

## MITIGATED DETERMINATION OF NONSIGNIFICANCE

Description of proposal *This is a non-project action. The City is proposing to revise its zoning code (Title 19) to more permissively allow bed and breakfast establishments in certain residential and commercial zones. The draft code proposes that bed and breakfast establishments be permitted uses in the R3 (multifamily residential), R4 (multifamily residential), RO (Residential Office), C1 (Neighborhood Commercial), and CBD (Central Business District) zones. Bed and breakfast establishments would also be allowed in the R1 (Single-family residential) and R2 (Limited multifamily residential) zones subject to the approval of a conditional use permit under the provisions of OHMC 19.66. In addition, size, room occupancy, parking and signage requirements would apply to all bed and breakfast establishments. All parking spaces for bed and breakfast establishments would be required to be contained on-site.*

Proponent *City of Oak Harbor*

Location of proposal *Not applicable. This is a non-project action to update the City's code, which does not pertain to a specific project site.*

Lead Agency *City of Oak Harbor*

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment and that an environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). All potential environmental impacts resulting from this proposal can be mitigated to a level of non-significance through the application of the City's development standards and the conditions listed below. This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

X This mitigated DNS is issued under WAC 197-11-340(2), with a fifteen day comment period ending on August 26, 2013; provided there are no substantive comments submitted, the MDNS will become final on that date.

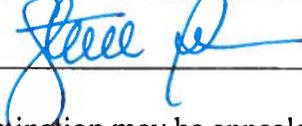
### MITIGATION MEASURES:

1. All of the mitigation measures identified in the SEPA checklist dated July 10, 2013 shall be implemented.
2. The City's code shall contain a provision which prohibits bed and breakfast establishments from locating in Noise Subdistrict C as that area is defined in Section 19.50.040 of the Oak Harbor Municipal Code.
3. The City's code shall contain a provision which requires exterior lighting at bed and breakfast establishments to have downward directed lighting which does not overflow on to adjacent properties.

Responsible Official: Steve Powers Position/Title: Development Services Director

Telephone: (360) 279-4512 Address: 865 SE Barrington Drive, Oak Harbor, WA 98277

Date August 8, 2013 (Published August 10, 2013)

Signature 

This determination may be appealed by submitting written factual objections and the appropriate fee to the above address within fifteen days of the date of action set out above, or no later than 5:00 p.m., August 26, 2013.