance of alcohol in Courthouse Square Park during Community Events.

The City of Dayton currently does not allow alcohol use at any of its municipal parks. In anticipation of commercial growth around Courthouse Square Park, and its central use for community and special events, use of alcohol by permit policies has been researched. An analysis of comparative municipal alcohol use policies at public parks and facilities is attached.

A sampling of thirteen Oregon communities found all of them allow for alcohol use at their city parks. (See attached) Rules and regulations differ from one community to another, with all requiring OLCC and city permits. A fee is associated with each permit where applicable.

Usage regulations defined in comparison cities require applicants to demonstrate a control mechanism for alcohol distribution to participants. Designating a specific area within a park for alcohol use and/or implementing wristbands to verify participants' date of birth are several ways cities monitor distribution. Additionally, cities require applicants to establish a security monitoring system to prevent any violations of OLCC policies. Mandatory food service is often a requirement, and events expecting attendance by minors that may exceed fifty percent are disqualified from consideration.

The Dayton Economic Redevelopment Questionnaire asked residents about their desire for "beer and wine festivals" downtown. A majority of citizens responded favorably (see attached response data.) Cinco de Mayo is our next community event which could be impacted.

Some questions to consider:

- 1) Should alcohol be allowed during community events in Courthouse Square Park?
- 2) If yes, what type of alcohol? Beer, wine, both?
- 3) If yes, what does the approval process look like? Can the City Manager grant approval?
Or does it require City Council approval?
- 4) Any security concerns which can be mitigated through the permit's conditions of approval? (i.e., alcohol monitors during event, additional security, etc.)

If the Council is in support of allowing alcohol in Courthouse Square Park during community events, this will require a code amendment to the Dayton Municipal Code. Staff will bring back an Ordinance to the City Council at a later date.

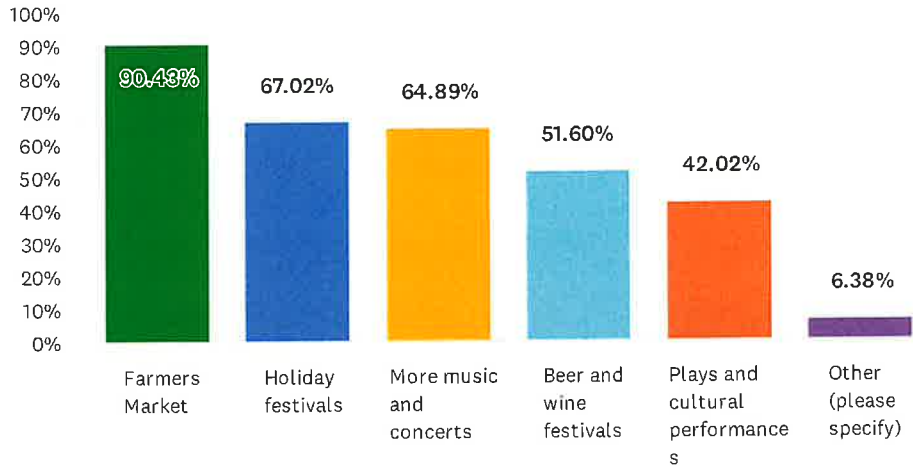
Public Alcohol Rules for Cities in Oregon

City/County/District	Public Location	Policy	Approval Process	Fee
Albany	City parks or facilities	OLCC and city permit required	Police Dept./Parks Dept.	25.00
Carlton	City parks	OLCC and city permit required	Impacted city staff approval	35.00
Corvallis	City parks or facilities	OLCC and city permit required	Staff execution	12.00
Dallas	Specific park locations (Gazebo, Shelters) Reservations required	OLCC and city permit required	City Council/City Manager along with city staff review and approval.	125.00
Forest Grove	City parks or facilities	OLCC and city permit required	City Recorder. Five days application processing. Two to four weeks submission prior to event.	20.00
Grants Pass	City parks	OLCC and city permit required	City Manager	125.00
Hood River	All public property	No permit required. Can not purchase open container and take outside of a facility where purchased	N/A	N/A
McMinnville	City streets, parks or facilities	OLCC and city permit required	Impacted city staff approval	125.00
Millersburg	City parks	OLCC and city permit required. Food must be served with any alcohol consumption.	City Manager/Parks Dept.	15.00
Sheridan	City parks or facilities	OLCC and city permit required	City Council/City Manager along with city staff review and approval.	
Sherwood	City parks or facilities	OLCC and city permit required	Submission 45 days prior to event. Impacted city staff approval.	75.00
Talent	City parks	OLCC and city permit required	City Council. Thirty days prior to event. Impacted city staff approval	N/A
Yamhill County	Most county parks	Facility use permit. Personal use not prohibited. Sale and service not allowed	Parks department	50.00

Dayton Redevelopment Questionnaire

Q19 What kinds of events, if held downtown, would you likely attend?

Answered: 188 Skipped: 32



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To: Honorable Mayor and City Councilors
From: Rochelle Roaden, City Manager
Issue: Council Rules Review/Update Discussion
Date: February 5, 2024

History/Background

City Charter Section 10 provides that “the Council must by resolution adopt rules to govern its meetings”. Per Council rules, “the Council will review its rules at its first meeting in January of even numbered years. Amendments to the rules will be made by majority vote. The Council will have clear and simple procedures for considering agenda matters. Council rules are not intended to replace or supersede applicable federal or state laws, the City Charter or City ordinances.”

The Council reviewed the proposed Council Rules at the January 2, 2024, council meeting. Attached for your review is an updated version of the proposed Council Rules which were updated by the City Attorney and include a review by our City Planner of the public hearing and land use meeting process language (see attached email with his change).

Councilor Frank requested staff bring back examples of censure language from other cities which are attached for your review and discussion. Additionally, our City Recorder investigated Robert’s Rules to see what information they might have, and it is also included for your review.

CITY OF DAYTON, OREGON
City Council Rules

SECTION 1 AUTHORITY

1.1 City Charter Section 10 provides that the Council must, by resolution, adopt rules to govern its meetings. The Council will review its rules at its first meeting in January of even numbered years. Amendments to the rules will be made by majority vote. The Council will have clear and simple procedures for considering agenda matters. Council rules are not intended to replace or supersede applicable federal or state laws, the City Charter or City ordinances.

SECTION 2 DEFINITIONS As used in these Rules, the following mean:

- **City Committees:** All City committees, commissions, task forces, and advisory bodies.
- **Council and Council members:** The Mayor, the Council President, and the Councilors.
- **Councilors:** The Council President and the Councilors.

SECTION 3 ~~COUNCIL~~ MEETINGS

3.1 Public Meetings

A. A quorum is required to conduct official City business. Four Council members shall constitute a quorum. Vacancies in office do not count towards determining a quorum. Vacancies in office do not count towards determining a quorum. If a quorum is not present, Council members present shall adjourn the meeting.

B. A public meeting occurs when a quorum of Council members convenes to make a decision or to deliberate towards a decision on any matter. A quorum of Council members may not convene in private for the purpose of deciding on or deliberating towards a final decision on any matter, except as otherwise specified in the City Council Rules or state law.

C. For the purpose of this Section, "convene" means to: (1) gather in a physical location; (2) use electronic, video, or telephonic technology to communicate contemporaneously among participants; (3) use serial electronic written communication among participants; or (4) use an intermediary to communicate among participants, except as otherwise provided in ORS 192.690(m).

...

~~3.21~~ Council Meetings

A. Regular Session Council meetings will be hybrid meetings and will generally be held in the City Hall Annex and/or virtually online on the first Monday of each month for the purpose of conducting business or developing policy, per ORS 192.670.

- B. Council Regular Session meetings will normally begin at 6:30 p.m. and adjourn no later than 10 p.m. Work Session or Special Session meetings will normally begin at 6:30 p.m. and adjourn no later than 10 p.m. For any meeting to continue past the normal adjournment time, a majority of the Council members present at the meeting must agree.
- C. If possible, only one or two major topics (defined as issues of special interest, controversial, or difficult) will be scheduled per meeting.

3.32 Work Sessions

- A. Work Session meetings will be hybrid meetings and will normally be held in the City Hall Annex and/or virtually online on the 3rd Monday of each month, per ORS 192.670.
- B. Work Session meetings will be to develop policy, review programs, and receive progress reports, where no action is expected.
- C. Each agenda shall contain a segment that is reserved for the Mayor and Councilors to comment on ideas, exchange information, and make announcements.

3.34 Special or Emergency Meetings

- A. Special Session Meetings

Special Session meetings may be held on any evening and will be hybrid meetings generally held in the City Hall Annex and/or virtually online per ORS 192.670. Special Session meetings may be called by the Mayor or upon the request of three City Councilors. Action can be taken where at least 72-hour notice is possible, but not less than a ~~24-hour~~24-hour notice. Required notifications will be given in accordance with the Attorney General's Public Records and Meetings Manual.

- B. Emergency Meetings

An Emergency meeting is a Special meeting called on less than 24 hours' notice and will be hybrid meetings, generally held in the City Hall Annex and/or virtually online per ORS 192.670. An actual emergency must exist, and the minutes of the meeting must describe the emergency justifying less than 24 hours' notice. City staff will attempt to contact the media and other interested persons to inform them of the meeting. Emergency meetings may be held on any evening and may be called by the Mayor, or in his/her absence, the Council President. Action can be taken.

3.45 Executive Session

- A. An Executive Session meeting (meeting closed to the general public) must be held in accordance with the terms of Oregon's Public Meetings Law (ORS 192.610 to ORS 192.690) and will be hybrid meetings, to be held generally in the City Hall Annex and/or virtually online. Executive Session meetings may be held during Regular Session or Special Session meetings provided relevant statutory limitations are met.

- B. Only the Council, City Attorney, specific staff members, media representatives, and those invited by the Mayor or a majority of the Council can attend.
- C. No formal decisions can be taken during an Executive Session. When the Council reconvenes in open session, formal action may be taken.
- D. The Council needs to specify that Executive Session meeting information may not be reported. In accordance with Oregon Public Meetings Law, only the subject of the Executive Session may be disclosed.
- E. Media representatives are allowed to attend Council Executive Sessions subject to the understanding that information from such meetings that consider proper Executive Session subjects will not be reported.

3.65 Minutes. Only the Mayor and Councilors have the authority to make revisions to the minutes subject to a majority vote of the Council. If a citizen wishes to suggest an amendment, the request must be made through the Mayor or a Councilor.

3.67 Telephonic/Electronic Meetings

- A. Council members may participate in Council meetings by telephone. The provisions of the Oregon state statutes governing public meetings apply. All Council members, whether attending the meeting in person or by telephonic means have the same voting rights.

3.87 Attendance. Councilors will inform the Mayor if they are unable to attend any Council meeting. Lack of notification will constitute an unexcused absence. The Mayor will inform the Council President and City Manager of any absence of the Mayor.

SECTION 4 AGENDA

- 4.1 A. The Mayor or in his/her absence, the Council President, will work with the City Manager to schedule agenda items.
- B. Items may be placed on the Council agenda by any of the following methods: (1) the Mayor; (2) any Councilor by advising the Mayor, or City Manager; (3) vote of the Council, or (4) the City Manager or City Attorney.

4.2 Headings

The agenda headings will generally be as follows:

- CALL TO ORDER & PLEDGE OF ALLEGIANCE
- ROLL CALL
- ~~PUBLIC HEARING (when scheduled)~~

- APPEARANCE OF INTERESTED CITIZENS (on any topic except a public hearing held that night)
- CONSENT AGENDA (any item may be removed from the Consent Agenda for discussion at the request of a Councilor)
- PUBLIC HEARING (when scheduled)
- ACTION ITEMS
- CITY COUNCIL COMMENTS/CONCERNS
- INFORMATION REPORTS
- CITY MANAGER REPORT
- CITY ATTORNEY REPORT
- ADJOURN

4.3 Preparation

- A. The City Manager will prepare an agenda for each Council meeting specifying the time and place of the meeting, and a brief general description of each item to be considered by the Council.
- B. Agenda materials will generally be available to the Council, media, and public a minimum of three calendar days before all meetings with the exception of Emergency Sessions.

4.4 Scheduling

- A. The agenda may be amended to add additional items after the agenda is printed and the notice published if the Mayor, Councilor, or City Manager explains the necessity and receives Council consent. The City Manager will notify the media and any known interested citizens as soon as possible after receiving information about proposed agenda additions.
- B. Agenda items that are continued from one meeting to another will have preference on the subsequent agenda.
- C. With the consent of the Council, the Mayor may consider agenda items out of order.

SECTION 5 PUBLIC HEARINGS

5.1 Generally

- A. A public hearing may be held on any matter upon majority vote of the Council. Public hearings may be held to consider legislative, quasi-judicial or administrative matters.
- B. Persons wishing to speak shall sign the "hearing roster" with the person's name and address prior to the commencement of the public hearing at which the person wishes to speak.
- C. The ~~presiding officer~~city recorder shall announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The presiding officer shall then declare the hearing open.
- D. Each person shall, prior to giving testimony, give his or her name, shall indicate whether they are a resident of the city, and may give their address. All remarks shall be addressed to the Council as a body and not to any member thereof.

- E. Speakers at hearings on legislative or administrative matters, other than legislative land use matters, will be limited to three minutes. Speakers at a hearing on a quasi-judicial matter, other than a quasi-judicial land use matter, shall be subject to the following time limits:
- a. Staff presentation (15 minutes total).
 - b. Applicant or affected party (15 minutes). Quasi-judicial hearing only.
 - c. Appellant, if other than applicant (10 minutes). Quasi-judicial hearing only.
 - d. Other interested persons (3 minutes per person).
 - e. Questions of staff (No time limit).
 - f. Rebuttal by applicant or party. The scope of rebuttal is limited to matters which were introduced during the hearing (7 minutes total).
- F. Councilors may, after recognition by the presiding officer, ask clarifying or follow up questions of individuals providing testimony after that individual has completed his or her testimony. Questions posed by councilors should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Councilors shall be expected to use restraint and be considerate of the meeting time of the council when exercising this option. The presiding officer or mayor, as applicable, may intervene if a councilor is violating the spirit of this guideline.
- G. Councilors may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of staff. Questions posed by City Councilors should be to provide clarification or additional information on testimony provided.
- H. The presiding officer or Mayor, as applicable, may exclude or limit cumulative, repetitious, or immaterial matter. The presiding officer or Mayor, as applicable, may order the testimony, alternating those speaking in favor and those in opposition, or have all speaking in favor testify, followed by all those in opposition. The presiding officer, or Mayor, as applicable, with the approval of the Council, may further limit the time and/or number of speakers at any public hearing; provided that the presiding officer or Mayor shall announce any such restrictions prior to the commencement of the testimony. In the event of large numbers of interested persons appearing to testify, the presiding officer or Mayor, to expedite the hearing, may in lieu of testimony call for those in favor of the pending proposal or those in opposition to rise and direct the city recorder to note the numbers in the minutes.
- I. At the end of public testimony and questions of staff, the Council shall initiate deliberations by introducing a motion on the matter; continue the hearing; or keep the record open for additional written testimony. During deliberations, each member of the Council shall have the opportunity to comment on or discuss testimony given during the public hearing.
- J. A copy of any written testimony or physical evidence, which a party desires to have introduced into the record of the hearing, shall be submitted to the ~~presiding officer~~city recorder at the time of the hearing. Communications concerning quasi-judicial matters received prior to the hearing are ex parte contacts, and a Councilor receiving any such communication must disclose the fact that such a communication has been received, and the content of the communication.

K. Documents submitted to the City as evidence or written testimony during a public hearing are public records. If such a document contains the name, address, including email address, and telephone number of the person, then it will be included in the record of the proceeding. Because the name, address, including email address, and telephone number are part of a public record, this information will be generally disseminated to the public, and must be disclosed if a public records request is submitted for the documents. A person who believes such disclosure would present a danger to his or her personal safety, and who wishes to exempt his or her address, including email address, and telephone number from disclosure must submit a written request for nondisclosure to the city recorder pursuant to ORS 192.368(1).

5.2 Land Use Hearings. All land use hearings conducted by City Council pursuant to Article 7 of the Dayton Municipal Code shall follow the following rules of procedure:

A. General Conduct

a. Any party may speak in person, through an attorney, or elect to have a representative from an officially recognized neighborhood association present the party's case.

b. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing shall be submitted to the ~~presiding officer~~city recorder at the time the party makes his or her presentation. If the testimony or evidence is not submitted to the ~~presiding officer~~city recorder, it shall not be included in the record for the proceeding.

c. No person may speak more than once without obtaining permission from the presiding officer.

d. Upon being recognized by the presiding officer, any member of the council, the city manager, planning director or the city attorney may question any person who testifies.

e. Testimony shall be directed towards the applicable standards and criteria which apply to the proposal before the Council.

f. The presiding officer may exclude or limit cumulative, repetitious, or immaterial testimony. To expedite hearings, the presiding officer may call for those in favor and those in opposition to rise, and the city recorder shall note the numbers of such persons for the record in the minutes.

B. Quasi-Judicial Land Use Matters.

a. Scope of Review. All appeals from the Planning Commission to City Council and Council-initiated reviews in quasi-judicial land use proceedings shall be held on the record in accordance with Dayton Municipal Code 7.3.206.03. Initial hearings held by City Council shall be de novo.

b. Hearing Procedures. The order of hearings in quasi-judicial land use matters before City Council shall be:

i. Land Use Hearing Disclosure Statement. The presiding officer shall read the land use hearing disclose statement, which shall include:

1. A list of the applicable criteria;

2. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;

3. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and
4. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.
- ii. Call for ex parte contacts. The presiding officer shall inquire whether any member of the Council has had ex parte contacts. Any member of the Council announcing an ex parte contact shall state for the record the nature and content of the contact.
- iii. Call for abstentions. The presiding officer shall inquire whether any member of the Council must abstain from participating in the hearing due to an actual conflict of interest, or must announce an apparent conflict of interest. Any member of the Council announcing a conflict of interest shall state the nature of the conflict, and if the conflict is an actual conflict of interest, shall not participate in the proceeding, unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member shall not participate in any discussion or debate on the issue of which the conflict arises.
- iv. Staff summary. Planning staff shall present a summary and recommendation concerning the proposal.
- v. Presentation of the Case.
 1. Proponent's case. Twenty minutes total.
 2. Persons in favor. Five minutes per person.
 3. Persons opposed. Five minutes per person.
 4. Other interested persons. Five minutes per person.
 5. Rebuttal. Ten minutes total. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.
- vi. Close of hearing. No further information shall be received after the close of the hearing, except for specific questions directed to staff. If the response to any such questions requires the introduction of additional factual evidence, all parties shall be afforded an opportunity for simultaneous written rebuttal.
- vii. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
- viii. Findings and Order. In the case of appeals from the Planning Commission to City Council and Council-initiated reviews in quasi-judicial land use proceedings, the Council may affirm, affirm with conditions, or reverse the decision. In the case of an initial hearing held by the City Council, the Council may approve, approve with conditions, or deny the application.
 1. The Council shall adopt findings to support its decision.
 2. The Council may incorporate findings proposed by the proponent, the opponent or staff in its decision.
- c. Continuances. Only one continuance is available by right. However, nothing in this section shall restrict the council, in its discretion, from granting additional continuances. A continuance of the hearing granted pursuant to this section is subject to the limitations of ORS 227.178 – 120-day rule, unless the applicant waives his or her right to a final decision being made within 120 days of filing a complete application. ~~Any continuance shall result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.~~

C. Legislative Land Use Matters.

- a. Hearings Procedures. Subject to any express Dayton Municipal Code requirements to the contrary, the order of procedures for hearings on legislative land use matters shall be:
 - i. Call for abstentions. Inquire whether any member of the council wishes to abstain from participation in the hearing. Any member announcing an abstention shall identify the reason therefore and shall not participate in the proceedings.

ii. Staff summary. Staff shall present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.

iii. Presentation of the Case.

1. Proponent's case. Twenty minutes total.

2. Persons in favor. Five minutes per person.

3. Persons opposed. Five minutes per person.

4. Other interested persons. Five minutes per person.

5. Close of hearing. No further information shall be received after the close of the hearing, except for responses to specific questions directed to staff.

iv. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.

v. Reopening hearing. Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the council, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

SECTION 65 COUNCIL DISCUSSIONS AND DECORUM

56.1 Council should conduct themselves so as to bring credit upon the government of the City by respecting the rule of law, ensuring non-discriminatory delivery of public services, keeping informed concerning the matters coming before the Council and abiding by all decisions of the Council, whether or not the member voted on the prevailing side.

56.2 Councilors will assist the Presiding Officer to preserve order and decorum during Council meetings and may not, by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or Council rules. When addressing staff or members of the public, Councilors will confine themselves to questions or issues then under discussion and not:

- engage in personal attacks; or
- impugn the motives of any speaker.

56.3 The following ground rules should be followed in order to maintain order and decorum during Council members discussions, Council members will:

- A. Gather necessary information and have questions answered from staff before a meeting.
- B. Speak for themselves and not for other Council members.
- C. Not state they represent the Council, unless they have been asked by Council to do so.
- D. During public meetings, Council members should not attempt to substantially rewrite prepared ordinances. Editing an ordinance may be appropriate but comprehensive changes should follow staff research.
- E. Be open, direct and candid in the Council forum. Members should be brief and succinct in stating their views and focus on a single issue or topic at any one time.
- F. Focus on City issues and priorities and avoid becoming involved in extra-territorial issues outside the City's jurisdiction.

- G. Give all members an opportunity to express their views on the issues before the Council.
- H. Avoid disguising a statement as a question or using repetition as a way to convince others.
- I. Keep the discussion moving and call for a process check if the Council becomes bogged down in discussions.
- J. If a Council member wishes to discuss a major policy issue, it should be suggested as a future agenda item and not raised as an addendum.

56.4 Public Comment

- A. Public comment sign-up forms will be available at each meeting. At the time on the agenda designated for public comment, and during any public hearing, any member of the public desiring to address the Mayor and the Council shall first request to be recognized by the Presiding Officer and then state his or her name and address for the record. If necessary, the Council may limit comments to three minutes. The Council may request that groups with like comments choose a spokesperson to present their joint remarks.
- B. During public hearings, all public comment should be directed to the question under discussion and addressed to the Presiding Officer representing the Council as a whole.
- C. In general, Council will not respond to any comment made during the time on the agenda for public comment, except to provide information and ask clarifying questions.

SECTION 76 MOTIONS

6.1 General

- A. Council members should clearly and concisely state their motions. The Mayor will state the name of the Council member who made the motion and the Council member who made the second. The Mayor may make a motion or a second, provided that he or she first designates the Council President or, in his or her absence or inability to act, a senior member of the Council as the Presiding Officer during consideration of the matter.
- B. *If so requested*, the motion maker, Mayor, or City Manager should repeat the motion prior to voting.
- C. Most motions die if they do not receive a second. Motions for nominations, withdrawal of a motion, agenda order, roll call votes, a point of order, and inquires of any kind do not require a second. Any motion on which a second is not made but on which discussion begins is automatically seconded by the Council member beginning the discussion.
- D. The Mayor will ask for a voice vote for all final decisions. The City Recorder will maintain a record of the votes. Any Council member may request an oral roll call vote on any decision.
- E. At the conclusion of any vote, the Mayor will announce the results.

67.2 Withdrawal. A motion may be withdrawn by the mover at any time without the consent of the Council.

67.3 Tie. A motion that receives a tie vote fails.

67.4 Table. A motion to table is not debatable and precludes all amendments or further debate. If the motion prevails, the matter may be taken from the table only by adding it to a future agenda at which time discussion may ~~continue~~continue.

67.5 Postpone

- A. A motion to postpone to a certain time is debatable and amendable. The matter may be considered later at the same meeting or at a future meeting.
- B. A motion to postpone indefinitely is debatable and is not amendable. It may be reconsidered at the same meeting only if approved by an affirmative vote. This motion is not to postpone, but to reject the matter without a direct vote.

67.6 Call for Question. A motion to call for the question ends debate on the matter and is not debatable. A second is required for this motion and it fails without a two-thirds' vote. Debate may continue if the motion fails.

67.7 Amendment

- A. A motion to amend may be made to a previous motion that has been seconded but not voted on. An amendment is made by adding, striking out, or substituting words.
- B. Motions to adjourn, agenda order, lay on the table, roll call vote, point of order, reconsideration, and take from the table may not be amended.
- C. Amendments are voted on first, then the main motion as amended.

67.8 Reconsideration. When a question has been decided, any Council member who voted in the majority may move for reconsideration. The motion for reconsideration must be made before adjournment of the meeting in which final action on the ordinance, resolution, order or other decision was taken.

SECTION ~~87~~ COUNCIL ETHICS; COUNCIL CONDUCT

~~78.1~~ Ethics. All Council members shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all Council members shall refrain from taking action which benefits special interest groups or persons at the expense of the City as a whole.

8.2 Representing City. If a Council member appears before another governmental agency, the media or an organization to give a statement on an issue, the Council member must state: 1) whether the statement reflects personal opinion or is the official position of the City; 2) whether the statement is supported by a majority of the Council. If the Council member is representing the City, the Council member must support and advocate for the official City position on the issue rather than a personal viewpoint.

~~78.32~~ Censure Process

~~7.28.3.1~~ Internal Oversight. The Council has the inherent right to make and enforce its own rules and to ensure compliance with those laws generally applicable to public bodies. Should any Council member act in any manner constituting a substantial violation of these rules, City

Ordinance or Charter, or other general laws, the remaining Council members may issue a censure or memorandum of concern pursuant to the following procedure:

- A. The process is initiated by a written statement by a Council member explaining the alleged misconduct of a Council member and if true, why disciplinary action is needed. Two Council members must date and sign the statement and deliver the original to the City Manager. The City Manager shall then place the matter before the Council at the next Regular Session meeting if the written statement is submitted to the City Manager not later than five (5) calendar days prior to such meeting, otherwise the matter shall be placed on the agenda for the following Council meeting.
- B. An affirmative vote by five (5) or more members of the Council shall initiate an investigation. An affirmative vote by a Council member shall not indicate that such member believes the truth of the statement and/or the reasoning behind a proposed sanction, but merely that further investigation is warranted under the criteria set forth in subsection C) below. The Council member in question shall not take part in the discussion or the vote.
- C. If initiated, an investigation shall be conducted by a committee consisting of three Council members appointed by the Council. Two additional Dayton residents shall be included if the Council member being investigated makes such request. Such residents shall be selected by the Council. The investigation shall be completed within 30 days of being initiated by the Council. The Committee shall review whether the alleged misconduct occurred, and if so whether the alleged misconduct occurred while acting in their official capacity as a City Council member, including, but not limited to the following instances:
 - 1) During a city meeting or while representing the City of Dayton;
 - 2) City Council member announced that they were a City Council member (and therefore infers that conduct is as a City Council member);
 - 3) Conduct occurred in writing available to the public (social media, newspaper) as identified as a City Council member.
- D. If misconduct is found unanimously by the members of the City Council Committee, the Committee would present the investigation conclusion to the Council with a recommendation of any sanctions. Sanctions could include:
 - 1) A memo of concern from the full City Council, or
 - 2) Censure
- E. The Council shall vote on the Committee recommendation. A memorandum of concern would require a four (4) member vote of the Council; a censure would require at least a five (5) member vote. The Council member in question shall not take part in the discussion or the vote.
- F. If misconduct is not found unanimously by the City Council Committee, a public report of the Committee findings will be presented to the City Council during a Council meeting. A copy of that report will be given to the Council member who was investigated.

8.4 Investigation of Misconduct. The Council may investigate the actions of any Council member and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the City charter, or state laws applicable to governing bodies or elected officials has occurred, or that malfeasance in office or willful or wanton neglect of duty has occurred. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

SECTION 89 CONFIDENTIALITY

8.9.1 The Council will keep all written materials provided to them on matters of confidentiality under law in complete confidence to ensure that the City's position is not compromised. No mention of the information read or heard should be made to anyone other than other Councilors, the City Manager, or City Attorney.

8.9.2 In Executive Sessions, Council members should attempt to provide direction or consensus to staff on proposed terms and conditions for negotiations. All contact with other parties must be left to the designated staff or representative(s) handling the negotiations or litigation. Council will not have any contact or discussion with any other party or its representative nor communicate any executive session discussion unless directed.

8.9.3 All public statements, information or press releases relating to a confidential matter should be handled by designated staff or a designated member of Council.

8.9.4 The Council may censure a member who discloses a confidential matter or otherwise violates the terms of these rules. (Subject to Section 7.2)

SECTION 910 COMMUNICATION WITH STAFF

9.10.1 The Council members will respect the separation between policy-making (Council function) and administration (City Manager function) by:

- A. Working with the staff as a team within a spirit of mutual respect and support.
- B. Except in Council meetings, not attempting to influence a city employee or the City Manager concerning personnel matters, purchasing issues, the award of contracts and/or the selection of consultants, the processing of applications or granting of City licenses and permits. However sharing information on these matter is appropriate.
- C. Limiting individual contacts with staff so as not to influence staff decisions or recommendations; to interfere with their work performance; to undermine the authority of supervisors; or to prevent the full Council from having benefit of any information received.
- D. Except in a Council meeting, staff will not attempt to influence individual Council members concerning City business.
- E. Respecting roles and responsibilities of staff when and if expressing criticism in a public meeting or through public electronic mail messages.

910.2 All written informational material requested by individual members of Council will be submitted by staff to the entire Council with a notation indicating who requested the information.

910.3 The Presiding Officer will refer any comments or questions regarding city personnel or administration to the City Manager. The Presiding Officer may redirect other questions to a Council member or the City Manager, as appropriate. Councilors may also address questions directly to the City Manager, who may either answer the inquiry or ask a staff member to do so

SECTION 110 MINUTES

1011.1 Minutes shall be prepared with sufficient detail to meet their intended use. Verbatim minutes are not required. The minutes of meetings of the Council shall comply with provisions of ORS 192.650 by containing the following information at a minimum:

- The name of Council members and staff present;
- All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
- The result of all votes, including ayes and nays and the names of the Council members who voted.
- The substance of the discussion on any matter.
- Reference to any document discussed at the meeting.

1011.2 The Council may amend the minutes to more accurately reflect what transpired at the meeting. Upon receipt of the minutes in the Council agenda packet, the Council member should read and submit any changes, additions or corrections to the City Manager so that a corrected copy can be issued prior to the meeting for approval. Under no circumstances may the minutes be changed following approval by the Council, unless the Council authorizes such change.

SECTION 121 ADJOURNMENT

121.1 Upon motion and majority vote of the Council members present, any meeting of the Council may be continued or adjourned from day to day or for more than one day, provided that no adjournment may be for a period longer than until the next regular meeting.

121.2 Upon the request of two or more Council members a short break may be taken.

121.3 A motion to adjourn will be in order at any time except as follows:

- When made as an interruption of a member while speaking; or
- While a vote is being taken.

SECTION 132 DISQUALIFICATION

1213.1 Bias

1213.1.1 — Any proponent, opponent or other party interested in a quasi-judicial matter to be heard by the Council may challenge the qualification of any Council member to participate in such hearing and decision. Such challenge must state any fact(s) relied upon by the party relating to a Council member's bias, pre-judgment, personal interest or other factor from which the party has concluded the Council member cannot participate and make an impartial decision. Such challenges must be made prior to the commencement of the public hearing. The Presiding Officer will give the challenged member an opportunity to respond. A motion to accept or deny the challenge will be accepted and voted upon by the Council. Such challenges and the Council's decision will be incorporated into the record of the hearing.

1213.1.2 In quasi-judicial matters, each Council member must disclose participation in a prior decision or action on the matter that is before the Council. Common examples include when a Planning Commission member is elected or appointed to the City Council or when a Council member testifies at a Planning Commission meeting. The Council member must state whether they can participate in the hearing with no regard for the prior decision made. If the Council member is unable to be impartial, they have a duty to disqualify themselves from participating in proceedings and leave the Council table.

1213.1.3 If the City Council believes that the member is actually biased, it may disqualify the member by majority vote from participating in a decision on the matter. A Council member who has been disqualified from participating in a decision may participate in the proceeding as a private citizen.

1213.2 Conflict of Interest

132.2.1 Generally, conflicts of interest arise in situations where a Council member, as a public official deliberating in a quasi-judicial proceeding or public meeting, has an actual or potential financial interest in the matter before the Council. Under state law, an actual conflict of interest is defined as one that would be to the private financial benefit or detriment of the Council member, a relative of a Council member or a business with which the Council member or a relative is associated. A potential conflict of interest is one that could be to the private financial benefit or detriment of the Council member, a relative of a Council member or a business with which the Council member or a relative is associated. A relative means the spouse, children, siblings or parents of the public official or public official's spouse. A Council member must publicly announce potential and actual conflicts of interest and, in the case of an actual conflict of interest, must refrain from participating in debate on the issue or from voting on the issue. A Council member must publicly announce the actual or potential conflict of interest at each quasi-judicial proceeding or public meeting at which it arises, not just the first proceeding or meeting at which it arises.

123.3 Ex Parte Contacts

132.3.1 For quasi-judicial hearings, Council members should refrain from having *ex parte* contacts relating to any issue of the hearing, including conversations with other Councilors. *Ex parte* contacts are those contacts by a party on a fact in issue under circumstances that do not involve all parties to the proceeding. *Ex parte* contacts can be made orally when the other side is not present, or they can be in the form of written information that the other side does not receive. A site visit is not in and of itself an *ex parte* contact unless there is communication from an outside party or information is gleaned from the visit that will be used for a future decision. Even if the site visit is not classified as an *ex parte* contact, it should still be disclosed during any applicable hearing.

123.3.2 If a Council member has *ex parte* contact prior to a hearing, the member must reveal the contact at the meeting and prior to the hearing. The Council member shall describe the substance of the contact and the Presiding Officer shall announce the right of interested persons to rebut the substance of the communication. The Council member also will state whether such contact affects their impartiality or ability to vote in the matter. The Council member must state whether he or she will participate or abstain.

1213.3.3 For quasi-judicial hearings, a Council member who was absent during the presentation of evidence cannot participate in any deliberations or decision regarding the matter unless the Councilor has reviewed all the evidence and testimony received.

SECTION 143 OREGON GOVERNMENT ETHICS COMMISSION REQUIREMENTS AND REPORTING

- 143.1** Council members shall review and observe the requirements of the State Ethics Law (ORS 244.010 to ORS 244.390) dealing with use of public office for private financial gain.
- 143.2** Council members shall give public notice of any conflict of interest or potential conflict of interest prior to every meeting at which such actual or potential conflict arises, and the notice will be reported in the meeting minutes. In addition to matters of financial interest, Council members shall maintain the highest standards of ethical conduct and assure fair and equal treatment of all persons, claims and transactions coming before the Council.
- 143.3** In accordance with ORS 244.195, it is each Council member's responsibility to file annual statements of economic interest with the Oregon Government Ethics Commission.
- 14.4 Council members shall attend or view training prepared by the Oregon Government Ethics Commission at least once during the member's term of office and shall verify member's attendance using the Commission's prescribed methods.

SECTION 154 LEGAL ADVICE

- 154.1** Requests to the City Attorney for advice requiring legal research shall not be made by a Councilor except with concurrence of the Council. Before requesting research or other action by the City Attorney, the Council is encouraged to consider consulting with the City Manager to ascertain whether the request or action can be accomplished more cost-effectively. Outside a Council meeting, a Councilor should make requests of the City Attorney through the City Manager.

SECTION 165 ROBERT'S RULES

- 165.1** Robert's Rules of Order Revised shall be used as the guideline for conduct of Council meetings.

SECTION 176 COMMITTEES, ORGANIZATIONS & MEDIA

176.1 Citizen Appointment and Removal

- A. The Mayor will appoint City committees, with the consent of the Council. The Mayor may request assistance from Councilors in making recommendations.
- B. Council members will encourage broad participation on City committees by generally limiting the number of terms a citizen may serve on the same City committee.
- C. A citizen may not serve on more than two City committees simultaneously. Any citizen serving on two City committees may not be chairperson of both City committees simultaneously.
- D. With the consent of the Council, the Mayor may remove a citizen from a City committee prior to the expiration of the term of office.

- 176.2 Council Member Participation.** Council members shall encourage City committee member participation.

176.3 Councilor Liaison

- A. The Mayor will appoint Councilors to liaison positions on any or all City committees, including ad hoc or limited term committees, as the Mayor deems necessary.
- B. Councilors, serving as Committee liaisons, shall not have a vote.
- C. Councilors may be removed from liaison positions by the Mayor, in his or her discretion.

176.4 Organizations, Media

- A. If the Mayor or a Councilor represents the City before another governmental agency, a community organization, or the media, the Council member should first state the Council majority position. Personal opinions and comments should be expressed only if the Council member makes clear that he or she does not express the Council position.
- B. Council members should obtain the appropriate permission before speaking on behalf of the City.

SECTION 187. CITY MANAGER EVALUATION PROCESS

187.1 Criteria. The job expectations and goals used in the evaluation of the City Manager will be adopted at a regular Council meeting in accordance with state law.

187.2 Form

- A. Council members and the City Manager will mutually agree on the form of the annual evaluation.

SECTION 198. COUNCIL EXPENSES

198.1 Reimbursement. Council members will follow the same rules and procedures for reimbursement as City employees.

198.2 Budget. Council will review and discuss its proposed annual budget as coordinated by the Mayor and Council President and as presented by City staff during a public meeting.

198.3 Guests. Under Oregon Government Ethics Commission rules, expenses for one guest per Councilor will be covered for attendance at official City functions.

From: [Curt Fisher](#)
To: [Rochelle Roaden](#)
Cc: [Rocio Vargas](#)
Subject: RE: Please Review - Council Rules Update with Land Use Hearing Update
Date: Friday, January 19, 2024 1:45:55 PM
Attachments: [image002.png](#)
[image003.png](#)
[PC Hearing Procedure.docx](#)

This is my suggestion for the Section 5.2.B.b.viii.c regarding continuances that are consistent with Councilor Maguire's comments:

c. Continuances. Only one continuance is available by right. However, nothing in this section shall restrict the council, in its discretion, from granting additional continuances. Any continuance shall result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.

Should read:

c. Continuances. Only one continuance is available by right. However, nothing in this section shall restrict the Council, in its discretion, from granting additional continuances. A continuance of the hearing granted pursuant to this section is subject to the limitations of ORS 227.178 - 120-day rule, unless the applicant waives his or her right to a final decision being made within 120 days of filing a complete application.

My proposal for Section 7.3.205.02 - Public Hearing Procedures for public hearings before Planning Commission - is attached. It generally mirrors the City Council proposed procedure but is amended for Planning Commission.

Have a great weekend!

Curt Fisher, AICP
Associate Planner

MWVCOG
100 High Street, Suite 200
Salem OR 97302
503-540-1616 | Cfisher@MWVCOG.org
Pronouns: he/him



External: Please report suspicious email to

Curt,

The Dayton City Council reviews their rules in January of even numbered years. For this year's update, our attorney added language regarding Land Use Hearings (Section 5.2). Can you please review the attached document and let me know if you have any corrections/changes?

Council is reviewing on January 2nd, and then I will take it back on February 5th attached to a resolution. Any changes/corrections I will need by January 20th to go into the final document.

If you'd like the document in word, just let me know. I'd attach it now but I am working from home and for some reason can't access the folder.

One other note, our attorney mentioned that if the Planning Commission has not formally adopted a public hearings procedure, that we should do that as well.

Thanks,
Rochelle



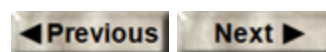
Rochelle Roaden
City Manager
416 Ferry Street
Dayton, Oregon 97114
Phone: 503.864.2221
Cell: 503.864.7444
www.daytonoregon.gov

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Chapter 15 - Discipline

Every organization has the right to enforce its rules and expect ethical and honorable conduct from its members. Most organizations have discipline problems from time to time. A discipline problem may be something as simple as a member misbehaving at a meeting or an officer overstepping the boundaries of his or her office. If the problem is not corrected when it arises, it can escalate into something more serious, requiring that someone be removed from office or membership. However, the organization can often solve discipline problems by taking the member or officer aside and talking with him or her about it, which saves both the member and the organization embarrassment.

This chapter explains common discipline problems that organizations encounter and how to handle them. Many problems that cause difficulties in organizations are the result of inflated egos, personality conflicts, or ignorance of proper procedures. If egos or personalities are the root cause, it takes diplomacy, patience, and skill to solve these problems.

THE UNRULY MEMBER AT MEETINGS

In meetings where controversial issues are debated, some members may get so excited that they talk out of turn and continually seek the floor to rebut those who don't agree with them. In a case like this, the chair should remain calm and firmly remind the member of the proper rules of debate. If the member is reasonable, nothing more may need to be said.

If the member doesn't heed the remarks of the chair and continues his or her behavior, the chair's next step is to call the member to order. The chair states, "The member is out of order and will be seated." If the member refuses to be seated and continues with his or her obnoxious behavior, the next step the chair can take is to name the offender. This action, in essence, prefers charges against the member and should be used as a last resort. Before this action is taken, the chair instructs the secretary to record the obnoxious behavior or words. In naming the offender, the chairman uses the member's name and states what he or she has done wrong.

President: Mr. Smith! The chair has asked you repeatedly not to speak after each speaker. The chair has ordered you to sit down four times and you have continued to speak.

If the member sits down at that point, the assembly can choose whether to drop the matter or ask for a penalty.

PENALTIES

The chair cannot impose a penalty for misbehavior; only the assembly can do so. A member can rise and make a motion proposing a penalty, or the chair can ask, "What penalty should be imposed on the member?" Possible motions that assemblies can make include:

- A motion that the member must apologize
- A motion that the member must leave the hall during the remainder of the meeting
- A motion to censure the member
- A motion to suspend the member's rights for a designated period of time
- A motion to expel the member from the organization

If the assembly wants the member to leave the hall while they discuss the penalty, someone must present this option in the form of a motion, which takes a majority to adopt. If the assembly does not ask the member to leave during the discussion, it should allow that person to speak briefly in his or her defense. If the member denies the charges, the secretary can read back what he or she has said or done.

Any penalty other than expulsion requires a majority vote to adopt; expulsion takes a two-thirds vote. At the request of a single member, the vote on a penalty motion must be taken by ballot.

Removing an Offender from the Assembly Hall

Anyone attending a meeting can be removed from the assembly hall. The chair has the power to remove a nonmember at any time during a meeting, and this person has no right to appeal the chair's decision. (However, a member can make an appeal on behalf of the nonmember.) An assembly vote is required to remove a member from the hall.

If a person is asked to leave the assembly and refuses, the chair should take the steps necessary to see that order is enforced. The chair must carefully appraise the situation and act wisely. The chair can either appoint a committee to escort the person to the door or ask the sergeant-at-arms to remove the person. (The sergeant-at-arms is the person who acts as a doorkeeper, maintains order at the direction of the presiding officer, and is responsible for the comfort of the assembly.) Those escorting someone to the door must be careful how much force they use, because they can be liable for damages or be sued. If those appointed to escort the person to the door can't persuade the person to leave, they should call the police. However, the police may not want to get involved unless the organization is willing to press charges.

Making a Motion to Censure

To censure a member or an officer is to warn him or her that if a certain behavior continues, the next step is suspension or expulsion.

Censure

- Purpose: To reprimand the member with the hopes of reforming him or her so that he or she won't behave in the same way again.
- Needs a second.
- Amendable.
- Debatable.
- Requires a majority vote.
- Can't be reconsidered.
- Result: The member is put on notice that if he or she repeats the offense, he or she can be suspended or removed from membership or office.

This is an incidental main motion and can be made only when no business is pending. All subsidiary and incidental motions can be applied to this motion. The member or officer being censured may come to his own defense during the debate but can't vote. Taking the vote by ballot is wise. A member can not be censured twice for the same offense.

Censuring a member

Members can be censured for misconduct at meetings, violating confidentiality, moral misconduct outside the meeting, absenteeism, bribery, fraud, lying, disloyalty, working against the organization, conspiracy, and violating other values that an organization holds dear.

A motion to censure a member can occur in two circumstances. First, if the chair has named the person (as a result of that person's poor behavior), a member can make the motion to censure when the chair asks for a penalty. Second, if members know of another member's bad behavior and want to bring it to the attention of the assembly in the form of a motion to censure, that can be done under new business or under the part of the agenda called for the good of the order.

In the first situation, when the chairman asks for a penalty, a member rises and states:

Member: I move to censure Member Gates.

Member 2: I second the motion.

President: It is moved and seconded to censure Member

Gates. Is there any discussion?

After discussion, the chair takes a vote. If the members want to take the vote by ballot, a member makes a motion to do so, or the chair can ask, "Is there any objection to taking the vote by ballot?"

If the assembly votes to censure the member, the chair states:

President: The affirmative has it. The motion is carried. Member Gates, you have been censured by the assembly. A censure indicates the assembly's displeasure of your conduct at meetings. A censure is a warning. If you don't act according to the rules, you can be suspended or expelled from membership.

In the second situation, if a member knows of another member's serious misconduct, he or she can make the motion to censure during new business or under the good of the order. Here is an example:

Member: Mr. President, before I make the motion to censure, may I call to the attention of the assembly that Member Johnson has been telling members what has gone on in executive session of the board meetings, thereby breaking the rule that everything said in executive session is confidential. This is causing great harm in the organization and we must show our disapproval of this behavior. I therefore move that we censure Member Johnson.

Censuring officers

Officers can be censured as well for behavior such as not performing duties, doing things beyond what the bylaws or organization has assigned the officer to do, and fraud.

A presiding officer can also be censured for not following parliamentary rules in meetings, and for denying members their basic rights to make motions, participate in debate, and vote.

In censuring a presiding officer, a member informs the chair that he or she is going to do so, and then turns to the vice president to make the motion. If the vice president refuses to entertain it or is not present, the member then presents the motion to the secretary. If the secretary declines or is absent, the member can present the motion to the assembly from where he or she stands on the floor. If the vice president or secretary conducts the censure, they do so from where they are in the assembly and not from the president's position. The president can speak in his or her defense but cannot vote on the censure.

To censure the chair, a member presents the motion in the following fashion:

Member: Madam President, I am going to propose a motion to censure you, which I have a right to do. When a motion to censure the president is made, it is addressed to and entertained by the vice president. [The member turns to the vice president and presents it as a resolution.]

Mr. Vice President, I move the following resolution to censure:

"Whereas, The president has repeatedly denied members their right to make motions and debate; refused to entertain points of order and proper appeals; recognized only those who have upheld her views and denied the opposition the right to speak; and

Whereas, she has been obnoxious, rude, and arrogant; and

Whereas, such conduct is detrimental to the organization; now, therefore, be it

Resolved, that the president be censured.

This motion needs a second. The vice president places it before the assembly:

Vice President: It is moved and seconded to censure the president. Is there any discussion?

After discussion, the vice president takes a vote by ballot. If the affirmative has it, he or she states:

Vice President: There are 35 votes in the affirmative and 5 in the negative. The affirmative has it and the motion is carried.

The vice president then turns to the president and states:

Vice President: Madam Jones, you have been censured by the assembly for the reasons contained in the resolution. I now return control of the meeting to you.

If the president persists in the behavior, the next step is to remove him or her from office. Members must follow the bylaws for this procedure. If the bylaws contain a provision on how to remove someone from office, follow that procedure. If the bylaws state that someone is elected to office for ____ years or until their successor is elected, the members can then rescind the election. If the bylaws state "elected to office for ____ years or "elected to office for ____ years and until the successor is elected," the members must have a trial. The difference between "or" and "and" in this part of the bylaws is substantial.

Holding a Trial

Because a trial is a serious event for any organization and should rarely be used, there are specific procedures to follow to protect the rights of the accused:

- A trial is held in executive session.
- The accused has a right to due process - to be notified of the charges, given time to prepare a defense, and allowed the right to appear and defend himself or herself.

Several steps must happen before a trial can take place. The first step when members hear of misconduct by another member is to choose a committee to investigate the validity of the reports and to see if charges should be made. The members of this committee should be chosen for their integrity and good judgment. To establish such a committee requires that a resolution be made, seconded, discussed, and voted on. This resolution should avoid as much detail as possible to protect the parties, who may be innocent.

In the second step, the committee should quietly conduct its investigation and make a sincere effort to get the facts.

Any information collected is confidential. The committee should also talk with the accused to hear his or her side of the story. If the committee members find that the reports of misconduct are untrue, they should prepare a report and resolution for clearing the accused. If they find substantial evidence that the report of misconduct is true, the next step is to report the findings and prefer charges.

Next, the investigating committee prepares several resolutions. The first resolution includes setting a date and time for the trial meeting. It states that member X is to appear to show why he or she should not be expelled from the organization; it also states the specific charges. A second resolution establishes the trial committee and its members. The trial committee should have different members than the investigating committee.

If the members adopt the resolutions to have a trial, the secretary immediately sends by registered mail a letter notifying the accused of the time, date, and place of the trial, as well as the charges against him or her. (The letter should include a copy of the exact charges.) At the trial, the secretary should have on-hand a copy of the letter that was sent to the accused and a signed return receipt to prove that he or she received the letter.

The trial is a hearing. Members of the organization appointed to present the evidence against the accused are called managers. They should not be thought of as prosecuting attorneys; their intent should be to get at the truth and see that the outcome is just. The accused has a right to be represented by counsel and to speak and present witnesses in his or her own defense. The defense counsel may be an attorney but must be a member of the organization, unless the organization agrees by a vote to allow a nonmember to represent the accused.

At the beginning of the trial, the charges are read and the accused is asked how he or she pleads. If the accused answers "guilty," there is no reason to proceed with the trial. If he or she pleads not guilty, the members proceed with opening statements by the managers and then by the accused. Next, witnesses are presented by the managers and then by the accused. Rebuttal of witnesses by the managers and then by the accused is followed by closing arguments on both sides.

After closing arguments, the accused leaves the room and the assembly discusses and takes a vote. Each charge is read, debated, and voted on. If the accused is found guilty, the next business in order is determining the penalty. Usually the managers propose the penalty, and the members can debate and amend that motion. One member can demand that the vote be taken by ballot. Removing the person on trial from membership requires a two-thirds vote. After the penalty is decided, the accused is brought back into the assembly and told the results.

A trial is an extreme measure. The best policy is to talk to the member and see what can be resolved before the situation ever reaches this proceeding.

SOME FINAL THOUGHTS

President Lyndon B. Johnson's favorite expression when trying to get opposing groups together was "Come let us reason together." Consider this expression when confronted with disruptive members and overbearing officers. Often the best solutions come when members try to resolve problems first by talking with the member or officer in question. One wise parliamentarian said, "If you're having a problem with someone, take him out to lunch." This man believed that gently talking with someone in a friendly atmosphere could resolve the difficulty without embarrassment to the person or the organization.

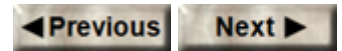
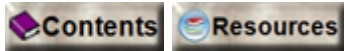
This method certainly isn't new. Jesus told his followers that when they had problems with their fellow church members, one member should go and talk to the troublemaker. If the troublemaker didn't change his ways, then two members should go and talk to that person. If there still wasn't a change, the matter should go before the entire church body to solve.

Keep in mind that members and officers make mistakes because of ignorance, lack of training, or miscommunications.

Censuring a person or using other disciplinary procedures may not solve the problem or may even make matters worse. By talking with the member or officer first, you may gain a friend and a good member.

"Come let us reason together" should be a motto for solving all organizational problems. This idea even works well in the middle of a meeting when tempers are running high. In this case, the chair can recess a meeting to let members cool down and to take the opportunity to speak with the disruptive members.

Westside Toastmasters is located in Los Angeles and Santa Monica, California



Chapter 10 – Censure and Removal

- A. The Council may enforce these rules and ensure compliance with City ordinances, charter and state laws applicable to governing bodies. If a member of the Council violates these rules, City ordinances, the City Charter, or state laws applicable to governing bodies, the Council may take action to protect the integrity of the Council and discipline the member with a public reprimand or removal as provided for in the City charter.
- B. The Council may direct the investigation of the actions of any member of Council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the City Charter or state laws applicable to governing bodies has occurred. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

Officer preserve decorum during Council meetings and shall not, by conversation or other action, delay or interrupt the proceedings or refuse to follow the directions of the Presiding Officer or Council Rules.

- b. Council Response to Questions. The Presiding Officer shall refer any comments or questions regarding city personnel or administration to the City Administrator. The Presiding Officer may redirect other questions to a City Councilor or the City Administrator, as appropriate. Councilors may also address questions directly to the City Administrator, who may either answer the inquiry or designate a staff member to do so.

5.6 Maintaining Order.

- a. At any time during a Council meeting, the Presiding Officer may temporarily suspend the proceedings if any member of the public unreasonably interferes with the conduct of the meeting. Any person, who in the opinion of a Councilor disrupts a meeting and refuses to follow a request or directive of the Presiding Officer, may be removed from the room, after fair warning, if the Presiding Officer so directs.
- b. If necessary under the circumstances, any member of the Council may obtain the floor and make a motion to enforce order under this provision. Upon affirmative vote by a majority of the Council present, the person or persons shall be removed and proceedings suspended, if necessary, as if the Presiding Officer so directed. Any person who continues to disrupt a meeting after being requested to desist may be barred from further audience before the Council.
- c. If necessary, the Presiding Officer or City Council may give an order to clear the Council Chamber and call a recess until order is restored.

SECTION 6. COUNCILOR CONDUCT

- 6.1 Representing the city or personal interests; announcement required.
If a Council member appears before another governmental agency or organization to give a statement on an issue, the Council member must state: 1) whether his or her statement reflects personal opinion or is the official stance of the City; 2) whether the statement is the majority or minority opinion of the Council. If the Council member is representing the City, the Council member shall support and advocate the official City position on an issue rather than a personal viewpoint.

6.2 Censure for Violation.

- a. The Council may make and enforce its own rules and ensure compliance with those local or state rule applicable to public bodies. Should any Councilor act in any manner constituting a substantial violation of these rules or other laws of public bodies, the Council, acting as a whole, may discipline that Councilor to the extent provided by law, including public reprimand.
- b. To exercise its inherent right to enforce its rules, the Council may investigate the actions of any Councilor. Pursuant to ORS 192.660(1)(b), unless the

Councilor requests an open hearing, such investigation shall be referred to the Council meeting in executive session to discuss any finding that reasonable grounds exist that a substantial violation has occurred.

- c. To the extent provided by law, no Councilor may make public any information obtained in executive session conducted for the purposes of this section.

SECTION 7. APPOINTMENT AND REMOVAL OF MEMBERS OF BOARDS, COMMITTEES, COMMISSIONS, AND OTHER CITY OFFICES

- 7.1 Appointment. Pursuant to City Charter, a majority of the City Council may create, abolish, and combine appointive city offices, and fill such offices by appointment and vacate them by removal.
- 7.2 Budget Committee. The Budget Committee shall consist of 7 city resident members and the 7 members of the City Council for a total of 14. The Budget Committee shall select a chair at the first meeting of each calendar year. The terms of office for city resident members shall be three years, overlapping as provided in ORS 294.336(5) so that one-third of the terms of the appointive members end each year.
- 7.3 Planning Commission. The Planning Commission shall consist of 7 persons with 4-year overlapping terms of office. The City Council shall appoint and approve Planning Commission members. At the first meeting of each calendar year, the Planning Commission shall select a chair and vice-chair. City staff shall serve to keep the minutes of all meetings. If a vacancy in the Planning Commission occurs, the vacancy may be filled by appointment of the Council. The City Council may remove a Planning Commissioner from office, but only after conducting a hearing and affording due process as required by ORS 227.030.
- 7.4 Task Force. The Mayor, with consent of the Council, may appoint a Task Force for the length of time necessary to accomplish a mission. The appropriate number of appointees may be determined at the time of appointment. Task Force members who reside within and outside the city limits may be appointed. Typically, there can only be one member per household, one member per business, and no more than two members may be engaged in the same kind of business, trade or profession, unless altered by a majority vote of the Council.
- 7.5 Qualifications. Except as noted in Section 7.4 or as required by law, all appointees to City Boards, Commissions or Committees shall be registered electors residing in the City of Dundee for a period of at least one year.
- 7.6 Removal of Appointed Officers. Unless required otherwise by state law or City Charter, the City Council has authority to remove any appointed officer, including the City Administrator, the Municipal Judge, and any board, commission or committee member. Reasons for removal may include, but are not limited to: missing three consecutive regular meetings of a board, committee or commission, exhibiting disruptive or inappropriate behavior prior to, during, or after meetings and which prohibit the body from completing its business in a timely manner, or failing to act in the best interest of the citizens or city.

member wishing to speak on the item should have one opportunity to speak. A second is required for this motion. When the question is called, the Mayor will inquire whether any member of the City Council objects. If there is an objection, the matter will be put to a vote, and it fails without a two-thirds vote. Debate may continue if the motion fails.

7. Amendment. A motion to amend may be made to a previous motion that has been seconded but not voted on. Amendments will be voted on first, then the main motion as amended (or not amended). Motions to adjourn, amend the agenda order, table, point of order, take from table and reconsider may not be amended.
8. Reconsideration. When a motion has been decided, any member of the City Council who voted with the majority may move for reconsideration. A motion for reconsideration may only be made at the meeting at which the motion on the ordinance, resolution, order or other decision was approved.

G. COUNCIL MEMBER CONDUCT

1. Representing City. If a member of the City Council appears before another governmental agency or organization to give a statement on an issue, the member must state:
 - a. Whether the statement reflects personal opinion or is the official position of the City; and
 - b. Whether the statement is supported by a majority of the City Council.

If the member is representing the City, the member must support and advocate for the official City position on the issue rather than a personal viewpoint.

2. Censure.
 - a. The City Council may make and enforce its own rules and ensure compliance with city and state laws applicable to governing bodies. If a member of the City Council substantially violates these rules or state law, the City Council may take action to protect Council integrity and discipline the member with a public reprimand.
 - b. Before taking any action to publicly reprimand or censure a member of the City Council, the Council must plainly state its concerns in writing or in an open public meeting, and the Council member must have a reasonable opportunity to respond.
 - c. The City Council may thereafter investigate the actions of any member and meet in executive session to discuss any finding that reasonable grounds exist that a substantial violation has occurred. Under ORS

192.660(1)(b), the member under investigation may request an open hearing.

H. CONFIDENTIALITY

1. Members of the City Council will keep all written materials provided to them on matters of confidentiality under law in complete confidence to insure the City's position is not compromised. No mention of the information read or heard should be made to anyone other than other members of the City Council, the City Manager or City Attorney.
2. If the Council meets in executive session, members should attempt to provide direction or consensus to staff on proposed terms and conditions for negotiations. All contact with other parties must be left to the designated staff or representative(s) handling the negotiations or litigation. Members of the City Council may not have any contact or discussion with any other party or its representative nor communicate any executive session discussion.
3. All public statements, information or press releases relating to a confidential matter will be handled by designated staff or a designated member of the City Council.
4. Unless required by law, no member of the City Council may make public the discussions or information obtained in executive session. The City Council may censure a member who discloses a confidential matter or otherwise violates these rules.

I. COMMUNICATION WITH STAFF

1. The City Council will respect the separation between policy making (Council function) and administration (City Manager function) by:
 - a. Working with the staff as a team with a spirit of mutual respect and support.
 - b. Except in a Council meeting, not attempting to influence a City employee or the City Manager concerning personnel matters, purchasing issues, the award of contracts or the selection of consultants, the processing of development applications or granting of City licenses and permits. However, the sharing of ideas with the City Manager on these matters is appropriate.
 - c. Limiting individual contacts with City staff to the City Manager, Executive Management, or other designated staff so as not to influence staff decisions or recommendations, interfere with their work performance, undermine the City Manager authority or prevent the full Council from having the benefit of any information received. To this end,

necessary should be removed; a shirt or blouse should be worn; muddy shoes or boots should be removed; and shoes should be worn.

Rule 8.4 Removal of Any Person

Any persons making disruptive or threatening remarks or actions during a meeting will forthwith be barred from further audience at that meeting, unless permission to continue is granted by a majority vote of the councilors present. The mayor or presiding officer may summon the assistance of the police or other administrative staff to prevent further interruption by such person by any action necessary, including the removal of that individual. In case the mayor or presiding officer should fail to act, any councilor may obtain the floor and move to require enforcement of this rule; upon an affirmative vote of the majority of the councilors present. The police or administrative staff will be authorized to remove the person(s) as the mayor or presiding officer so directs.

Rule 8.5 Censure

The council may enforce these rules and ensure compliance with city ordinances, charter and state laws applicable to governing bodies. If a member of the council violates these rules, city ordinances, the city charter or state laws applicable to governing bodies, a majority of the entire membership of the council may take action to protect the integrity of the council and discipline the member with a public reprimand, removal from committee assignments, and/or the removal from the position of council president.

Rule 8.6 Use of Executive Session to Investigate Council Members Actions

The Council may investigate the actions of any member of council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the city charter or state laws applicable to governing bodies has occurred. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b)

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CITY MANAGER'S REPORT

Report Criteria:
 Report type: Summary

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Check Amount
12/23	12/11/2023	1004	105	City of Dayton	PAY APP 4	1	700.700.910.41	.00	52,999.96
12/23	12/11/2023	1005	2014	Stellar J Corporation	PAY APP 004	1	700.700.910.41	.00	95,655.00
12/23	12/26/2023	29229	1786	Bend Mailing Services	89040	10	400.400.705.00	.00	3,171.69
12/23	12/26/2023	29230	255	Cascade Columbia	Multiple	3	300.301.616.00	.00	8,130.57
12/23	12/26/2023	29231	105	City of Dayton	Multiple	1	300.301.707.00	.00	2,110.53
12/23	12/26/2023	29232	362	City of Newberg	Multiple	3	100.106.716.10	.00	2,260.60
12/23	12/26/2023	29233	111	DCBS Fiscal Services	Multiple	1	100.106.700.35	.00	255.12
12/23	12/26/2023	29234	789	Edge Analytical	Multiple	1	300.300.751.00	.00	432.00
12/23	12/26/2023	29235	543	Ferrellgas	1125164290	10	400.400.600.10	.00	331.93
12/23	12/26/2023	29236	134	Iron Mountain Records Mgmt	HYZD333	10	400.400.601.00	.00	139.48
12/23	12/26/2023	29237	2043	Melissa West	DEPOSIT RE	1	100.100.750.20	.00	200.00
12/23	12/26/2023	29238	124	Mid-Willamette Valley COG	Multiple	1	100.105.705.20	.00	3,951.09
12/23	12/26/2023	29239	240	Print NW	23096	1	500.500.752.00	.00	265.00
12/23	12/26/2023	29240	1463	Quadient Leasing USA, Inc	Q1091270	10	400.400.601.10	.00	459.15
12/23	12/26/2023	29241	1995	The Law Office of Larry J Blake, J	329	1	101.101.705.40	.00	500.00
12/23	12/11/2023	202311106	2036	Activate Freight LLC	23-05991	1	100.103.915.00	.00	2,943.44
12/23	12/11/2023	202311107	1678	Alderbrook Gardens	29127	1	500.500.752.60	.00	342.00
12/23	12/11/2023	202311108	329	Alexonet Inc	2685	11	105.105.705.30	.00	3,000.00
12/23	12/11/2023	202311109	2041	Annette & Anthony DeRaeve	DEPOSIT RE	2	400.400.750.00	.00	55.12
12/23	12/11/2023	202311110	151	Beery, Elsner & Hammond	32367	11	500.500.700.00	.00	856.00
12/23	12/11/2023	202311111	1064	Botten's Equipment Rental	109109-2	1	100.103.915.00	.00	257.00
12/23	12/11/2023	202311112	2035	Carpet MD	18131	1	100.100.707.30	.00	899.00
12/23	12/11/2023	202311113	1922	Cintas Corp	Multiple	6	400.400.616.10	.00	346.66
12/23	12/11/2023	202311114	1865	Comcast Business	8778105130	1	400.400.705.30	.00	104.85
12/23	12/11/2023	202311115	519	Comcast Cable - internet	8778105130	11	400.400.705.30	.00	179.84
12/23	12/11/2023	202311116	2042	Connie Dixon	DEPOSIT RE	1	100.100.750.20	.00	200.00
12/23	12/11/2023	202311117	2028	Cornwell Creative	COD001023	1	105.105.710.00	.00	536.25
12/23	12/11/2023	202311118	2040	Creekside Valley Farms LLC	DEPOSIT RE	1	100.100.750.20	.00	200.00
12/23	12/11/2023	202311119	1841	CytrX	INV159929	5	400.400.614.00	.00	36.00
12/23	12/11/2023	202311120	148	Davison Auto Parts	506718	6	400.400.617.00	.00	76.47
12/23	12/11/2023	202311121	453	DJC Oregon	745656740	1	760.760.920.00	.00	360.80
12/23	12/11/2023	202311122	231	DOWL	2647.80185.	2	600.600.920.35	.00	32,786.96
12/23	12/11/2023	202311123	789	Edge Analytical	Multiple	1	400.400.751.00	.00	363.00
12/23	12/11/2023	202311124	543	Ferrellgas	Multiple	10	400.400.600.10	.00	1,322.34
12/23	12/11/2023	202311125	2037	G. Gabriela Romero Rodriquez	DEPOSIT RE	1	100.100.750.20	.00	300.00
12/23	12/11/2023	202311126	1326	Government Ethics Commission	AIE18573	1	500.500.752.00	.00	945.68
12/23	12/11/2023	202311127	2039	Jessica Arenas	DEPOSIT RE	2	400.400.750.00	.00	131.93
12/23	12/11/2023	202311128	1572	McMinnville Commercial Cleaners	Multiple	1	100.100.707.30	.00	1,250.00
12/23	12/11/2023	202311129	121	McMinnville Water & Light	67508 12202	1	300.300.600.00	.00	278.64
12/23	12/11/2023	202311130	1933	Mobile Modular	2495334	4	100.103.601.00	.00	904.90
12/23	12/11/2023	202311131	109	News Register	Multiple	11	400.400.700.10	.00	966.09
12/23	12/11/2023	202311132	871	ODP Business Solutions, LLC	3401634640	10	400.400.601.00	.00	81.08
12/23	12/11/2023	202311133	173	One Call Concepts, Inc.	3110352	2	400.400.799.00	.00	15.40
12/23	12/11/2023	202311134	116	Pitney Bowes	3318345668	10	400.400.601.10	.00	235.74
12/23	12/11/2023	202311135	621	Portland Engineering, Inc	12111	3	400.400.705.10	.00	90.00
12/23	12/11/2023	202311136	236	PumpTech Systems, Inc	23845	1	300.300.614.00	.00	689.00
12/23	12/11/2023	202311137	1974	Stephen Sagmiller	00009	4	400.400.705.00	.00	1,910.00
12/23	12/11/2023	202311138	228	The Home Depot Pro	775601313	10	400.400.601.00	.00	456.03
12/23	12/11/2023	202311139	1995	The Law Office of Larry J Blake, J	322	1	101.101.705.40	.00	500.00
12/23	12/11/2023	202311140	785	TKE Corp	3007598102	1	100.100.707.30	.00	851.21
12/23	12/11/2023	202311141	154	Westech Engineering, Inc	Multiple	1	700.700.910.00	.00	7,749.00
12/23	12/11/2023	202311142	662	Whitney Equipment Comp, Inc	Multiple	1	300.301.614.00	.00	2,142.00
12/23	12/11/2023	202311143	2038	Yamhill County - SEBA	DEPOSIT RE	1	100.100.750.20	.00	650.00

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Check Amount
12/23	12/11/2023	202311144	114	Yamhill County Sheriff	DECEMBER	1	101.101.705.10	.00	15,878.95
12/23	12/11/2023	202311145	115	Yamhill County Sheriff	23-0008 122	1	101.101.700.35	.00	96.00
12/23	12/11/2023	202311146	117	YCOM	5019008	1	101.101.770.00	.00	2,388.50
12/23	12/31/2023	202312107	190	AFLAC	421287	1	100.000.220.00	.00	180.43
12/23	12/31/2023	202312108	189	CIS Trust	JANUARY 20	24	400.400.594.00	.00	15,366.53
12/23	12/31/2023	202312109	256	Oregon Dept of Revenue	DECEMBER	1	100.000.212.00	.00	5,054.83
12/23	12/31/2023	202312110	103	PGE	Multiple	1	300.301.600.00	.00	10,834.71
12/23	12/31/2023	202312111	213	Pitney Bowes Purchase Power	STATEMENT	10	400.400.601.10	.00	1,289.12
12/23	12/31/2023	202312112	1006	US Bank	Multiple	39	100.100.707.30	.00	7,450.69
12/23	12/31/2023	202312113	112	Wilco	Multiple	6	400.400.616.10	.00	1,897.35
Grand Totals:								.00	296,311.66

City of Dayton
Budget vs Actual for FY 2022-23
as of December 31, 2023

		07/22-09/23	07/22-06/23	YTD	2021-22
		Cur YTD	Cur Year	% of	Pri Year
		Actual	Budget	Budget	Actual
GENERAL FUND	Revenue	649,211	862,663	75.3%	1,058,548
Admin	Personnel Services				
	Salaries	38,564	87,700	44.0%	71,940
	Benefits	17,639	47,973	36.8%	38,972
	Material and Services	38,524	92,703	41.6%	91,284
	Capital Outlay	11,805	21,000	56.2%	1,854
	Total Administration	106,533	249,376	42.7%	204,051
Parks	Personnel Services				
	Salaries	25,124	57,672	43.6%	35,131
	Benefits	19,167	31,548	60.8%	34,079
	Material and Services	29,448	74,650	39.4%	63,673
	Capital Outlay	4,223	16,250	26.0%	13,746
	Total Parks	77,962	180,120	43.3%	146,630
Library	Personnel Services				
	Salaries	37,700	73,318	51.4%	56,158
	Benefits	13,135	40,106	32.8%	28,911
	Material and Services	13,783	42,361	32.5%	27,138
	Capital Outlay	350	2,500	14.0%	665
	Total Library	64,968	158,285	41.0%	112,874
Planning	Personnel Services				
	Salaries	11,789	30,736	38.4%	31,428
	Benefits	7,264	16,813	43.2%	17,826
	Material and Services	46,288	45,900	100.8%	75,953
	Capital Outlay	138	1,000	13.8%	0
	Total Planning	65,480	94,449	69.3%	125,206
Building	Personnel Services				
	Salaries	15,897	35,020	45.4%	29,549
	Benefits	6,423	19,156	33.5%	16,396
	Material and Services	39,729	64,344	61.7%	97,965
	Capital Outlay	138	1,150	12.0%	0
	Total Building	62,187	119,670	52.0%	143,911
	Transfers	0	10,000	0.0%	20,000
	Contingency	0	101,526	0.0%	0
	Unappropriated Ending Fund Balance	0	0	0.0%	0
	Total Fund 100 Revenue	649,211	862,663	75.3%	1,058,548
	Total Fund 100 Expenses	377,129	913,426	41.3%	752,672
	General Fund Balance	272,082			305,876

City of Dayton
Budget vs Actual for FY 2022-23
as of December 31, 2023

	07/22-09/23 Cur YTD Actual	07/22-06/23 Cur Year Budget	YTD % of Budget	2021-22 Pri Year Actual
LOCAL OPTION TAX				
Revenue	342,264	341,818	100.1%	383,678
Personnel Services				
Salaries	25,124	51,586	48.7%	48,248
Benefits	11,217	28,218	39.7%	24,688
Material and Services	129,353	259,773	49.8%	244,629
Capital Outlay	1,195	1,750	68.3%	695
Total	166,888	341,327	48.9%	318,261
Contingency	0	492	0.0%	0
Total Fund 101 Revenue	342,264	341,818	100.1%	383,678
Total Fund 101 Expenses	166,888	341,819	48.8%	318,261
Local Option Tax Fund Balance	175,375			65,417
Transient Lodging Fund				
Revenue	386,464	373,973	103.3%	463,292
Personnel Services				
Salaries	19,650	42,500	46.2%	3,104
Benefits	2,632	23,248	11.3%	0
Material and Services	7,899	82,743	9.5%	4,932
Capital Outlay	0	0	0.0%	0
Total	30,181	148,491	20.3%	8,035
Transfers	0	43,000	0.0%	136,806
Contingency	0	82,482	0.0%	0
Unappropriated Ending Fund Balance	0	100,000	0.0%	0
Total Fund 105 Revenue	386,464	373,973	103.3%	463,292
Total Fund 105 Expenses	30,181	373,973	8.1%	144,841
Transient Lodging Fund Balance	356,283			318,451
American Rescue Plan Fund				
Revenue	2,258	490,255	0.5%	490,304
Capital Outlay	0	0	0.0%	0
Total	0	0	0.0%	0
Transfers	0	490,255	0.0%	488,990
Contingency	0	0	0.0%	0
Unappropriated Ending Fund Balance	0	0	0.0%	0
Total Fund 106 Revenue	2,258	490,255	0.5%	490,304
Total Fund 106 Expenses	0	490,255	0.0%	488,990
American Rescue Plan Fund	2,258			1,314

City of Dayton
Budget vs Actual for FY 2022-23
as of December 31, 2023

	07/22-09/23	07/22-06/23	YTD	2021-22
	Cur YTD	Cur Year	% of	Pri Year
	Actual	Budget	Budget	Actual
Street Fund				
Revenue	294,081	363,742	80.8%	425,404
Personnel Services				
Salaries	19,426	42,270	46.0%	50,395
Benefits	10,209	23,122	44.2%	22,177
Material and Services	37,637	103,250	36.5%	68,056
Capital Outlay	1,546	22,500	6.9%	9,193
Total	68,818	191,142	36.0%	149,822
Transfers	0	120,000	0.0%	90,000
Contingency	0	2,600	0.0%	0
Unappropriated Ending Fund Balance	0	50,000	0.0%	0
Total Fund 200 Revenue	294,081	363,742	80.8%	425,404
Total Fund 200 Expenses	68,818	363,742	18.9%	239,822
Street Fund Balance	225,263			185,582
Water Fund				
Revenue	1,278,848	1,632,354	78.3%	1,869,699
Personnel Services				
Salaries	87,856	196,345	44.7%	186,950
Benefits	42,820	107,403	39.9%	98,736
Material and Services	161,241	340,632	47.3%	261,879
Capital Outlay	1,267	8,000	15.8%	464
Total	293,184	652,380	44.9%	548,029
Transfers	0	605,000	0.0%	440,000
Contingency	0	53,234	0.0%	0
Unappropriated Ending Fund Balance	0	75,000	0.0%	0
Total Fund 300 Revenue	1,278,848	1,632,354	78.3%	1,869,699
Total Fund 300 Expenses	412,244	1,632,354	25.3%	1,174,876
Water Fund Balance	866,604			694,823
Water Treatment Facility				
Personnel Services				
Salaries	32,139	57,632	55.8%	63,529
Benefits	15,030	31,526	47.7%	34,869
Material and Services	64,690	132,582	48.8%	88,280
Capital Outlay	7,202	25,000	28.8%	168
Total	119,060	246,740	48.3%	186,846
Transfers	0	605,000	0.0%	440,000
Contingency	0	53,234	0.0%	0
Unappropriated Ending Fund Balance	0	75,000	0.0%	0

**City of Dayton
Budget vs Actual for FY 2022-23
as of December 31, 2023**

	07/22-09/23 Cur YTD Actual	07/22-06/23 Cur Year Budget	YTD % of Budget	2021-22 Pri Year Actual
Sewer Fund				
Revenue	493,975	905,127	54.6%	1,006,863
Personnel Services				
Salaries	82,235	193,323	42.5%	179,396
Benefits	40,861	105,750	38.6%	97,328
Material and Services	174,704	282,836	61.8%	274,556
Capital Outlay	1,313	16,500	8.0%	74,121
Total	299,112	598,409	50.0%	625,401
Transfers	0	271,000	0.0%	171,000
Contingency	0	0	0.0%	0
Unappropriated Ending Fund Balance	0	35,718	0.0%	0
Total Fund 400 Revenue	493,975	905,127	54.6%	1,006,863
Total Fund 400 Expenses	299,112	905,127	33.0%	796,401
Sewer Fund Balance	194,862			210,462
State Revenue Sharing				
Revenue	55,986	66,900	83.7%	102,381
Material and Services	35,747	65,900	54.2%	62,971
Capital Outlay	284	1,000	28.4%	2,635
Total	36,031	66,900	53.9%	65,606
Total Fund 500 Revenue	55,986	66,900	83.7%	102,381
Total Fund 500 Expenses	36,031	66,900	53.9%	65,606
State Revenue Sharing Fund Balance	19,956			36,775
Water Utility Capital				
Revenue	910,347	1,371,665	66.4%	1,027,867
Material and Services	0	0	0.0%	0
Capital Outlay	248,923	1,293,201	19.2%	128,748
Contingency	0	28,464	0.0%	0
Unappropriated Ending Fund Balance	0	50,000	0.0%	0
Total	248,923	1,371,665	18.1%	128,748
Total Fund 600 Revenue	910,347	1,371,665	66.4%	1,027,867
Total Fund 600 Expenses	248,923	1,371,665	18.1%	128,748
Water Utility Capital Fund Balance	661,424			899,119

City of Dayton
Budget vs Actual for FY 2022-23
as of December 31, 2023

		07/22-09/23	07/22-06/23	YTD	2021-22
		Cur YTD	Cur Year	% of	Pri Year
		Actual	Budget	Budget	Actual
Sewer Utility Capital	Revenue	2,058,055	7,237,443	28.4%	1,627,656
		0	10,000	0.0%	10,000
	Capital Outlay	1,054,235	7,190,000	14.7%	550,898
	Contingency	0	37,443	0.0%	0
	Unappropriated Ending Fund Balance	0	0	0.0%	0
	Total	1,054,235	7,237,443	14.6%	560,898
	Total Fund 700 Revenue	2,058,055	7,237,443	28.4%	1,627,656
	Total Fund 700 Expenses	1,054,235	7,237,443	14.6%	560,898
	Sewer Utility Capital Fund Balance	1,003,820			1,066,759
Equipment Replacement Reserve Fund	Revenue	43,740	111,443	39.2%	87,852
		48,011	85,000	56.5%	45,387
	Capital Outlay	0	26,443	0.0%	0
	Contingency	0	0	0.0%	0
	Total	48,011	111,443	43.1%	45,387
	Total Fund 750 Revenue	43,740	111,443	39.2%	87,852
	Total Fund 750 Expenses	48,011	111,443	43.1%	45,387
	Equipment Utility Capital Fund Balance	-4,271			42,465
Building Reserve Fund	Revenue	217,886	240,203	90.7%	237,195
		361	130,000	0.3%	23,275
	Capital Outlay	0	10,203	0.0%	0
	Contingency	0	100,000	0.0%	0
	Unappropriated	0	0	0.0%	0
	Total	361	240,203	0.0%	23,275
	Total Fund 760 Revenue	217,886	240,203	90.7%	237,195
	Total Fund 760 Expenses	361	240,203	0.0%	23,275
	Building Reserve Capital Fund Balance	217,525			213,920
Streets Capital Projects Fund	Revenue	415,308	426,124	97.5%	993,781
		0	0	0.0%	0
	Material and Services	293,860	426,124	69.0%	882,621
	Capital Outlay	0	0	0.0%	0
	Contingency	0	0	0.0%	0
	Total	293,860	426,124	69.0%	882,621
	Total Fund 770 Revenue	415,308	426,124	97.5%	993,781
	Total Fund 770 Expenses	293,860	426,124	69.0%	882,621
	Street Capital Fund Balance	121,448			111,160

City of Dayton
Budget vs Actual for FY 2022-23
as of December 31, 2023

	07/22-09/23 Cur YTD Actual	07/22-06/23 Cur Year Budget	YTD % of Budget	2021-22 Pri Year Actual
Park Capital Projects				
Revenue	183,504	245,360	74.8%	212,332
Material and Services	0	75,000	0.0%	0
Capital Outlay	0	159,500	0.0%	35,069
Contingency	0	10,860	0.0%	0
Total	0	245,360	0.0%	35,069
Total Fund 780 Revenue	183,504	245,360	74.8%	212,332
Total Fund 780 Expenses	0	245,360	0.0%	35,069
Park Capital Fund Balance	183,504			177,262
Debt Service				
Revenue	383,182	609,926	62.8%	595,987
Material and Services	243,211	342,666	71.0%	243,211
Reserve for Lafayette Loan Payoff	0	23,625	0.0%	0
Reserve for USDA loan	0	118,924	0.0%	0
Total	243,211	485,215	50.1%	243,211
Unappropriated Ending Fund Balance	0	42,463	0.0%	0
Total Fund 850 Revenue	383,182	609,926	62.8%	595,987
Total Fund 850 Expenses	243,211	527,678	46.1%	243,211
Debt Service Capital Fund Balance	139,971			352,776

Total Balance for the year

Note: 50% of the fiscal year has elapsed.
--

TO: Mayor Marquez and City Council Members
THROUGH: Rochelle Roaden, City Manager
FROM: John Lindow & Don Cutler, Public Works Leads
SUBJECT: Public Works Activity Report for January 2024
DATE: January 31, 2024

<p>Water: Regulatory Samples - Bi-Weekly Treatment Plant Maintenance Daily Rounds Work Orders Locates Meter Reading Turn-Ons/Turn-Offs Water Production Reports - Dayton and Lafayette Water Reports to State - Annual and Monthly Emergency Shut-Offs - Various Chlorine Feeds - Daily Check Waterline Leak Repairs 3rd&Mill St, Ferry St Chlorine Generator Maintenance Springs Grounds Maintenance Numerous I Ready's for leak checks after freeze Ordered and received all water meters for ongoing construction projects Activated temp. water line Repaired water system after freeze</p>	<p>Wastewater: Regulatory Samples - Bi-Weekly Daily Rounds Operation of Lift Stations - Daily Check Locates DMR to DEQ Receive Chemicals at Treatment Plant Lift Station Maintenance Maintenance at (Sewer) Lagoons Discharge from Lagoons Oversaw new Sewer Hookups Activated Temp. sewer line Installed new Influent pipe from headworks to pond 1 Completed and turned in I&I study to DEQ Repaired sewer system after freeze Hwy 221 lift station project started</p>
<p>Parks: Garbage Removal - All Parks Park Restrooms - Daily Cleaning and Maintenance Regular Mowing of Parks Leaf Removal from the Parks and Cemetery Removed Christmas Decorations and Lights Plumbing installed for 11th st park Water/Sewer hooked up at 11th st park Repaired security system at CHS bathrooms</p>	<p>Storm Water: Locates Catch Basin - Cleaning Storm Drain Grates - Clear Debris and Leaves Street Sweeping - Grate Maintenance Located storm water line on Ash rd</p>
<p>Facilities: Fire Extinguisher Checks Community Center Trash Removal Clean Community Center Parking Lot Grounds Maintenance at Community Center Installed new heater/ac units at Community Center New roof on Annex</p>	<p>Streets: Street Sweeping Ferry Street Trash Removal Move/Charge Mobile Speed Sign Inspect Sidewalks at Highschool Project Replaced 2 damaged stop signs</p>

TO: Honorable Mayor and City Councilors
 Through: Rochelle Roaden, City Manager
 From: Jason E. Shirley
 Subject: Code Enforcement Activities Report
 Date: 2/01/2024

2024 Code Compliance Report													
Category	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
Animals	7												7
Building													
Clear Vision	1												1
Encroachment Permits	1												1
Junk – Private Property	6												6
Noise	2												2
Noxious Vegetation													
Parking – Right of Way	5												5
Storing Junk - ROW													
Attractive Nuisance													
Posting - Signs	4												4
Camping													
Sidewalks													
YCSO													
Code Citations Issued													
Land Use Violations													
Other													
TOTALS	28												28

Please Note: The monthly statistics are calculated from the Dayton City app, website complaints forms, phone calls, emails, written Notes, in person and code compliance officer observations.

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Water Usage	99,952	3,700	0	0	129,745	548,069	781,466
Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Water Amount	7,614.07	187.00	-	-	11,156.06	58,210.10	77,167.23
Sewer Amount	3,450.78	-	-	-	1,842.01	38,209.39	43,502.18
Misc Amount	-	-	-	-	-	-	-
Backflow Amount	-	-	-	-	-	-	-
NSFCheck Amount	-	-	-	-	-	61.00	61.00
Late Charg Amount	30.00	-	-	-	-	1,400.00	1,430.00
Total Charges:	11,094.85	187.00	-	-	12,998.07	97,880.49	122,160.41

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Previous Balance	13,156.33	185.70	-	-	9,821.30	119,867.85	143,031.18
Payments	6,554.70-	50.00-	-	-	9,821.27-	86,017.36-	102,443.33-
Contract Adjustments	-	-	-	-	-	-	-
Assistance Applied	-	-	-	-	-	-	-
Deposits Applied	-	50.00-	-	-	-	-	50.00-
Interest Applied	-	-	-	-	-	-	-
Balance Transfers	-	-	-	-	-	-	-
Balance Write-offs	-	-	-	-	-	-	-
Reallocations	-	-	-	-	-	-	-
Total Charges	11,094.85	187.00	-	-	12,998.07	97,880.49	122,160.41
Current Balance:	17,696.48	272.70	-	-	12,998.10	131,730.98	162,698.26

Year To Date: 07/01/2023 - 01/31/2024

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Water Usage	949,068	238,543	0	10	568,127	5,052,065	6,807,813

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Water Amount	68,522.96	947.29	-	-	53,910.23	478,730.22	602,110.70
Sewer Amount	24,068.74	-	-	-	12,773.47	269,085.16	305,927.37
Misc Amount	-	-	-	-	-	1,052.89	1,052.89
Backflow Amount	-	-	-	-	-	-	-
NSFCheck Amount	25.00	-	-	-	-	333.00	358.00
Late Charg Amount	226.00	30.00	-	-	20.00	9,255.22	9,531.22
Total Charges:	92,842.70	977.29	-	-	66,703.70	758,456.49	918,980.18

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Previous Balance	16,369.36	50.00	-	-	8,681.79	142,889.49	167,990.64
Payments	91,515.58-	704.59-	-	-	62,387.39-	766,474.23-	921,081.79-
Contract Adjustments	-	-	-	-	-	300.92-	300.92-
Assistance Applied	-	-	-	-	-	-	-
Deposits Applied	-	50.00-	-	-	-	2,839.85-	2,889.85-

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Interest Applied	-	-	-	-	-	-	-
Balance Transfers	-	-	-	-	-	-	-
Balance Write-offs	-	-	-	-	-	-	-
Reallocations	-	-	-	-	-	-	-
Total Charges	92,842.70	977.29	-	-	66,703.70	758,456.49	918,980.18
Current Balance:	17,696.48	272.70	-	-	12,998.10	131,730.98	162,698.26

January 15, 2024

Rochelle Roaden, City Manager
City of Dayton
Box 339
Dayton, OR 97114

**DOWNTOWN
DAYTON**

Dear Rochelle,

As the new year begins, we want to thank you and acknowledge your support of and partnership with the Dayton Community Development Association during 2023.

Your funding helps us bring forth Dayton's award-winning Friday Nights summer concert series. We strive to make this a draw for downtown, for our local business, musicians and craft vendors.

With our annual activities of the Scarecrow Contest and the Caravan of Holiday Lights, we are exploring adding a 'come to downtown' facet for each.

While we don't know what the Oregon Main Street assessment will bring in terms of changes, we hope to continue working with the City to offer family friendly activities and events that will bring people downtown to engage with our local business.

Thank you again for the City's support of our organization.

Respectfully,



Dawnette Bowlin, DCDA Board President
Dayton Community Development Association
PO BOX 237
Dayton, OR 97114
dawnette@daytonoregon.org
info@daytonoregon.org

971.241.2076

ADDRESS
PO Box 237
Dayton, OR 97114

www.daytonoregon.org

DAYTON COMMUNITY
DEVELOPMENT ASSOCIATION
A 501C.3 NON PROFIT ORGANIZATION

Funding: Rochelle Roaden, City of Dayton
Sponsorship amount: \$4,000.00
Paid in: 2023



rooted.

Local Government Spring Conference 2024

REGISTRATION NOW OPEN!

April 25-26 in Klamath Falls

This two-day event will be a great opportunity for public officials from around the state to network and learn about issues impacting all cities.

Registration Types:

- Member Registration - \$300 (\$325 after April 4)

Questions? View the [conference FAQs and cancellation information](#), or contact us at loc@orcities.org or 503-588-6550.

Hotel Information:

The Running Y Ranch & Resort

The Running Y is currently sold out. To be put on a waiting list, please contact Brie Ligammari at bligammari@orcities.org.

Fairfield Inn & Suites

To make reservations, use the booking link [here](#).

You must book your room by March 23rd 2024 to ensure you receive the special group rate.

Rate: \$ 179-199 per night

Holiday Inn

To make reservations, call the resort at 541-884-9999.

You must book your room by April 2nd 2024 to ensure you receive the special group rate.

Rate: \$ 129 per night (\$107 per night with government ID)

For more information or registration: <https://www.orcities.org/training-events/conferences/2024-spring-conference> or contact Rocio if you need help with registration at rvargas@daytonoregon.gov or call/text 503-864-0030.

SAVE THE DATE



Mid-Willamette Valley Council of Governments
Annual Dinner & Awards



Invitation to follow

MWVCOG's Annual Dinner, Wednesday February 28, 2024 at Grand Ronde,

6:00 p.m.

27100 SW Salmon River Hwy

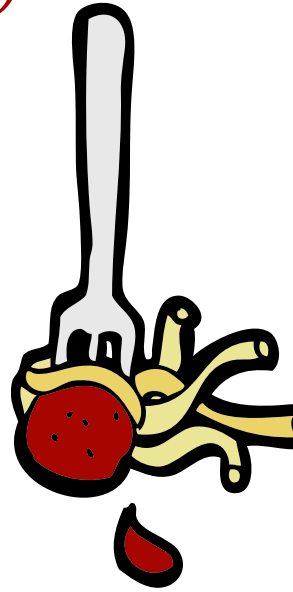
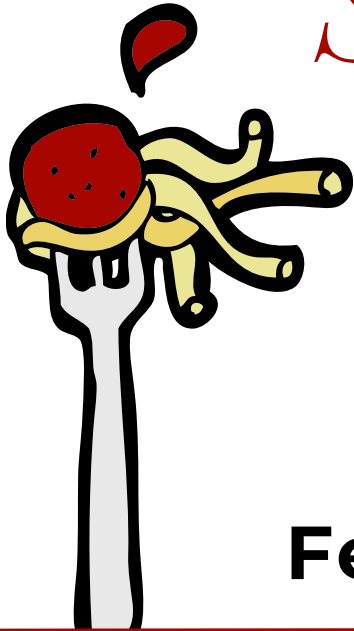
Grand Ronde, OR 97347

United States

Let Rocio know if you are going to attend the COG Awards Banquet via email rvargas@daytonoregon.gov or text 503-864-0030. We will reserve your spot.

We will remind you before the deadline again as well.

Silent Auction, Spaghetti & Bingo Night



February 10, 2024 4-7 pm

Dayton Fireworks Committee

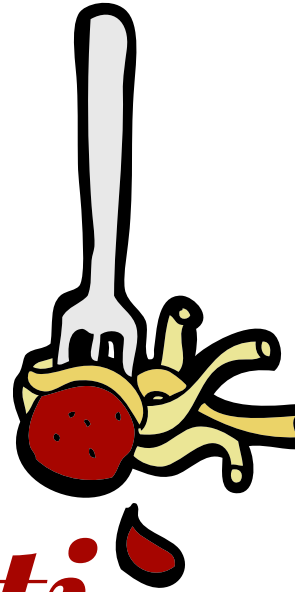
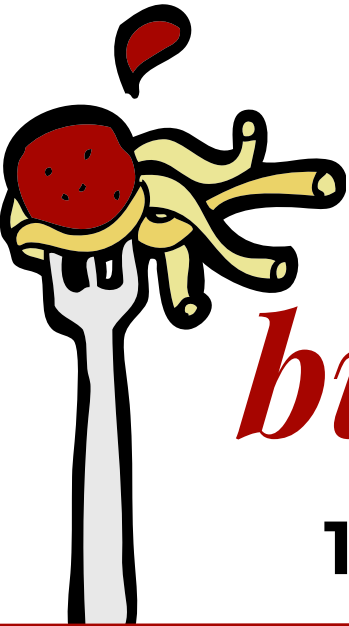
Fundraiser



**BUY YOUR DINNER TICKETS AT
DAYTON CITY HALL
ADULT \$10 / CHILD \$5**

**Event Location: Palmer Creek Lodge Community Event
Center**

606 4th Street, Dayton Or 97114



Subasta silenciosa, noche de bingo y spagueti

10 de febrero, 2024 4-7pm

recaudación de fondos del comité

Dayton Fireworks Committee



COMPRE SUS BOLETOS PARA LA
CENA EN EL AYUNTAMIENTO DE
DAYTON
ADULTOS \$10 / NIÑOS \$5

Lugar del evento: Palmer Creek Lodge Community Event
Center

606 4th Street, Dayton Or 97114