

0 Church Street City Engineer Comments

From: Denny Muchmore
Sent: Saturday, May 7, 2022 7:44 AM
To: Cyndi Park; Kiel Jenkins
Cc: Steve Sagmiller; Rochelle Roaden; Patty Ringnald
Subject: RE: Church st lots (Church Str east of 2nd, Kevin Block)

Cindy,

If you haven't already, please send Kevin Block the attached pdf, which should answer his questions about which lots appear to be wholly or partially within the FEMA 100 flood plain boundary (*see 2nd page of the pdf*).

Solely to facilitate the repeated discussions about the lots in this area, to the first sheet we added the lot number designations (*for the lots along the north side of Church Street in this area*), since sometimes the repeated questions seem to get asked about a specific lot number, and sometimes about a specific tax lot number (*and sometimes it appears that the lot numbers being referenced may get confused*).

1. **Flood Plain.** As previously noted several times, **ALL** of the lots appear to be wholly or partially within the FEMA 100 flood plain boundary.
 - a. While the approximate floodplain boundary is shown on the FEMA maps, the actual floodplain boundary is where the defined flood water elevation (*ie. the flood water elevation at a specific point on the river, as shown on the FEMA map*) intersects with the existing ground surface.
 - b. Any proposed building footprint or fills within the FEMA floodplain boundary requires a floodplain development permit.
 - c. My memory is that at least one previous potential layout was submitted for a house on Lot 82 (*uppermost lot*) where the house footprint did not extend beyond the FEMA 100 flood plain boundary, but even this layout did not indicate whether or not fills were proposed on the back corner of the lot (*ie. fills which would be within the FEMA floodplain boundary*).
2. **Wetland Question.**
 - a. As previously noted, the lower lots appear to be within the area shown on State maps as having hydric soils, which is indicative of potential wetland areas.
 - b. At this point, we don't know for sure which lots include these hydric soils (*since the state maps don't show lot lines for reference*), but the lowest lot (*Lot 84*) definitely appears to be in this area of potential hydric soils.
 - c. A portion of Lot 84 also appears to be in this lower area where hydric soils are shown on the State maps.
3. **SDC Question.** In general, SDC credits are only available if the utility improvement is oversized (*beyond what is required in the code to serve the specific development*) and is identified in the CIP on which the SDC amount is based.
 - a. Since the waterline required along the Church Street frontage will only be 8-inch diameter (*the minimum line size allowed under City standards*), eligibility for SDC credits for this waterline extension will not be triggered.
 - b. We are not aware of any SDC eligible improvements related to the development of this property.

4. Street Improvements.

- a. Until a specific development or building proposal application is submitted and reviewed, it is not really possible to definitively state whether or not street improvements will be required along Church Street.
- b. Street improvement requirements are typically triggered in conjunction with land use approval for land division and site development review applications, but not typically for separate single family building permits (*although sidewalk improvement requirements are triggered with any building permit, including single family homes*).
- c. If street improvements are triggered by the land development code (*as part of a land use approval*), one option sometimes approved is to allow a construction deferral agreement /non-remonstrance agreement to provide for future financial participation by the property owner as part of a future City initiated project. However, these approach is typically only allowed for partitions (*which are not likely for this property*), and if the street improvements are not required to provide for access to the property to be developed.

5. Lot Buildability.

- a. In general, lots are not considered to be buildable unless and until a developer or property owner demonstrates that whatever they want to build on the lot can be constructed in accordance with applicable City & State codes & standards.
- b. Therefor, whether or not a lot is buildable depends on what is proposed to be built, where it is proposed to be built on the lot, what type of use will be involved, and a number of other factors.
- c. In our experience, City staff does not issue blanket statements about whether or not a lot is “buildable”, since there are too many variables involved in this question to give a blanket definitive answer. In general, the answer to whether a lot is buildable begins with the statement “it depends on . . .”.

As a general comment, unless someone in the ongoing discussions gets confused about which lot is being referred to (*which has happened to me, and maybe to others as well*), the answers to these type of questions really should not be expected to change just because the question gets asked in a different manner or because the question comes from a different person (*or when they get answered by a different person*).

This is the same information that has been being conveyed to different parties interested in these lots since significantly before they were purchased by Mr. Block.

We hope this helps clarify these issues.

Denny Muchmore, PE (OR, WA)
Westech Engineering, Inc.
3841 Fairview Industrial Drive SE, Suite 100, Salem, OR 97302



RECORD OF SURVEY

LOTS 82 THROUGH 85, BLOCK 23
"TOWN OF DAYTON"
IN THE N.E. 1/4 OF SECTION 17
T.4S., R.3W., W.M.
CITY OF DAYTON
YAMHILL COUNTY, OREGON

OWNER: KEVIN BLOCK



SCALE: 1" = 60'
JUNE 23, 2020

LEGEND

- = FOUND 5/8" IRON ROD OR MONUMENT AS NOTED.
- ✱ = FOUND 5/8" IRON ROD W/YPC MARKED "NEWBERG LS 2838" PER PARTITION PLAT NO. 2018-20
- ✱ = FOUND 5/8" IRON ROD W/YPC MARKED "NEWBERG LS 2838" PER PARTITION PLAT NO. 2018-21
- = SET 5/8" X 30" IRON ROD WITH RED PLASTIC CAP STAMPED "WEDDLE SURVEYING"
- CSP = SURVEY NUMBER, YAMHILL COUNTY SURVEY RECORDS.
- () S1 = DATA PER CSP-12477
- () P = DATA PER PLAT OF "ORIGINAL TOWN OF DAYTON"
- () P2 = DATA PER "REPLAT OF LOTS 175 AND 176 OF: ORIGINAL TOWN OF DAYTON"
- () P3 = DATA PER PARTITION PLAT NO. 2018-20
- () P4 = DATA PER PARTITION PLAT NO. 2018-21
- INSTR. NO. = DOCUMENT NUMBER, YAMHILL COUNTY DEED RECORDS
- W/YPC = WITH YELLOW PLASTIC CAP
- 14 = BLOCK NO., "ORIGINAL TOWN OF DAYTON"
- I.R. = IRON ROD

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO MONUMENT THE BOUNDARY OF LOTS 82, 83, 84 AND 85, BLOCK 23, "ORIGINAL TOWN OF DAYTON", AS DESCRIBED IN INSTRUMENT NOS. 2020-02903, 2020-02904, 2020-02905 AND 2020-02906, YAMHILL COUNTY DEED RECORDS.

BASIS OF BEARINGS

NORTH 51°45'00" EAST PER CSP-12477, HOLDING FOUND MONUMENTS AT THE CENTERLINE INTERSECTION OF 4TH AND CHURCH STREETS, AND 2ND AND CHURCH STREETS, AS SHOWN. THIS ALSO ESTABLISHES THE CENTERLINE OF CHURCH STREET, 80.00 FEET WIDE.

PROCEDURE

1. THE SOUTHEASTERLY LINE OF BLOCK 23 WAS HELD TO BE THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CHURCH STREET, 40.00 FEET NORTHERLY OF CENTERLINE, PROJECTED NORTHEASTERLY AS SHOWN.
2. THE SOUTHWESTERLY LINE OF SAID BLOCK 23 WAS HELD TO BE THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 2ND STREET, 35.00 FEET NORTHEASTERLY OF CENTERLINE, SAID CENTERLINE ESTABLISHED HOLDING THE CENTERLINE INTERSECTION MONUMENT AT MAIN AND 2ND STREETS AND AT CHURCH AND 2ND STREETS, PROJECTED NORTHWESTERLY.
3. THE NORTHWESTERLY LINE OF LOTS 82 THROUGH 85 WAS ESTABLISHED PARALLEL WITH THE SOUTHEASTERLY LINE PER PLAT AND CSP-12477, HOLDING THE PRORATED DISTANCE ALONG THE SOUTHWESTERLY LINE OF LOT 82 AS PER CSP-12477.
4. THE NORTHEASTERLY LINE OF LOT 85 WAS ESTABLISHED PARALLEL WITH THE SOUTHWESTERLY LINE OF LOT 82, PER PLAT AND CSP-12477, AT PRORATED DISTANCE (PER CSP-12477) ALONG CHURCH STREET FROM THE MOST SOUTHERLY CORNER OF SAID LOT 82.
7. MONUMENTS WERE THEN PLACED AT ALL LOT CORNERS, HOLDING PRORATED LOT DATA PER CSP-12477.

REFERENCES

PLAT OF "ORIGINAL TOWN OF DAYTON", "REPLAT OF LOTS 175 AND 176 OF: ORIGINAL TOWN OF DAYTON", PARTITION PLAT NO. 2018-20, PARTITION PLAT NO. 2018-21, YAMHILL COUNTY PLAT RECORDS.

SURVEYS: CSP-12477, CSP-11132, YAMHILL COUNTY SURVEY RECORDS.

DEED DOCUMENTS: INSTRUMENT NOS. 2020-02903, 2020-02904, 2020-02905, 2020-02906, YAMHILL COUNTY DEED RECORDS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Anthony B. Ryan
JULY 13, 2004
ANTHONY B. RYAN
58833
RENEW: DECEMBER 31, 2020

WEDDLE SURVEYING INC.
Excellence is our benchmark.
6950 SW HAMPTON ST., STE. 170, TIGARD, OR 97223
PH: (503) 941-9585 FAX: (503) 941-9640
www.weddlesurveying.com

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS Report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study Report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Universal Transverse Mercator (UTM) zone 10. The **horizontal datum** was NAD 83, GRS 1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, NNGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242 or visit its website at <http://www.ngs.noaa.gov>.

Base map information shown on this FIRM was derived from multiple sources. Base map files were provided in digital format by the State of Oregon. This information was compiled from the U.S. Geological Survey (2007), Oregon Department of Transportation (2007), OR/WA Bureau of Land Management (2005), Oregon Department of Forestry (2003), NGS (2007), and USDA-FSA (2006) at a scale of 1:24,000.

The **profile baselines** depicted on this map represent the hydraulic modeling baselines that match the flood profiles in the FIS report. As a result of improved topographic data, the **profile baseline**, in some cases, may deviate significantly from the channel centerline or appear outside the SFHA.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels, community map repository addresses, and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

Contact the **FEMA Map Service Center** at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at <http://msc.fema.gov>.

If you have **questions about this map** or questions concerning the National Flood Insurance Program in general, please call 1-877- **FEMA MAP** (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov/business/info/>.



LEGEND

- SPECIAL FLOOD HAZARD AREAS (SFHAS) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD**
The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.
- ZONE A** No Base Flood Elevations determined.
ZONE AE Base Flood Elevations determined.
ZONE AH Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
ZONE AO Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
ZONE AR Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently identified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
ZONE A99 Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
ZONE V Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
ZONE VE Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE
The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
OTHER AREAS
ZONE X Areas determined to be outside the 0.2% annual chance floodplain.
ZONE D Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

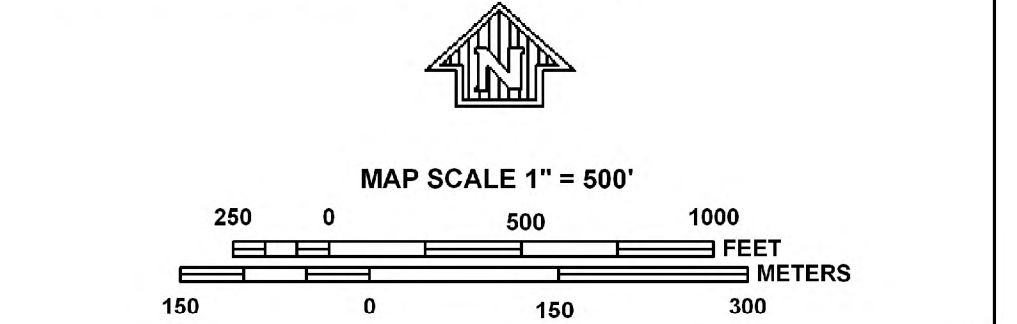
1% Annual Chance Floodplain Boundary
0.2% Annual Chance Floodplain Boundary
Floodway boundary
Zone D boundary
CBRS and OPA boundary

Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
Base Flood Elevation line and value; elevation in feet*
Base Flood Elevation value where uniform within zone; elevation in feet*
(EL 987)

*Referenced to the North American Vertical Datum of 1988

A A Cross section line
23 23 Transect line
45° 02' 08", 93° 02' 12" Geographic coordinates referenced to the North American Datum of 1983 (NAD 83) Western Hemisphere
3100000 FT 5000-foot ticks: Oregon State Plane North Zone (FIPS Zone 3601), Lambert Conformal Conic projection
1000-meter Universal Transverse Mercator grid values, zone 10N
DX5510 X Bench mark (see explanation in Notes to Users section of this FIRM panel)
M1.5 River Mile
MAP REPOSITORIES
Refer to Map Repositories list on Map Index
EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
March 2, 2010
EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.
To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.



LOTS

NFIP
NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0427D

FIRM
FLOOD INSURANCE RATE MAP
YAMHILL COUNTY, OREGON
AND INCORPORATED AREAS

PANEL 427 OF 675
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
DAYTON CITY OF	410252	0427	D
YAMHILL COUNTY	410249	0427	D

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
41071C0427D
EFFECTIVE DATE
MARCH 2, 2010
Federal Emergency Management Agency

KS FRUIT FARM 1892)

BAKER ROCK DAYTON PLANT

L RIVER

IN OF 365)
LEGION FIELD / (CITY PARK & BALL FIELD)

DAYTON REPLAT 175-176

BAKER ROCK DAYTON PLANT

82 83 84 85 86

ORIGINAL TOWN OF DAYTON (1865)

ORIGINAL TOWN OF DAYTON (1865)

2015-13

plat index

ORIGINAL TOWN OF DAYTON (1865)

97-03

2009-22

PEDESTRIAN BRIDGE (198

YAMHILL RIVER

DAYTON LANDING (COUNTY PARK & BOAT RAMP)

WATER ST

MAIN ST

CHURCH ST

2ND ST

1ST ST

MAIN ST

COURTHOUSE SQUARE PARK (CITY PARK)

FERRY ST (HWY 155)

COMMERCE ST (this block)

ALDER ST

COMMERCE ST (this block)

ALDER ST

COMMERCE ST (this block)

1ST ST

FERRY ST

alley

3RD S.

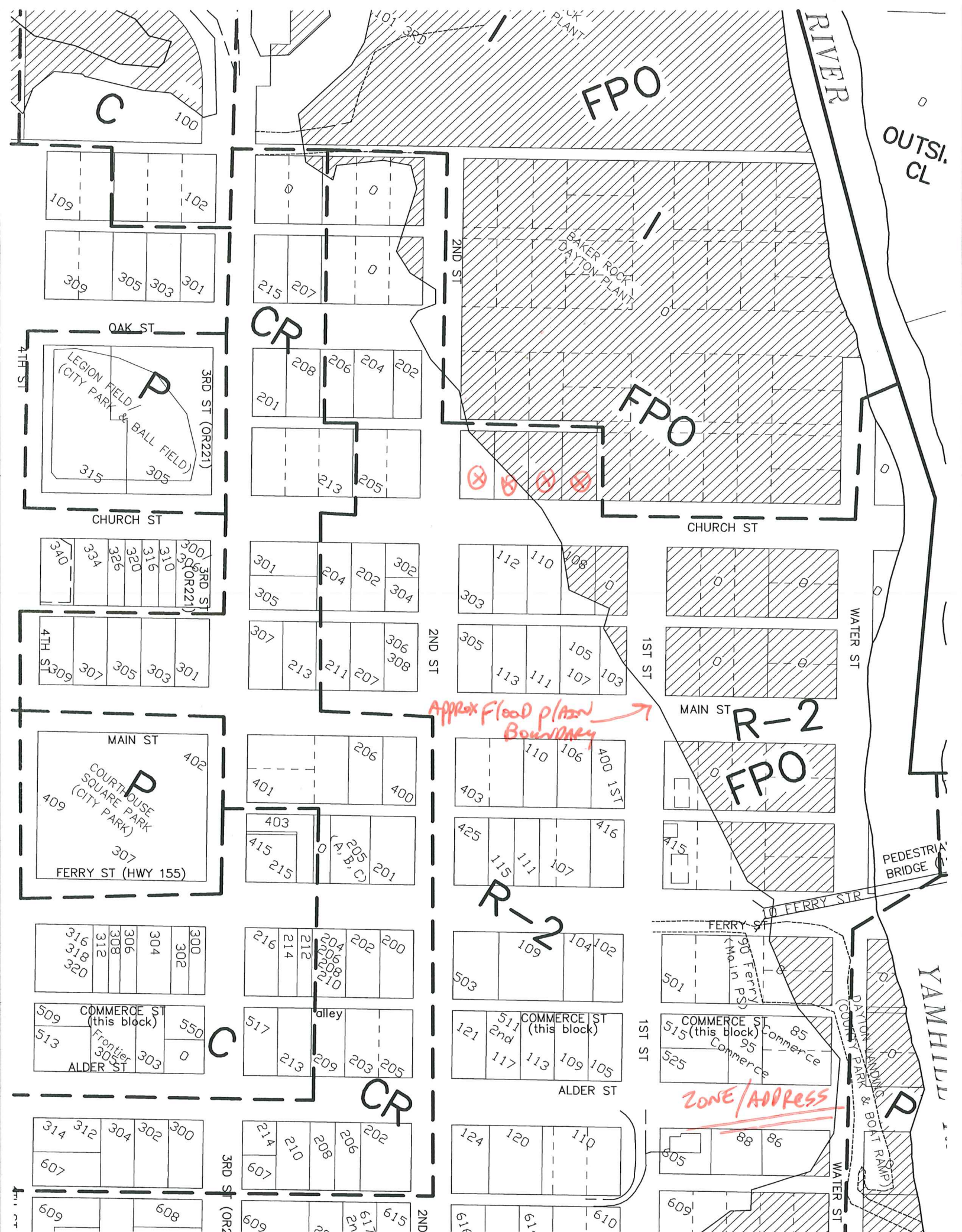
4TH ST

OAK ST

3RD ST (OR221)

3RD ST (OR221)

4TH ST



00300