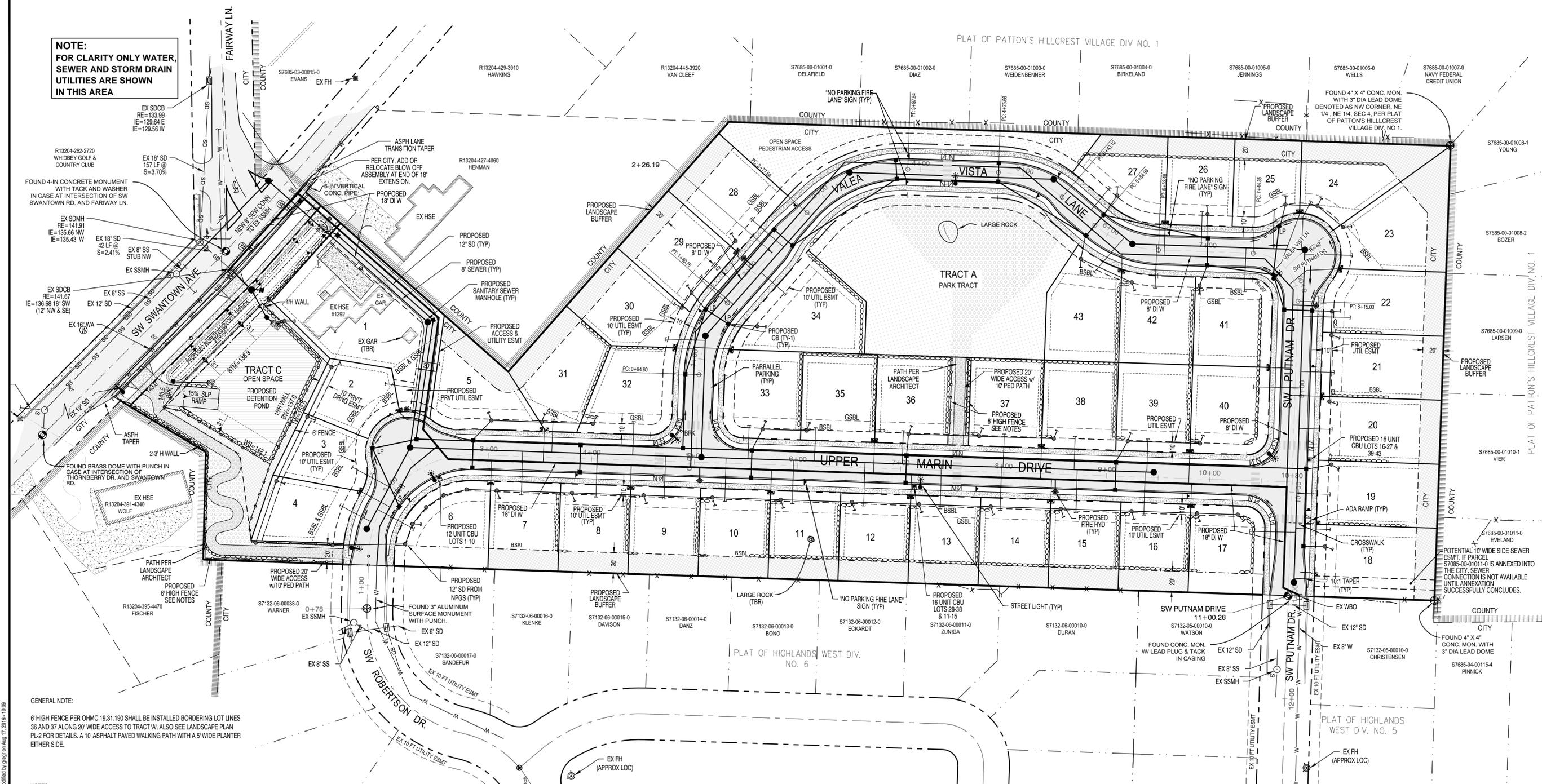


A PORTION OF THE NE1/4, SEC 4, TWN 32 N, RNG 1 E, WM, WA

NOTE: FOR CLARITY ONLY WATER, SEWER AND STORM DRAIN UTILITIES ARE SHOWN IN THIS AREA



GENERAL NOTE: 6' HIGH FENCE PER OHMC 19.31.190 SHALL BE INSTALLED BORDERING LOT LINES 36 AND 37 ALONG 20' WIDE ACCESS TO TRACT 'A'. ALSO SEE LANDSCAPE PLAN PL-2 FOR DETAILS. A 10' ASPHALT PAVED WALKING PATH WITH A 5' WIDE PLANTER EITHER SIDE.

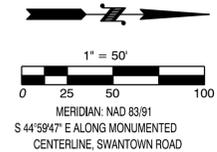
- NOTES: 1. ALL PROPOSED STORM PIPE SHALL BE SMOOTH INTERIOR 12" CPEP UNLESS OTHERWISE NOTED. 2. ALL PROPOSED SANITARY SEWER PIPE TO BE SMOOTH INTERIOR 8" PVC UNLESS OTHERWISE NOTED. 3. ALL PROPOSED WATER MAIN PIPE SHALL BE 8", C900 PVC, OR 18" DIP UNLESS OTHERWISE SPECIFIED. 4. ALL PROPOSED FIRE HYDRANTS ASSEMBLIES SHALL BE PER CITY STANDARD WITH 4 1/2" PUMPER WITH 5" STORZ. 5. EXISTING WATER MAIN SIZE AND MATERIAL UNKNOWN. WATER MAIN TO BE POTHOLED IN THE VICINITY OF CONNECTIONS AND CROSSINGS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITY. 6. EXTENSION OF THE 16" MAIN VIA REDUCER TO AN 18" DUCTILE IRON PIPE (DIP) ALONG SWANTOWN AVE ROAD FRONTAGE, AND FROM SWANTOWN INTO THIS PLAT AND CONNECTING TO THE WATER MAIN AT SW PUTNAM IS REQUIRED PER THE CITY 2014 WATER SYSTEM PLAN. THE PROJECT PROPONENT MAY BE ELIGIBLE FOR AN OVER-SIZING REIMBURSEMENT. REFER TO OHMC 21.50.050 (1) AND 13.20.010. 7. INDIVIDUAL PRV DEVICES WILL BE REQUIRED FOR ALL LOTS WITHIN THIS

- DEVELOPMENT. THE NEED FOR A PRESSURE REDUCING STATION SHALL BE DETERMINED DURING CONSTRUCTION DOCUMENT PREPARATION. 8. EXISTING WELLS SHALL BE ABANDONED IN ACCORDANCE WITH THE DEPARTMENT OF ECOLOGY REQUIREMENTS. 9. EXISTING SEPTIC SYSTEMS SHALL BE ABANDONED PER ISLAND COUNTY HEALTH DEPARTMENT REQUIREMENTS. 10. DOWNSPOUTS SHALL BE CONNECTED TO THE YARD DRAIN SYSTEM VIA TIGHTLINE UNLESS OTHERWISE NOTED. 11. ALL CURB LINE STORM CATCH BASINS SHALL HAVE VANED GRATES UNLESS OTHERWISE SPECIFIED. ALL GRATES SHALL HAVE CAST LANGUAGE STATING TO DUMP NO WASTE-DRAINS TO LAKE. 12. SIDE SEWERS AND YARD STORM DRAINS SHALL BE VISUALLY DISTINGUISHABLE BY COLOR. SIDE SEWER PVC SHALL NOT BE THE SAME COLOR AS YARD STORM PVC. RECOMMEND GREEN SIDE SEWER SERVICE AND WHITE YARD STORM SERVICE. 13. MANIFOLDED WATER SERVICE LINES ARE SHOWN ON THIS PLAN SET. THE DECISION TO USE MANIFOLDED METER SETS OR INDIVIDUAL WATER SUPPLIES SHALL BE DETERMINED PRIOR TO CONSTRUCTION PLAN APPROVAL.

- 14. ALL WALLS/ROCKERIES SHALL HAVE A DRAIN AND BE CONVEYED WITH THE YARD DRAIN SYSTEM FORM NON POLLUTION GENERATING SURFACES. 15. PER 2012 IBC 106.2(4) ALL WALLS GREATER THAN 4 FEET TALL (MEASURED FROM BOTTOM OF FOOTING TO TOP OF WALL), OR SUPPORTING A SURCHARGE REQUIRE PERMITTING AND AN ENGINEERED DESIGN. 16. PER IBC 1803.5.8 A GEOTECHNICAL EVALUATION IS REQUIRED FOR FOOTINGS PLACED ON FILL MATERIAL GREATER THAN 12" IN DEPTH. 17. ALL GRAVITY SANITARY SEWER PIPE WITH DIAMETERS 12 INCHES, OR LESS AND DEPTHS UP TO 15 FEET SHALL BE PVC, ASTM D 3034 SDR 35. 18. BIORETENTION CELL MUST BE LANDSCAPED PER 2005 OR 20012 LID MANUAL. CONSTRUCTION PLANS SHALL INCLUDE PLANTING ZONE DESIGNATIONS FOR EACH SPECIE. IN ADDITION, EACH ZONE SHALL BE DELINEATED ON THE BIORETENTION CELL PLANS. 19. CURB COLLECTION CATCH BASINS SHALL BE USED AT LOW POINTS ON ROADWAYS OR FOR CATCH BASINS WHERE STEEPER GRADES MEET FLATTER GRADES. CURB COLLECTION CATCH BASINS SHALL BE USED IN THE VICINITY OF LOT 5 AND 6.

SITE AND UTILITY PLAN SCALE: 1" = 50'

STREET LIGHTS: CHKD BY: MER DATE: 2-26-2016



LINE MEASURES 1" AT FULL SIZE PLOT VERTICAL DATUM NAVD 88 DERIVED BY GPS

REVISIONS

ENGINEERS SURVEYORS (360) 675-5973 (360) 794-7811 FAX: (360) 675-7255

HARMSEN & ASSOCIATES INC 840 SE 8th AVENUE, SUITE 102 OAK HARBOR, WA 98277



8/22/2016

MARIN WOODS PLANNED RESIDENTIAL DEVELOPMENT GEORGE F. MARIN TRUST PRELIMINARY PLAT UTILITY / SITE MAP & UTILITY PLAN

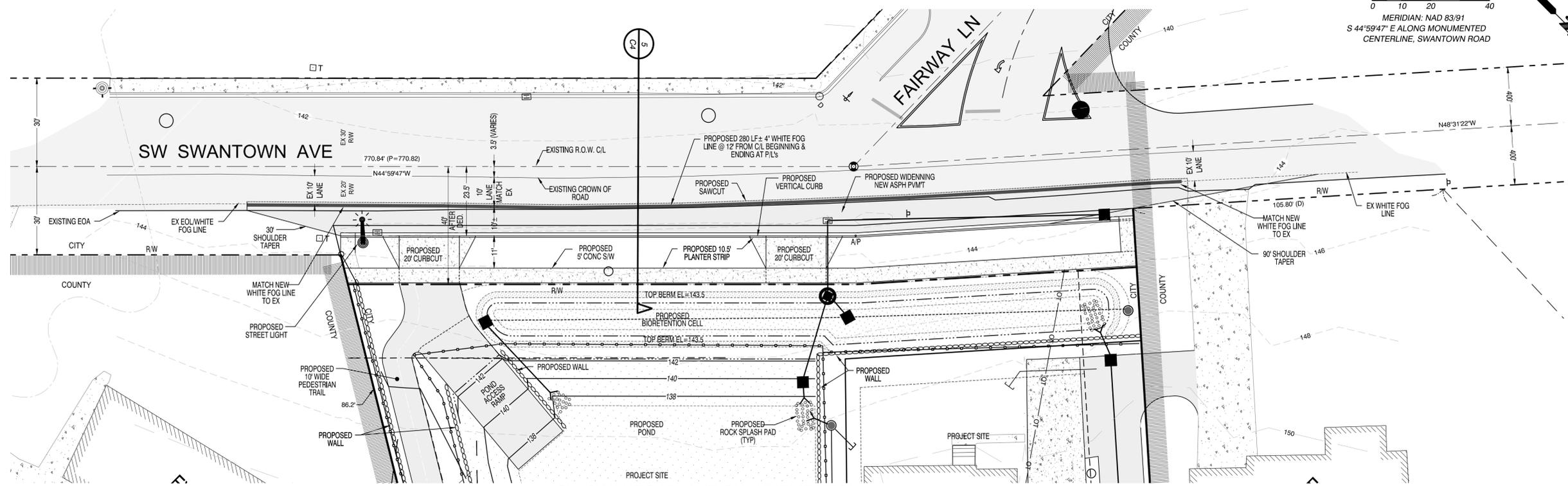
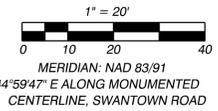
DRAWN BY: GTR CHKD BY: MER DATE: 2-26-2016

15-243



C1

A PORTION OF THE NE1/4, SEC 4, TWN 32 N, RNG 1 E, WM, WA



SW SWANTOWN AVE CHANNELIZATION
SCALE: HORIZ 1" = 20'

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SURVEYORS
(360) 675-5973
(360) 794-7811
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& ASSOCIATES, INC.
840 SE 8th AVENUE, SUITE 102
OAK HARBOR, WA 98277



8/22/2016

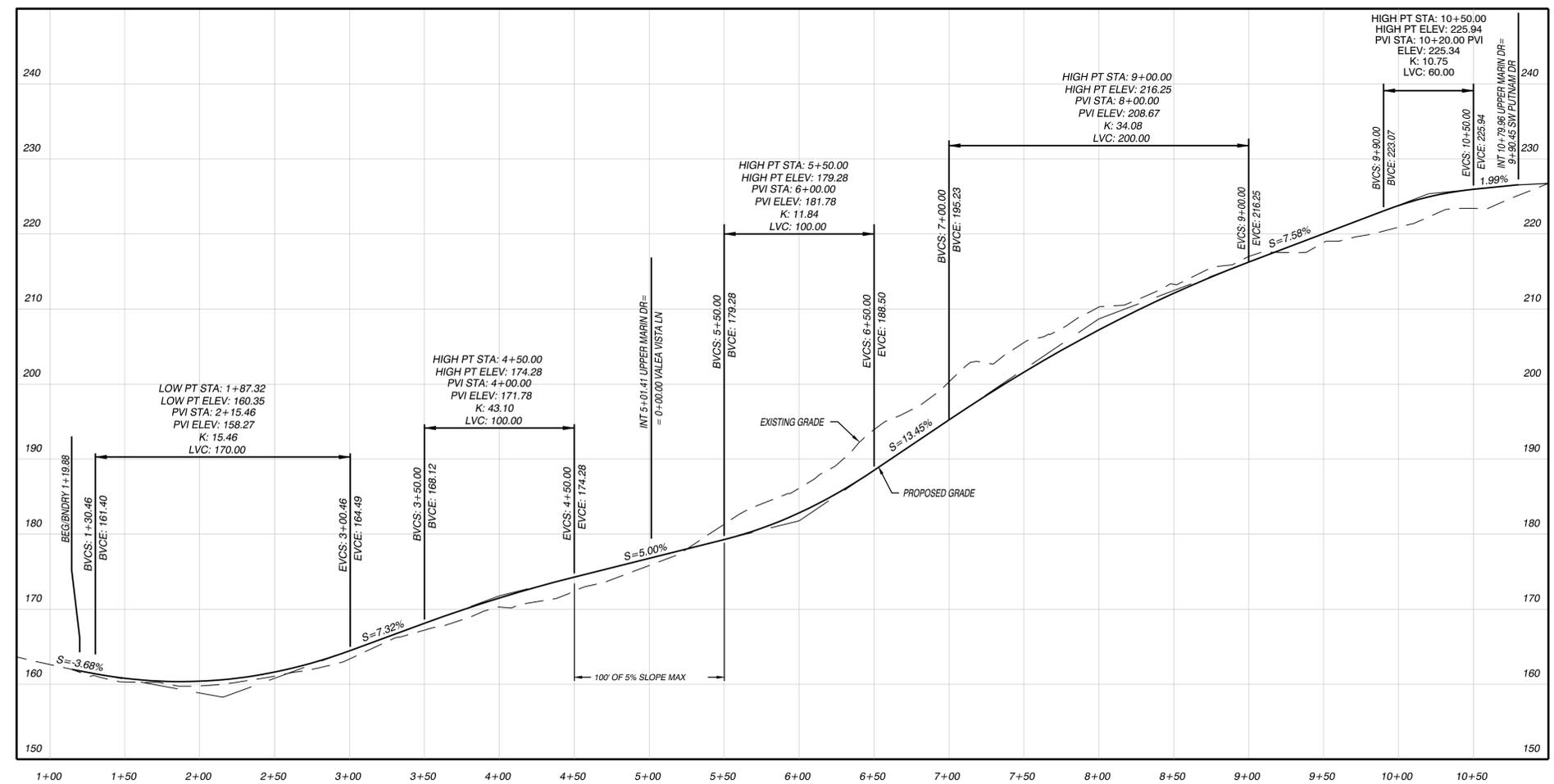
MARIN WOODS
PLANNED RESIDENTIAL DEVELOPMENT
GEORGE F. MARIN TRUST
PRELIMINARY PLAT UTILITY / SITE MAP
PROFILE & CHANNELIZATION

DRAWN BY: GTR
CHKD BY: MER
DATE: 2-26-2016

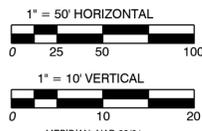
15-243



C2



UPPER MARIN DRIVE PROFILE
SCALE: HORIZ 1" = 50'
VERT 1" = 10'

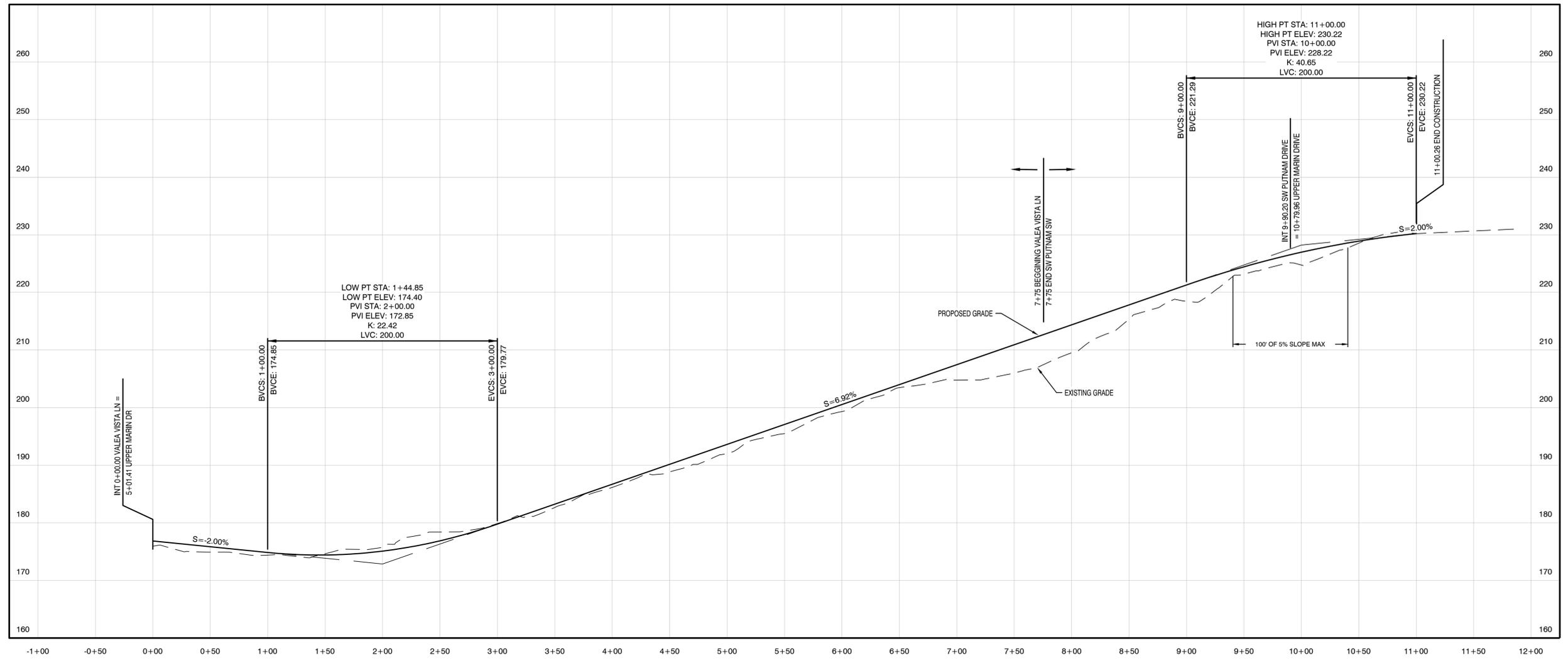


MERIDIAN: NAD 83/91
S 44°59'47" E ALONG MONUMENTED
CENTERLINE, SWANTOWN ROAD

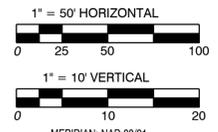
LINE MEASURES 1" AT FULL
SIZE PLOT
VERTICAL DATUM NAVD 88
DERIVED BY GPS

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A PORTION OF THE NE1/4, SEC 4, TWN 32 N, RNG 1 E, WM, WA



VALEA VISTA LANE / PUTNAM DRIVE PROFILE
 SCALE: HORIZ 1" = 50'
 VERT 1" = 10'



MERIDIAN: NAD 83/91
 S 44°59'47" E ALONG MONUMENTED CENTERLINE, SWANTOWN ROAD

LINE MEASURES 1" AT FULL SIZE PLOT



VERTICAL DATUM NAVD 88 DERIVED BY GPS

REVISIONS

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 OAK HARBOR, WA 98277



8/22/2016

MARIN WOODS
 PLANNED RESIDENTIAL DEVELOPMENT
 GEORGE F. MARIN TRUST
PRELIMINARY PLAT UTILITY / SITE MAP
ROAD PROFILES

DRAWN BY: GTR
 CHKD BY: MER
 DATE: 2-26-2016

15-243

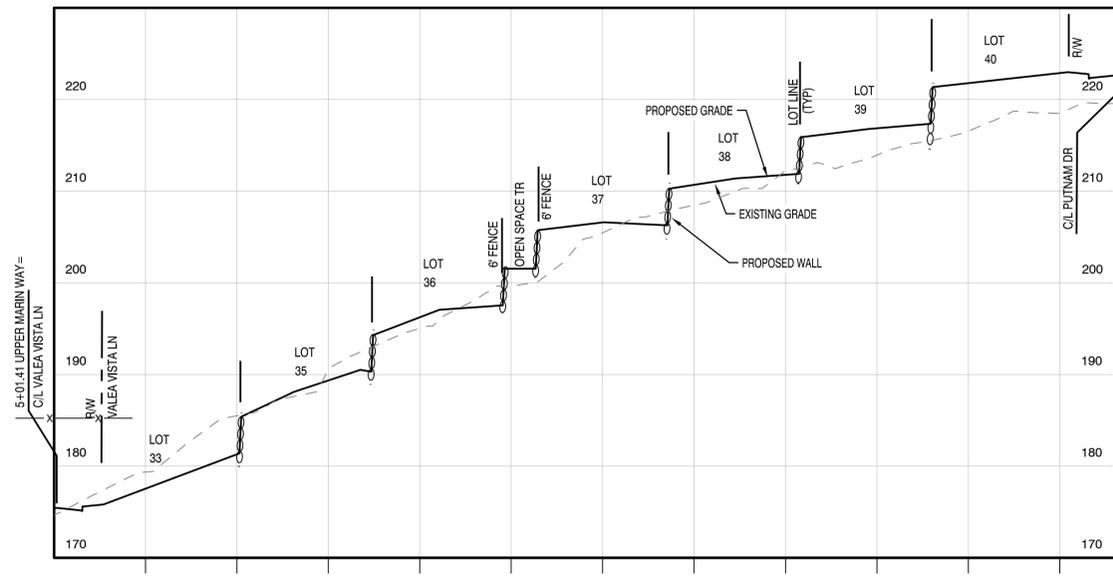
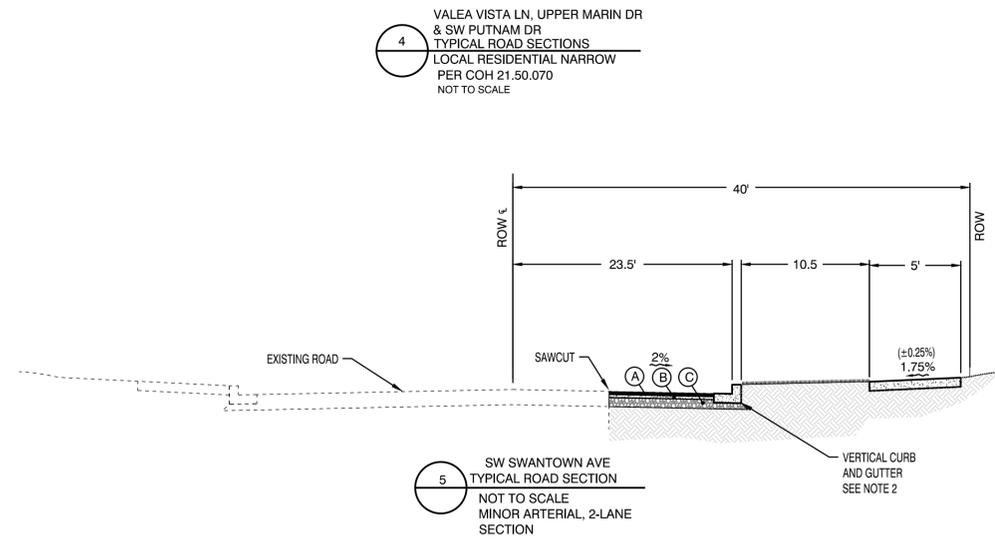
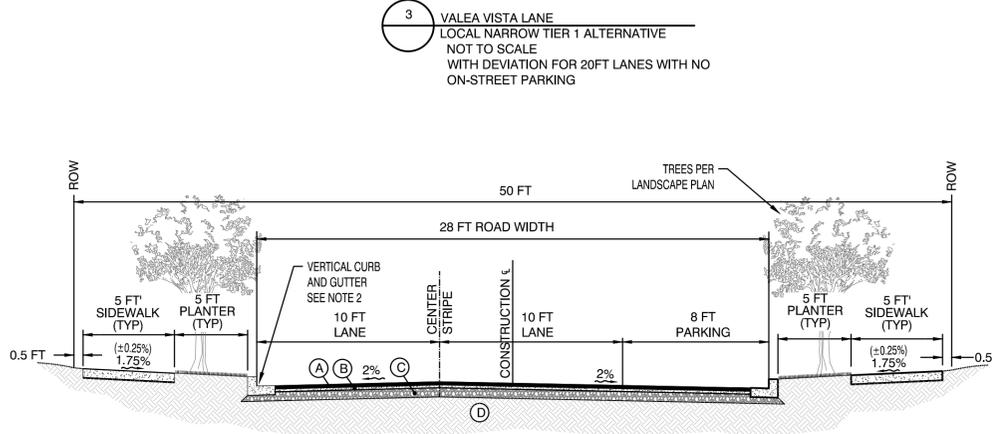
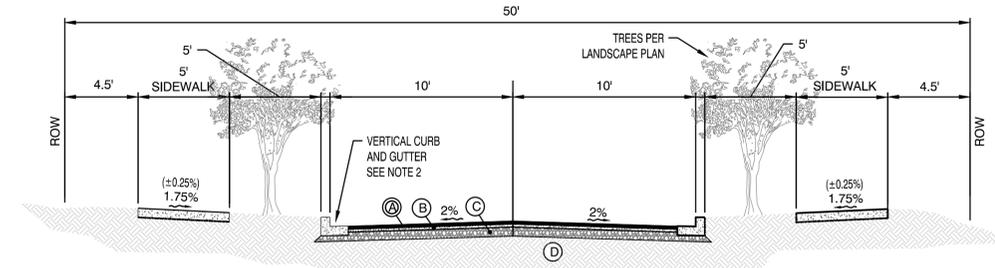
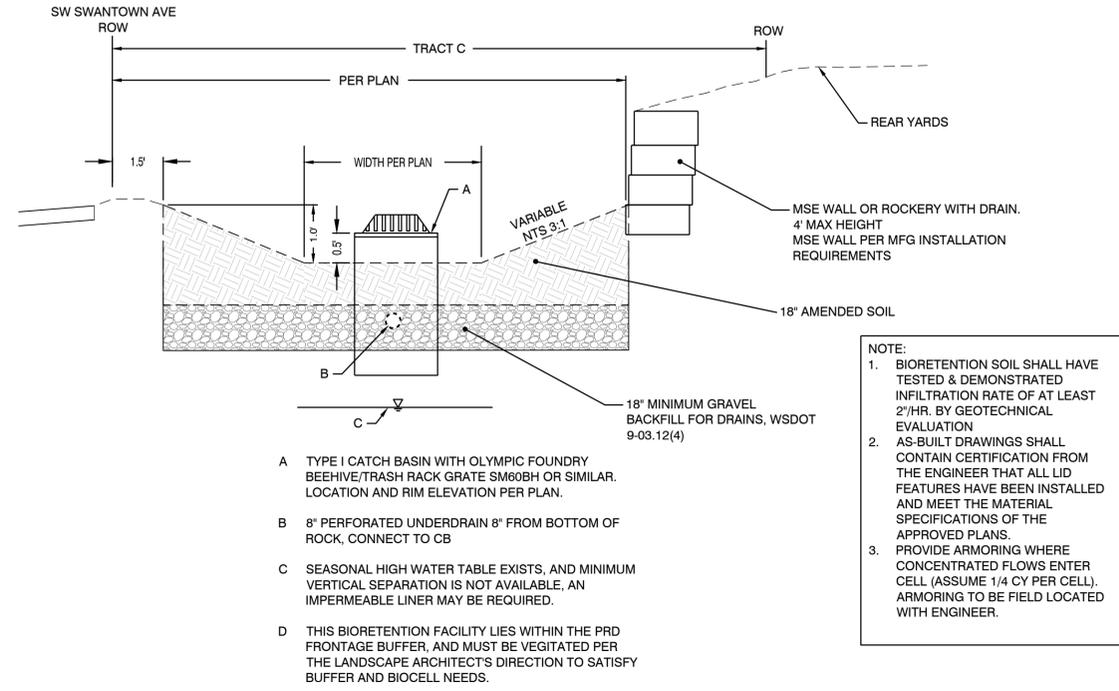


C3

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PRELIMINARY PRD

A PORTION OF THE NE1/4, SEC 4, TWN 32 N, RNG 1 E, WM, WA



- GENERAL NOTES:**
- PAVING AND SUBGRADE PREPARATION WILL CONFORM TO COH STD DETAIL ST-4, AS REFLECTED ON THIS PLAN.
 - CONCRETE CURB & GUTTER (VERTICAL CURB) WILL BE INSTALLED PER COH STD DETAIL ST-6, REF SHEET C-8
 - SIDEWALKS SHALL BE CONSTRUCTED WHERE INDICATED PER COH STD DETAILS ST-9, REF SHEET C-8.
 - SIDEWALK CROSS SLOPE SHALL BE 1.75% ± 0.25%. SIDEWALK SECTIONS WITH CROSS SLOPE GREATER THAN 2% WILL NOT BE ACCEPTED BY THE CITY AND WILL REQUIRE REPLACEMENT.
- PAVEMENT AND SUBGRADE: (PER COH STD DETAIL ST-4)**
- Ⓐ 2" COMPACTED DEPTH HMA.
 - Ⓑ 2" COMPACTED DEPTH CRUSHED SURFACING TOP COURSE.
 - Ⓒ COMPACTION SHALL BE 95% MPD.
 - Ⓓ 6" COMPACTED DEPTH CLASS B GRAVEL BASE COURSE
 - Ⓔ COMPACTION SHALL BE 95% MPD.
 - Ⓕ SUBGRADE COMPACTED TO 95% MPD.

REVISIONS

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OAK HARBOR, WA 98277



8/22/2016

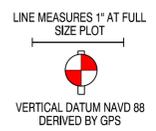
MARIN WOODS
PLANNED RESIDENTIAL DEVELOPMENT
GEORGE F. MARIN TRUST
PRELIMINARY PLAT UTILITY / SITE MAP
DETAILS

DRAWN BY: GTR
CHKD BY: MER
DATE: 2-26-2016

15-243



C4

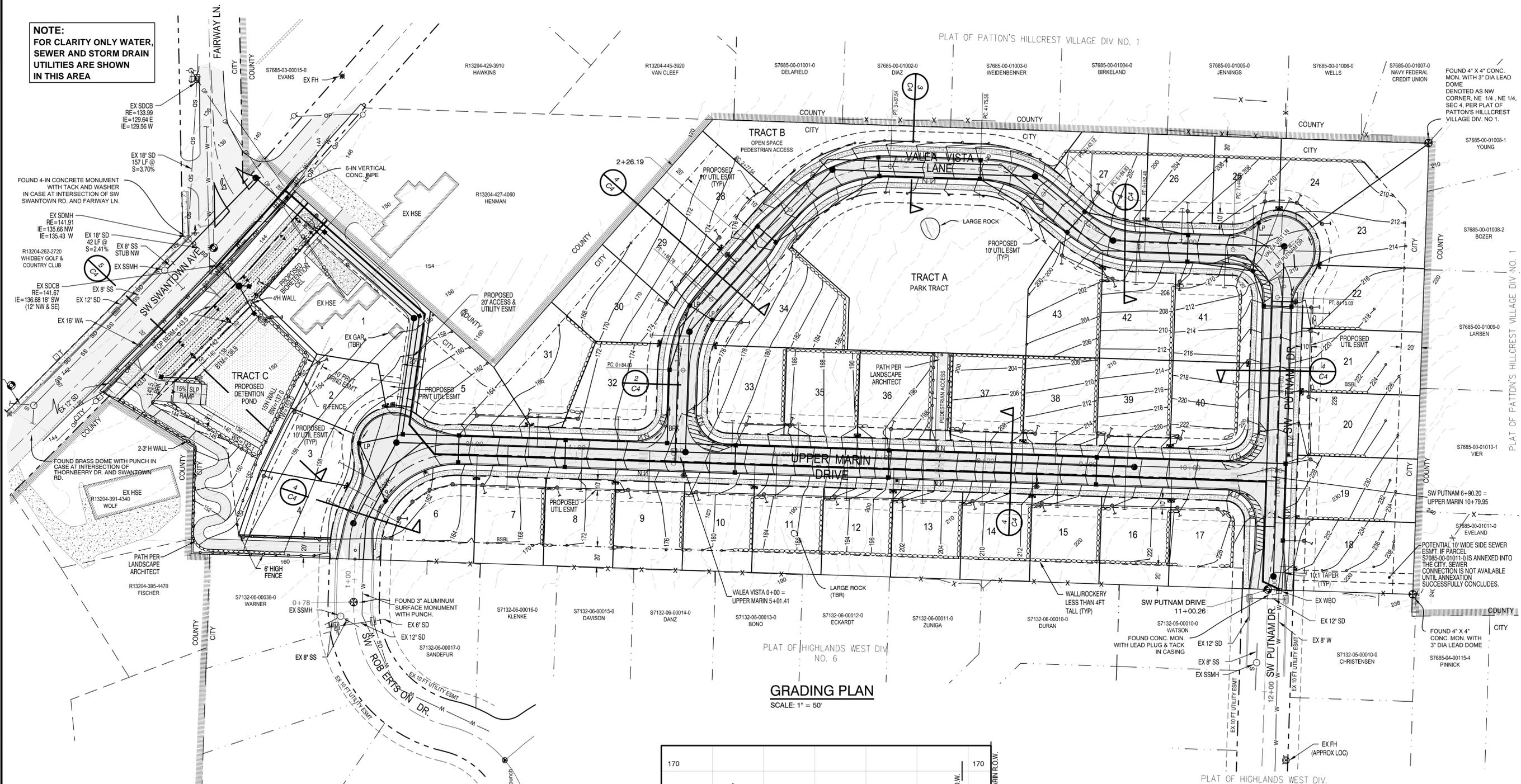


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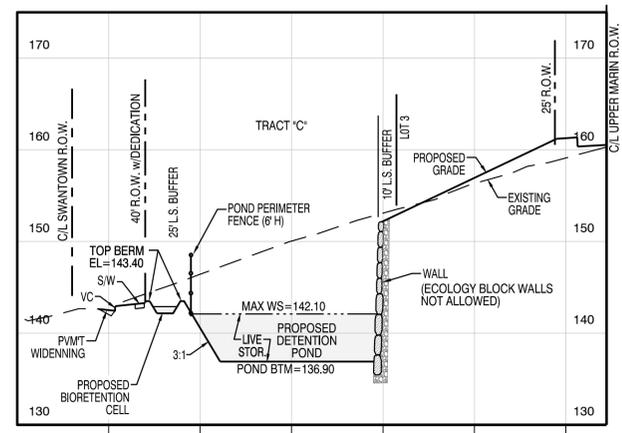
PRELIMINARY PRD

A PORTION OF THE NE1/4, SEC 4, TWN 32 N, RNG 1 E, WM, WA

NOTE: FOR CLARITY ONLY WATER, SEWER AND STORM DRAIN UTILITIES ARE SHOWN IN THIS AREA



GRADING PLAN SCALE: 1" = 50'

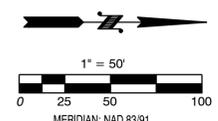


POND SECTION @ ROAD SECTION 5 SCALE: HORIZ 1" = 50' VERT 1" = 10'

PRELIMINARY GRADING QUANTITIES

CUT	12,900 CY's
FILL	15,300 CY's
EXPORT-EXCESS	2,400 CY's

SOILS NOT USED FOR BACKFILL WILL BE SPREAD OVER LOTS ON SITE, OR HAULED TO A CITY APPROVED SITE.



LINE MEASURES 1" AT FULL SIZE PLOT
VERTICAL DATUM NAVD 88 DERIVED BY GPS

WALLS:

WALLS > 4FT TALL AS MEASURED FROM BOTTOM OF FOOTING TO TOP OF WALL SHALL REQUIRE ENGINEERING AND BUILDING PERMITS.

WALLS AROUND THE POND ARE EXPECTED TO REQUIRE SUCH PERMITTING AND ENGINEERING. ECOLOGY BLOCKS ARE NOT PERMITTED AS WALL MATERIAL.

WALLS ON INDIVIDUAL LOTS ARE PROPOSED TO BE LESS THAN 4FT TALL.

REVISIONS

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MARIN WOODS
 PLANNED RESIDENTIAL DEVELOPMENT
 GEORGE F. MARIN TRUST
 PRELIMINARY PLAT UTILITY / SITE MAP
 GRADING PLAN

DRAWN BY: GTR
 CHKD BY: MER
 DATE: 2-26-2016

15-243



C5

MARIN WOODS PRD

PRELIMINARY PLANNED RESIDENTIAL DEVELOPMENT

GEORGE F. MARIN TRUST

PROJECT CONTACT INFORMATION:

APPLICANT INFORMATION:

George F. Marin Trust
Christine R. Marin, Executor
245 N Vine St., Apt 301
Salt Lake City, UT 84103-1950

Development Representative for
George Marin Trust:
F.R. Rick Duran, Development Manager
The Archinomics Group, Inc.
342 Forest St., Suite 300
Winnetka, IL 60093-3820
frduran@archinomics.com
847-274-1866

CIVIL ENGINEERING & LAND SURVEYING:

HARMSEN & ASSOCIATES INC.
c/o Michael E. Ryan, PE
840 SE 8th Ave Suite 102
Oak Harbor, WA 98273
MichaelR@harmсенinc.com
360-675-5973

LANDSCAPE ARCHITECTURE:

EccosDesign LLC
c/o Patrik Dylán
505 South First Street
Mount Vernon, WA 98272
patrik@eccosdesign.com
360-419-7400

ARBORIST:

S. A. NEWMAN
c/o Peter C. Blansett
PO BOX 156
Everett, Washington 98206-0156
PBlansett@sanforest.com
425-259-4411

TRAFFIC ENGINEER:

Gibson Traffic
c/o Edward Koltonowski
2802 Wetmore Ave. #220
Everett, Washington 98201
edward@gibsontraffic.com
425-339-8266

GENERAL PROJECT NARRATIVE:

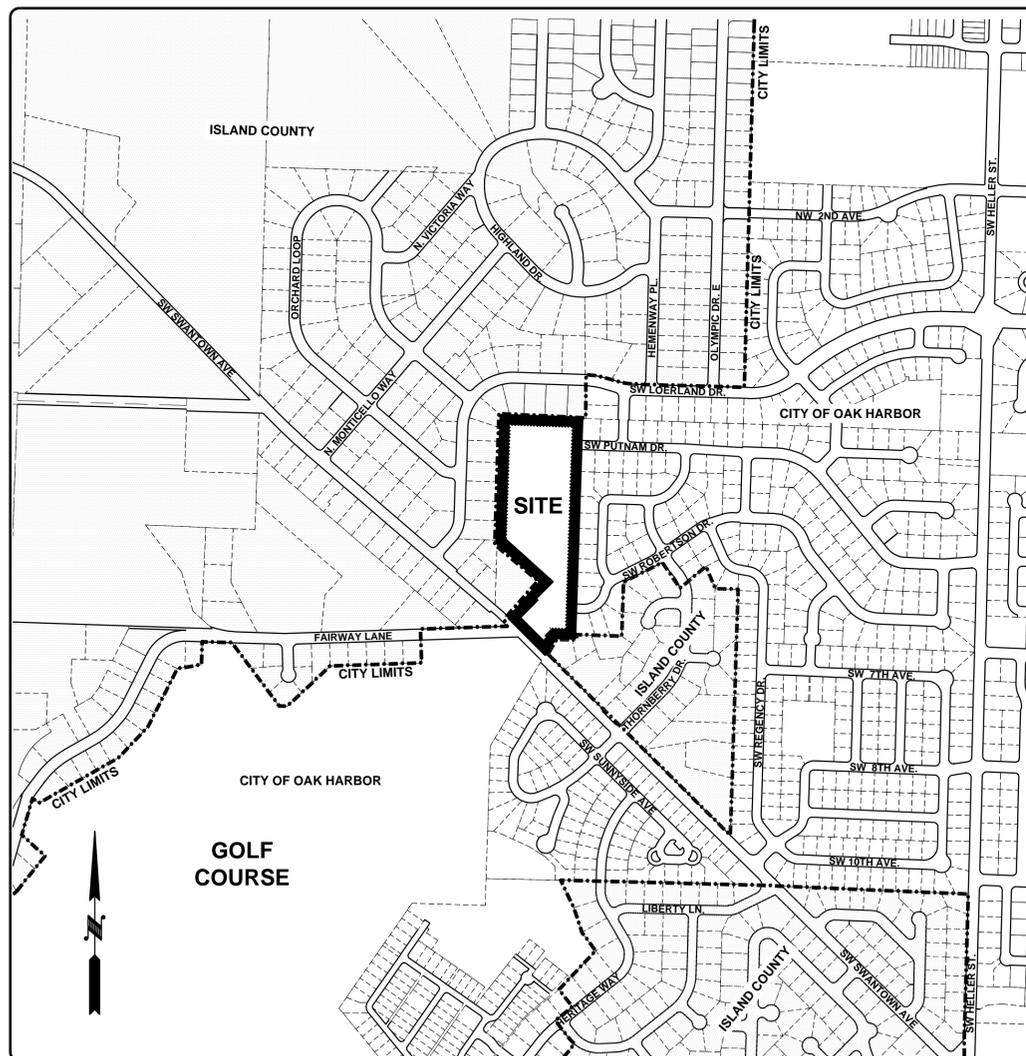
THESE PLANS SHOW DEVELOPMENT OF A 10.6 ACRE PARCEL INTO A 43 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT, INCLUDING PUBLIC STREETS AND UTILITIES WITH CONNECTIONS TO EXISTING DEVELOPMENTS, LANDSCAPING AND OPEN SPACE AREAS.

SITE INFORMATION:

- TAX PARCEL NO. R13204-459-4200
- PARCEL SIZE: 10.6 ACRES
- SITE ADDRESS: 1292 SW SWANTOWN AVE, OAK HARBOR, WA 98277
- JURISDICTION: CITY OF OAK HARBOR
- ZONING DESIGNATION: R-1
- LAND USE DESIGNATION: LOW DENSITY RESIDENTIAL
- ACCESS TO THE SITE IS FROM SW PUTNAM DRIVE AND SW ROBERTSON DRIVE

BUILDING SETBACKS NOTES:

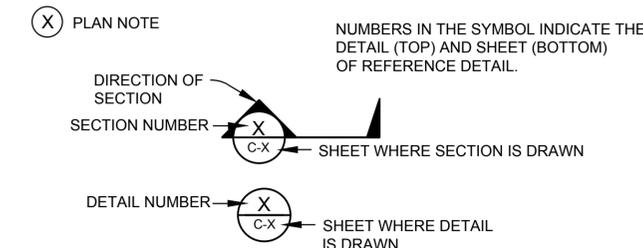
- BUILDING SETBACKS PER OHMC 19.31.170 (3)
19.31.170 (3) If smaller lot sizes and dimensions or decreased setbacks are proposed from what is required by the underlying zoning, buildings on these lots must meet requirements (3)(a) through (c) of this section or requirement (3)(d) or requirement (3)(e) of this section:
- Garage walls facing the street must be no closer than the wall containing the main entrance, or to the edge of a covered porch or deck if provided.
 - A garage door wall which faces the street must not be more than one-half of the facade width.
 - The main entrance must be prominent, easily visible and directly accessible from the street frontage.
 - No two adjacent buildings on the same side of the street may have the same front setback. Setbacks must alternate from building to building. Minimum front setback variation must be two feet or greater.
 - Residential buildings are accessed from an alley at the rear of the lots.



VICINITY MAP
1" = 500FT

GENERAL NOTES

- BASIS OF BEARINGS: WASHINGTON COORDINATE SYSTEM NORTH ZONE NAD1983 BY GPS OBSERVATIONS.
- THE VERTICAL DATUM FOR THIS SURVEY IS NAVD 88.
- THE FOLLOWING NOTATION IS USED CONSISTENTLY THROUGHOUT THIS PLAN SET:



LEGAL DESCRIPTION:

(Per Land Title Order #LT-107737, dated April 21, 2014)
The West 440 feet of the Northeast Quarter of the Northeast Quarter, Section 4, Township 32 North, Range 1, East of the Willamette Meridian.
EXCEPT the following described tract:
Beginning at the point 700.5 feet South of the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 4, and running thence South 340.6 feet to the North side of the county road;
thence South 50°38' East 105.8 feet;
thence North 39°22' East 262.4 feet;
thence North 50.26' West 322.2 feet to the point of beginning.
AND EXCEPT that portion lying Southwesterly of the Northeasterly right of way margin of Island County road right of way known as Swantown Road.
ALSO, that portion of the following described tract lying Northeasterly of the county road in the Southeast Quarter of the Northeast Quarter, Section 4, Township 32 North, Range 1, East of the Willamette Meridian:
Beginning at the Northwest corner of said Southeast Quarter of the Northeast Quarter;
thence South along the West line of said Section a distance of 600 feet;
thence Northeasterly in a straight line to a point on the North line of said Southeast Quarter of the Northeast Quarter that is 336 feet East of the point of beginning;
thence West along the North line 336 feet to the point of beginning.

Situate in the County of Island, State of Washington.

DRAWING INDEX

SHEET #	SHEET TITLE
P1	PRELIMINARY PLAT MAP - COVER SHEET
P2	PRELIMINARY PLAT MAP - EXISTING CONDITIONS
P3	PRELIMINARY PLAT MAP - PLAT MAP
PL1	PRELIMINARY PRD MAP - CONCEPTUAL LANDSCAPE PLAN
PL2	PRELIMINARY PRD MAP - CONCEPTUAL LANDSCAPE DETAILS
PL3	PRELIMINARY PRD MAP - CONCEPTUAL HOUSE PLANS
PL4	PRELIMINARY PRD MAP - PRD PLAN
C1	PRELIMINARY PLAT UTILITY/SITE MAP - SITE & UTILITY PLAN
C2	PRELIMINARY PLAT UTILITY/SITE MAP - PROFILE & CHANNELIZATION
C3	PRELIMINARY PLAT UTILITY/SITE MAP - ROAD PROFILES
C4	PRELIMINARY PLAT UTILITY/SITE MAP - DETAILS
C5	PRELIMINARY PLAT UTILITY/SITE MAP - GRADING PLAN

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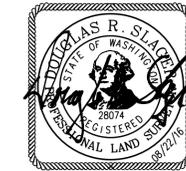
MARIN WOODS
PLANNED RESIDENTIAL DEVELOPMENT
GEORGE F. MARIN TRUST
PRELIMINARY PLAT MAP
COVER SHEET

DRAWN BY: GTR
CHKD BY: MER
DATE: 2-26-2016

15-243



P1

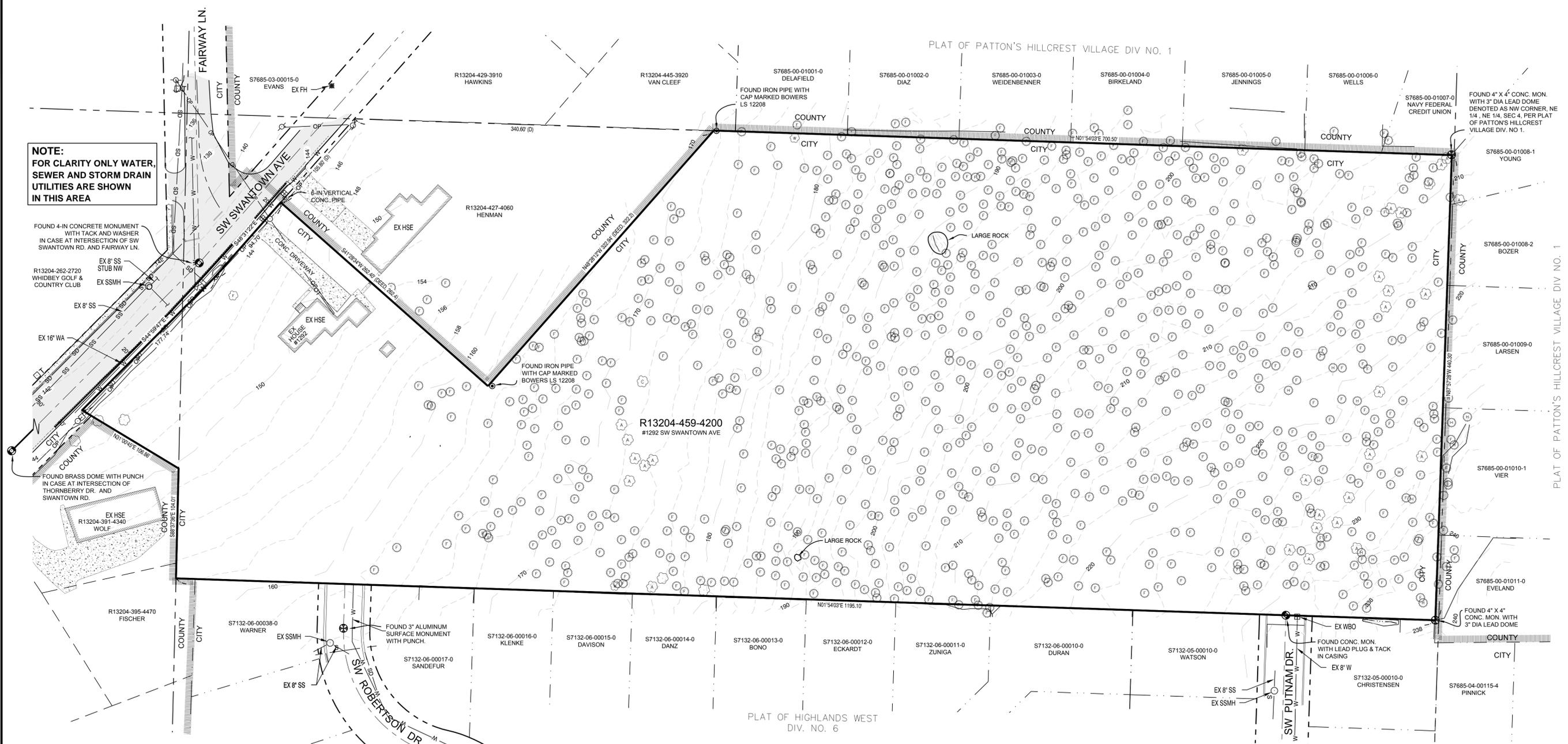


LINE MEASURES 1" AT FULL SIZE PLOT
VERTICAL DATUM NAVD 88 DERIVED BY GPS

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PRELIMINARY PRD

A PORTION OF THE NE1/4, SEC 4, TWN 32 N, RNG 1 E, WM, WA



NOTE:
FOR CLARITY ONLY WATER,
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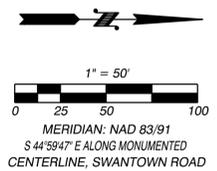
GENERAL LEGEND & ABBREVIATIONS

- | | | |
|--|---|--|
| <ul style="list-style-type: none"> ⊕ SURVEY PLAT MONUMENT, AS NOTED ⊙ SURVEY MONUMENT IN CASE, AS NOTED ⊙ FOUND IRON PIPE, AS NOTED ☒ STORM CATCH BASIN ○ STORM MANHOLE ○ S SEWER MANHOLE ⚓ TRAFFIC SIGN ⚓ GENERIC SIGN POST ⚓ WATER VALVE ⚓ WATER METER ⊙ ALDER TREE ⊙ COTTON WOOD TREE ⊙ CEDAR TREE ⊙ DECIDUOUS TREE ⊙ FRUIT TREE ⊙ FIR TREE ⊙ HEMLOCK TREE | <ul style="list-style-type: none"> CONC - CONCRETE CL - CENTER LINE CPP - CORRUGATED PLASTIC PIPE CULV - CULVERT D - DEED BEARING OR DISTANCE DIA - DIAMETER EX - EXISTING FF - FINISHED FLOOR FT - U.S. SURVEY FEET G - GAS G.E. - GRATE ELEVATION GOV'T - GOVERNMENT HH - HAND HOLE I.E. - INVERT ELEVATION IN - INCH MON - MONUMENT MPH - MILE PER HOUR P - PLAT BEARING OR DISTANCE PVC - POLY-VINYL-CHLORIDE RD - ROAD SF - SQUARE FEET SD - STORM DRAIN SS - SANITARY SEWER ST - STREET TYP - TYPICAL UP - UNDERGROUND POWER UT - UNDERGROUND TELEPHONE W - WITH W - WATER W.M. - WILLAMETTE MERIDIAN | <ul style="list-style-type: none"> — G — G — GAS LINE — UP — UP — UNDERGROUND POWER LINE — SS — SS — SEWER LINE — T — T — TELEPHONE LINE — UT — UT — TELEPHONE LINE (UNDERGROUND) — FO — FO — FIBER OPTIC LINE — W — W — WATER LINE — F — F — FENCE, AS DESCRIBED — OP — OP — POWER LINE (OVERHEAD) — SD — SD — STORM DRAIN LINE — — — — — EDGE OF GRAVEL — — — — — DITCH CENTER LINE — — — — — PROPERTY LINE — — — — — PLAT LINE — — — — — RIGHT-OF-WAY LINE — — — — — RIGHT-OF-WAY CENTER LINE — — — — — EASEMENT LINE — — — — — SECTION LINE — — — — — ADJOINING PROPERTY LINE |
|--|---|--|

LEGAL DESCRIPTION:

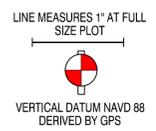
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 thence Northeasterly in a straight line to a point on the North line of said Southeast Quarter of the Northeast Quarter that is 336 feet East of the point of beginning;
 thence West along the North line 336 feet to the point of beginning.

Situate in the County of Island, State of Washington.



TREE INFORMATION

- THE TREES SHOWN ON THIS PLAN WERE LOCATED DURING TOPOGRAPHIC FIELD SURVEY CONDUCTED IN MAY AND JUNE OF 2014.
- ALL TREES LOCATED ARE EQUAL TO OR GREATER THAN 12-INCHES IN DIAMETER WHEN MEASURED AT 4 FT ABOVE THE BASE OF THE GROUND.
- THIS SURVEY LOCATED 973 TREES WITHIN THE PROJECT BOUNDARIES WHICH MEET THE AFOREMENTIONED CRITERIA.



PRELIMINARY PRD

REVISIONS

**ENGINEERS
SURVEYORS**
 (360) 675-5973
 (360) 794-7811
 FAX: (360) 675-7255

HARMSEN & ASSOCIATES INC
 840 SE 8th AVENUE, SUITE 102
 OAK HARBOR, WA 98277



8/22/2016

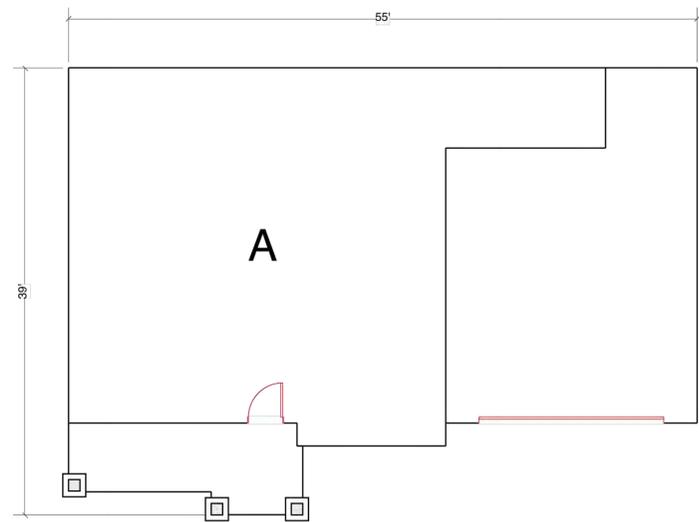
MARIN WOODS
 PLANNED RESIDENTIAL DEVELOPMENT
 GEORGE F. MARIN TRUST
PRELIMINARY PLAT MAP
 EXISTING CONDITIONS

DRAWN BY: GTR
CHKD BY: MER
DATE: 2-26-2016

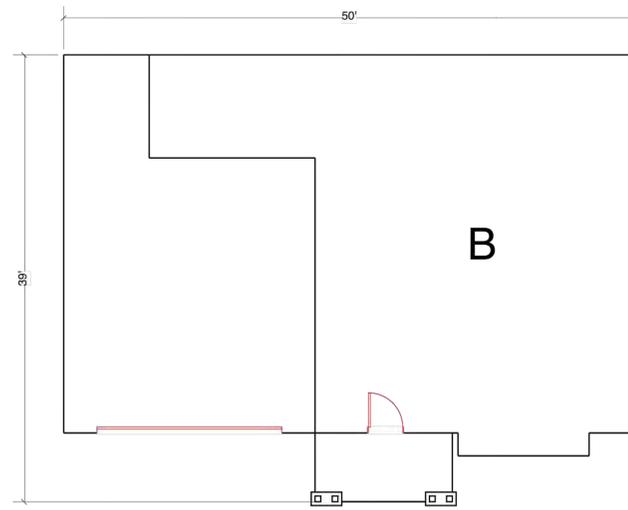
15-243

811
 Know what's Below.
 Call before you dig.

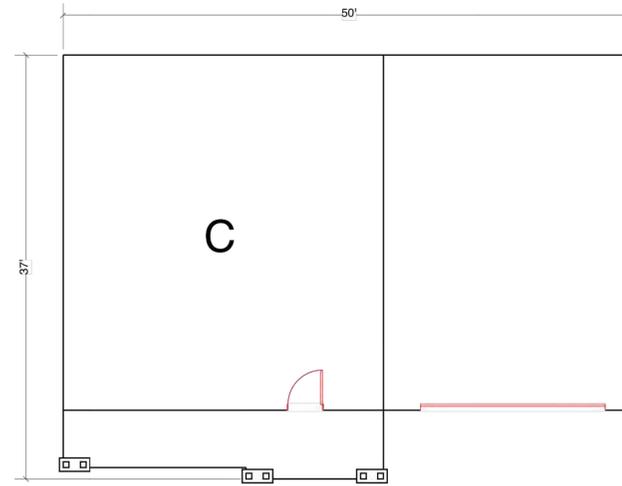
P2



2 Model A Layout Scale 1/8"=1'-0"



2 Model B Layout Scale 1/8"=1'-0"



2 Model C Layout Scale 1/8"=1'-0"



1 Model A Front Elevation Scale 1/8"=1'-0"

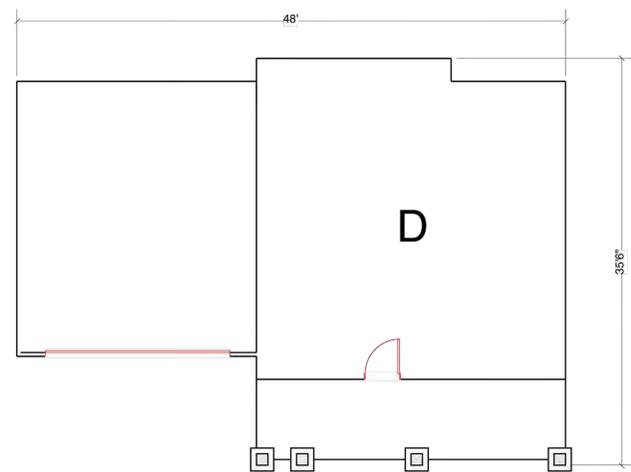


1 Model B Front Elevation Scale 1/8"=1'-0"



1 Model C Front Elevation Scale 1/8"=1'-0"

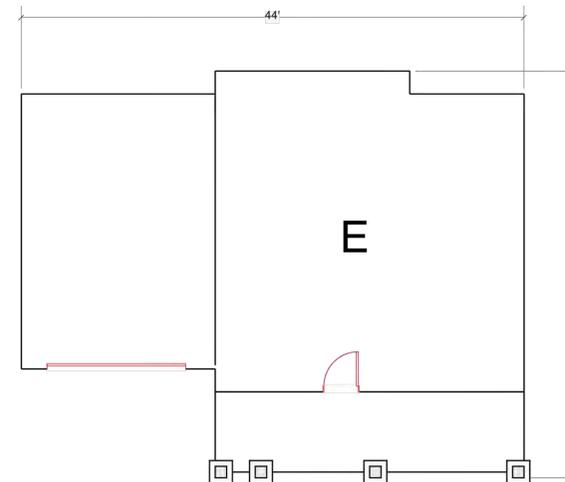
BASIC	EACH
A	6
B	10
C	10
D	13
E	3
Existing	1
	43



2 Model D Layout Scale 1/8"=1'-0"



1 Model D Front Elevation Scale 1/8"=1'-0"



2 Model E Layout Scale 1/8"=1'-0"



1 Model E Front Elevation Scale 1/8"=1'-0"

LINE MEASURES
1" AT FULL
SIZE PLOT
IF SHEET SIZE IS LESS THAN
22"X34" IT IS A REDUCED
PRINT. REDUCE SCALE
ACCORDINGLY

PRELIMINARY PRD

P:\WORK\PROJECTS\2015\15-243 MARIN WOODS\CE\DWG\PRD SUBMITTAL SET\15-243 PRD.DWG 07/18/2016

WALDRON CONSTRUCTION INC
 (360) 679 - 1827
 31640 SR20 Suite #2, Oak Harbor, WA 98277

Marin Woods
 Oak Harbor, WA 98277

SCOTT T. HAMPTON
THE RUBICON GROUP LLC
 RESIDENTIAL AND COMMERCIAL DESIGN
 360-914-7167

MARIN WOODS
 PLANNED RESIDENTIAL DEVELOPMENT
 GEORGE F. MARIN TRUST
PRELIMINARY PRD MAP
CONCEPTUAL HOUSE PLANS

DRAWING REF:

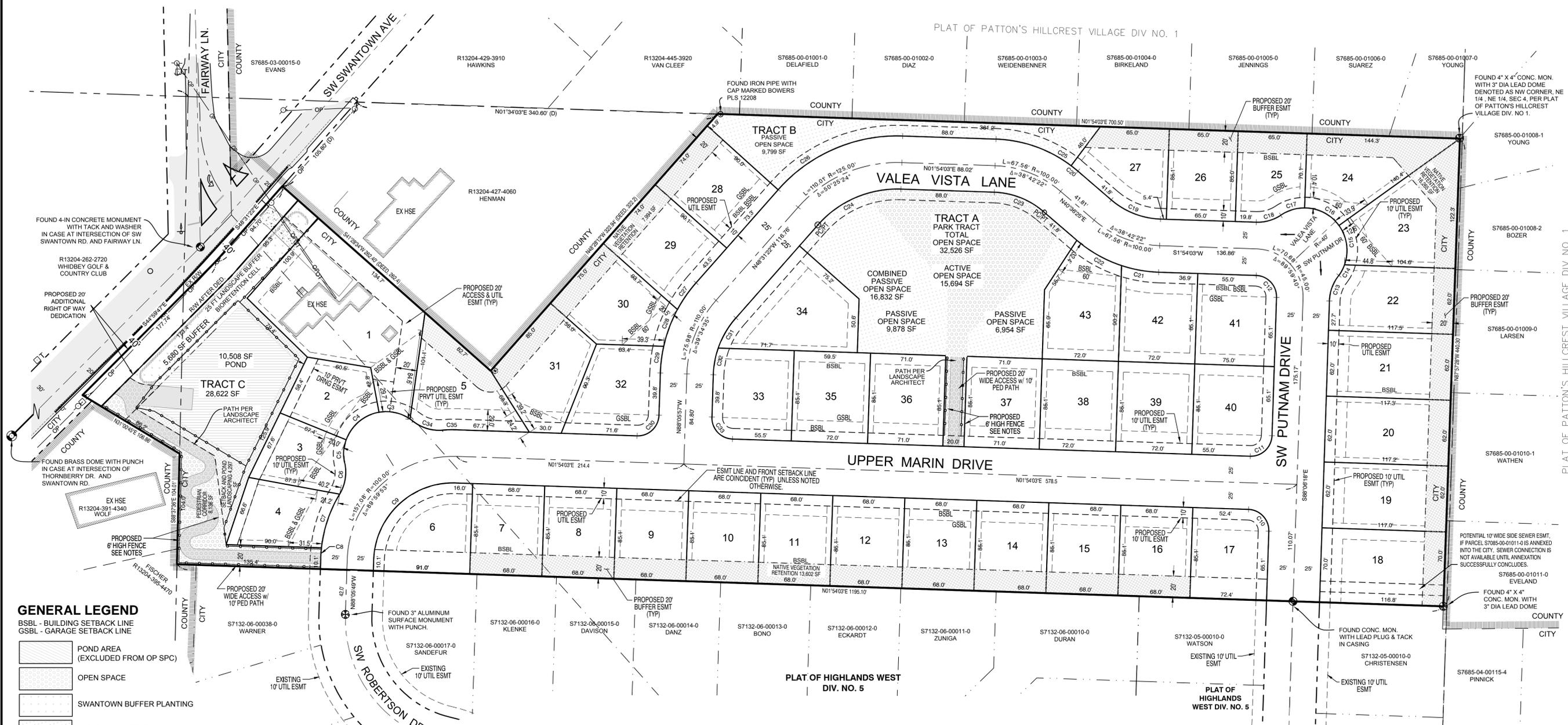
PL3

MARIN WOODS

Attachment C:

Updated Preliminary Plat Map

A PORTION OF THE NE1/4, SEC 4, TWN 32 N, RNG 1 E, WM, WA



GENERAL LEGEND
 BSBL - BUILDING SETBACK LINE
 GSBL - GARAGE SETBACK LINE

- POND AREA (EXCLUDED FROM OP SPC)
- OPEN SPACE
- SWANTOWN BUFFER PLANTING
- NATURAL VEGETATION * (PASSIVE OPEN SPACE)
- NATURAL VEGETATION *

* NATURAL VEGETATION SETBACK EASEMENT. TO BE CLEARED OF ALL TALL TREES EXCEPT AS DIRECTED BY THE ARBORIST. (NOT ELIGIBLE AS OPEN SPACE)

VEG. RETENTION & REPLANTING
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THE 20 FOOT PRD PERIMETER SETBACK AROUND THE EXTERNAL PROJECT BOUNDARIES SHOWN HEREON ARE PROPOSED TO BE USED AS A NATIVE AREA. TO MITIGATE CONCERN WITH BLOWDOWN OF PERIMETER TREES THAT COULD BE RETAINED, ALL PERIMETER TREES SHALL BE REMOVED (EXCEPT IN TRACT B) UNLESS ADVISED DIFFERENTLY BY THE ARBORIST. NEW TREES SHALL BE PLANTED AND ARE EXPECTED TO MATURE TO BE MORE WIND TOLERANT. PLANTING AREA PER GUIDANCE BY THE ARBORIST.

TRACT C CONTAINS A BIORETENTION CELL THAT SHALL BE LANDSCAPED COMMENSURATE WITH A PRD FRONTAGE BUFFER.

PROPOSED BUILDING SETBACKS
 FRONT YARD: 10 FEET MINIMUM FOR HOUSE OR AS NOTED OTHERWISE.

FRONT SETBACK LINES SHALL NOT BE CLOSER THAN 10 FT TO THE FRONT PROPERTY LINE AND BE A MINIMUM OF 60FT LONG WHEN PROJECTED TO SIDE LOT LINES. FRONT SETBACKS SHALL ALSO COMPLY WITH 19.31.170(3) (a-c), OR 19.31.170(3) (d).

19.31.170(3) IS CITED ON THE COVER SHEET.

SIDE YARD: 5 FT EACH SIDE

REAR YARD: 10 FT (UNLESS A PERIMETER LOT WHICH REQUIRES A 20 FT SETBACK OR AS OTHERWISE NOTED ON THIS PLAN)

DRIVEWAYS: MIN 20FT LONG.

LOT COVERAGE
 PER OHMC 19.20.120(9) ZONE R-1 ALLOWS 35% MAXIMUM SITE COVERAGE.

STREET TREE NOTE
 TWO STREET TREES PER LOT ARE REQUIRED EXCEPT WHERE THEY MAY CAUSE VISIBILITY ISSUES AT CROSSWALKS OR INTERSECTIONS. SEE LANDSCAPE PLANS (THIS SET) FOR SPECIES AND DETAILS.

DRIVEWAYS
 LOTS 17, 18, 20, 32, 33, 40 & 41 SHALL HAVE INDIVIDUAL DRIVEWAYS PLACED TO PROVIDE INTERSECTION SEPARATION TO THE GREATEST EXTENT POSSIBLE. DRIVEWAY SIZE AND LOCATION SUBJECT TO APPROVAL BY THE CITY ENGINEER.

PARKING
 PER 21.50.070, ON-STREET, CURBSIDE PARALLEL PARKING SHALL BE ALLOWED ON THE WEST FACE OF UPPER MARIN DRIVE, AND THE INTERIOR FACE OF VALEA VISTA LANE AND SW PUTNAM DRIVE, EXCEPT FOR THE PORTION OF VALEA VISTA LANE THAT PASSES ALONG TRACT A. SEE DETAIL 4/P6, LOCAL RESIDENTIAL NARROW SECTION.

LOT & TRACT TABLE

LOT	AREA(SF)	LOT	AREA(SF)
LOT 1	15,591	LOT 28	6,632
LOT 2	4,708	LOT 29	6,704
LOT 3	4,574	LOT 30	6,770
LOT 4	5,069	LOT 31	7,084
LOT 5	6,954	LOT 32	6,424
LOT 6	6,531	LOT 33	6,308
LOT 7	5,782	LOT 34	8,252
LOT 8	5,978	LOT 35	6,126
LOT 9	5,781	LOT 36	6,041
LOT 10	5,781	LOT 37	6,042
LOT 11	5,781	LOT 38	6,126
LOT 12	5,781	LOT 39	6,126
LOT 13	5,781	LOT 40	6,296
LOT 14	5,781	LOT 41	6,296
LOT 15	5,781	LOT 42	6,189
LOT 16	5,781	LOT 43	6,850
LOT 17	6,069	LOT TOTAL	281,131
LOT 18	8,183		
LOT 19	7,259	AVERAGE	6,538
LOT 20	7,288	MAX	15,057
LOT 21	7,278	MIN	4,414
LOT 22	7,115	DENSITY	4
LOT 23	8,603	(R-1 MAX IS 6 D.U./AC)	
LOT 24	7,215	TRACT A	32,526
LOT 25	5,197	TRACT B	9,799
LOT 26	5,527	TRACT C	28,622
LOT 27	5,784	TOTAL	70,947

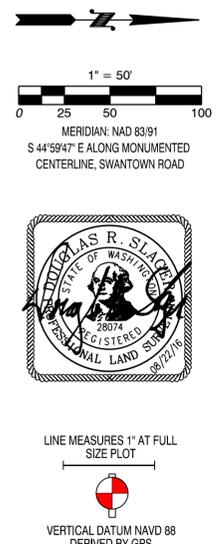
TOTAL AREA IN LOTS AND TRACTS: 8.1 AC

PARCEL CURVE DATA

SEGMENT	DELTA	LENGTH
C3	44°03'	30.7
C4	60°27'	42.2
C5	35°06'	22.4
C6	43°16'	30.2
C7	24°36'	53.7
C8	4°33'	9.9
C9	90°00'	117.8
C10	90°00'	31.4
C11	90°00'	31.4
C12	90°00'	31.4
C13	37°08'	25.9
C14	16°18'	11.4
C15	55°41'	38.9
C16	54°03'	37.7
C17	34°20'	24.0
C18	34°52'	24.3
C19	38°49'	50.8

PARCEL CURVE DATA

SEGMENT	DELTA	LENGTH
C20	3°39'	8.0
C21	16°22'	35.7
C22	22°19'	48.7
C23	38°42'	50.7
C24	50°25'	88.0
C25	35°03'	76.5
C26	50°25'	132.0
C27	13°04'	30.8
C28	15°45'	37.1
C29	10°46'	25.4
C30	90°00'	31.4
C31	22°16'	33.0
C32	17°18'	25.7
C33	90°00'	31.4
C34	43°15'	30.2
C35	6°29'	14.1



REVISIONS

ENGINEERS SURVEYORS
HARMSEN & ASSOCIATES, INC.
 840 SE 8th AVENUE, SUITE 102
 OAK HARBOR, WA 98277

(360) 675-5973
 (360) 794-7811
 FAX: (360) 675-7255



MARIN WOODS
 PLANNED RESIDENTIAL DEVELOPMENT
 GEORGE F. MARIN TRUST
 PRELIMINARY PLAT MAP
 PLAT MAP

DRAWN BY: GTR
 CHKD BY: MER
 DATE: 2-26-2016
15-243



P3

MARIN WOODS

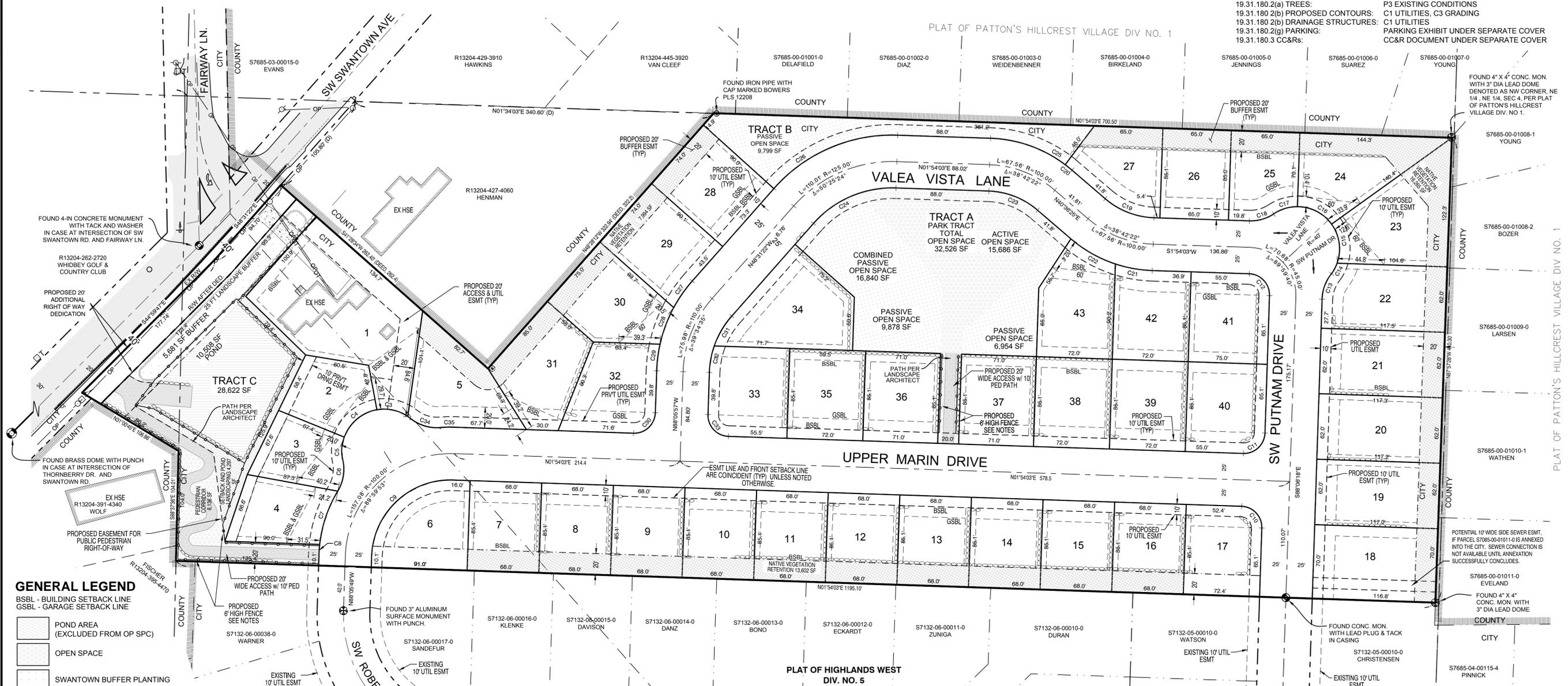
Attachment D:

Updated Preliminary PRD Plan

A PORTION OF THE NE1/4, SEC 4, TWN 32 N, RNG 1 E, WM, WA

PER OHMC 19.31.180 PRD DEVELOPMENT PLAN:

FOR CLARITY, THE FOLLOWING ELEMENTS ARE DISPLAYED ON OTHER PLAN SHEETS IN THIS SET. 19.31.180.1 LEGAL DESCRIPTION P1 COVER SHEET 19.31.180.2(a) TREES: P3 EXISTING CONDITIONS 19.31.180.2(b) PROPOSED CONTOURS: C1 UTILITIES, C3 GRADING 19.31.180.2(b) DRAINAGE STRUCTURES: C1 UTILITIES 19.31.180.2(g) PARKING: PARKING EXHIBIT UNDER SEPARATE COVER 19.31.180.3 CC&Rs: CC&R DOCUMENT UNDER SEPARATE COVER



GENERAL LEGEND
BSBL - BUILDING SETBACK LINE
GSBL - GARAGE SETBACK LINE
POND AREA (EXCLUDED FROM OP SPC)
OPEN SPACE
SWANTOWN BUFFER PLANTING
NATURAL VEGETATION * (PASSIVE OPEN SPACE)
NATURAL VEGETATION *

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PROPOSED BUILDING SETBACKS
FRONT YARD: 10 FEET MINIMUM FOR HOUSE OR AS NOTED OTHERWISE.
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19.31.170(3) IS CITED ON THE COVER SHEET.
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REAR YARD: 10 FT (UNLESS A PERIMETER LOT WHICH REQUIRES A 20 FT SETBACK OR AS OTHERWISE NOTED ON THIS PLAN)

DRIVEWAYS: MIN 20FT LONG. GARAGES FACING THE STREET SHALL HAVE A 20FT SETBACK.

LOT COVERAGE
PER OHMC 19.20.120(9) ZONE R-1 ALLOWS 35% MAXIMUM SITE COVERAGE.

PARKING
PER 21.50.070, ON-STREET, CURBSIDE PARALLEL PARKING SHALL BE ALLOWED ON THE WEST FACE OF UPPER MARIN DRIVE, AND THE INTERIOR FACE OF VALEA VISTA LANE AND SW PUTNAM DRIVE, EXCEPT FOR THE PORTION OF VALEA VISTA LANE THAT PASSES ALONG TRACT A. SEE DETAIL 4/P6, LOCAL RESIDENTIAL NARROW SECTION.

LOT & TRACT TABLE

Table with columns: LOT, AREA (SF), LOT, AREA (SF). Lists lots 1-43 and their respective areas.

Table with columns: LOT, AVERAGE, MAX, MIN, DENSITY. Summary statistics for lots.

TOTAL AREA IN LOTS AND TRACTS: 8.1 AC

DRIVEWAYS

LOTS 17, 18, 20, 32, 33, 40 & 41 SHALL HAVE INDIVIDUAL DRIVEWAYS PLACED TO PROVIDE INTERSECTION SEPARATION TO THE GREATEST EXTENT POSSIBLE. DRIVEWAY SIZE AND LOCATION SUBJECT TO APPROVAL BY THE CITY ENGINEER.

Table with columns: TOTAL AREA IN LOTS & TRACTS, AREA IN RIGHT-OF-WAY, GROSS SITE AREA, REQUIRED AREAS.

OPEN SPACE MATRIX

Table with columns: Tract, Total Area (SF), Native Vegetation (SF), % Native Vegetation, Passive Open Space, % Passive Open Space, Active Open Space, % Active Open Space.

TRACT C Audit

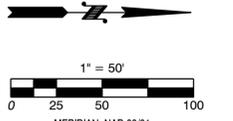
Table with columns: 25ft buffer (Biocell), Pond, Pedestrian Corridor, 20ft Setback and Pond Landscape, Tract C Totals.

PARCEL CURVE DATA

Table with columns: SEGMENT, DELTA, LENGTH. Lists curve data for segments C3-C19.

PARCEL CURVE DATA

Table with columns: SEGMENT, DELTA, LENGTH. Lists curve data for segments C20-C35.



VERTICAL DATUM NAVD 88 DERIVED BY GPS

REVISIONS

ENGINEERS SURVEYORS
(360) 675-5973
(360) 794-7811
FAX: (360) 675-7255

HARMSEN & ASSOCIATES INC
840 SE 8th AVENUE, SUITE 102
OAK HARBOR, WA 98277



8/22/2016

MARIN WOODS
PLANNED RESIDENTIAL DEVELOPMENT
GEORGE F. MARIN TRUST
PRELIMINARY PRD MAP
PRD MAP

DRAWN BY: GTR
CHKD BY: MER
DATE: 2-26-2016

15-243



PL4

MARIN WOODS

Attachment E: Landscape Plan



STREET TREE AND BUFFER PLAN
1" = 40'-0" (CHECK SCALE BAR FOR ACCURACY)

GENERAL NOTES

1. TO MITIGATE CONCERN ABOUT BLOW DOWN OF TREES LEFT ALONG THE PERIMETER SETBACK AREA OF THE PROPERTY, THE PERIMETER SETBACK AREA SHALL BE CLEARED OF TREES (EXCEPT IN TRACT B OR AS ADVISED BY THE PROJECT ARBORIST, AND NEW NATIVE GROWTH SHALL BE PLANTED.
2. NATIVE VEGETATION TO BE RETAINED IN TRACT A AS WELL. SUBJECT TO COORDINATION WITH PARK AMENITIES AND PERIMETER CONSIDERATION NOTED ABOVE.
3. PLANT LOCATIONS ON THE PLANS ARE DIAGRAMMATIC AND MAY BE SUBJECT TO ADJUSTMENT IN THE ALL AREAS TO BE PLANTED WITH GROUNDCOVER ARE INDICATED ON THE PLAN WITH A HATCH PATTERN. SEE PLANT LIST FOR PLANT TYPE, SIZE, AND SPACING.
4. SUBSTITUTION OF PLANT VARIETIES DUE TO LACK OF AVAILABILITY SUBJECT TO APPROVAL BY THE OWNERS REPRESENTATIVE.
5. ALL DIMENSIONS ARE ASSUMED TO BE PARALLEL OR PERPENDICULAR UNLESS OTHERWISE NOTED.
6. BASEMAP PROVIDED BY HARMSSEN AND ASSOCIATES Inc., OAK HARBOR, WA.

PLANTING LEGEND

Broadleaf Deciduous		Grass	
Symbol	Scientific Name	Symbol	Scientific Name
	Acer circinatum		Miscanthus sinensis 'Little Kitten'
	Acer Rubrum 'Karpick'	Perennial	
	Amelanchier alnifolia	Symbol	Scientific Name
	Betula utilis var. jacquemontii		Hemerocallis 'Stella de Oro'
	Cercidiphyllum japonicum	Shrub	
	Pyrus calleryana 'Chanticleer'	Symbol	Scientific Name
Conifer Evergreen			Berberis thunbergii 'Crimson Pygmy'
Symbol	Scientific Name		Cornus stolonifera 'Isanti'
	Pseudotsuga menziesii		Gaultheria shallon
	Thuja plicata 'Fastigiata'		Hydrangea macrophylla 'Bailmer'
	Douglas fir		Rhododendron 'Taurus'
	Hogan Cedar		Ribes sanguineum
	Chanticleer Pear		Symphoricarpos albus
	Viburnum davidii		Viburnum tinus 'Spring Boquet'
	Dwarf Maiden Grass		
	Daylily		
	Crimson Pygmy		
	Isanti Redtwig Dogwood		
	Salal		
	'Endless Summer'		
	Taurus Rhody		
	Pink winter currant		
	Common snowberry		
	David's Viburnum		
	Spring Boquet Viburnum		
	NATIVE VEGETATION TO BE RETAINED		
	NATIVE VEGETATION TO BE REPLANTED		

Landscape Statistics			
	S.F.	Acres	Comments
GROSS ACREAGE		10.7	
Open Space Area Required (10%)	46,301		
Open Space Area Provided	56,627		> 10%
Active Open Space Area Required (5%)	23,150		
Active Open Space Provided in Tract A	>32,000		Program to consists of trails, playground area, picnic tables, benches, ornamental landscape, lawn area, and native vegetation
PRD Landscape Buffer (20' required on lots abutting PRD Boundary)			To mitigate concern about blow down of trees left along the perimeter setback area of the property, the perimeter setback area shall be cleared of trees (except in tract b) or as advised by the project arborist, and new native growth shall be planted as shown on PL-2.
STREET FRONTAGE	1-1/2" caliper approved tree every 30' o.c. required	provided per code.	Provided Per code on Swanton Road
INTERIOR STREET TREES	1-1/2" caliper approved tree every 30' o.c. required	provided per code.	Two Per Lot Min except on cul-de-sac. Placement of trees to be coordinated with final driveway locations, light poles, an signage.

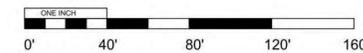


Marin Woods - Oak Harbor WA

Preliminary PRD Map – Conceptual Landscape Plan

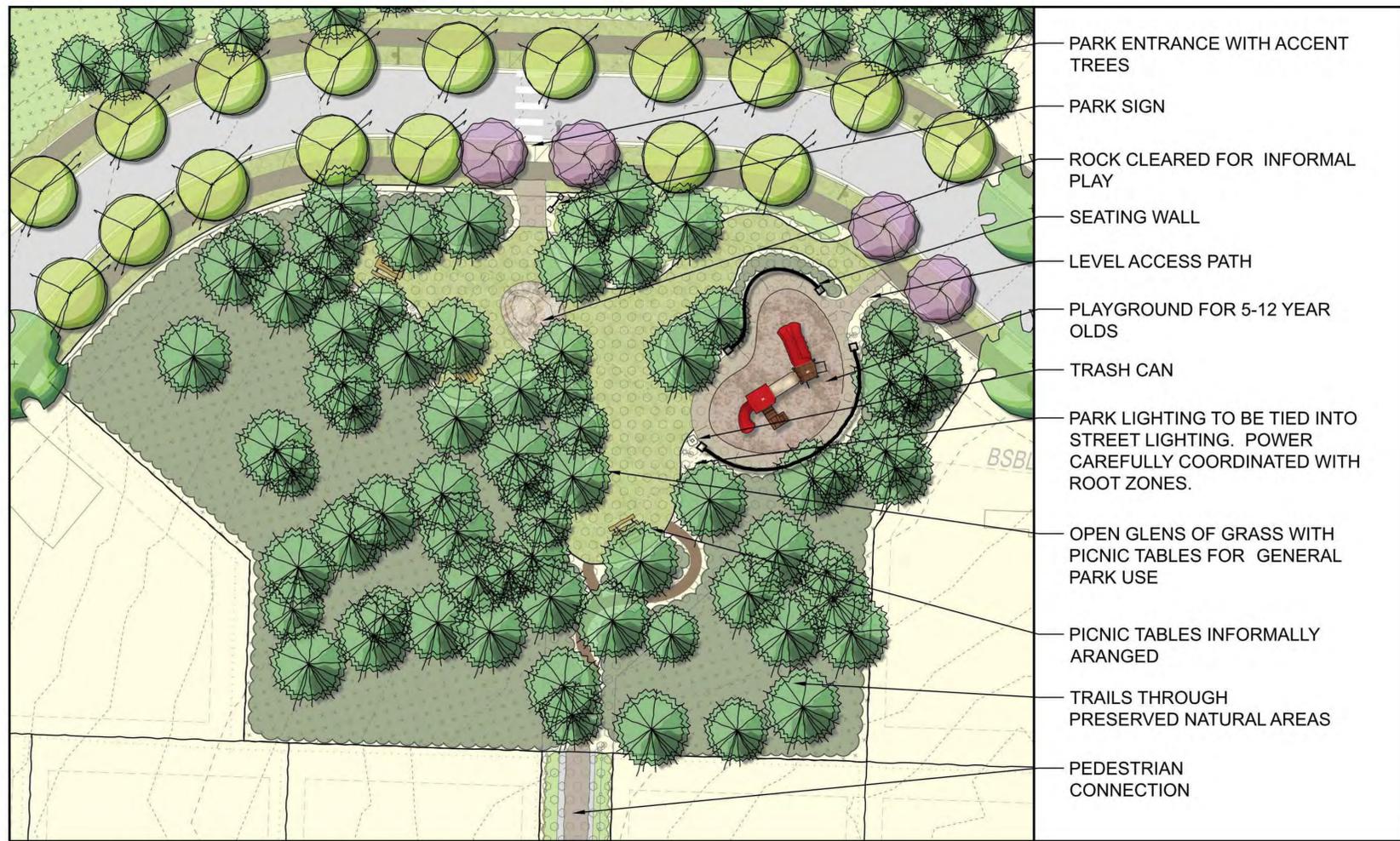
Prepared for:
Marin Woods PRD
preliminary planned residential development
George F. Marin Trust

Prepared by:
ecosDesign
Landscape Architecture and Planning
Mount Vernon, WA 99273
p. 360.419.7400
f. 800.508.2017

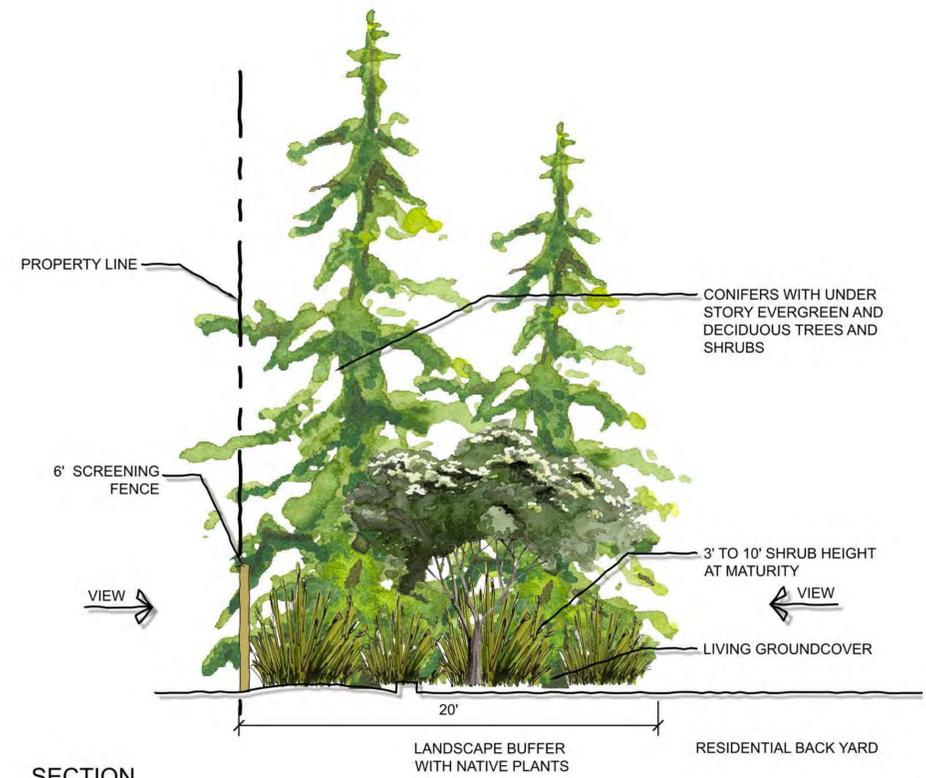


PL-1

March 11, 2016



PRELIMINARY RECREATION SPACE CONFIGURATION
 1" = 10'-0" (CHECK SCALE BAR FOR ACCURACY)



PARK AREA LIGHT WITH HOOD TO PREVENT LIGHT SPILL

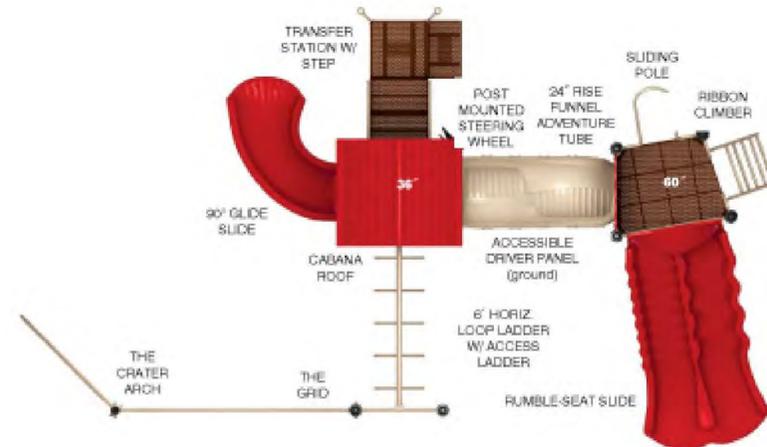


RECYCLED MATERIAL PICNIC TABLE

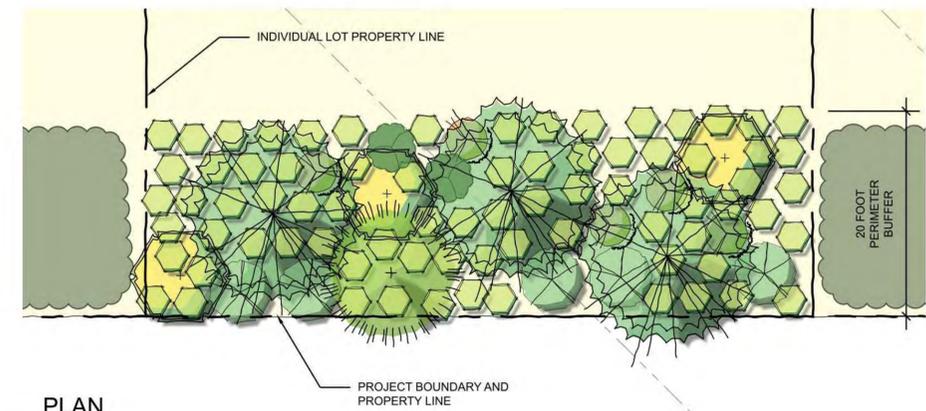


RECYCLED MATERIAL WASTE CAN

CONCEPTUAL SITE AMENITIES



CONCEPTUAL PLAYGROUND EQUIPMENT



Marin Woods - Oak Harbor WA

Preliminary PRD Map – Conceptual Landscape Details

Prepared for:
 Marin Woods PRD
 preliminary planned residential development
 George F. Marin Trust

Prepared by:
 eccosDesign
 Landscape Architecture and Planning
 Mount Vernon, WA 99273
 p. 360.419.7400
 f. 800.508.2017



PL-2

August 4th, 2016

MARIN WOODS

Attachment F:

Annexation Application Packet

**City of Oak Harbor
City Council Agenda Bill**

Bill No. _____
Date: August 8, 2012
Subject: Marin Property Annexation

FROM: Steve Powers, Development Services Director

**INITIALED AS APPROVED FOR
SUBMITTAL TO THE COUNCIL BY:**

_____ Scott Dudley, Mayor
_____ Larry Cort, Interim City Administrator
_____ Doug Merriman, Finance Director
_____ Grant Weed, Interim City Attorney

PURPOSE

This agenda bill presents information regarding the proposed Marin annexation and the potential for annexing additional properties near to it. The purpose of the agenda bill is to obtain City Council input on what area, among the options outlined herein, City Council wishes to consider for annexation.

AUTHORITY

RCW 35A.14.010 gives cities the authority to annex properties which are contiguous to their boundary. That same chapter of State law discusses the procedures for an annexation. However, because annexations are considered a discretionary matter for cities, state law primarily addresses the procedures for annexation and not the factors to consider in annexation. With this in mind, it is appropriate to look to the City's Comprehensive Plan to provide policy guidance on when and under what circumstances annexations should be approved (please see Attachment 1). Specifically, Goals 4 and 5 of the Urban Growth Area Element provide guidance on annexation decisions. Please see the 'Comprehensive Plan Annexation Policies' section for additional discussion.

FISCAL IMPACT DESCRIPTION

Funds Required: \$ 0

Appropriation Source: Not applicable

This agenda bill includes a summary discussion of the fiscal impacts of this proposed annexation. Please note that the fiscal impacts discussed in this agenda bill are projections based on assumptions about what type and amount of development will occur in the future. If these assumptions change or reality brings a different result, the actual fiscal impacts may vary from what are projected here. Please see discussion of the 'Fiscal Impacts Analysis' section of this agenda bill.

Marin Property Annexation
City Council Meeting of August 8, 2012
C:\Users\rlindenburg\AppData\Local\Microsoft\Windows\Temporary Internet
Files\Content.Outlook\EHB98NNW\Marin Annexation 08_08_12 (rev1).docx

BACKGROUND

On September 21, 2010 Mr. Richard Marin submitted a notice on behalf of the Marin family of their intent to commence annexation proceedings for their property. The property is located at 1292 SW Swantown Road, approximately 0.85 miles west from the SW Swantown Avenue and Fort Nugent Avenue intersection. The property is directly across the road from Fairway Lane. Mr. Marin is one of five family members who jointly own the parcel, which totals 10.43 acres in size. The proposed annexation area is located within the Oak Harbor Urban Growth Area (UGA) and is designated Low Density Residential on the City's Future Land Use Designation Map (please see Attachment 2). If the property is annexed, it would be assigned R-1-Single Family Residential zoning per the City's Comprehensive Plan.

Consistent with state law (RCW 35A.14.120), City Council held a meeting on November 16, 2010 within 60 days after Mr. Marin submitted his initial letter to the City. Please see Attachment 3 for the City Council agenda bill of that date. The agenda bill noted that the proposed annexation would create an unincorporated county enclave and the Comprehensive Plan discourages their creation (see Urban Growth Element, Policy 4.b). After hearing from the applicant and staff, City Council took the following actions:

- They expanded (“geographically modified”) the proposed annexation from just the Marin property to also include the island “enclave” area to the east. Please see Attachment 4 for a map of the annexation area authorized by Council on November 16, 2010.
- Council authorized the applicant to circulate the petition and to pursue obtaining signatures for property owners representing 60% of the assessed value of this proposed area.
- They required the simultaneous adoption of R-1 zoning for the subject properties consistent with the City's Comprehensive Plan, when and if annexation is completed. Adoption of simultaneous zoning is a typical requirement of annexations.
- They required that the area to be annexed assume a portion of the City's indebtedness meaning that the newly annexed properties will pay City taxes, when and if annexed. Assumption of a portion of the city's indebtedness is a common requirement of annexations.
- Council authorized staff to begin preparing an annexation agreement in consultation with the applicant and subsequent to applicant's submittal of a complete 60% petition. However, after further review staff has determined that an agreement is not necessary. This is due to the fact that all anticipated development issues may be addressed through the City's existing municipal code standards.

Following the meeting, the applicant approached all of the property owners within the proposed annexation area. The applicant obtained signatures of only five additional property owners within the enclave area. Those five property owners plus the Marin's represent 26% of the annexation area (not assessed valuation) authorized by City Council. Please see Attachment 5 for a map of properties for which signatures were obtained. Simultaneously, the applicant began working on a fiscal impact analysis for the proposed annexation; the goal of this study is to

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weigh the budget impacts to the City from annexation. Staff provided feedback on the analysis to the applicant during this process. The applicant submitted the final version of the fiscal impact analysis on June 15, 2012.

DISCUSSION

Comprehensive Plan Annexation Policies

The goals and policies related to annexation are found within the Urban Growth Area Element of the City's Comprehensive Plan. The introduction to this element states, in part,

“The Urban Growth Area (UGA) plays a significant role in planning for Oak Harbor's future. Oak Harbor's UGA also assists the City in meeting State planning Goals; such as encouraging development in urban areas where public facilities and services exist or can be provided in an efficient manner, reducing the inappropriate conversion of undeveloped land into sprawling low density developments, and protecting the environment and enhancing the state's high quality of life.”

As was previously noted, Goals 4 and 5, and their respective policies, specifically address the subject of annexation. These goals and policies focus primarily on assuring that City services are available to annexed areas, or can be provided after annexation, and that the annexation does not degrade the City's existing level of service.

Policy 4.b, however, advises against the creation of unincorporated enclaves within the UGA as the result of annexation decisions.¹ The 'discussion' text associated with the policy notes that the City may make exceptions to this policy in cases where the potential enclave is already characterized by urban density, after encouraging the petitioner to work with property owners from within the enclave, and if the annexation furthers other goals and is otherwise consistent with annexation policies. In the case of this annexation, the areas to both the east and the west of the Marin property, both of which are within the UGA, are already developed as single-family neighborhoods. The annexation is consistent to a degree with Policy 1.c² and it is consistent with other annexation policies. The issue of gathering signatures from within the expanded annexation area is addressed below.

Sixty percent threshold not achieved

The applicant was not able to obtain signatures representing 60% of assessed valuation for the area authorized by City Council on November 16, 2010 (please see Attachment 6 for copies of the signed petitions). Because the 60% threshold was not achieved, the City Council cannot consider annexing the entirety of the initially authorized area. However, the Council may choose to annex a smaller area within the originally authorized annexation area such that the property owners who have signed will represent 60% or more of the smaller area. Likewise, Council may choose not to consider a smaller area for annexation.

¹ “The City should avoid annexations that would result in unincorporated enclaves within the UGA.”

² “The City shall seek to eliminate unincorporated enclaves in order to provide for the most efficient provision of urban services within the UGA.”

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Staff presents the following three options for the Council's consideration:

- Option 1: Annex only the Marin property; or
- Option 2: Annex the Marin property plus six additional properties; or
- Option 3: Do not consider annexation of a smaller area.

At this point in the process, staff is seeking guidance from City Council on what option they would like to consider. Each of these options is described further below.

Option 1: Annex only the Marin Property

Option 1 involves annexing the Marin property only (see purple highlighted property in Attachment 4) totaling 10.43 acres in size. Approving this annexation will create an island "enclave" to the east of the Marin property. All capital facilities for the property, including water, sewer, stormwater, and streets would be provided by the applicant at their expense when the Marin property is developed. These capital facilities would be publicly dedicated and maintained by the City after construction. Other City services would also be required to serve the property such as fire and police protection.

The following bullets summarize the public facilities and service capacities for the Marin property as reviewed against the Comprehensive Plan policies pertaining to annexation:

- **Police protection.** The Police Department reports that there will be a negligible impact to level of service as a result of the Option 1 annexation and that the additional residents within this area can be provided police protection within existing budget and staff levels.
- **Fire protection.** The Fire Department reports that the inclusion of this annexation area may place the fire department outside of its target response times, however many recent annexations have done the same. The city's fire insurance rating, currently rated a 4 by the Washington Survey and Rating Bureau, may be negatively impacted by adding too much growth without adding adequate services. The installation of fire hydrants will increase the required work load for the fire department. All hydrants must be inspected annually. The additional homes may result in an increase for calls for service. These services could include emergency medical calls and/or fire incidents.

In discussions with the Fire Department, they expressed concern about the cumulative impact of annexations overtime on the department's level of service. The level of service impacts for a given annexation may be small or negligible, but considered in the aggregate for multiple annexations over many years, these impacts gradually reduce the service level it is able to provide Oak Harbor citizens.

Urban Growth Area policy 4(e) requires that existing buildings within annexation areas to meet the City's fire and safety requirements within two years. The Fire Department reports that there is one existing building within the Option 1 annexation area, which is a single-family house accessed off of Swantown Road. Single-family homes are not required to have fire sprinkler suppression systems, so no upgrades to this house would be required post annexation. Additionally, adequate fire access is provided to the property

from SW Swantown Road which is within 150 feet from the house.

- **Streets.** All necessary street improvements will be completed at the time the property is developed. Necessary improvements include dedication of property along SW Swantown Road and installation of improvements to meet the Minor Arterial street section in the City's 2007 Transportation Element of the Comprehensive Plan. An internal network of local residential streets would be provided within the boundaries of the property at the time that property is developed. A road connection to Swantown Road aligning with Fairway Lane would be required to serve any future development. The expense for all necessary street improvements both onsite and offsite will be the responsibility of the applicant/developer at the time development occurs on the property. Public streets will be dedicated by the applicant/developer and maintained by the City. Private streets, if proposed, would be maintained by a homeowners association.
- **Sewer and Water.** 8-inch sewer and water stubs to the property in SW Putnam Drive and SW Robertson Drive. There is an 8-inch gravity main sewer in SW Swantown Road which ends at the southeastern edge of the property. At the time the property is developed, the applicant/developer will be required to extend sewer and water facilities in Swantown Road to the western edge of the Marin Property. Sewer from the property would gravity flow to the 8-inch main in Swantown Road and flow to the golf course pump station. Alternatively, a new gravity main could be placed in Swantown Road and flow directly southeast of the property. All sewer and water utilities necessary for the property would be installed by and paid for by the applicant/developer concurrent with development. If any oversizing of sewer and water utilities is required to meet the utility needs of the surrounding area, the City typically reimburses the developer for those additional costs associated with the oversizing. A preliminary investigation of sewer capacity by the Engineering Division indicates that there is sufficient capacity in the system to accommodate the increased demand from the development of the property. The sewer and water system will be publicly dedicated and maintained by the City after construction is complete.
- **Stormwater.** The applicant/developer will be required to install adequate stormwater infrastructure to serve any development on the property. The stormwater facilities will be required to meet all applicable local and state standards for stormwater control, treatment, and detention. All expenses for stormwater infrastructure installation required to serve the property would be paid for by the applicant/developer. Portions of the stormwater system within public rights-of-way will be publicly dedicated and maintained by the City after construction is complete with the exception of certain LID stormwater facilities, if proposed. Stormwater facilities on private property, such as ponds, would be privately owned and maintained.
- **Solid waste.** Island Disposal will continue to provide solid waste pick up services to the property after annexation until such a time as a franchise agreement can be negotiated and approved by the City Council. Typically, Island Disposal provides solid waste pick up for 7-10 years after annexation, at which point the City assumes responsibility for this service. Solid waste services are considered to be an enterprise fund whose expenses are

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covered by service fees.

- **Parks.** The Parks, Open Space, and Recreation Plan does not call for construction of a new park within the boundaries of the property. Capital facilities needs for the new residents will be supported by park impact fees. The Parks Division anticipates only a negligible impact from this annexation and has indicated that the addition of new residents and land to the City resulting from this annexation can be accommodated within existing budget and staff levels.
- **Development Services.** Development Services reports that the annexation of the property is anticipated to result in increased development review activity in the form of processing future land use applications, building permits, and other permits. However, the increased activity can be accommodated with existing staff and budget levels without negatively impacting service levels.
- **Animal Control.** Animal control reports that the addition of the property to the City and subsequent development of 35 units would have a negligible effect on the level of service the division provides. The addition of the 35 units will be accommodated with existing staff and budget resources.
- **Senior Services.** Senior Services anticipates no or negligible impact from this annexation. The addition of the property and subsequent development of 35 units could be accommodated with existing staff and budget resources.

If the Council chooses Option 1, staff will forward the required petitions to the Island County Assessor for a determination of sufficiency. Once the City has received the determination, a public hearing before the City Council will be scheduled. At that time, the Council will be asked to make a final decision on the annexation.

Option 2: Annex the Marin property plus six additional properties

Attachment 7 shows the Option 2 annexation area which totals 13.34 acres in size, 10.43 acres which is the Marin property. This area represents four property owners who have signed petitions agreeing to be annexed plus two other properties immediately adjacent to these properties who have not signed petitions. Properties for which owners have signed petitions represent 75% of the total assessed value of the properties within Option 2, exceeding the minimum 60% necessary. All properties are accessed via Swantown Road (public) or from Bernard Way (private). As was previously discussed, the Comprehensive Plan policies focus on adequacy of public services for proposed annexation areas and the effect on the citywide service level. The following discussion summarizes service availability and impacts to service levels to guide the City Council in their consideration of Option 2.

- **Police protection.** The Police Department reports that there will be a negligible impact to level of service as a result of the Option 2 annexation and that the additional residents within this area can be provided police protection within existing budget and staff levels.
- **Fire protection.** Same comments as Option 1, with the following additional comment:
The multifamily building located at 2150 SW Swantown Road will be required to install

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sprinklers at the time of remodel, modification, or has an occupancy reclassification per policy 4(e) of the Urban Growth Element of the Comprehensive Plan, if such sprinklers are not already in place.

- **Streets.** Same comments as Option 1, with the following additional comment:

Four of the properties to the east of the Marin property which would be annexed with Option 2 are served by Bernard Way. SW Swantown Road serves the other two properties. Bernard Way is a private access drive that does not meet City standards. City code (OHMC 21.60.120) requires access drives serving four units be 20 feet in width. Nevertheless, the Fire Department has indicated that it can provide adequate fire suppression to the properties accessed from Bernard Way. The City would not require that the access road, although substandard, be upgraded after annexation unless development were to occur on one or more of the properties accessing Bernard Way necessitating a new access drive.

- **Sewer and Water.** Same as Option 1 with the following additional comments:

A preliminary investigation of sewer capacity by the Engineering Division indicates that there is sufficient capacity in the system to accommodate the increased demand from the development of the Marin property and the adjacent six properties.

The presence of an existing sewer line will facilitate providing sewer service to the additional properties included in Option 2. An 8-inch sewer line is located in an easement running along the western edge of 2285 Bernard Way (see Attachment 7). This sewer line could serve the four properties abutting it, which include 2150 SW Swantown Road, 2293 Bernard Way, and 2285 Bernard Way (two properties for this address). Property owners surrounding this sewer line would be required to connect at the time their septic systems fail (per OHMC 14.03.060) and would be responsible for costs of these side sewer connections. Additional easements may be required since the sewer line runs across private property. The sewer line in the easement is already publicly owned and maintained. The installation cost of individual sewer connections to this line would be required to be maintained by property owners as is the case with all side sewer connections. Because the sewer is already in place and already being maintained by the City, staff do not anticipate any additional sewer costs if these properties are annexed.

The same easement previously mentioned also allows placement of a waterline. However, due to the location of the existing sewer line in this easement and the requirement for water and sewer lines to be separated by at least 10 feet, this easement would not likely have adequate width for the placement of a waterline. Notwithstanding these facts, there is no requirement to switch to City water services after annexation, as there is with sewer when septic systems fail. Therefore, the properties accessed from Bernard Way could continue to be served by a private well with no additional capital or maintenance expenses to the City anticipated for annexing this area.

- **Stormwater.** Same as Option 1 with the following additional comments:

The properties to the east of the Marin property which take access from Bernard Way do not currently have storm facilities which meet City standards. If these properties to the

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east of the Marin Property are annexed, Bernard Way could remain a private street, and thus new stormwater infrastructure would not be required. If new units were added which access Bernard Way or the residents proposed to upgrade the access, then stormwater infrastructure would be required at that time.

- **Solid waste.** Same as Option 1
- **Parks.** Same as Option 1
- **Development Services.** Same as Option 1.
- **Animal Control.** Same as Option 1.
- **Senior Services.** Same as Option 1

If the Council chooses Option 2, staff will forward the required petitions to the Island County Assessor for a determination of sufficiency. Once the City has received the determination, a public hearing before the City Council will be scheduled. At that time, the Council will be asked to make a final decision on the annexation.

Option 3: Do not consider a smaller area for annexation than initially authorized

The City Council is not required to consider a different annexation area than that which it originally authorized. The City Council could direct the applicant to further pursue signatures for the island enclave area and indicate to the applicant that the Council would only consider annexation for the originally authorized area, rather than a smaller area within it. However, given the enclave property owners' lack of interest in participating in the annexation it is unlikely that adequate signatures would be obtained in the near future.³

Fiscal impact analysis

Fiscal impacts are the changes in costs and revenues that the City can expect from a certain action, in this case annexation. As part of the annexation process, Policy 4(j) of the Urban Growth Element of the Comprehensive Plan says that "the City may require the preparation of a fiscal impact study...." Citing this policy, staff requested that the applicant prepare a fiscal impact analysis, because it is not uncommon that residential annexations can lead to negative fiscal impacts for a city. This is because residential uses generally require a high level of services from the City and produce less revenue than commercial or industrial uses.

In response to staff's request, the applicant commissioned a fiscal impact analysis which was prepared by Mr. F.R. Rick Duran of the Archinomics Group, Inc. (please see Attachment 8). The fiscal impact analysis examined the impacts to the City from the annexation of the Marin property and the adjoining properties. The study estimated that there would be recurring revenues

³ However, this does not mean that annexation of this area cannot take place at some point in the future. The City has the authority to annex islands of territory under RCW 35.13.182 by resolution at a later date. Council might pursue annexation by resolution if they felt it was critical to annex all of the enclave area to avoid the creation of an island. However, this option is subject to a referendum election by those annexed in a general election after the resolution has been passed.

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to the City of \$291,461 and recurring costs of \$65,000 per year. In other words, after the Marin property is developed, and residents have moved into the units, the proposed annexation would generate net revenues to the City of \$226,461 per year.

After reviewing the applicant's study, City staff conclude that the study over estimates revenues and costs significantly. For example, it appears that the applicant overestimated annual property tax revenues. Costs were probably also over estimated because the study used the average costs per household in the City for each department in the City. In reality, many of the City departments for which costs were projected (i.e. law, judicial, city administrator, human resources) will not likely be required to serve the annexed area once the Marin property is developed and houses are filled.

In an effort to provide the City Council additional information staff created its own abbreviated fiscal impact analysis, which is shown here in tables on the next page. The fiscal analysis shows the typical operating costs and revenues to the City after the Marin property is developed and the houses within it are occupied. This analysis does not look at one-time construction revenues and costs, but, rather looks at the operating costs and revenues once the Marin property is developed and houses are occupied.

What the following fiscal analysis shows is that there is likely a small, positive fiscal benefit to annexation in either Options 1 or 2. The benefit is much smaller than that identified by the applicant's fiscal study, but it is nonetheless positive.

STANDING COMMITTEE REPORT

This item was discussed with the Governmental Services Standing Committee at their July 10, 2012 meeting.

Staff Fiscal Impact Analysis

Table 1. Projected Operating Revenues to the City for Options 1 and 2

Revenues	Option 1	Option 2
Property Taxes	\$ 21,539	\$ 24,657
Sales Taxes	\$ 10,647	\$ 11,863
REET	\$ 2,385	\$ 2,657
Total	\$ 34,570	\$ 39,178

Table 2. Project Operating Costs to the City for Options 1 and 2

Costs	Option 1	Option 2
Police Protection	\$ 12,432	\$ 13,853
Fire Protection	\$ 7,065	\$ 7,872
Street Maintenance	\$ 5,454	\$ 5,454
Animal Services	\$ 645	\$ 719
Code Enforcement	\$ 66	\$ 73
Parks	\$ 3,345	\$ 3,727
Total	\$ 29,006	\$ 31,698
(Deficit)/Surplus	\$ 5,564	\$ 7,480

Notes: The following assumptions were made in the above projections:

1. Water, sewer, storm, and solid waste are enterprise accounts and are therefore a net zero fiscal impact
2. Property tax rate is \$2.285329566/\$1,000 of assessed value
3. Sales tax receipts for OH in 2011 were \$2,669,142 or approximately \$120 per person
4. The City's population in 2011 and 2012 was 22,000
5. Marin property will contain 35 housing units as estimated by applicant
6. Marin property + adjacent 6 properties is 39 housing units
7. Average household size is 2.53 persons in OH
8. The 2011-12 budget is as follows for the following departments: Fire - \$1,937,933; Streets - \$899,712; Animal services - \$177,064; Code Enforcement - \$17,991; Parks Budget - \$917,472
9. Acres of Parks = 215.1
10. Miles of Streets in Oak Harbor = 68.74 miles
11. Annual Code Enforcement Complaints = 100
12. Miles of Streets within Marin Property = 0.417
13. Miles of Street in Marin + Adjacent = 0.417
14. Number of Households in OH = 9,601 according to OFM
15. Animals Impounded Per Year = 250

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CONCLUSION

In the November 16, 2010 agenda bill staff noted that the City's Comprehensive Plan, in Policy 4.b, discourages the creation of unincorporated county enclaves. Based on the aforementioned policy, Council chose to expand the annexation from just the Marin Property to include the entire county enclave area to the east and authorized the applicant to pursue signatures for the expanded area. The applicant was unable to obtain sufficient signatures to constitute 60% of the assessed value of the expanded area. Given this fact, staff believes Council now has three options from which to choose.

With the exception of fully satisfying Policy 4.b, both Options 1 (Annex Marin Property only) and Option 2 (Annex Marin Property and adjacent properties) are consistent with the policies for annexation outlined in the Comprehensive Plan, Urban Growth Area Element. In Option 1, all capital facilities and services would be provided subsequent to the development of the Marin Property and would meet all relevant City standards at the time that property is developed. City departments report that the area in Option 1 could be served under existing budgets and staff levels. Option 2 annexes the Marin Property, plus six additional properties, resulting in the annexation of an additional 2.91 acres. City departments also report that the area in Option 2 could be served under existing budgets and staff levels.

From a fiscal standpoint, Options 1 and 2 are largely the same; in each option the City will likely realize a small, but positive fiscal impact, although the impact will likely be slightly larger in Option 2 due to the additional tax revenues. Capital facilities in Option 2 for the enclave area, although not meeting City standards in some cases (i.e. roads, water, and stormwater), are not required to be upgraded after annexation and do not create safety or service issues. A sewer line is available for future connection for residents in the enclave area.

The applicant has secured the necessary signatures on the annexation petition to pursue either Option 1 or 2. Should the City Council select either of these options, effectively accepting the petitions as submitted, staff would submit the appropriate petition to Island County for their determination of sufficiency as required by RCW.

While the land area in either Option 1 or 2 can be effectively served by the City, the Council need not consider an area smaller than that authorized at the November 16, 2010 meeting. The decision to not do so, Option 3, likely means that adequate signatures could not be obtained for this area in the near future.

With the above considerations in mind, staff recommend that Council consider Option 2 for annexation. Annexing this area incorporates more territory in City boundaries and reduces the size of the resultant unincorporated enclave. It should also result in more positive fiscal impacts than Option 1. Staff have not identified any problematic service provision issues in this scenario. Should the Council concur with this recommendation, a public hearing would be scheduled for some time after the Island County Assessor has issued her determination of sufficiency for the petition.

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RECOMMENDED ACTION

Staff recommends that City Council consider the Marin Annexation as outlined in Option 2.

Should the Council concur with this recommendation, the following motions would be appropriate:

1. Move to consider Option 2 for the Marin annexation at a City Council meeting and public hearing, the date to be determined by staff.
2. Move to accept the submitted annexation petitions and direct staff to forward these petitions to the Island County Assessor for a determination of sufficiency.

ATTACHMENTS:

1. Annexation Goals and Policies from the Urban Growth Element of the Comprehensive Plan
2. Land Use Map
3. November 16, 2010 City Council agenda bill (w/o attachments) and minutes
4. Marin Property Annexation Map and Island Enclave Area
5. Map showing properties for which there are signatures
6. Submitted petitions
7. Option 2 Annexation Area/Sewer Map
8. MarinWoods Fiscal Impact Study for the City of Oak Harbor

MAYOR'S COMMENTS:

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Attachment 1: Comprehensive Plan Policies Urban Growth Area Element

Goal 4 - Annexations to the City will occur in compliance with the Washington State Growth Management Act and the following policies.

Policy: **4.a** Land to be annexed should include only areas seen as logical extensions of the City, located adjacent to existing urban development.

Discussion:

This policy is to be used solely as a guide to prevent leap-frogging and not as a means of preventing growth.

4.b The City should avoid annexations that would result in unincorporated enclaves within the UGA.

Discussion:

An unincorporated enclave is an area completely surrounded by incorporated parts of the city. However, the City may make exceptions to this policy in cases where the potential enclave is already characterized by urban density. In such cases, the City should first encourage petitioners to work with property owners inside the potential enclave to include them in the annexation area. Failing this preferred option, only then should the City consider whether the annexation would further other Comprehensive Plan goals, such as economic development, and otherwise be consistent with annexation policies.

4.b Annexations to the City should be based on evidence that public facilities and service capacities already exist or are planned for and can be efficiently, economically, and practically provided by either public or private sources.

4.c Annexations should not diminish the present LOS or create an excessive financial burden to existing and prospective property owners in the City.

4.d Ensure property owners within an annexing area are aware of foreseeable obligations or requirements that may be imposed upon them by the City at the time of annexation.

Discussion:

Provide foreseeable cost estimates where possible.

4.e Require existing buildings, within annexed areas, to meet the City's fire and safety requirements.

Discussion:

Public safety shall be ensured by the following:

- * An inspection will be conducted of all properties within the proposed annexation area. The Fire Department will identify deficiencies of fire and life safety codes to property owners and City Council. Actions for addressing the deficiencies within specified time frames as recommended by the Fire Department and subject to approval by City Council, will be in the annexation agreement.
 - * Upon annexation, existing buildings will be required to have minimum fire-flow within three years for mobile home parks, and two years for all other buildings, or by annexation agreement. Smaller, individually developed properties should not be burdened by excessive costs of utility improvements beyond their normal proportional share of costs. Costs should be proportionate to benefit.
 - * Existing buildings not conforming to the City's requirement for fire sprinkler systems, will not be subject to retrofitting until the building is remodeled, modified or has an occupancy reclassification. Occupancies or portions thereof classified as hazardous and/or required to have fire suppression systems in accordance with the Uniform Building Code will be required to install an approved system within one year.
- 4.f** Assure that the City's fire rating is not reduced because of annexation.

Discussion

The intent is to preserve the City's current fire rating and LOS and protect public welfare by providing a water supply of sufficient quantity and pressure for fire protection. In all instances, areas to be annexed should be analyzed for their potential effect on the City's fire rating. Programs should be established to assure improvements are made in the annexed area or to correct identified deficiencies made elsewhere in the City to balance rating deficiencies in the annexed area. Property owners in the annexing area may be required to pay all or a portion of the cost to correct the deficiencies in their area.

- 4.g** Maintain the existing level of police service when annexing new areas.

Discussion

The intent is to protect the residents of the City from a reduced level of police services due to annexation. In all instances the areas to be annexed should be analyzed for their potential effect on the City's current level of police protection. Increases in police personnel may be necessary in order to remain at it's present

LOS. The City should have a method for analyzing the fiscal impacts of annexation on police services.

- 4.h Annexation proposals should describe the method and level of funding for capital facilities needed to serve the annexed area.
- 4.i Proponents of annexation in developed or partially developed areas should pay their fair share of the costs of urban services and public improvements required to meet the City's LOS standards.

Discussion

This commitment to meet the City's LOS standards should be identified by all annexation agreements, including pre-annexation agreements.

- 4.j The City may require the preparation of a fiscal impact study which addresses long and short-term economic impacts to the City.
- 4.k Annex, when possible, areas of sufficient size that square off City boundaries and enhance circulation.

Discussion

This policy makes subarea planning for local roads and utilities more efficient.

- 4.l Proposed annexations shall not result in the long-term reduction of the City's established LOS standards.

Goal 5 - New neighborhoods annexed into the City should contribute in a positive manner to sustain and enhance the quality of life for all Whidbey Island citizens while promoting a strong sense of place for Oak Harbor.

- Policy:**
- 5.a Annexation agreements should include a preliminary plan for a transportation network that emphasizes connections to existing neighborhoods, streets and pedestrian facilities.
 - 5.b Where topography allows, new annexation areas should develop in the traditional lot and block grid pattern that typified early Oak Harbor development and enhances the provision of public facilities and services.
 - 5.c The City should consider the desirability of acquiring potential new public facilities, such as trails, parks or open space lands, during the annexation review process with the cooperation of the petitioners.
 - 5.d In annexation requests where the surrounding land uses could be significantly affected by the potential land uses in the annexing area, the

City should require a greenbelt designation of an appropriate width to ameliorate the negative impacts.

Discussion: This policy would apply to the annexation of new industrial lands that abut properties that have historically been used for residential purposes.

- 5.e** The City should adopt standards that support the Comprehensive Plan annexation policies.

ORDINANCE NO. 1634

AN ORDINANCE OF THE CITY OF OAK HARBOR WASHINGTON ANNEXING CERTAIN REAL PROPERTY AND COUNTY RIGHT-OF-WAY TO THE CITY OF OAK HARBOR, ASSESSING ALL PROPERTY WITHIN THE ANNEXATION AREA AT THE SAME RATE AND BASIS AS OTHER PROPERTY WITHIN THE CITY, REQUIRING THE SUBJECT PROPERTIES TO ASSUME THEIR PROPORTIONATE SHARE OF CITY INDEBTEDNESS AND ASSIGNING ZONING FOR THE ANNEXED PROPERTY CONSISTENT WITH THE OAK HARBOR COMPREHENSIVE PLAN

WHEREAS, a property owner filed a petition on September 21, 2010 with the City of Oak Harbor requesting the annexation of a parcel of real property within the Oak Harbor Urban Growth Area and contiguous to the municipal boundary of the City of Oak Harbor, Island County, Washington, pursuant to RCW 35A.14.120 now in effect; and

WHEREAS, a public hearing was held before the City Council of Oak Harbor on October 2, 2012, notice of said hearing having been published as required by law; and

WHEREAS, the City Council of the City of Oak Harbor, following due deliberation and careful consideration of the public testimony and the issues germane to the annexation petition, finds that the proposal is consistent with state and local laws pertaining to the annexation of property to the City of Oak Harbor and with the Urban Growth Area goals and policies in the Oak Harbor Comprehensive Plan;

NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF OAK HARBOR do ordain as follows:

Section One. That the following described property, situated in the County of Island, State of Washington and contiguous to the City of Oak Harbor, is hereby annexed to and incorporated into the City of Oak Harbor, Washington:

See Exhibit A, attached

Situated in Island County, Washington

Section Two. All said real property in the annexed area described in Section 1 shall be assessed and taxed at the same rate and on the same basis as other property in the City of Oak Harbor is assessed and taxed, assume it's proportionate share of existing City indebtedness and shall be subject to the comprehensive plan as presently adopted or as hereafter amended.

Ordinance No. 1634
Marin Annexation 10.2.12
Page 1 of 2

Section Three. The annexed area described in Section 1 is hereby assigned zoning of R-1, Single-family Residential, consistent with the Oak Harbor Comprehensive Plan Future Land Use Map. The zoning provisions of the Oak Harbor Municipal Code shall be in full force and effect in the annexed area in accordance with this assignment.

Section Four. Severability and Savings Clause

- (1) If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances is not affected.
- (2) Deletion or amendment of provisions from the Oak Harbor Municipal Code shall not terminate any obligation to the City already vested or incurred thereunder.

Section Five. Effective Date. This Ordinance shall be in full force and effect (5) five days after its publication as required by law.

PASSED by the City Council this 2nd day of October 2012.

CITY OF OAK HARBOR

Approved
Vetoed

()
()

Scott Dudley
Scott Dudley, Mayor

Oct 2, 2012
Date

ATTEST:

[Signature]
Interim City Clerk

Approved as to Form:

[Signature]
Interim City Attorney

Introduction: Oct 2, 2012

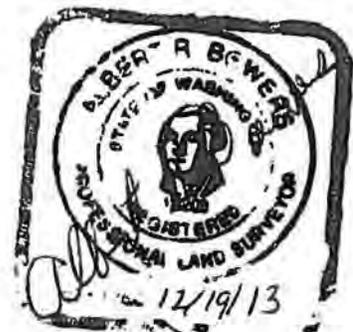
Passed: Oct 2, 2012

Published: Oct 6, 2012

LEGAL DESCRIPTION

THE WEST 440.00 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 4. TOWNSHIP 32 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN NORTH OF THE COUNTY ROAD EXCEPT BEGINNING 700.5 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 4; THENCE SOUTH 340.6 FEET TO THE NORTH SIDE OF THE COUNTY ROAD; THENCE S. 50° 38' E., 105.8 FEET; THENCE N. 39° 22' E., 262.4 FEET; THENCE N. 50° 26' W. 322.2 FEET TO THE T.P.B. TOGETHER WITH A PORTION OF THE FOLLOWING DESCRIBED TRACT LYING NORTHEAST OF COUNTY ROAD IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 4, BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 600.00 FEET; THENCE NORTHEASTERLY TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER 336.00 EAST OF THE T.P.O.B; THENCE WEST TO THE T.P.O.B.

TOGETHER WITH A PORTION OF THE COUNTY ROAD BEGINNING AT THE NORTH MARGIN OF THE COUNTY ROAD 105.8 FEET SOUTHEAST FROM THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 4. TOWNSHIP 32 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN NORTH OF THE COUNTY ROAD; THENCE AT RIGHT ANGLES TO THE SOUTH MARGIN OF SWANTOWN ROAD; THENCE SOUTHEASTERLY ALONG THE SOUTH MARGIN OF THE COUNTY ROAD TO A POINT WHERE IT INTERSECTS THE NORTH MARGIN OF FAIRWAY LANE; THENCE AT RIGHT ANGLES ACROSS THE COUNTY ROAD TO THE NORTH MARGIN OF THE COUNTY ROAD; THENCE NORTHWESTERLY ALONG THE NORTH MARGIN OF THE COUNTY ROAD T.P.B.



MARIN WOODS

Attachment G: Correspondence



December 21, 2015

Mr. F.R. Rick Duran, Development Manager
The Archinomics Group, Inc.
342 Forest Street, Suite 300
Winnetka, IL 60093-3820

Re: **Marin Woods Preliminary Plat PRD –Preliminary Plat (PPL-15-01) Preliminary PRD (PLN-15-09) (Dated: 11/06/2015)**

Dear Mr. Duran:

Staff have reviewed the site plan application and associated documents for the proposed Marin Woods PRD in accordance with the Oak Harbor Municipal Code (OHMC). Staff provided you with review comments at the meeting on December 17, 2015. A copy of the review comments as discussed during the meeting has been enclosed with this letter. Please consider the review comments prior to resubmittal of your preliminary plat and related documents.

If you have specific questions or comments please contact the appropriate staff person listed below:

Planning	Ray Lindenburg, Associate Planner, at (360) 279-4578
Engineering	Brad Gluth, Civil Engineer, at (360) 279-4526
Archaeologist	Gideon Cauffman, Archaeologist, at (360) 279-4781
Fire	Mike Buxton, Deputy Chief, at (360) 279-4702
Building	Cody West, Plans Examiner, at (360) 279-4515
Police	Ed Green, Police Chief, at (360) 279-4602

If you have any questions, please do not hesitate to contact me at (360) 279-4510. The City of Oak Harbor looks forward to working with you on this project.

Sincerely,

Lisa Bebee
Permit Coordinator
Development Services Department

cc: Ms. Christine R. Marin, George F. Marin Trust
Mr. Michael E. Ryan, PE Harmsen, Inc.
File

enc: staff review comments 12.17.15

**Marin Woods PRD (PLN-15-01) (Dated: 11/06/2015)
Preliminary Plat PRD Review Comments
December 17, 2015**

The following comments apply to the application as reviewed to this date and are based on the submittal received on November 6, 2015. Refined comments may be provided upon submission of revised plans or as changes are made to the application.

Application Review Process

The following describes the remaining steps involved in the preliminary plat and preliminary and final planned residential development review process but does not include final civil, building or fire reviews.

1. Following the meeting, the City will proceed with environmental review under the State Environmental Policy Act (SEPA). Once this adoption notice has been posted, an additional 15-day appeal period must elapse before the application can move forward to the Planning Commission for a public hearing.
2. The Planning Commission will conduct the public hearing for this proposal and its decision will take the form of a recommendation to the City Council. The Commission meets on the fourth Tuesday of every month and all comment and appeal periods must have closed before this hearing.
3. At the first available meeting following the Planning Commission public hearing and decision, the City Council will conduct a closed record review and then take final action on the preliminary plat and preliminary and final planned residential development. If approved, the applicant may proceed with formal civil engineering design.

The following comments/requirements are preliminary in nature and apply to the proposal based on the information provided by the applicant. As per OHMC 18.20.310(1), the purpose the site plan review is to acquaint city staff with a sufficient level of detail about the proposed development to enable staff to advise the applicant accordingly. The purpose is also to acquaint the applicant with the applicable requirements of this title and other applicable city regulations.

Planning

1. 20 foot landscape buffer on east side will not allow for rear yard space for homes with 20 foot setback. New owners may remove vegetation to create yard area, thereby removing required buffer. Recommend pulling all homes to front setback line to maximize rear yard area.

2. Retaining walls should follow front setback line with landscaping used to soften natural grade transition between front setback and street frontage. Grading or stepping of retaining walls may be used as an alternative.
3. Staff is concerned about blow down of trees left as buffer on edge of property. Clearing will cut into the root zone, weaken existing trees and will no longer provide shelter from winds. Additionally, if trees are cleared off Marin property, similar issues could arise for trees on neighboring properties. Staff would recommend clearing all trees from Marin property to property lines (with exception of open space area, see below), and formal written notification of neighboring property owners of potential risks of said clearing on those adjacent properties. Landscape buffer as proposed would then be installed throughout the periphery of project area. Alternatively, applicant may be able to remove larger trees, allowing understory to remain, then replant trees as necessary to attain appropriate native vegetation cover (21.60.190.2).
4. Native trees should be allowed to remain to the greatest extent possible on Tract A. Additional landscaping and improvements as shown.
5. Applicant should consider consulting an arborist to determine whether saving trees on Tract B and other locations is feasible.
6. Street naming convention – Rename north/south leg of Putnam starting at elbow because of east/west return at south end. Named streets are in the V-W range on grid. Marin Drive will need to be renamed as well. (11.02.060).
7. Mid-block pedestrian through access is shown and required for blocks of more than 800 feet (21.60.210). This pedestrian access must be at least 20 feet wide with 10 foot path and 5 foot landscape strip on both sides. A 6 foot high fence is also required alongside property lines. Show planting/landscape detail with other landscape plans on Page PL-2 (19.31.120).
8. PRD Setbacks. Plans show differing home plans between pages P2 and PL-1. Page P2 includes text reference to 10 foot front and rear setback and 5 foot side setbacks. Please note that garages will need to be set back from front of home in order to meet the PRD requirement listed below, and at least 20 feet of driveway must be provided to allow for off-street, on-site parking. Applicant should ensure that homes meet criteria set forth in 19.31.170 with regard to design and total lot coverage limitations. If smaller lots from what is required in the underlying zone district are being proposed, the buildings on these lots must meet requirements (a) to (c) below or requirement (d) or (e).
 - (a) Garage walls facing the street must be no closer than the wall containing the main entrance, or to the edge of a covered porch or deck if provided.
 - (b) A garage facing the street must not be more than one-half of the façade length.
 - (c) The main entrance must be prominent, easily visible and directly accessible from the street frontage.
 - (d) No two adjacent buildings on the same side of the street may have the same front setback. Setbacks must alternate from building to building. Minimum front setback variation must be two feet or greater.
 - (e) Residential buildings are accessed from an alley at the rear of the lots.
See 19.31.170(7) regarding enhanced design requirements: Applicants must meet either subsection (7)(a) or (b) of this section:
 - (a) Enhanced design which includes one or more of the following on each building within the development:

- (i) A variety of exterior building materials such as brick, stucco, stone, and wood used as primary siding or as accent materials on front facades; or
 - (ii) Building articulation (offsetting walls, inclusion of windows, changes in material types) on side and rear walls of buildings; or
 - (iii) Side- or rear-loaded garages; or
 - (iv) Other applicant-proposed building design enhancements.
- (b) Optional site design elements which includes one or more of the following:
- (i) Low impact development stormwater techniques are employed on the site.
 - (ii) Ten percent or more of units within the development are qualified affordable housing as defined by OHMC 19.08.695.
 - (iii) Inclusion of a mix of residential and nonresidential uses within the development.
 - (iv) Fifteen percent or more of the gross area is open space.
 - (v) The project will not only preserve but enhance or rehabilitate the functions and values of a critical area of the site, such as significant woodlands, wildlife habitats, streams or wetlands, subject to the recommendations in an approved critical areas report
9. Tract C is perimeter landscaping, which cannot be counted as open space for PRD 10% minimum (19.31.100).
 10. Active open space shall be 50% of total open space area (19.31.120). Please show calculations for square footage of open space areas.
 11. Include seating, signage, trash receptacle and pedestrian-oriented lighting in open space areas (19.31.120). Show proposed locations and designs on PL-2.
 12. Easement or tract for 20 foot buffer around subdivision perimeter is preferred for ease of maintenance and protection of native vegetation. The landscape buffer is an integral portion of the PRD approval and as such needs to be protected and not allowed to be chipped away by individual property owners. Signage identifying the protected area and a split-rail or other similar fence would be a good physical option to delineate limit of protected areas.
 13. Two street trees are required per lot, except where they may cause visibility issues at crosswalks or intersections.
 14. Landscape buffer along Swantown Road may be used as LID Stormwater Management Facility provided the purpose and character of the landscaping is not compromised (21.60.190.1.f).

For more information about Planning Division requirements, please contact Ray Lindenburg, Associate Planner, at (360)279-4578.

Engineering

The comments provided below are based upon a review of a preliminary plat submittal and are intended to represent a complete review of all design elements. Engineering specific, detail oriented comments will be provided as part of the civil engineering plan review process.

General

1. Requests for reimbursement for construction of public infrastructure via developers reimbursement agreements, system development charge credits, over sizing costs, or other city funding source shall be made through Development Services and approved prior to preliminary plat approval. Requests shall be submitted in writing to the Director of Development Services at the time of application for preliminary plat approval. Requests for reimbursement of private development construction costs made after preliminary plat approval will not be considered.
2. A fee to cover the cost to the city of inspecting and reviewing the construction plans shall be billed to the developer. The fee shall be the cost to the city per hour of employee time spent inspecting and reviewing construction plans. This fee shall be paid in full prior to formal acceptance of the improvements by the City. OHMC 21.30.020 (3)(g)
3. During preparation of materials for response to these comments, please review OHMC 21.20.020 for preliminary plat package submittal requirements. For example, 21.20.020 (5)(d) requires showing "Location of all utilities and sizing of existing and proposed public utilities, including but not limited to fire hydrants, water, sewer, storm drains, electricity, gas, telephone and cablevision lines, mail boxes;". The submittal currently under review is missing some of the above listed information.
4. Label the drawings according to whether they are the preliminary plat map, PRD map, Preliminary Plat Site Plan/Map (utility/civil plans/maps), etc. For example, Sheet P2 should be labeled as the preliminary plat map or plan (OHMC 21.20.020)
5. Delineate and label proposed and existing easements on the plat map and site utilities plan. (OHMC 21.40.040 2(a), (b), & (e))
6. Show side services of sewer and water utilities. (OHMC 21.50.050)

Plat Document

7. The preliminary plat shall be prepared, stamped and signed by a licensed land surveyor. OHMCM 21.20.020 (1)
8. The plat document needs some cleanup, organization, and completion. Please see OHMC 21.20.
9. Indicate the municipal boundaries. (OHMC 21.40.040 (2) (b))

10. Prior to final plat approval the plat document shall include all curve radii, curve delta, arcs and semitangents (where appropriate) of all curves. (OHMC 21.40.040 (2) (c))

Street

11. The intersection does not align on each side of S.W. Swantown Avenue. Provide an intersection design that aligns the channelization. In addition, the driveway for parcel R13204-427-4060 (Henman) needs to have proper spacing from the proposed intersection. OHMC 21.60.100
12. Reviewer needs designer to provide explanation of the proposed Swantown cross section and intersection design.
13. Sheet P7 indicates a retaining wall under the sidewalk along the parcel R13204-427-4060 (Henman). Please be aware that any retaining wall that will become a public improvement must have a provision for maintenance access. In addition, no street frontage utility easement is provided along the retaining wall.
14. The proposed narrow width section of Putnam Drive does not meet standards under OHMC 21.50.070. Please see OHMC 21.60.060 for guidance in seeking approval of an alternative street design section.
15. Detail 4/P7 on sheet P6 appears to indicate a pavement crown at the center of right-of-way. The crown should be at the line dividing the two 10' wide travel lanes.
16. Half street improvements are required on Swantown Road which is classified as a minor arterial. The City has adopted a new minor arterial street section which is available in both OHMC 21.50.070 and in 2007 Transportation Comprehensive Plan Improvements include, but are not limited to, street lighting, storm drainage, curb, gutter, sidewalk, bicycle lane, planter strip, sewer, water and pavement. The new half street improvement section requires construction improvements in a 40' of right-of-way width and includes a 10.5' planter strip between curb and sidewalk. A figure of the cross section and Table 21.50-1, Required Street Improvements, will be provided at the review meeting. OHMC 21.50.050 (4)
17. Street layout must meet requirements of OHMC 21.60 in addition to grade, radius, tangent, and intersection spacing of OHMC 11.17.070(3)(b)(i), (4)94)(b), (c), (d), & (e). Unless otherwise approved by the City Engineer, maximum grade shall be 10%, minimum acceptable horizontal curves shall be 100', minimum acceptable vertical curves shall be 200', and minimum tangent length 100'. Intersection spacing shall not be less than 125' (measured centerline to centerline.)
18. The Engineering Division supports the waiver to exceed 10% street grade for a limited distance based upon the submitted preliminary road profiles. However, OHMC 11.17.100 requires specific road geometry such as minimum vertical curves of 200' or greater. Address why there is a need to deviate from the street geometric standards stated

in that section of code. Please also be aware that the waiver request may not be supported if significant changes in the proposed steep slope or length of the steep slope occur during the civil design phase.

19. Intersections are subject to Public Right Of Way Accessory Guidelines (PROWAG) grading requirements at the ramps and crosswalks.
20. The City reserves the right to require a pedestrian street crossing in conjunction with traffic calming in the vicinity of the east end of Tract A's pedestrian trail. Due to road grade in this area, the trail and pedestrian crossing may have to be shifted along Marin Drive to a flatter grade. OHMC 21.60.230 (6)
21. No provision for pedestrians to access Tract A from the west side of the plat is indicated. A pedestrian crossing may be necessary in the vicinity of Putnam station 4+20, or other appropriate location.
22. Adequate street lighting is required. It must adequately illuminate intersections and vehicle-pedestrian conflict points. (OHMC 11.16)
23. Include demonstration of compliance with minimum public parking standard on the preliminary plat Site Plan/Map. OHMC 21.50.030
24. Sight triangles need to be considered, particularly with street trees.
25. Indicate proposed signage (stop, yield, no parking, etc.)

Traffic

26. The submitted Traffic Impact Analysis appears to demonstrate transportation concurrency will be achieved, however approval of the study cannot occur until the design of the Swantown and Marin Drive intersection is further refined.

Water

27. Proper investigation must be done by the project proponent to verify that adequate fire flow and domestic pressure is available to serve the entire plat. It may be necessary to arrange a pre-design fire flow test at or near the site. City staff may be able to provide guidance in modeling pressure for the proposed plat.
28. The existing mains within SW Putnam and SW Robertson Drives are pressure boosted and experience pressures in the 80 and 90 lbs per square inch (psi) range, necessitating pressure reducing valves on individual services and a pressure reducing valve station upstream of Swantown Avenue.
29. Extension of an 18" ductile iron pipe along Swantown Road frontage is required per the 2014 Water System Plan. A blow-off assembly will be necessary at the new end. It may

be possible to relocate the existing blow-off. The project proponent may be eligible for an oversizing reimbursement. OHMC 21.50.050 (1) and 13.20.010.

30. Any existing wells shall be abandoned in accordance with Department of Ecology (DOE) requirements.

Sewer

31. Gravity sewerage through the SW Putnam Drive sewer shall be maximized over pumped sewerage. Depth and grade analysis will be necessary to determine the extent of sewer that can gravity drain east prior to allowing more connection to the lift station.
32. Staff have reviewed available capacity in the Swantown Lift Station, and determined that capacity is available for this project as proposed.
33. Any existing septic systems shall be abandoned in accordance with Island County Health Department requirements.

Stormwater

34. The “eyebrow” cul-de-sac may be difficult to drain. Positive drainage must be achieved.
35. Extend the stormwater drainage collection system further east on Robertson, and further north on Putnam (Sta 7+00 to 7+40), and Marin streets.
36. The drainage collection system on Putnam between 8+15 and 9+90 may not be able to convey water easterly due to road grades, please verify and correct as necessary.
37. It is not clear on the site map/plan how the runoff from the houses is proposed to be addressed.
38. Multiple documents including reports, studies, and agreements are referenced as Appendixes to the submitted in Conceptual Stormdrainage Report in support of the proposed stormwater design concept. The focus of these documents is the 1997 Golf Course Drainage Basin Stormwater Mitigation Study which includes basin improvements as requirements of development. One of the remaining improvements to be accomplished is item 14 of Figure 13 which is for drainage improvements to the West Beach Impoundment. There are also conveyance capacity concerns downstream.
39. Regarding the Conceptual Storm Drainage Report:
 - It is not clear how setbacks will be achieved for the proposed Perforated Stub-Out Connections. (DOE Manual Volume III Page 3-10)
 - In the WWHM3 analysis, clarify that forest and pasture are the appropriate land description categories for modeling inputs.

- In the biofiltration cell modeling, the infiltration will primarily be through the bioretention soil media, which is proposed to underdrain through a 6” perforated pipe. The modeling appears to be a check of the infiltration rate of 2”per hour, but doesn’t verify capacity of the 6” underdrain. In addition, the total volume of 536.8 acre feet seems very high. Is this an expected loading for biocell drawdown time or a demonstration of maximum infiltration capacity? Please explain.
- While the NRCS is a starting point in considering soil properties, a physical investigation of soil properties may be necessary.
- Phasing of hydrograph peaks does not preclude implementation of flow control. Flow control can be achieved to release flows in a phased manner.
- Demonstration that flooding will not occur in the vicinity of the proposed bioretention area is necessary.

SEPA

40. The responses to item 5. a. appear to indicate that those animals have all been observed on the site. Please clarify whether those animals have been observed or are known to be on or near the site.
41. Answers to items 7. A. 2) & 3) appear to be unrelated to questions.
42. On City streets with similar layout, the City has received complaints with regard to high speed. The proposed through street design contains elements that would benefit from traffic calming measures. The SEPA checklist will require that traffic mitigation measures be implemented unless determined to be infeasible by the City Engineer. Please add language to this effect to Section B. 14. Item h. OHMC 11.16.030, OHMC 21.10.010 (2) & (7)

For questions or comments regarding the above archaeology comment, please contact Brad Gluth, Civil Engineer I at (360) 279-4526.

Archaeology

43. Regarding the Marin Woods Preliminary Plat, it is located in an area of Moderately Low to Moderate Risk encountering an archaeological site based on the Washington State Department of Archaeology & Historic Preservation (DAHP) Statewide Archaeological Predictive Model. There are no known archaeological sites within or adjacent to the property however, there have been very few reports in that general area. The closest cultural resources report on file at DAHP was completed approximately 2700 feet away, which did not encounter cultural resources (Finley, 2015). The City recommends that the applicant be issued an Inadvertent Discovery Plan/Unanticipated Discovery Plan to

ensure that resources are protected pursuant to the Revised Code of Washington (RCW) Chapter 27.53.

Since this project requires review under the State Environmental Policy Act (SEPA), DAHP and affected tribes will be notified pursuant to the 1989 Centennial Accord and Governor's Executive Order 05-05. DAHP, the tribes, or other parties may require additional efforts of the applicant. However, using the language above may assist with the SEPA review under Section 13c (Historic and Cultural Preservation).

Finley, A. (2015). *Results of a Cultural Resources Inventory of WA1 Swantown Cell Site (Trileaf# 612829), Oak Harbor, Island County, Washington*. Report Completed for Trileaf Environmental and Property Consultants. Applied Archaeological Research, February 2, 2015. On file at the Department of Archaeology & Historic Preservation, Olympia, WA. NADB No. 1686416

For more information about Archaeology requirements, please contact Gideon Cauffman, Archaeologist, at (360)279-4781.

Fire

C102.1 Fire hydrant locations.

Fire hydrants shall be provided along required fire apparatus access roads and adjacent public streets.

Fire hydrants shall not be spaced more than four hundred (400) feet along approved fire access routes.

D103.1 Access road width with a hydrant.

Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet.

D103.6.1 Roads 20 to 26 feet in width.

Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide.

D103.6.2 Roads more than 26 feet in width.

Fire lane signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide (7925 mm) and less than 32 feet wide (9754 mm).

For more information about Fire Department requirements, please contact Mike Buxton, Deputy Chief at (360)279-4702.

Building

1. Per 2012 IRC R401.2 "fill soils that support footings + foundations shall be designed, installed, and tested in accordance with accepted engineering practice". It appears that through the use of retaining walls you are "terracing" some of your building lots. Keep in mind foundations to bear into native or tested materials.

2. Retaining walls may require a permit and engineering if exceeds exemption IRC R105 (#3): “retaining walls that are not over 4’ in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge”.

For more information about Building Department requirements, please contact Cody West, Plans Examiner at (360)279-4515.

Police

1. Putnam Drive and Robertson Drive should be opened up and connected to the subdivision.

For more information about Police Department requirements, please contact Ed Green, Deputy Chief at (360)279-4702.

General Information

1. The next steps in the project approval process involve:
 - a. Revision of the preliminary plat as appropriate to address staff comments on this submittal.
2. A flow-chart of the general steps involved in the development review process is attached. Also attached is a **typical, estimated** timeline for the site plan review process through the formal review meeting.
3. Please note that incomplete submittals cannot be accepted for review. All of the required applications must be submitted as a package in order for the City to begin processing of the application.
4. All submittals (with the exception of Fire Department required plans) must be made to the Permit Coordinator.

For more information regarding appropriate applications and fees, please contact Lisa Bebee, Permit Coordinator at (360) 279-4510.

From: [F.R Rick Duran](#)
To: [Ray Lindenburg](#)
Cc: [Lisa Bebee](#)
Subject: Meeting minutes, Actionable Items, more Discussions needed
Date: Monday, December 21, 2015 4:23:53 PM
Attachments: [SAD FRD Marrin Woods 151217 mtg ctions.pdf](#)
[Gibson Marin Woods Option Two LOS Memo 151216.pdf](#)

Ray;

Here's our attempt to triage our broad meeting discussion into basic groups of issues, those that allow us (Marin Woods : Applicant) to move forward, and those where additional discussions Applicant-City-Consultants is needed.

As was the group consensus, the two broadest issues seem to remain stormwater and the analysis of a connection road.

We propose solutions for each.

We've included the Option Two (16 December 2015), Gibson Traffic Consultants study, as we discussed only in outline form on Thursday.

I've copied Lisa on all submittals, as directed.

After the Holiday break, let's see what you and I can do to resolve these dangling issues (what we have called, Group 3), so we can complete a our aggregated next response as requested.

You are free to distribute this (or not) internally, as you best determine.

Kind Regards;

Rick

F R Rick Duran
Managing Partner
The Archinomics Group

Development Executive
George F Marin Trust

E: frduran@archinomics.com

M: 1-847-274-1866

cc:

Michael Ryan, Harmsen
Steve Waldron, Waldron Construction

From: [Steve Powers](#)
To: [F R Rick Duran](#)
Cc: [Waldron Construction](#); [Michael Ryan](#); [Joe Stowell](#); [Brad Gluth](#); [Ray Lindenburg](#)
Subject: RE: Marin Woods Schedule
Date: Wednesday, February 10, 2016 10:54:44 AM

Dear Rick,

I've reviewed your e-mail from February 5th and have given thought to a possible schedule that works with your schedule goals. Before sharing those thoughts with you however, I'd like to generally address some of the items from your previous e-mails.

As an organization, the City of Oak Harbor takes being business-friendly very seriously. We strive to provide a professional and efficient development review process that clearly communicates City requirements, while helping the applicant to an approved project. Our efforts to date and those in the future are focused on this ideal.

City staff appreciates your effort to document your understanding of the December 17th preliminary plat review meeting (in which the City formally provided comments to address in preparing your revised submittal), as conveyed in your December 18th e-mail. As we discussed the other day on the phone, the notes reflect your recollection and not necessarily that of the staff. During that same conversation I believe we agreed to focus our respective efforts forward towards your next submittal.

City staff is of course happy to meet with you and/or your team to discuss items which you believe require additional clarification before your next formal submittal (a meeting is in fact scheduled for 2/18/16 at 1:30 pm). We respectfully point out, however, that the goal of the review comments already provided was to give you the guidance necessary to prepare your next submittal. The obvious exception to this is your new design concept that eliminates the originally proposed street connection to Swantown Avenue. As that was not part of the original submittal, nor any formal submittal since that time, the City has not provided any formal comments on this concept.

My last general comment pertains the importance of complete resubmittal packages. In one of your previous e-mails you indicate that the City's requirement for a complete submittal only slows down the process. Our experience finds that the re-submittal of materials in a piecemeal fashion often leads to conflicting or incomplete information provided to the City, which in turn slows down the process for both parties.

As you are undoubtedly aware, your proposed schedule is very aggressive. An aggressive schedule means that both parties must meet certain milestones. The following **tentative schedule**, which is subject to change, is necessary to meet your schedule:

2/24 Applicant submittal of revised preliminary plat and all necessary supplemental studies, etc. It is imperative that this be a complete and accurate submittal. If not, the balance of the schedule is not achievable.

3/4 Staff provides review comments to applicant.

3/11 Applicant submittal of revised preliminary plat and all necessary supplemental studies, etc. This submittal must be capable of being approved by staff. If not, the balance of the schedule is not achievable.

Note: This date provides staff time to prepare Planning Commission public hearing packet.

3/15 Planning Commission packets distributed.

3/22 Planning Commission public hearing and possible recommendation to City Council.

Note: The decision to forward the preliminary plat to City Council rests solely with the Planning Commission.

3/25 Staff submits materials to City Clerk for the 4/6 City Council meeting.

3/31 City Council packets distributed.

4/6 City Council closed record review of the Planning Commission's preliminary plat recommendation.

Please note the above schedule is only for the preliminary plat approval. It does not include approval of civil plans. It is possible to process the preliminary plat and the civil plans concurrently or semi-concurrently. While such an approach may save time, changes in the preliminary plat may require corresponding changes in the civil plans. As you acknowledge in your 2/5/16 e-mail, utilizing the concurrent or semi-concurrent process means you are proceeding at your own risk.

Please let me know if you have any questions regarding the above. I am also available, of course, to discuss any other aspect of your project. On behalf of the City of Oak Harbor, please let me say that we are excited about the possibility of a new plat coming to life in our community.

Sincerely,

Steve
(360) 279-4511

From: F R Rick Duran [mailto:frduran@archinomics.com]

Sent: Friday, February 05, 2016 9:31 AM

To: Steve Powers <spowers@oakharbor.org>

Cc: Waldron Construction <waldronc@live.com>; Michael Ryan <MichaelR@HarmsenInc.com>

Subject: Re: Marin Woods Schedule

Perfect. Have a nice weekend.

Rick

On Feb 5, 2016, at 11:04 AM, Steve Powers <spowers@oakharbor.org> wrote:

Rick,

I too was thinking a bit about scheduling this morning. Unfortunately, I won't be able to spend much time thinking about it today due to other looming deadlines. I will, however, be able to spend some time on this e-mail early next week.

Steve

From: F R Rick Duran [<mailto:frduran@archinomics.com>]
Sent: Friday, February 05, 2016 8:38 AM
To: Steve Powers <spowers@oakharbor.org>
Cc: Waldron Construction <waldronc@live.com>; Michael Ryan <MichaelR@HarmsenInc.com>
Subject: Marin Woods Schedule

Steve;

We very much appreciate you taking the lead yesterday on arranging the technical dialogues necessary to get our issues discussed, our application package revised and again moving through the approval process.

As a related topic, I'd like to discuss the plat and PRD approval **schedule** and how it can be consistent with our project's overall macro-schedule, namely to start on-site activities in mid-April, 2016.

Sliding around to our side of the table, we assume you have several thoughts on how to allow due process, and also expedite the schedule.

The benefit of a brisk schedule accrues more to the City of Oak Harbor in economic benefits, competitiveness, and future tax streams, and the vitality of its construction sub-market, then it does to us as simple landowners. Some of our finance types have peg the cost of delay at \$2,000 per day.

Let's see what you and I can do to replenish the supply of improved residential lots in Oak Harbor in 2016.

Schedule

For starters, page 1 of the City's 21 December 2015 comments and review memo describes the following forward pass of City approval events:

<< begin extract >>

Application Review Process

The following describes the remaining steps involved in the preliminary plat and preliminary and final planned residential development review process but does not include final civil, building or fire reviews.

1. Following the meeting, the City will proceed with the environmental review under the State Environmental Policy Act (SEPA). Once this adoption notice has been posted, an additional 15-day appeal period must elapse before application can move forward to the Planing Commission for a public hearing.
2. The Planning Commission will conduct the public hearing for this proposal and its decision will take the form of a recommendation to the City Council. The Commission meets on the fourth Tuesday of every month and all common and appeal periods must have closed before this hearing.
3. At the first available meeting following the Planning Commission public hearing and decision, the City Council will conduct a closed record review and then take final action on the preliminary plat and preliminary and final planned residential development. If approved, the applicant may proceed with formal civil engineering design.

<< end of extract >>

[1]

To Item 1 (SEPA) - we submitted the SEPA originally on November 6, 2015, then received several positive comments in December which we incorporated into a revised SEPA, which we forwarded to to your office 01 February 2016. We assume by now, it has been processed onward, and its comment periods will not show up on the critical path.

[2]

To Item 2 and Item 3 - Passing the project schedule backwards from mid-April, we have internally reached working assumption to target the Planning Commission meeting of March 22, 2016, and be before the City Council on their next meet-every-two-weeks schedule, which we assume would be the week of April 4-8.

That gives us six (6) weeks to reach mutal concurrence, produce a resubmitted, and get that re-summittal accepted and Planning Commission ready.

[3]

To the introductory exclusion (final civil) - First, our engineers feel our actual drawings currently in the pre-plat process, are in several aspects more than a pre-plat application requires, so we may actually, again in some aspects have a set of documents that are closer to being final-civil-submittal ready.

Second, our engineers estimate production of a final civil submittal set could be accomplished over a three-week period. In the interest of time, and only when the major e issues are relatively stable, we will most likely give our engineers a NTP at a point that may in fact be before receiving final Council approval. (in the interest of maintaining critical path, that's a business risk we will evaluate as we proceed)

Third, our previous partner, Landed Gentry recently suggested he believes it takes every day of six months to get from pre-plat to final-plat in City of Oak Harbor, so here is where our mutual creativity needs to kick in.

While I've got several thoughts, I'm very open to your suggestions on your processes.

It seems we — City and Applicant — ought to be able to put on paper a working schedule that has realistic assumptions for both sides. We can move our side.

[4]

To the introductory exclusion (building or fire reviews) - we assume they also can be prepared in parallel (Waldron has already started that exercise) and submitted in somewhat of a parallel manner to the larger issues above.

[5]

As the City suggested, we have retained an Arborist .

Excluding the areas to remain as natural vegetation open space - we have a Tree Harvesting process defined.

Since last Fall, we have been in dialogue with both Don Kreig and Cory Johnson for the infrastructure efforts.

Waldron is proceeding with Marin-Woods-specific detailed house models, and variations.

We are marching. Thanks Steve.

Let me know how you want to proceed on refining the scheduling topic.

Rick

F R Rick Duran
Managing Partner
The Archinomics Group

Development Executive
George F Marin Trust

E: frduran@archinomics.com

M: 1-847-274-1866

From: [Steve Powers](#)
To: [F R Rick Duran](#)
Cc: [Douglas A. Merriman](#); [Cathy Rosen](#); [Joe Stowell](#); [Ray Lindenburg](#); [Lisa Bebee](#)
Subject: Marin Woods partial resubmittal - acknowledgement
Date: Monday, February 29, 2016 4:10:07 PM

Dear Rick,

The City received a partial resubmittal of your Marin Woods preliminary plat and PRD on Friday, February 26th at 4:00 pm. The City brings the following points to your attention:

1. The City requests complete resubmittals from applicants because it helps ensure that the various aspects of subdivision design (e.g. lot layout, street configurations, utility sizing and placement, etc.) are coordinated with one another. Staggered submittals increase the risk that these items are not coordinated with each other or that revisions to one will require revisions to another.
2. At the time of the resubmittal, the City was informed by your engineer that a revised stormwater report/design was not included.
3. We are in the process of reviewing the resubmittal to determine if any other items are missing and will inform you of our conclusions as soon as we can.
4. The City will endeavor to meet the review schedule provided to you in my e-mail of February 10th for those items that were submitted last Friday.
5. Since revised stormwater information was not provided, it will be reviewed on a separate schedule once it is received. This approach is not the norm, but we will work to dovetail that schedule with the overall project review schedule to the best of our ability (this schedule must be revised, see below).
6. The City's e-mail to you of February 10th clearly stated that it was imperative that your resubmittal be a complete and accurate submittal, and if not, the balance of the schedule was not achievable. Since the revised stormwater information was not provided it is no longer possible for this project to be on the March 22nd Planning Commission agenda.
7. The City will work with you to create a new schedule for a different Planning Commission date once the revised stormwater information is provided to us.

Please let me know if you have questions regarding this e-mail.

Sincerely,

Steve

Marin Woods PRD (PLN-15-01) (Dated: 2/26/2016)
Revised Preliminary Plat PRD Review Comments
March 7, 2016

The following comments apply to the application as reviewed to this date and are based on the resubmittal received on February 26, 2016. Refined comments may be provided upon submission of revised plans or as changes are made to the application.

Planning

The following comments are provided in response to the applicant's partial resubmittal dated February 26, 2016. Per a memo of that date from Mr. F R Rick Duran, applicant representative, the purpose of the resubmittal is "to allow the City the opportunity to make official comment on the merits of our no-connecting-street-needed proposal."

While staff appreciates the applicant's desire to have formal City comment on this aspect of the subdivision design, a partial resubmittal limits staff's ability to provide complete review comments on the overall subdivision design. Staff is tasked with reviewing a proposed subdivision against the review criteria found in the Oak Harbor Municipal Code. The ability to complete this review (and demonstrate a project's code consistency for the Planning Commission and City Council) is hampered when complete information is not provided or when previous review comments are not fully addressed. As such, additional comments that fall outside of the scope of the comments listed below may be necessary, depending on the resolution of outstanding issues and on the nature of future resubmittals.

The following comments were previously provided. Staff notations based on the February 26, 2016 resubmittal are shown in *italics*.

1. 20 foot landscape buffer on east side will not allow for rear yard space for homes with 20 foot setback. New owners may remove vegetation to create yard area, thereby removing required buffer. Recommend pulling all homes to front setback line to maximize rear yard area. *(This comment was previously provided on 12/17/15.)*

Note: The above reference to "landscape buffer" is incorrect. The correct term should read "PRD perimeter setback area" – which refers to a 20 foot minimum setback around the perimeter of the PRD subdivision. This requirement has been met. The applicant has chosen to use a portion of the 20 foot PRD perimeter setback area as space to provide for the 15% native vegetation are that is required to be maintained or planted as part of the subdivision. This too, is permitted according to OHMC 19.46.140.4.

2. Staff is concerned about blow down of trees left as buffer on edge of property. Clearing will weaken trees remaining and will no longer provide shelter from winds. Additionally, if trees are cleared off Marin property, similar issues could arise for trees on neighboring

properties. Staff would recommend clearing all trees from Marin property to property lines (with exception of open space area, see below), and formal written notification of neighboring property owners of potential risks of said clearing on those adjacent properties. Landscape buffer as proposed would then be installed throughout the periphery of project area. Alternatively, applicant may be able to remove larger trees, allowing understory to remain, then replant trees as necessary to attain appropriate native vegetation cover (21.60.190.2). *(This comment was previously provided on 12/17/15.)*

3. Native trees should be allowed to remain to the greatest extent possible on Tract A. Additional landscaping and improvements as shown. *(This comment was previously provided on 12/17/15.)*

Note: The submitted drawings make it difficult to determine how the proposed project complies with the native vegetation requirements of OHMC 19.46.140. The "Vegetation Retention and Replanting" section on page P2 shows total square footage, but further detail of protected areas and those to be replanted or developed with park amenities shall be shown on Landscape Plan with dimensions and square footage shown. (OHMC 19.46.100(2)(b))

4. PRD Setbacks. Plans show differing home plans between pages P2 and PL-1. Page P2 includes text reference to 10 foot front and rear setback and 5 foot side setbacks. Please note that garages will need to be set back from front of home in order to meet the PRD requirement listed below, and at least 20 feet of driveway must be provided to allow for off-street, on-site parking. Applicant should ensure that homes meet criteria set forth in 19.31.170 with regard to design. If smaller lots from what is required in the underlying zone district are being proposed, the buildings on these lots must meet requirements (a) to (c) below or requirement (d) or (e).
 - (a) Garage walls facing the street must be no closer than the wall containing the main entrance, or to the edge of a covered porch or deck if provided.
 - (b) A garage facing the street must not be more than one-half of the façade length.
 - (c) The main entrance must be prominent, easily visible and directly accessible from the street frontage.
 - (d) No two adjacent buildings on the same side of the street may have the same front setback. Setbacks must alternate from building to building. Minimum front setback variation must be two feet or greater.
 - (e) Residential buildings are accessed from an alley at the rear of the lots. *(This comment was previously provided on 12/17/15.)*

Note: The submitted plans do not clearly indicate how the above code provision will be met. The submitted home plans show all houses with garages near the front of the home (essentially in line with the front façade) – these plans will not fit in the context of the increased setback needed for driveway length and allow for the reduced front setback proposed by the applicant. Additional detail is needed to show that the homes will meet the requirements of the above code section and the 20 foot driveway length requirement. A "typical lot" layout

showing typical setbacks and house placement is one way this information could be provided.

5. See 19.31.170(7) regarding enhanced design requirements: Applicants must meet either subsection (7)(a) or (b) of this section:
 - (a) Enhanced design which includes one or more of the following on each building within the development:
 - (i) A variety of exterior building materials such as brick, stucco, stone, and wood used as primary siding or as accent materials on front facades; or
 - (ii) Building articulation (offsetting walls, inclusion of windows, changes in material types) on side and rear walls of buildings; or
 - (iii) Side- or rear-loaded garages; or
 - (iv) Other applicant-proposed building design enhancements.
 - (b) Optional site design elements which includes one or more of the following:
 - (i) Low impact development stormwater techniques are employed on the site.
 - (ii) Ten percent or more of units within the development are qualified affordable housing as defined by OHMC 19.08.695
 - (iii) Inclusion of a mix of residential and nonresidential uses within the development.
 - (iv) Fifteen percent or more of the gross area is open space.
 - (v) The project will not only preserve but enhance or rehabilitate the functions and values of a critical area of the site, such as significant woodlands, wildlife habitats, streams or wetlands, subject to the recommendations in an approved critical areas report. *(This comment was previously provided on 12/17/)*

Note: Demonstrating compliance with OHMC 19.31.170(7) is an integral part of the PRD approval process. Additional information is needed to show compliance with these enhanced design requirements. For instance, if the applicant intends to utilize the provisions of OHMC 19.31.170(7)(a) the building elevations submitted should include material types. A colors and materials board would be helpful to provide to the Planning Commission for approval. Building articulation will be increased with the relocation of the garage rearward to allow for the 20 foot driveway length.

6. Include seating, signage, trash receptacle and pedestrian-oriented lighting in open space areas (19.31.120). Show proposed locations and designs on PL-2. *(This comment was previously provided on 12/17/15 and is included for reference)*
7. Easement or tract for 20 foot buffer around subdivision perimeter is preferred for ease of maintenance and protection of native vegetation. The landscape buffer is an integral portion of the PRD approval and as such needs to be protected and not allowed to be chipped away by individual property owners. A split-rail or other similar fence would be a good physical option to delineate private property limits.

Note: The landscape buffer cited here should be referred to as native vegetation retention. The easement is shown as requested. Where native vegetation and planting is proposed in Tract A, that area must be detailed and labeled with square footages to show compliance with 15% requirement.

8. Two street trees are required per lot, except where they may cause visibility issues at intersections. *(This comment was previously provided on 12/17/15 and is included for reference)*
9. Landscape buffer along Swantown Road may be used as LID Stormwater Management Facility provided the purpose and character of the landscaping is not compromised (21.60.190.1.f). *(This comment was previously provided on 12/17/15 and is included for reference)*

The following additional comments are provided based on the February 26, 2016 resubmittal.

10. The initial submittal of the Marin Woods Preliminary Plat and PRD (dated November 6, 2015) included a proposed street connection to Swantown Avenue. The revised submittal (dated February 26, 2016) deleted this connection. The revised submittal was accompanied by a request to deviate from OHMC 21.60.100(1) and (2), in a letter dated February 26, 2016 from John Bissel, AICP re: 'Request for deviation to not connect to Swantown Road, Proposed Preliminary Plat and PRD of Marin Woods.' After reviewing it, staff has determined that it cannot support the request for the following reasons:
 - (a) It is required by Oak Harbor Municipal Code. Several citations within the Code point to the requirement that streets be connected. The Purpose statement of the subdivision code (OHMC 21.10.010) makes reference to street connections in several points – addressing the promotion of “safe and convenient traffic circulation,” providing for “proper ingress and egress,” and promoting the “integration of new residential neighborhoods with developed areas of the community.” In OHMC 21.60.100, the code states, “the street pattern utilized for short subdivisions and subdivisions shall be a grid or modified grid, with four- or three-way intersections designed at right angles.” Finally, OHMC 21.50.080 states that, “streets, sidewalks, pedestrian or bike paths shall be linked within and between neighborhoods to create a continuous and interconnected network of roads and pathways...”
 - (b) Not utilizing the available Swantown Avenue connection places an undue burden on the existing neighborhood streets by funneling all new Marin Woods traffic through existing local streets. This is contrary to OHMC 21.10.010(8) that states that new developments be integrated into existing neighborhoods. It also is contrary to the general subdivision review criteria that its approval “be in the public interest.”
 - (c) Regarding the request for relief based on a slope of more than 10%, the applicant submitted an engineered plan on November 6, 2015 for the Swantown Avenue connection that demonstrated how the connection could be made.
 - (d) Staff does not agree that the home located on site meets the criteria in OHMC 21.60.100(2) regarding substantial improvements. As stated in that section, the street pattern may be adjusted if “substantial improvements exist on adjacent properties which inhibit a grid...” This section of code is designed to avoid a situation where conditions on a neighboring parcel not owned by the subdivider could block the approval of the subdivision because of a lack of connectivity.

- (e) Mr. Bissel's letter seems to indicate that there is only one design solution for a street connection to Swantown Avenue and that a connection at this location is problematic. More than one design solution for this street connection exists.
11. The submitted landscape plan does not match the revised plat layout. Staff requires more information to determine if landscape requirements, open space totals and native vegetation protection areas are sufficient to meet OHMC. The revised Landscape plan should call out specific areas for each of the above requirements with dimensions and square footages where needed. Street trees and other details shall be shown as well. As noted previously, the amenities for the park area need to be detailed.
 12. Angled front setback lines are shown on lots 2, 3, 4, 23 and 24. Please show dimensions to setback line to allow for field setting and verification.
 13. Reconfigured lot 31 appears to be a difficult lot to place one of the proposed homes. Please show how home will be placed on lot.
 14. Reconfigured lot 5 will require the 20 foot PRD perimeter setback line in the rear yard. This lot may be difficult to place a home as well. Please show home placement for verification.
 15. On page P0, "Site Information" lists access to the site off of Swantown Road – with this revision, that is no longer the case. The address of the project site is incorrect.
 16. On page P2, density should be calculated using gross acres. Please adjust.
 17. Please include a copy of the proposed CCRs for the subdivision. (19.31.180)

For more information about Planning Division requirements, please contact Ray Lindenburg, Associate Planner, at (360)279-4578.

Engineering

The comments provided below are based upon a review of an incomplete preliminary plat package submittal and are not intended to represent a complete review of all design elements. The submittal is considered to be of a preliminary plat map, preliminary plat utility/site map, SEPA and PRD drawings. Engineering specific, detail oriented comments will be provided as part of the civil engineering plan review process. No stormwater report resubmittal was received. A complete review of the submitted documents is not possible without more information.

General

1. The applicant has notified the City of their intent to seek water line oversizing reimbursement. The City Engineer provided official notification of the applicant to provide an 18" water line through the plat in accordance with the City's 2014 Water

System Plan via an e-mail response on February 26, 2016. Earlier notification was provided for installation of 18" water line along Swantown Avenue.

2. Label the drawings according to whether they are the preliminary plat map, Planned Residential Map (PRD) map, Preliminary Plat Site Plan/Map (utility/civil plans/maps), etc. The Sheets PL-1, PL-2, and The building elevation sheet prepared by the Rubicon Group should all have general titles of Planned Residential Development with appropriate subtitles on each sheet. (OHMC 19.31.180 & 21.20.020)
3. Delineate and label proposed and existing easements on the plat map and site utilities plan. (OHMC 21.40.040 2(a), (b), & (e)) It is understood that a neighbor to lot 18 is seeking a side sewer easement through lot 18 to the City sewer. If applicable, please show this proposed easement on the appropriate sheets along with any others not currently indicated.

Plat Document

4. Per previous comment, please clearly indicate the municipal boundaries on the plat. For plat review it is important to know where City and County limits are, particularly for right-of-way. (OHMC 21.40.040 (2) (b))
5. Driveway restrictions shall be indicated on each corner lot, subject to final lot and street layout. (Please be aware that driveway location and size directly affects the minimum public parking requirement and available sight distance at intersections. See related comment in streets section.)

Street

6. Per previous review comments, including preannexation review comments, a road connection to Swantown Avenue aligning with Fairway Lane is required. In addition to a vehicular and pedestrian way, this connection will also provide a connecting route for sewer, water, stormwater, and other utilities. OHMC 21.60.100, 11.17.070 (1) & (2) and 2007 Transportation Comprehensive Plan, Policies 1a and 2a
7. As previously commented on, the proposed narrow width section of Walter Street (proposed as an LID section) does not meet standards under OHMC 21.50.070. The City's LID road section is for LID projects which incorporate LID stormwater facilities such as roadside bioretention and is an inappropriate use of that road section for this project. The method to pursue approval of the proposed 20' road section is to propose the Local Residential Narrow road section (50' ROW) in OHMC Table 21.50-1 and ask for elimination of the 8' wide parallel parking lane through the alternative street design code sections OHMC 21.60.060 through 21.60.090 as applicable. The applicant would need to demonstrate that adequate public parking is provided and interspersed through the plat. See OHMC 21.60.070 (1) for assistance which requires 1 public parking space per

every two lots. To demonstrate adequate parking, delineate parking areas and show an 8' x 20' shaded rectangle on the plan sheet. Please be sure to account for parking prohibitions such as fire hydrants, driveways, proximity to corners, crosswalks etc. If acceptable fire hydrant locations can be found on the no parking side of the street, it would be helpful in achieving the minimum space requirement. Please also relabel detail 3/P6 from "Local LID Street 1" to "Local Narrow Tier 1 Alternative". Parking setbacks are provided in OHMC 10.12.092. (This alternative design section is an administrative review.)

8. Regarding the proposed narrow section of Walter Street on sheet P6, provide full 5' wide planter strips or a total of 10' with neither planter strip less than 3'. If less than a total of 10' is desired, pursue a waiver under OHMC 21.60.080.
9. Show 2% crown slopes on proposed road sections unless an alternative cross slope is proposed.
10. Sidewalk cross slope is 2.00% maximum. The City sidewalk standard detail shows 1.75% plus or minus 0.25%. Please indicate so on the road sections so as to reduce the potential for sidewalk removal.
11. Mailbox locations shall be placed near street lights and are subject to change based upon final streetlight, parking, fire hydrant locations, etc.
12. It is suspected that detail 4/P6 is intended to also include portions of Walter Street, please add "Walter Street" to the detail label as applicable.
13. Sheet P2 does not show plan view of proposed Swanton Avenue street improvements.
14. Indicate proposed lanes, etc. (channelization) for the Swantown Avenue, similar to detail 4/P6.
15. Street layout must meet requirements of OHMC 21.60 in addition to grade, radius, tangent, and intersection spacing of OHMC 11.17.070(3)(b)(i), (4)94(b), (c), (d), & (e). Unless otherwise approved by the City Engineer, maximum grade shall be 10%, minimum acceptable horizontal curves shall be 100', minimum acceptable vertical curves shall be 200', and minimum tangent length 100'. Intersection spacing shall not be less than 125' (measured centerline to centerline.) The Engineering Division supported the request to exceed 10% street grade for a limited distance based upon the previously submitted road network that included a road connection to Swantown Avenue and the alternate access that it provided. The new submittal no longer provides that road connection/alternate access to and from the steeper grades of the proposed and existing road system and the Engineering Division does not support approval of road grades steeper than 10% in the proposed plat road system. To pursue deviating from road geometry standards such as (grades, intersection spacing, curves, etc.) established in OHMC 11.17.070 a variance application is necessary in compliance with OHMC 11.17.120.

16. No provision for pedestrians to access Tract A from the west side of the plat is indicated. A pedestrian crossing may be necessary in the vicinity of Walter Street station 4+20, or other appropriate location. The designer's response to this previously provided comment indicated cross slope limitations of a crosswalk in this location due to PROWAG requirements. Please be aware that the cross slope of mid-block crossings are permitted to equal the street grade.
17. For preliminary street light layout make the following changes:
- Delete the light at lot 11.
 - Delete the light at lot 33.
 - Relocate the light at lot 32 to the street corner between the two curb ramps.
 - Delete the light at lot 4.
 - Delete one of the two lights along Walter Street at Tract A and relocate the remaining light centrally along Tract A.
- This layout is subject to change upon review of PSE/Intolight illumination plans. The Intolight contact is Matt Maynard. His e-mail is James.Maynard@pse.com.
18. Indicate proposed signage (stop, yield, no parking, etc.) The placement of yield signs is not understood, particularly near lots 22 and 41. Provide MUTCD justification for all stop or yield sign placement. The designer also needs to be aware that the crosswalk cross-slope maximums are 2% at stop or yield controlled intersection legs.

Traffic

19. The submitted Traffic Impact Analysis does not include the required road connection to Swantown Avenue per OHMC 21.50.080, 21.60.100, 11.17.070 (1) & (2) and the 2007 Transportation Comprehensive Plan, Policies 1a and 2a.

Water

20. The existing mains within SW Putnam and SW Robertson Drives are pressure boosted and experience pressures in the 80 and 90 lbs per square inch (psi) range, necessitating pressure reducing valves on individual services and a pressure reducing valve station upstream of Swantown Avenue. The line in Swantown Avenue is in a different (lower) pressure zone. *(Applicant's engineer acknowledged this comment in his written response, however this comment was provided again for informational purposes to clarify that the Swantown water line is in a lower pressure zone.)*
21. Show and label an 18" ductile iron pipe routing through the plat from the 18" ductile iron pipe along Swantown Road up Valor Street to the existing system in SW Putnam Drive (2014 Water System Plan.) Oversizing reimbursement is discussed in comment number 1 of these comments. OHMC 21.50.050 (1)
22. Clearly indicate on the plans as to whether the water services are to be single services or manifolded services. They are currently drawn as single services. It is likely that the

contractor will ask to manifold adjacent services from one larger meter service line. If manifolding is desired, it needs to be approved by the City during the utility plan design phase. Approval for manifolding is largely dependent upon available pressure at the lot line.

Sewer

23. The following comment was previously provided and no written response was submitted. “Gravity sewerage through the SW Putnam Drive sewer shall be maximized over pumped sewerage. Depth and grade analysis will be necessary to determine the extent of sewer that can gravity drain east prior to allowing more connection to the lift station.”
24. Please be aware that many of the side sewers are in locations that may place them under driveways, requiring traffic bearing clean outs and raising costs of any future repairs that require pipe excavation. Placing side sewers near property lines helps resolve this issue.
25. It is understood that the applicant is working with the owner of the parcel adjacent to lot 18 (Eveland, S7685-00-01011-0) to provide a side sewer connection to City sewer. Please indicate the easement, side sewer and connection to the sewer main on the appropriate sheets.
26. Show all side sewer services. Lot numbers 5, 22, and 24 do not have side sewer services. (OHMC 21.50.050)

Stormwater

27. No stormwater report resubmittal was received. A complete review of the stormwater system and plat layout is not possible without more information.
28. The stormwater drainage collection system needs curb collection catch basins in front of lots 5 and 6 in order to protect the downstream lots from grate bypass/clogging.
29. Due to the topography, specify all curb line catch basin grates to be vaned grates. Herringbone grates may be acceptable in nonflow-line locations, particularly if in close proximity to pedestrian routes. All grates shall have cast language stating to dump no waste drains to “water body”.
30. It is not clear on the site map/plan how the runoff from the houses is proposed to be addressed. Indicate the lot drain stubs with manifold pipes in the 10’ frontage utility easement with connections to the City’s catch basins.

For questions or comments regarding the above archaeology comment, please contact Brad Gluth, Civil Engineer I at (360) 279-4526.

Fire

No additional comments at this time.

For more information about Fire Department requirements, please contact Mike Buxton, Deputy Chief at (360)279-4702.

Building

1. Address shown on page P0 is incorrect. Should be 1292 SW Swantown.
2. Per 2012 IBC 105.2 (4) all retaining walls in excess of 4' (measured from bottom of footing to top of wall), or supporting a surcharge require a permit and an engineered design.
3. Per IBC 1803.5.8 a geotechnical evaluation is required for footings placed on fill material greater than 12" in depth.
4. Page PL-1 does not match P2 with lot layouts and street access.
5. Per OHMC 19.20.120(9) in the R-1 zone a maximum site coverage of 35% is allowed.

For more information about Building Department requirements, please contact Cody West, Plans Examiner at (360)279-4515.

General Information

1. The next steps in the project approval process involve:
 - a. Revision of the preliminary plat as appropriate to address staff comments on this submittal.
2. Please note that incomplete submittals cannot be accepted for review. All of the required applications must be submitted as a package in order for the City to begin processing of the application.
3. All submittals (with the exception of Fire Department required plans) must be made to the Permit Coordinator.

For more information regarding appropriate applications and fees, please contact Lisa Bebee, Permit Coordinator at (360) 279-4510.

MARIN WOODS

Attachment H:

Subdivision Waiver Applications

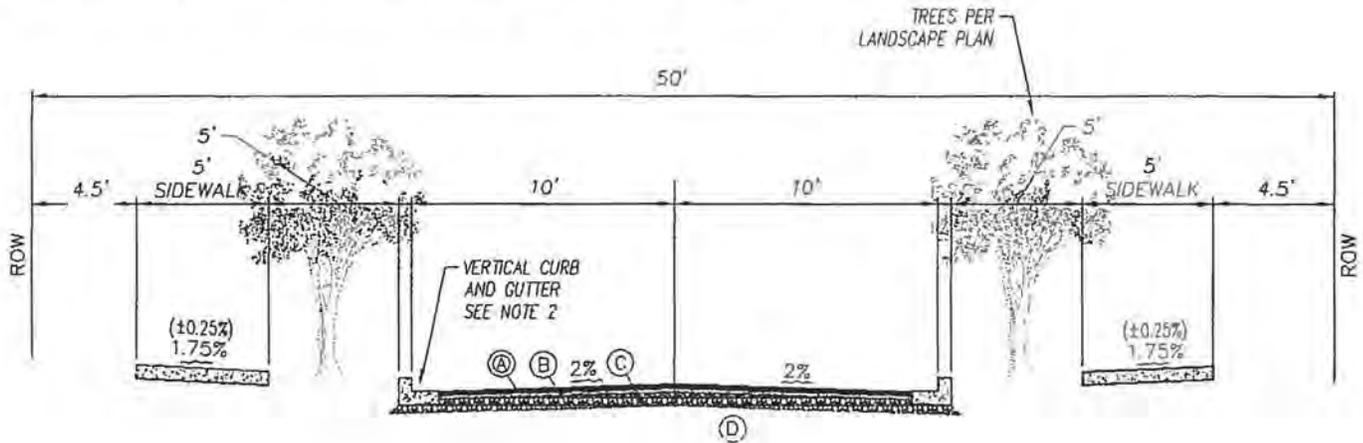
Brad Gluth, PE
City of Oak Harbor
Oak Harbor Engineering
1400 NE 16th Ave
Oak Harbor, WA 98277

RECEIVED

MAR 14 2016

CITY OF OAK HARBOR
Development Services Department

Re: Marin Woods Preliminary Plat/PRD, PLN-15-90, PPL-15-01
Adjustment Application for road section, "Local Narrow Tier 1 Alternative"



3 VALEA VISTA LANE
LOCAL NARROW TIER 1 ALTERNATIVE
NOT TO SCALE
WITH DEVIATION FOR 20FT LANES
WITH NO ON-STREET PARKING

This request is to obtain an administrative approval for a variation of the City's "Local Narrow" road section with a reduced pavement width of 20ft as measured curb face to opposing curb face. This reduced section is requested for use in the Marin Woods PRD along the segment of Valea Vista lane that lies between Tracts A and B, from approximate road stations 2+70 to 5+35, with tapers on either end to the traditional "Local Residential Narrow" section.

To demonstrate compliance with 21.60.070, we must meet both subsections (1) and (2) of this section and we offer the following:

- (1) All of the "essential elements" continue to be provided in the street design.
 - a) Pedestrian facilities are provided. Each side of this altered section contains a 5ft wide, concrete sidewalk.
 - b) Parking is available. This plat proposes 43 lots, and one public parking space per two lots yields 22 required parking stalls. 25 potential on-street parallel parking stalls are shown on the Conceptual Parking Exhibit, attached. On-street parking is available and dispersed throughout the plat by virtue of the parking lane made available with the Local Residential Narrow section used in other locations of

ISLAND COUNTY
840 SE 8th Avenue, Ste. 102
Oak Harbor, Washington 98277
tel: (360) 675-5973 / fax: (360) 675-7255

SNOHOMISH COUNTY
125 East Main Street, Ste. 104
Monroe, Washington 98272
tel: (360) 794-7811 / fax: (360) 805-9732

SKAGIT COUNTY
603 South First Street
Mount Vernon, Washington 98273
tel: (360) 336-9199 / fax: (360) 982-2637

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Adjustment Application Local Narrow Tier 1 Alternative

this development. This parking count considers adequate separation from driveways, crosswalks, intersections and hydrants. Throughout the plat with adequate separation to driveways, hydrants, crosswalks and intersections. In the event additional parking is required, the length of this section could be reduced, or interrupted with the traditional Local Residential Narrow section to achieve additional parking spaces as needed in the vicinity of Tract A.

- c) Landscaping element totaling 10ft of width is accounted for. The altered section contains 5ft wide planter strips on either side, which are also consistent with road sections abutting either end of this altered section.
- d) Two, 10-foot-wide travel lanes are provided, measuring 20 feet curb face to opposing curb face.

(2) A narrative is required to describe how the proposed design will meet the following:

- a) Equal or better street design for vehicles and pedestrians, as compared to the unaltered section, is provided by locating this reduced pavement section in an area that is not fronted by homes.
- b) The proposed design is not expected to compromise vehicle or pedestrian safety. The absence of parallel parking reduces blind spots and car-car proximity circumstances associated with parallel parking, and also allows the landscape and sidewalk areas to appear wider than the space may be. The lane width is consistent with the remainder of this PRD, and this altered section is not expected to compromise driver expectation. The planter strip between the curb face and the sidewalk provide the same 5ft of pedestrian-vehicle separation as is provided with most City standard road sections, and in-kind with user expectation as well.
- c) Public utilities such as storm, sewer and water can continue to be provided as demonstrated on Preliminary PRD Site/Utility Plan, attached.
- d) All comprehensive plan designated vehicular and pedestrian connections will continue to be provided. This proposed alteration has no impact on roadway or pedestrian connectivity or flow.

Thank you for your consideration.

Regards,



Michael E. Ryan, PE
Harmsen & Associates.

Attached: letter size Conceptual Parking Exhibit
letter size Preliminary PRD Site/Utility Plan
For greater clarity, please see the full size plans associated with this submittal.



03/11/2016



CITY OF OAK HARBOR
Development Services Department

**Subdivision Waiver
Application Form**

RECEIVED
MAR 14 2016
CITY OF OAK HARBOR
Development Services Department

Submittal requirements are subdivider must make the request concurrently with subdivision application as described in section 21.50.020 OHMC. Subdivider must include description of any and all detail necessary to support the application. (5 copies)

Project name: Marin Woods
Subdivision Waiver Application for Road Geometry

APPLICANT NAME/CONTACT PERSON George F. Marin Trust Christine R. Marin, Executor 847-274-1866 frduran@archinomics.com	Address: George F. Marin Trust Christine R. Marin, Executor F. R. Rick Duran, Development Mgr 245 N Vine Street, Apt 301 Salt Lake City, UT 8 4103-1949
PROPERTY OWNER NAME (list multiple) Christine R. Marin, Trustee George F. Marin Trust	Address: 245 N Vine St Apt 301 Salt Lake City, UT 84103-1949
E-mail Address:	Phone and Fax:
ENGINEER/SURVEYOR: Harmsen & Associates, Inc. Attn: Michael E. Ryan, PE MichaelR@HarmsenInc.com 360.675.5973	Address: 840 SE 8th Street, Suite 102 Oak Harbor, WA 98277
PROJECT SITE INFORMATION Marin Woods PRD 11292 SW Swantown Ave SW Swantown @ Fairway Ln, Oak Harbor	Parcel Number(s): R13204-459-4200
Legal Description (attach separate sheet): Please see Exhibit B	Acreage of Original Parcel(s): 10.6 Acres

AUTHORIZATION:

The undersigned hereby certifies that this application has been made with the consent of the lawful property owner(s) and that all information submitted with this application is complete and correct. False statements, errors, and/or omissions may be sufficient cause for denial of the request.

I declare under penalty of the perjury laws that the information I have provided on this form/application is true, correct and complete.


Authorized Signature _____ Date **11 MAR 16**



CITY OF OAK HARBOR
Development Services Department

**Supplemental Information for
Subdivision Waiver Application**

Any subdivider can make application for a waiver provided the request is received concurrently with the proposed subdivision, short subdivision or dedication. Such application shall include any and all details necessary to support the application.

1. **A waiver shall be granted only upon a finding that, where because of strict compliance with the provisions for subdivision, short subdivision or dedication would cause unusual and unnecessary hardship on the subdivider. Acceptable reasons for granting the waiver would be:**
 - the size of tract to be subdivided
 - the topography of the tract
 - the condition or nature of adjoining areas
 - the existence of unusual physical conditions
2. **Explain in detail the reason(s) selected from 1. to support the subdivision waiver request. (May attach additional paperwork if needed)**

Please see Exhibit A

LAND SURVEYING



CIVIL ENGINEERING

City of Oak Harbor
 Development Services Department
 865 SE Barrington Drive
 Oak Harbor, WA 98277

11 March 2016

Re: Marin Woods
 Subdivision Waiver Application – Road Geometry
 Exhibits B: Narrative
 Exhibit A: Legal Description

Greetings,

Following pages are exhibits that contain the narrative to support the Subdivision Waiver Application submitted for an exception to the residential road grade as per OHMC 11.17.100.a.

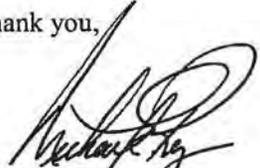
This waiver application is being submitted along with the preliminary PRD plans and documents and are included by reference.

We are requesting to use one horizontal curve less than 100ft radius, vertical curvature < 200ft long, and both horizontal and vertical tangent sections < 100ft long. These exceptions are proposed on residential public road segments within this PRD.

I will eagerly address any questions that you may have. Please feel free to call or e-mail me as needed.

On Behalf Marin Woods,

Thank you,


 Michael E. Ryan, PE
 Director, Oak Harbor
MichaelR@HarmsenInc.com
 360.645.5973



03/11/2016

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Subdivision Waiver Application – Road Grade

Exhibit A:

We are seeking a subdivision deviation to use one horizontal curve < 100ft radius, vertical curves < 200ft long, and horizontal and vertical tangents < 100ft long as well, for use on the residential streets of the PRD of Marin Woods. This neighborhood is likely to have traffic calming measures installed.

The roadway geometry traverses a hillside of natural slopes tease 10% with appreciable length over 11% along the geometric path. Brief pocked of steeper slope exist, and the route selected is about as geometrically friendly as this site will tolerate while having any hopes to create a grid or grid-like block system.

Considering PROWAG constraints at intersections, the road must flatten out to not steeper than 5% in the vicinity of an ADA compliant intersection, the reverse curvature abruptly to return to near grade conditions. With the bock length, grades, and parent lot dimensions, long tangents and vertical curves result in tremendous cut and/or fill, and/or compromised ADA compliance.

Horizontal Curvature:

The horizontal curve is on the NW corner of the site where Putnam meets Valea Vista Lane, a 90 degree corner with an eyebrow on the outer edge. This is not a stop condition, but is expected to be a slower condition. This corner has a ROW curve of 45ft radius and a 28ft wide section (2 travel lanes plus one parking lane). If this turn were managed and signed No-Parking as if it were an intersection, the geometry is reasonable for low speed maneuvers, and is a larger radius than at the intersections. This particular segment of roadway is intersection-like in its behavior, and is part of a loop that serves approximately 20 homes. Other horizontal curves are 100ft or larger, except at intersecting roadways.

Vertical Curvature:

Similar situation with respect to the topography, ADA compliance at road intersections, long vertical tangents and long vertical curves are not practicable.

We do have some vertical curvature that exceeds 200ft, but most do not and are associated with intersections or near stop-like conditions.

Solving for speeds and curvature,

Solving speeds and curvature, we are currently showing K_{sag} of 11.84 on Upper Marin at the Tee intersection with Valea Vista. Valea Vista is approaching the Tee intersection in a stop-like condition. Upper Marin K_{sag} 11.84 produces adequate stopping sight distance (SSD) for speed approximately 18mph. K_{sag}=15 is approximately 20mph. Sag conditions are limited by headlights, and these sags have no overpasses (which mask headlights) and streetlights are provided, which compensate somewhat for the speed.

K_{crest} values are much higher due to the relatively small algebraic values. Our 200ft VC has a K_{crest} of 34 (approximately 30mph SSD) whereas our 60ft VC at the intersection has a K_{crest} of 10.75 (approximately 22mph SSD), K_{crest}=43 at the 100ft VC produces SSD for greater than 35mph, which exceeds the speed limit of this development. The vertical curvature is primarily to accommodate ADA crosswalks for non-stop controlled intersections.

Similar arguments exist where Upper Marin Tees into SW Putnam at a stop-like connection, and that K_{crest} is 60.

Subdivision Waiver Application –Road Grade



Speed restrictions are still advised, and we will work with the City to suggest speed humps or signage or whatever traffic calming solutions are expected to work well here.

If vertical curve lengths are increased, the grades will also increase and or the ADA crossings will become that much more difficult.

Vertical Tangent lengths: Traditionally, short tangents are undesirable. The topography and PROWAG constraints limit where curves can begin or end, and unless we consider asymmetrical parabolas, we will end up with short vertical tangent segments. Currently, we have two 50ft tangents on Upper Marin, excluding the intersection at the top of the hill.

Given this is a residential neighborhood and we expect to use traffic calming measures, these will be lower speed roads as compared to arterials or collectors. We can increase some vertical curves which will further shorten the vertical tangents. I'd prefer back to back vertical curves as compared to short tangents, but reversing VC's may remove one tangent, but will not remove all tangents.

Horizontal Tangents: Similar discussion here, topography and property constraints, horizontal curvature constraints do not allow for all tangents to be greater than 100ft, and reversing curves is not a viable solution either. Again, as this is a residential neighborhood rather than a collector, traffic calming is expected and the tangents that are an unfortunate result of site constraints, but are not unsafe.

Subdivision Waiver Application –Road Grade**The topography of the tract:**

- Native grades are steeper than the 10% maximum road grade allowed by the City. Obtaining 10% max grades throughout would require significant grading and earth movement.

Condition or nature of adjoining areas:

- Vehicular access points exist as SW Putnam Drive and SW Robertson Drive, both of which currently terminate at this site boundary. Connectivity to these fixed points adds additional constraints for grade management if using long curves and long tangents.

The existence of unusual, physical conditions:

- In addition to the topography of the site, the shape of the site is not conducive to alternate alignment options that may result in favorable grades without further compromising other city elements as to Block structure, lot access and lot geometry.
- A large rock, a glacial erratic, has been discovered in Tract A. This rock is sizable, and situated such that alternate road and lot configurations to avoid this rock were undesirable and further constrained lot and road geometry.
- In order to provide ADA compliant crosswalks, grade and crossfall values are further restrained to obtain suitable ADA compliant grades at intersecting roadways. Meeting ADA compliant intersection crosswalks results in adjacent roadway profile segments adjustments to recover grade and elevations differences. Such adjustments would otherwise require more significant earth moving and/or fewer intersections.

Letter size profile sheets for each of the two road are included in this document. Please refer to the full size plan set for greater detail.

Subdivision Waiver Application –Road Grade

Exhibit B: Legal Description

LEGAL DESCRIPTION:

(Per Land Title Order #LT-107737, dated April 21, 2014)

The West 440 feet of the Northeast Quarter of the Northeast Quarter, Section 4, Township 32 North, Range 1, East of the Willamette Meridian.

EXCEPT the following described tract:

Beginning at the point 700.5 feet South of the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 4, and running thence South 340.6 feet to the North side of the county road;

thence South 50°38' East 105.8 feet;

thence North 39°22' East 262.4 feet;

thence North 50.26' West 322.2 feet to the point of beginning.

AND EXCEPT that portion lying Southwesterly of the Northeasterly right of way margin of Island County road right of way known as Swantown Road.

ALSO, that portion of the following described tract lying Northeasterly of the county road in the Southeast Quarter of the Northeast Quarter, Section 4, Township 32 North, Range 1, East of the Willamette Meridian:

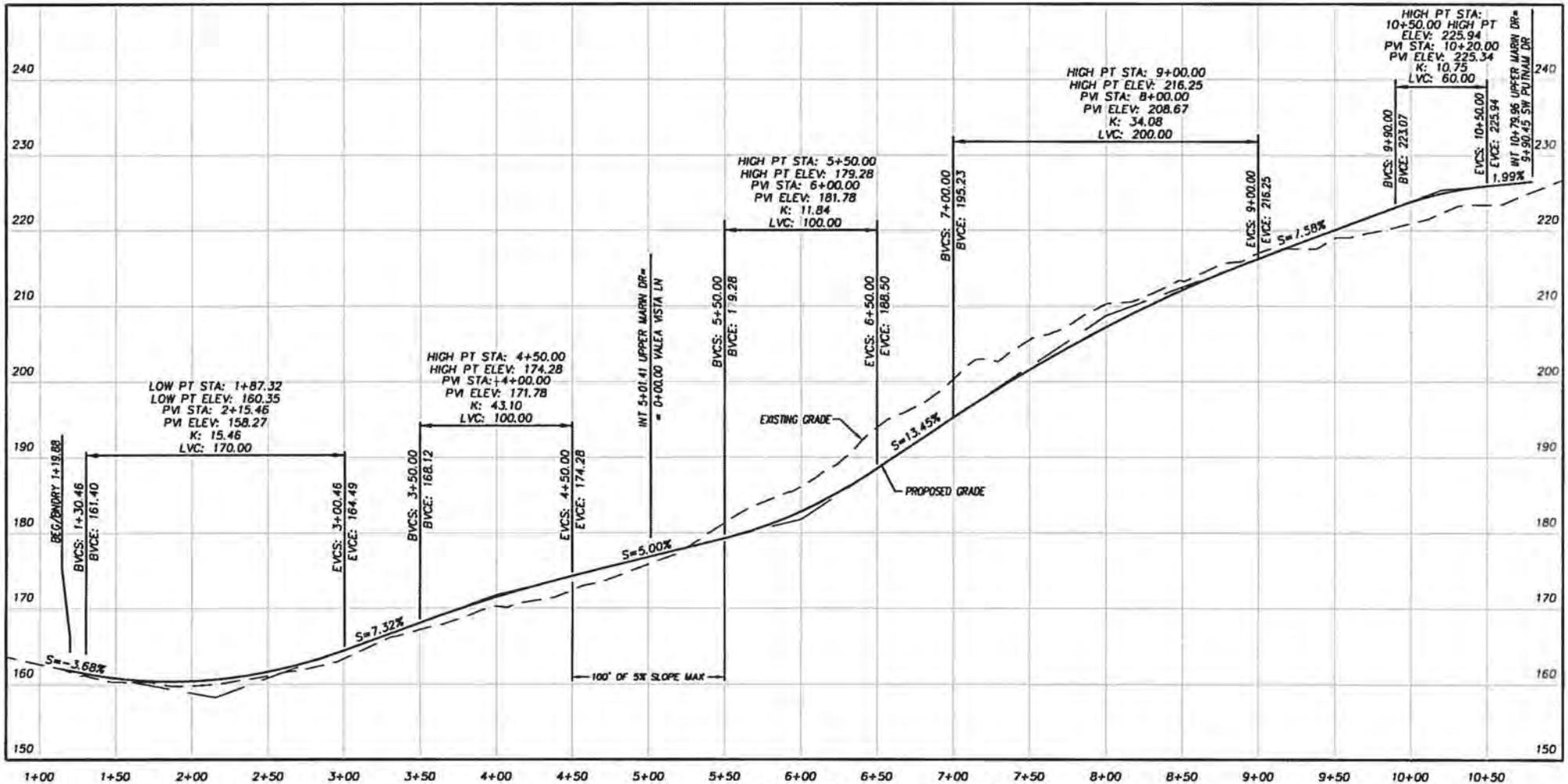
Beginning at the Northwest corner of said Southeast Quarter of the Northeast Quarter;

thence South along the West line of said Section a distance of 600 feet;

thence Northeasterly in a straight line to a point of the North line of said Southeast Quarter of the Northeast Quarter that is 336 feet East of the point of beginning;

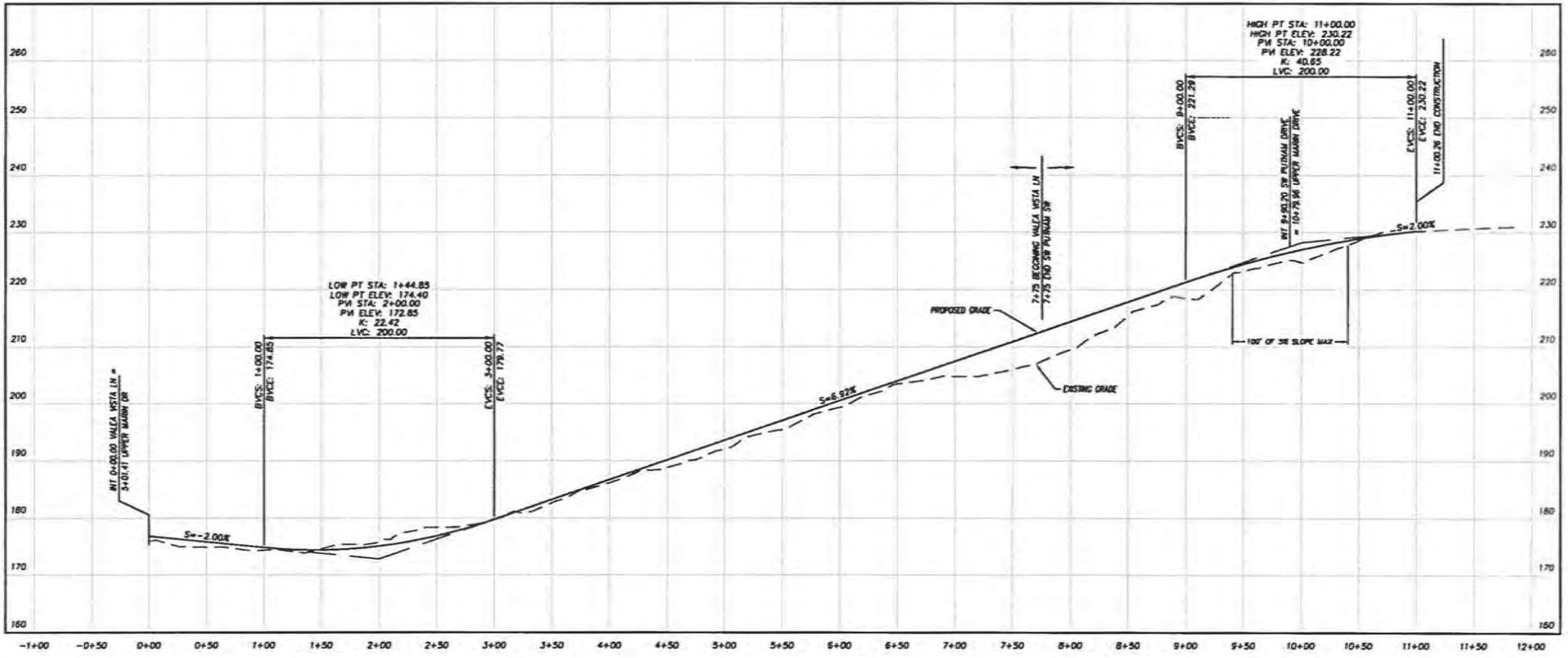
thence West along the North line 336 feet to the point of beginning.

Situate in the County of Island, State of Washington.



UPPER MARIN DRIVE PROFILE

SCALE: HORIZ 1" = 50'
 VERT 1" = 10'



**VALEA VISTA LANE /
PUTNAM DRIVE PROFILE**
SCALE: HORIZ 1" = 50'
VERT 1" = 10'



CITY OF OAK HARBOR
Development Services Department

**Subdivision Waiver
Application Form**

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MAR 14 2016
CITY OF OAK HARBOR
Development Services Department

Submittal requirements are subdivider must make the request concurrently with subdivision application as described in section 21.50.020 OHMC. Subdivider must include description of any and all detail necessary to support the application. (5 copies)

Project name: Marin Woods
Subdivision Waiver Application for Road Grade

APPLICANT NAME/CONTACT PERSON George F. Marin Trust Christine R. Marin, Executor 847-274-1866 frduran@archinomics.com	Address: George F. Marin Trust Christine R. Marin, Executor F. R. Rick Duran, Development Mgr 245 N Vine Street, Apt 301 Salt Lake City, UT 8 4103-1949
PROPERTY OWNER NAME (list multiple) Christine R. Marin, Trustee George F. Marin Trust	Address: 245 N Vine St Apt 301 Salt Lake City, UT 84103-1949
E-mail Address:	Phone and Fax:
ENGINEER/SURVEYOR: Harmsen & Associates, Inc. Attn: Michael E. Ryan, PE MichaelR@HarmsenInc.com 360.675.5973	Address: 840 SE 8th Street, Suite 102 Oak Harbor, WA 98277
PROJECT SITE INFORMATION Marin Woods PRD 11292 SW Swantown Ave SW Swantown @ Fairway Ln, Oak Harbor	Parcel Number(s): R13204-459-4200
Legal Description (attach separate sheet): Please see Exhibit B	Acreage of Original Parcel(s): 10.6 Acres

AUTHORIZATION:

The undersigned hereby certifies that this application has been made with the consent of the lawful property owner(s) and that all information submitted with this application is complete and correct. False statements, errors, and/or omissions may be sufficient cause for denial of the request.

I declare under penalty of the perjury laws that the information I have provided on this form/application is true, correct and complete.

 _____ **11 MAR 16** _____
Authorized Signature **Date**



CITY OF OAK HARBOR
Development Services Department

**Supplemental Information for
Subdivision Waiver Application**

Any subdivider can make application for a waiver provided the request is received concurrently with the proposed subdivision, short subdivision or dedication. Such application shall include any and all details necessary to support the application.

1. **A waiver shall be granted only upon a finding that, where because of strict compliance with the provisions for subdivision, short subdivision or dedication would cause unusual and unnecessary hardship on the subdivider. Acceptable reasons for granting the waiver would be:**
 - the size of tract to be subdivided
 - the topography of the tract
 - the condition or nature of adjoining areas
 - the existence of unusual physical conditions

2. **Explain in detail the reason(s) selected from 1. to support the subdivision waiver request. (May attach additional paperwork if needed)**

Please see Exhibit A



City of Oak Harbor
Development Services Department
865 SE Barrington Drive
Oak Harbor, WA 98277

11 March 2016

Re: Marin Woods
Subdivision Waiver Application –Road Grade
Exhibits B: Narrative
Exhibit A: Legal Description

Greetings,

Following pages are exhibits that contain the narrative to support the Subdivision Waiver Application submitted for an exception to the residential road grade as per OHMC 11.17.100.a.

This waiver application is being submitted along with the preliminary PRD plans and documents and are included by reference.

In short, we are requesting to exceed the 10% road grade for a short segment of a public roadway within this PRD.

I will eagerly address any questions that you may have. Please feel free to call or e-mail me as needed.

On Behalf of Marin Woods,

Thank you,

Michael E. Ryan, PE
Director, Oak Harbor
MichaelR@HarmsenInc.com
360.645.5973



03/11/2016

P:\Work\Projects\2015\15-243 Marin Woods\CE\DOCS\2016 Deviations\2016 03 11 15-243 Marin Waiver Exhibits Road Grade.docx

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Subdivision Waiver Application –Road Grade

Exhibit A:

We are seeking a subdivision deviation to exceed the City's road grade of 10% Maximum Grade as stated in OHMC 11.17.100.a.

In particular, we are seeking a waiver to allow approximately 350 feet of road grade on proposed Upper Marin Drive at approximately 14%, measured PVI to PVI. Please See Sheet C2, Upper Marin Drive Profile, sta 6+00 to sta 8+00.

All other internal roads as proposed do not exceed 10% and have ADA compliant crosswalks at all intersecting roads.

Constraints:

Existing and excessive grade: Marin Woods is dominated by a native grade slightly in excess of 11% that spans the majority of the width of the project and about the center third of the project length.

Existing Access points: SW Putnam Drive and SW Roberstson Drive currently exist and terminate abruptly at the boundary of this project site. A third access is available at Swantown, no other access points exist or are proposed. Connecting these access points require traversing this hillside.



Subdivision Waiver Application –Road Grade**Justification:**

To accommodate adequate vehicular access and to accommodate City block length concepts, two public streets were conceived as illustrated in the image above and per the accompanying preliminary PRD submittal.

May other road configurations were considered, none of which provided a more beneficial grade and all produced far less beneficial lot and tract geometry.

As presented, the exceptional grade occurs on a vertical tangent for 50ft, with vertical curves at either end for a total length of 200 ft measured PVI to PVI, transitioning between a downhill road grade of 5% and an uphill grade of 7.6%.

This excessive grade occurs on a tangent in plan view with no compromise to sight distance.

Reasons to consider this Waiver:**The topography of the tract:**

- Native grades are steeper than the 10% maximum road grade allowed by the City. Obtaining 10% max grades throughout would require significant grading and earth movement.

Condition or nature of adjoining areas:

- Vehicular access points exist as SW Putnam Drive and SW Roberston Drive, both of which currently terminate at this site boundary. Connectivity to these fixed points adds additional constraints for grade management.

The existence of unusual, physical conditions:

- In addition to the topography of the site, the shape of the site is not conducive to alternate alignment options that may result in favorable grades without further compromising other city elements as to Block structure, lot access and lot geometry.
- A large rock, a glacial erratic, has been discovered in Tract A. This rock is sizable, and situated such that alternate road and lot configurations to avoid this rock were undesirable and further constrained lot and road geometry.
- In order to provide ADA compliant crosswalks, grade and crossfall values are further restrained to obtain suitable ADA compliant grades at intersecting roadways. Meeting ADA compliant intersection crosswalks results in adjacent roadway profile segments adjustments to recover grade and elevations differences. Such adjustments would otherwise require more significant earth moving and/or fewer intersections.

Subdivision Waiver Application –Road Grade

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LEGAL DESCRIPTION:

(Per Land Title Order #LT-107737, dated April 21, 2014)

The West 440 feet of the Northeast Quarter of the Northeast Quarter, Section 4, Township 32 North, Range 1, East of the Willamette Meridian.

EXCEPT the following described tract:

Beginning at the point 700.5 feet South of the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 4, and running thence South 340.6 feet to the North side of the county road;

thence South 50°38' East 105.8 feet;

thence North 39°22' East 262.4 feet;

thence North 50.26' West 322.2 feet to the point of beginning.

AND EXCEPT that portion lying Southwesterly of the Northeasterly right of way margin of Island County road right of way known as Swantown Road.

ALSO, that portion of the following described tract lying Northeasterly of the county road in the Southeast Quarter of the Northeast Quarter, Section 4, Township 32 North, Range 1, East of the Willamette Meridian:

Beginning at the Northwest corner of said Southeast Quarter of the Northeast Quarter;

thence South along the West line of said Section a distance of 600 feet;

thence Northeasterly in a straight line to a point of the North line of said Southeast Quarter of the Northeast Quarter that is 336 feet East of the point of beginning;

thence West along the North line 336 feet to the point of beginning.

Situate in the County of Island, State of Washington.



CITY OF OAK HARBOR
Development Services Department

**Subdivision Waiver
Application Form**

RECEIVED
AUG 22 2016
CITY OF OAK HARBOR
Development Services Department

Submittal requirements are subdivider must make the request concurrently with subdivision application as described in section 21.50.020 OHMC. Subdivider must include description of any and all detail necessary to support the application. (5 copies)

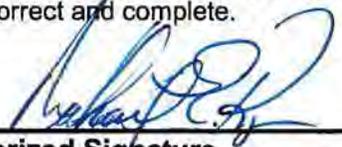
Project name: Marin Woods
Subdivision Waiver Application for Roadway connection to Swantown
per 21.60.100

APPLICANT NAME/CONTACT PERSON Christine R. Marin, Trustee George F. Marin Trust C/o Rick Duran frduran@archinomics.com	Address: 245 N Vine St Apt 301 Salt Lake City, UT 84103-1949 (847) 274-1866
PROPERTY OWNER NAME (list multiple) Christine R. Marin, Trustee George F. Marin Trust	Address: 245 N Vine St Apt 301 Salt Lake City, UT 84103-1949
E-mail Address:	Phone and Fax:
ENGINEER/SURVEYOR: Harmsen & Associates, Inc. Attn: Michael E. Ryan, PE MichaelR@HarmsenInc.com 360.675.5973	Address: 840 SE 8th Street, Suite 102 Oak Harbor, WA 98277
PROJECT SITE INFORMATION Marin Woods PRD 11292 SW Swantown Ave SW Swantown @ Fariway Ln, Oak Harbor	Parcel Number(s): R13204-459-4200
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I declare under penalty of the perjury laws that the information I have provided on this form/application is true, correct and complete.


Authorized Signature

8/22/2016
Date



CITY OF OAK HARBOR
Development Services Department

**Supplemental Information for
Subdivision Waiver Application**

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 - the condition or nature of adjoining areas
 - the existence of unusual physical conditions

2. **Explain in detail the reason(s) selected from 1. to support the subdivision waiver request. (May attach additional paperwork if needed)**

Please see Exhibit A1 and A2

EXHIBIT A1

Request for a Waiver from the Requirement to Connect the Plat of Marin Woods to Swantown Road

August 22, 2016

The applicant is applying for a waiver from OHMC 21.60.100 – the requirement to connect the proposed Plat of Marin Woods to Swantown Road.

21.60.100 Local residential streets – Layout.

The street pattern utilized for short subdivisions and subdivisions shall be a grid or modified grid, with four- or three-way intersections designed at right angles. Blocks shall be rectilinear.:

There are two stub roads abutting the eastern side of subject site. The subject site has frontage on Swantown Road. The north and west boundaries of the site are developed with single family residences. The applicant proposes a rectilinear block on site, but the only way to continue the grid is to connect to Swantown Road. The applicant's design team has reviewed connections options for the subject property to connect to Swantown Road. While reviewing a gridded connection from the subject property to Swantown per 21.60.100, the applicant's design team has shown that there is no connection option that meets Oak Harbor Road Design Standards.

The subject property has 277 feet of frontage along Swantown Road. An existing home is located along the west end of the frontage. Fairway Lane intersects Swantown Road across from the west end of the frontage.

The intersection of Fairway Lane with Swantown Road is inadequate. There are several deficiencies with that intersection, including:

1. Fairway Lane slopes greater than 13% at the stop bar for the left turn where 3% slope is required.
2. Fairway Lane slopes greater than 13% at the stop bar for the right turn where 3% slope is required.
3. Fairway Lane to Swantown Road left turn has inadequate site distance to the left.
4. Fairway Lane to Swantown Road right turn has inadequate site distance to the left.

5. 43 degree intersection angle Fairway Lane to Swantown Road right turn lane.
6. Short Radius curve for the left turn lane of Fairway Lane to Swantown Road.
7. Location of golf course parking lot Access from Fairway Lane is within the right turn stacking from Fairway Lane to Swantown Road.
8. 6% crown slope on Swantown Road at the intersection, Design Standards require less than 3% crown.
9. ADA non-complaint throughout the intersection.
10. Swantown Road to Fairway Lane right turn constructed outside of the right of way on private property.

See Exhibit A for more details.

Because of these inadequacies finding a reasonable way to make a connection from the proposed Plat of Marin Woods to Swantown Road is very difficult. We have designed three different connections and each connection has difficulties. None of these examined connections resolve the inadequacies of the existing intersecting because the existing inadequacies are all on the opposite side of Swantown road, and will require new right of way, new alignment and complete reconstruction for resolution. (See Exhibit A). Those three connection ideas are:

1. Connect at the far southeastern property line to try to gain separation from the intersection. (Exhibit B). This connection provides inadequate separation from the Fairway Lane intersection and resolves none of the existing Fairway Lane intersection deficiencies.
2. An access that matches the 43 degree connection of Fairway Lane. This idea incorporates all the problems of the existing intersection while adding a new leg with new and replicating existing problems. (Exhibit C)
3. An access that lines up with the center line of the part of Fairway Lane that is perpendicular to Swantown Road. This access point will be an addition to an already inadequate situation, and will also require the applicant remove the existing home. (Exhibit D)

Of these three options, the option that is the closest to complaint is the option where the new access road meets up with the perpendicular Fairway Lane Center Line (Exhibit D). The connection shown in Exhibit D requires the removal of the existing home. The removal of the home poses hardship to the property owners for more reasons than the obvious expense. The expense is substantial coming close to \$400,000. (See Exhibit E). Any intuitive and early stage assumptions of feasibility at this location were disproven with further analysis. However, this development is named for the family that has lived on and grown up on this property for several generations. The home is still occupied by a family member who has grown up on

this property. So in addition to the substantial financial hardship associated with removing the existing home, there is a family attachment to the existing home.

It should be noted that, in the option shown in Exhibit D, in addition to the need to remove a home, the topography of the subject property creates additional challenges. The subject site slopes up from Swantown Road at a slope of 10% and increases to greater than 15% before the connection to the internal circulation system could be made. This slope makes creating an adequate landing at Swantown Road unlikely, leading to the creation of additional inadequacies for the subject intersection.

Any intuitive and early stage assumptions of feasibility at this location were disproven with further analysis. Because of these issues, the applicant is seeking a waiver to the requirement to connect the proposed development to Swantown Road. The undue hardship of creating a less than compliant street connection, if possible, has not been shown to create the associated benefit to the community.

OHMC 21.50.040 contains the criteria for waiver from the requirements of 21.60. The code requires compliance with only one of the criteria listed in 21.50.040(1)(a)-(d), as well as compliance with 21.50.040(2). In the following pages, the applicant has provided a statement of compliance with each of these sections.

Applicable Code Citation:

21.50.040 Waiver of requirements – Procedure.

- (1) *Any subdivider can make application for a waiver from one or more of the design standards contained in this chapter, provided the request is received concurrently with the proposed subdivision, short subdivision, binding site plan or dedication. In addition, the waiver process described in this section may be used to vary from the residential design standards in Chapter 21.60 OHMC. A waiver shall be granted only upon a finding that strict compliance with the provisions for subdivision, short subdivision, binding site plan or dedication would cause unusual and unnecessary hardship on the subdivider due to the following:*
 - (a) *Because of the size of the tract to be subdivided; or*
 - (b) *Its topography; or*
 - (c) *The condition or nature of adjoining areas; or*
 - (d) *The existence of unusual physical conditions.*
- (2) *No waiver shall be granted which allows a subdivision, short subdivision or binding site plan, which is not in the public interest as identified in RCW 58.17.010 et seq.*
- (3) *Subdivision waivers are a Type IV review process, as described in Chapter 18.20 OHMC, and shall accompany and be processed with the preliminary plat, short subdivision, binding site plan or boundary line adjustment application.*
- (4) *Such conditions may be required which may achieve, insofar as practicable, the objectives of the requirements for which a waiver is authorized.*
- (5) *Application for an adjustment or waiver from the local residential street designs contained in Table 21.50-1 shall be processed in accordance with the provisions of OHMC 21.60.070 and 21.60.080, not the provisions of this section. (Ord. 1617 § 3, 2011; Ord. 1568 § 7, 2010).*

In the section as noted above the criteria for approval is made up of subsections (1) (a) – (d) and (2). In this case the applicant is only required to show compliance with one of the criteria found in (1) (a) – (d) and also (2).

Below the applicant addresses each of the criteria for approval.

(a) *Because of the size of the tract to be subdivided; or*

The size of the tract is large (10.6 ac). However, the property becomes fairly narrow along the frontage of Swantown Road. The fact that the property is narrow in this location limits the connectivity options as described in Exhibits B – D. Due to the size of the frontage, a hardship is created in that no adequate road options can be found to connect the subject property to Swantown Road. Further, the most adequate connection option requires the removal of the only existing home on the subject property.

(b) *Its topography; or*

the subject property slopes up from Swantown Road at a slope that exceeded the minimum slopes, starting at about 10% where a 3% slope landing is required and then sloping to above 15% where a road slope of no more than 10% is permitted. This increasing slope means that the through connection would need to be steeper than standard, and a substantial amount of grading and soil removal would need to be undertaken.

(c) *The condition or nature of adjoining areas; or*

Exhibit A demonstrates the inadequacies of the intersection of Fairway Lane and Swantown Road. Connecting to a Road with these inadequacies creates a series of poor road connection options as demonstrated in Exhibits B through D. In addition, the potential for significant cut-through traffic into the Loerland-Heller-Swantown neighborhood is limited only by the design capacity of any proposed new connection.

(d) *The existence of unusual physical conditions.*

In the subject case there are three unusual physical conditions that create a hardship.

- a. The first one, as noted previously in this document is the inadequate intersection of Fairway Lane and Swantown Road.
- b. The second condition is the location of the existing home. Of all intersection concepts studied, the least non-compliant intersection location requires the connection to pass through the existing home. Making the connection through the existing home will increase the cost of the development by nearly

- \$400,000. This increase in expense represents more than 20% of the total of the remaining development costs. (See Exhibit E).
- c. The topography as discussed criteria (b) above creates a hardship where the road slope will need to exceed the maximum allowed slope, and the grading to achieve this will be substantial. (See response to Criteria (b) above)

(2) *No waiver shall be granted which allows a subdivision, short subdivision or binding site plan, which is not in the public interest as identified in RCW 58.17.010 et seq.*

The applicant has consulted with Gibson Traffic Consultants, GTC. GTC has evaluated the project impacts with and without the required connection to Swantown. GTC concluded that there is no discernible difference in the traffic count or circulation patterns with or without a roadway connection to Swantown.

Marin Woods is proposing gridded connections to the existing public streets of Putman and Robertson, and to the neighborhoods they serve. The project also proposes a pedestrian connection to Swantown so that the grid can be continued for non-automobile traffic. The pedestrian connection to the grid system, combined with the Gibson Traffic Consultant's reports shows that this project will continue to further the public interest. The applicant has demonstrated a hardship as defined by the criteria of 21.50.040. The code requires that the applicant show that only one of the criteria is present in order to show a hardship. In this case, the applicant has shown that all of the criteria are present. In addition, the data provided by Gibson Traffic Consultants shows that there will be no public detriment, and thus it can be found that the applicant's proposal furthers the public interest. Therefore, the applicant believes that this waiver request meets all the criteria for approval, and thus should be approved.

EXHIBIT A2: Legal Description

(Per Land Title Order #LT-107737, dated April 21, 2014)

The West 440 feet of the Northeast Quarter of the Northeast Quarter, Section 4, Township 32 North, Range 1, East of the Willamette Meridian.

EXCEPT the following described tract:

Beginning at the point 700.5 feet South of the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 4, and running thence South 340.6 feet to the North side of the county road;

thence South 50°38' East 105.8 feet;

thence North 39°22' East 262.4 feet;

thence North 50.26' West 322.2 feet to the point of beginning.

AND EXCEPT that portion lying Southwesterly of the Northeasterly right of way margin of Island County road right of way known as Swantown Road.

ALSO, that portion of the following described tract lying Northeasterly of the county road in the Southeast Quarter of the Northeast Quarter, Section 4, Township 32 North, Range 1, East of the Willamette Meridian:

Beginning at the Northwest corner of said Southeast Quarter of the Northeast Quarter;

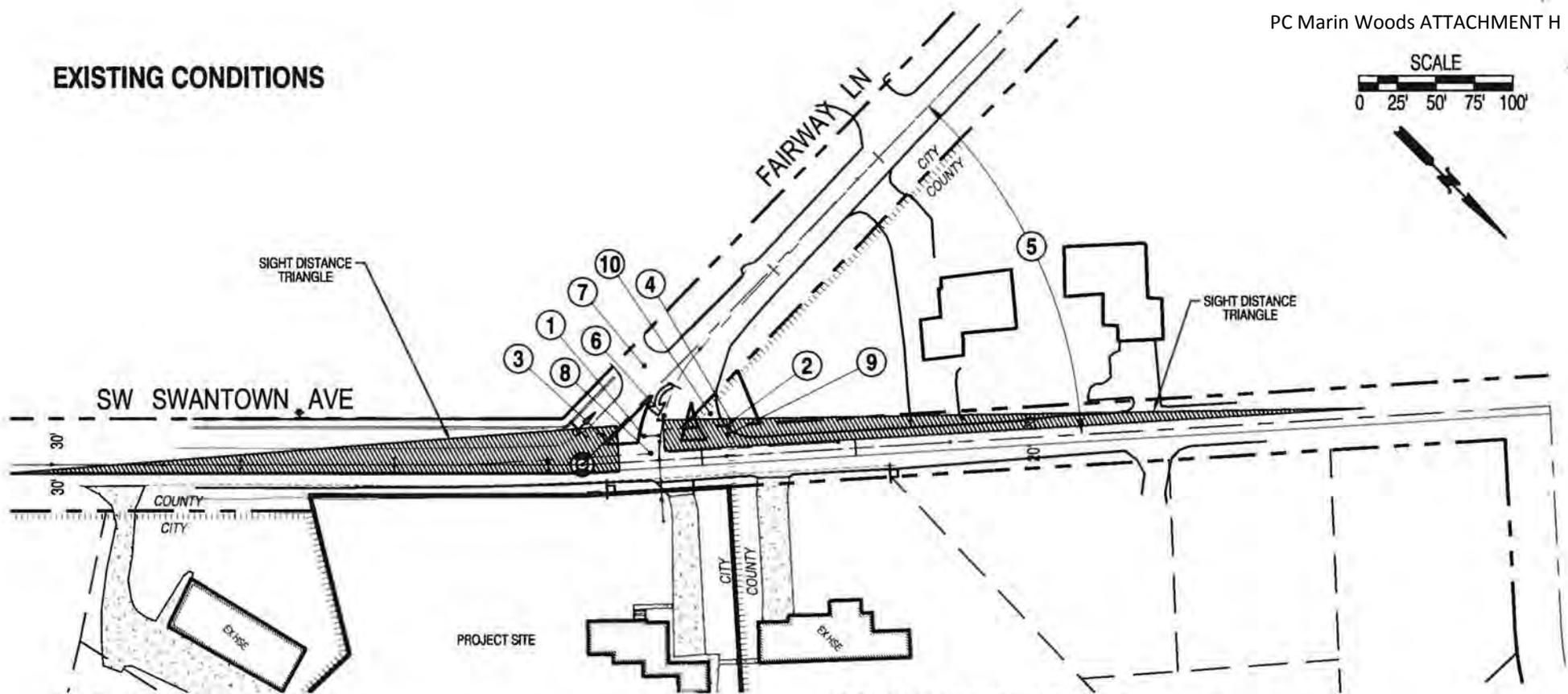
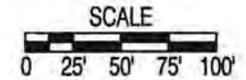
thence South along the West line of said Section a distance of 600 feet;

thence Northeasterly in a straight line to a point of the North line of said Southeast Quarter of the Northeast Quarter that is 336 feet East of the point of beginning;

thence West along the North line 336 feet to the point of beginning.

Situate in the County of Island, State of Washington.

EXISTING CONDITIONS



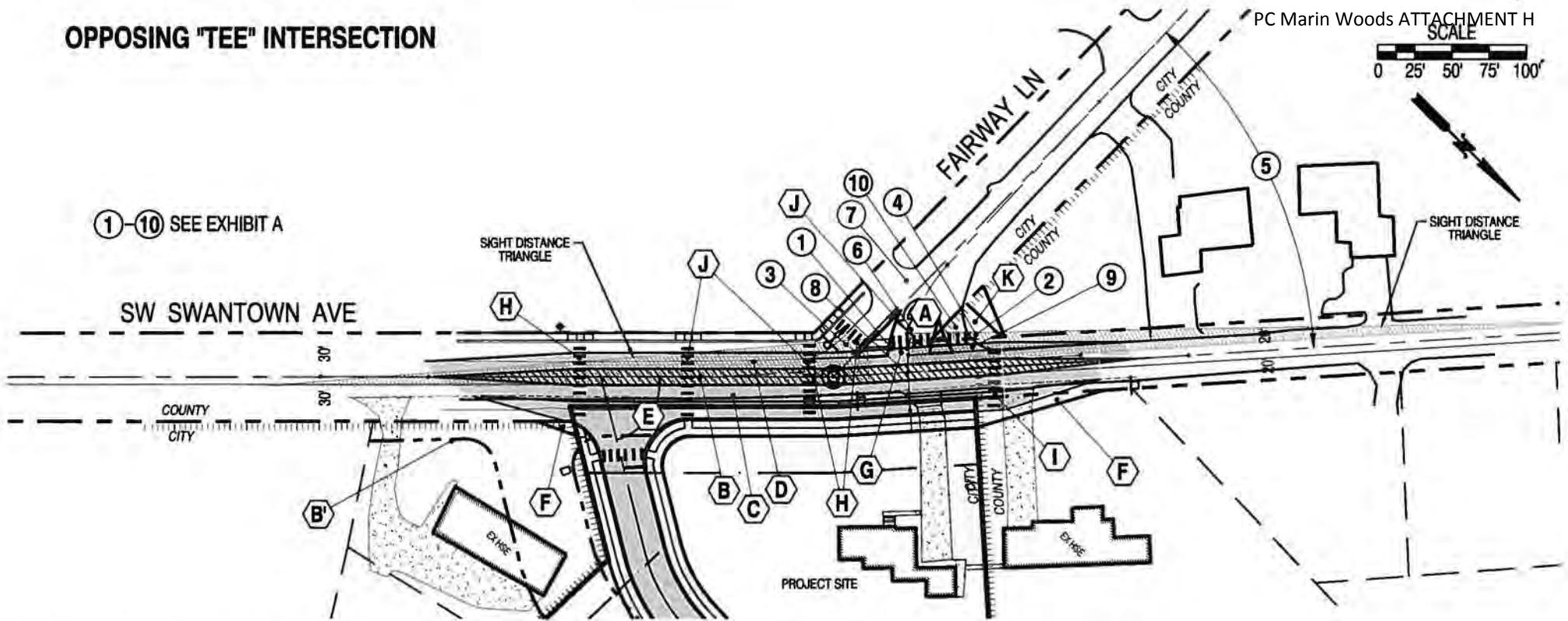
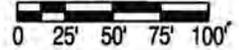
EXISTING CONDITIONS

- ① 9.5%-13.5% GRADE AT STOP BAR - LEFT TURN FROM FAIRWAY TO SWANTOWN
- ② INADEQUATE SIGHT DISTANCE - LEFT TURN FROM FAIRWAY TO SWANTOWN
- ③ 13.5% GRADE AT STOP BAR - RIGHT TURN FROM FAIRWAY TO SWANTOWN
- ④ INADEQUATE SIGHT DISTANCE - RIGHT TURN FROM FAIRWAY TO SWANTOWN
- ⑤ 43 DEGREE INTERSECTION ANGLE FAIRWAY TO SWANTOWN RIGHT TURN LANE
- ⑥ SHORT RADIUS CURVE FOR THE LEFT TURN LANE OF FAIRWAY TO SWANTOWN
- ⑦ LOCATION OF GOLF COURSE PARKING LOT ACCESS FROM FAIRWAY IS WITHIN THE RIGHT TURN STACKING FROM FAIRWAY TO SWANTOWN
- ⑧ 6% CROWN ON SWANTOWN AT THE INTERSECTION
- ⑨ ADA NON-COMPLIANT CROSSWALK ACROSS FAIRWAY
- ⑩ SWANTOWN TO FAIRWAY RIGHT TURN CONSTRUCTED OUTSIDE OF THE HIGH-OFF-WAY

CORRECTIVE MEASURES

- ① PROVIDE LANDING < 3% BEHIND CROSS BAR.
- ② ACQUIRE PRIVATE PROPERTY OR SIGHT EASEMENT, PROHIBIT PARKING.
- ③ PROVIDE LANDING < 3% BEHIND CROSS BAR.
- ④ ACQUIRE ROW OR EASEMENTS.
- ⑤ REALIGN FAIRWAY APPROACH TO 85°-90°, ACQUIRE PRIVATE PROPERTY.
- ⑥ REALIGN FAIRWAY, ACQUIRE PRIVATE PROPERTY AS NECESSARY.
- ⑦ ABANDON GOLF COURSE DRIVEWAY CONNECTION AT THAT LOCATION.
- ⑧ REGRADE FAIRWAY FROM SWANTOWN CL TO ROW AT 2%.
- ⑨ REGRADE CROSSWALK NOT TO EXCEED 2% CROSS SLOPE OR 5% GRADE THROUGHOUT THE CROSSWALK AREA. PROVIDE ADA RAMPS AND REFUGES.
- ⑩ ACQUIRE PRIVATE PROPERTY.

OPPOSING "TEE" INTERSECTION



①-⑩ SEE EXHIBIT A

SW SWANTOWN AVE

FAIRWAY LN

PROPOSED CONDITIONS

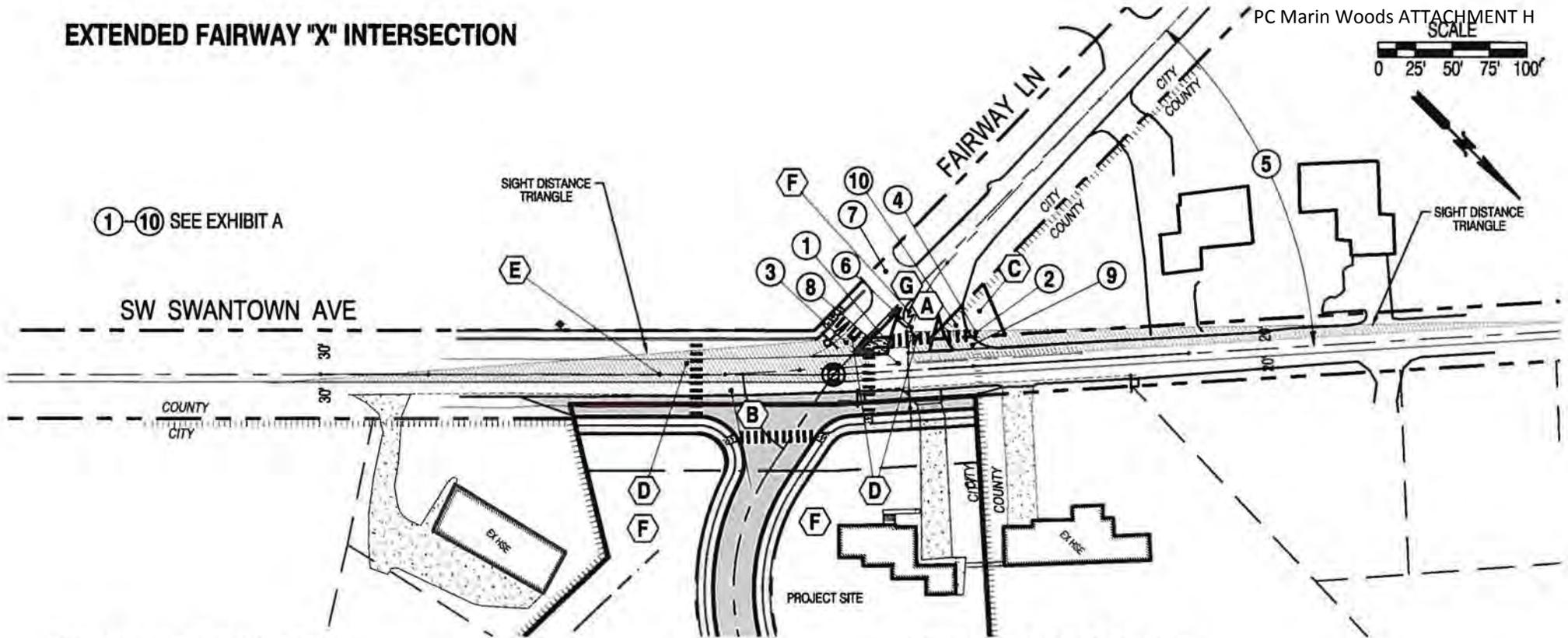
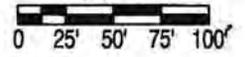
- A** EXISTING SUBSTANDARD CONDITIONS FOR FAIRWAY REMAIN OR ARE EXACERBATED
- B** INADEQUATE LEFT TURN QUEUE BETWEEN "T"s
- C** 10 FT WIDE NE BOUND TRAVEL LANE ENCROACHES ON SHOULDER AND ROW
- D** 10 FT WIDE SW BOUND TRAVEL LANE ENCROACHES ON SHOULDER AND ROW
- E** 76° INTERSECTION ANGLE
- F** ROW INADEQUATE FOR 3 LANES SECTION. ACQUISITION IS REQUIRED FROM ALL ADJACENT AND CROSS-STREET PROPERTIES EXCEPT MARIN WOODS
- G** ADDING A CENTER LANE PUSHES TRAVEL LANES FARTHER FROM SWANTOWN CENTERLINE AND ENCROACHES INTO THE FAIRWAY INTERSECTION, FURTHER COMPROMISING SIGHT DISTANCES, HORIZONTAL & VERTICAL GEOMETRY AND ADA ROUTES
- H** NON ADA COMPLIANT CROSSWALKS
- I** CROSSWALK LOCATION COMPETES WITH DRIVEWAY
- J** CROSSWALK LOCATION S LIE BETWEEN STOP BAR AND EDGE OF LANE, IMPACTING QUEUE LENGTHS
- K** RIGHT TURN ENCROACHES FURTHER INTO PRIVATE PROPERTY
- L** STORMWATER POND LOCATION IS REDUCED IN AVAILABLE AREA

CORRECTIVE MEASURES

- A** REPAIR EXISTING FAIRWAY AND SWANTOWN PER EXHIBIT A
- B'** INCREASE DISTANCE BETWEEN INTERSECTIONS.
- C** OBTAIN ROW TO 40FT EA SIDE OF SWANTOWN CL
- D** REPAIR EXISTING FAIRWAY PER EXHIBIT A
- E** OBTAIN DEVIATION FROM OHMC 90° REQUIREMENT
- F** OBTAIN ROW TO 40FT EA SIDE OF SWANTOWN CL
- G** REPAIR EXISTING FAIRWAY PER EXHIBIT A
- H** REPAIR EXISTING FAIRWAY PER EXHIBIT A
- I** OBTAIN DEVIATION TO LOCATE CROSSWALK ELSEWHERE OR NOT AT ALL.
- J** INCREASE LANDING AND QUEUE GRADING AND REALIGN FAIRWAY
- K** OBTAIN ADDITIONAL PRIVATE PROPERTY
- L** SIGNIFICANTLY MORE EXPENSIVE AND COMPLEX STORMWATER STORAGE

EXHIBIT B

EXTENDED FAIRWAY "X" INTERSECTION



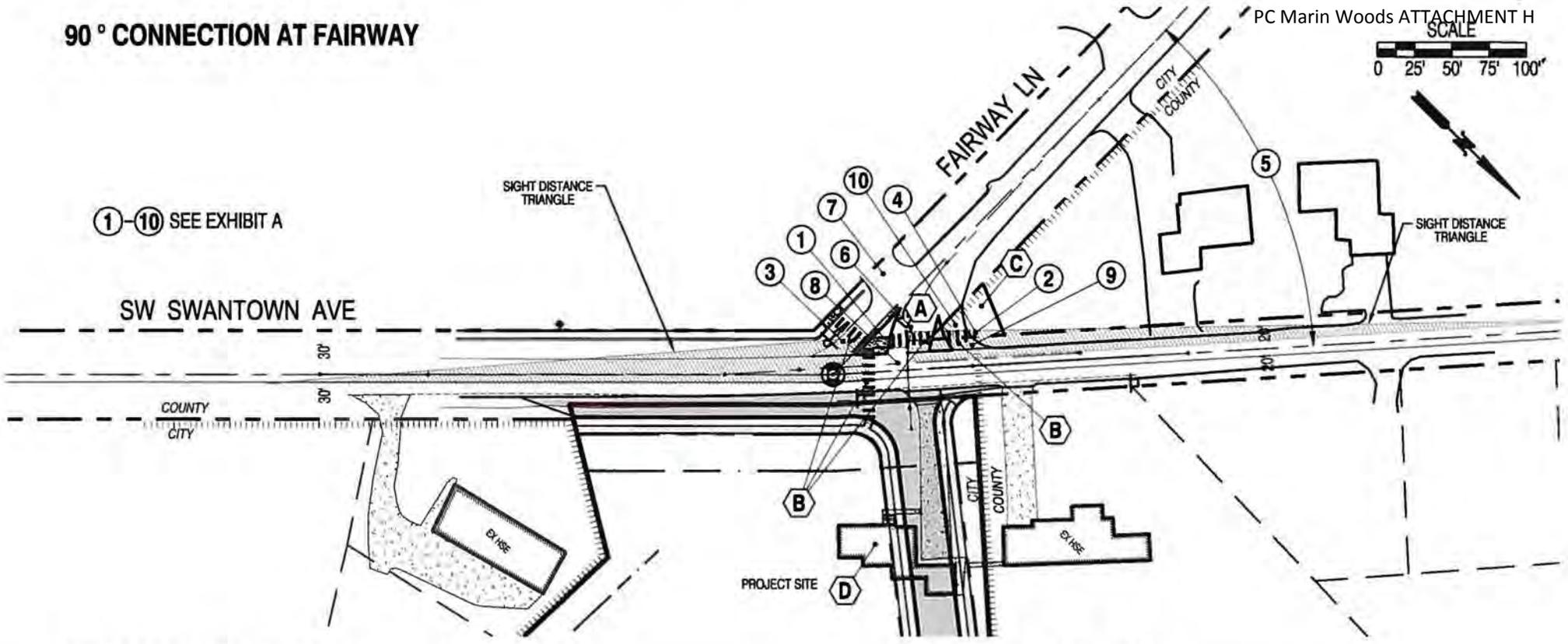
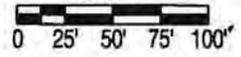
PROPOSED CONDITION

- A** EXISTING SUBSTANDARD CONDITIONS FOR FAIRWAY REMAIN, OR ARE EXACERBATED
- B** 34 DEGREE INTERSECTION ANGLE IS GROSSLY SUBSTANDARD
- C** SWANTOWN TO FAIRWAY RIGHT TURN CONSTRUCTED OUTSIDE OF THE RIGHT-OF-WAY
- D** CROSSWALKS ARE NON ADA COMPLIANT
- E** INADEQUATE LEFT QUEUE LENGTHS
- F** PROJECT STORMWATER POND LOCATION IS REDUCED IN AVAILABLE AREA

CORRECTIVE MEASURES

- A** REPAIR EXISTING FAIRWAY AND SWANTOWN PER EXHIBIT A
- B** OBTAIN DEVIATION FROM OHMC 90° REQUIREMENT AND ADD TRAFFIC SIGNAL
- C** ACQUIRE PRIVATE PROPERTY
- D** REGRADE INTERSECTION TO ADA COMPLIANCE
- E** ACQUIRE PRIVATE PROPERTY TO ALLOW 3-LANE SECTION
- F** SIGNIFICANTLY MORE EXPENSIVE AND COMPLEX STORMWATER STORAGE

90 ° CONNECTION AT FAIRWAY



PROPOSED CONDITIONS

- A** EXISTING SUBSTANDARD CONDITIONS FOR FAIRWAY REMAIN, OR ARE EXACERBATED
- B** CROSSWALKS REQUIRE DEVIATION FOR GRADE AND /OR SLOPE
- C** ADA WALKWAY ENCROACHES FURTHER INTO PRIVATE PROPERTY
- D** CONNECTION REQUIRES THE REMOVAL OF THE EXISTING HOME.

CORRETIVE MEASURES

- A** REPAIR EXISTING FAIRWAY AND SWANTOWN PER EXHIBIT A
- B** REPAIR EXISTING FAIRWAY AND SWANTOWN PER EXHIBIT A
- C** ACQUIRE PRIVATE PROPERTY
- D** REMOVAL OF THE EXISTING HOME, DISPLACE HOME OWNER

Exhibit E

Marin Woods Development Projected Burdensome Hardship Costs

[Potential cost impact of adding new street connection to Swantown-Fairway Lane]

22 August 2016

COST:

[1] Potential loss of the house	\$145,000
[2] Potential Loss of lot for right-of-way	\$90,000
[3] Street construction	\$60,000
[4] Rough Grading	\$10,000
[5] Retaining wall	\$40,000
[6] Engineering & Management	\$11,000
[7] Maintenance Easement Agreement	\$5,000
[8] Loss of mature plantings	\$15,000
[9] Contingency	\$7,000

Approximate Total, Burdensome Hardship **\$380,000**

NOTES:

- [1] Improvements only, per May 2016 "as is" appraisal, 2,010 SF house (current replacement value higher)
- [2] Circa 15,000 SF lot, Land value only per May 2016 "as is" appraisal.
- [3] April, 2016 estimate per infrastructure constructor partner.
- [4] Existing excessive steepness, per infrastructure constructor partner.
- [5] Construction through excessive steepness (per infrastructure constructor partner, \$3,000 per linear foot.
- [6] 10% of construction hard costs.
- [7] legal agreement, scope requested by City per OHMC
- [8] estimate based on size and age.
- [9] two percent (2%).

METHODOLOGY:

- [A] Cost estimate above, completed with no current traffic-design-compliant solution yet identified for either existing intersection conditions or proposed future intersection.
- [B] Excludes any additional costs of delays, costs of resolving non-compliant existing intersection design issues, purchase of surrounding private property, resolution of non-compliant driveways and non-compliant parking lot access points, etc.
- [C] First costs only. Excludes operational costs associated with a potential connection with negative impact on traffic and pedestrian safety associated with non-resident through traffic, higher volumes, higher speeds. Excludes any traffic calming measures to be indent.
- [D] Monetary (quantifiable) costs identified. Excludes non-monetary impacts.
- [E] An additional street connecting at Lot 1 (option deemed not engineering feasible) would add \$380,000 to the existing \$1,600,000 in remaining infrastructure development costs, a burdensome and significant 23%, with minimal benefit to the Applicant or community.
- [F] An additional street connecting at Lot 2, 3, or 4 (each alternative deemed not engineering feasible) would add \$210,000 to the existing \$1,600,000 in remaining infrastructure development costs, a burdensome and significant 13%, with minimal benefit to the Applicant or community.

MARIN WOODS

Attachment I: Letter from Staff RE Street Connection



Mr. F. R. Rick Duran, Development Manager
The Archinomics Group, Inc.
342 Forest Street, Suite 3000
Winnetka, IL 60093-3820

Re: Marin Woods Preliminary Plat PRD
Street Connection to Swantown Avenue Requirement

Dear Mr. Duran,

This letter provides you information supporting the City of Oak Harbor's requirement that the Marin Woods Preliminary Plat and Planned Residential Development (PRD) provide a public street connection to Swantown Avenue. The goal of the letter is to clearly layout to you the basis for the City's review comments on your preliminary plat submittals as they relate to this topic by providing references to the appropriate Oak Harbor Municipal Code (OHMC) provisions and Comprehensive Plan goals and policies. It is also to provide a small amount of information related to the Planning Commission and City Council review of the preliminary plat application. Finally, staff offers comments on materials submitted by Mr. John Bissell (Lovell-Sauerland & Assoc., Inc.) in support of the applicant's proposed design. These comments are shown on the attached copies of his materials.

Brief history of this topic

- 11/6/15 First submittal of project. The project plans show a public street connection to Swantown Avenue.
- 2/26/16 Second submittal of project. The previously proposed street connection is deleted. The submittal was accompanied by a memo from Mr. John Bissell (dated 2/26/16). This memo outlined the applicant's concerns with providing the street connection. It also requested a deviation from the requirement for connectivity, citing OHMC 21.60.100 as the basis for the request.
- 3/7/16 Staff review comments on project note the requirement for the street and generally respond to Mr. Bissell's memo of 2/26/16.
- 3/17/16 Third submittal of project. Mr. Bissell responds to the staff comments of 3/7/16, within the comment response letter submitted by Harmsen & Associates, Inc. In general, Mr. Bissell informs staff they are misreading the code and that the applicant meets the criteria for a connectivity deviation.
- 3/28/16 Staff review comments on the project maintain the same street connectivity comments as included in the 3/7/16 review comments.
- 3/28/16 During a conference call to discuss the review comments, the applicant requests staff

respond to Mr. Bissell's comments.

Oak Harbor Municipal Code and Comprehensive Plan

The requirement for a public street connection from the Marin Woods project to Swantown Avenue is supported by provisions of the Oak Harbor Municipal Code (OHMC) and the Oak Harbor Comprehensive Plan.

The main OHMC requirements are found in OHMC Title 21, Subdivisions, starting with the Purpose statement of the title:

21.10.010 Purpose.

This title shall be known as the "subdivision ordinance of the city of Oak Harbor, Washington." The purpose of this title is to regulate the subdivision of land and to promote the public health, safety and general welfare in accordance with the standards established by the state in Chapter 58.17 RCW as now or hereafter amended and the city and to:

- (1) Provide for the expeditious review and approval of proposed land divisions which comply with this title, the Oak Harbor zoning ordinance, other city plans, policies and land use controls, and Chapter 58.17 RCW;
 - (2) Promote safe and convenient traffic circulation;
 - (3) Facilitate adequate provision for water, sewerage, drainage, parks and recreational areas, sites for schools and school grounds, and other public requirements;
 - (4) Provide for proper ingress and egress;
 - (5) Adequately provide for the housing and commercial needs of the citizens of the state and city;
 - (6) Require uniform monumenting of land divisions and conveyance by accurate legal description;
 - (7) Provide for convenient and safe pedestrian and bicycle movement;
 - (8) Promote the integration of new residential neighborhoods with developed areas of the community;
 - (9) Encourage environmentally sound low impact development techniques to manage stormwater;
 - (10) Facilitate development that is aesthetically appealing and appropriate for the community; and
 - (11) Implement the goals, objectives and policies of the Oak Harbor comprehensive plan.
- (Ord. 1617 § 1, 2011; Ord. 1568 § 3, 2010) (Emphasis added).

The Purpose section clearly establishes the legislative intent behind the regulations that follow. Contrary to Mr. Bissell's viewpoint the Purpose section may be used to support the application of the regulations that follow it. It is not just for interpreting the code. Taken as a whole the sections noted above indicate new subdivisions should be integrated into the surrounding community and that appropriate street connections are an important part of that integration.

Additional sections within OHMC Chapter 21.10 make it clear that the provisions of the title apply to all subdivisions within the city and that the subdivisions must adhere to the comprehensive plan (OHMC 21.10.020 and 21.10.040, respectively).

Design standards applicable to all subdivisions are found in OHMC 21.50, General Design Standards, and Chapter 21.60, Residential Design Standards. Sections from OHMC 21.50 applicable to this situation are:

21.50.010 Purpose.

The design standards in this chapter implement the goals and policies of the Oak Harbor comprehensive plan for the division of land within city boundaries into lots, tracts, and parcels, as well as set requirements for the design and provision of public infrastructure needed to serve land divisions. (Ord. 1617 § 3, 2011; Ord. 1568 § 7, 2010).

21.50.020 Applicability.

The general design standards in this chapter apply to all divisions of land within the city of Oak Harbor, including binding site plans, short subdivisions, and subdivisions. (Ord. 1617 § 3, 2011; Ord. 1568 § 7, 2010).

21.50.080 Streets – Relationship to adjoining development. (Partial citation, emphasis added)
The standards in this section address pedestrian, vehicular and bicycle traffic flow on a site as it relates to surrounding sites. These provisions create continuous, multimodal connections across properties and developments of different ownership. In so doing, these standards facilitate the efficient and safe movement of pedestrians, bicycles and vehicles, giving each mode multiple route choices from origins to destinations.

- (1) Streets, sidewalks, pedestrian or bike paths shall be linked within and between neighborhoods to create a continuous and interconnected network of roads and pathways.
- (2) Local streets, arterials and collectors shall be extended to the boundary of the development, unless an exceptional circumstance of topography, critical areas or existing development prohibits the extension; provided, that if an adjacent property has a reasonable likelihood of redeveloping in the future, the director may require a street stub. Streets that end within a subdivision which will be extended in the future must be designed at least 200 feet beyond the limits of the subdivision and shall be shown on the preliminary plat document.

OHMC 21.50.010 and .020 make it clear that the standards of this chapter implement the Comprehensive Plan, set requirements for public infrastructure to serve land divisions and that the standards apply to all new subdivisions. OHMC Section 21.50.080 is especially relevant to this situation as it clearly requires new development to be connected, in multiple ways, to the surrounding community in order to provide multiple ways for multiple modes of travel to access the community. The current preliminary plat design falls short of meeting the requirements of OHMC 21.50.080 because it relies solely on connections to local streets and it fails to take advantage of a connection opportunity to Swantown Avenue (a minor arterial). By doing so it limits the efficiency of certain trips and fails to provide multiple route choices from origins to destinations. Construction of the Marin Woods subdivision as now proposed by the applicant will mean 100 percent of its traffic will only be able to

enter and exit the subdivision through the adjoining neighborhoods. Such a design is not in the general public welfare nor is it in the existing neighborhood's best interest.

Sections applicable to this project from OHMC 21.60 are as follows:

21.60.100 Local residential streets – Layout.

The street pattern utilized for short subdivisions and subdivisions shall be a grid or modified grid, with four- or three-way intersections designed at right angles. Blocks shall be rectilinear. The grid or modified grid street pattern may be adjusted to a curvilinear street pattern where the following factors are present on site:

- (1) Infeasible due to steep topography (exceeding 10 percent) or presence of critical areas designated in the comprehensive plan; or delineated in a critical areas report in accordance with the requirements of OHMC Title 20; and/or
- (2) Substantial improvements exist on adjacent properties which inhibit a grid or modified grid pattern; and/or
- (3) In lieu of the requirement for a grid or modified grid street pattern, alley access is an acceptable street pattern, in accordance with the requirements of OHMC 21.50.090. (Ord. 1617 § 4, 2011; Ord. 1568 § 8, 2010). (Emphasis added)

Staff is of course aware the Mr. Bissell has relied on this section to support what he terms “a deviation from connectivity” request. This code section does not, strictly speaking, provide a mechanism to deviate from connecting new subdivisions to the existing street network. It instead lists criteria that if met allow the required grid or modified grid street pattern to be adjusted to a curvilinear street pattern. Eliminating required street connections is not the purpose of this code section. Staff also notes that OHMC 21.60.100(1) should not be read as to imply that if the existing topography exceeds 10% an adjustment to the grid pattern is automatic.

Comprehensive Plan

There are several Comprehensive Plan goals and/or policies that directly or indirectly support the concept of connecting new neighborhoods to the existing, surrounding street network. Please note as they are goals and policies, and not regulations, they are necessarily more general in their language.

Land Use Element

Goal 5 Protect existing land uses as new development occurs.

Goal 8 To ensure that the location, situation, configuration, and relationship of the varied land uses within the UGA are consistent and compatible.

Policy 8.a Develop land use policies that recognize existing patterns of development and successfully accommodate future demands of growth.

Policy 11.a Preserve the integrity of existing neighborhoods by ensuring that infill development is compatible with existing development patterns.

Policy 11.b Promote neighborhood design concepts for neighborhoods as an element to improve the quality of residential life.

Transportation Element

Goal 1 Provide a safe, convenient, efficient, and integrated highway and roadway system for the movement of people and goods, one that is functionally well maintained, reflects the local environment, and meets the demands of the future, especially the growth anticipated with in the Oak Harbor UGA.

Goal 4 Balance regional transportation strategies with the varied needs of different land uses with the City of Oak Harbor. Encourage land use types, mixes, and densities that promote efficient multi-modal transportation systems.

Policy 4.a Encourage site planning and subdivision design that best utilizes the existing street system through design techniques such as lot orientation and access management.

Urban Growth Area

Goal 5 New neighborhoods annexed into the City should contribute in a positive manner to sustain and enhance the quality of life for all Whidbey Island citizens while promoting a strong sense of place for Oak Harbor.

Policy 5.a Annexation agreements should include a preliminary plat for a transportation network that emphasizes connections to existing neighborhoods, streets and pedestrian facilities.

Policy 5.b Where topography allows, new annexation areas should develop in the traditional lot and block grid pattern that typified early Oak Harbor development and enhances the provision of public facilities and services.

Taken as a whole the above Comprehensive Plan goals and policies support a design that integrate the new subdivision with the surrounding area to the highest possible degree. The issue of neighborhood connectivity and multiple routes of travel is especially important given the geography of Oak Harbor (e.g. presence of natural features or federal property) that influences where connections may or may not be made.

Review by Planning Commission and City Council

In reviewing the proposed subdivision the Planning Commission and City Council must consider the information presented above. The Planning Commission is required to review the application to determine whether the proposed subdivision conforms to the City's comprehensive plan, zoning code, and other planning documents adopted by the City Council (see OHMC 21.20.060(2)(d)). The Commission must make written findings of fact and conclusions concerning the proposed subdivision and include them in the recommendation to the Council (see OHMC 21.20.060(2)(e)). The Council shall inquire into the public use and interest proposed to be served by the establishment of the subdivision. It too shall make written findings, including:

- (a) Whether appropriate provisions have been made for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds, and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school.

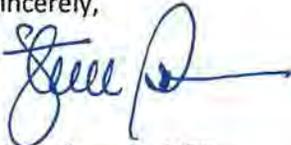
(b) Whether the public use and interest will be served by the platting of the subdivision and dedication(s) (see OHMC 21.20.070(3)).

Based on all available information, it is staff's viewpoint that the Marin Woods Preliminary Plat and Planned Residential Development cannot fully meet the above criteria without providing the public street connection to Swantown Avenue.

In closing, the City of Oak Harbor finds that the requirement for the Marin Woods Preliminary Plat and Planned Residential Development to provide a public street connection to the Swantown Avenue is strongly rooted in the standards of the Oak Harbor Municipal Code. The City also likewise finds that the Comprehensive Plan, through multiple goals and policies, supports the required connection.

I hope you find the above information useful and I would be happy to discuss this letter with you. Please feel free to contact me at (360) 279-4511 or at spowers@oakharbor.org to schedule a time to meet, if you so desire.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Powers", with a stylized flourish at the end.

Steve Powers, AICP
Director, Development Services Department

cc: Dr. Douglas A. Merriman, City Administrator
Mr. Joe Stowell, City Engineer
Mr. Brad Gluth, Civil Engineer
✓ Mr. Ray Lindenburg, Associate Planner

Attachments

LSA

ENGINEERS/SURVEYORS/PLANNERS/DEVELOPERS/CONSULTANTS

February 26, 2016

City of Oak Harbor
 Development Services Department
 Development Review Team
 865 SE Barrington Dr.
 Oak Harbor, WA 98277

Subject: Request for deviation to not connect to Swantown Road
 Proposed Preliminary Plat and PRO of Marin Woods

The applicant has previously submitted a plan indicating a connection from the proposed plat to Swantown Road. However, the applicant has studied the practicality of making a connection to Swantown Road from the subject proposed development and found that the connections create more problems than it solves.

The first issue is the slope down to Swantown Road exceeded 15%. Subsequently, a substantial amount of grading would be required to bring the road to a slope for which a deviation can be issued. The slope then creates problems in establishing an adequate landing at the new intersection of Swantown Road and the requested connecting road. The difficulty in creating then landing then leads to difficulty in creating adequate ADA crossings.

In addition to the slope, the City request for connectivity would create a four way intersection where there is an existing three way intersection. The existing three way intersection has several problems:

1. The existing intersection geometry extends into the private lot 57685-03-00015-0 (Evans)
2. Golf Course (R13204-262-2720 (Whidbey Golf & Country Club)) parking lot ingress/egress on the south side on Fairway Lane is too close (i.e., non-compliant) to the existing intersection.
3. Golf Course (R13204-262-2720 (Whidbey Golf & Country Club)) parking lot ingress/egress on the west side of SE Swantown Road is too close (i.e., non-compliant) to the existing intersection.
4. Private Driveway (R13204-427-4060 (Henman)) is too close (i.e., non-compliant) to the existing intersection. (referenced City note Engineering Street- #10 cited above)
5. Private Driveway (R13204-459-4200 (George F. Marin Trust)) is too close (i.e. non-compliant) to the existing intersection.

Each of these issues with the existing intersection creates individual safety issues that are compounded when combined. The addition of a non-compliant sloped intersection to these existing conditions will make a bad intersection worse.

In addition to the slope, the connection of the requested road would require the removal of an existing house at great cost to the property owner. If the road connection is not required, the house will be preserved.

We understand the City must weigh the positive benefits of the connection to the negative issues highlighted above.

In this case the positive benefits are limited. First, there is the question of relieving impacts generated by the proposed development and the need to relieve congestion in the existing neighborhoods. The traffic study prepared by Gibson Traffic Consultants found that the substantial majority of trips generated from the proposed neighborhood, as well as from the existing Robertson Drive and Putnam Drive neighborhoods, are east bound and travel first north and then to Loerland and Whidbey Roads to travel east into Oak Harbor or north to the Naval Air Station. Further, the traffic study found no issues with the current level of service, and found that the proposed development would generate no new level of service issues. Thus the addition of the requested intersection will not relieve congestion or reduce impacts caused by the proposed development.

Lovell-Sauerland & Assoc., Inc.
 19217 J6th Ave W Suite 106, Lynnwood, Wa 98036 425-775-1591
 LSAengineering.com

Commented [SP1]: Staff notes that the applicant's engineer previously submitted a preliminary plat design that showed the connection and at a grade closer to 10%. This design was stamped and signed by the engineer. Presumably the design concept was workable within accepted engineering practices or it would not have been submitted.

Commented [SP2]: Simply because something is difficult does not mean it cannot be accomplished.

Commented [SP3]: This circumstance has no bearing on whether or not a street connection can be made.

Commented [SP4]: This circumstance does not prevent the street connection from being made. The original preliminary plat design included the street connection and the removal of the house. If the applicant would propose to realign the street connection in order to save the house it is possible that a new driveway connection could be made.

Commented [SP5]: Staff again notes the applicant's engineer submitted a preliminary plat design that showed the connection. Presumably the design concept was workable within accepted engineering practices or it would not have been submitted. More refined drawings proving the concept works or does not work have not been submitted to the City.

Commented [SP6]: This statement seems to assume that there is only one way to route the connecting street through the proposed subdivision. No evidence has been submitted to staff that demonstrates this.

Commented [SP7]: Staff does not assert that the street is required to address congestion or level of service issues. The street is required to provide connectivity to the surrounding community and the community at-large. Additionally, if the street connection is not provided, it places the entire burden of the newly created trips on the existing, adjacent neighborhoods. Such a circumstance does not promote the public health, safety and general welfare.

The other is the question of the reduction of congestion by allowing non-project trips to pass through the neighborhood from Swantown Road through to Whidbey Road. The traffic report and the City's long term road plan do not indicate that there is an issue that would be solved by allowing pass through traffic. Further, the addition of pass through traffic would increase the number of trips on Robertson and Putnam Roads, creating impacts to the existing neighborhood with no City wide benefit. And finally, if the issue of concern was a desire to resolve non-project issues by requiring a property owner to dedicate land, the City would be stepping outside of the authority allowed under the code and the constitution (Burton v. Clark County).

Oak Harbor Municipal Code Section 2160.100 (1) allows a deviation from the requirement for connectivity when the slopes are greater than 10%. The application complies with this criterion for relief.

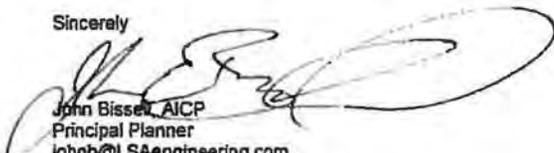
Oak Harbor Municipal Code Section 2160.100 (2) allows a deviation from the requirement for connectivity where substantial improvements exist which would inhibit a grid or modified grid pattern. Between the existing house and the development issues associated with the existing intersection, it appears that the application also complies with this criterion for relief.

So on balance the evidence submitted finds that there will be no impacts to the City if the connection is not required, while there will be impacts to the City, the traffic, and the local neighborhood if the connection is required.

The code allows the City to grant relief for the connectivity requirement in this case. Therefore, on behalf of the applicant, we request that the City allow the project to proceed with no connection to Swantown Road.

Thank you for your consideration of this deviation request. If you have any questions or concerns, please contact me at your earliest convenience. We look forward to hearing from you soon.

Sincerely



John Bisset, AICP
Principal Planner
johnb@LSAengineering.com
425 775 1591

- Commented [SP8]:** New street connections are not required to only solve problems. They can in fact help problems from being created.
- Commented [SP9]:** The applicant's proposal can only create impacts to the existing neighborhood since no alternative for traffic circulation is provided.
- Commented [SP10]:** This is a baseless statement. Nothing in the project file or in staff's interaction with the applicant supports this notion.
- Commented [SP11]:** This is not accurate. The referenced code section allows for an adjustment from a grid street pattern to a curvilinear street pattern. Additionally, the focus of this code section is not so much the existing grade as to whether or not a 10% grade be achieved with reasonable grading.
- Commented [SP12]:** Please see note above. Also, the code language is where "substantial improvements exist on adjacent properties."

Lovell-Sauerland & Assoc. Inc.
19217 35111 Ave W, Suite 106, Lynnwood Wa 98036 425-ns-1591
LSAengineering.com

Marin Woods

March 11, 2016

Response to Comments

Response (by John Bissell):

In response to the comments above we will address each of the points made by staff -a through e.

General comment from staff:

The applicant, through Mr. Bissell, submitted a "Request for deviation to not connect to Swantown Road", relying on OHMC 21.60.100 as their means to make the request. Staff responded to that request in the City's March 7, 2016 comments; specifically in comment 10(a)-(e). Mr. Bissell's response (dated March 11, 2016) seems to focus on the following: staff is misapplying OHMC 21.60.100, staff did not fully consider all aspects of that code section, staff is using other, non-applicable code language to justify their position, and therefore the applicant disagrees with staff's application of the code. In short, staff couldn't be more wrong on this topic. Staff does not find such an argument to be persuasive.

Staff respectfully informs the applicant that OHMC 18.20 assigns the responsibility for the interpretation of development regulations to staff. With respect to Title 21, that responsibility is assigned to the Development Services Department Director (OHMC 18.20.180(2)(a)). To date staff has provided an informal interpretation (or application) of the applicable code sections. If the applicant disagrees with this interpretation, the applicant may seek a formal interpretation by the Director. In the event the applicant disagrees with that interpretation, he may appeal the Director's interpretation to the Hearing Examiner (OHMC 18.20.180(3)).

Staff's specific comments on Mr. Bissell's responses are shown with footnotes.

- (a) Staff notes that the subdivision purpose section requires road connectivity¹. However, a purpose section cannot be used for regulatory purposes. The purpose section is only intended to be used to help interpret other code sections². Since QHMC section 21.60.100-(1) through (4) clearly address the subject issue³, the purpose section of the subdivision code becomes moot⁴. Further staff addresses OHMC 21.60.100, but fails to note the exceptions listed in the subparagraphs (1), (2) and three⁵. Therefore, the applicant disagrees with staff's assertion that the sated code sections compel the applicant to provide the requested road connection to Swantown Road⁶.
- (b) Staff asserts that a failure to connect the subject development to Swantown Road will produce an undue burden on the adjacent neighborhood. Staff has not cited any information to support this assertion.⁷

¹ Mr. Bissell misses the larger point made by staff's comment, which is there are multiple areas of Title 21 that support the requirement for a street connection to Swantown Avenue.

² These statements are not accurate. As the name implies, the Purpose section of a code outlines the purpose of that particular code chapter. It codifies the legislative intent of that code. The Purpose section may be used to help interpret code, when necessary, but that is not its only purpose. The reference to the Purpose section was to assist the applicant with understanding the broader code context for the street connection requirement.

³ The applicant is misapplying OHMC 21.60.100. This section reads, in part, "The grid or modified grid street pattern **may be adjusted** to a curvilinear street pattern where the following factors are present on site... (emphasis added)." This section does not provide a waiver from connectivity. It provides a means to vary from a grid or modified grid pattern. (Note: there are only three, not four subsections to OHMC 21.60.100.)

⁴ For the reasons noted above the Purpose section is not moot.

⁵ This statement is not accurate. Staff addressed the topic of steep topography in 10(c) and the topic of substantial improvements in 10(d). Alley access is not proposed by the applicant and therefore does not need to be addressed by staff.

⁶ See General Comment above.

⁷ Staff is not clear as to what type of information the applicant believes should be cited. Construction of the Marin Woods subdivision as now proposed by the applicant will mean 100 percent of its traffic will only be able to access and exit the

However, the applicant has submitted a traffic study prepared by Gibson Traffic Consultants which clearly shows that there will be nearly no impact on the adjacent neighborhood.⁸ Therefore, since staff has no evidence to support their position, the applicant disagrees with staff's assertion in this case.⁹

- (c) Staff notes that the applicant has previously produced a plan that shows that a connection to Swanton Road could be constructed. Using this information, staff refutes the applicant's request for relief under OHMC 21.60.100(1). However OHMC section 20.60.100(I) does not leave the question of constructability to uncertain design criteria.¹⁰ Said section notes that this exemption applies if slopes are greater than 10%.¹¹ In this case the slope is steeper than 10%. Therefore the stated exemption applies and the applicant continues to disagree with staff.¹²
- (d) Staff states that the exemption for the connection to Swantown Road listed in 21.60.100 (2) should not apply. The point made by staff is that the existing house is not on an adjacent property. Staff discusses the intent of the code section in this comment. First, there is no information in the code that would help staff discern the stated intent¹³, and staff has presented no legislative history to discern intent.¹⁴ Second, it is reasonable to assume that the intent of the code is to help preserve existing structures, and that the legislative body was not intending to force land owners to tear down perfectly good housing stock¹⁵. Third, though we believe that this exemption section applies, it is moot, because it is clear that exemption (I) applies and the code only requires one of the three provided exemption criteria to apply.
- (e) Staff notes that the letter submitted by Mr. Bissell on behalf of the applicant indicates only one solution to the access issue. This point is not relevant even if it is inaccurate¹⁶. Mr. Bissell points out that OHMC Sections 21.60.100 (I) and (2) exempt this project from the requested road connection to Swantown Road. As much as the City of Oak Harbor desires the road connection, the code clearly does not require it in this case. In addition to the exemption in the code, Mr. Bissell notes that it is a bad idea because it makes a bad intersection worse and it requires the removal of an existing house. The point made is that the City is making a requirement contrary to the code in order to create a bad situation.¹⁷

subdivision through the adjoining neighborhoods. Such a design is not in the general public welfare nor is it in the existing neighborhood's best interest.

⁸ This statement is not accurate. What the study shows is that the new traffic will not cause the existing levels of service for those existing neighborhood streets to drop below the adopted standard. This is not the same as "no impact."

⁹ See General Comment above.

¹⁰ Mr. Bissell has unfortunately misunderstood the reason staff made mention of the previous submittal. Staff's point is that presumably the previous submittal, which was stamped and sealed by the applicant's engineer, could be built to acceptable standards, otherwise it would not have been submitted. Note: it is not evident what Mr. Bissell means by "uncertain design criteria."

¹¹ As was noted previously, the language and criteria of OHMC 21.60.100 are not intended to be used as a means to eliminate street connections, per se. The code allows for the deviation from a grid or modified grid, to a curvilinear street pattern, if certain conditions are met.

¹² See General Comment above.

¹³ This is a presumptuous statement on the part of Mr. Bissell. It is highly possible that staff was here when that section of the code was adopted by the City; in fact that is the case.

¹⁴ Staff's March 7th comments were comments made on a development submittal. They were not part of staff report, appeal briefing, etc. where it may be more common to include reference to legislative intent.

¹⁵ This assumption is inaccurate. The code is not a structure preservation code, it is a subdivision design code.

¹⁶ Mr. Bissell again misses the point made by staff. The following statement was included in Mr. Bissell's memo of February 26, 2016: "In addition to the slope, the connection of the requested road would require the removal of an existing house at great cost to the property owner. If the road connection is not required, the house will be preserved." Staff's point is that the preceding statement seems to indicate that the only possible alignment of the street through the project site is through the existing house. This has not been demonstrated.

¹⁷ The City is not making a requirement contrary to the code and it certainly is not doing so "in order to create a bad situation."

MARIN WOODS

Attachment J: SEPA MDNS

CITY OF OAK HARBOR
MITIGATED DETERMINATION OF NONSIGNIFICANCE

Description of proposal: The applicant proposes to subdivide the property into 43 lots for single-family residences and install associated improvements including streets, sidewalks and utility infrastructure (stormwater, sewer, water). A small neighborhood park is proposed within the project, which will comprise approximately .75 acres of open space, some of which will be retained as native vegetation. On-site circulation system will connect to SW Putnam Drive on the north end of the project and SW Robertson Drive on the south end.

Proponent George F. Marin Trust

Location of proposal The project is located on the north side of SW Swantown Road, near the intersection of Fairway Lane.

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. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). 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.

This MDNS is issued under 197-11-350; with a fifteen day comment period ending on March 28, 2016 before 5:00 p.m.; provided there are no substantive comments submitted, the MDNS will become final on that date.

FINDINGS:

Earth

1. The site slopes downhill from north to south approximately 95 feet from top to bottom. Average slope is approximately 7.3% with maximum slope of up to 15%.
2. The applicant is proposing 10,220 cubic yards of cut on the site and 15,800 cubic yards of fill. Applicant is working to balance cut and fill through design revisions.
3. The applicant will be required to utilize construction stormwater and erosion control BMPs in compliance with Department of Ecology requirements.

Air

4. During construction, there may be nominal increases in air emissions from construction vehicles. After construction, there may also be nominal increases to air emissions associated with the residential structures and vehicular traffic.

Water

5. There are no wetland areas within or near the project site.

6. An existing well on site will be formally decommissioned.
7. The subdivision will be served by Oak Harbor city sewer system, constructed to the standards required in the OHMC. Individual homes will be connected to the sewer system.
8. After construction, stormwater runoff from the site will be collected and discharged according to standards approved by the City Public Works staff using DOE-approved permanent BMPs.

Plants

9. The site is currently forested with a mix of Douglas Fir, hemlock, and willow. Understory plants are typical for the area. Invasive species are limited to blackberry brambles located at the periphery of the forested area.
10. The applicant is proposing to remove the majority of vegetation on the site, but will preserve or replace greater than 15 percent of the native vegetation, fulfilling the native vegetation preservation requirement per OHMC.
11. There are no known threatened or endangered plant species on the site.

Animals

12. The applicant did not state specific species of animals found on this site, but does mention that it is located within the Pacific Flyway for migratory birds. There are no known threatened or endangered species and no known invasive species on or near the site.

Energy and Natural Resources

13. The finished homes on the site will use a combination of electricity and natural gas to meet the energy needs of the project.
14. No new structures will impede solar access. Removal of some vegetation may improve solar access on adjacent parcels. The site is on a south-facing slope for optimal solar access.
15. The applicant will meet all applicable provisions of the Washington State Energy Code and International Residential Code.

Environmental Health

16. The applicant states that no known contamination has occurred on the site as it has historically been undeveloped, and more recently surrounded by single family home construction.
17. No special emergency services will be needed.
18. Noise will be generated during the construction of the project from construction vehicles and activities. The applicant will be required to meet the City's noise ordinance (OHMC 6.56.030) by limiting construction to the hours of 7:00 a.m. – 9:00 p.m. Monday through Friday. Construction activities outside of these hours are only allowed with building official approval.

Land and Shoreline Use

19. The site is designated “Low Density Residential” in the City’s Comprehensive Plan and is zoned R-1 “Single-Family Residential.” The applicant is proposing single-family lots at densities meeting the zoning requirements of the R-1 zone.

Housing

20. The applicant is proposing single-family housing on the site. No low-income housing is proposed.

Aesthetics

21. The applicant is proposing single-family structures which will adhere to the 35-foot height limits in the R-1 zone. No significant aesthetic impacts are anticipated from the construction of these structures and associated site improvements.

Light and Glare

22. The completed project will produce light levels from finished homes, automobiles, and street lighting typical of a single-family neighborhood. Street lighting will be required to be in accordance with City standards for reduction of light pollution and glare.

Recreation

23. A one-acre park is proposed for the neighborhood. This park will be privately-owned and available to residents in the new subdivision. No existing recreational uses will be displaced by this development.
24. The applicant will be required to pay applicable park impact fees for each residential unit.

Historic and Cultural Preservation

25. There are no known historic sites, objects, or evidence of archaeological, scientific, or cultural importance on the site.

Transportation

26. The applicant is proposing an onsite system of streets to serve the development. Access to the site will be from SW Putnam Drive and SW Robertson Drive.
27. The applicant is proposing a minimum of two off-street parking spaces to serve each lot.
28. The applicant will be required to pay applicable transportation impact fees for each residential unit.

Public Services

29. The proposal will incrementally increase the demand for public services including fire, police, health care, schools, etc. Property taxes levied on lots within the development will help mitigate for the increased demand on public services.

Utilities

30. The applicant will install utility infrastructure to serve the site. The property owners or home owners association will maintain the onsite stormwater infrastructure. Oak Harbor will own and maintain sewer, water, and stormwater infrastructure within public rights-

of-way and provide solid waste disposal services to residents. Puget Sound Energy will be the purveyor of electricity, Comcast the purveyor of cable/internet, and Frontier the purveyor of telephone. All utility infrastructure will be placed underground.

CONDITIONS:

Water

1. The applicant must decommission or abandon in-place the existing well on the property in accordance with Island County Health Department and State of Washington Department of Health requirements prior to the issuance of building permits on the subject site.

Light and Glare

2. The applicant shall install city-approved street lights in accordance with City standards for reduction of light pollution and glare.

Historic and Cultural Preservation

3. The applicant shall sign a copy of the City's Inadvertent Discovery Plan (IDP) and make a copy of the IDP available onsite during construction.

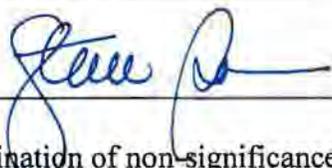
Responsible Official: Steve Powers, AICP

Position/Title: Development Services Director

Phone: (360) 279-4512

Address 865 SE Barrington Drive, Oak Harbor, WA 98277

Date March 11, 2016

Signature 

This determination of non-significance shall be considered final. You may comment on this determination at Oak Harbor City Hall, 865 SE Barrington Drive, Oak Harbor, WA, 98277 no later than close of business March 28, 2016.

SEPA ENVIRONMENTAL CHECKLIST

CITY OF OAK HARBOR
865 SE BARRINGTON
DRIVE OAK HARBOR, WA
98277

RECEIVED
FEB 01 2016
 CITY OF OAK HARBOR
 Development Services Department

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for non-project proposals:

For non-project proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal", "proponent" and "affected geographical area," respectively. The lead agency may exclude (for non-projects) questions in Part B – Environmental Elements – that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND

1. Name of proposed project, if applicable:

Marin Woods PRD

2. Name of applicant:

George F Marin Trust

[1] Christine R. Marin, Executor; 801-322-3440

[2] F R Rick Duran, Development Manager; 847-274-1866 (designated contact)

3. Address and phone number of applicant and contact person:

[1] Christine R Marin 245 Vine ST APT 301, Salt Lake City, UT 84103-1949

[2] F R Rick Duran, 342 Forest ST STE 300 Winnetka , IL 60093-3820

4. Date checklist prepared:

Originally 06 November 2015

Revised 31 January 2016

5. Agency requesting checklist:

City of Oak Harbor

6. Proposed timing or schedule (including phasing, if applicable):

Plat construction Early Spring 2016

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Storm Drainage Report

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Applicant is property landowner - No

10. List any government approvals or permits that will be needed for your proposal, if known.

Preliminary and Final Plat Approval from City of Oak Harbor

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

43-lot residential subdivision to include grading, installation of utilities, road construction

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Site address:

**1292 Swantown Road,
("Road" per previous title, now more precisely "SW Swantown Avenue")
Oak Harbor, WA 98277
Tax Parcel: R13204-459-4200
Located on the NE ¼, NE ¼, Sec 4, Twp 32 N, Range 1
E WM**

Complete plan set and reports accompanies this checklist, including referenced below:

- 1. Storm water report (with defined drainage area)**
- 2. Site Plan (with site location map)**
- 3. Landscape Plan**
- 4. Traffic Impact Study**

B. ENVIRONMENTAL ELEMENTS**1. Earth**

a. General description of the site (circle one): Flat, rolling, **hilly**, steep slopes, mountainous, other _____

Approximate 95 feet of grade change across the 10.6 acres over 1,300 linear feet.

b. What is the steepest slope on the site (approximate percent slope)?

15 % (average 7.3 %)

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Mostly glacial till

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None known

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Initial estimate of cut is approximately 10,220 CY;

Initial estimate of fill is approximately 15,800 CY;

Revisions will attempt to balance the onsite cuts and fills.

Roads to be constructed with Whidbey Island pit run, processed gravels.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Yes, normal to this type of construction, Applicant proposes the use of appropriate erosion management practices.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Approximately 45 %

Roadways 92,700 SF,

Driveways 27,700 SF,

Roofs 85,800 SF

= 206,200 SF / 461,736 SF = 44.66 %

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

The site is collectively engineered to reduce and control erosion between building sites and throughout the complete site.

See storm drainage analysis report. Storm water will be collected, run through bio-retention system prior to discharge to existing exit ditch.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

During construction - equipment exhaust and construction dust

After construction - new home heating system exhaust

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

None known.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Dust emissions will be controlled by dampening the open soils to minimize dust during construction, and plantings after construction.

3. Water

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not applicable

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Not applicable

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

3. Water, continued

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No ground water withdrawn from a well.

And no water discharged to groundwater.

The single existing well will be formally decommissioned.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Sanitary sewer will serve the site, therefore no sewage drainfield will be installed. The single existing drainfield serving the existing house will be decommissioned and the existing house and new homes connected to municipal sewer system.

3. Water, continued

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow?

Will this water flow into other waters? If so, describe.

Source of runoff will be roadways, driveways and roofs and residential yards. Sources will be collected, processed and discharged to existing site exit ditch. See Conceptual Storm Water Analysis for the subject project.

2) Could waste materials enter ground or surface waters? If so, generally describe.

No

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Project follows best management practices per published State guidelines.

4. Plants

a. Check the types of vegetation found on the site:

- X **deciduous tree: 2.7 % of the site - hemlock; 1.8 % of the site - willow**
- X **evergreen tree: 85.5 % of the site Douglas fir,**
- X **grasses 10 % of the site**
- shrubs
- pasture
- crop or grain
- orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Site is 85% forested:

15% which is forested will remain natural vegetation

70% which is forested area will be converted to the development

Site is 15% grasslands:

15% which is grassland will be converted to the development

The remaining forested and grassland areas will constitute 15% of the total site as open space per City ordinance.

c. List threatened and endangered species known to be on or near the site.

None known

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Per "4.b" above, graphically displayed on the attached landscape plans and site plan.

e. List all noxious weeds and invasive species known to be on or near the site.

None known, except Himalayan blackberry brambles.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

Birds: songbirds

Mammals: deer

b. List any threatened and endangered species known to be on or near the site.

None known.

c. Is the site part of a migration route? If so, explain.

This site lies within the Pacific flyway, as does most of the Puget Sound basin.

d. Proposed measures to preserve or enhance wildlife, if any:

A park with natural forestation will be retained.

e. List any invasive animal species known to be on or near the site.

None known.

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Pudget Sound Electric (PSE) will provide electric, and Cascade Natural Gas will provide natural gas to each new lot for domestic residential use.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No planned structures will shade adjacent properties.

Clearing of some natural vegetation will favorably improves the solar opportunities to portion of the site, and some adjacent properties.

All sites are located on a south-facing slope optimal for solar energy collectors.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

The new homes will be built to meet or exceed the current energy codes.

7. Environmental health

a. Are there any **environmental health hazards**, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

None known

1) Describe any known or possible contamination at the site from present or past uses.

None known. The site is historically forested / grasslands, and has for decades been surrounded on three sides by existing homes and a golf course across Swantown Avenue.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None known.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None known.

4) Describe special emergency services that might be required.

Normal residential needs for 43 homes.

5) Proposed measures to reduce or control environmental health hazards, if any:

New neighborhood to comply with applicable City standards

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Construction noise during plat and home construction, short-term during City-authorized hours.

3) Proposed measures to reduce or control noise impacts, if any:

Community to comply with applicable City standards

8. Land and shoreline use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The 10.6 –acre site has one single-family residence, approximately 9 acres of forested area, and an acre of open grassland.

The site is surrounded on three sides by existing residential uses.

Traffic studies indicate a small increase in residential traffic is anticipated, with no intersections changing use s code.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or non-forest use?

No; None; None.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No

c. Describe any structures on the site.

The one existing structure is (inclusive an improved attic space) a five-bedroom, 1 ½ bath, single-family residence, with a one-car attached garage.

d. Will any structures be demolished? If so, what?

No.

e. What is the current zoning classification of the site?

R-1.

f. What is the current comprehensive plan designation of the site?

Residential

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable

h. Has any part of the site been classified as a critical area by the city or county?

No

i. Approximately how many people would reside or work in the completed project?

43 homes at an average of 3 persons per home equals 129 people.

j. Approximately how many people would the completed project displace?

None

k. Proposed measures to avoid or reduce displacement impacts, if any:

None – previously coordinated with the City so elements of the original concept that would have caused displacement were eliminated from the project.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The PRD overlay assumes a more planned neighborhood to be built out by applicant

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

The creation of open spaces and clustering of native vegetation. No agriculture or forest lands nearby.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

43 homes for middle-income families

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None – previously coordinated with the City so elements of the original concept that would have caused elimination of low-income housing stock were eliminated from the project.

c. Proposed measures to reduce or control housing impacts, if any:

The project enhances the housing choices in the City of Oak Harbor.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

35 feet within City of Oak Harbor residential building code envelope; brick

b. What views in the immediate vicinity would be altered or obstructed?

None detrimentally. By selective removal of some trees, some neighboring on- and off-site views could be enhanced – site slopes southerly with long views to Olympics and water.

c. Proposed measures to reduce or control aesthetic impacts, if any:

It will be a planned community by one builder intended to enhance the surrounding neighborhood

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

**Street lighting and residential home lighting.
Early evening, normal residential hours.**

b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not likely.

c. What existing off-site sources of light or glare may affect your proposal?

None known.

d. Proposed measures to reduce or control light and glare impacts, if any:

Careful street lighting fixture selection will control any impact.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

On-site: one-acre park.

Off-site: Whidbey Golf & Country Club across the street and City parks.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

On-site park and pedestrian connectors and sidewalks

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

No

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

No

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

The development (designated) Marin Woods Preliminary Plat is located in an area of Moderately Low to Moderate Risk of encountering an archeological site based on the Washington State Department of Archeology & Historical Preservation (DAHP) Statewide Archeological Predictive Model. There are NO KNOWN archeological sites within or adjacent to the property. The closest cultural resources report on file at DAHP was completed approximately 2,700 feet away, and DID NOT encounter cultural resources (Finley, 2015, full reference below).

The City has informed the applicant that it would issue an "Inadvertent Discovery Plan / Unanticipated Discovery Plan" to ensure that resources are protected pursuant to the Revised Code of Washington (RCW) Chapter 27.53.

Finley, A. (2015) Results of a Cultural Resources Inventory of WAI Swantown Cell Site (Trileaf # 612829), Oak Harbor, Island County, Washington. Report Completed for Trileaf Environmental and Property Consultants. Applied Archeological Research, February 2, 2015. On file at the Department of Archeology & Historic Preservation, Olympia, WA NADB no. 168416.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Not applicable.

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

SW Putnam Drive and SW Robertson DR will connect to the east side of the plat. Site plan attached.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

No. 1.1 miles.

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

**Each lot will have a minimum of two (2) off-street parking spots.
Additionally, the development will provide on-street parking for 22 vehicles.**

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

**A new public street system will be built within the site, to serve the new lots.
The north shoulder of Swantown will be upgraded to existing profile standards for the width of the property.**

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

**Average vehicular trips per day = 400
Peak Volumes - 42 PM peak-hour trips
Percentage of commercial and non-passenger - 0%
ITE Trip Generation, 9th edition, 2012
See attached traffic impact analysis at dated 16 December 2015.**

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No

h. Proposed measures to reduce or control transportation impacts, if any:

Coordinated with the City to eliminate elements of the original concept that would have caused high through-site traffic and adverse conditions.

Comply with City request for traffic calming measures, pay traffic mitigation fees and comply with the recommendations of the traffic impact analysis.

15. Public services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Only as typical of a normal middle-income residential community of forty three homes.

b. Proposed measures to reduce or control direct impacts on public services, if any.

Participate in the current impact fee structure of the city as required.

16. Utilities

a. Circle utilities currently available at the site:

Electricity

Water

Refuse service - City of Oak Harbor

Telephone - Frontier, Comcast

Septic system - single residential unit

Cable TV- Frontier, Comcast

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Electric - PSE

Water - City of Oak Harbor

Refuse collection - City of Oak Harbor

Sanitary sewer - City of Oak Harbor

Natural Gas - Cascade Natural Gas

Telephone - Frontier, Comcast

Cable - Frontier, Comcast

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

I declare under penalty of the perjury laws that the information I have provided on this form/application is true, correct and complete.



Signature: _____

Name of signee F R Rick Duran

Position and Agency/Organization Development
Executive, George F. Marin
Trust

Date Submitted: 06 November 2015.
revised 31 January, 2016

MARIN WOODS

Attachment K: Findings of Fact

BEFORE THE CITY OF OAK HARBOR PLANNING COMMISSION STATE OF
WASHINGTON

Re: Marin Woods FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECORD OF
DECISION

This matter having come as a public hearing before the Oak Harbor Planning Commission on the 27th day of September, 2016 upon application of the George F. Marin Trust represented by F.R. Rick Duran, petitioner, appearing in person; Development Services Department of the City of Oak Harbor appearing by its Director; and the City of Oak Harbor Planning Commission being advised and having considered the evidence and testimony presented now make the following:

1. FINDINGS OF FACT

- 1.1** Jurisdiction herein was obtained by an application from the George F. Marin Trust for Preliminary Plat, PRD and Subdivision Waiver approval of Marin Woods, a 43-lot subdivision located north of Swantown Avenue at the intersection of Fairway Lane, more specifically encompassing Island County parcel number R13204-459-4200.
- 1.2** The City of Oak Harbor Planning Commission after due notice of hearing did consider the application of the George F. Marin Trust for the Preliminary Plat, PRD and Subdivision Waiver of Marin Woods at a regular meeting on September 27, 2016. The hearing was recorded and a written transcript may be prepared therefrom.
- 1.3** The City of Oak Harbor Planning Commission discussed all matters presented thereto and concluded that:
- i.** The subject application contains or is associated with the following applications: Preliminary Plat (PPL-15-01); Preliminary PRD (PLN-15-09); Subdivision Waivers; Landscape Plan (PLN-15-10); Land Clearing Plan (LND-15-02); Transportation Concurrency (TRC-15-11) and State Environmental Policy Act (SEPA) Checklist (SEP-15-09).
 - ii.** The Planning Commission staff report and its attachments, dated September 27, 2016 and incorporated herein by reference, presented relevant project information, the criteria the above applications must be reviewed against and staff's analysis of those items.
 - iii.** An environmental assessment was made of the project in accordance with the checklist requirements of the State Environmental Policy Act of 1971. This proposal has been determined to not have a significant impact upon the environment. An Environmental Impact Statement is not required under RCW 43.21C.030(2)C.

- iv. A Mitigated Determination of Nonsignificance (MDNS) was issued for the proposal on March 11, 2016 in accordance with WAC 197- 1 1-350.
- v. Based on the information provided by the Applicant and staff's thorough review and analysis conducted through the application process, the Planning Commission finds the Applicant has sufficiently addressed the requirements of the OHMC relating to the following applications:

Preliminary Plat (PPL-15-01) – The applicant has sufficiently addressed the Oak Harbor Municipal Code requirements regarding the preliminary plat and the Planning Commission could, with the exception of the lack of public street connection to Swantown Avenue, recommend approval of the preliminary plat.

Preliminary PRD (PLN-15-09) – The applicant has requested certain deviations from minimum lot size and setback dimensions in exchange for improved architectural design, open space and community amenities. The Planning Commission finds that the applicant has addressed OHMC and that approval of the preliminary PRD could be recommended, with the exception of the lack of public street connection to Swantown Avenue,

Subdivision Waivers – The applicant has requested four separate waivers for design of roadways within the subdivision. The first is considered an administrative waiver and addresses street width – that waiver will not be considered by the Planning Commission or City Council. Two waivers deal with the slope of a section of roadway and the geometry of a curve. The Planning Commission finds the justification for these two waivers to be sufficient and could recommend approval of them.

Landscape Plan (PLN-15-10) – The submitted landscape plan addresses the required portions of the OHMC with regard to subdivision and PRD landscaping and the Planning Commission could recommend approval of the Landscape Plan as a part of the subdivision and PRD approval process, allowing the applicant to apply the landscape plan to the project as a part of the process to receive final plat approval.

Land Clearing Plan (LND-15-02) – The Planning Commission could recommend approval of the Land Clearing Plan to allow the applicant to remove vegetation as needed to proceed with the development of the property.

- vi. The thorough review carried out by staff, as detailed in the Planning Commission staff report, has determined that the Subdivision Waiver regarding the connection of the internal subdivision street system to Swantown Avenue following application does not meet the standards and

criteria set forth by the Oak Harbor Municipal Code and should be disapproved.

- vii. As was noted in the staff report, the project drawings do not depict the code-required street connection to Swantown Avenue. After careful analysis, the Planning Commission could not support the applicant's request for a subdivision waiver that would allow the project to be approved without that connection. A revision to the project drawings is necessary. With that in mind, the previously referenced Effect of Approval code section (OHMC 21.20.080) has a role in shaping the Planning Commission's recommendation on this project. Due to the fact that the Planning Commission cannot recommend approval of the subdivision waiver regarding the connection to Swantown Avenue, the Planning Commission cannot recommend approval of the preliminary plat, PRD and associated applications. Therefore, the Planning Commission must recommend that the applications be disapproved.

- 1.4 The Marin Woods Preliminary Plat, PRD and Subdivision Waivers have been processed in accordance with RCW Title 58, the City of Oak Harbor Municipal Code Titles 18, 19 and 21, the State Environmental Policy Act RCW 43.21 C and the Open Meetings Act of 1971 RCW 42.30 and the action is in accord therewith.

From the foregoing FINDINGS OF FACT, the Oak Harbor Planning Commission makes the following:

2. CONCLUSION OF LAW

- 2.1 The findings of fact as noted in the records of the City of Oak Harbor Development Services Department upon which the recommendation for disapproval of the Preliminary Plat, PRD, Subdivision Waivers and associated permits for the Marin Woods project made by the City of Oak Harbor Planning Commission are proper and have not been reached in an arbitrary or capricious manner nor without due process of law.

3. RECORD OF DECISION

- 3.1 On September 27, 2016, the Oak Harbor Planning Commission did recommend that the City Council disapprove the Preliminary Plat, PRD, Subdivision Waivers and associated permits for the Marin Woods project, application numbers PPL-25-01 and PLN-15-09, submitted by the George F. Marin Trust.
- 3.2 This order is advisory to the City Council and may be accepted by the City Council, or rejected by the City Council after a public meeting.

APPROVED AND ADOPTED THE 27th DAY OF SEPTEMBER, 2016.

PLANNING COMISSION
CITY OF OAK HARBOR, WASHINGTON

Chair

Attest:

Lisa Felix
Development Services
Administrative Assistant

MARIN WOODS

Attachment L: Conditions of Approval

CONDITIONS OF APPROVAL
MARIN WOODS
PRD, PRELIMINARY PLAT AND SUBDIVISION WAIVER

Preliminary Plat

1. The applicant's architectural designs, civil engineering construction drawings, landscape plans, land clearing plans, grading plans, and final plat drawing shall be in general conformance with the approved PRD and preliminary plat drawings entitled "Marin Woods PRD," and dated August 22, 2016.

Preliminary PRD

2. Setbacks for homes shall be as shown on the Preliminary Plat Map, Sheet P3. Applicant is advised to take advantage of reduced front setbacks in particular for lots along eastern boundary to allow for rear yard space to be utilized by homeowners without encroaching into native vegetation areas.
3. Attached garage walls facing the street must be no closer to the street than the wall containing the front entrance to the home, or to the edge of a covered porch or deck if provided.
4. The garage façade must not be more than 50% of the overall façade length of the home.
5. Driveway length shall be at least 20 feet for all homes.
6. Home designs, materials, placement and other details must meet all applicable regulations listed in the PRD Code, OHMC 19.31.

Landscaping

7. The applicant shall install a fence of open design and/or signage on each property with a native vegetation area to delineate that area and make clear that native vegetation is to be protected and not utilized as active private yard area.
8. Prior to final plat approval, the applicant shall submit covenants for the commonly-owned native vegetation areas which describe how these areas are to be preserved and maintained.
9. Applicant will provide written notification of trees being removed on the subject parcel to those property owners immediately adjacent to the parcel, informing those owners of the intent to harvest trees and alerting them to the possibility that said removal may cause blowdown or damage to trees on neighboring parcels.

10. Two street trees are to be provided per lot, except in places where said placement will create a visibility issue at street intersections.
11. Prior to construction permits being issued, the applicant shall submit detailed landscape and irrigation plans in compliance with OHMC 19.46 and 19.31.
12. The applicant shall post a three year maintenance bond to ensure landscaping completion and a minimum plant survival of 80 percent at the end of three years. The type of bond shall be approved by the City and must be submitted on forms supplied by the City of Oak Harbor. The approved bond shall be posted with the Development Services Department prior to the issuance of a building permit. The bond amount shall be 150 percent of a landscaping maintenance bid amount submitted and approved by the City. The bid amount must include labor and materials.

Building

13. All common area pathways, sidewalks and facilities shall be accessible to persons with physical disabilities (IBC 1103.1)

Plat Drawing

14. Prior to approval of final plat, the applicant is required to submit a copy of all proposed deed restrictions and covenants.
15. The applicant shall include dedication language on the face of the final plat as stated in OHMC 21.40.040.

Engineering

16. Following approval of the Preliminary Plat, construction plans must be submitted to and approved by the Engineering Department prior to commencing any construction activities. These plans must include all street and frontage improvements (including sidewalk, curb, gutter, paving, traffic control, storm drainage, and street illumination), all pedestrian tract improvements (lighting, pathway, landscaping), and all existing and proposed utilities including, but not limited to water, sewer, storm drainage (including a site drainage analysis), power, telephone, cable, and gas. All proposed improvements must meet the City of Oak Harbor standards for materials and installation practices.
17. In accordance with the approved administrative subdivision waiver, the applicant may utilize the "Local Narrow Tier 1 Alternative" street design for the street located between Tracts A and B. Exact geometry will be subject to final civil and construction plan review and approval.
18. In accordance with the approved subdivision waiver, the applicant may utilize the road geometry shown on the Preliminary Plat with the exact geometry to be subject to final civil and construction plan review and approval.

- 19.** In accordance with the approved subdivision waiver, the applicant may utilize a steeper road grade on Upper Marin Drive as shown on the Preliminary Plat with the exact street geometry to be subject to final civil and construction plan review and approval.
- 20.** Pedestrian crossings will be subject to final civil and construction plan review and approval.
- 21.** Stormwater facilities are subject to final civil and construction plan review and may be subject to revisions based on submitted calculations and sizing of said facilities.

Presented to the City of Oak Harbor Planning Commission
September 27, 2016
Development Services Department

Low Impact Development

Public Meeting

City of Oak Harbor Planning Commission Report

Date: September 27, 2016
Subject: Low Impact Development –
Code Amendment

FROM: Dennis Lefevre, AICP, Senior Planner, Development Services Department
Brad Gluth, Civil Engineer, Public Works Department

PURPOSE

This report serves as an update to the low impact development (LID) code amendment project providing a project status and anticipated schedule.

BACKGROUND

The City of Oak Harbor, a Phase II jurisdiction under the National Pollutant Discharge Elimination System (NPDES), is required to review, revise and make effective code amendments to incorporate and require LID best management practices (BMPs) and principles. Low impact development means a storm water management and land development strategy applied at the parcel and subdivision scale that emphasizes conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic pre-development hydrologic functions. Simply put, low impact development requires that most stormwater stays on the site.

As presented to the Planning Commission last month, the Washington Department of Ecology (DOE) has provided guidance to local jurisdictions in meeting the LID requirements. In addition to training opportunities, DOE prepared a code integration toolkit¹ which identified six steps to successfully integrate LID into our local code. Those steps are:

- Step 1. Assemble the project team;
- Step 2. Understand general topics to address;
- Step 3. Review existing codes and standards;
- Step 4. Amend existing codes and develop new codes;
- Step 5. Public review and adoption process; and,
- Step 6. Ensure successful implementation.

DISCUSSION

The purpose of this meeting is to update the Planning Commission on the progress made on this project and discuss a proposed meeting schedule (Attachment 1).

RECOMMENDED ACTION

No recommended action at this time.

SUGGESTED MOTIONS

No suggested motion at this time.

ATTACHMENT

1. Proposed Schedule for LID project.

¹ Low Impact Development – Code Update and Integration Toolkit, 2014, Washington Department of Ecology.

November 2016						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 City Council	2	3	4	5
6	7	8 Planning Commission Special Meeting (Optional)	9 LID Core Team Mtg.	10	11	12
13	14	15 City Council LID – (Open Public Hearing/Adopt?)	16 City Council Workshop	17	18	19
20	21	22 Planning Commission	23	24 Thanksgiving	25 Holiday	26
27	28	29	30	Notes:		

December 2016						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6 City Council LID (Contingency Mtg - Adoption)	7	8	9	10
11	12	13	14	15	16	17
18	19	20 City Council LID (Contingency Mtg)	21 City Council Workshop	22	23	24
25	26	27 Planning Commission	28	29	30	31